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**Evaluation Report for the Year 2016/2017
on Public Service Compliance with the
Values and Principles in Articles 10 and
232 of the Constitution**

Abridged Version

DECEMBER 2017

REPUBLIC OF KENYA



PUBLIC SERVICE COMMISSION

Evaluation Report for the Year 2016/2017 on
Public Service Compliance with the Values
and Principles in Articles 10 and 232 of the
Constitution

*Prepared and Issued
Pursuant to Article 234(2)(h) of the Constitution*

Abridged Version

DECEMBER 2017

Our Vision

To be the lead Service Commission in the provision, management and development of competent human resource in the public service.

Our Mission

To transform the public service to be dynamic, professional, efficient and effective for the realization of national development goals.

Our Core Values

- (i) **Professionalism:** Undertakes duties without compromising standards and values;
- (ii) **Fairness, Equity and Diversity:** Consistently directs effort to build inclusivity;
- (iii) **Integrity, Transparency and Accountability:** Adheres to impeccable and beyond reproach professional standards; upholds openness and takes responsibility for actions in the discharge of the mandate;
- (iv) **Team Spirit:** Maintains a high degree of co-operation and team work;
- (v) **Creativity and Innovation:** Applies new ideas, methods and technology in the discharge of its mandate; and
- (vi) **Excellence:** Values continual improvement.

Public Service Commission

P.O. Box 30095, 00100 - Nairobi, Kenya
Telephone: +254 (020) 2223901- 5, 2227471- 5
Fax: +254 (020) 2214791
Mobile: +254 724 253807 +254 735 800282
Email: psck@publicservice.go.ke

MEMBERS OF THE COMMISSION



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Chairperson



Amb. Peter O. Ole Nkuraiya, CBS
Vice Chairperson



Titus M. Ndambuki, CBS
Commissioner



Patrick G. Gichohi, CBS
Commissioner



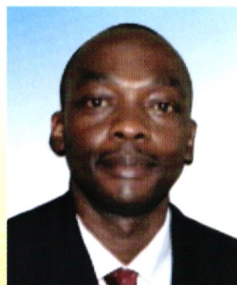
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Commissioner



Veronica Birgen, MBS
Commissioner



Dr. Judith Bwonya, MBS
Commissioner



Lawrence Nyalle, MBS
Commissioner



Prof. Michael N.I Lokuruka, EBS
Commissioner



**Dr. Alice A. Otwala
(Mrs), CBS**
Secretary

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ACRONYMS

CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CoB	Controller of Budget
CPD	Continuous Professional Development
CRA	Commission on Revenue Allocation
DPP	Director of Public Prosecution
EACC	Ethics and Anti-Corruption Commission
GHP	Grievance Handling Procedure
GHRIS	Government Human Resource Information System
IOs	Independent Offices
IPPD	Integrated Payroll and Personnel Database
KICD	Kenya Institute of Curriculum Development
KNCHR	Kenya National Commission on Human Rights
KRA	Kenya Revenue Authority
MDAs	Ministries, Departments and Agencies
MoE	Ministry of Education
NGEC	National Gender and Equality Commission
OAG & DoJ	Office of the Attorney General and Department of Justice
PAYE	Pay As You Earn
PSC	Public Service Commission
PWDs	Persons with Disabilities
QMS	Quality Management System
SAGAs	Semi-Autonomous Government Agencies
SCAC	State Corporations Advisory Committee
SDGs	Sustainable Development Goals

FOREWORD

The hallmark of a high performing public service is in the quality of services it offers. Placing values and principles as the foundation of national development plans and making them a way of life constitutes an enduring pedestal for anchoring service delivery transformation that is critical for the sustainable development of any country. This report fulfils the constitutional requirement for the Public Service Commission to produce an annual report on the extent to which the public service has complied with the national values and principles of governance in Article 10 as well as the public service values and principles in Article 232 of the Constitution.

The Commission has made great strides in evaluating the extent of compliance with the values and principles of the public service by public service institutions within its purview since the promulgation of the Constitution in 2010. Four reports arising from annual evaluations have been prepared and submitted to the President and Parliament since 2013. The annual reports produced contained findings and recommendations reflecting the measures taken, progress realized and challenges experienced.

In the FY2016/17, the Commission conducted a self-reporting evaluation that culminated to this Values and Principles Compliance Report. The evaluation was anchored on the framework for implementation of values and principles issued by the Public Service Commission in 2015 and focused on a review of the compliance status documented in the previous reports. This report takes stock of the measures taken, progress realized and impediments in the implementation of recommendations of the previous reports.

In a transitioning from paper-based approaches, the data collection for the 2016/17 report was



online based. The evaluation targeted four service sectors namely: Ministries and State Departments; Constitutional Commissions and Independent Offices; State Corporations and Semi-Autonomous Government Agencies (SAGAs); and Statutory Commissions and Authorities.

The report presents a comparative analysis of performance scores for the service sectors in nine (9) thematic areas. The overall compliance index for all the public institutions evaluated under the nine thematic areas was 70 percent. This was an increase of 2 percent from the 2015/16 index of 68 percent. The leading service sector was Statutory Commissions and Authorities with an overall score of 75 percent, followed by State Corporations and SAGAs with an overall score of 72 percent. These two service sectors recorded an improved performance of 6 percent. The Independent Offices and Commissions sector was ranked third with a score of 71 percent while Ministries and State Departments recorded a score of 63 percent.

Further findings revealed that majority of the public organizations evaluated have since attained the two thirds gender principle. These organizations are therefore urged to take necessary measures to bring their gender parity to 50 percent as fulfillment of the government's commitment to the CEDAW Convention and the attainment of the Sustainable Development Goals (SDGs) No. 5 on Gender Equality. In addition, it was established that various legislative frameworks, systems, structures and measures have been put in place to support the espousal of the values and principles in the public service. Specifically, deliberate measures have been put in place by public institutions to mainstream the values and principles in their operations.

The government had also put in place measures to facilitate equitable allocation of opportunities and resources through the enactment of relevant laws, regulations and policies. To this end, various programmes have been introduced to support the youth, women, PWDs and other vulnerable groups in the country. This is consistent with the State's commitment towards achieving goals 8 and 16 of the SDGs.

However, the service continues to experience challenges in implementing national and public service values and principles. Among the challenges are slow passage of relevant legislations, weak enforcement of laws, regulations and policies relating to the mobilization and utilization of public resources, lack of disaggregated data on disability, slow automation of business processes and low levels of productivity.

Proposed interventions towards ensuring higher levels of compliance with the values and principles of the public service include: promoting high standards of professionalism, ensuring efficiency and effectiveness in service delivery and entrenching good governance practices across the entire public service, among others. Public organizations are encouraged to decentralize their services to the extent practicable, offer front services on Huduma platform and seek to migrate these services to the e-government portal to facilitate ease of access to government services across the country.

The report lays the foundation for future evaluations in which organizations will be held accountable based on the commitments they make. The findings of the evaluation will inform policy interventions by Government in furtherance of ensuring a values-based and ethical public service. Moving forward, all public institutions are urged to maintain disaggregated and updated records on gender, ethnicity, minority and marginalized communities and PWDs at all levels. This will enable public organizations to provide coherent, timely and adequate statistical diversity-related data to inform interventions.

It is anticipated that, based on the progress registered this far, the effective implementation of the recommendations proposed in this report will lead to an inclusive, values-based and effective public service.



**Professor Margaret Kobia, PhD, MGH,
Chairperson, Public Service Commission**

PREFACE



The 2016/2017 evaluation report is the fifth in the series, and presents a comprehensive evaluation of measures taken, progress achieved and impediments faced by government Ministries, Departments and Agencies (MDAs) in the implementation of national and public service values and principles. The Framework for the Implementation of Values and Principles in Articles 10 and 232 of the Constitution in the Public Service, 2015, provides the standards and indicators along which the report was prepared. The standards are based on thematic areas that are aligned to the constitutional values and principles. The report has developed performance indices across thematic areas and sectors with comparison made against the 2015/16 indices.

The Commission therefore, wishes to thank the public organizations in general, and the specific officers for their commitment towards ensuring

timely submission of organizational reports and therefore safeguarding the integrity of the data management processes. However, some targeted organizations did not meet the submission deadlines and therefore could not be considered in the evaluation. This challenge underscores the need for all public organizations to endeavour to participate in the pre-survey sensitization exercise so as to strengthen their readiness for providing data through the online tool.

The findings of this evaluation have established that there is a remarkable improvement in the number of programmes and activities initiated by reporting organizations towards compliance and overall promotion of values and principles in the public service. However, public organizations in the respective sectors have demonstrated varying degrees of performance across the thematic areas. There is therefore need to appreciate the efforts and achievements made by these public organizations in complimenting efforts by the Government and other stakeholders at ensuring an efficient and effective public service.

Lastly, in order to continually monitor the status of implementation of organizational commitments geared towards addressing identified gaps, the report has provided a comprehensive framework to guide MDAs in implementing the recommendations of the evaluation. The report also provides an elaborate section with appendices containing specific details on the various performance indicators addressed.

A handwritten signature in black ink, appearing to read 'A. Otwala', with a long horizontal stroke extending to the right.

**Dr. Alice A. Otwala (Mrs), CBS
Secretary/Chief Executive,
Public Service Commission**

ACKNOWLEDGEMENT

The Public Service Commission (PSC) wishes to express special thanks to all government Ministries, State Departments, Independent Offices and Commissions, State Corporations and Semi-Autonomous Government Agencies, and Statutory Commissions and Authorities that actively participated in the provision of data and information used in preparing this report.

We appreciate the PSC under the leadership of the chairperson, Professor Margaret Kobia, PhD, MGH and the Commissioners for their strategic and policy guidance. Special thanks to the Compliance and Quality Assurance (CQA) Committee members led by the Chair, Commissioner Dr. Judith Bwonya, MBS, Prof. Michael Lokoruka, PhD, EBS and Mr. Patrick Gichohi, CBS for their invaluable guidance, insightful advisory and quality assurance of the report.

