

REPORT OF THE KENYA TEACHERS' SALARIES COMMISSION.
(LAWRENCE REPORT) 1961.

1. The Government received the first copy of the Report of the Teachers' Salaries Commission on the 1st of August, 1961, and at once set about the task of estimating the cost of implementing its various recommendations. These calculations involved more than 20,000 teachers under a variety of terms of service and were completed at the end of September. As will be seen from the figures in paragraph 35 of this White Paper nearly all the major recommendations of the Lawrence Report would involve large sums of money if they were to be implemented. In the present circumstances it has not been possible to consider large additional expenditure commitments such as those involved in the recommendations of the Lawrence Report until some indication has appeared as to the pattern of Kenya's financial resources for the coming financial year 1962/63.
2. The Government considers that the Commission has admirably carried out its very complicated and onerous task and has produced a Report that provides very sound foundations for a disestablished and unified teaching service. It is most unfortunate that the present acute financial position makes it impossible to consider the implementation of the major recommendations of the Report. But the Government wishes to record its gratitude and appreciation of the clear and constructive proposals which the Commission has made towards resolving the difficult problems it had to face.
3. Except where specific reference is made to any part of the Report, the Government accepts in general the recommendations and observations in the Report.
4. Paragraph 2.

The Government confirms that it has accepted in principle the policy of setting up a Unified Teachers Service but the extent to which this policy can be implemented at the present time is limited by lack of finance.
5. Paragraph 4.

It should be noted that the Commission quickly discovered that by the time it commenced its work the salary increases recommended by the Fleming Commission and already implemented by the Government were involving the Colony in a financial burden which it could only sustain with assistance from Her Majesty's Government. It might therefore have taken the view that it could only recommend increases of salaries or other forms of emoluments in certain sectors where balancing reductions could be found in others. The Government agrees with the Commission that such terms would have been unduly restrictive. In preparing a balanced salary structure that was suitable in all respects to a teaching service and which included proper recognition of the varying degrees of responsibility undertaken by teachers, it must be recognised that the Commission could only have produced a plan which the Colony was financially capable of implementing "under the present financial circumstances" if it recommended basic scales far lower than those already in force. It may perhaps be argued that the Government was wrong in applying the Fleming scales to teachers in advance of the Commission's recommendations, but it must be remembered that the Commission was due to finalise its recommendations for Uganda before it could embark upon the rather more complex problems of Kenya. It is also true to say that the principle of "parity with the Civil Service" in the matter of teachers' salaries has become so firmly established that any structure which offered a basic scale applicable to the great majority of teachers appreciably lower than the corresponding Civil Service scale would not have been easy to implement.
6. Paragraphs 25 - 27

As has been indicated in the preface to the printed Report, the Government does not consider it possible for financial reasons to implement

cepts in principle the general conditions of entry to a Unified Teaching Service. The Government associates itself with the explanations given in paragraph 27 concerning the implications of a Unified disestablished Teaching Service.

Paragraph 31.

The Government is sympathetic to the recommended changes to the present superannuation scheme of the African Teachers' Service but would wish to have the opportunity of consulting with the Kenya National Union of Teachers and other teachers' organizations before accepting them.

Paragraph 37.

The Government agrees in principle with the Commission's recommendation that the period of probation of newly trained teachers should be extended from one to two years, but that they should be entitled to enter the superannuation scheme as from the beginning of such probationary period. The cost of implementing such a proposal which would involve considerable increase in the amount of employers contributions to the fund (£26,836) however is at present prohibitive. The Government does not propose, therefore, to implement either of these recommendations for the time being.

Paragraphs 58 to 70.

The Government accepts the basic principles on which the Commission has framed its salary proposals and considers that were it not for the fact that the financial issues involved are beyond the capacity of the country in its present financial state, they would be entirely acceptable for the foundation of a fully unified and disestablished teaching service.

Paragraph 74.

The Government notes the observation of the Commission that teachers have already received the benefits of the Fleming increase and that there is therefore no urgency in adopting the new scales.

Paragraphs 76 to 78.

The Government regrets that it cannot at present agree to the implementation of the new scales of salary proposed. The estimated cost in the first year of increased salaries alone is £112,699 which together with the consequent increase in Government contributions towards pensions, amounting to £66,252, represents an immediate increase of £178,951 in the first year.

Paragraph 79 - Teachers with the School Certificate.

