



THE KENYA SCOUTS ASSOCIATION

ETHICS, STANDARDS, QUALITY ASSURANCE & AWARDS POLICY

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1.0 BACKGROUND:

1.1 THE KENYA SCOUTS ASSOCIATION EDUCATIONAL PROPOSAL

Kenya Scouts Association (KSA) is a registered member of the World Organization of the Scouts Movement (WOSM). It is a voluntary, non-political and educational Movement for young people open to all without distinction of origin, race, gender, creed or ethnic/tribal background in accordance with the purpose, principles and method as conceived by the founders as stated below;

- a) Purpose

To contribute to the development of young people in achieving their full physical, intellectual, emotional, spiritual, social, and character potentials as individuals, as responsible citizens and as members of their local, national, regional and international communities.

b) Principles

- Duty to God

Adherence to spiritual principles. Loyalty to the religion that expresses them and acceptance of duties resulting there from.

- Duty to others

Loyalty to our country in harmony with the promotion of local, national, regional and international peace, understanding and co-operation/integration.

Participation in the development of society with recognition and respect for the dignity of one's fellow man and for the integrity of nature.

- Duty to self

Responsibility of oneself; realization of one's right to develop, learn and grow, learning to assert oneself, make one's decision, set aims and identify the necessary steps to achieve one's full potentiality.

c) Method

It is a system of progressive self-education that should be applied to all sections, taking into account the socio-cultural environment of the young people.

The Scout method is applied in the following ways:-

- i. Law and promise.
- ii. Learning by doing.
- iii. Membership of small groups (patrol system) requiring adult guidance, progressive discovery and acceptance of responsibility and training towards self-governance directed towards the development of competence, self-reliance, honesty and leadership skill objectives.
- iv. Progressive and stimulating programs (progressive scheme) consisting of varied activities based on one's own interest including games, useful skills and service to community, all taking place largely in an outdoor setting.
- v. Symbolic framework or symbolic background where the scouts relate to their socio-cultural background in order to have a programme that has a national touch.
- vi. Relationship between adults and young people where leaders have the responsibility to keep an eye on the young ones especially the Sungura, as they are delicate majority.
- vii. Life in nature, it is not just animals, trees, rivers etc for scouts. Nature is a club where one can enjoy themselves, a laboratory where one feels closer to God and can worship Him in one's own way.

1.2 KSA VISION

Creating a better world.

1.3 KSA MISSION

Educating young people to play a constructive role in the society.

This is achieved by:-

- i. Involving the youth throughout their formative years in a non-formal educational process.
- ii. Using a specific method that makes each individual the principle agent in ones development as a self-reliant, supportive, responsible and committed person.
- iii. Assisting them to establish value system based upon spiritual, social, and personal principles as expressed in the scouts law and promise.

2.0 INTRODUCTION TO THE POLICY

The Kenya Scouts Association is established under an Act of parliament, cap 219 of the Laws of Kenya. It is charged with the responsibility of nurturing the growth of the young people, without distinction of origin, race, gender and creed or ethnic background. This is achieved through integrated development of the physical, intellectual, spiritual, emotional, social attributes and abilities in accordance with the Purpose, Principles and Methods as conceived by the Founder; Lord Baden Powell.

The adults in Scouting are charged with the responsibility of imparting knowledge, skills and attitudes that are necessary for the development of the young person and the country. Adult leadership in the Scouting movement is a noble calling which demands sacrifice and selflessness.

This policy is intended to establish standards of ethical conduct and behavior for young people (Scouts) and all adults in the movement. It seeks to create awareness on shared values and principles that should govern attitude and behavior. The Policy further seeks to establish benchmarks upon which the members must strive and maintain for posterity purpose of the self and the Association. The policy also gives recognition to both adults and young people who have made efforts in the desired acceptable standards of performance for awards and honors.

3.0 CITATION

This Policy may be cited as the Kenya Scouts Association Ethics Standards, Quality Assurance and Awards policy.

4.0 APPLICATION OF POLICY

This policy applies with respect to:

1. Scouts who are registered with Kenya Scout Association;
2. Scout Leaders who are registered /recognized as adults who are in charge of regional groups of Scouts at any level.
3. Scout administrators (Sub County to National level)

4. Adults recognized as trainers (TOTs) of Kenya Scouts Association
5. Employees of the Kenya Scouts Association.

5.0 COMMITTEE

1. There shall be a Standards, Quality Assurance and Awards Committee to implement the objectives of the standards, quality assurance and awards Policy.
2. On matters related to non-ethical conformities, an Ethics Taskforce will be appointed by the Chief Commissioner on a need basis. These will take place at the National and County Level.
3. The Standards, Quality Assurance and Awards Committee will consist of not more than nine (9) members appointed by the Chief Commissioner on the recommendation of the National Executive Committee.
4. It shall be allowed to co-opt up to three (3) members depending on need. The National Executive Commissioner shall be an Ex-Officio Member.

5.1 TERM OF OFFICE

The committee members shall be in office for a term of three (3) years or at the expiry of their term of office in the respective portfolio at the Association. Half the Committee members shall retire at the end of every 3 years.

5.2 OPERATIONAL PROCEDURES

5.2.1 Documentation

The committee shall document and ensure that all the approved regulatory documents are produced and the information therein disseminated to all members in the Association.

5.2.2 Sittings

1. The Committee shall have its regular meetings at least four times in a year.
2. A special sitting may be called outside the four regular ones if an urgent need that is in the interest of the Association arises.
3. Sittings to hear disputes shall be done at the county level of the KSA.
4. The Committee shall listen to cases handed over to it through the county structures or National Executive Committee structure.
5. Each county will be expected to form a Standards, Quality Assurance and Awards Committee to handle issues of standards, quality assurance and awards.
6. The Ethics Taskforce with consultation with the Chief Commissioner in its discretion shall determine cases that require arbitration irrespective of decisions taken by other committees on the subject matter.

5.2.3 Reporting

1. The county committee shall report its standards, quality assurance and awards recommendations to the National Standards, Quality Assurance and Awards Committee.
2. The Ethics Taskforce at the County level shall report its recommendations to the Chief Commissioner who shall take appropriate action.

6.0 DISCIPLINARY ACTION AGAINST AN ERRANT MEMBER.

The Ethics Taskforce may recommend the following action(s) to be taken against any errant member:-

- (i) Verbal warning
- (ii) Warning letter
- (iii) Suspension
- (iv) De-warranting
- (v) Referral to other law enforcement agencies
- (vi) De-registration
- (vii) Expulsion

7.0 GUIDING DOCUMENTS

The operations and decisions of the Standards, Quality Assurance and Awards Committee as well as the Ethics Taskforce shall be anchored on the following legal documents and those that shall be developed and passed by the National Executive Committee as legal documents from time to time:

- a) KSA Constitution
- b) KSA Policy, Organization and Rules
- c) National Program Policy
- d) National Adult Resources Policy
- e) National Finance Policy
- f) Human Resource Policy
- g) Resource Mobilization Policy
- h) Projects and Partnerships Policy
- i) Camps, Sites and Centers Policy
- j) Communications and Public Relations Policy
- k) Ethics, Standards, Quality Assurance and Awards Policy
- l) KSA Code of Conduct and Ethics
- m) Children's Act of the Laws of Kenya.
- n) Child Protection Policies of KSA
- o) Terms of Reference enshrined in the Warrants held by various cadres of leaders.
- p) Any other policy document approved by the National Board of KSA

All members of the Association are expected to familiarize themselves and adhere to the cited documents above.