We also appreciate the Commission Secretary/Chief Executive, Dr. Alice A. Otwala, CBS, for immensely facilitating the resources required for the entire assignment including subscribing to the online Monkey Survey tool. In addition, we also thank the Values and Principles Evaluation Technical team which comprised of Mr. Wachinga S. Gikonyo (Director, Compliance and Quality Assurance), Mr. Wesley Kipngetch (Deputy Director), Mr. Gabriel Juma (Deputy Director), Mr. Francis Lemarkat (Assistant Director), Mr. Simon Ojala (Assistant Director), Ms. Rahma Hassan (Assistant Director), Mr. Isaac Kihui (Principal Governance and Ethics Officer), Mr. Jacob Gumba (Principal Monitoring and Evaluation Officer), Ms. Salyvia Kagoi (Principal



HRM&D Officer), Mr. Joseph Kenei (Economist) and Mrs. Evelyn Adhiambo (Senior HRM&D Officer).

We also greatly appreciate the stakeholders who participated in various stages of preparation of this report.

A handwritten signature in black ink, appearing to read 'Peter O. Ole Nkuraiya'. The signature is stylized and cursive.

**Amb. Peter O. Ole Nkuraiya, CBS,
Vice Chairperson,
Public Service Commission**

EXECUTIVE SUMMARY

The 2016/17 compliance report on values and principles of governance and public service is the fifth such report under the new mandate of Public Service Commission (PSC) since the promulgation of Kenya's Constitution in 2010. Article 234 (2) (c) of the constitution mandates PSC to promote the national values and principles of governance of Article 10 of the Constitution, and the public service values and principles of Article 232. Article 234 (2) (h) requires the Commission to undertake an evaluation and report to the President and Parliament on the extent to which the values and principles are complied with in the public service.

This year's report presents aggregated compliance and performance scores for public institutions guided by the metrics under the following ten thematic areas: (1) Ensuring High Standards of Professional Ethics; (2) Devolution and Sharing of Power; (3) Good Governance, Transparency and Accountability (4) Diversity Management; (5) Efficiency, Effectiveness, Economic Use of Resources and Sustainable Development; (6) Equitable Allocation of Opportunities and Resources; (7) Accountability for Administrative Acts; (8) Improvement in Service Delivery; (9) Performance Management; and (10) Public Participation in Policy Making.

The 2016/17 evaluation was a self-reporting survey that took stock of the measures taken, progress realized and challenges experienced in the implementation of recommendations of the previous reports. Primary data collection was through two main online questionnaires; the MDA specific questionnaire and Oversight institutions questionnaire. The MDA specific questionnaire was used to gather cross-cutting data on the

implementation of values and principles while the oversight institutions questionnaire provided data for triangulation purposes. The evaluation also benefited from secondary data from Independent Offices and Commissions. Performance and composite indices for all the public institutions that participated in evaluation were computed based on measures of central tendency and standardized scores.

Compliance and performance levels by MDAs on the evaluated thematic areas were classified into three categories namely "High Achievers", "Medium Achievers" and "Low Achievers". "High Achievers" classification covered scores for individual public institutions with aggregate scores of 81 percent and above, "medium Achievers" classification covered scores within the range of 57 percent to scores below 81 percent. Institutions which scored below 57 percent were rated as "Low Achievers".

The overall compliance index for the 164 public institutions evaluated under the nine thematic areas was 70 percent. This was an increase of 2 percent from the 2015/16 index of 68 percent. Like the previous year, devolution and sharing of power was not included in computing the overall index. The leading service sector was Statutory Commissions and Authorities with an overall score of 75 percent, followed by State Corporations and SAGAs with an overall score of 72 percent. These two service sectors recorded an improved performance of 6 percent. The Independent Offices and Commissions were ranked third with a score of 71 percent while Ministries and State Departments were ranked fourth with a score of 63 percent.

“ Overall compliance index for the
164
Public institutions evaluated
under the nine thematic
areas was
70% ”

Findings of the 2016/17 evaluation report are envisaged to inform the determination of the extent of compliance with values and principles of the public service by each institution since all the reporting institutions were expected to develop action plans and affirmative programmes to address the existing gaps. Essentially, the report lays the foundation for future evaluations whereby organizations will be held accountable based on the proposed commitments made by each institution. The recommendations of the evaluation will inform policy interventions by Government in furtherance of ensuring a value based and ethical public service.

Primary data collection was through two main online questionnaires; the MDA specific questionnaire and Oversight institutions questionnaire. The MDA specific questionnaire was used to gather cross-cutting data on the implementation of values

and principles while the oversight institutions questionnaire provided data for triangulation purposes. The 2016/17 evaluation was a self-reporting survey that took stock of the measures taken, progress realized and challenges experienced in the implementation of recommendations of the previous reports.

Performance and composite indices for all the public institutions that participated in the evaluation were computed based on measures of central tendency and standardized scores.

2%
Increase in overall
compliance index

Compliance and performance levels by MDAs on the evaluation thematic areas were classified into three categories namely “High Achievers”, “Medium Achievers” and “Low Achievers”. “High Achievers” classification covered scores for individual public institutions with aggregate scores of 81 and above, “medium Achievers” classification covered scores within the range of 57 percent to scores below 81 percent. Institutions which scored below 57 percent were rated as “Low Achievers”.

CHAPTER ONE

INTRODUCTION



CHAPTER ONE: INTRODUCTION

1.1 Background to the Evaluation

The Constitution of Kenya provides for National Values and Principles of Governance in Article 10 and Values and Principles of Public Service in Article 232. Prior to the promulgation of the Constitution the Commission promoted good governance practices in the public service through the administration of the Public Officer Ethics Act, 2003.

The Commission undertook the first evaluation on the extent to which the values and principles are complied with in the public service in 2011/2012. This report provided the basic information and data on the readiness of the public service with regard to promotion and implementation of values and principles and to determine how compliance evaluation would be conducted in future. This was the State of the Public Service Report 2012. The 2012/2013 evaluation was an assessment of the findings and recommendations of the state of the public service report. The values and principles were assessed independently and not grouped into thematic areas. That was the first report to be submitted to the President and Parliament.

The 2013/2014 evaluation aggregated values and principles into the current 10 thematic areas and actionable indicators to facilitate future assessment of compliance status. The report reiterated the need for the Commission to forge increased partnership with oversight institutions in the public service to provide credible data that is critical for an objective compliance evaluation.

In May 2015, the Commission developed and issued to the service the Framework for Implementation for Values and Principles. The framework provides for the strategies for implementation of values and principles, performance standards and indicators by thematic areas and a monitoring, evaluation and reporting framework. The 2014/2015 evaluation facilitated the refinement of a set of indicators for each thematic area, as envisaged in the framework, to measure levels of compliance.

The 2015/2016 evaluation focused on determination of compliance indices for values and principles based on the ten thematic areas. The overall compliance index with the values and principles and the citizen satisfaction index were computed at 68 percent and 43 percent respectively. The evaluation enabled

the government to mirror the compliance with the values and principles and overall perception by the citizenry on service delivery.

The Commission has made great strides in evaluating the extent of compliance with the values and principles of the public service by public institutions within its purview since the promulgation of the Constitution in 2010. Four reports arising from annual evaluation have been prepared and submitted to the President and Parliament since 2013. The annual reports contained findings and recommendations reflecting the measures taken, progress made and challenges experienced.

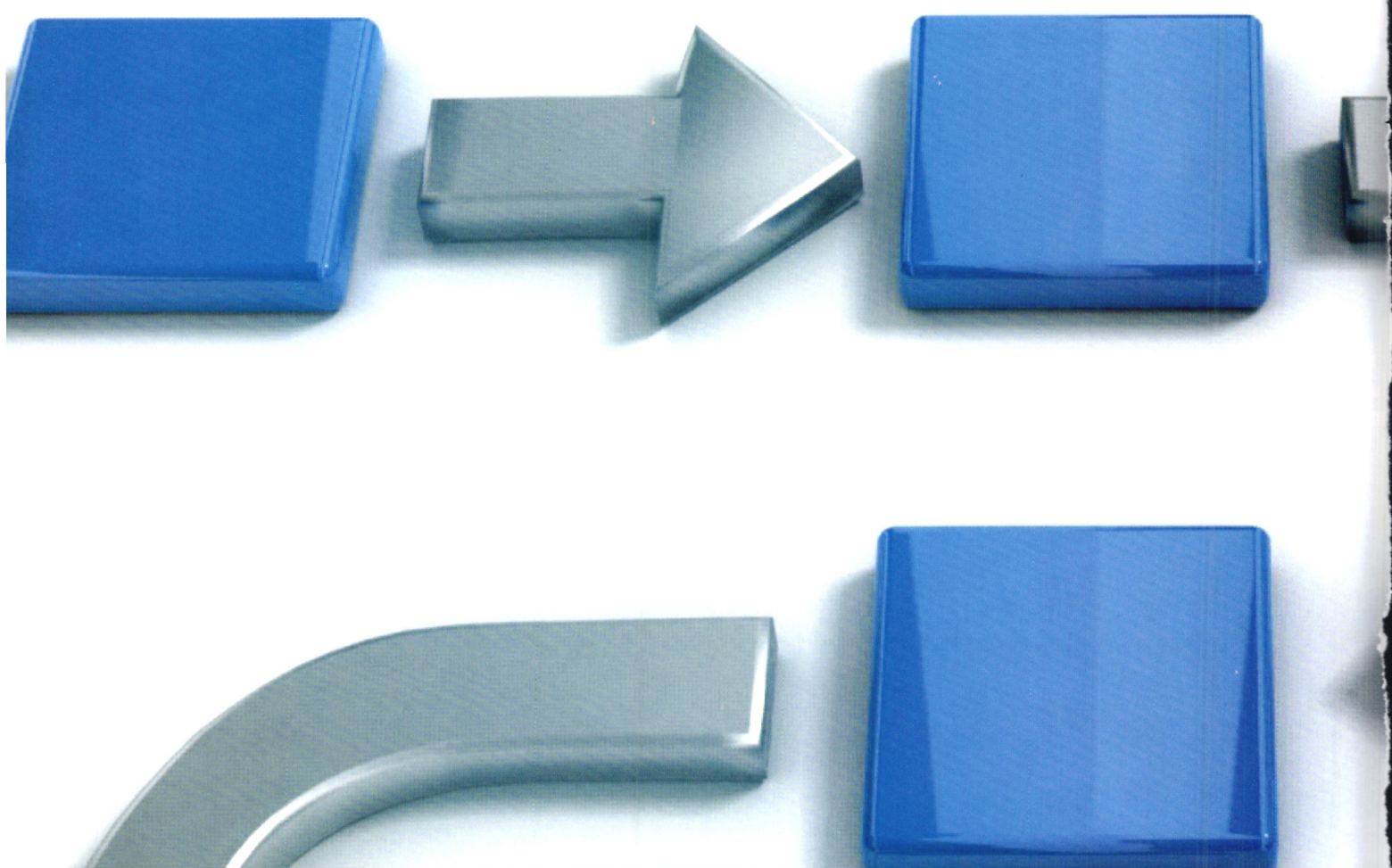
In the FY2016/2017 the Commission conducted a self-reporting survey that culminated to the 2016/2017 Values and Principles Compliance Evaluation Report. The evaluation focused on review of the status contained in the previous five reports. It takes stock of the measures taken, progress realized and challenges experienced in the implementation of recommendations of the previous reports. The output of the current evaluation is envisaged to inform the determination of the extent of compliance with values and principles of the public service by each institution since all the reporting institutions will be expected to develop action plans and affirmative programmes to address the existing gaps. Essentially, the report lays the foundation for future evaluations whereby organizations will be held accountable based on the proposed commitments made by each institution. The findings of the evaluation will inform policy interventions by Government in furtherance of ensuring a value based and ethical public service.

