

NIGERIAN SHIPPERS' COUNCIL

ANTI-CORRUPTION POLICY

1. PREAMBLE

“Corruption Is an ill Wind, Which Blows No-One Any Good”

It is quite obvious that corruption has played a role in undermining the world's social economic and environmental development. Resources have been diverted to improper use and the quality of services and materials used for development seriously compromised.

It has also been proved that in many countries corruption adds upwards of 10 per cent to the cost of doing business and that corruption adds as much as 25 per cent to the cost of public procurement. This undermines business performance and diverts public resources from legitimate sustainable development.

In the Maritime Industry where we operate, we acknowledge that the way it is presently constituted is a veritable place for all sorts of corrupt practices and this has been generally adjudged by stakeholders as the most singular factor militating against Port efficiency and our country's quest to rapid socio – economic development.

To play our regulatory role in the Transport Sector and help sanitize the Ports System, we realize that Nigerian Shippers' Council needs to be strategically positioned in order to ensure that things are done in the most efficient, effective and transparent manner. Nigerian Shippers' Council is therefore committed to promoting and adhering to the highest standards of probity and accountability. We insist on due diligence and proper procedures in all our dealings. We adopt zero-tolerance to bribery and corruption and are dedicated to acting professionally and fairly with integrity in our relationships wherever we operate. All effective means of fighting corruption will be implemented and enforced.

Nigerian Shippers Council would work to prevent, detect, and report all corruption cases to relevant anti- graft Agencies for sanctions. The Council

remains an Anti- corruption vanguard by refusing to cooperate, collaborate, encourage or take part in any unwholesome act.

We would join forces with other stake holders in educating all on the negative consequences of corruption, abiding by the anti corruption laws and ensuring that this Anti-Corruption Policy is in conformity with all applicable statutes, regulations and other related instruments.

Considering the importance of sea transportation in the overall socio - economic growth and development of the nation, Nigerian Shippers' Council as one of the key players definitely occupies a prime position in the overall wellbeing and economic survival of the nation and therefore cannot but manage and regulate the industry in a way and manner that is devoid of corruption. This is because with corruption, there can never be any meaningful growth nor sustainable development.

2. WHAT IS CORRUPTION

Corruption is defined by Prof. Asisi Asobie as the breach or perversion of legal rules, established procedures, code of conduct, system of ethics, or set of moral norms, in the service of unethical or illegitimate ends, private, parochial or public. Corruption therefore goes beyond bribery.

The litmus test of corrupt conduct or practice is not only whether or not some private individuals or groups benefited from the act. In addition, it is whether a law, rule or code of conduct, system of ethics or moral norm was violated and whether such violation led to an unethical and/or illegitimate end, whether private, parochial or public. **This is more relevant to our environment where nepotism, parochialism and informal networks of authority play a major role in addition to private gain in manifestation of corruption.**

3. APPLICABLE STATUTES, REGULATIONS AND OTHER INSTRUMENTS.

- The Constitution of the Federal Republic of Nigeria 1999 as amended
- The Code of Conduct for Public Officers, Fifth Schedule Part 1 of the 1999 Constitution.

- The Corrupt Practices and Other Related Offences Act 2000.
- The Economic and Financial Crimes Establishment Act 2004.
- The Public Procurement Act 2007 and relevant Guidelines.
- The Fiscal Responsibility Act 2007.
- The Nigerian Extractive Industry Transparency Initiative (NEITI) Act 2007.
- The Public Service Rules of Nigeria 2009.
- The Freedom of Information Act 2011.
- Code of Ethics and Conduct in the Civil Service as in the Civil Service Handbook.
- Code of Ethics for the Staff of Nigerian Shippers' Council.
- Standing Order for the Operations of ACTUs in MDAs.

4. PURPOSE AND OBJECTIVES OF POLICY

This Anti-Corruption Policy is developed in compliance with recommendations of the report of the Corruption Risk Assessment (CRA) conducted in the Nigerian Ports by ICPC, TUGAR and BPP with support from UNDP, mandating all Agencies in the Port Sector to produce implementable Anti-Corruption Policies that will be a tool for monitoring compliance in a regulatory regime of which Nigerian Shippers' Council is the Umpire.

