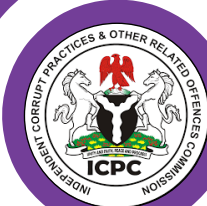




# NIGERIAN INSTITUTE OF MEDICAL RESEARCH

*Research for National Health*

# ACTU



## ANTI-CORRUPTION AND TRANSPARENCY UNIT HANDBOOK

November 2021

**NIMR...** the Foremost Research Institute in Nigeria

# NIGERIAN INSTITUTE OF MEDICAL RESEARCH

*Research for National Health*



## ANTI-CORRUPTION AND TRANSPARENCY UNIT HANDBOOK

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## FORWARD



Corruption is a form of dishonesty or a criminal offense which is undertaken by a person or an organization entrusted with a position of authority, in order to acquire illicit benefits, or an abuse of office for ones personal gain. Corruption runs through every stratum of the society. It is a by-product of absence of integrity, good ethics, accountability and transparency. It has been generally adjudged as the most singular factor militating against our country's quest for rapid economic development.

Corruption stifles economic growth, it reduces economic efficiency and development despite the enormous resources in the country. It creates negative national image and loss of much needed revenue. Corruption hurts everyone. It erodes trust in the public sector and wastes resources that have been earmarked for important projects. This means we have to put up with poor quality services or infrastructure, or we miss out altogether.

Therefore, we need to expose corrupt activities, keep the public sector honest, transparent and accountable and ensure that public sector employees act in the interest of the public. The Anti-Corruption and Transparency Unit (ACTU) has been established at the Nigerian Institute of Medical Research to ensure the institutionalization of integrity through public sensitization and mobilization. Hence, this booklet will enlighten the entire workforce in the institute about the ills of corruption and mobilize them in the fight against corruption. I strongly recommend it as a close companion to each employee to ensure compliance to the codes of ethics and integrity policies in the institute.

A handwritten signature in red ink, appearing to read 'Babatunde Lawal Salako', with a stylized flourish above it.

**PROF. BABATUNDE LAWAL SALAKO,**

MBBS (Ib), FWACP, FRCP (Lond), FRCP (Edin), mnim, FNAMed, FAS.

**DIRECTOR-GENERAL/CEO**

## INTRODUCTION

Nigeria has consistently been rated as one of the most corrupt countries in the world on the Transparency International (TI) Corruption Perception Index (CPI). In 2019, we scored 27 over 100. That is on the scale of 0 to 100, 0 being highly corrupt and 100 being very clean.

## DEFINITION OF CONCEPT

### What is Corruption?

Corruption is generically defined as a dishonest or immoral behaviour that is at variance with generally accepted standards.

Oxford Advanced Learner's Dictionary defines it as dishonest or illegal behaviour especially of people in authority.

The World Bank defines corruption as the abuse of public office for private gains. The gain may not necessarily always be monetary in nature. it could be influence, power etc.

- Robert Klitgaard, an American Economist adopted the formula below to describe corruption:

$$M + D - A = C$$

M = Monopoly;                      D = Discretion;                      A = Accountability; C = Corruption

- The World Bank defines Corruption as “**the abuse of public office for private gain**”
- Transparency International (TI) defines it as “**the misuse of entrusted power for private gain**”. The slight modification is meant to accommodate the incidence of corrupt practices in the private sector.
- The ICPC Act, 2000 describes Corruption as including “**bribery, fraud and other related offences**”.

In summary, corruption has two components: the abuse of position of trust for personal gains and the exploitation of a flawed system to gain unmerited favours for oneself. Corruption is a hydra-headed monster that undermines the fabrics of all societies and constitutes a serious threat to good governance, rule of law, peace and security as well as development programmes aimed at tackling poverty and economic backwardness. The harmful effect of corruption is especially severe on the world's poorest, who are most reliant on the provision of public services--and are least capable of paying the extra costs associated with fraud and corruption.

It is heart breaking that year after year corruption has continued unabated and has become intractable and cancerous, it is largely responsible for the myriad of problems that the country is battling today. Whether economic, social, insecurity and political. It can all be traced to systematic corruption in many sectors.

Since 1967 successive governments have made various efforts and rolled out different programmes to address this plague including Ethical Revolution by Shagari Administration, War Against Indiscipline by the Buhari-Idiagbon regime of the early 1980s, War Against Indiscipline and Corruption by the Abacha regime in the 1990s,

Corruption destroys human progress, feeds inequality, finances war and terrorism and obliterates people's faith in good governance. It enables small elite in the position of power to prosper while others pay the price. It is also a pernicious thief of economic development, and the rule is simple the more corrupt the society the poorer the people.