The Government agrees that there is no justification for the anomaly which exists in the different salary scales applicable to Asian and African teachers who, having received two years training after passing the School Certificate, are identically qualified. The Government proposes that all Asian students entering training colleges with effect from January 1963 should be warned that on the completion of their training their starting salary will be £340 sh.16 per annum on the E.3-1-T scale, with a maximum of £717 interpolated in that scale. At the same time all African K.T.1 teachers entering the service with effect from January 1962 will start at a salary of £340 sh.16. Similarly all K.T.1 teachers who were in service prior to January 1st, 1962 will have their salaries revised from that date to the appropriate point on the new scale which corresponds to their years of service in that grade. This will involve a sum of £8,802 for the six months January to June, 1962 and a further sum of £21,204 for the full financial year 1962-63, rising to £28,404 in 1963-64.

Paragraph 80 - Certain Asian and other Degrees.

Government agrees with the Commission that the Ministry of Education

Salary attached to degrees or other well recognised universities. The Ministry of Education is accordingly seeking immediate information and advice from a variety of sources with a view to establishing machinery in Kenya through which such qualifications may be fairly evaluated. The Government notes the Commission's recommendations concerning competence in the English language, and also considers that the subjects studied in the degree and their relevance to the normal curriculum of a secondary school must also be taken into account in this assessment.

14. Paragraph 84.

The Government notes the Commission's recommendation that overseas staff should receive one increment for each year of approved experience and similar increments for war service. Even if the Government were to endorse this recommendation, its cost, estimated at Sh30,679 in the first year, would make its implementation impossible in the present critical financial position.

15. Paragraphs 85 to 91 - Responsibility Elements.

The Government strongly associates itself with the views of the Commission on the need for the introduction of Responsibility Allowances as expressed at paragraphs 70 and 91 of the Report. It is clear, however, that at present the Government could not meet the cost of Sh55,737 which would be involved in the first year if the recommendation of the Commission were to be fully implemented. Nevertheless, it is the wish of the Government that a start should be made in implementing, even if initially it must be at reduced rates, the recommendations of the Commission on Responsibility Allowances - so soon as the financial position of the country improves sufficiently to make such action possible. The Government notes the views of the Commission on the desirability of increasing the size of Teacher Training Colleges by amalgamation or other suitable means.

16. Paragraphs 92 and 93 - Upgrading.

The Government notes the recommendations of the Commission and would wish to have the opportunity of discussing them with the Kenya National Union of Teachers and other teachers' representatives.

17. Paragraph 95

The suggestion that District Education Officers should be placed on different ranges of the "A" scale according to their responsibilities is not acceptable since the segmentation of the "A" scale is not in accordance with Government policy.

18. Paragraph 96

As in the case of other recommendations for Responsibility Allowances, the Government has not the funds to implement this recommendation at present.

19. Paragraphs 97 and 98 - Temporary Qualified Teachers.

The Government accepts in principle the recommendations for the terms of service of temporary teachers who are members of the Unified Service except in so far as the responsibility element for boarding duties is concerned, such an allowance would have to be considered together with all other forms of allowance suggested in the Report if and when the necessary funds become available.

20. It should be noted that if all temporary Government Officers were to have their appointments terminated with a view to their subsequent employment in a Unified Service a sum amounting to Sh75,584 in the first year might be involved in the payment of compassionate gratuities. This sum would be a payment which having once been made would not be repeated. In view, however, of the present shortage of funds the positive termination of the appointments of/

teachers who are temporary Government Officers cannot be considered though such teachers will be given the option of joining the Unified Teaching Service.

21. Paragraphs 99 - 103 - Untrained Teachers.

The Report distinguishes between three groups of untrained teacher.

(i) Those with no specific academic qualifications.

The Report recommends that such teachers should be paid at a rate which is approximately two-thirds of the rate of a trained teacher who has had schooling for about the same length of time.

Government is unable to accept this recommendation for two reasons; partly because it could frequently happen under the suggested formula that an untrained teacher would receive a higher salary than he would be entitled to after training; and partly because it is reluctant to offer salaries which might discourage the teacher from seeking opportunities for professional training, which is considered of special importance at this level.

(ii) Those with a School Certificate.

The Report recommends a scale of \$225 - \$323 on temporary terms. The Government agrees with the Commission that persons with this qualification should be given every encouragement to undergo professional training without undue delay. For this reason it prefers to offer a fixed salary of \$225, which is the point at which persons of any race with this qualification only and no other form of training enter Government service. The present practice under which a European teacher over 21 is paid on the scale \$633 - \$816 will be discontinued forthwith.

