MINISTRY OF INFRASTRUCTURE, HOUSING AND URBAN DEVELOPMENT

CONFLICT OF INTEREST POLICY

January, 2024

FOREWORD

As we strive to create vibrant, sustainable, and inclusive communities, it is essential that we uphold the highest standards of integrity, transparency and accountability in all our endeavors. In this regard, I am pleased to introduce the Conflict of Interest Policy developed by the Ministry of Infrastructure, Housing and Urban Development.

This policy serves as a cornerstone in our commitment to promoting good governance within our Ministry. It outlines the principles and guidelines that will help us identify, manage and prevent conflicts of interest that may compromise the public trust and the effectiveness of our work. By adhering to the principles and procedures outlined in this policy, we demonstrate our unwavering dedication to serving the needs of our communities without bias or undue influence.

I encourage all employees, stakeholders and partners of the Ministry of Infrastructure, Housing and Urban Development to familiarize themselves with this policy and actively engage in its implementation. Together, we can create an environment that fosters trust, credibility and public confidence in our efforts to shape the future of our cities and infrastructure.

Hon. Eng. Charles Lubasi Milupi, MP

MINISTER OF INFRASTRUCTURE, HOUSING AND URBAN DEVELOPMENT

ACKNOWLEDGEMENT

My sincere appreciation goes to the Integrity Committee Members and other key stakeholders for their active participation and hard work in developing this Conflict of Interest Policy.

I would also like to express my gratitude to the Anti-Corruption Commission for the technical assistance provided during the formulation of these Guidelines.

Prof. Albert Malama
PERMANENT SECRETARY
MINISTRY OF INFRASTRUCTURE, HOUSING AND URBAN DEVELOPMENT

ACRONYMS

MIHUD	-	Ministry of Infrastructure, Housing and Urban Development
COI	-	Conflict of Interest
IC	-	Integrity Committee

INTERPRETATIONS

i) **Client** – an individual or organization with whom the Ministry has a business relationship. This includes prospective clients.

ii) **Employee** – Any person employed and working at MIHUD whether permanent and pensionable, contractual, seconded, attached or intern.

iii) **Stakeholders** – refers to individuals or groups who have a vested interest in the Ministry and are affected by its actions and decisions.

iv) **Supervisor** – refers to an individual who holds a managerial or leadership position responsible for over seeing and guiding the work of a group of employees or team members.

MISSION AND VISION

Vision

"To be a Ministry delivering adequate and sustainable infrastructure and housing for all."

Mission

"To facilitate and provide timely, quality and right priced infrastructure and housing for socio-economic development."

Core Values

The operations of the Ministry of Infrastructure, Housing and Urban Development and, more specifically, the conduct and behaviour of the staff is anchored on the following seven (7) core values: -

a) **Integrity –**We commit to be honest and adhere to strong ethical moral principles of uprightness, honour and good character in our conduct of business;

b) **Professionalism** - We commit to adhere to public service Code of Ethics and be diligent and excellent in the execution of our duties;

c) **Teamwork –** We commit to working together towards the realisation of a common goal for the best of our abilities;

d) **Accountability –** We commit to be responsible to the Ministry and the Public for decisions and actions taken, and submit to whatever scrutiny is appropriate to one's office;

e) **Impartiality –** We commit to be objective and non-discriminatory in the execution of our duties**;**

f) **Transparency –** We commit to be open and communicate effectively in the discharge of our duties; and

g) **Innovativeness –** We commit to the promotion of new ideas and use of new technology in the delivery of services.

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1.0 INTRODUCTION

The Ministry of Infrastructure, Housing and Urban Development (MIHUD) is responsible for facilitating the provision of adequate and quality public infrastructure for inclusive and sustainable socio-economic development. It is the aim of the Ministry to ensure that its mandate is undertaken in an honest, transparent and ethical manner.

2.0 POLICY STATEMENT

As a Ministry, we are committed to upholding the highest standards of integrity, transparency and ethical conduct in all our operations. To this end, this Conflict of Interest (COI) Policy has been developed to guide our employees and stakeholders in identifying, disclosing and managing situations where their personal interests may conflict with the interests of the Ministry and the public we serve.

