



UNIVERSITY OF NAIROBI

THE LEGAL OFFICE SERVICE CHARTER

We humbly welcome you to the University of Nairobi's Legal Office. The Legal Office is an integral unit in the daily running of issues touching and/or requiring legal input as relates to the University of Nairobi. This has impacted positively in tandem with stipulations recommended by the **ISO 9001:2008 Standards**.

As indicated above, the mandate bestowed on the Legal Office is enormous but under the guidance and direction of the Chief Legal Officer, it has been possible for the dispensation and discharge of duties to the required and set standards given the daily constraints experienced in the delivery of the same. A secretary, a Legal Clerk and a Messenger, who, collectively, ensure that tasks and duties allocated by the Chief Legal Officer are undertaken and timely accomplished and delivered given the staffing constraints.

Arising from the mandate of the University of Nairobi Legal Office, and in order to pursue a competitive future direction, we have promulgated the following vision, mission and core values: -

This user guide handbook is specifically designed to assist members of the public in understanding and accessing legal services rendered by the Legal Office.

Vision

"To be Legal advisors in keeping with a **WORLD CLASS** University"

Mission

"To provide quality services in line with the University of Nairobi vision."

Value Statement and Mandate

"In the Legal Office we are driven by a passion for service excellence to achieve and coordinate effective corporate Legal Services, through teamwork and care in an atmosphere that ensures efficiency, integrity and Social responsibility" through the following mandate:

Strategic Objectives

- To recommend and lobby for extra staff and facilities to maintain an improved image of the legal office and the University.
- To broaden the range of specialties in legal services offered to the University Community;
- *To promptly and efficiently attend to matters that require legal input internally and externally.*

- To facilitate the development and implementation of institutional policies and strict adherence to the same.
- To ensure strict compliance with relevant national laws on integrity, and facilitate or coordinate the development and implementation of the institutional corruption prevention plan.

A. CURRENT FUNCTIONS/DUTIES OF THE LEGAL OFFICE

The functions and duties of the Legal Office have increased immensely given the ever-changing environment and stringent measures put in place with the advent of the University of Nairobi being ISO 9001: 2008 certified. The functions and duties of the Legal Office are summed up as follows: -

1) Litigation:

This ultimately involves the management of cases in Tribunals and Courts in liaison with external lawyers appointed by the University of Nairobi. The duties include preparation of briefs, preparation of witnesses for pre-trial and hearing and preparation of updates to the management in relation to the frequent amendments of statutes. Currently, the Legal Office is managing Seven (7) court cases that are at a penultimate stage. The office is also mandated with rendering of services to the University through the Student Disciplinary Process that entails crafting of charges for students violating the Regulations governing the conduct and discipline of students.

2) Linkage and Collaborations:

The Legal Office is actively involved in formulation and guidance on preparation of documents such as Memoranda of Understanding, Collaboration Agreements and Proposals that are duly perused by the Chief Legal Officer with appropriate amendments/corrections being made for the document to meet the laid down stipulations for execution. This also includes the management of the Intellectual Property Policy. There are two versions of the Memoranda of Understanding and any document that goes beyond our specifications and which needs further scrutiny, one is at liberty to approach the Legal Office directly for customization. The said documents are in template form and are easily downloadable by following the shown link. The Intellectual Property Policy is easily accessible through the given link.

3) General Contracts and Agreements that Bind the University of Nairobi:

This is a broad area that involves several types of contracts and agreements between the University of Nairobi and other private/public entities. Preparation of

these contractual agreements is based entirely on the need and nature of business/tenancy. These agreements are in a wide range that involves Commercial Agreements that include Leasing of University of Nairobi space to be used to erect Billboards and or Telephone boosters respectively. There are also Normal House Residential Leases that consists of Tenancy Agreements with members of staff and private firms. We have made templates to suit your needs and nature of tenancy. You may follow the shown linkage for easy downloading. In case of any difficulty, we practice an open door policy to further guide and advice on how to go about with preparation of the Leases and Tenancy Agreements.

4) Procurement Department:

We also peruse and verify procurement and maintenance contracts with suppliers of equipment from private firms to ensure that the said contracts are in order and that there is no ambiguity in the terms and that our stipulations are followed to the later.

5) Staff and Student Disciplinary Matters:

The Legal Office is of paramount significance in the actualisation of the Staff and Student Disciplinary Processes as it ensures that appropriate charges are properly drawn/crafted for a disciplinary committee to be constituted for trial of the student/staff involved. This is aimed at heightening the expeditious dispensation of the matter and avoiding unnecessary delays. The Legal Office has also been involved in the formulation of statutes that govern the conduct and discipline of students from time to time.