Corruption takes diverse forms among which are Bribery, gratification, nepotism, stealing, extortion, embezzlement, inflation of contracts, falsification of official records, misappropriation, absenteeism from duty.

Gratification could take the form of money, donation, material gifts, loan fee, reward, valuable security, property and interest in property or any security or any other similar advantage, given or promised to any person with intent to influence such a person in the performance or non-performance of his duties

It could be offered and received in the form of office, dignity, employment, contract of employment or rendering of service in any capacity. It could disguise itself as kindness in the form of service or favour of any description such as protection from any penalty,

As commendable as the efforts of the government seems in curbing corruption, not much would be achieved if it is allowed to thrive in our organizations. The Independent Corrupt Practices and Other Related Offences Commission (ICPC) was inaugurated on 29th September, 2000 to combat corruption in all ramifications.

The duties of the Commission are stated in section 6(a-f) of the ICPC Act 2000 and they include:

**Enforcement:**

To receive reports of corruption from citizens and investigate same.

Then where a prima facie case exist, prosecute the suspect(s).

If found guilty, they are sentenced to terms of imprisonment.

**Prevention:**

To stop corruption from happening (Prevention is better than Cure) through the review of systems, processes and procedures; and advise organizations on ways to minimize corruption.

**Public Education and Mobilization:**

- To enlighten children and adults about the ills of corruption and mobilize them in the fight against corruption.
- As is evident from the above, the Commission's duty is not only to fight corruption through investigation, arrest and prosecution of corrupt persons, but also to prevent the occurrence of corrupt practices.
- It is also to ensure the institutionalization of integrity in the nation through public sensitization and mobilization.
- To perform these functions effectively, the Commission's request for the establishment of Anti-Corruption and Transparency Units (ACTU)

in MDAs was approved by the federal government via a circular Ref. No. OHCSF/MSO/192/94 dated 2<sup>nd</sup> October 2001.

## **ACTU STANDING ORDER**

From the Powers derived from Sections 7(1), and 70 of the ICPC Act 2000 - Chairman of the Commission is vested with powers to make Standing Orders; and powers to make rules for giving effect to the provisions of ICPC Act 2000.

The Standing Orders are the guidelines for the smooth operations of the ACTU in MDAs of government

The Unit in each organization shall operate as an autonomous outfit with functional linkage with the office of the Chief Executive and should be allowed to function independently without interference. The independence and protection of the Unit shall be guaranteed by each MDA for the effective discharge of its mandate.

## **COMPOSITION OF THE UNIT**

The membership of the Unit shall depend on the size, peculiarity and complexity of organisation but shall not be less than five.

Each Unit shall have a Chairman and Secretary.

Chairman: GL 15 minimum for Ministries and GL 12 for Parastatals.

Membership shall spread over relevant professional skills and special interests within the organization.

## **TENURE OF MEMBERS**

The members shall serve for a period of 3 years; and may be re-appointed for another

3 years; but are not eligible for re- appointment thereafter.

MDAs shall ensure stability and continuity on the job by avoiding the deployment and transfer of members from the Unit during their tenure



expect for the purpose of career progression.

Unit is required to notify Management of their respective organizations, as well as the ICPC, of the expiration of their tenure.

## **PRELIMINARY INVESTIGATION**

The Unit is to monitor/ report on behaviours that border on corrupt practices as contained in sections 8-27 of the ICPC Act.

The Unit is to conduct Preliminary Investigation of petitions received.

Cases involving CEOs is to be submitted to the Commission and copied to the Supervising Minister as the case may be.

## **MONITOR AND OVERSEE COMPLIANCE WITH CERTAIN CATEGORIES OF CIVIL SERVICE RULES**

Categories of Misconduct to be handled by the Unit:

- **Suppression of Record:** if it is to cover up fraud or “corruption”, vide Section 15 of the Corrupt Practices and Other Related Offences Act 2000.
- **False Claim:** (PSR04401), if it is made by an officer in the course of his duty and against the Government or any of its Agencies.
- **Corruption:** which amounts to a “serious misconduct” (PSR04401) and includes “bribery, fraud and other related offences” (Section 2 of ICPC Act 2000).
- **Embezzlement:** this is recognized as a serious misconduct under the Public Service Rule (PSR04401).
- **Dishonesty:** it is a serious misconduct (PSR04401) especially where it causes the Government financial or proprietary loss, is also a crime under Section 19 & 25 of ICPC Act 2000.
- **Falsification of Records:** it is a serious misconduct (PSR Chapter 4), and a crime (Section 16 & 25 of ICPC Act 2000) if the

“falsification of records” is with respect to government finances or government proprietary interests.

## **IMPLEMENTATION OF ETHICS AND COMPLIANCE SCORECARD (ECS)**

Unit to monitor and Assess Ethics and Compliance Standards of the Agency.  
ECS Score card. Pilot phase deployed in 20 MDAs.