The purpose of this Anti- Corruption Policy is to:

- i. Confirm the commitment of Nigerian Shippers' Council Management and Staff to the goals and aspirations of the Federal Government of Nigeria in eliminating corruption at all levels.
- ii. Strengthen NSC internal anti-corruption management practices and programs.
- iii. Entrench a deep culture of excellence and discipline in the work place by providing visible guidelines of behavior in NSC.
- iv. Bring about systematic changes in the external operating environment by increasing competition in the Maritime Industry, compel fair trade and global best practices.

This Policy reflects NSC organizational covenants, values, ethics, commitments, standards, transparency and relationship with Providers and Users of Shipping and Port Services and other Stakeholders. NSC desires to build a positive public image that will lead to a more supportive business and regulatory environment and an increased level of public confidence and trust among Stakeholders in the Shipping and Maritime Industry.

The above objectives will assist NSC attain its vision of a seamless, efficient and cost effective shipment of goods in consonance with acceptable international standards and best practices.

5. PERSONS AND ENTITIES TO WHOM THE POLICY APPLIES

This policy applies to all individuals working at all levels, and grades including Board Members, Directors and all the Staff of Nigerian Shippers' Council. Attaches, Collaborators, Concessionaires, Consultants, Contractors, National Youth Service Corp Members, Exchange Officers, Industrial Trainees, Retainers, Partners, Service Providers, Shippers, Sponsors, Suppliers, Vendors or any other person or body associated with the Council or any of its affiliates/subsidiaries or its employees who at anytime is performing any functions on behalf of the Council wherever located. (Collectively referred to as workers/employees/ staff in this policy).

6. PRINCIPLES OF THE POLICY.

These are the foundational principles guiding the understanding and implementation of this policy.

The above objectives will assist the NSC attain its vision of:

- 6.1 Employment in Nigerian Shippers' Council as a public trust, requiring staff to place loyalty to the Constitution, laws, rules and regulations, established ethical principles and dedication to its mandate above private gain.
- 6.2 All Staff shall be guided in their work by the principles of honesty, dedication to duty, integrity, transparency, timeliness, fairness, empathy

and ensure substantial compliance to established procedures, rules and laws.

- 6.3 Staff shall not at any time use position, public office or advantages conferred by that office for private gain.
- 6.4 All Staff should at all times act impartially and not give preferential treatment to any organization or individual or exercise authority for undue personal benefit or religious, political, ethnic and other such interests.
- 6.5 No Staff shall have any interest that conflicts with the conscientious performance of his duty.
- 6.6 A staff of NSC shall not receive or be paid the emoluments (salaries, wages and allowances) of any public office at the same time as he receives or is paid the emoluments of the Council.
- 6.7 Every staff shall do their best to avoid queues and delays in service delivery at his duty post, (and to be available at his duty post during working hours).
- 6.8 Staff shall not engage in financial or non-financial transactions using privileged or publicly available Government information or allow the improper use of such information to further any personal, private, religious, ethnic and political interests.
- 6.9 No staff shall solicit or accept any gift or other item or service of value from any person or entity seeking or with prospects of seeking official action from, or doing business with, or conducting activities regulated by the Nigerian Shippers' Council or whose interests may be substantially affected by the performance or non-performance of the employee's duties and/or NSC function(s).
- 6.10 All staff shall at all times, put forth sincere effort, dedication and their best skills in the timely performance of their duties.
- 6.11 All Staff shall at all times with their best efforts protect Nigerian Shippers' Council's property, and refrain from using government property for any use other than performance of their official duties.

- 6.12 Every staff shall disclose expeditiously to appropriate authority any waste, fraud, abuse of office, corruption and weaknesses in the organization's processes that make such outcomes probable at any time such information comes to his knowledge.
- 6.13 Staff shall make their best efforts to keep proper records of all activities and transactions they are engaged with and to be transparent in their dealings in the work place, creating and keeping records in a manner that support efficient tracking and retrieval.
- 6.14 Staff shall do their best to avoid any relationship, action or omission to act, creating the appearance that they are violating the ethical standards set forth in this policy, any regulations or laws in force or that compromise the interest and image of the Nigerian Shippers' Council.
- 6.15 No person shall offer any NSC staff any property, gift or benefit of any kind as an inducement or bribe for granting of any favour or in discharge of official duties in the person's favour. Any offerer shall be reported to the ICPC and/or any other Law Enforcement Agency.
- 6.16 All staff shall at every opportunity bring the contents of this policy to the knowledge of every stakeholder that he comes across in the performance of his duty.
- 6.17 Staff should not be seen to regularly play a role in processes that are distinctly different from their usual responsibilities and tasks, nor in facilitating client businesses with the organization, when such businesses do not in any way relate to their direct responsibilities.
- 6.18 That all staff shall without discrimination be held accountable for failure to perform their duties, infractions of this policy, or other rules, established practices and laws of the Federal Republic of Nigeria and Nigerian Shippers 'Council shall at all times support and co-operate fully with other Agencies in investigating infractions relating to the Agency and/or its staff.