PART ONE

ETHICS, STANDARDS AND QUALITY ASSURANCE POLICY

1. DEFINITIONS AND INTERPRETATIONS

In this policy, unless the context otherwise requires:

“Confidential Information” means information acquired in connection with the Scout/Scouter’s duties and that which is not public.

“Conflict of interest” means instances when a Scout/Scouter’s personal interest conflicts with his official duties. This includes but not limited to resource mobilization from forbidden markets e.g. dealing with firearms, tobacco, gambling, child smuggling, child labour, child prostitution and radicalization and affiliation with suppliers or competing organizations.

“Pornography” refers to the explicit depiction of sexual subject matter with the sole intention of sexually exciting the viewer.

“Sexual activity” includes but is not limited to: flirtation, sodomy, carnal knowledge, penile knowledge, gayism, lesbianism, defilement, indecent touching, rape.

“Sexually harass” includes doing any of the following:

1. Exerting pressure for sexual activity or favours;
2. Making intentional inappropriate physical contact that is sexual in nature;
3. Making gestures, noises, jokes or comments; including innuendoes regarding another person’s sexuality if the person doing it is unwelcome.

“Abuse of office” refers to improper use of authority by someone who exercises that authority by virtue of being a holder of that office at the time.

“Scout” refers to any person between the age three to twenty six years of age who is registered with the Kenya Scouts Association or practices the game of Scouting in any of the Scout sections: Squirrel, Chipukizi, Mwamba or Jasiri.

2. OBJECTIVES

1. To regularize systems and procedures for the determination of causes of actions to be observed by all members.
2. Define standards of performance among the entire membership of Scouting
3. To provide guidance on conflict resolution mechanisms among the members of the Association.
4. To provide standards applications of policies to be followed by members of the Association and its departments.
5. To carry out regular quality assurance and standards monitoring and evaluation of all scout activities.
6. To recognize and decorate those who have performed exemplarily and shown great support to the Association.

3. SCOPE

To cultivate and sustain propriety in ethical conduct, high standards performance and quality of work and adherence to laid down regulations among the entire Kenya Scouts Association membership.

PART TWO

AWARDS, HONOURS AND DECORATIONS

1. OBJECTIVES

- I. To attract more young people, volunteer adults and staff within KSA
- II. To retain more young people, Volunteer adults and staff within KSA
- III. To recommend the necessary motivation strategies within KSA.
- IV. To vet and recommend for awards, honors and decorations those Members that has sent applications for the same.
- V. To ensure that all those that are awarded, honored and decorated, due process is followed.
- VI. To improve internally control systems for awards, honors and decorations.
- VII. To ensure there is feedback and appraisal system in awards and honors.

2. DECORATIONS AND AWARDS

The decorations and awards are given by KSA on the recommendations of the Standards, Quality Assurance and Awards Committee with the approval of the Executive Committee of the Scouts Council. The Committee discusses the awards on applications, recommendations or both from Scouters, Scouts or County Scouts Committees from the County Scouts Associations.

The awards are either presented by the Scouters, Sub County Scouts Commissioners, County Scouts Commissioners, and Members of the Executive committee, Chief Commissioner, Chief Scout or Patron depending on the weight of the award.

No badge, cord, chevron or other decorations be worn on uniforms by Scouts or Scouters except:-

1. Those described elsewhere in P.O.R and those authorized from time to time by the Scouts Headquarters. A badge authorized for temporary wear in connection with a special event, gathering, camp etc. or with a visit abroad, may both be worn by a Scout or Scouter in uniform after a period of specified or maximum of one year from the conclusion of the event, or in case of an event or camp held abroad after one year from return to Kenya.
2. Ribbons of the President or State, War medals, decorations and orders, except when attending a "Remembrance Day" memorial service when such medals may be worn.
3. Ribbons of decorations conferred by foreign government; decorations conferred by foreign Scouts Associations.
4. The St. John's Ambulance and Red Cross Proficiency badges (Chipukizi and Mwamba); the badges are authorized by the Scouts to put on. These are worn on the right arm (in the Centre amongst any special proficiency badges).
5. The membership badge of the Friends of Scouts Society worn on the right breast above the line of the pocket.
6. Badges of an activity approved by the Scouts Headquarters, i.e. Red Ribbon, Trees for Peace.
7. The cloth or metal badges of the President's Awards Scheme, worn by Mwamba and Jasiri Scouts on the right arm below the St. John's Ambulance badge if it exists.

3. HONOURS AND DECORATIONS

I. LINK BADGE

This is the highest badge for the Sungura (Cub) Scouts in Kenya Scouts Association.

1. The Sungura Scout Leader may award the link badge at a suitable ceremony. It shall be awarded to the Sungura Scout who has attained the Nyota III Badge and any three proficiency badges (one of which must be the First Aider, Mwananchi, Elimu or Handyman).
2. The Sungura Scout who attains his or her badge may wear it while in the six and when he or she goes up to the next section. However, once he or she obtains the Chui Badge, he or she must remove the Link Badge.
3. The Link Badge is worn the right breast above the pocket.

II. THE CHUI BADGE

This is the highest badge that a Chipukizi (Junior) Scout can attain. It is worn on the right breast above the pocket and may be worn until one attains the Simba Badge or becomes a Scout Leader.

Before being awarded the Chui Badge, the Chipukizi Scout must:-

- 1. Hold the Scout Cord.**
- 2. Hold the Tawi Badge.**
3. Hold any three other proficiency badges besides those attained as a requirement for the Scout Cord.
4. Satisfy the Scout Leader, the County Scouts Commissioner or other appointed person that he or she has been of good conduct as a Scout and of service to the community.
 4. Be less than 16 years of age. (Note: The Chui Badge is awarded with a corresponding certificate and if the Scout so wishes this might be presented by the County Scouts Commissioner at a suitable occasion.

III. THE SIMBA BADGE

This is the highest badge that a Mwamba (Senior) Scout can attain. The badge is awarded with a corresponding Simba Scout Certificate. Both the badge and the certificate are only awarded with the approval of the Executive Committee of the Kenya Scouts Council.

The Patron, Chief Scout, Chief Commissioner or their appointee may present the Simba Badge at a suitable occasion. The award of a Simba Badge not only acknowledges that a Mwamba Scout has attained a high level of Scout craft training, but also that he or she has in various ways used the acquired knowledge for the benefit of society.