Because of the small numbers involved Government accepts the Commission's recommendation that persons in Group (ii) should have their temporary service limited to 5 years. With regard to Group (i), however, Government considers that employers would be considerably embarrassed if they were required to dispense with the services of untrained teachers after five years. It is likely, for example, that many such teachers now have family commitments which would make it difficult or impossible for them to undergo full-time residential courses of professional training, and yet if they had to leave the Service in large numbers, they could only be replaced by similar personnel having neither training nor experience.

(iii) Those with Higher School Certificate or Degrees.

In view of Kenya's present shortage of teachers with high academic qualifications, the Government accepts the Commission's recommendation that graduates should be accepted as permanent teachers, even though they have not trained. They will continue to receive the salary scales now applicable. Whilst recognising the value of Higher School Certificate as an academic qualification, however, Government considers that every encouragement should be given to such persons to obtain professional training or to pursue further academic studies without undue delay. For this reason a fixed salary related to the entry point for the trained teacher with this qualification is preferred to a long incremental scale.

22. Paragraphs 104 to 106 - Inducement Allowance.

/and accepts that this would be the right and proper arrangement. Such an arrangement would, however, have serious financial implications as far as Kenya is concerned.

23. If serving Civil Servant expatriate teachers and all expatriate teachers who are appointed to replace them were to become members of the disestablished Unified Service they would, of course, cease to be designated officers and all their overseas additions together with half the cost of their passages, borne by Her Majesty's Government under the present agreement so long as they remain Civil Servants would have to be paid by Kenya. On the present establishment of teachers who are designated officers this would represent an additional sum of £375,000, which Kenya would have to provide. In the present financial circumstances, the Government is in no position to accept such an additional commitment. If, therefore, it is necessary that expatriate Civil Service teachers should retain their present status in order to attract the benefits of the Overseas Aid Scheme it is clear that they cannot become members of the disestablished Unified Service since this Government could not afford to take over from Her Majesty's Government the costs of their passages and overseas allowances.
24. Her Majesty's Government has already stated that it cannot see its way to bearing the costs of inducement allowances to expatriate teachers employed by voluntary agencies and the whole cost of these allowances together with passage grants amounting in all to some £63,000 will have to be borne by Kenya if suitable overseas staff are to be recruited and retained. With the planned increase of facilities for secondary education the number of teachers and the funds required will increase sharply.

25. Paragraph 107 (a)

The Government cannot accept the suggestion that unmarried European teachers who are recruited as local residents at a time when their parents are residents in Kenya should become entitled to passages to and from the United Kingdom if and when their parents give up their home in Kenya and return to Britain. If such a recommendation were accepted it should apply not only to Europeans but to Asians and others.

Furthermore, the Government cannot accept the submission that the status of a teacher should vary during the course of his or her service according to the place of residence of his or her parents.

CHAPTER IX

Consultations and Negotiations with Teachers.

26. Paragraphs 108 and 109

The Government notes the observations of the Commission and agrees that consultation between the Government and teachers on professional and other matters is desirable. At present the Kenya National Union of Teachers, although not yet fully representative of all categories of teachers, particularly those with higher qualifications, is nevertheless represented on a large number of official bodies at district, provincial and national level including District and Regional Education Boards, the Advisory Council on Education, the Teachers' Pensions Board, the Provincial Professional Standards Committees, and the Board of Appeal. The Union is moreover recognised as an appropriate organisation through which representations on behalf of individual teachers or groups of teachers may be made at all levels to employers or to the Government.

27. Paragraphs 111, 112 and 113.

The Government appreciates the difficulties, as set out in the above paragraphs, with which the Commission was faced in advising on the establishment of a properly constituted and effective negotiating body containing representatives of teachers and employers.

/contributor to the cost of teachers' salaries, must reserve the right to accept, reject, or amend any proposals put to it concerning terms and conditions of service, it considers that it would be of general benefit to all interested parties if such proposals had first been discussed in detail by a body containing representatives of the teachers, of the various employers, and of the Government. Immediate steps will therefore be taken to establish such a negotiating body which will contain on the one side representatives of the Kenya National Union of Teachers and any other organized association of teachers which the Minister of Education considers should have separate representation, and on the other side representatives of employers, including Mission Authorities, District or County Councils, Boards of Governors and the Government itself in its capacity as an employer, under an independent Chairman appointed by the Minister.

38. Paragraph 114.

The Government is prepared to consider further the suggestion that teachers' annual subscriptions to their union should be collected from pay.

