

**Quality management system
Regulations on the anti-corruption, disciplinary commission of S.Seifullin KATU**



**S.Seifullin
KAZAKH AGROTECHNICAL
UNIVERSITY**

RADC QMS 07.7015-2020 Page 1 of 16 Version 1

“Approved”

By order of the Chairman of the
Board

№ 538-H of 16.10.2020

QUALITY MANAGEMENT SYSTEM

REGULATIONS

ON THE ANTI-CORRUPTION, DISCIPLINARY COMMISSION OF S. Seifullin KATU

RADC QMS 07.7015-2020

Ex. _____

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NUR-SULTAN 2020

Foreword

1 DEVELOPED AND INTRODUCED BY the human resources and document management department in cooperation with the quality service

Name of the unit that developed the RADC

2 APPROVED and enacted by order of the chairman

(officer approving the document)

Management Board № 538-H of 16.10.2020.

3 DEVELOPERS: - HRDMD Director - D.B. Alimzhanova

Academic degree, academic title Full name

- Head of Quality Service - Aldabergenova S.S.

Academic degree, academic title Full name

**4 TIMEFRAME FOR FIRST INSPECTION
INSPECTION INTERVALS**

2025

5 years

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Agrotechnical University Contents

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1 Area of application

These regulations are designed to define the responsibilities, powers and rights of the anti-corruption, disciplinary commission of S. Seifullin Kazakh Agrotechnical University (hereinafter - S. Seifullin KATU).

The present provision is aimed at:

- to protect the rights and freedoms of employees and consumers of educational services, to ensure the effective activities of the teaching staff, officials and other persons, as well as students of the university by preventing, detecting, suppressing and disclosing offences related to corruption, eliminating their consequences and bringing the perpetrators to justice;

- to expand democratic principles, transparency and control in university management, to strengthen students' trust in the university administration, faculties, heads of departments and teaching staff, university officials and others.

The Regulation is part of the Quality Management System (hereinafter, QMS) documentation of S. Seifullin KATU.

2 Normative references

The following regulations are referred to in this regulation:

Constitution of the Republic of Kazakhstan (adopted by national referendum on 30 August 1995)

Criminal Code of the Republic of Kazakhstan of 3 July 2014 No 226-V

Code of Administrative Offences of 5 July 2014 No 235-V

Labour Code of the Republic of Kazakhstan of 23 November 2015, No. 414-V
LRK

Law of the Republic of Kazakhstan "On Education", 27 July 2007, No. 319-III.

Law of the Republic of Kazakhstan on Combating Corruption No. 410-V of 18 November 2015.

The Charter of the Kazakh Agrotechnical University named after S. T. Zhdanov.
S. Seifullin Kazakh Agricultural University

ISO 9000:2005 Quality management systems. Basic provisions and glossary.

IS ISO 9001:2015 Quality management systems. Requirements.

CO QMS 01.1014 - 2020 Quality management system. Standard of the organisation. Rules for developing, agreeing and approving the subdivision regulations.

QMS PD 01.1006 - 2020 Quality management system. Documented procedure. Document management.

QMS PD 01.1007 - 2020 Quality management system. Documented procedure. Quality records management.

3 Definitions

3.1 The following terms and definitions shall apply in this regulation:

Corruption offence – as a separate manifestation of corruption leading to disciplinary, administrative, criminal or other liability.

Corruption prevention is the activity of anti-corruption policy actors to study, identify, limit or eliminate the phenomena and conditions that give rise to corruption offences or contribute to their spread.

Subjects of corruption offences are individuals who use their status against the legitimate interests of society and the state to obtain unlawful benefits, as well as those who illegally provide such benefits.

Anti-corruption activities are a set of organisational, legal, moral, preventive and other measures aimed at preventing, responding to and eliminating corrupt practices in S. Seifullin KATU.

The subjects of anti-corruption policy are state and local authorities, institutions, organisations and persons authorised to form and implement anti-corruption policy measures and citizens. The subjects of anti-corruption policy at the University are:

- Teaching and support staff;
- university students, undergraduates and **doctoral candidates**;
- Individuals and legal entities interested in the quality provision of educational services to the University's students, undergraduates and doctoral candidates.

