



Facilitation and Consulting Services for Ethical Leadership workshops under the Siemens Integrity Project for Global Compact Network Kenya

Terms of Reference

Introduction

In the [Corruption Perceptions Index of 2022](#), Kenya is ranked 123rd out of 180 countries for corruption. Despite market reforms, several business surveys reveal that business corruption is still widespread and that companies frequently encounter demands for bribes and informal payments to 'get things done', a trend that has contributed to an increased cost of doing business in Kenya. Corruption is therefore a real threat to businesses in Kenya.

Corruption and good governance are two-way causal concepts that feed off one other in a vicious circle. Combating corruption and mitigating its effects requires a good leadership and concerted effort by individual businesses that, most often than not, suffer the economic consequences for avoiding corrupt practices. Poor governance principles and structures provide greater opportunity for corruption while corruption, in turn, can prevent good governance principles and structures from being put in place, or enforced. Violations of the principles of transparency, accountability and rule of law are most closely associated with corruption.

To combat corruption, UN Global Compact is calling on all participating companies to commit to the tenth principle on anti-corruption that challenges them to not only avoid bribery, extortion and other forms of corruption, but also to proactively develop policies and concrete programmes to address corruption internally and within their supply chains. The companies are also challenged to work collectively and join civil society, the United Nations and governments to realize a more transparent global economy through collective action. All these actions suggest that businesses must re-consider their governance principles and structures if they are to uphold ethical business practices and prevent corruption.

Current research indicates that SMEs are the most vulnerable groups in the Kenya business sector. Research by the Central Bank of Kenya and Kenya National Bureau of Statistics indicates that most SMEs will go out of business after two years of inception. This has been attributed to the numerous challenges they are exposed to such as poor infrastructure, lack of financial resources, poor business management practices, low production capacity, low health and safety standards, low

awareness of environmental issues, lack of information essential for technology transfer and dependence on large industries in Africa and internationally.

Additionally, SMEs face a high risk of being subjected to extortion and lack of alternatives to corrupt behavior in their daily business operations. Research carried out by Africog in Kenya shows that slightly more than 79% of companies report that they expect to make informal payments to public officials to get things done; 29% of companies expect to give gifts to get an operating license and over 36% of companies expect to give gifts to get a construction permit. This further highlights the urgent need to address corruption in private sector.

About the Ethical Leadership and Governance Workshops

The ethical leadership workshops are meant to equip the businesses with knowledge and skills to develop and implement effective leadership policies and structures that promote transparency and accountability with the aim of preventing and eliminating corruption within their operations and value chain.

To address the prevailing and persistent challenges among SMEs, the workshops will bring together the SMEs and Advisors to collectively discuss and navigate corporate governance principles and standards in correlation to anti-corruption.

Objectives of the workshops

During the workshops, participants will be able to:

- Learn the concepts and pillars of corporate governance and strategic leadership for SMEs
 - The roles, rights, obligations of, and societal expectations from SMEs in the national economy
 - The duties, liabilities and penalties imposed on owners and directors of SMEs
 - Articulation of the obligations and responsibility for both SMEs and Board of Directors
 - The powers, roles and functions of the SME board and the practice of directorship:
- Strengthen the alignment of corporate citizenship and social accountability with anti-corruption policy and compliance frameworks
- Discuss with peers' challenges and solutions to navigating corruption risks in a complex operating environment
- Understand the process and significance of Anti-corruption collective action as a strategy to address systemic corruption.

The workshop participants may include both leaders of SMEs and proposed board of directors on governance.

Purpose of engaging an external facilitator

The overall purpose of engaging an expert is to provide facilitation, consulting, and technical services in delivering 4 training sessions on ethical leadership and governance using the relevant training materials prepared by the United Nations Global Compact on anti-corruption compliance & collective action and Kenya Association of Manufacturers on ethical leadership.

The curriculum guide for the workshops shall be provided by the Global Compact Network Kenya (GCNK) and Kenya Association of Manufacturers (/KAM). The consultant shall support the development of various materials to aid the delivery of the programme.