CHAPTER X

Financial and other Related Considerations.

39. Paragraph 121

It is the policy of Government not to approve of the expenditure of African District Council funds for sending persons overseas to take courses of which the equivalent are available in East Africa.

40. Paragraph 122

It is at present a condition of the award of a Government bursary or scholarship granted to enable the holder to improve his or her teaching qualifications, that he or she shall be obliged to return to Kenya at once on the completion of the course and to teach for at least three years in a Government or grant-aided educational institution.

41. Paragraph 127

The Government notes the recommendations of the Commission concerning school fees and the possibility of introducing fees at Training Colleges. These recommendations will be brought to the attention of the Committee which the Government has set up to enquire into the whole structure of the country's educational system.

42. Paragraphs 128 and 132.

The Government is grateful for the views of the Commission on the possibilities of the development of Local Education Authorities. The consideration of these possibilities is included in the terms of reference of the Committee of Enquiry, to which reference has already been made and the views expressed in the Report will be brought to the Committee's attention.

43. Paragraphs 135 to 136.

A review of the existing forms of grant-in-aid is to be made by the Committee of Enquiry and the observations in these paragraphs of the Report will be brought to the Committee's attention.

44. The Government is grateful for the estimates of the costs of creating a disestablished Unified Teachers' Service, but notes that the Commission was unable to include estimates of costs of the following consequential items :-

- (2) Special salary scales for certain Government officers in specified posts. (paragraph 95).
- (3) Expatriation allowances for Overseas Staff. (paragraph 100).
- (4) Compassionate gratuities for temporary Government officers if their posts are declared redundant.
- (5) Housing allowance. (paragraph 57).
- (6) The increase in Pension costs by allowing teachers to contribute to the pensions fund in their first year of service.
- (7) Maternity leave.

35. The total costs in the first year of implementing all the recommendations of the Report have been estimated by the Government, as follows :-

	Govt.	A.D.C	Total
	£	£	£
1. Salaries	86,264	26,435	112,699
2. Increased pensions based on 3½% employers' contribution and covering all staff not at present pensionable	36,960	2,456	39,416
3. Increased employers' contribution in first year of service for members of African Teaching Service.	19,206	7,650	26,856
4. Responsibility Allowance	127,150	20,587	147,737
5. One-for-one incremental placing and War Service for grant-aided teachers.	30,165	-	30,165
6. Costs of increased salaries and pensions for temporary Government Officers who join Unified Teaching Service.	7,274	-	7,274
7. Compassionate gratuities for temporary Government Officers.	75,584	-	75,584
8. Cost of one-for-one placing and War Service for Government Officers	100,514	-	100,514
9. Regrading of District Education Officers.	1,864	-	1,864
10. Regrading of other officers.	1,558	-	1,558
11. Expatriation allowances based on Fleming or grant-aided teachers	41,312	-	41,312
12. Passages for expatriate grant-aided teachers if two year tour permitted	15,927	-	15,927

SUMMARY

1. The Government regrets that in the present financial circumstances it is not in a position to implement all the recommendations of the Lawrence Report which would cost £543,778 to the Government and £65,108 to the African District Councils in the first year.
2. The Government intends to remove forthwith in the case of new appointments to the Teaching Service all those anomalies in the remuneration of teachers which are based on differences of race alone (see paragraphs 12 and 21(ii) of this White Paper).
3. On the establishment of a Unified Teachers' Service applicable to locally recruited teachers, no teachers from local sources will be recruited into the Civil Service. With effect from that date, all locally recruited teachers will be recruited into the Unified Teachers' Service on the terms of service at present applied to the African Teachers' Service, which itself will be embodied in the Unified Teachers' Service but the Government accepts the recommendation at paragraph 25(4) of the Report to the effect that if any student now at a training college produces evidence that the salary scale proposed for him is less than that which he has seen tacitly or explicitly led to expect, his salary when he becomes a teacher should be retained at the promised level.
4. No serving teacher will be obliged to accept any terms of service other than those on which he or she is now serving, but serving teachers will be given the option of joining the Unified Teachers' Service.
5. The Government attaches special importance to the introduction of Responsibility Allowances, and if and when the necessary funds become available, priority will be given to the introduction of these Allowances even though, for financial reasons, it may be necessary to pay Allowances at a lower rate than those recommended in the Report.
6. The Government intends to establish a negotiating body containing representatives of all interested parties through which proposals concerning terms and conditions of service would be put up to the Government.