6) Student Indemnity:

Through the year, students from different faculties proceed on industrial attachment in various parastatals and corporations. There are requirements to students being indemnified by the University of Nairobi and this is where the Legal Office assistance comes in handy in preparation of the said student indemnities. Students are required to get a letter from their departmental chairmen verifying their identity as students of the University of Nairobi together with an attachment letter. This will enable the Legal Officer to ascertain the details of the student for him/her to be indemnified. The Indemnity Form is filled in duplicate before execution. A letter to the company where the student is due for attachment is prepared for the Deputy Vice Chancellor (Administration and Finance) to append his signature. The Indemnity Form is easy downloadable through the shown linkage.

7) Declaration of Income, Assets and Liabilities (Public Officer Ethics Act 2003):

Under Section 26 of the Public Officer Ethics Act 2003, every Public Officer is required to fill Declaration Forms every Two (2) years and the Legal Office is

mandated with ensuring that this mandatory Legal requirement is strictly adhered to. The Legal Office procures the forms from the Commission of Higher Education by requesting a certain number of forms, which are then sorted out and distributed to departments through their respective colleges. This is done by preparation of payroll printout to ascertain the Public Officers still in service and then sending correspondence to College Registrars to oversee the smooth running of the process by ensuring that all members of staff that fall under their jurisdiction get to fill the forms.

A circular is also prepared, giving notice to all members of staff on collection and submission dates of the said forms to their respective college/unit for onward transmission by the Legal Office to the Commission of Higher Education.

8) Funeral Assistance for Members of Staff and Students:

The Legal Office also assists the bereaved family members in processing letters for approval for mortuary waiver and coffin reimbursement after presentation of original receipts for the same. This is ascertained by the deceased's grade to enable appropriate allotment of funds. The Coffin Reimbursement only covers the staff member and is not extended to spouse/partner, children or dependants.

The University of Nairobi does not cover post-mortem costs, except in special cases with the approval of the Vice Chancellor. The Legal Office initiates the processes to conclusion of the matter. This is in line with the approved University of Nairobi's policy and in tandem to the ISO 9001:2008 certification.

9) Vetting of Staff:

To uphold the integrity, image and competence of the University of Nairobi, it is paramount and mandatory that the process of Vetting Members of Staff deployed in crucial/sensitive areas/units of the University of Nairobi for confidentiality purposes be strictly administered and adhered to. In line with this requirement, the Legal Office assists in the preparation of Affidavits and administration of Oaths to the relevant officers.

The exercise is conducted in the presence of the Vice Chancellor, Deputy Vice Chancellor (Administration and Finance) and or the Registrar, Administration. A copy of the Affidavit is retained in the Legal Office, a copy in the personal file of the staff member and the sworn member of staff another copy.

10) Pension Matters:

The Legal Office offers Legal Advice and preparation of Legal Instruments, on request by the Board of Trustees University of Nairobi Pension Scheme. The Legal Office is also instrumental in the process of conducting election of trustees to the said Pension Scheme where the Legal Officer is the Internal Returning Officer to

ensure transparency, integrity and accountability of the election process and to also ensure trust and confidence of the members.

11) Record Keeping

The Legal Office is mandated with keeping certain University of Nairobi Instruments and documents as well as general, personnel and files from other units that have suits filed in court. Record keeping shall be as a result of the individual activities of the Quality Management System (QMS) and shall also be the objective evidence that the actual practice conforms to the written procedures.

Records shall be appropriately identified before being stored in suitable locations, which allow normal protection from deterioration or damage and from where they can be easily retrieved.

The Legal Office always calls for Students and Staff files from their respective registries to enable proper filing of incoming litigation matters for the Legal Officer to deal further.

The Legal Office endeavours to deliver timely services to the whole divide impartially and in line with the ISO 9001:2008 certification standards. In delivery of the same and with the nature of work undertaken, the Legal Office operates outside the normal working hours from **7am–7pm** to ensure prompt and satisfactory service delivery to all.

12) Corruption Prevention and Eradication

The Legal Office is mandated with the task of aiding and overseeing the implementation of the University of Nairobi Corruption Prevention Plan and the University of Nairobi Anti-Corruption Policy Targets and activities together with the Kenya Anti-Corruption Commission Strategic Plan Implementation Progress Report for Public Universities to ensure that the integrity and image of the University of Nairobi is not tainted at all times against corruption related allegations.

13) Public Complaints Standing Committee:

The Legal Officer in liaison with the Vice Chancellor's Office coordinates the following activities towards resolution of public complaints:

- To promptly address and resolve public complaints referred to it directly or channeled through the Public Complaints Standing Committee (PCSC).

- To coordinate and formulate mechanisms of working together with the PCSC to address complaints referred to it.
- To adopt the reporting format developed by PCSC to report on this indicator.

B.

CONTACTS

In case of any further clarification on any of the information availed above, please feel free to contact the Chief Legal Officer on extension **28583 or 28591**. Alternatively, you may channel your queries or suggestion through the Legal Office email address: legal-officer@uonbi.ac.ke or make use of our suggestion box.

CHIEF LEGAL OFFICER