7. STANDARDS APPLICABLE ON KEY ISSUES

7.1. ASSET DECLARATION

7.1.1 In compliance with the laws, all staff shall declare their assets at the time of entry into the service and at such periodic intervals stipulated by laws.

7.1.2 Every staff shall after coming into force of the policy confirm to NSC-ACTU his declaration of assets to the Code of Conduct Bureau.

7.1.3 Non- confirmation of such declaration of assets shall be deemed to be in breach of this policy. During investigations, any property or assets acquired by NSC staff not confirmed to have been declared shall be deemed to have been acquired in breach of this anti-corruption policy, unless the contrary is proved.

7.2 GIFT

An employee of Nigerian Shippers' Council shall not directly or indirectly ask for or accept property or benefits of any kind for himself or any other person on account of anything done or omitted to be done by him or any other such person in the discharge of his duties. The receipt by an officer of any gifts or benefits from commercial firms, business enterprises or persons who have prospects to get or who have contracts or business with Nigerian Shippers' Council shall be presumed to have been received in contravention of this sub-paragraph unless the contrary is proved.

7.3 PERSONS FROM WHOM GIFTS ARE PROHIBITED ARE AS FOLLOWS:

- i. Any person seeking official action by the Nigerian Shippers' Council.
- ii. Any person who does business or seeks to do business with the Nigerian Shippers' Council;
- iii. Any person who conducts activities regulated by the Nigerian Shippers' Council;
- iv. Any person who has interests that may be substantially affected by performance or non-performance of your official duties; or

- v. Any organization a majority of whose members are described in paragraphs (i) - (iv) in 7.2.

7.4 TYPES OF SOLICITED OR INDIRECTLY ACCEPTED GIFTS

With reference to the Code of Conduct for Public officers in Part 1 of the Fifth Schedule to the Constitution of the Federal Republic of Nigeria, A Gift includes:

7.4.1 .Given with the officer's knowledge and acquiescence to his parent, sibling, spouse, child, friend, associate, or dependent relative because of that person's relationship to him, or

7.4.2 Given to any other person, on the basis of designation, recommendation, or other specification by him.

7.4.3 An Officer of Nigerian Shippers' Council can, however, only receive gifts from family relations and friends (not connected to the officer's line of duty) in such occasions recognized by custom, such as weddings, birth of a child, marriage of a child, burial of immediate family member, conferment of traditional title, etc provided that such gifts shall:

- i. Not be given to influence him or in return for having been influenced in the performance or omission to perform an official duty.
- ii. Not be part of gifts from the same or different sources on a basis so frequent or whose value is so high that a reasonable person would be led to believe the employee is using his public office for private gain.
- iii. When given regarding any public or ceremonial occasion, a gift shall be treated as a gift to the organization and the employee shall register it in the organizations register of gifts and report it within 24 hours to appropriate authority.

7.5 An employee is prohibited from giving, donating to, or soliciting contributions for a gift to an official superior and from accepting a gift from an employee of Nigerian Shippers' Council receiving less pay than him, unless the item falls within the exception set forth in this policy.

7.6 The Anti-Corruption and Transparency Monitoring Unit (ACTU) shall open a **gift register** where staff will register all gifts falling outside the exceptions set forth by this policy.

7.7 The registration of such gift shall record in detail, the description of the gift, approximate value, and name of giver, name of receiver and date of receipt.

7.8 Every staff to which a bribe is offered shall take any one of the following options - **decline and report or, accept and report bribe in writing within 24hours to ACTU, or postpone and report offer and follow instructions given by relevant officers on follow up action.**

7.9 The Nigerian Shippers' Council, Anti- Corruption and Transparency Monitoring Unit (ACTU) shall investigate and follow up on all reported offers or giving of bribes and take all steps required by law in relation to them.