A disciplinary sanction is a measure of disciplinary action against an employee imposed by the employer for a disciplinary offence;

A disciplinary offence is a breach of work discipline by an employee and unlawful culpable non-performance or inadequate performance of work duties. A disciplinary offence includes disrespectful behaviour of an employee towards an employee and a trainee, including insults and harassment.

4 Designations and abbreviations

The following abbreviations shall apply in this regulation:

- S. Seifullin KATU - S. Seifullin Kazakh Agrotechnical University;
- RADC - regulations on the anti-corruption, a disciplinary commission of S. Seifullin KATU;
- RK - Republic of Kazakhstan;
- ADC - anti-corruption, disciplinary commission;
- Faculty - teaching staff;
- The SQP is the quality management representative;
- SK is a quality service;

- QMS - Quality Management System;
- HRDMD is the human resources and document management department;
- DAV - Department of Academic Affairs.

5 Responsibility and authority

5.1 Responsibility for the development of regulations on the anti-corruption, disciplinary commission of S. Seifullin KATU (hereinafter - RADC), namely for its content, structure is the responsibility of the Director of Human Resources and Document Management Department (hereinafter - HRMD), for registration, approval and implementation - the quality service (hereinafter - QS).

5.2 The RADC shall be approved by the S. Seifullin KATU Board Chairman.

5.3 The draft RADC shall be agreed with the Quality Management Representative (hereinafter “QMR”) by the Vice-Chairman of the Board for Educational Affairs, the Vice-Chairman of the Board for Finance and Infrastructure Development, the Director of Academic Affairs (hereinafter “DAA”), the Director of HRDMD, the Head of Legal Affairs and the Head of the IC.

5.4 The decision on the final version of the draft RADC shall be taken by the SCC, which shall be noted on the “Approval Sheet” (Appendix A).

5.5 The DMAP shall submit the draft RADC for registration to the IC, which shall process the original and collect the concurring signatures.

5.6 Simultaneously with the approval of the RADC, the IC shall prepare an order to put it into effect, which shall also be approved by the Chairman of the Board.

5.7 It is the responsibility of the head of the unit to ensure that the approved SAC is communicated to the relevant unit staff. A record of acknowledgement must be made on the “Awareness Sheet” (Appendix B).

6 General provisions

6.1 The Anti-Corruption, Disciplinary Commission (hereinafter referred to as the ADC) is a collegial body composed of employees of S. Seifullin KATU.

6.2 All employees and students of S.Seifullin KATU must ensure compliance with the law, identify and eliminate the causes and conditions of violations of the law, restorative of violated rights of employees and students, accurate and uniform application of regulations and implementation of mandatory requirements of regulations, internal regulations, internal documents of the university by legislative acts of the Republic of Kazakhstan.

The legal basis for the activities of the ADC is the norms of international law on combating corruption, the Constitution of RK, Decrees of the President of RK, orders of the Ministry of Education and Science of RK, regulatory acts of RK, the Charter

and other internal legal acts of S. Seifullin KATU.

6.3 The ADC shall be formed by order of the Chairman of the Board of S. Seifullin KATU.

6.4 The Chairman of the Commission shall be the Chairman of the Board of S. Seifullin KATU or the First Deputy Chairman of the Board.

7 Description of the activities of the anti-corruption, disciplinary commission

7.1 The purpose of the ADC is to organize and coordinate the implementation of measures aimed at preventing corruption and identifying the subjects of corruption offences, ensuring compliance by employees of S.Seifullin KATU with the legislation of the Republic of Kazakhstan, the internal regulations of S.Seifullin KATU, as well as consideration of cases of disciplinary penalties.

7.2 The main objectives of the ADC are

- To identify the causes and conditions that give rise to corruption in S. Seifullin KATU and the system of technical and vocational education, higher vocational and postgraduate education;

- Study the causes and conditions that give rise to corruption in S. Seifullin KATU and the system of technical and vocational, higher professional and postgraduate education (research);

- Development of methodological foundations for combating corruption in S. Seifullin KATU and the system of technical and vocational education, higher vocational and postgraduate education;

- To develop recommendations for practical use on the prevention and prevention of corruption offences in the activities of S. Seifullin KATU as an educational institution in the system of technical and professional, higher professional and postgraduate education;

- Providing advisory assistance to the subjects of the anti-corruption policy of S. Seifullin KATU on issues related to the application in practice of the general principles of professional conduct of employees, as well as students, undergraduates and doctoral students of S. Seifullin KATU ;