Scope of the consultancy

The consultant is expected to deliver the following services at the discretion of GCNK and KAM:

Module	Topic	Dates	Region	No. of Days	No. of companies & Advisors
Cohort 1	Ethical Leadership workshop for SMEs	22-23 March, 2023	Nairobi	2 Days	30
Cohort 2	Ethical Leadership workshop for SMEs	26-27 April, 2023	Nakuru	2 Days	30
Cohort 3	Ethical Leadership workshop for SMEs	24 -25 May, 2023	Kisumu	2 Days	30
Cohort 4	Ethical Leadership workshop for SMEs	28-29 June 2023	Mombasa	2 Days	30

Deliverables under the project

Role of the consultant

The consultant will be responsible for:

- i. Developing training materials in conjunction with Global Compact Network Kenya on Anti-corruption compliance & collective action and Kenya Association of Manufacturers on ethical leadership adopted to the Kenyan contexts developing relevant good practice case studies
- ii. Preparing and disseminating pre-workshop and post-workshop surveys to assess impact of workshops
- iii. Preparing for and delivering 4 training workshops using relevant training materials as pre-approved by Global Compact Network Kenya and Kenya Association of Manufacturers
- iv. Participating in check-in meetings ahead of each workshop to align deliverables with GCNK and KAM representatives

- v. Conducting progress reviews with participating companies and prepare progress status reports after each workshop
- vi. Sourcing and providing the team with pre-reads that can be shared with participating companies to facilitate ongoing learning and engagement
- vii. Support companies, Global Compact Network Kenya and Kenya Association of Manufacturers with technical support as may be guided
- viii. Preparing end-of-project outcome report and participating in a project close-out meeting with GCNK and KAM team

Role of Global Compact Network Kenya

Global Compact Network Kenya shall be responsible for:

- i. Paying the consultant fee and other related expenses for the workshops through KAM
- ii. Providing the necessary information and any other required materials to facilitate the execution of the work of the consultant
- iii. Reviewing and approving all deliverables by the consultant to ensure they are satisfactory
- iv. Participating in the activities undertaken through this consultancy
- v. Marketing the workshops and enrolling SMEs and Advisors to participate in the sessions
- vi. Monitoring the progress of this consultancy

Role of Kenya Association of Manufacturers

Kenya Association of Manufacturers shall be responsible for:

- i. Providing the necessary information and any other required materials to facilitate the execution of the work of the consultant.
- ii. Reviewing and approving all deliverables by the consultant to ensure they are satisfactory
- iii. Participate in the activities undertaken through this consultancy.
- iv. Marketing the workshops and enrolling SMEs and Advisors to participate in the sessions
- v. Monitoring the progress of this consultancy

Expected output from consultant.

- i. Training and reading materials including Kenya-specific case studies
- ii. Pre-workshop and post-workshop surveys
- iii. Assignment reviews
- iv. Progress and status reports
- v. Coordination support
- vi. End of programme and outcome report

Duration of project

The project is expected to run from February 2023 to July 2023 with the workshops scheduled to take place on the already identified dates as summarized above. Planning activities are expected to run from February to May 2023 with post-workshop activities and reporting expected to be done between June and July 2023.

Qualifications of the consultant

- i. Proven knowledge and experience in facilitating, consulting, and providing technical training on anti-corruption, ethical leadership, corporate governance, and business leadership
- ii. Proven knowledge of the anti-corruption, governance, and sustainability landscape in Kenya
- iii. Proven knowledge of private sector approaches to anti-corruption and governance
- iv. Proven knowledge on the collective action concept especially in anti-corruption
- v. Previous experience working with SMEs is an added advantage.

How to Apply

Applications should be submitted no later than **Wednesday 22 February 2023** and should include:

- i. Cover letter explaining why you are the most suitable candidate,
- ii. CV for the facilitator and team
- iii. Company registration certificate
- iv. A valid Tax compliance certificate
- v. Detailed technical and financial proposal in separate envelopes.

Kindly submit your sealed envelopes to the address below with the subject line **“GCNK & KAM – 2023 Ethical Leadership and Governance workshops for SMEs”**

**ATTN: PROCUREMENT MANAGER
KENYA ASSOCIATION OF MANUFACTURERS
KAM HOUSE – 5TH FLOOR
15 MWANZI ROAD
OPPOSITE WESTGATE SHOPPING MALL - WESTLANDS**