8. CONFLICT OF INTEREST

8.1 An employee of Nigerian Shippers' Council shall not put himself in a position where his personal interest conflicts with his official duties and responsibilities.

8.2 A conflict of interest exists where an employee of Nigerian Shippers' Council:

- i. Possesses an interest outside his official duties that materially encroaches on the time or attention which should otherwise be devoted to affairs of the Nigerian Shippers' Council;
- ii. Possesses a direct or indirect interest in or relationship with a person seeking agency action, contract or other opportunity or such a person's agent, that is inherently unethical or that may be implied or construed to be, or make possible personal gain to him due to his ability to influence dealings;
- iii. Entertains relationships which are unethical, rendering his attitude partial toward the outsider for personal reasons or otherwise inhibit the impartiality of the person's business judgments;
- iv. Places by acts or omissions, Nigerian Shippers Council or the Government in an equivocal, embarrassing or ethically questionable position;

- v. Entertains relationships compromising the reputation or integrity of Nigerian Shippers' Council or any of its officers, or the Government;
- vi. Receives benefits by taking personal advantage of an opportunity that properly belongs to Nigerian Shippers' Council or the Government;
- vii. Creates a source of direct or indirect personal revenue or advantage by using public property which comes into his hands in the course of his work or otherwise; and
- viii. Discloses confidential information being either the property of his procuring entity, the Government or to a supplier, contractor, and service-provider to unauthorized persons.

8.3 Every Staff has a duty to report an actual, perceived or potential conflict of interest regarding his work or that of any other staff to his supervising officer and NSC-ACTU immediately upon becoming aware of the potential conflict or an actual conflict of interest.

8.4 Every Staff shall disclose direct or indirect personal or private business interest that he or his spouse, partner, friend or immediate or larger family member may have in any matter, before any decision concerning the matter is taken at the Council.

8.5 Every staff who has a potential conflict of interest shall withdraw from the proceedings of his department, an approving authority, committee, etc and from preparing related documentation, when that matter concerning which the potential for a conflict of interest exists is being considered, unless the approving authority decides that the member's direct or indirect interest in the matter is trivial or irrelevant.

8.6 The supervising officer or the Head of Department to whom such a report is made shall immediately upon receipt of the information take all steps necessary in the case of a perceived, or potential conflict to mitigate the possible conflict of interest and in the case of actual conflict, steps to be taken should include disciplinary proceedings, including removing the exposed person from office and or duty.

8.7 Other steps to be taken particularly for perceived and potential conflicts may include and not be limited to; providing temporary replacement for the officer; imposing restrictions on officer's involvement in the matter in conflict; recusal i.e. the officer removing himself or being completely removed from any involvement with the matter; the officer relinquishing the private interest source of the conflict; the officer resigning from his office and/ or routine registration of such actual, perceived or potential conflict of interest.

9. TRANSPARENCY.

9.1 Staff shall as a matter of course and at all times, make available to agency clients, stakeholders, service requesters and recipients in good time and in writing the following regarding their area of interest:

- i. List of services available
- ii. Standards
- iii. Full conditions for accessing service
- iv. Time within which each service will be rendered upon fulfillment of specified conditions.

9.2 In the case of a pending request or application for service, staff must in the case of expected delay, notify clients in writing of the delay and reasons for delay; in the case of refusal of service, reasons for full or partial refusal of service and remedial action if any required by the Council from the service requester to supply full service.

9.3 Staff shall in all cases create, keep and maintain records of all official transactions in which they have been engaged and give their best efforts to study, understand and support their departments and the Nigerian Shippers' Council to comply fully with the Freedom of Information Act 2011 and the Attorney General's guidelines for its implementation.

9.4 All Staff appointments for positions from Grade Level 07 and above shall be based on a credible competence test where the best qualified is employed within the context of the Federal Government of Nigeria Federal Character Policy.

9.5 Every staff shall exercise the duty of utmost care to ensure reasonable protection of the assets and records of the NSC.

10. RECORD MANAGEMENT

The Management of Nigerian Shippers' Council is committed to do its best to improve organizational record management processes and bring them to replicable and auditable standards that ensure improved integrity, easy retrieval, efficient tracking and controls, timeliness and effectiveness.