1.2 Objectives of the Evaluation

The overall objective of the evaluation was to determine the extent to which the recommendations from the previous reports of 2011/2012 to 2015/16 have been implemented in the public service.

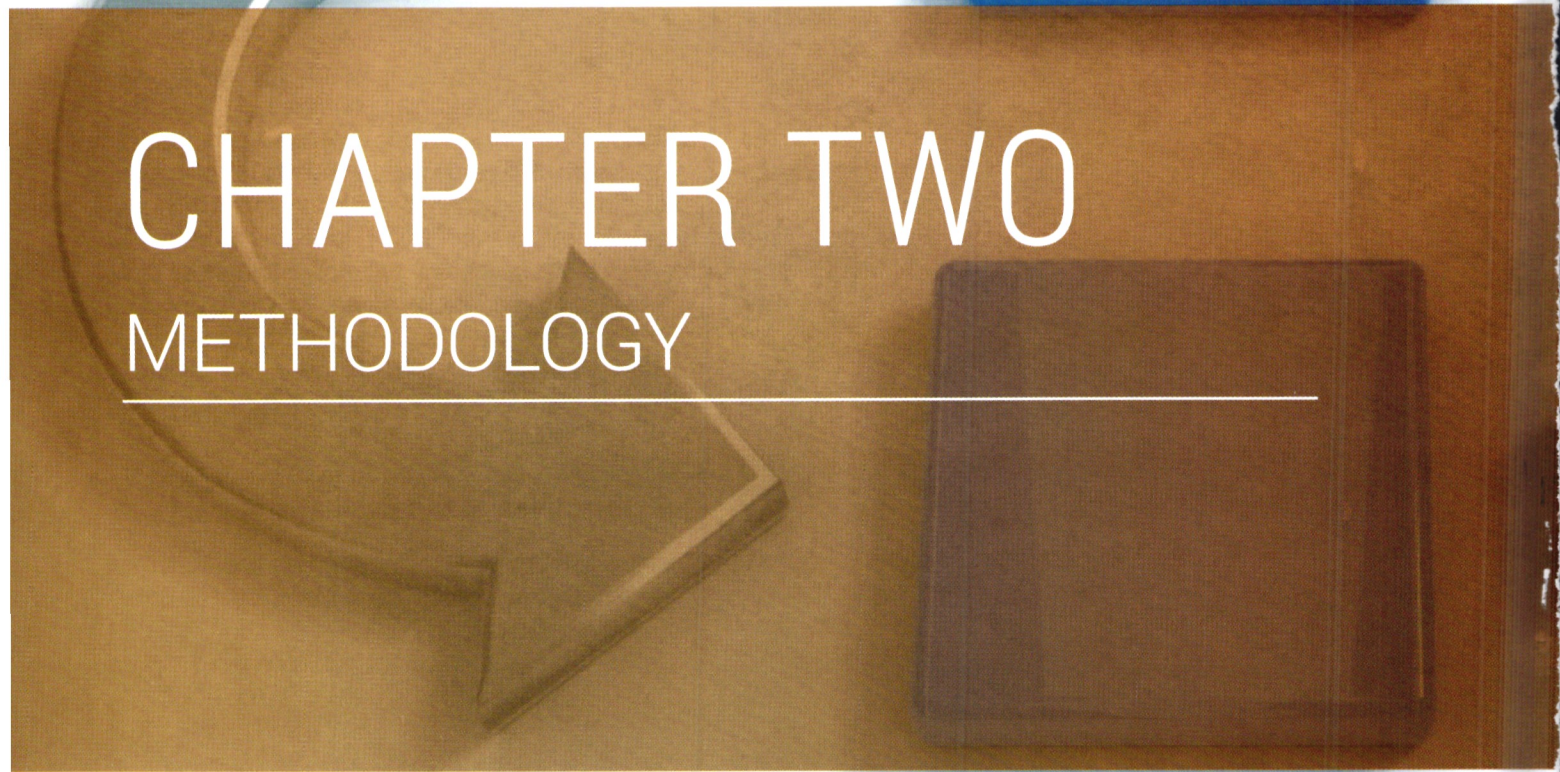
The specific objectives of the evaluation were to:

- (i) determine the implementation gaps;
- (ii) assess the progress realized;
- (iii) determine the impediments; and
- (iv) make recommendations to Parliament and the President for policy interventions.



CHAPTER TWO

METHODOLOGY



CHAPTER TWO: METHODOLOGY

2.1 Evaluation Methodology

The evaluation methodology entailed:

- (i) development of the roadmap to guide the evaluation process;
- (ii) undertaking of performance gap analysis of the 2011/2012 to 2015/2016 values reports;
- (iii) literature review of secondary reports from oversight institutions;
- (iv) development and piloting of the online evaluation tools;
- (v) identification and training of respondents from public institutions on the online tools and the evaluation process;
- (vi) administration of the tools to the trained respondents;
- (vii) collection of data;
- (viii) collating, validation and analysis of data; and
- (ix) report writing.

2.2 Sampling Design

Data collection was preceded by sensitization workshops for all institutions under the jurisdiction of the Commission. The sensitization targeted 300 public institutions out of which 424 officers were trained on the online tool and the evaluation process among others. The evaluation targeted a total of 215 institutions comprising 185 ministries/

215

Public Service institutions were targeted in the evaluation

state departments, state corporations, independent commissions and offices and statutory commissions and authorities and 30 oversight institutions that participated in the sensitization workshops. Of the 215 institutions which participated in the survey, 193 responded to the evaluation tool representing 90 percent response rate.

The 2016/17 evaluation was a self-reporting survey that took stock of the measures taken, progress realized and challenges experienced in the implementation of recommendations of the previous reports. Primary data collection was through two main online questionnaires; the MDA specific questionnaire and Oversight institutions questionnaire. The MDA specific questionnaire was used to gather cross-cutting data on the implementation of values and principles while the oversight institutions questionnaire provided data for triangulation purposes. The evaluation also benefited from secondary data from Independent Offices and Commissions.

2.3 Data Collection

Data collection involved literature review and gap analysis of 2011/2012 to 2015/2016 reports. The analysis of the reports provided information, which was categorized into specific thematic areas. Besides informing the development of data collection tools,

the analysis also highlighted key recommendations given in each of the past reports, the measures that had been taken to address the challenges and the gaps that are yet to be addressed.

Primary data collection adopted two main questionnaires; these were: MDA specific questionnaire and oversight institution's questionnaire. The MDA specific questionnaire was used to gather cross-cutting data on the implementation of values and principles while the oversight institutions questionnaire sought to gather data on the same institutions on their oversight mandates. This was undertaken for data triangulation purposes.

Further, other reports from oversight institutions were analyzed to corroborate data from MDAs on the implementation of values and principles. The reports also provided information on implementation gaps that are yet to be addressed in the implementation of values and principles in MDAs.

2.4 Computation of thematic performance and composite Indices

This evaluation determined performance and composite indices for all the public institutions that responded to the online questionnaire on cross-cutting issues. The computation approaches applied in the evaluation are consistent with global practice.

The estimation of an index for each of the nine thematic areas involved the following steps:

- a) Identifying the questions in each thematic area that was used as indicators for determining an index;
- b) A score of one was assigned to institutions that possessed the attribute while zero was assigned for those not possessing the desired attribute;
- c) For indicators that required attainment of constitutional or legal requirements, the score of one was assigned for possessing the minimum constitutional provisions and values from zero to one, progressively arranged from 0 percent to 5 percent. For example, the percentage of PWDs, minimum attainment of 5 percent representation by institution(s) was assigned a value of 1; and 0 percent to 5 percent progressively assigned value of 0 to 1;
- d) The average scores of the indicators was determined as per institutions for each theme;
- e) The average scores were then standardized using the following equation.

$$\text{Standardized Score} = \frac{\text{MDA Indicator Value} - \text{Minimum Value}}{\text{Minimum Value} - \text{Maximum Value}}$$

However, some indicators in which there was a reverse score i.e. Yes=0 and No= 1, for example where organizations were required to indicate officers charged with corruption related offences. The equation used to standardize such scores was:

$$\text{Standardized Score} = 1 - \frac{\text{MDA Indicator Value} - \text{Minimum Value}}{\text{Minimum Value} - \text{Maximum Value}}$$

Ranking

- (f) The mean and the standard deviation of the standardized scores were then determined. They were used to establish the boundaries for categorizing the public institutions into High, Medium and Low as follows:
 - (i) High if the score was more than 1 standard deviation above the mean,
 - (ii) Medium if the score was within 1 standard deviation of the mean,
 - (iii) Low if the score was 1 standard deviation below the mean;
- g) For comparative analysis purposes, the individual institutions were clustered into four categories:
 - (i) Ministries and State Departments,
 - (ii) Independent Offices and Commissions,
 - (iii) State Corporations and SAGAs,

- (iv) Statutory Commissions and Authorities.

