REPUBLIC OF KENYA

PUBLIC SERVICE COMMISSION

THE NATIONAL ASSEMBLY
PAPERS LAID
DATE: 25 JAN 2022
DAY. Tues
TABLED BY: LOM
CLERK-AT THE-TABLE: S. Kalama

Status of the Public Service Compliance with the Values and Principles in Articles 10 and 232 of the Constitution

An Annual Evaluation Report Prepared in fulfilment of Article 234(h) of the Constitution for the Financial Year 2020/2021

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VISION

A Citizen-Centric Public Service

MISSION

To transform the public service for efficient and effective service delivery

CORE VALUES

- Citizen Focus
- Professionalism
- Innovation
- Teamwork

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ABBREVIATIONS AND ACRONYMS

ACECA	Anti-Corruption and Economic Crimes Act
AGPO	Access to Government Procurement Opportunities
ATI	Access to Information Act, 2016
AWP	Approved Work Plan
BPR	Business Process Re-engineering
BOG	Board of Governors
CAJ	Commission for Administrative Justice
CAK	Communication Authority of Kenya
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women CCIOs Constitutional Commissions and Independent Offices
CIDPs	County Integrated Development Plans
CPC	Corruption Prevention Committees
CPD	Continuous Professional Development
CRB	Credit Reference Bureau
CRPD	Convention on the Rights of Persons with Disabilities
CSG	Civil Service Grade
CSR	Corporate Social Responsibility
CTOVC	Cash Transfer for Orphans and Vulnerable Children
CTPWSD	Cash Transfer for Persons with Severe Disabilities
DIALs	Declaration of Income, Assets and Liabilities
EACC	Ethics and Anti-Corruption Commission
EPZ	Export Processing Zone
FY	Financial Year
GHRIS	Government Human Resource Information System
HRMAC	Human Resource Management Advisory Committee
ICT	Information Communication Technology
IEC	Information, Education, and Communication
ILO	International Labour Organization
KEMRI	Kenya Medical Research Institute
KENIA	Kenya National Innovation Agency
KeNIC	Kenya Network Information Centre
KeRRA	Kenya Rural Roads Authority
KCSE	Kenya Certificate of Secondary Education
KCPE	Kenya Certificate of Primary Education
KICC	Kenyatta International Convention Centre
KICD	Kenya Institute of Curriculum Development
KIPI	Kenya Industrial Property Institute
KIPPRA	Kenya Institute for Public Policy Research and Analysis
KIRDI	Kenya Industrial and Research Development Institute
KLRC	Kenya Law Reform Commission
KTTC	Kenya Technical Teachers College
LIA	Leadership and Integrity Act
M&E	Monitoring and Evaluation
M&SDs	Ministries and State Departments
MAT	Multi-Agency Team
MD/CEO	Managing Director/Chief Executive Officer
MDAs	Ministries, Departments and Agencies
MoICTA	Ministry of Information Communications and Technology and Youth Affairs
MTP	Medium Term Plan
NACADA	National Authority for Campaign against Alcohol and Drug Abuse

NACOSTI	National Commission for Science, Technology and Innovation
NCPWD	National Council for Persons with Disabilities
NEA	National Employment Council
NHIF	National Hospital Insurance Fund
O&M	Operations and Maintenance
OPCT	Older Persons Cash Transfer Programme
PC	Performance Contract
PDTP	Presidential Digital Talent Development Programme
PE	Personnel emoluments
PFM	Public Finance Management Act, 2012
POEA	Public Officer Ethics Act, 2003
PPAD	Public Procurement and Asset Disposal
PPP	Public Private Partnerships
PPRA	Public Procurement Regulatory Authority
PPRB	Public Procurement Review Board
PSC	Public Service Commission
PSEA	Public Service Excellence Awards
PSIP	Public Service Internship Programme
PSV&P	Public Service Values and Principles
PWDs	Persons with Disabilities
SAGAs	State Corporations and Semi-Autonomous Government Agencies
SDG	Sustainable Development Goals
SMEs	Small and Medium Enterprises
SMS	Short Message Service
SRC	Salaries and Remuneration Commission
STI	Science, Technology and Innovation
STP	Science Technology Park
TIA	Training Impact Assessment
TNA	Training Needs Assessment
TSC	Teachers Service Commission
TTI	Technical Training Institute
TVET	Technical and Vocational Education and Training
TVC	Technical and Vocational Colleges
UHC	Universal Health Cover
UNDP	United Nations Development Fund
UNFCCC	United Convention on Climate Change
UNWTO	United Nations World Tourism Organization
WEDF	Women Enterprise Development Fund
YPP	Young Professionals Programme