11. FINANCIAL MANAGEMENT AND PUBLIC PROCUREMENT

11.1 Every Staff shall endeavor to study, understand and give his best efforts to support his Department/Unit and the Council to comply fully with the Fiscal Responsibility Act 2007, the Public Procurement Act 2007, and the accompanying regulations and standard document regarding all work processes and transactions assigned to the officer or for which the officer may be otherwise responsible.

11.2 Every staff shall act with fidelity, honesty, integrity, fairness and in the best interest of the Council and the Shipping/Maritime Industry in carrying out his duties and in managing Nigerian Shippers' Council's financial affairs for which he is responsible.

11.3 Nigerian Shippers' Council is committed to full compliance with all public finance management Laws and Rules and to regular evaluation of NSC performance in this regard.

11.4 The breach of this policy by a Contractor, Concessionaire, Agent, Consultant, Partner and other Stakeholders shall be a basis for termination or debarment of the party from carrying on any business with NSC for no less than three years or for such longer time as may be determined by NSC.

12. INTERNAL AUDIT

The Nigerian Shippers' Council Anti-Corruption and Transparency Monitoring Unit (NSC-ACTU) is responsible for investigating suspected fraud and corruption by Nigerian Shippers' Council Staff and others specified under section 5 of this Policy.

Staff and others mentioned are required to report suspicion of corruption to ACTU for investigation. For avoidance of doubt, ACTU shall perform all duties detailed in section 6 (a) –(f) of the **Corrupt Practices and Other Related Offences Act 2000** except that of prosecution.

13. KEY AND UNIQUE OPERATIONAL AREAS

In order to avoid or minimize conflicts arising from overlap of functions with the existing appropriate authorities for discipline in Nigerian Shippers' Council, the following categories of Misconduct shall be appropriately handled by ACTU:

Bribery, Collusion, Corruption, Dishonesty, Embezzlement, Extortion, Facilitation, Fake Invoices, False Claim, Falsification of Records, Favoritism, Forgery, Fraud, Impersonation, Inducement, Inflation of Contracts, Kickbacks, Manipulation, Misappropriation, Nepotism, Pilfering, Poor Execution of Contracts, Recycling of Invoices, Suppression of Records, Theft, Tribalism, Under-Supply of goods, etc.

14. STRUCTURE FOR IMPLEMENTING THE POLICY

14.1 NSC-ACTU Officers shall have primary responsibility for follow up, preliminary investigation and pass its recommendation to Management for commencement of full disciplinary measures against any person whom its preliminary enquiry has revealed a prima facie case of misconduct.

14.2 NSC-ACTU by this policy has power to request and receive any document, information, report or material from any staff within the time specified by it without any responsibility to explain why it requires it.

14.3 It shall be an infraction of this policy for any staff to refuse, fail, neglect or in any way directly or indirectly refuse to provide information or document required by NSC-ACTU or to attempt to obstruct ACTU in carrying out its duties under this policy.

14.4 NSC-ACTU shall upon receipt of a report, conduct a confidential and preliminary investigation on the report and if it finds a prima-facie case, draft a formal complaint and serve the person against whom the report has been made, asking for a response in writing including evidence in support of any claims made.

14.5 Upon determination that there is a prima facie case the ACTU shall take all steps and remedial action required, including recommending actions to be taken to remedy agency or client service needs, where already disrupted or likely to be affected, which may include suspension or reposting of the officer(s) involved, grant of service already refused or delayed, etc and the formal complaint by the ACTU now in its name shall be the commencement of a disciplinary process in accordance with NSC disciplinary proceedings.

14.6 ACTU shall do all in its power to protect the identity of whistle blowers except where they have consented to being named, and even where it is necessary to call them to give evidence; they shall be called as witnesses and not complainants.

14.7 For purposes of this policy, when a prima facie case has been established, ACTU shall make the complaint against a staff in its name.

14.6 ACTU shall report directly to the Executive Secretary/Chief Executive Officer of Nigerian Shippers' Council.

14.9 it shall be misconduct for anyone to contravene the provisions of this policy and any person so contravening this policy shall be subject to disciplinary sanctions including dismissal from service.

14.10 Management shall provide maximum support to the ACTU in its role of handling reports of breaches to this policy and shall expeditiously deal with all its reports and recommendations including supporting all reasonable measures for protection of whistle blowers recommended by the ACTU.

