







WHISTLE BLOWING POLICY

NAME:	SIGNATURE	DATE
PREPARED BY: IAOs		26/11/2018
CONTROLLED BY: QUALITY MANAGEMENT REPRESENTATIVE		26/11/2018
APPROVED BY: MANAGING DIRECTOR		28/11/18
APPROVED BY: THE CHAIRMAN OF THE BOARD OF DIRECTORS		5/12/2018



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1.0 PURPOSE

The purpose of the whistle blower policy is as follows:

- (i) To encourage employees and other stakeholders to report unethical behaviors, malpractices, wrongful conduct, fraud, violation of the company's policies & Values, violation of law by any employee of Kenya Re without any fear of retaliation.
- (ii) To build and strengthen a culture of transparency and trust within the organization.

2.0 SCOPE

2. Aims and Scope of this Policy

2.1.1 This policy aims to:-

- (i) provide avenues for staff to raise concerns and receive feedback on any action taken;
- (ii) allow staff to take the matter further if they are dissatisfied with the response and;
- (iii) reassure staff that they will be protected from reprisals or victimization for whistleblowing in good faith

2.1.2 Employees may be the first to see that something is seriously wrong within the Corporation. Such wrongdoings may relate to:-

- (i) financial malpractice or impropriety
- (ii) suspected fraud or corruption;
- (iii) breach of code of conduct
- (iv) disregard for legislation i.e. Public Officers Ethics Act
- (v) discrimination (i.e. a witnessing discrimination as a third party);
- (vi) abuse of vulnerable people
- (vii) damage to the environment.
- (viii) health & safety
- (ix) failure to comply with legal proceedings



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- (x) criminal activity
- (xi) attempting to conceal any of these

2.1.3 It is the duty of employees to speak up when they have serious concerns and it is the duty of the Corporation to act on those concerns and protect and support employees when they do. A failure to report serious concerns could be construed as collusion. Difficult as it may be to speak up, employees should be aware of their special position and of their duty to make their concerns known.

2.1.4 This Policy is issued to employees to advise specifically on blowing the whistle on wrong doing. It should not be confused with the complaints procedure (where the public can complain about the Corporation or Corporation's services), the grievance procedure (where one complains about own treatment as an employee) or the disability mainstreaming policy (specifically relating to working around people living with disabilities).

2.1.5 This Policy is available to all staff through the Intranet.

2.2 Objectives

This policy seeks the support of Kenya Re employees, stakeholders and vendors to report significant deviations from key management policies and report any non-compliance and wrong Practices, e.g., unethical behavior, fraud, violation of law, inappropriate behavior /conduct etc.

2.3 Definitions

1. **"Whistleblower"** is defined by this policy as an employee who reports, to one or more of the parties specified in this policy, an activity that he/she considers to be illegal, dishonest, unethical, or otherwise improper.
2. **"Protected Disclosure"** means any communication made in good faith that discloses or demonstrates information that may evidence unethical or improper activity.
3. **"Subject"** means a person against or in relation to whom a Protected Disclosure has been made or evidence gathered during the course of an investigation.



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4. **“Unethical Behaviour” means** not conforming to approved standards of social or professional behavior; i.e. "unethical business practices"
Adjective:- corrupt, corruptible, dishonest, dishonorable, disreputable, ignoble, immoral, inglorious, questionable, shady, uncommendable, unconscionable, unfair, unprincipled, unprofessional, unworthy, wrong.

5. **“Non Compliance” means** the fact of not obeying a rule or law, failure or refusal to comply.

3.0 GUIDELINES

3.1 The Corporation is committed to ensuring the highest possible standards of care and the highest possible ethical standards in delivering the services it provides. To this end, this policy demonstrates the Corporation’s commitment to recognize and take action in respect of malpractice, illegal acts or omissions by its employees or ex-employees. It is the responsibility of all staff to ensure that if they become aware that actions of other staff or officers of the Corporation might compromise this objective, they will be expected to report the matter in the safe knowledge that this will be treated seriously and sensitively.