On acquisition, the Simba Badge may be worn as long as one remains a Mwamba or Jasiri Scout, or until it is replaced by the Chief Scout Award Badge in the Jasiri Section. But should one train and become a Scout Leader of any section then the Simba Badge, like all others, must be surrendered.

Before being awarded the Simba Badge, a Mwamba Scout must satisfy the following conditions:-

1. Hold the Kilele Badge and the Bushman`s Thong, Airman or Seaman`s Badge.

2. Hold the following proficiency badges:-

- Mwamba Venture or President`s Awards Scheme Silver medal.
- Mwamba Life saver or Swimmer Badge.
- Mwamba Conservation Badge or any Mwamba Health Badge.

3. Satisfy both the County Scouts Commissioner and the County Scouts Association that he or she has over a period of at least six months, given regular service to the community. (Note: A Mwamba Scout who holds the instructor Badge, Aid to the Handicapped, Presidents Award Gold, etc., may qualify under this rule)

4. Produce evidence of good conduct and service to the community. This evidence may be in form of a recommendation from a reputable person not related to the Scout and is accepted at the County Scouts Association`s discretion.

5. Be at least 16 years of age.

IV. THE CHIEF SCOUT AWARD (C.S.A)

The Chief Scout Award is granted by the Executive Committee of the Kenya Scouts Council on the recommendations of the County Scouts Association, County Scouts Commissioner and Jasiri Scout Leader. If the Jasiri so desires, the Award may be presented to him or her by the Patron of the Association (if any) or Chief Scout at a suitable occasion.

Before being awarded the Chief Scout Award a Jasiri Scout must:-

1. Hold the Chief Commissioner`s Challenge Badge, the Project Badge and the Service Training Star.

2. Set a personal example of the Scout way of life and the Jasiri motto, "Service". This is to be determined by the Jasiri Scout Leader, and the Crew.

3. Interview with the County Scouts Commissioner (or a specially deputized Sub County Scouts Commissioner) that will give particular attention to the service that the candidate is rendering to the Scout Movement and to the community generally.

V. WOODBADGE

- a) The Wood badge is awarded to any person holding one of the ranks mentioned in this rule who has completed satisfactorily within a period of three years the appropriate course of training as outlined below:
1. Introductory Training.
 2. Preliminary Training.
 3. **Wood badge I** - This is a theory phase, which is done by correspondence and is designed to help the Scouter grasp Fundamentals of Scouting, Policies of the Association and topics in the Youth Scout Programme.
 4. **Wood badge II** - This a camp phase, which is a practical course to give help and experience in the proven methods of applying the spirit and practices of the Movement.
 5. **Wood badge III** - This is an application phase of the trainings to the works of the Scout Leader in the Movement to the satisfaction of the assessor/ trainer of the leader trainee.
- a) Those eligible are: Scouters, Persons holding office, whether in a County Scouts Association or Sub County Association.

DESCRIPTION

1. The Wood badge consists of two facsimiles of beads forming a Zulu necklace, which is the property of the Founder.
2. The Wood badge worn by Assistant Leader Trainers is similar to the one described in 1 above, but with one extra bead.
3. The Wood badge worn by Leader Trainers is similar to the one described in 1 above, but with two extra beads.

NOTE:

The three and four beads wood badge are given by the Association as Honorary Charges and must be surrendered to KSA on demand.

Methods of wear

1. The Scouters who have met the requirements of Preliminary Training are entitled to wear in uniform the Gilwell Woggle, consisting of leather two -stranded turshead.
2. The Scouters who have met the requirements of Wood badge training are entitled to wear in uniform the Gilwell Scarf, Gilwell Woggle and the Wood badge beads which are in leather thong round the neck.

VI. THANKS BADGE

Description

The Thanks Badge is composed of an arrow head set in a frame bearing the words "Thanks Badge"

Scope

It is primarily intended for presentation to those who are not active Scout or Scouters.

Conditions

1. The Thanks Badge may be given by any Scout or Scouter, provided approval is obtained from the Sub County or County Scouts Associations, to any person who does a Scout a good turn.
2. If the person to whom the badge is to be given is connected to the Movement in another area, the approval of Sub County or County Scouts Associations must first be obtained.
3. The holding of this badge does not confer membership of the Association.

Method of wear

The Thanks Badge is intended for wear in ordinary clothes and must not be worn within uniform.

VII. LONG SERVICE DECORATION**Conditions**

1. The Long Service Decoration is granted to members of the Movement who have given 10 years faithful and efficient service in one or more of the following ranks, namely; Scouter : holder of non-warranted rank; holder of office, whether in a County Scout Council or Sub County Association as Chairman, Vice-Chairman, Treasurer, Secretary or Assistant Secretary. The 10 years qualifying period of service need not to have been consecutive, nor wholly work but must have been in one or more of the above ranks, service as a Scout or in any capacity other than as mentioned above cannot therefore be counted.
2. Service in the Armed Forces or in fulltime Civil Defense can count towards the qualifying period so long as the person concerned was engaged in active working one of the specified ranks in the movement immediately before hand, and save in approved exceptional circumstances resumed such work within one year afterwards.
3. The decoration is in addition to the existing awards of Good Service or Meritorious Conduct mentioned in this document.

Application

Application is made on "L" for Chief Commissioner, ACC's, Leader Trainers, A.L.T, and holders of the offices mentioned above - by Chief Commissioner. For all other ranks, by the County Scout Commissioner and the County Scouts Associations through, the Chief Commissioner. (Pick from part III 344(iii))

Method of wear

The decoration is in the form of a white knot on a khaki background and is worn on uniform on the right of any emblems (to which it is similar in design) for Gallantry, Meritorious Conduct, or Good Service.

The marching medal would be worn on the right breast above the line of the pocket and shall be accompanied by a certificate.

VIII. AWARDS FOR GALLANTRY

1. Awards for Gallantry are granted at the discretion of Scouts headquarters to scouts, Scouters and persons holding non-warranted and honorary ranks and also to groups in cases of joint action on the recommendations of the Sub County or County Scouts Council, Sub County or County Scouts Commissioner or Chief Commissioner. Application should be made on a designed form. "A"
2. In the case of an application for an award to a Commissioner, the recommendation will be made by the Chief Commissioner only.
3. All applicants must incorporate a full account of the assurance, with the evidence of eye witness, wherever possible.
4. The application must not specify any grade of award. (The holder of the medal of merit awarded in the early years of the movement for an act of gallantry may apply for

exchange of the medal of merit for the appropriate grade of award as mentioned here below).