- ensuring the implementation of the obligation of the subjects of the anti-corruption policy of S. Seifullin KATU to report facts of corruption that have become known to them;

- Creating in S. Seifullin KATU a moral-psychological climate that ensures quality educational and training processes in its subdivisions;

- comprehensive, full, objective and timely review of cases of staff misconduct within the university;

- Enforcement of the judgement and the identification of the causes and condi-

tions that contributed to the violation;

- monitoring compliance with the internal regulations of S. Seifullin KATU ;
- taking measures, including disciplinary action, based on the authority assigned to the ADC, against the persons defined in point 8.2 of this regulation.

Sources of information for the ADC:

- the results of the student questionnaire;
- helpline;
- box of suggestions and comments;
- SMS messages;
- university website;
- email of the chairman of the board;
- the blog of the chairman of the board;
- statements by employees of S. Seifullin KATU or other persons.

7.3 The ADC shall hear cases:

- of corruption offences with the assistance of law enforcement agencies;
 - systematic unexcused absences/delays and tardiness of the teaching staff;
 - of a breach of the requirements of the University's internal regulations;
 - unethical behaviour on the part of employees (teachers) of S. Seifullin KATU towards staff and students.
- and other cases requiring disciplinary action.

8 Composition, formation and powers of the anti-corruption and disciplinary commission

8.1 The number of ADC members shall be approved by the order of the Chairman of the Board for the term of employment with S. Seifullin KATU. The draft order shall be prepared by the HRDMD.

8.2 The ADC consists of a chairman, deputy chairmen of the Board of S. Seifullin KATU, representatives from among the teaching staff, representatives of the administrative staff of S. Seifullin KATU, and a secretary of the Commission.

8.3 If the number of ADC members becomes less than the established number of ADC members, the Chairman of the Board shall appoint a new member.

8.4 The members of the ADC shall have the right, within their competence:

- with obligatory notification of the Chairman of the ADC in writing to request documents and information necessary for deciding on issues within the competence of the Commission, both from interested persons, heads of structural divisions of S. Seifullin KATU, and through the Secretary of the Commission;
- introduce issues on the agenda of the meetings of the commission;
- demand a meeting of the ADC;
- make decisions within its competence concerning the organisation, coordina-

tion and improvement of the activities of S. Seifullin KATU to prevent corruption, as well as to monitor the implementation of these decisions;

- to hear at its meetings the subjects of the anti-corruption policy of S. Seifullin KATU, including the heads of structural divisions and deputy chairmen of the Board of S. Seifullin KATU;

- To take decisions on the results of student questionnaires, on information on unlawful acts of teaching staff and officials and on information received from the above-mentioned sources of information.

- set up working groups to study issues relating to the commission's activities and to draft relevant decisions for the commission;

- Involve S. Seifullin KATU staff, local government officials and specialists in the work of the commission.

8.5 Members of ADC, in exercising their rights and performing their duties, shall act in the interests of S. Seifullin KATU, exercise their rights and perform their duties in respect of S. Seifullin KATU in good faith and reasonably.

9 Procedures of the anti-corruption, disciplinary commission

9.1 The chairperson of the ADC shall direct the work of the commission.

9.2 The agenda and order of the ADC meetings shall be approved by the Chairperson of the Commission.

9.3 Meetings of the ADC shall be presided over by the Chairman of the Commission or, in his absence, by the Vice-Chairman on his behalf.

9.4 Attendance of ADC members at ADC meetings is mandatory. A member of the ADC may not delegate his/her authority in the Anti-Corruption or Disciplinary Commission to other officials. If a member of the Commission is unable to attend a meeting, he/she shall be obliged to notify the Chairman of the Commission, the Deputy Chairman of the Commission or the Secretary of the Commission thereof in advance.

9.5 Depending on the matters under consideration, other persons (relevant to the matter under consideration) may be invited to attend ADC meetings in consultation with the chairman of the commission.

9.6 Decisions of the ADC shall be taken at its meeting by a simple majority of votes of the total number of ADC members present at the meeting and shall come into effect upon approval by the Chairman of the Commission. The members of the ADC shall have equal rights when making decisions.