All employees of the Ministry shall disclose all direct or indirect conflict of interest that they discover or that have been brought to their attention.

This policy serves as a cornerstone of our commitment to maintaining public trust and ensuring that our decision-making processes are free from undue influence. Therefore, all employees are expected to act with the utmost honesty, impartiality and fairness when performing their duties.

3.0 PURPOSE OF THE POLICY

The purpose of this Policy is to provide guidelines for identifying and handling Conflicts of Interest in the Ministry.

4.0 APPLICATION AND SCOPE

This Policy applies to all employees or any person formally acting on behalf of the Ministry of Infrastructure, Housing and Urban Development.

This Policy covers all assignments that may include but not limited to the following:

4.1 All meetings;

4.2 All committee sittings;
4.3 Inspections and certifications;
4.4 Preparation of documents;
4.5 Processing of payments;
4.6 Allocation of resources;
4.7 Dealing with clients and other stakeholders;
4.8 Vetting and selection of tenants and buyers of Property;
4.9 All forms of negotiations;
4.10 Assessments of compensation for displaced people; and
4.11 Land acquisition processes for Infrastructure Development

For Meetings and committee sittings COI shall always be an agenda item. The chairperson or anyone in charge of the assignment above shall deliberately request members to the assignment to declare any direct or indirect interest that they may have to the assignment.

5.0 CONFLICT OF INTEREST

For purposes of this Policy, 'conflict of interest' is *a situation where the private interests of an employee compete or is in conflict with that of the employer in such a manner as to influence the objective exercise of the employee's duty*. According to section 28 of the Anti-Corruption Act No. 3 of 2012, Conflict of Interest provisions is as follows:

1) *"Where a public body in which a public officer is a member, Director, Employee or is otherwise engaged proposes to deal with any person, a company, partnership or other undertaking in which that public officer has a direct or indirect private or personal interest, that public officer shall forthwith disclose, in writing to that public body the nature of such interest and shall not take part in any proceedings or process of that public body relating to such decision"; and*

2) *"Where a Public Officer or a relative or associate of such a Public Officer has a personal interest in a decision to be taken by a public body, that Public Officer shall forthwith disclose, in writing to that public body, the nature of such interest and shall not vote or take part in any proceedings or process of that public body relating to such decision".*

   For avoidance of doubt the Act further defines associates and relatives as follows*:*

Associate

In relation to a person, means:

a) *A person who is a nominee or an employee of that person*

b) *A person who manages the affairs of that person*

c) *A former spouse or conjugal partner of that person*

d) *A firm of which that person, or that person's nominee, is a partner or a person in charge or in control of its business or affairs;*

e) *A company in which that person or that person's nominee, is a director or is in charge or in control of its business or affairs, or in which that person, alone or together with that person's nominee, holds a controlling interest or shares amounting to more than 30% of the total share capital; or*

f) *The trustee of a trust, where;*

   i. *The Trust has been created by that person; or*

   ii. *The total value of the assets contributed by that person before or after the creation of the trust, amounts, at any time, to not less than 20% of the total value of the assets of the trust.*

Relative

In relation to a person, means:

a) *A parent, son, daughter, brother, sister, nephew, niece, uncle, aunt, grand parent, or cousin, of that person's spouse, and*

b) *A spouse of that person*

6.0 MIHUD CONFLICT OF INTEREST GUIDELINES

Whenever and wherever an employee of the Ministry encounters a conflict of interest situation, they are required to forthwith declare their interest. The following procedure shall apply:

6.1 Declaration of Interest Procedure

a) All employees shall be required to furnish information in a prescribed form (Appendix II) whenever confronted with a conflict of interest situation. In the absence of a declaration form, a written declaration shall be submitted.

b) The completed form shall be lodged with the supervisor or the chairperson of that particular committee or meeting as soon as it is practical.

c) In an event that someone declares interest, the supervisor or chairperson shall immediately guide on the possible course of action for the officer who has declared their interest.

d) Where the chairperson or supervisor has established that the declaring officer is conflicted, the declaring officer shall be advised to stay away from the proceedings in line with Section 28 of the AC Act.

e) A copy of the completed form shall be submitted to the IC Secretariat for record keeping.