Grades

The following awards are granted:

1. **Bronze cross:** Red Ribbon
This is the highest possible award for the gallantry, awarded only for special heroism or extraordinary risk.
2. **Silver Cross:** Blue Ribbon
For Gallantry with considerable risk
3. **Gilt Cross:** Blue and Red vertical ribbon
For Gallantry with moderate risk
4. **Bar**
Bars to the above crosses may be granted
5. Letter of commendation: In cases which do not justify the award of a cross bar.

Method of wear

Crosses are worn in uniform on the right breast above the line of the pocket, except where awarded to a group jointly in which case the cross may be pinned to the group flag.

Cloth emblems

1. Emblems for the different categories of awards should be worn, the emblems must be in the following order from the wearer's left to right:-
 - Award for Gallantry
 - Award for Meritorious Conduct
 - Award for Good Service
 - Long Service Decoration
2. When a bar to an award is granted, the appropriate emblem should replace that worn for the original award.

NOTE: - CERTIFICATE OF AWARD

Certificates of award are issued to accompany all crosses and bars.

IX. AWARDS FOR MERITORIOUS CONDUCT

1. Application issue

Awards for Meritorious Conduct are given in cases which may not have involved risk of life, but which have displayed courage, endurance, initiative or devotion to duty, often under suffering. The awards applied for, and are issued to the same classes of persons and in the same manner as laid down for Awards for Gallantry. Application is made on a designed form. A high standard is expected.

2. Grades

One of the following awards may be granted according to the circumstances of the case.

- a) Medal for Meritorious Conduct. The medal is a ribbon, green with vertical red stripe.
- b) Bar. Bars to the medal of Meritorious Conduct
- c) Certificate of Meritorious Conduct
- d) Letter of commendation

Method of wear

The medal for meritorious conduct is worn in uniform on the right breast above the line of the pocket, except where granted to a group jointly, in which case it may be pinned to the group flag.

Cloth emblems

- a) A cloth emblem with the design of a knot in green and red on a khaki background is issued with the medal for wear in uniform.
- b) A cloth emblem, with the design of a knot in green and white is issued with the certificate.

Certificate of award

A certificate of award is issued to accompany the medal or bar.

X. AWARDS FOR GOOD SERVICE**Application and Issue**

- a) Awards for especially good work for the movement are made at the discretion of Scouts Headquarters to Scouters and persons holding non-warranted or honorary rank in exceptional circumstances to others who have given valuable service to a Sub County or County for a considerable period. Application is made on a designed form on the recommendation of the Sub County Council or its Chairman, the Sub County Scouts Commissioner or County Scouts Council or County Scouts Commissioner.
- b) In the case an application for an award to a commissioner, the recommendation will be made by the Chief Commissioner only, who will however, consult the County Scouts Commissioner concerned before recommending a Sub County Scouts Commissioner.
- c) All other Commissioners shall apply directly to the Chief Commissioner for recommendation.
- d) The application must contain a full statement of the work and must show how service of outstanding character in one of the categories mentioned in (a) for at least the period specified below unless the case is an exceptional one.

Grade

One of the following awards may be granted according to the circumstances of the case:

a) Medal of merit

It is made of gold ribbon.

It is given to at least ten years' service.

b) Bar

A bar to the medal of merit may be awarded for not less than five years additional service of similar character. The award of bar is indicated by a green ribbon with one vertical orange stripe. (Holder of the medal bar formally issued for this award may exchange it for the new ribbon.)

- c) Letter of commendation for specifically good service to the movement.

Method of wear - Emblem

- a. The medal of merit is worn in uniform on the right breast above the line of the pocket.

- b. A cloth emblem, with the design of a knot in gold on a kaki background is issued with the medal of wear in uniform. For the bar to the medal of merit, the green bar is imposed on the Centre of the design.
- c. A certificate of award is issued to accompany the medal or bar. Mentioning that the award is given to..... For the outstanding service in Kenya.

XI. SILVER LION

Conditions of grant

- a. The Silver Lion is an award for especially distinguished service. A bar may be awarded for further services of a similar nature.
- b. The Silver Lion is an award for services of the most exceptional character and will be in the unrestricted gift of the Chief Scout.
- c. They are only granted at the discretion of the Chief Scout but the County Scouts Commissioners and oversea Chief Scouts may submit recommendations to KSA Headquarters on a designed form.

Method of wear

- a. The Silver Lion is worn in uniform around the neck on an orange ribbon. The award of a bar is indicated by the addition of a green ribbon.
- b. The Silver Lion is worn in uniform around the neck on a purple ribbon.
- c. A holder of the medal will continue to wear it if awarded the Silver a corn or silver wolf and the holder of the silver acorn will not continue to wear it if awarded the silver wolf.

Emblem

A cloth is issued with each of these awards. The emblem is in uniform of a knot (in purple for the Silver Lion on a khaki background).

XII. PLATINUM AWARD

1. Platinum is a silvery-white metal that is a chemical element of atomic number 78. It was first encountered by the Spanish in South America in the 16th Century and is used in jewelry, electrical contacts, laboratory equipment and industrial catalysts.
2. The platinum award is the highest award given by Kenya Scouts Association to any member who has exhibited extra-ordinary character in his/her duties. The beneficiary of the reward will have served the Association for more than fifteen (15) years, having held positions. Through his/her position s/he will have influenced positively the growth and development of the movement. S/he would have served the Association selflessly devoting his time and resources to the service of the Scouts.
3. Service to the community as a Scout virtue will also be considered .Everything done shall be extra-ordinary, that is beyond the normal contribution to the movement. This could be exemplary leadership in the sub-county, county or nationally.
4. Resource based contributions which are far beyond expectations, extra-ordinary rescue missions and life-saving, and many more.

ANNEX 1

PART 111: ANNEXTURES

CODE OF CONDUCT AND ETHICS

SECTION 1

APPLICATION OF CODE

A. This code applies to all members of Kenya Scouts Association with respect to:

1. Scouts who are registered with Kenya Scouts Association;
2. Scout Leaders who are registered/ recognized as adults who are in charge of regional groups of Scouts at any level.
3. Scout administrators (Sub County to National level)
4. Adults recognized as trainers(TOTs) of Kenya Scouts Association
5. Employees of the Kenya Scouts Association.

By following this Code of Conduct, which forms part of the terms and conditions of membership, it is intended that all volunteers and staff will contribute to strengthening the impact of what we deliver.

B. All volunteers and staff will be given a copy of this Code of Conduct during Orientation and be required to familiarize themselves with its requirements, by reading and understanding the Code.

2. All volunteers and staff will be required to confirm this by signing their declaration of compliance to the Code of Conduct on;

- Registration of new membership
- On appointment and or assumption of new office
- On re-instatement from suspension

3. All members have a responsibility to ensure that all volunteers and staff, including those newly involved, are provided with and sign a copy of the Code of Conduct and understand its provisions clearly.

4. All members also have a particular responsibility to uphold the standards of conduct and to set an example.

5. In the recruitment and selection of adults in Scouting, all members should seek to ensure that candidates selected support the Mission and Principles of Kenya Scouts Association and do not have a history that contravenes the requirements of this Code. National Values as enshrined in the Kenyan Constitution Chapter 6: Integrity shall be adhered to during recruitment and selection of adults in Scouting.