15. MONITORING, EVALUATING AND REPORTING OF BREACHES

15.1 ACTU shall provide half year and end of year reports to management of all complaints of breaches (number and description of breaches) of this policy and related instruments reported as occurring by the end of June in each year, whether reported (directly to the NSC-ACTU or reported through the Central Complaint Mechanism domiciled in the Council) and the steps taken in remediation, including disciplinary steps and sanctions if any imposed.

15.2 The end of year report shall indicate all reports received, regarding complaints of breaches, those which preliminary investigation revealed a prima-facie case of misconduct, and those for which disciplinary actions were taken by ACTU. Outcome and/or progress of disciplinary process, the number of persons sanctioned and number of cases in which respondents have been exonerated should also be reported.

15.3 The end of year report shall be due before the end of March in the following year. It shall in addition contain an analysis of policy or procedural changes required to prevent infractions identified through the year. This end of year report should be available to all staff for comments and be considered, and a decision taken by management on recommendations.

16. DISCIPLINARY PROCEDURES AND MEASURES AGAINST BREACHES

16.1 Investigation process

ACTU shall undertake preliminary investigation of each petition with minimum delay and forward findings on the alleged/reported cases to ICPC with copies sent to the Executive Secretary/ Chief Executive Officer of Nigerian Shippers' Council except where the ES/CEO himself is involved. The decision as to whether further investigation and possible prosecution should be undertaken shall be that of the ICPC as provided in the Corrupt Practices and Other Related Offences Act 2000.

16.2 Method for Enquiries/System Review

16.2.1 ACTU shall examine the practices, systems and procedures in the various Departments, Units and Offices of Nigerian Shippers' Council, as provided in Section 6 (b-d) of the ICPC Act 2000 to ensure that the requirements of this Policy and applicable procedures and guidelines are being met. Audit documentation shall include performance improvement action plans.

16.2.2 After such exercises ACTU shall submit a detailed report with recommendations to ICPC for appropriate action. Copies of such report shall be sent to the ES/CEO of the Nigerian Shippers' Council.

16.2.3 ACTU shall have power to make recommendations to the Management of Nigerian Shippers' Council pursuant to its functions.

16.2.4 The Nigerian Shippers Council's Management shall ensure that it puts necessary machinery in place to effect implementation of the recommendations made to it by ACTU within 60 days of the official receipt of such recommendations or proffer in writing reasons for not implementing the recommendations.

16.2.5 Intervention of ICPC shall be sought by ACTU in case Management refuses to implement recommendations made.

16.3 Channels for Complainant

ACTU shall provide locked Anti-Corruption Complaint Boxes in designated places to make easy and confidential the channeling of complaints/information by Staff.

16.4 Independency/ Impartiality

16.4.1 ACTU in Nigerian Shippers Council shall operate as an autonomous outfit with functional linkage with the Office of the Executive Secretary/ Chief Executive Officer.

16.4.2 Nigerian Shippers' Council shall ensure stability and continuity on the job of ACTU Members by avoiding constant deployment and transfer from the Unit.

17. MANAGEMENT RESPONSIBILITY IN IMPLEMENTING POLICY

17.1 The Executive Secretary/Chief Executive Officer shall have overall responsibility for implementing this policy.

17.2 All management staff shall show example by adhering to the tenets of this policy and ensure that Staff under them attend mandatory annual training on implementation of the Anti-Corruption Policy.

17.3 Management shall in word and in deed promote and lead the implementation of this policy, and make its implementation a major thrust of

Council's reform programs with regular pronouncements in support of its implementation.

18. HOW TO REPORT CORRUPTION INTERNALLY AND EXTERNALLY

18.1 Any staff of Nigerian Shippers' Council or employee of any of its affiliates, Suppliers, Consultants, Service Providers at the Ports, Shippers, Clientes and other Stakeholders may report acts of corruption directly to an immediate supervisor, at will or when circumstances dictate otherwise report to the NSC-ACTU.

18.2 Staff may report infractions anonymously through this telephone hotline and or E-mail: nscactu@shipperscouncil.gov.ng

18.3 Staff may also send a written confidential report to the Executive Secretary/Chief Executive Officer of the Council.