Within these clusters the number of public institutions that were High Achievers, Medium Achievers and Low Achievers was established.

2.5 Assumptions

- (i) All public institutions would send officers to participate in the sensitization and the survey.
- (ii) The information provided by the institutions would be accurate and meet integrity threshold.

2.6 Limitations of the Survey

- (i) Not all public service institutions participated in the survey.
- (ii) Some institutions provided inconsistent data.
- (iii) Some institutions failed to meet submission deadline and hence could not be considered in the survey.

Table 1.1: Summary of Performance Indicators by Thematic Areas

S/No.	Thematic Area	Indicators
1	Ensuring High Standards of Professional Ethics In Public Service	<ul style="list-style-type: none"> (i) Existence of a budgetary provision for sensitization on ethics and integrity, mainstreaming of values and principles in the induction programme and support to CPD; (ii) Number of officers sensitized; (iii) Number of regulated professional bodies and professionals; and (iv) Number of professionals registered, not registered, in good standing, supported for CPD, cited for professional misconduct, and or charged in court.
2	Devolution and Sharing of Power	<ul style="list-style-type: none"> (i) Updating of the assets and liabilities register for the county governments; (ii) Transfer of all seconded staff to the county government; (iii) Establishment of the county pension schemes; (iv) Declaration of County Public Service as 'public service' for pension purposes; and (v) Development of a framework for norms and standards.
3.	Good Governance, Transparency and Accountability	<ul style="list-style-type: none"> (i) Measures put in place by public institutions to implement the Executive Order No. 6 of 2015; (ii) Number of officers serving in acting capacity for more than six months at each level/grade, gender and the reasons for the same; and (iii) Status of corruption related cases in public institutions.
4.	Diversity Management	<ul style="list-style-type: none"> (i) Diversity audit and gaps in each public institution; (ii) Gender representation in the public service; (iii) Ethnic representation in their respective organizations; (iv) Gender balance in appointments, training and promotions; (v) PWDs who were appointed, trained and promoted; and (vi) Facilities available in each institution to cater for the needs of PWDs.

S/No.	Thematic Area	Indicators
5.	Efficiency, Effectiveness, Economic Use of Resources and Sustainable Development	(i) Budget estimates and absorption levels; (ii) Compliance to the set budget ratios; (iii) How the institutions were cited in the 2015/16 Auditor's report; and (iv) Status of implementation of 2015/16 Public Accounts Committee (PAC) and Public Investment Committee (PIC) reports.
6.	Equitable Allocation of Opportunities and Resources	(i) Compliance with the AGPO policy (ii) Distribution of procurement allocation to women, youth and PWDs; and (iii) Distribution of the equalization fund.
7.	Accountability For Administrative Acts	(i) Existence of service charter's and grievance handling procedures; (ii) Implementation of the Public Officer Code of Conduct and Ethics; and (iii) Status of cases of maladministration in the public service.
8.	Improvement in Service Delivery	(i) The status of their level in terms of documentation, automation and e-presence; and (ii) The status of decentralization of services and their presence in the Huduma centre platform.
9.	Performance Management	(i) Provision of the authorized establishment and the total number of staff in-post during the 2016/2017 financial year and their terms of service; (ii) Provision of details of all staff on secondment and those that have been on secondment for a duration exceeding six years as at 30th June, 2017 with reasons thereto; (iii) Report on the status of induction of officers upon new appointment; (iv) Report on implementation of QMS systems; (v) report on implementation of human resource plans in the institution; and (vi) Report on the status of Performance Contracting.
10.	Public Participation in Policy Making	Review on progress on public participation in policy making



Key Findings
&
Recommendations



CHAPTER THREE

KEY FINDINGS AND
RECOMMENDATIONS

CHAPTER THREE: KEY FINDINGS AND RECOMMENDATIONS

3.1 Key Findings

Overall compliance index scores

Overall compliance index for all the public institutions evaluated under the nine thematic areas was 70 percent. This was an increase of 2 percent from the 2015/16 index of 68 percent. Like the previous year, devolution and sharing of power was not included in computing the overall index. The leading service sector was Statutory Commissions and Authorities with an overall score of 75 percent, followed by State Corporations and SAGAs with an overall score of 72 percent. These two service sectors recorded an improved performance of 6 percent. The Independent Offices and Commissions were ranked third with a score of 71 percent while Ministries and State Departments were ranked fourth with a score of 63 percent.

Overall ranking by service sector

Out of 37 Ministries and State Departments evaluated, 1 (3 percent) was categorized in the High achievers category, 21 (57 percent) were Medium achievers and 15 (40 percent) were Low achievers. Further, in the State Corporations and SAGAs category with 114 public institutions, 25 (22 percent) were categorized as high achievers, 71 (62 percent) were classified as medium achievers while 18 (16 percent) were low achievers. The Independent Offices and Commissions category, out of 9 public institutions, 1 (11 percent) institution was ranked as high achiever while 8 (89 percent) were in the medium

achievers category. In the Statutory Commissions and Authorities, out of 4 public institutions one (25 percent) was ranked as high achiever while 3 (75 percent) were medium achievers.

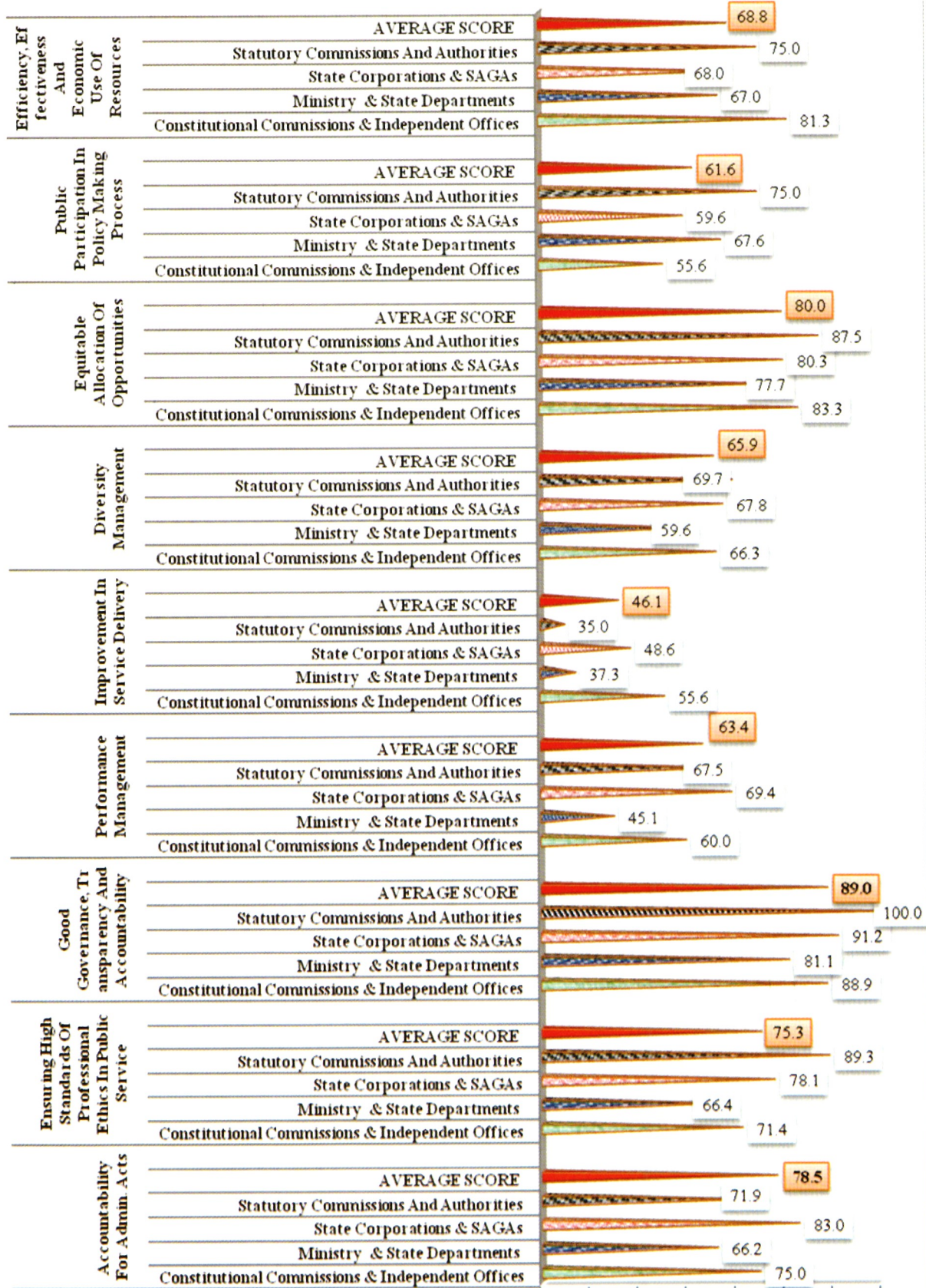
Overall ranking by institutions

The top five institutions were all from state corporations. The overall best performing institution was Capital Markets Authority with 91.2 percent followed by KICC at 90.7 percent and Ewaso Ngiro South Development Authority at 90 percent. Other high achievers included KENTTEC at 88.3 percent, Kenya Institute of Special Education (KISE) at 87.8 percent, Kenya Electricity Generating Company (87.4 percent) and Water Sector Trust Fund (81.5 percent).

In the ministries category, the best three performing departments were Fisheries and Blue Economy at 81.8 percent followed by Energy at 80.5 percent and Irrigation Services at 78.7 while the best institution in the Statutory Commissions and Authorities was Council of Governors at 84 percent followed by the Energy Regulatory Commission at 81.7 percent. In the category of Independent Offices and Commissions the best institution was the Commission on Revenue allocation at 84 percent followed by Kenya National Commission on Human Rights at 75.7 percent and Controller of Budget at 75 percent.

Figure 1.1 presents a comparative analysis of performance by sector and thematic areas.