SECTION II

REQUIREMENTS

I. Compliance with the rule of law.

1. A Member shall carry out his duties in accordance with the law of the land, Scout law and the P.O.R of the Association.
2. In carrying out his duties, a Member shall not violate the rights and freedom of any person as stipulated in the Constitution of Kenya.

II. Fundamental rights and freedom.

1. In carrying out his duties a Member shall respect, protect, and promote the fundamental rights, freedoms of persons without discrimination on the basis of race, tribe, political opinions, colour, creed, sex, disability, social status or culture.
2. A Member shall not be a member of an organization that he knows promotes or practices discrimination on a basis set in paragraph (1) above.

III. Professionalism

A Member shall:-

1. Maintain his professional Scouting competences and ethics;
2. Not conduct himself in a manner likely to suggest that he can be improperly influenced;
3. Carry out his duties in a way that upholds public confidence in the integrity of his office;
4. Treat the public and fellow Members with courtesy and respect;
5. To the extent appropriate to his office, seek to improve the standards of performance and level of professionalism in the Association;
6. If a member of a professional body, observe the ethical and professional standards of that body;
7. Observe defined official working schedule and not be absent without proper authorization or reasonable cause;
8. Dress appropriately and observe personal hygiene
9. Discharge scouting responsibilities in a professional manner.

IV. Conduct of duties

1. A Member shall in conducting his duties be efficient and punctual and shall meet his deadlines.
2. An employee of the Association shall ensure that his official duties take precedence over his other activities.
3. A Member shall take reasonable steps to ensure that the activities he carries out or supervises are conducted in an orderly manner, with *integrity and due decorum*.
4. A Scouter shall be patient, dignified and courteous to Scouts, colleagues and members of the public.
5. A Member shall to the best of his ability, carry out his duties and provide his services efficiently and honestly.

V. Evaluation and Assessment in Scouting

1. A Scouter who evaluates Scouts or other Scouters shall do so honestly and only on the basis of the performance.

2. A Scouter shall use his best effort to ensure that assessments are conducted in the best manner and without cheating.

VI. Sexual relations

1. A Scouter shall not engage in any sexual activity with a scout regardless of whether the scout consents.
2. A Scouter shall not make a request to, or exert pressure on, a scout for sexual activities or favours.
3. A Member shall not sexually harass another member of the Association or a member of public.
4. A Member shall not engage in sexual activity that may cause pecuniary embarrassment to the Association.

VII. Pornography

1. A Member shall not supply pornographic material to a scout, expose a scout to pornography, sexual toys or assist a Scout in obtaining access to the same.
2. A Member shall use his best efforts to ensure that any unit or office he works in is free of pornography and sexual toys.

VIII. Illicit drugs**A Scouter shall;**

1. Not supply illicit drugs, cigarettes or alcohol to a scout, expose a scout to illicit drugs, cigarettes and alcohol or assist a Scout in obtaining the same.
2. Use his efforts to ensure that any unit or office he works in is free of illicit drugs, cigarettes and alcohol.
3. Not report to work/duty while under the influence of drugs or alcohol or consume the same while on duty.

IX. Canvassing for favours in scouting service

A Member shall not canvass or lobby, either directly or indirectly for any favours relating to his engagement with the Association.

I. Private affairs – outside activities

1. An employee shall not engage in private business during official working hours.
2. A member shall not engage in private business during an official engagement with KSA.

X. Commercial Scouting

1. (a) A Scouter shall not charge, collect or accept any type of fees for Scouting activity outside KSA framework.

(b) A Scouter shall not establish or run any unit that is not registered by KSA.
2. Paragraph 1. (a) Does not apply with respect to the fees that are lawfully charged by the unit.

XI. Dealing with donations**A member shall;**

1. To extent that he is involved in the receipt and administration of donation for a unit or K.S.A. purposes ensure that proper records are kept of the donations and that they are used for the purposes for which they were given.
2. Inform K.S.A. or another appropriate authority if the member has reasonable ground for believing:
 - a) That proper record of any donations for a unit or office purposes have not been kept or have not been kept properly.
 - b) That any donation for a unit or office purposes have not been used for purposes for which they were given.

XII. No improper enrichment

1. A member shall not use his office or position to improperly enrich him or others.
2. Without limiting the generality of subsection 1, a Member shall not :-
 - a) except as allowed under subsection 4, accept or request gifts or favours from a person who :-
 - (i) Has an interest that may affect the carrying out of the Member's duties
 - (ii) Regulates activities with respect to which K.S.A. has a role.
 - (iii) Has a contractual relationship with K.S.A.
 - b) improperly use his office to acquire land or other property for himself or another person, whether or not the land or property is paid for; or
 - c) for the personal benefit for himself or another, use or allow the use of confidential information.
3. Subsection (2) (a) does not prevent a member from accepting a gift from a relative or friend given on a special occasion recognized by custom.
4. Subsection (2) (c) does not apply to the use of information for educational or literary purpose, research purposes purpose or other similar purposes.

XIII. Conflict of interest

“Conflict of interest” means instances when a Scout/Scouter’s personal interest conflicts with his official duties. This includes but not limited to resource mobilization from forbidden markets e.g. dealing with firearms, tobacco, gambling, child smuggling, child labour, child prostitution and radicalization and affiliation with suppliers or competing organizations.

1. Every member shall formally commit to avoid conflict of interest which could jeopardize KSA’s reputation. This formal commitments shall be updated yearly.
2. A Member shall use his best efforts to avoid being in a position in which his personal interests conflict with his official duties.
3. Without limiting the generality of subsection (1), a Member shall not hold shares or have any other interests in a corporation, partnership of other body, directly or through another person, if holding those or having that interest would result in conflict of interest.
4. A Member whose personal interests conflict with his official duties shall
 - a) Declare the personal interest to his superior or other appropriate body and comply with any directions to avoid the conflict; and

- b) Refrain from participating in any deliberations with respect to the matter.
5. Notwithstanding any directions to the contrary under subsection (3)(a) a member shall not award a contract, or influence the award of a contract to:
 - a) Himself
 - b) A spouse
 - c) A business associate or
 - d) A corporation, partnership or other body in which the officer has an interest.
6. In this section "personal interest" includes the interest of a spouse, a close relation or business associate.

XIV. Collections

A Member shall not-

- a) Use his office or place of work as a venue for soliciting or collecting Harambee money; or
- b) Either as a collector or promoter of a collection obtains money or other property from a person by using his official position in any way to exert pressure.

XV. Acting for foreigners

1. No Member shall in a manner that may be detrimental to the general interest of K.S.A. be an agent for, or further the interests of a foreign government, organization or individual.
2. For the purpose of this section :-
 - a) An individual is foreign if the individual is not a citizen of Kenya;
 - b) An organization is foreign if it is established outside Kenya or it is owned or controlled by foreign governments, organizations or individuals.