7.0 IMPLEMENTATION OF THE POLICY

The Controlling Officer shall be responsible for the implementation of these guidelines through the IC, Heads of Departments/Units, all Regional, Provincial and District Offices. It is also the responsibility of every officer to promote adherence to the guidelines.

8.0 SENSITISATION OF THE POLICY

The Controlling Officer through the IC shall be responsible for sensitizing all employees on this Policy. Upon successful sensitisation, the employee shall fill in the acknowledgement form at Appendix I.

9.0 ENFORCEMENT OF THE POLICY

Whenever a conflict of interest arises as per Guidelines, it must be declared as soon as practical. Enforcement of the COI shall take the following forms, in case of:

(a) Compliance

i). The Chairperson or the person responsible for the assignment shall acknowledge as highlighted in 6.1.

ii). On a case to case basis, the Permanent Secretary may recognise or reward employees for complying with this Policy to encourage good conduct.

(b) Non-Compliance

i) Where evidence of breach is uncovered or exists, disciplinary action shall be taken against the employee in line with the disciplinary code and/or any applicable law.

10.0 COLLABORATIVE PARTNERSHIPS

This Policy will be implemented in collaboration with law enforcement agencies and other relevant institutions.

11.0 THE GENERAL PUBLIC AS A STAKEHOLDER

All stakeholders are expected to support the implementation of this Policy. In this regard, the IC shall ensure that both the employees and the general public are well informed on the Policy. The general public will be encouraged to give feedback on the provisions of the services by the Ministry through the Client Feedback System.

12.0 FURTHER INFORMATION ON THE POLICY

For further information or clarification on the provisions of the Policy feel free to contact the IC.

13.0 MONITORING IMPLEMENTATION OF THE POLICY

The IC shall undertake quarterly monitoring of the Policy to ensure proper implementation and adherence. The IC will also undertake mid-term and summative evaluation of the Policy.

14.0 REVIEW OF THE POLICY

The Policy will be reviewed every five (5) years. The Policy will, however, continue to be in effect until it is reviewed. Notwithstanding the above, the Policy may be reviewed before the stated period should compelling situations arise. The review will be informed by the monitoring and evaluation Reports.

APPENDIX I

Employee Acknowledgement Form

Conflict of Interest

I …… Employee No. ……do hereby acknowledge having received, read and understood the Conflict of Interest Policy for the Ministry of Infrastructure, Housing and Urban Development. I further hereby undertake to comply and abide by the Policy.

Employee:

Signed:……

Name: ……

Position:……

Date: ……

Issued by:

Human Resources Department

Signed: ……

Name ……

Position ……

Official Date Stamp:

Conflict of Interest Declaration Form

1.0 Purpose:

The purpose of this declaration form is to provide a record of the conflict of interest situations encountered by the employees of the MIHUD in accordance with the Conflict of Interest Policy.

The employee declaring a conflict of interest will fill in the following details.

S/N	Item	Details
1.	Assignment or programme under consideration	
2.	Nature of conflict of interest (Here the employee should state how conflicted they are, who or what is involved as well as if the conflict is direct or indirect).	
3.	Date of declaration	
4.	Any other comment	

2.0 Certification:

I hereby certify that the details I have given above are true and in line with the Conflict of Interest Policy.

Employee signature:	
Name:	
Employee No.	
Department/Unit:	

3.0 Committee Chairperson/Supervisor's decision:

Comment:	
Name:	
Position:	

Signature:	
Date:	

Note: This form will be filled in triplicate and distributed as follows.

1. Employee declaring.
2. Conflict of Interest Register.
3. The IC Secretariat.

The employee will be informed of the outcome of their declaration as soon as practical