Figure 1.1: Comparative analysis of performance by sector and thematic area



3.2 Performance and Compliance by Thematic Areas

Thematic Area 1: Ensuring High Standards of Professional Ethics in Public Service

Measures Taken

- (i) Mainstreamed national values and principles of governance and the values and principles of public service in the institutions manuals, induction and training programmes for public officers;
- (ii) Provided budgetary provisions for sensitization of officers on values and principles;
- (iii) Sensitized and trained staff on values and principles;
- (iv) Operationalized code of conduct and ethics and sensitization on key requirements and constitutional provisions;
- (v) Five syllabi, at primary (3) and pre-school (2) level, were reviewed to incorporate values and principles;
- (vi) EACC trained a total 1,956 officers on ethics and integrity from 171 organizations from both the National and County Governments;
- (vii) A Framework for the implementation of values and principles and Public Service Code of Conduct and Ethics, 2016 is in place; and
- (viii) Public Service (Values and Principle) Act, 2015 is in place.

Performance and Compliance Level

The overall performance in this thematic area was 75.3 percent. The best performing sector was Statutory Commissions and Authorities at 89 percent followed by State Corporations and SAGAs at 78 percent. The least performing sectors were Independent Offices and Commissions and Ministries and State Departments at 71 percent and 66 percent respectively.

A further breakdown of the performance rating reveals that 59 percent of the Ministries and State Departments were rated as medium achievers while 41 percent were rated as low achievers. For Independent Offices and Commissions, 11 percent were rated as high achievers, 56 percent as medium achievers and 33 percent as low achievers. Similarly, 3 percent of State Corporations and SAGAs were rated as high achievers, 86 percent as medium achievers and 11 percent as low achievers. Statutory Commissions and Authorities had 75 percent and 25 percent of their institutions rated as high achievers and low achievers respectively.

Challenges

- (i) Weak enforcement of laws in line with Chapter Six of the Constitution;
- (ii) Slow adjudication of cases characterized by adjournments, judicial review applications and constitutional references, complex investigations, complex mutual legal assistance;
- (iii) Inadequate civic engagement and education on values and principles;
- (iv) Few public institutions maintained updated inventory of regulated professionals;
- (v) Budgetary constraints;
- (vi) Regulated professionals serving in the public service but not registered by professional bodies; and
- (vii) The secondary and post-secondary education curricula were yet to be reviewed and aligned to the values and principles.

Recommendations

- i. Public Institutions to provide budgetary allocation for training, sensitization and mainstreaming ethics and integrity in all their programmes and activities.
- ii. Public Institutions to align their respective operational mandates with the constitutional provisions on values and principles.

- iii. Public Institutions to support continuous professional development for members of regulated professional bodies.
- iv. Government to ensure full implementation of a value-based curriculum so as to concretize integration of national values and principles in all levels of learning.
- (iii) continually strengthen professional and technical capacity of County Governments towards the promotion of national and values and principles of the public service.
- (iv) enhance institutional capacity and public awareness across the public service on devolution processes.

Thematic Area 2: Devolution and Sharing of Power

Measures Taken

Establishment of the IGRTC to assume the functions of the defunct Transition Authority.

Performance and Compliance Level

The key achievements under this thematic area included: the establishment of the Inter-Governmental Relations Technical Committee to assume the functions of the defunct Transition Authority; transfer of all the functions under the Fourth Schedule of the Constitution including the resources, other supporting functions and seconded staff to the County Governments; capacity building and technical support to the County governments by the National Government; and an updated assets and liabilities register for the County Governments. However, it was noted that the County Public Service Bill has not been enacted into law and the Devolution policy was still outstanding.

Challenges

Full implementation for pensionable service had not been effected in some counties.

Recommendations

Government to:

- (i) fast track the enactment of the County Public Service Bill, 2016 to anchor the County Pension Scheme in law;
- (ii) finalize the Draft Devolution Policy by June 2018.

Thematic Area 3: Good Governance, Transparency and Accountability

Measures Taken

- (i) public forum on good governance was held and 200 public officers trained on complaints handling processes;
- (ii) corruption perception survey undertaken;
- (iii) Mwongozo code of conduct developed and issued to the service;
- (iv) about 3,000 title deeds of grabbed land were revoked and reverted to the rightful public institutions,
- (v) amendment of the National Land Commission Act, 2012 to provide for adjudication of claims arising out of historical land injustices;
- (vi) standard County Revenue Automation Guidelines developed;
- (vii) report on the Review of the Legal, Policy and Institutional Framework for Fighting Corruption in Kenya adopted and is under implementation through a multi-stakeholder approach led and coordinated by Office of the Attorney General and Department of Justice;
- (viii) Anti-Corruption Laws Amendment Bill, 2016 developed.

Performance and Compliance Level

The overall performance in this thematic area was 89.0 percent. The best performing sector was Statutory Commissions and Authorities at 100 percent followed by State Corporations and

SAGAs at 91.2 percent, Independent Offices and Commissions at 88.9 percent while Ministries and State Departments recorded a score of 81.1 percent.

Seventy Eight (78) percent of the institutions under Independent Offices and Commissions were rated as high achievers while 22 percent were low achievers. Ministries and State Departments had 62 percent of the institutions rated as high achievers compared to 38 percent that were rated as low achievers. State Corporations and SAGAs, 82 percent were rated as high achievers and 18 percent as low achievers. All the four Statutory Commissions and Authorities evaluated were rated as high achievers.

Challenges

- (i) Some state corporation boards were not fully constituted as at 30th June, 2017;
- (ii) Ineffective enforcement of legal and policy frameworks on transparent and accountable management of resources

Recommendations:

Government to:

- (i) undertake a governance audit in public organizations to confirm the veracity of compliance with the Executive Order No.6 of 2015 on Ethics and Integrity in the Public Service.
- (ii) fast-track finalization of the draft National Ethics and Anti-Corruption Policy.
- (iii) review and harmonize Corruption prevention laws.
- (iv) support continuous monitoring and evaluation on management systems and processes to ensure good governance, transparency and accountability.

Thematic Area 4: Diversity Management

Measures Taken

- (i) More female candidates shortlisted for managerial positions to enhance their chances of recruitment
- (ii) Training of women to enhance their chances of being promoted to senior positions in the service.
- (iii) Improvement of working conditions and environment for women for example through provision of Improved Personal Protective Equipment (PPE) in electrical and engineering fields.
- (iv) Create employment opportunities for under-represented ethnic communities through quota systems.
- (v) Minorities and marginalized groups encouraged to apply for positions through targeted advertisement.
- (vi) Capacity building forums for peace and cohesion and facilitation of intra and inter County Peace and Dialogue Forums in counties prone to clashes.
- (vii) Framework for integrating principles of equality and freedom from discrimination in the private sector.
- (viii) Status report on equality and inclusion provided baseline data on the gaps in four sectors namely: employment, political representation, social protection and education.
- (ix) Developed a database of minority and marginalized groups in the 47 counties
- (x) Developed a multi-sectoral monitoring and evaluation framework towards prevention and response to sexual gender based violence.
- (xi) Model laws developed for the promotion of gender equality and non-discrimination for PWDs.

- (xii) Policies put in place to address diversity include Diversity management policy, Public Service (Values and Principles) Act, 2015, Public Service Commission Act 2017 and framework for implementation of values and principles.
- (iii) poor data on socio-economic variables for individuals and households to enable objective comparisons of the marginalized vis-à-vis the non-marginalized groups;
- (iv) negative ethnic relations;

Performance and Compliance Level

The overall performance in this thematic area was 65.9 percent. The best performing sector was Statutory Commissions and Authorities at 69.7 percent followed by State Corporations and SAGAs at 67.8 percent. Independent Offices and Commissions recorded a score of 66.3 percent while Ministries and State Departments recorded a score of 59.6 percent.

Out of the nine Independent Offices and Commissions evaluated, 11 percent were ranked as high achievers, 78 percent as medium achievers while 11 percent as low achievers. For Ministries and State Departments, majority (70 percent) of the institutions were ranked as medium achievers, 8 percent as high achievers and 22 percent as low achievers. State Corporations and SAGAs had 19 percent of the institutions ranked as high achievers, 68 percent as medium achievers and 13 percent as low achievers. All Statutory Commissions and Authorities evaluated were ranked as medium achievers.

Four State Corporations exceeded the 5 percent requirement of representation of PWDs. These included: Kenya Education Management Institute (KEMI), Kenya Institute of Special Education (KISE), Lake Victoria South Water Service Board (LVWSB) and National Council for Persons with Disabilities (NCPWDs). Further, Kenya Water Towers and Industrial and Commercial Development Corporation (ICDC) had complied with the requirement. Of the 164 institutions evaluated, 46 ethnic communities were represented in the public service.

Challenges

- (i) balancing diversity and merit;
- (ii) lack of disaggregated data on disability, which has hampered efforts to formulate informed policies and programmes;

Recommendations

Public institutions to:-

- i. Conduct diversity audits, confirm diversity gaps and develop affirmative action programmes to redress the gaps at all levels.
- ii. Make provision for special employment opportunities for the unrepresented and under represented marginalized communities.
- iii. Endeavour to attain 50 percent gender parity in line with the CEDAW Convention and the SDG goal No.5 on Gender Equality.
- iv. Develop and implement affirmative action programmes in order to ensure the constitutional requirement on the 5% representation of PWDs is progressively realized.
- v. Establish and maintain structured collaboration/liaison framework with NCPWDs in order to facilitate identification and placement of PWDs within the public service.
- vi. Maintain disaggregated and updated records on gender, ethnicity; including minority and marginalized communities, PWDs, rights-based data at all times.
- vii. Develop and institutionalize time-bound affirmative action programmes for appointments, training and promotion of the marginalized and other disadvantaged groups across the public service.

Thematic Area 5: Efficiency, Effectiveness, Economic Use of Resources and Sustainable Development

Measures Taken

- (i) Development of a monitoring and evaluation framework to facilitate implementation



of the National and County Governments budgets.

- (ii) IFMIS be re-engineered;
- (iii) Improved uptake of e-procurement of public institutions (64 percent); and
- (iv) Enactment of the Public Finance Management Act and Regulations.

Performance and Compliance Level

The overall performance in this thematic area was 68.8 percent. The best performing sector was Independent Offices and Commissions at 81.3 percent followed by Statutory Commissions and Authorities at 75 percent. State Corporations and SAGAs and Ministries and State Departments scored 68 percent and 67 percent respectively.