XVI. Care of property

1. A Member shall take all reasonable steps to ensure that property that is entrusted to his care is adequately protected and not misused or misappropriated
2. A Member who contravenes subsection (1) shall be personally liable for losses resulting from the contravention.

XVII. Political neutrality

A Member shall not engage in a political activity that may compromise or may be seen to compromise the political neutrality of his office, position in the Association or the Association as a whole.

XVII. Nepotism

A Member shall not practice nepotism or favoritism.

XVIII. Declaration of vacancies

A Member shall not knowingly and deliberately withhold information on available vacancies in the Association.

XIX. Giving of advice

A Member who has a duty to give professional advice shall give honest and impartial professional advice without fear or favor.

XX. Misleading the public

A Member shall not knowingly or willfully give false or misleading information to members of the public or to any other member of the Association.

XXI. Conduct of private affairs

1. A Member shall conduct his private affairs in a way that maintains public confidence in the integrity of his office
2. A Member shall not neglect his financial obligations or neglect to settle them.

XXII. Selection and appointment of scouters

The Association shall ensure that new Scouters are selected on the basis of integrity, competence and suitability and in the case of an election; are elected in fair election.

XXIII. Acting through others

1. A Member contravenes the Code of Conduct and Ethics if :
 - a) He causes anything to be done through another person that would otherwise be a contravention of the Code herein; or
 - b) He allows or directs a person under his supervision or control to do anything that amounts to contravention of the Code of Conduct of Ethics
2. Subsection (1) (b) does not apply to act done without the Member's knowledge or consent if the Member took reasonable steps to prevent it.

SECTION 111: WHISTLE BLOWER POLICY

I. Introduction

Kenya Scouts Association requires members of the Council, other volunteers and employees to observe high standards of professionalism and personal Ethics in the conduct of their duties and responsibilities.

Employees and representatives of the organization must practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations.

II. Purpose

This whistleblower policy is intended to provide protection against retaliation to employees, volunteers and any stakeholder of KSA who makes good-faith complaints related to but not limited to :-

- violations and suspected violations of KSA's Code of Ethical Conduct, and
- Abuse of power or authority for an unauthorized or ulterior purpose;
- Fraud or deliberate error in the preparation, evaluation, review, Ethics and recording of any financial or membership statement of KSA

III. Implementation and Scope

The whistleblower policy covers all members of the Council, other volunteers, employees of Kenya Scouts Association and other stakeholders of KSA.

Confidentiality

The Association will treat all communications under this policy in as confidential a manner as possible. Members of the Ethics Committee shall undertake an Oath of Office and Secrecy. All persons reporting unethical issues must sign the Oath declaration.

IV. Anonymous Allegations

This policy encourages you to put your name to your allegations whenever possible.

To the extent possible, any complaint should be factual rather than speculative or conclusory, and should contain as much information as possible to allow for proper assessment.

Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Association.

V. Reporting Procedures For Ethical Non- Conformities

Persons are urged to come forward with any such information, regardless of the identity or position of the suspected or perceived offender.

Employees and others may choose either of the following modes of communicating concerns regarding unethical or illegal conduct:

- Report the matter with your immediate supervisor or a higher authority
- Contact the Sub County Scout Commissioner, County Scouts Commissioner or the Chief Commissioner at the National level

The following procedure shall apply when reporting unethical conduct.

1. Reporting of ethical non-conformities shall be reduced to writing. Concerns may also be submitted anonymously. Such anonymous concerns should be in writing with sufficient information to allow for an investigation
2. At the County Level, and with consultation with the Chief Commissioner, a taskforce shall be constituted on need basis to investigate reported incidences. The taskforce shall then forward its recommendations to the Chief Commissioner for action.
3. The constituted taskforces at the National and County level shall deliberate on the issue, determine logistics to handle the issue, make recommendations and forward to the Chief Commissioner for action.
4. Processes identified herein above shall take utmost one month to be conducted and action taken.

VI. Treatment Of Complaint And Non-Retaliation

1. Complaints received pursuant to this policy will be reviewed under the directions of the Chief Commissioner.
2. Prompt and appropriate corrective action will be taken.
3. Any individual who in good faith reports any concerns pursuant to this policy, even if the report is mistaken, or who assists in the investigation of a reported complaint, will be protected by the Association from any adverse termination of engagement that is based on the complaint. Retaliation in any form against these individuals will not be tolerated.
4. Any act of retaliation should be reported immediately and will be dealt with appropriately. However, any false accusations made knowingly may constitute misconduct for which disciplinary action may be imposed.
5. Specifically, we will not discharge, demote, suspend, threaten, harass, or in any other manner discriminate or retaliate against any person in the terms and conditions of their engagement with Kenya Scouts Association because of any lawful act done by that employee in good faith to either:-
 1. provide information, cause information to be provided, or otherwise assist in any investigation regarding any conduct that the employee reasonably believes constitutes a violation or potential violation of any law, rule, or regulation, or
 2. In good faith file, cause to be filed, testify, participate in, or otherwise assist in a proceeding filed or, to the employee's knowledge, about to be filed relating to an alleged violation of any such law, rule, or regulation.

VII. Handling Of Reported Violations

1. A taskforce shall be constituted by the Chief Commissioner to address all reported concerns.
2. All reports will be promptly investigated by the taskforce, and appropriate corrective action will be recommended to the Chief Commissioner.
3. In addition, action taken must include a conclusion or follow-up, or both, with the complainant for complete closure of the concern.
4. The taskforce shall have authority to retain outside legal counsel, or any other resource deemed necessary to conduct a full and complete investigation of the allegations.
5. All volunteers and employees are required to cooperate with any investigation by providing any requested information and by truthfully answering questions. Failure to cooperate with an investigation is itself grounds for disciplinary action.

VIII. Reporting And Retention Of Complaints And Investigations

1. The Association will maintain a log of all complaints, tracking their receipt, investigation, and resolution, and shall prepare an annual summary report thereof.
2. Copies of complaints and such log will be maintained permanently in accordance with the Association's document retention policy.

SECTION 1V: GIFT ACCEPTANCE POLICY

I. Purpose and Application

In establishing this policy, the Association recognizes the utmost importance of ensuring that all gifts to KSA are made within legal and ethical regulations, codes and guidelines of the Association and those of the Kenya Revenue Authority.

This policy is designed to ensure clarification of roles, responsibilities and expectations of both KSA and its donors. The policy will also make certain that KSA acts in a consistent and timely manner in exercising its fiduciary responsibility.

II. Interpretation

In this policy the following terms shall have the following meanings:

“Fund” means the fund created as a result of the Fund Agreement entered into between the donor and Kenya Scouts Association.