9.7 The minutes of the ADC meeting shall state

- the date, place and time of the meeting;
- agenda;
- a list of the members of the commission who attended the meeting;

- the questions put to the vote and the result of the vote on them (indicating the result of the vote of each member of the commission who participated in the meeting);

- decisions made.

The materials, conclusions, suggestions and recommendations prepared by the commission, as well as the dissenting opinions of the members of the commission shall be attached to the minutes.

9.8 If necessary, decisions taken by the ADC may be formalised as orders of the Chairman of the Board of S. Seifullin KATU.

9.9 If the commission reveals the facts of corrupt practices (based on collected materials, and information) by S.Seifullin KATU, ADC is obliged to contact the Agency of the Republic of Kazakhstan on counteraction to corruption (Anti-Corruption Service), to report the fact of an illegal corruption violation.

9.10 When a disciplinary offence is investigated by a subject and the commission decides whether to continue further activities of the subject at S.Seifullin KATU, a disciplinary sanction shall be imposed on the subject.

9.11 The ADC shall decide on the following disciplinary sanctions to be imposed on persons who have committed a disciplinary offence:

- observation;

- reprimand;

- a severe reprimand;

- withdrawal of the salary increment;

- eviction from the S. Seifullin KATU dormitory;

- termination of the employment contract by the employer in cases specified in the Labour Code of the Republic of Kazakhstan.

9.12 ADC shall make proposals for the prosecution of persons who have caused material damage to S. Seifullin KATU.

9.13 If a disciplinary offence is found to be criminal, the ADC shall refer the offender to law enforcement authorities.

9.14 The decision of the ADC on the type of penalty shall be communicated to the applicant and the offender through written communication of the ADC meeting minutes. The final decision based on the decision of the ADC and the formed case shall be made by the Chairperson of the Board of S. Seifullin KATU. Based on the decision of the ADC and the decision of the Chairman of the Management Board, the HRDMD shall prepare a draft order and attach an extract from it to the employee's personnel file.

9.15 In the event of non-performance by university staff of their official duties, or other breaches not related to the ethical conduct of staff, the university has the right not to consider staff misconduct at the ADC, but to resolve it by the Labour Code of the Republic of Kazakhstan.

9.16 The applicant shall notify the Chairperson of the Board of Management in writing if any corruption offence by an employee of the University is discovered. The statement shall describe the violation with supporting documents, name and surname of the witnesses, etc. The Chairperson of the Board shall forward the application to the ADC for consideration and decision-making.

9.17 Information on summoning the offender, witnesses and other persons to the meeting of the ADC shall be made at least 1 day before the meeting of the commission by the secretary of the ADC.

9.18 The ADC shall consider the case and submit the decision (minutes) to the Chairman of the Board within 10 working days. Based on the decision of the disciplinary commission (minutes), the HRDMD shall issue an order to discipline or terminate the employment contract.

9.19 A disciplinary sanction may be removed prematurely at the request of the line manager, at the request of the employee or on the proposal of the ADC after 1 month from the date of the ADC's decision to impose the disciplinary sanction.

10 Procedures for meetings and decisions of the anti-corruption and disciplinary commission

10.1 Meetings of the ADC shall be held as necessary.

10.2 A meeting shall be deemed competent (has a quorum) if at least 2/3 of its members are present.

10.3 The decision of the ADC shall be taken by a majority vote, recorded in minutes and signed by the Chairman and Secretary of the Commission. When voting, each member of the commission shall have one vote.

10.5 In case of a tie vote, the decision for which the Chairman of the Commission voted shall be taken. Absence of the offender at the ADC meeting shall not be a reason for not considering his/her case, the ADC shall take an appropriate decision on disciplinary action and notify the offender. The results of the ADC's decision and the formed case file shall be submitted to the Chairperson of the Board for a final decision.

11 Procedure for making changes

11.1 The development, formulation, approval and amendment of the policy shall be by the requirements of the JMC DP 01.1006 - 2020 and shall be recorded in the "Amendment Sheet" (Appendix B).

12 Storage and distribution

12.1 The Head of the IC shall be responsible for the storage, duplication and distribution of the RADC to subscribers.

12.2 of the Regulations shall be registered electronically in the electronic document management system “ARTA SYNERGY” and shall be sent to all units of the university.

**Annex A
(mandatory)**

Consent sheet

Φ.1.01-01