3.2 Even though, the Kenya Parliament has already passed the Act (Witnesses Protection Act, 2006) that will protect whistle blowers, took cognizance of the importance for the Corporation to develop a whistle blowing policy and procedures to protect staff who acting in good faith disclose information about the Corporation and its activities or those of any of its staff or officers which might be considered as fraudulent or corrupt behavior. Management shall ensure that the policy is in tandem with the Witnesses Protection Act. This policy and procedures has been developed to support and assist staff in bringing genuine concerns to the attention of appropriate people within the Corporation who can initiate an investigation into matters raised.



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4.0 RESPONSIBILITIES

4.1 All staff have a responsibility to ensure that the best possible standards of care are achieved and to act in accordance with their Corporation's codes of conduct. Staff are advised to do the following:

- a) Report to an appropriate staff member as outlined in this procedure, any concerns that something is happening which might compromise the rules contained in the code of conduct.
- b) Express their concerns earlier. The earlier employees express their concerns the better and the easier it will be to take action.

Concerns are better raised in writing and one should try to set out:-

- the background and history to the concern;
 - dates and places where possible;
 - the reasons for the concern.
- c) Raise concerns in good faith with the true belief that a malpractice has occurred. Not raise concerns with any malicious intent or vexatious nature.
 - d) Raise concerns with an appropriate officer as outlined in the Anti-Corruption Policy.
 - e) Ensure the confidentiality of one's expression of concern, it is suggested that employees send letters/written notes in a sealed envelope addressed to the appropriate person and clearly marked "Strictly Private and Confidential - To be opened by the addressee only".
 - f) To demonstrate to those appointed to investigate the matter, that there are sufficient grounds for the concern.

4.2 Staff members may report suspected cases of fraud and corruption to any of the following:-

- a) Chairman of the Board



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- b) Chairman of Board HR Committee
- c) Managing Director
- d) Head of Internal Audit
- e) Integrity Assurance Officers (IAOs)
- f) Regional Integrity Assurance Officers

If the staff member prefers to remain anonymous, then, she/he can report through the confidential reporting hotline or complaints boxes.

5.0 RECORDS RETENTION

Records of (all written statements along with the results) any investigations relating thereto shall be kept on a separate secured file in the Head of Internal Auditor's office for seven years. It is illegal and against the Corporation's Policy to destroy any audit records that may be subject to or related to an investigation by the Corporation.

6.0 ALLEGATIONS

If staff make allegations in good faith, but it is not confirmed by the investigation, no action will be taken against the staff. In such circumstances employees will be supported. If, however, one makes malicious or vexatious allegations, disciplinary action shall be taken against the person, and the matter will be referred to an appropriate committee before any action is taken.

7.0 SUPPORT/SAFEGUARDS

It should be noted that Kenya Re violates the Whistleblower Protection Act if the management take (or threaten to take) retaliatory personnel action against any employee or applicant because of disclosure of information by that employee or applicant. Whistleblowers may file complaints that they believe reasonably evidences a violation of a law, rule or regulation; gross mismanagement; gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or safety.

An employee can file a complaint against an employer if the employer retaliates against him/her for exercising a right, since the act protect employees from retaliation. Under the Whistleblower Protection Act, employee complaints about his or her employer breaking, or not following, certain laws relating to securities, shareholder fraud, or other



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types of fraud (wire, mail, or bank), are protected against employer retaliation, hence any person who retaliates against a person who reports in good faith, is subject to disciplinary action. As long as the employee had a good faith intention when he or she made the complaints they are protected from retaliation, even if no conviction results.

Persons cannot be dismissed or subjected to other retaliatory measures because they made complaints, whether inside or outside of the company.

8.0 IMPLEMENTATION AUTHORITY

The responsibility to ensure implementation of this policy rests with the Managing Director, as the head of the Corporation and Chair of the Corruption Prevention Committee.

9.0 REVIEW

This policy is to be reviewed every two years or as need arises from time to time.



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APPENDIX

User Declaration

I,, have read and understand the above Whistle Blowing Policy and consent to adhere to the rules outlined therein.

User Signature

Date