Independent Offices and Commissions had 63 percent of institutions ranked as high achievers and 37 percent as medium achievers. Ministries and State Departments had 36 percent of the institutions ranked as high achievers, 60 percent as medium achievers and 4 percent as low achievers. State Corporations and SAGAs had 37 percent of the institutions ranked as high achievers, 61 percent as medium achievers and 2 percent as low achievers. Statutory Commissions and Authorities had 50 percent of the institutions ranked as high achievers while 50 percent were ranked as medium achievers.

Challenges

- (i) inability by some public institutions to meet the threshold of the 70:30 ratio of development to recurrent and 40:60 personnel emoluments to operations and maintenance;
- (ii) weak enforcement of policies, laws and regulations relating to mobilization and utilization of public resources;

Recommendations:

Government to:-

- i. Develop and update the inventory of existing public assets.

- ii. Facilitate continuous capacity building and civic education on effective management of resources for sustainable development.

Thematic Area 6: Equitable Allocation of Opportunities and Resources

Measures Taken

- (i) AGPO as per Public Procurement and Assets Disposal Act, 2015 implemented;
- (ii) Marginalized counties were allocated funds from the Equalization Fund;
- (iii) Uwezo fund, Youth fund and Women fund established;
- (iv) Cash transfers to vulnerable groups established;
- (v) Gender index and disability index established;
- (vi) Expansion of NHIF cover to include persons over 60 years;
- (vii) Criteria for determination of disadvantaged groups established; and
- (viii) Implementation of ethnic quotas in appointments.

Performance and Compliance Level

The overall performance in this thematic area was 80.0 percent. The best performing sector was Statutory Commissions and Authorities at 87.5 percent followed by Independent offices and Commissions with a score of 83.3 percent. State Corporations and SAGAs scored 80 percent while Ministries and State Departments scored 77.7 percent.

Independent Offices and Commissions had 33 percent of the institutions ranked as high achievers while 67 percent were medium achievers. Ministries and State Departments had 41 percent of the institutions ranked as high achievers, 46 percent medium achievers and 13 percent as low achievers. Further, State Corporations and SAGAs had 33 percent of the institutions being ranked as high

achievers, 58 percent as medium achievers and 9 percent as low achievers. Out of the four Statutory Commissions and Authorities evaluated, 50 percent were ranked as high achievers and 50 percent as medium achievers.

Challenges

- (i) Delayed disbursement of equalization funds by the Government
- (ii) Compliance with the AGPO policy

Recommendations

Government to:-

- i. ensure strict enforcement of the policy on Access to Government Procurement Opportunities (AGPO) across all public institutions.
- ii. fastrack disbursement of equalization funds.

Thematic Area 7: Accountability for Administrative Acts

Measures Taken

- (i) Enactment of the Fair Administrative Action Act, 2015 and Public Service Values and Principle Act 2015;
- (ii) Publication of the revised Public Service Code of Conduct and Ethics, April 2016;
- (iii) Annual reports on maladministration in place;
- (iv) Availability of service charters and grievance handling procedures in some institutions; and
- (v) Inter-agency committee on the development of the citizen charter established.

Performance and Compliance Level

The overall performance in this thematic area was 78.5 percent. The best performing sector was state corporations and SAGAs at 83 percent followed by Independent Offices and Commissions at 75

percent. Statutory Commissions and Authorities had a score of 71.9 percent while Ministries and State Departments had a score of 66.2 percent. Independent Offices and Commissions had 11 percent of the institutions ranked as high achievers, 56 percent as medium achievers and 33 percent as low achievers.

Ministries and State Departments had 8 percent of the institutions ranked as high achievers, 65 percent as medium achievers and 27 percent as low achievers. State Corporations and SAGAs had 32 percent of the institutions ranked as high achievers, 64 percent as medium achievers and 4 percent as low achievers. All the Statutory Commissions and Authorities evaluated were ranked as medium achievers.

Challenges

- (i) Multiple agencies administering the Code of Conduct and Ethics
- (ii) Duplication of functions

Recommendations

Public Institutions to:-

- i. review their service charters and grievance handling procedures to align them to the constitution and other relevant enabling legislations, regulations and the Revised Public Officer Code of Conduct and Ethics, 2016.
- ii. continually comply with the provisions of the Revised Public Officer Code of Conduct and Ethics, 2016.

Thematic Area 8: Improvement in Service Delivery

Measures Taken

- (i) Huduma Centres established in all the 47 counties and 5 sub-counties;
- (ii) Some institutions had established and operationalized regional offices;



- (iii) Base line citizen survey satisfaction conducted and is at 42.6 percent;
- (iv) Reviewed ICT Policy in place;
- (v) E-government portals established;
- (vi) Automation of business processes done;
- (vii) State department in charge of ICT established;
- (viii) National Land Commission continued to implement the National Land Integrated Management System (NLIMS) which integrates land processes and operations into one streamlined and optimally functional entity so as to avoid confusion, inefficiency and low productivity;
- (ix) The Office of the Auditor General (OAG) acquired an Audit Software and Business Intelligence Tool to carry out real time audit on transactions in government;
- (x) The Commission on Revenue Allocation facilitated the automation of about 25 counties and offered expert technical ICT capacity assistance to county governments;
- (xi) Diversity management policy, Public Service (Values and Principles) Act, 2015, Public Service Commission Act, 2017 and Framework for implementation of values and principle are in place.

Performance and Compliance Level

The overall performance in this thematic area was 46.1 percent. The best performing sector was Independent Offices and Commissions at 70 percent followed by State Corporations and SAGAs at 48.6 percent. Ministries and State Departments recorded as core of 37.3 percent while Statutory Commissions and Authorities recorded a score of 35 percent.

Independent Offices and Commissions had 22 percent of the institutions ranked as high achievers, 56 percent as medium achievers and 22 percent as low achievers. Ministries and State Departments had 11 percent of the institutions ranked as high

achievers, 46 percent as medium achievers and 43 percent as low achievers. State Corporations and SAGAs had 18 percent of the institutions ranked as high achievers, 60 percent as medium achievers and 22 percent as low achievers. Out of the four Statutory Commissions and Authorities evaluated, 75 percent of the institutions were ranked as medium achievers and 25 percent as low achievers.

Challenges

- (i) Inadequate infrastructural capacity;
- (ii) Slow automation of government processes;
- (iii) Public institutions are yet to prioritize research as a basis for informing decision making and policy formulation to improve service delivery.

Recommendations

Public Institutions to:-

- (i) establish concrete technological infrastructure and upgrade existing ICT systems and equipment to facilitate automation.
- (ii) migrate the respective front line business processes to E-Government portal.
- (iii) decentralize their services to the extent practicable including offering their services on Huduma Platform.
- (iv) align their respective workplace policies to the relevant constitutional provisions, as well as other service regulations and operational guidelines.

Thematic Area 9: Performance Management

Measures Taken

- (i) Review of the Staff Performance appraisal tool;
- (ii) Adoption of QMS in some institutions, while others have set up Committees and allocated funds for implementing QMS;

- (iii) Development and implementation of various HR policies;
- (iv) Reviewed policies guiding the HR function in the public service;
- (v) Job evaluation in the public service undertaken;
- (vi) Declaration and filling of vacancies;
- (vii) Standardization of norms and standards for the management of national and county public service have been addressed by the Enactment of the PSC Act 2017;
- (viii) Rewards and sanction policy in place; and
- (ix) The PSC Act, 2017 placed performance contracting in the public service under Public Service Commission.

Performance and Compliance Level

The overall performance in this thematic area was 63.4 percent. The best performing sector was State Corporations and SAGAs at 69.4 percent followed by Statutory Commission and Authorities 67.5 percent. Independent Offices and Commissions scored 60 percent while Ministries and State Departments scored 45.1 percent. All the nine Independent Offices and Commissions and the four Statutory Commissions and Authorities evaluated were ranked as medium achievers.

Ministries and State Departments had 3 percent of the institutions ranked as high achievers, 67 percent as medium achievers and 30 percent as low achievers. State Corporations and SAGAs had 23 percent of the institutions ranked as high achievers, 67 percent as medium achievers and 10 percent as low achievers.

Challenges

- (i) Slow adoption of ISO quality management systems in some institutions.
- (ii) Difficulty in accessing and operating GHRIS.

- (iii) Slow uptake of the performance appraisal by staff.

Recommendations

- a) Public Institutions to:-
 - (i) comply with the HRD policy on induction of newly appointed officers.
 - (ii) adopt and implement a Quality Management Systems (QMS) and those with existing QMS to upgrade their respective systems to the current standard.
 - (iii) develop HR plans and have them reviewed and aligned to the Public Service Commission Act, 2017.
 - (iv) enhance public-private partnerships to mobilize resources/funding to facilitate creation of effective, transparent, accountable and sustainable performance management systems.
 - (v) mainstream values and principles in the interview process.
- b) Government to:-
 - (i) initiate a study to establish the reasons behind the average performance in the public service with a view to putting in place corrective measures to enhance productivity.
 - (ii) review relevant legislations and policies to enable support cadre to serve on permanent and pensionable basis.

Thematic Area 10: Public Participation in Policy Making Process

Measures Taken

- (i) Public participation guidelines in place.
- (ii) Draft public participation Policy in place and
- (iii) Public Participation Bill, 2016 in place.

Performance and Compliance Level

The overall performance in this thematic area was 61.6 percent. The best performing sector was Statutory Commissions and Authorities at 75 percent followed by Ministries and State Departments at 67.6 percent. State Corporations and SAGAs scored 59.7 percent while Independent Offices and Commissions scored 55.6 percent.

Of the Independent Offices and Commissions evaluated, 56 percent were ranked as high achievers, 44 percent as low achievers, while 68 percent of the Ministries and State Departments were ranked as high achievers and 32 percent as low achievers. More than half (60 percent) of the State Corporations and SAGAs were ranked as high achievers while 40 percent were ranked as low achievers. Of the Statutory Commissions and Authorities evaluated, 75 percent were ranked as high achievers while 25 percent were ranked as low achievers.

Challenges

Limited participation of stakeholders in policy making processes at both levels of government.

