



TERMS OF REFERENCE FOR THE CORRUPTION RISK MAPPING IN THE PUBLIC SECTOR

1. Background

Kenya is consistently ranked high in both local and international [global] corruption ranking indices. According to Transparency International (East African Bribery Index 2010), the country is ranked the third most corrupt country in East Africa only being behind Burundi and Uganda. The cost of corruption, both to the national economy and individual businesses is enormous, with some businesses reporting that corruption costs them up to 10% of their annual returns¹.

The Kenya Private Sector Alliance (KEPSA) is the apex body of the private sector in Kenya. It has a membership of more than 80,000. The strategic focus for KEPSA is advocacy on behalf of the private sector on high-level national cross-cutting issues, and coordination of the private sector's engagement in public-private sector dialogue.

KEPSA has partnered with GIZ, KAM, TI (K) and EACC on a three year initiative to develop a National Integrity Pact for Kenya. This Pact will be used to address system corruption both in the private and public sectors. The purpose of this project is to develop a National Integrity Pact and have it adopted by both private and public stakeholders in Kenya, allowing for collective action against corruption.

¹ EACC, Directorate of Preventive Services , February 2010 National Enterprise survey on Corruption

This will be realized through a series of interventions, including the development and adoption of codes of conduct, training of integrity officers in different agencies and companies and a Good Governance Award, all as integrated parts of a systemic war on corruption. The expected outcome of the project is the adoption of a National Integrity Pact between the public and private sectors. This will augment the country's anti-corruption efforts and result in greater outcomes for the anti corruption campaign in Kenya.

KEPSA seeks to retain the services of an experienced governance expert or research firm to conduct a corruption risk mapping (CRM) in the public sector. This mapping will be focused on areas where there are interactions between the business community and government and other public agents, agencies and institutions that facilitate and regulate trade/ business in terms of revenue collection, issuance of permits and in the export import trade. The CRM is intended to provide evidence, and insight into high impact business areas that are more prone to corruption, what predisposes them to it, and identify strategies for improving integrity in public-private sector interactions in business. The CRM will inform on development of the pact between the private sector and the public sector. It will be useful in prioritizing the areas for the development of the National Corruption Prevention Pact. The CRM will further inform in the development of sector specific codes of conduct.

2. Objectives

The main objective of the CRM survey is to map high risk areas for corruption in the public sector operations.

The specific objectives of the CRM survey are to:

- Identify the high risk areas of corruption within business/public sector operations;
- Identify existing integrity management initiatives and how they inter-phase with private sector actors;

- Identify existing gaps in ethics and integrity management initiatives and structures in place in public sector institutions and recommend approaches to instituting mitigation measures. KAM will drive a similar survey that will however focus on the private sector. The two surveys will complement each other.

3. Scope

The reach of the CRM will be limited to specific areas where the private sector interacts with the public in their normal daily activities. The CRM on the public sector is focused on areas where there are interactions between the business community and government and other public agents, agencies and institutions that facilitate and regulate trade/ business in terms of revenue collection, issuance of permits and in the export import trade. The mapping will entail a two step process. The first step will identify high risk areas for corruption in the public sector. The second step will survey the top two or three particular areas identified by step one.

4. Methodology

The mapping study will be done in two steps:

- a) The first step will be an exploratory desk study on corruption in the Kenya with a special focus on the public sector. This study will identify the key missing gaps in terms of coverage and also vulnerabilities of different sectors to corruption, in terms of low, medium and high risk sectors, cataloguing different possible interventions, and
- b) The second step will be a field study. Derived from the first level; desk study, this is intended to cover the specific areas identified as medium and high risk in order to conduct an in-depth study of the extent of risk, actors, institutions, gaps. This study will involve mixed methods, including focus groups, key informant interviews and questionnaires.

5. Timelines

The corruption risk mapping in the public sector baseline survey is expected to take a maximum of 28 days from Mid October to late November 2011. These days are broken down as follows:

- a. Desk Research – 1 week
- b. Data collection – 2 weeks
- c. Analysis and reporting -1 week

6. Deliverables:

The following will be the deliverables of the survey:

1. Inception report detailing the study design and framework, scope and instruments
2. Comprehensive desk research report on corruption in the public sector in Kenya
3. An interim study report
4. Final report incorporating the desk research report and the comprehensive field study findings.

7. Requirements

The suitable consultants are expected to meet the following minimum requirements:

- Post graduate qualifications in Governance, International Relations, Law, or other relevant subject area;
- In-depth knowledge of Kenya's Ethics and Governance sector and anti corruption framework, Vision 2030, new constitutional dispensation and implementation structures;
- In-depth knowledge and understanding of International, Regional and National ethics and Governance issues, policies, good practices and benchmarks;
- Five years consultancy experience on governance and ethics research and policy analysis both in public and private sectors. This should include ability to design and conduct various types of research in governance and anti

corruption and managing research teams. Evidence of previous similar research is required

- Demonstrable ability to work with stakeholders from diverse backgrounds on complex issues of great national importance
- Highly developed analytical skills with ability to produce high quality analytical reports and policy papers
- High organizational skills and ability to handle complex tasks with tight deadlines
- Effective communication skills both written and verbal

8. APPLICATION

Interested applicants please submit the following to: hr@kepsa.or.ke

- Expression of interest including interpretation of TOR, proposed methodology, work plan and budget /daily rate
- Curriculum vitae
- Sample of your relevant past work

Deadline for Application: 5.00pm on Wednesday October 12th October 2011