“Fund Agreement” means an agreement entered into between Kenya Scouts Association and a donor, the details of which are set out in section herein. Fund agreement also reflected as Memorandum of Understanding (MOU)

“Policy” means this policy and the expressions “hereof”, “herein”, “hereto” and “hereunder” and similar expressions refer to this policy.

III. Priority of Donor’s Interest

The interest of the Party/person or organization donating a gift to KSA shall have priority over the interest of KSA. No agreement, contract, or commitment may be urged upon any donor or prospective donor to benefit the Association at the expense of the donor's intent, or which would knowingly jeopardize a donor's interests. KSA, its agents and representatives must make full disclosure to the donor on all aspects of benefits and liabilities of which they are aware that may reasonably be expected to influence the decision of the donor to make a gift with the Association. However, all the above should not in any way contradict the vision, mission and purpose of KSA and Scouting principles.

IV. Gifts and Specific Acceptance Criteria

In considering the acceptance of any gift and its value to the Association, the following factors must be taken into account:

1. The nature of the assets contributed;
2. Total return on investment of the gift assets;
3. Factors that cannot be controlled by the Association, but are subject to estimate such as investment performance, life expectancy, etc.
4. In particular, KSA will desist from receiving any gifts or donations which raise funds for activities contrary to KSA’s vision, mission and values, and especially from forbidden markets or entities that deal with drug trafficking, human rights abuse, child trafficking, child labour and radicalization and those in contradiction with the Marrakech charter on partnerships.

V. Confidentiality.

All information concerning donors and prospective donors, including names, names of beneficiaries, amount of gift, size of estate, etc., shall be kept in strict confidence by the Trustees. All other requests for information regarding a donor will only be provided if prior written consent from the donor or their legal representative or trustee by way of a Power of Attorney has been received.

VI. Conflict of Interest.

All persons acting on behalf of KSA will declare any conflict of interest in the fund development activities.

VII. Disclosure to Donors

Before a donor makes a gift and signs a Fund Agreement, Kenya Scouts Association shall inform the donor, and ensure that they understand following:

1. the legal and financial consequences of making the gift including the expenses related to the disposition of the assets charged to the donor;
2. The work of KSA and how the capital and its income will be used.

Except where the terms of a gift are expressed unilaterally (such as in a will), no gifts will be accepted unless KSA is satisfied that the donor understands this Policy.

VIII. Agreements.

A standard form agreement, amended from time to time, shall be entered into by donors and KSA where practicable, and shall be used as the basis for all funds. KSA shall attempt to personalize the standard form agreement with respect to the name and nature of the fund and the use of the fund's income in order to better tailor the fund to the particular donor. Kenya Scouts Association shall exercise best efforts to adhere to the wishes of a donor as expressed to it in any form, including by will.

IX. Acceptable Gift Assets

1. The following assets may be deemed acceptable as outright gifts to the Association. Acceptable assets include and not limited to:
 - *Cash*
 - *Securities* - May be accepted at fair market value of the stock on the day the gift is received by the Association
 - *Real Estate gifts* at fair market value if, at the time of the gift, there are no servitudes or encumbrances upon the land.
2. If any encumbrances are present at the time the gift is offered, and such encumbrances represent a nominal amount when compared with the total value of the property, such property may be accepted with the approval of the National Executive Committee. How the encumbrance will be removed, and by whom, shall be agreed upon by the Association and the donor in writing prior to acceptance of such property.
3. No gift of real property may be accepted by the Association unless and until such property has been personally visited by the trustees, or appropriate designee of the Association (e.g., a KSA secretariat employee or recommended real estate agent). In

addition, a written analysis of the marketability and potential use of the gift property shall be prepared by the secretariat prior to acceptance of the property.

4. No gift of real property may be accepted until a preliminary environmental evaluation, questionnaire, or disclosure statement has been completed or made available for the property in question prepared by an assessor suitable to the National Executive Committee. In the event that this evaluation or assessment discloses any information indicating the presence or reasonable possibility of toxic gift, hazardous waste, oil seepage, or other contaminants on the property, additional environmental studies and phase assessments must be completed before the gift is accepted.
5. Arrangements to cover post-transfer expenses should be agreed upon in writing by the donor and the Association prior to the gift. Such expenses include taxes and assessments, insurance, and maintenance costs of the land or any buildings on the land.
6. Tax benefits previously derived by the donor from the gift property, as well as a reasonable estimate of the net value of a real estate gift, shall be taken into consideration when offering and discussing gift proposals.
7. Any tangible personal property associated with real property gifts, such as furnishings for a home or ranch, should be segregated into separate gift proposals or agreements
8. *Tangible Personal Property/Gifts in Kind* including but not limited to cars, boats, art, stamp/coin collections, equipment, inventory, etc., may be accepted if there are no significant restrictions, limitations, or unreimbursed additional expenses for their present or future use, display, maintenance, transfer, sale, insurance, storage, or other fees and costs. In particular, donors may not require the Association to hold any property of any kind for a minimum or specified period of time prior to sale or disposition.
9. Such gifts are normally not accepted if there is a condition, understanding, or expectation that the items will be loaned or sold back to the donor or the donor's family or designee. The Association shall presumptively sell all tangible personal property it receives, unless specifically needed for use or consumption related to its purposes, and such sales shall be to disinterested third parties.
10. Prior to any gift of tangible personal property, the Kenya Scouts Association will provide all donors or prospects written guidance on possible related or unrelated use of the gift property.

X. Kenya Scouts Association will not accept gifts of interest free loans.

XI. **Right of Refusal.**

The National Executive Commissioner will bring to the attention of the National Executive Committee, any issues that generally bring doubt as to the acceptability of the Gift and more specifically any issues that address any of the following points:

1. the gift involves in whole or in part a debt obligation;
2. the gift is not consistent with the overall mission of Kenya Scouts Association;
3. the gift compromises the integrity of Kenya Scouts Association in the community;

4. the gift undermines the classification or status of Kenya Scouts Association under the Kenya Revenue Authority
5. the origin of the gift may bring Kenya Scouts Association into disrepute.

Notwithstanding the foregoing the Kenya Scouts Association reserves the right to refuse a gift for any reason whatsoever.

XII. Valuation.

In most cases the value of a gift will be immediately apparent. Where this is not the case the donor must provide Kenya Scouts Association with an independent appraisal establishing the fair market value of the property being offered as a gift.

XIII. Investment of Funds

Guidelines related to investment of the Association's funds, investment strategies, philosophies, asset allocations, duties, and responsibilities may be set out in a separate document, as drafted and duly adopted from time to time by the National Executive Committee.

XIV. Rights of Kenya Scouts Association

1. Kenya Scouts Association reserves the right to secure and rely on its own appraisal and investigation in determining the acceptability of the gift and the value of the receipt for income tax purposes.
2. In the case of a gift of securities the value for receipting purposes will be the closing market price on the day the Kenya Scouts Association receives the securities.