Recommendations

- (i) Public organizations to review their operational guidelines in line with the provisions of the public participation guidelines issued by the Commission.
- (ii) Government to expedite finalization of the Public Participation Bill 2016.
- (iii) Government to fastrack finalization of the National Policy on Public participation.

General Recommendations

- (i) Government to establish an inter-agency forum (a coordinated sectoral approach) for monitoring the implementation of values and principles in the public service.

Table 3.1 presents a summary of recommendations, Actors and timeframe for identified areas of action.

Table 3.1: Implementation Matrix

S/No	Thematic Area	Recommendation	Actor(s)	Time Frame
1.	Ensuring High Standards of Professional Ethics in Public Service	Public Institutions to provide budgetary allocation for training, sensitization and mainstreaming ethics and integrity in all their programmes and activities.	All MDAs, National Treasury, Oversight Institutions	By June, 2018
		Public Institutions to align their respective operational mandates with the constitutional provisions on values and principles.	All MDAs	By June, 2018
		Public Institutions to support continuous professional development for members of regulated professional bodies.	All MDAs	Continuous
		Government to ensure full implementation of a value-based curriculum so as to concretize integration of national values and principles in all levels of learning.	MoE, KICD, KSG, CUE, KEMI, KISE, TVETA	By June, 2019
2.	Devolution and Sharing of Power	Government to fast track the enactment of the County Public Service Bill, 2016 to anchor the County Pension Scheme in law;	Parliament, OAG & DoJ, CoG	June 2018.

S/No	Thematic Area	Recommendation	Actor(s)	Time Frame
		Government to finalize the Draft Devolution Policy	State Department of Devolution, CoG	June 2018.
		Government to continually strengthen professional and technical capacity of County Governments towards the promotion of national and values and principles of the public service.	Presidency, CoG, KSG, PSC	Continuous
		Government to enhance institutional capacity and public awareness across the public service on devolution processes.	Presidency, CoG, KSG, PSC	Continuous
3.	Good Governance, Transparency and Accountability	Government to undertake a governance audit in public organizations to confirm the veracity of compliance with the Executive Order No.6 of 2015 on Ethics and Integrity in the Public Service.	Presidency, EACC, OAG, DPP,	By June, 2018
		Government to fast-track finalization of the draft National Ethics and Anti-Corruption Policy.	Parliament, EACC,	By June, 2018
		Government to review and harmonize Corruption prevention laws.	Parliament, EACC, OAG&DoJ, KLRC	By June, 2019
		Government to support continuous monitoring and evaluation on management systems and processes to ensure good governance, transparency and accountability.	All MDAs	Continuous
4.	Diversity Management	Public institutions to conduct diversity audits, confirm diversity gaps and develop affirmative action programmes to redress the gaps at all levels.	All MDAs	Continuous
		Public institutions to make provision for special employment opportunities for the unrepresented and underrepresented marginalized communities.	NGEC, PSC, KNCHR, NCIC, NCPWD, All MDAs	By June, 2018
		Public institutions to endeavor to attain 50 percent gender parity in line with the CEDAW Convention and the SDG goal No.5 on Gender Equality.	PSC, NGEC, All MDAs	Continuous
		Public institutions to develop and implement affirmative action programmes in order to ensure the constitutional requirement on the 5% representation of PWDs is progressively realized.	All MDAs, NCPWD	Continuous

S/No	Thematic Area	Recommendation	Actor(s)	Time Frame
		Public institutions to establish and maintain structured collaboration/liaison framework with NCPWDs in order to facilitate identification and placement of PWDs within the public service	All MDAs, PSC, NCPWD	By June, 2018
		Public institutions to maintain disaggregated and updated records on gender, ethnicity; including minority and marginalized communities, PWDs, rights-based data at all times.	All MDAs	Continuous
		Public institutions to develop and institutionalize time-bound affirmative action programmes for appointments, training and promotion of the marginalized and other disadvantaged groups across the public service.	All MDAs	By June, 2022
5	Efficiency, Effectiveness, Economic Use of Resources and Sustainable Development	Government to develop and update the inventory of existing public assets.	National Treasury, CoG	By June, 2018
		Government to facilitate continuous capacity building and civic education on effective management of resources for sustainable development.	All MDAs	Continuous
6	Equitable Allocation of Opportunities and Resources	Government to ensure strict enforcement of the policy on Access to Government Procurement Opportunities (AGPO) across all public institutions.	PPRA, PPARB, National Treasury, All MDAs	Continuous
		Government to fastrack disbursement of equalization funds.	Parliament, CRA, National Treasury, CoG,	Continuous
7	Accountability for Administrative Acts	Public institutions to review their service charters and grievance handling procedures to align them to the constitution and other relevant enabling legislations, regulations and the Revised Public Officer Code of Conduct and Ethics, 2016.	All MDAs, PSC	By June, 2019
		Public institutions to continually comply with the provisions of the Revised Public Officer Code of Conduct and Ethics, 2016.	PSC, All MDAs	Continuous

S/No	Thematic Area	Recommendation	Actor(s)	Time Frame
8	Improvement in Service Delivery	Public institutions to establish concrete technological infrastructure and upgrade existing ICT systems and equipment to facilitate automation.	All MDAs, ICTA, National Treasury, State Department of ICT	By June, 2020
		Public institutions to migrate the respective front line business processes to E-Government portal.	All MDAs, ICTA, National Treasury, State Department of ICT	By June, 2020
		Public institutions to decentralize their services to the extent practicable including offering their services on Huduma Platform.	All MDAs, Huduma Secretariat	By June, 2020
		Public institutions to align their respective workplace policies to the relevant constitutional provisions, as well as other service regulations and operational guidelines.	All MDAs, State Dept. of Labour	By June, 2019
9	Performance Management	Public institutions to comply with the HRD policy on induction of newly appointed officers.	All MDAs	Continuous
		Public institutions to adopt and implement a Quality Management Systems (QMS) and those with existing QMS to upgrade their respective systems to the current standard.	All MDAs	By June, 2019
		Public institutions to develop HR plans and have them reviewed and aligned to the Public Service Commission Act, 2017.	All MDAs, PSC, SCAC,	By June, 2018
		Public institutions to enhance public-private partnerships to mobilize resources/funding to facilitate creation of effective, transparent, accountable and sustainable performance management systems.	All MDAs, National Treasury	Continuous
		Public institutions to mainstream values and principles in the interview process.	PSC, All MDAs	Continuous
		Government to initiate a study to establish the reasons behind the average performance in the public service with a view to putting in place corrective measures to enhance productivity.	PSC	By June, 2018
		Government to review relevant legislations and policies to enable support cadre to serve on permanent and pensionable basis.	Parliament, PSC, National Treasury	By June, 2019
10	Public Participation in Policy Making Process	Public organizations to review their operational guidelines in line with the provisions of the public participation guidelines issued by the Commission.	All MDAs	By June, 2018

S/No	Thematic Area	Recommendation	Actor(s)	Time Frame
		Government to expedite finalization of the Public Participation Bill 2016.	Parliament, OAG & DoJ, CoG,	By June, 2019
		Government to fastrack finalization of the National Policy on Public participation.	Parliament, OAG & DoJ, CoG,	By June, 2019
11	General Recommendations	Government to establish an inter-agency forum (a coordinated sectoral approach) for monitoring the implementation of values and principles in the public service.	PSC, All MDAs	By June, 2019

PROFILE OF PSC MEMBERS

The members of the Commission possess a wide range of skills and competencies including Leadership, Finance, Human Resource Management, Education, Accounting, Economics, ICT and Medicine.

Prof. Margaret Kobia PhD, MGH, Chairperson



Prof Margaret Kobia holds a Bachelor of Education degree of the University of Nairobi, a Master of Education degree of Kenyatta University, and a PhD in Human Resource Education and Entrepreneurship of the University of Illinois in the United States.

Prior to joining the Commission, she served as the Director and Chief Executive Officer of the then Kenya Institute of Administration (KIA) and later appointed the first Director General when the Institute was elevated to become the Kenya School of Government. Between 2003 and 2005, she

served at Strathmore University as a senior lecturer in management, entrepreneurship and research methodology and simultaneously served as a management training consultant.

Her research interests include public sector reforms, performance management and training. In 2011, she was awarded an Associate Professorship for her outstanding teaching, research and publication work while serving as the Director of KIA. She is a recipient of numerous awards, including the Order of Grand Warrior (OGW), the First Class Order of Chief of Burning Spear (CBS), Moran of the Golden Heart (MGH) and Commonwealth Gordon Draper Award for her strong leadership in the public service in the Commonwealth. In 2014, she was elected the Vice President of the Commonwealth Association of Public Administration and Management, and, in 2015, was appointed co-chair of the Effective Institutions Platform.

She has previously served as the Chief Editor of the refereed African Journal of Public Administration and Management for five years. In 2017 Prof Kobia was nominated by the United Nations Secretary-General to serve on the Committee of Experts on Public Administration (CEPA) for a four-year term. Her nomination and subsequent appointment to the committee was in recognition of her wide experience and contribution to practice and scholarship in the field of public administration. Professor Kobia holds a sterling record in transformative management of public institutions, research and publication in public administration and management.

Amb. Peter O. Ole Nkuraiyia, CBS, Vice Chairperson



Ambassador Peter O. Ole Nkuraiyia holds an Executive Masters of Business Administration (EMBA) of Jomo Kenyatta University of Agriculture and Technology (JKUAT), a Bachelor of Arts degree in Political Science and Sociology and a Post Graduate Diploma in International Relations of the University of Nairobi.

He is a career diplomat who prior to his appointment served in various Kenya's Missions abroad including Harare Zimbabwe, Uganda, Stockholm Sweden, Paris France, Kenya's Ambassador to the Kingdom of Belgium, the Grand Duchy of Luxembourg, and Kenya's Permanent Representative to the European Union. While in Brussels, he was the Chairman

of the ACP Sub-committee on trade and tariffs as well as Commodity Protocols. He Co-chaired the joint African Caribbean and Pacific Group of states (ACP)/European Union (EU) Committee on Trade and Commodity Protocols. He was leader of the Kenyan delegation to the signing of the Partnership Agreement in 2000 (Cotonou Agreement) between the European Union and the ACP group of states, and also served as chairman of the ACP committee on trade that negotiated the ACP/EU waiver in the World Trade Organization (WTO) Doha Round 2001.