## **INTEGRITY ASSESSMENT**

### **FORUM:**

Unit to organize public forum every calendar year for Integrity and performance evaluation where staff of the organization and the Commission shall be invited to partake in the review of the anti-corruption activities of the respective Unit. To be conducted last quarter of every year

## **SYSTEM STUDY AND REVIEW**

Unit to examine the practices, systems and procedures in the Agency as provided in section 6 (b-d) of the ICPC Act and make recommendations where necessary.

Recommendations to be implemented by the Management within 60 days.

Commission to monitor compliance with recommendations

System Study to be conducted twice a year.

## **MONITORING BUDGET IMPLEMENTATION**

It shall be the duty of the Unit to monitor and ensure compliance in respect of the provisions in the annual budget of their respective MDAs and forward to the Commission, a mid-year and annual report with a copy to their management.

## **EDUCATION AND PUBLIC ENLIGHTENMENT**

Unit to Sensitise Staff on and against ills of corruption.

Production of Stickers, Handbills, Billboards, Banners etc.

## **ETHICS AND INTEGRITY COMPLIANCE/ GENERAL CODES OF ETHICS**

Unit to develop codes of Ethics for Staff where organization does not have.

Ensure compliance with the Codes of Ethics and Integrity policies.

## **PENALTY FOR VIOLATION OF INTEGRITY CODE**

Staff to be disciplined in accordance with extant rule for violation of Ethical Codes

## **REWARD SYSTEM FOR ROLE MODELS**

Award/Commendation/ Appreciation for outstanding staff who demonstrate integrity

Recommendation by Unit to Commission for a letter of Commendation to be written to outstanding staff.

Unit members to be rewarded for outstanding service during or after tenure

## **PROTECTION OF INFORMANTS AND UNIT MEMBERS**

Identity of Informants/petitioners not to be disclosed except to Commission on request.

Unit members are protected by Commission against Victimization.

## **FUNDING OF THE UNIT**

Pending the effective takeover of the Unit by the Commission, the budgetary needs of the Unit shall continue to be met by the MDAs. For effective operations of the Units, all MDAs were directed by the Head of Civil Service circular No. OE/MS/MSO/196/S1/7 dated 16<sup>th</sup> April 2003, to have the budget separately reflected in the approved book for estimate with a separate sub-head effective January 2004.

In furtherance to the above, a circular with Ref. No. OHCSF/SPSO/CSTD/314/T2/61 dated 5th October, 2016 mandated all MDAs to create a budget line for the funding and operations of ACTUs. Sitting Allowance shall be provided for in the budget of the Unit and be paid to the members.

The Unit shall submit quarterly financial reports to the Management as well as the ICPC.

## **OFFICE ACCOMMODATION**

In order to ensure operational effectiveness of the Unit, organizations shall provide functional office accommodation for the Units.

## **MEETINGS**

Meet monthly.

ICPC desk Officer in attendance at least one meeting in a quarter.

May hold emergency meeting when necessary.

Minute of meeting to be forwarded to the Commission

## **ROLE OF THE ORGANIZATION**

Ensure that the Unit is fully established to carry out its assigned duties; exemplify and demonstrate zero tolerance for corruption and professional misconduct, and ensure a conducive environment for transparency and accountability.

Fund the unit

promote a whistle-blower culture and provide protection for whistle-blowers.

## **ROLE OF ICPC**

Protection of the Unit and its members

Organize joint meeting with the Commission, with Chief Executives of MDAs, to review the performance.

Conduct a yearly Compliance Evaluation and Performance Assessment of each Unit.

Organize a yearly conference for all the Chairmen and Secretaries of the Units to review their activities.

## **ROLE OF THE STAFF**

Comply with the provisions of the enabling legislation, the procedure manuals as well as the rules and regulations guiding your work

Get familiar with the provisions of the ICPC, Act 2000

Overcome avarice, that is extreme greed for material wealth

Practice Integrity

Show example as anti-corruption crusaders

Cooperate with the ACTU

Educate others on and against Corruption

Report acts of Corruption

## **CONCLUSION**

We should no longer pay lip service to the fight against corruption. ACTU alone cannot effectively combat this menace without the resolve of every staff to join the campaign for zero tolerance for corruption.

## CONTACT US

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Mrs. Akinetan  
NIMR ACTU Secretary


## Re-inauguration of NIMR Anti-Corruption & Transparency unit.

The Independent corrupt practices commission (ICPC) team visited NIMR on the 24th of June 2021 to re-inaugurate the institute's Anti-Corruption and Transparency unit headed by Prof. Rosemary A. Audu.





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