XV. Disposition.

1. All gifts of cash and cash equivalents made to Kenya Scouts Association shall be transferred to Kenya Scouts Association's custodian and placed in Kenya Scouts Association investment portfolio.
2. Publicly listed securities may either be delivered by the donor directly to Kenya Scouts Association or transferred by prior agreement to KSA investment account.
3. All gifts will be sold as soon as possible and the proceeds invested in accordance with Kenya Scouts Association investment policy, unless a prior agreement has been reached with the donor that may require the property to be held temporarily.
4. The Chief Commissioner in consultation with the National Executive Committee shall supervise receipt of publicly traded securities, and if required the opinion of a third party counsel with respect to final legal ownership may be obtained.

XVI. Exemption.

Gifts in cash or in kind that are directed specifically to support Kenya Scouts Association activities such as sponsorship of an event or to directly offset Kenya Scouts Association administration (not program) expenses will be exempted from the above disposition.

XVII. Costs

1. Except as agreed to by resolution of Kenya Scouts Association, the donor shall pay for all costs associated with making a gift. This may include expenses related to appraisal fees, legal and accounting expenses, transaction fees and bank charges.

2. Expenses incurred by Kenya Scouts Association in accepting a gift, which may include legal fees, maintenance, and disposition fees will be charged against the fund once established.

XVIII. Receipt

Kenya Scouts Association cannot issue a tax receipt until the gift is legally the property of the Association. The receipt will be issued for the value of the gift, as at the date it becomes the Association's property minus any expenses incurred in accepting the gift.

XIX. General Conditions

Kenya Scouts Association in accepting gifts will apply the following general conditions:

1. KSA is not able, because of the potential for conflict of interest, to act as the executor of a donor's will or as a trustee of a charitable trust.
2. Kenya Scouts Association will be bound by all applicable statutes in Kenya with regards to the reporting of the sources of gifts received.
3. The Chief Commissioner will be informed in advance of all donor arrangements of a sponsorship nature to ensure compliance with the Association's regulations
4. Kenya Scouts Association will not accept donations from suspended or terminated Kenya Scouts Association Members.
5. Kenya Scouts Association will not accept a gift from a donor whose primary business is among markets forbidden for resource mobilization in KSA.



Kenya Scouts Association

GIFT AGREEMENT FORM

This agreement, made in duplicate between

(the Donor, understanding this term encompasses the Donor’s legal representative)

and

The **Kenya Scouts Association**, referred to hereinafter as “The Association” gives and transfers to the Association, under the terms below, ownership of as described as follows and collectively referred to as the gift:

1. The Association agrees to protect and preserve to the extent feasible with The Association’s usual practices. The Association assumes no responsibility in case of loss or damage by theft, fire, or any other cause whatsoever. The Association also need not specially insure thecovered by this agreement.
2. The Association may arrange or rearrange the gift, according to accepted archival principles, to preserve them and to make them more accessible to visitors of the facility housing its collection of historical gift.
3. The Association will respect the Donor’s wishes as stated below, regarding disposition of such gift as are deemed by The Association to be either duplicative of, or inappropriate to, The Association’s holdings or better placed elsewhere.

[Please mark the appropriate box]

I want the gift returned to me.

I grant The Association permission to transfer, sell and retain the proceeds for the benefit of The Association or discard such gift as The Association sees fit.

4. The Donor may add other gift from time to time, to be receipted for and covered by this agreement. This agreement may be amended by written documents accepted and signed by the Donor and The Association.

- 5. The Donor warrants that no other individual(s), institution(s), or other entity(ies) has(have) interest in the gift covered by this agreement except as stated below.

(NOTE: Please indicate, if appropriate, whether copyright has been waived by release form(s) or agreement(s) made with correspondent(s), interviewee(s), or other(s) represented in these gift.)

- 6. The Association undertakes to protect by means set forth in this paragraph the Donor’s interest in the intellectual contents of the gift in exchange for the permission hereby granted to allow visitors to The Association’s facilities both to examine the gift covered by this agreement and to receive copies, the extent they can be photocopied, of specific items for personal use. Records pertaining to the use(s) of these gift covered by this agreement will be kept by The Association, and, if copies are made, visitors ordering or making the copies will be required to agree in writing to use the copied material solely for personal use. Visitors will be advised as well that use for any other than personal research or educational instruction is regulated by these laws of copyright. The Donor shall be exempt from such restrictions in those cases where the Donor holds copyright.

- 7. The itemized attachment(s) below state the Donor’s required restriction(s) on access and use of the gift covered by this agreement (or a stated portion of them) for specified period(s) of time and further state how access and use shall be permitted during the period(s) in which the restriction(s) pertain(s):

No restrictions

Restrictions as noted below

- 8. The Association may apply greater restrictions on access to all or part of the gift covered by this agreement for ethical, legal, or preservation reasons.

- 9. The Association may, without notice or fee to the Donor, publish, in whatever form(s) it chooses, description(s) of, catalog(s) to, or other announcement(s) of the availability and contents of the gift in the usual and customary places and manners.

- 10. The Association may, without notice or fee to the Donor, make copies of any of the gift covered by this agreement for purposes of preservation and, within the limits set forth in these Terms, public use.

- 11. Except for limited periods, when certain portions of the gift may be undergoing preservation treatment, the Donor has the right of on-site access to the gift covered by

this agreement at all times that the facility housing its historical material is open to the public. Further, except as noted below, the Donor may receive copies to the extent that they can be photocopied, of any of the gift covered by this agreement upon request. The Donor shall be responsible for payment of the usual and customary charges for such copies except as such charges may be waived in particular instances for courtesy copies of small bodies of material. When provision of such copies may be deemed by The Association dangerous to the physical preservation of the original gift that are to be copied, The Association may decline to make the copies.

12. If The Association should be judged to have failed to carry out its responsibilities under this agreement, and if the Donor or any other person seeks to enforce this agreement or claim damages for breach of it, The Association shall have the option of satisfying any obligation imposed upon it by this agreement by returning the donated items (and all archival copies of same) to the Donor or the Donor’s legal representative.

13. Further items of agreement covering this gift and not elsewhere mentioned above are as follows:

I, We, _____, hereby give the gift listed in the opening paragraph above or subsequently added under Term 4 above and agree to the other Terms set forth within this contract.

(THIS AGREEMENT IS NOT VALID AND CANNOT BE EXECUTED BY THE ASSOCIATION UNLESS THE GIFT IS RECEIVED BY THE NATIONAL EXECUTIVE COMMITTEE AND THE AGREEMENT IS SIGNED BY AT LEAST TWO (2) MEMBERS OF THE NATIONAL EXECUTIVE COMMITTEE).

Donor Information:

(Signature of Donor or Agent)

(address of Donor or Agent)

(Telephone number of Donor or Agent)

(Date)

Kenya Scouts Association Information:

(Signature and Title)

(Signature and Title)

(Date)

(Date)