As Kenya's High Commissioner to the Republic of Uganda, he was in charge of the Great Lakes Region and was in the lead team that negotiated the Burundi Peace Agreement as well as the East African Cooperation negotiations leading to the signing of the Treaty establishing the East African Community on 30th November 1999.

He served as the Secretary/Chief Executive Officer of the Commission for the Implementation of the Constitution, as well as the Executive Director of the NGOs Coordination Board and Permanent Secretary in the Ministries of East African Community and Foreign Affairs. He is a member of various school boards and has been awarded First Class Order of the Chief of the Burning Spear (CBS) in recognition of his distinguished service.

Lawrence Nyalle, MBS, Commissioner



Commissioner Lawrence Kitti Nyalle holds a Master of Business Administration degree, Post Graduate

Diploma in Computer Science and a Bachelor of Science Degree all of the University of Nairobi. He is a Certified Public Accountant of Kenya CPA (K) and a member of the Institute of Certified Public Accountants of Kenya (ICPAK) and the Institute of Internal Auditors. He has experience in Management, Finance, Enterprise Resource Planning (ERP) systems and ICT.

Prior to his appointment, he served as a Business Consultant and worked for Afrox limited in South Africa as Senior Audit Manager, Africa Region and later as Human Resource Manager. Between 2004 and 2007 Commissioner Nyalle worked as Head of Audit and Risk at BOC Kenya Limited.

Prof. Michael N.I. Lokuruka, PhD, EBS, Commissioner



Professor Michael N.I. Lokuruka has a PhD in Food Science (Cornell University, USA), and has worked as a Researcher, Lecturer and Chairman of the Departments of Dairy and Food Science and Technology (Egerton University) and Food Science and Nutrition (Karatina University) cumulatively for over 23 years. He has worked in various technical and management roles in the Kenya Food and Fisheries Industries for over 8 years, undertaking consultancy and training for the former Ministry of Northern Kenya and other Arid Lands, ACT Kenya, the Canadian Food Industry, Turkana County Government, Turkana North Constituency, Centre for Minority Rights and

Development (CEMIRIDE) among others.

He has served on Boards of a number of High Schools and tertiary Institutions and is a Technical reviewer for several local, regional and international journals. Commissioner Lokuruka is currently on the Editorial Board of the African Journal of Food, Agriculture, Nutrition and Development (AJFAND), and is Secretary to the Kenya Institute of Food Science and Technology (KIFST) and is extensively published. He is the Chairperson of the Capacity and Capability Development Committee, a Member of the Compliance and Quality Assurance Committee of the Public Service Commission, and, he represents the Commission in the Council of the Kenya School of Government (KSG).

He serves as the Chairperson of the Human Resource Committee of the KSG Council, and is a Member of the Staff Retirement Benefits Scheme and the Learning and Development Committees of the School. He served as a Board member of the Kenya Industrial Research and Development Institute (KIRDI), where he worked on the Research, Innovations and Development (RDI) and Human Resources Committees of the Board.

Patrick G.Gichohi, CBS, Commissioner



Commissioner Patrick G. Gichohi, holds Bachelor of Education degree of the University of Nairobi and various certificates in management and Parliamentary Procedures and Practices.

Prior to his appointment Commissioner Gichohi served as a Parliamentary Officer for 33 years rising to the position of Clerk of the Kenya National

Assembly. While serving as Clerk to the National Assembly, he initiated key parliamentary reforms and facilitated Public-Private Sector partnership in the Parliamentary Reform programmes and also served as the Chair of the Society of Clerks in the Commonwealth Parliaments.

He was a member of the Society of the Clerks-at-the-Table in the Commonwealth Parliaments and the Association of the Secretary Generals of Parliament of the Inter Parliamentary Union, Geneva, Switzerland. He also served as Honorary Secretary and Treasurer of the Commonwealth Parliamentary Association (Kenya Branch), and the Inter-Parliamentary Union (Kenya Group). He has published various books on parliamentary procedures.

Commissioner Gichohi has been awarded State commendation of Chief of Burning Spear and Citation by the State of Wisconsin, United States of America for his distinguished service.

Veronica Birgen, MBS, Commissioner



Commissioner Birgen holds a Master of Science degree in Organizational Development of the

United States International University, BA (Hons) of University of Nairobi and a Higher National Diploma from IHRM. She is an accomplished professional with over 25 years comprehensive Management experience in both public and private sector. Ms. Birgen is a certified Executive Coach.

Prior to her appointment, she served as an Administrator in various Government ministries before joining the Kenya Tourist Board as a Senior Human Resource Officer where she rose to the position of Head of Human Capital and Administration. She also served as a Senior Consultant in organizational restructuring with Tetralink and Taylor Associates, East Africa (E.A). Commissioner Birgen has a strong background in organizational development and Human Resource.

Catherine R. Omweno, MBS, Commissioner



Commissioner Catherine Omweno holds a Master's degree in Business Administration of Moi University and a Bachelor of Arts degree of Punjab University, India. She is also a CPS (K) Finalist and a member

of the Institute of Certified Public Secretaries. She has a wealth of experience in Human Resource Management gained from working in the public, NGO and private sectors.

Prior to her appointment, Commissioner Omweno served as a Personnel Officer in various ministries rising to the level of Chief Personnel Officer, and, later moved on to join CARE- KENYA, and Jomo Kenyatta Foundation thereafter. She was the Group Human Resources Manager at CMC MOTORS Group for 17 years and after leaving CMC MOTORS Group she did a short stint with the Institute of Human Resource Management as an Associate Human Resource Consultant, before, finally moving to Spectre International. She is a certified professional Trainer with special interest in career coaching.

Dr. Judith Bwonya, MBS, Commissioner



Commissioner Dr. Bwonya holds a Masters degree in Public Health and a Bachelors degree in Medicine and Surgery from the University of Nairobi. She has had a long and distinguished career in the Public Health sector, having served in the Ministry of Health since 1983.

She served as a distinguished District Medical Officer of Health in various districts. She worked at the Ministry Headquarters in the Health Sector Reform Secretariat and as Head of the department of Standards and Regulatory Services. Dr. Bwonya was a member of the Task Force that established the Consortium for National Health Research. She was appointed to lead the Ministry team that developed the draft Health Bill under the Constitution of Kenya 2010.

She has served in the Clinical Officers' Council, the Medical Practitioners and Dentists Board, Kenya Medical Research Institute and the NHIF Boards. She was also a member of Consortium for National Health Research Board of Management. Dr. Bwonya is a member of the Kenya Medical Association and Registered with the Medical Practitioners and Dentists Board of Kenya. She is listed in the 7th Edition of "Who is Who among Business and Professional Women" in the world.

Titus M. Ndambuki, CBS, Commissioner



Commissioner Titus Muthini Ndambuki is a career civil servant and holds a Masters degree in Economics from Williams College (USA), Bachelor of Philosophy degree in Economics and a Bachelor of Science in Mathematics and Statistics degree from the University of Nairobi. He has also attended various courses in management and leadership skills from various institutes such as the Institute

of Development Studies at the University of Sussex-England, Cardiff University College Population Centre, Wales (UK), the Economics Institute, Boulder, Colorado, Royal Institute of Public Administration (UK), and the University of Manchester (UK).

Prior to his appointment at the Commission, he worked as the Programme Director for the Civil Service Reform Secretariat where he successfully steered the Public Service Reforms. He also served as Permanent Secretary, Ministry of State for Public Service, where he initiated a number of public service reforms including performance contracting, Training Revolving Fund, medical cover for civil servants, contributory pension scheme and retirement age to sixty(60) years.

He has been awarded the Chief of the Burning Spear (CBS) and Head of State Commendation (HSC) in recognition of his sterling performance in the Public Service.

Dr. Alice Atieno Otwala (Mrs.), CBS, Commission Secretary/Chief Executive



Dr. Alice A. Otwala was awarded an Honorary Doctorate in Public Administration by the Commonwealth University in collaboration with London Graduate School in recognition of her exceptional contribution to service to the society, selflessness and other outstanding contributions through which the lives of many have been touched positively.

She holds a Masters Degree in Public Administration from the Liverpool University (United Kingdom),

a Bachelors of Arts Degree from the University of Nairobi and a Post Graduate certificate in Strategic Management from Strathmore University. She has also attended several courses in Public Administration and participated in high level international conferences.

She is a member of the Kenya Institute of Management (KIM) and Kenya Association for Public Administration and Management (KAPAM).

Prior to her appointment, she served as an administrator in the public service for 31 years in various ministries rising to the position of Deputy Commission Secretary in the Public Service Commission. Her major achievements include setting up the first Computerization of All Administrative Officers Records Project at the Office of the President, developing the first Training Manual for Chiefs and Assistant Chiefs throughout the Country, relocating the CID Department to its current location with all logistics intact, settling the US Embassy after the Bomb blast of 1998 as head of America's Division in the Ministry of Foreign Affairs, and steered the restructuring of the Public Service Commission Secretariat to enable it deliver on its Constitutional Mandate.

VALUES AND PRINCIPLES TECHNICAL EVALUATION TEAM



Simon G. Wachinga
Director, Compliance &
Quality Assurance



Wesley Kipnetich
Compliance & Quality
Assurance, Technical Control



Rahma Hassan
Establishment and
Management Consultancy
Services, Member



Gabriel Juma
Compliance and Quality
Assurance, Team Leader



Simon Ojalla
Compliance & Quality
Assurance, Member



Jacob Gumba
Compliance & Quality
Assurance, Member



Francis Lemarkat
Compliance & Quality
Assurance, Member



Isaac Kihiu
Compliance and Quality
Assurance, Member



Salyvia Kagoi
Compliance and Quality
Assurance, Member



Joseph Kenei, Finance and
Planning, Member



Evelyn Adhiambo
Legal Services, Member



Public Service Commission

P.O. Box 30095, 00100 - Nairobi, Kenya

Telephone: +254 (020) 2223901- 5, 2227471- 5

Fax: +254 (020) 2214791

Mobile: +254 724 253807 +254 735 800282

Email: psck@publicservice.go.ke