19. WHISTLE BLOWERS PROTECTION POLICY AND STANDARDS.

19.1 A whistleblower is best defined as a person who in good faith discloses a wrongdoing in the Organization (i.e. not just personal dissent). A whistleblower may be an employee of Nigerian Shippers' Council or external Stakeholder, e.g. a Contractor's employee or a Client or Service Requester/Provider.

19.2 A whistle blower report needs to be made internally first to employees immediate supervisor, or ACTU or officer in-charge of compliance, complaint resolution or corruption prevention, and where extenuating circumstances exist report may be made orally to such higher officers that the whistle blower may have confidence in, or directly to the Executive Secretary/Chief Executive Officer. When a whistle blower is not satisfied with the outcome, or has seen that no action is taken, he may escalate the report to higher levels like the Governing Board or Supervising Ministry or other Authority or platform, such as ICPC etc. A whistle blower's report should disclose abuse and significant wrong doing, loss or waste of Councils' resources and or corruption etc.

19.3 A bona-fide discloser will not be required to produce evidence to proof disclosure, (but may do so if such evidence is legally available to him. He may

choose to make the disclosure anonymously. A bona-fide disclosure is one with ‘an honest belief held on reasonable grounds, that the disclosure is true’.

19.4 Persons who assist with or give evidence at a Management inquiry, corruption investigation (etc), shall be treated as ‘whistleblowers’, and as a result will be entitled to protection as if they had made the disclosure as a whistleblower. The bona fide discloser does not lose protection against retaliation even if their disclosure remains unproven or disproved after investigation. **This paragraph shall not protect the disclosure of unsubstantiated rumors.**

19.5 No Whistle blower who is a staff of Nigerian Shippers’ Council shall be subjected to discrimination, intimidation, harassment, or any adverse administrative action (demotion, denial of promotion, arbitrary or harsh posting or other detrimental action etc), false and malicious accusations or suffer any detriment of any kind, direct or indirect, actual or threatened, on account of his disclosure or Council’s actions following his disclosure. A whistle blower who is a client or service requester shall not be made to suffer any delay, refusal of service or other detriment of any kind on account of his disclosure.

19.6 It shall be a misconduct punishable with dismissal for any person to subject a whistle blower (external or internal) to any punitive measure on account of his disclosure.

19.7 Making a false public disclosure, knowing it to be false, is a disciplinary matter, and remains punishable by the Nigerian Shippers’ Council and actionable by any adversely affected person or body.

20. REVIEW PROCESS

20.1 This Anti Corruption Policy shall be reviewed every **two years along with the Standard Operating Procedures (SOP) applicable to Nigerian Shippers Council’s operations at the Ports.** The primary objectives of these reviews will be to ensure that the applicable SOP provisions support in all respects the achievement of obligations and standards of conduct set out in the Anti-Corruption Policy. These reviews shall be done not later than **every three years** in collaboration with the Port Sector’s stakeholders.

20.2 All staff and stakeholders shall have adequate opportunity to contribute to periodic reviews of this Anti-Corruption Policy and SOP.

21. TRAINING POLICY AND TARGETS.

21.1 Every middle level and management staff in the Nigerian Shippers' Council shall endeavor to attend an Anti-Corruption Policy and Standards Operation Procedures training programme at least once a year.

21.2 No person shall be promoted to a new rank except it is confirmed that he has attended an Anti-Corruption Policy Implementation Training Course the year prior to his elevation or in the year of his elevation except the NSC failed to give him an opportunity to attend one.

21.3 The Nigerian Shippers' Council shall provide sufficient training opportunity to ensure all staff attends at least one AC policy training per year. .

22. PERIODIC TESTING OF EFFICAY OF IMPLEMENTATION

22.1 There shall be periodic testing of efficacy of implementation of this Anti-Corruption Policy every two years by ICPC or any similar body set up by the Federal Government.

22.2 Results of the evaluation shall be shared with Management and Staff and be the basis for **review and revision of the Anti-Corruption Policy and the Nigerian Shippers' Council SOP.**

23. Dissemination of the Policy

23.1 The Policy shall be published and made available to every staff in printed form and on the NSC website.

23.2 Opportunity shall be given at every meeting, operational training and other staff development programmes for the promotion of this Anti-Corruption Policy.

23.3 Slogans reflecting the core-values espoused in this Policy shall be published and placed in conspicuous places and be reflected on official stationary.

23.4 Every contract agreement by NSC shall include an anti- corruption clause.