

NBK

Internal Memo

To: Director HR	Date: 15 November 2018
From: Senior Forensic Investigator	Subject: Confidentiality Breach- Faith Kaburuku

BACKGROUND:

- In October 2018, an article¹ was posted on the website cnyakundi.com belonging to Kenyan blogger Cyprian Nyakundi titled, *"Bitter Email Exchange between a Woman and Senior National Bank Managers Exposes How the Bank Led to Death of Her Husband."*
- Mr Nyakundi alleged that he had received a forwarded email between senior National Bank managers and a woman, whose husband had been shot dead after being transferred to an insecure place. The woman mentioned above is Ms Faith Kaburuku, an NBK staff member in the Branch Collections and Recoveries section in Meru Branch.
- Mr Nyakundi proceeded in his blog to allege that the bank, out of negligence, caused the death of her husband and should in turn have helped Ms Kaburuku. Furthermore, he stated that Ms Kaburuku was only trying to secure her husband's benefits following his death from the bank's "insensitive" management. He attached the confidential email correspondence dated 11 June 2018 and 14 June 2018 between Ms Faith Kaburuku and Senior Management with the subject *"Terminal Benefits Held Ifo Neema Clarissa Wangeci Waweru"*
- It is not clear how the blogger got hold of the internal correspondence. However it is clear that from the allegations made by the blogger, the aim of the post was to slander the reputation of the senior management of the bank and the Bank.
- The matter was escalated to the Security Department for investigation with the aim of establishing how the correspondence left the bank and who may have done so.

Investigation:

- We began our investigation by reviewing the emails posted on the blog. ICT provided logs of all outgoing emails to establish whether the said emails mentioned above left the bank. From the logs we established that Ms Kaburuku shared the emails as noted below:

¹ Screenshots of blog on cnyakundi.com

- We noted that in several instances, the email was sent out by Ms Kaburuku from her work email address(fkaburuku@nationalbank.co.ke) to her personal email address (faymaks1@gmail.com) and to several other addresses; kimathi.kamencu@gmail.com and kimathi@musyimilaw.com.
- Below is a table on a trail of the emails being shared as per the email logs:

Sender	Recipients	Subject	Date/Time
kimathi.kamencu@gmail.com	fkaburuku@nationalbank.co.ke	Re: TERMINAL BENEFITS HELD IFO NEEMA CLARISSA WANGECI WAWERU	11/06/2018 12:37
kimathi@musyimilaw.com	fkaburuku@nationalbank.co.ke	Re: TERMINAL BENEFITS HELD IFO NEEMA CLARISSA WANGECI WAWERU	14/06/2018 8:14
fkaburuku@nationalbank.co.ke	faymaks1@gmail.com	FW: TERMINAL BENEFITS HELD IFO NEEMA CLARISSA WANGECI WAWERU	14/06/2018 9:46
kimathi@musyimilaw.com	fkaburuku@nationalbank.co.ke	Re: TERMINAL BENEFITS HELD IFO NEEMA CLARISSA WANGECI WAWERU	14/06/2018 10:31
fkaburuku@nationalbank.co.ke	faymaks1@gmail.com ; kimathi.kamencu@gmail.com	RE: TERMINAL BENEFITS HELD IFO NEEMA CLARISSA WANGECI WAWERU	14/06/2018 11:31
fkaburuku@nationalbank.co.ke	faymaks1@gmail.com	FW: TERMINAL BENEFITS HELD IFO NEEMA CLARISSA WANGECI WAWERU	14/06/2018 13:20
fkaburuku@nationalbank.co.ke	kimathi@musyimilaw.com	FW: TERMINAL BENEFITS HELD IFO NEEMA CLARISSA WANGECI WAWERU	14/06/2018 13:36
fkaburuku@nationalbank.co.ke	faymaks1@gmail.com	FW: TERMINAL BENEFITS HELD IFO NEEMA CLARISSA WANGECI WAWERU	14/06/2018 16:22
fkaburuku@nationalbank.co.ke	faymaks1@gmail.com	FW: TERMINAL BENEFITS HELD IFO NEEMA CLARISSA WANGECI WAWERU	18/06/2018 17:10
fkaburuku@nationalbank.co.ke	faymaks1@gmail.com	FW: TERMINAL BENEFITS HELD IFO NEEMA CLARISSA WANGECI WAWERU	18/06/2018 17:10
faymaks1@gmail.com	fkaburuku@nationalbank.co.ke	I am sharing 'Terminal Benefits Held IFO Neema Clarissa Wangeci Waweru - Meeting 19th April 2018.pdf' with you	11/07/2018 11:14

- We interviewed Ms Kaburukuto inquire why she forwarded the emails to her personal email account as seen above. She informed the team that she had done it in good faith and for her personal reference as the discussions between herself and HR had been going on for some time and she

needed a central repository for them. She further added that she forwarded the email to Mr Kimathi Kamencu ("Mr Kamencu", her legal advisor on the matter. She confirmed that she had sent to both his corporate email, i.e. kimathi@musyimilaw.com and his personal email, i.e. kimathi.kamencu@gmail.com to inform him on what the Bank had advised her on the matter.

- She added that she was aware that as per the Bank's Confidentiality policy and code of conduct, internal information should not be shared with third parties. However, she felt that it was imperative that she shared the information with her legal advisor and herself due to the direction the case was going.
- She could not however explain how the emails, that only she and senior management were in copy of, happened to be on the blog. Furthermore, she stated that it was her Branch Manager who alerted her of the post on cnyakundi.com, which in turn caused her much anguish so much so that she was hospitalized.
- Ms Kaburuku informed the team that she was not comfortable writing a statement explaining why she had forwarded confidential information to external emails.

Summary of findings:

- Ms Faith Kaburuku was found to have sent confidential email correspondence from the Bank, externally to her personal Gmail account and two other external accounts owned by Mr Kimathi Kamencu, her legal advisor. We can only deduce that it is through this that the information was subsequently propagated to the blog.
- The said email correspondence was later found on an online post (cnyakundi.com), owned by blogger Mr Cyprian Nyakundi titled, **"Bitter Email Exchange Between A Woman And Senior National Bank Managers Exposes How The Bank Led To Death Of Her Husband"**. The post alleged that the bank out of negligence caused the death of her husband and should in turn have helped Ms Kaburuku. Furthermore, it stated that Ms Kaburuku was only trying to secure her husband's benefits following his death from the bank's "insensitive" management.
- Ms Kaburuku confirmed that she did forward the correspondence to her personal email and her lawyer. She denied having shared the information with the blogger and explained that she was not sure how this information got to him.
- She added that she was aware that she was in breach of the Bank's code of conduct in regard to confidentiality when she sent bank information externally without the requisite authority.

Recommendations:

- Appropriate disciplinary action is recommended against Faith Kaburuku for breach of the Bank's Confidentiality policy and General Code of Conduct for sharing Bank information (email correspondences) externally. She ought to have followed the prescribed channels for any concerns that she had with respect to how she felt the matter was being handled (As per the bank's whistle blowing Policy) instead of sharing the email externally.

(Action by: Rodgers Mungumi, Director HR; Cromwell Kedemi, Director Retail Banking. Target Date: 23rd November 2018).

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15/11/2018

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15/11/18.

Cc: CRO

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