GLOSSARY OF TERMS

Term	Meaning
Assistive Devices	Implements, tools and specialized services (including services of qualified interpreter for the deaf and qualified teachers for the blind provided to persons with disabilities to assist them in education, employment and other activities
Acting Appointment	Temporary conferment upon a public officer, by the Commission or the relevant appointing authority, the power to perform duties of a public office other than the office the officer is substantively appointed to hold, while the public officer continues to hold the substantive appointment.[1]
Authorized Establishment	The posts that the Commission has approved to enable a public body carry out its core and support functions.
Authorized Officer	A public officer to whom the Commission has delegated the human resource management function in a ministry/state department or agency.
Compliance Index	A measure of the extent to which an institution has complied with the seven thematic areas
Complaints Register	A mechanism for feedback on service delivery and a tool for management of grievances arising from service delivery by the public institutions.
Corruption	The private gain by a public officer at the expense of public interest. It includes fraud, bribery, bid rigging, abuse of office and embezzlement.
Declaration	Information on the income, assets and liabilities of a public officer, his/her spouse, and dependent children under the age of 18 years as declared on the financial disclosures form.
Disadvantaged Groups	These are groups of youth, women and persons with disabilities.
Grievance Handling Procedure	Provides the process through which a service recipient may lodge complaints for unsatisfactory services.
Intern	An unemployed person with relevant qualifications who has entered into a contract with a government organization for a period of between three and twelve months with the intent of acquiring relevant work experience for registration with respective professional bodies and/or to increase chances of employability.
Internship	A programme established to provide unemployed graduates with hands-on training for skills acquisition to enhance future employability and fulfil the legal requirement for professional registration.
Mentorship	The process of transferring existing knowledge, skills and experience of high performing employees to newer, less experienced employees to enable them advance their careers.
Merit	The qualifications, experience, standard work performance and capabilities possessed by an individual that are relevant for the performance of specified duties.
National and Public Service Values and Principles	National values and principles of governance & public service values and principles
National Values Policy	National values and principles of governance policy, Sessional Paper No.8 of 2013

[1]Regulation 2, Public Service Commission Regulations 2020, LN No. 3 of 2020

Term	Meaning
Performance Management	The process of ensuring that a set of activities and outputs meets an organisation's goals in an efficient and effective manner.
Performance contract	An accountability tool signed between the Government and managers of public organizations on an annual basis in which the organization commits to deliver certain outputs.
Performance Index	The measure of the extent to which an institution has complied with a thematic area.
Professional	A professional may be described as a person who possesses specialised training, skills and competencies for the performance of a job requiring high standards of diligence, fidelity, integrity and discipline.
Professional Ethics	The norms of behaviour or conduct expected of a professional and which guide the practitioner at work or out of work. It embodies the value systems of that profession.
Professional Ethics in the Public Service	The standards prescribed in the code of conduct and ethics for public officers and the various codes of conduct for the professions that guide members of respective professions in the performance of their duties.
Professionalism	Relates to conforming to the accepted norms and practices of a profession.
Promotion of Values and Principles	The act of implementing all the activities, which communicate the values and principles to the citizens.
Service Charter	Is a statement of commitment by the organization towards service delivery, outlining costs, timelines and the standards which citizens should expect.
Skills Inventory	The distribution of skills and competencies in an organization.
Strategic Plan	Is an organizational management document used to communicate institution's aspirations including vision and mission. It sets priorities, assigns responsibilities, apportion resources, strengthen operations, ensures employees and other stakeholders are working toward common goals. It defines intended outcomes/results and mechanisms for monitoring and evaluation to assess and adjust the organization's direction in response to a changing environment.
Training Impact Assessment	The process of measuring the effectiveness and relevance of a training programme.

PREFACE



The Public Service Commission (PSC) prepares this report to help gauge and recommend corrective measures on the public service's compliance levels in implementing the Values and Principles in Articles 10 and 232 of the Constitution.

The report covers all public offices except those specified in Article 234(3) of the Constitution. All institutions within the purview of the Commission in this respect are required to provide accurate data as requested, for analysis and reporting.

Compliance by institutions concerning this report is two-fold. First, the institutions demonstrate compliance through implementing the values and principles, and related activities in their respective institutions as required by the Constitution and secondly, through positively responding to the survey tool to facilitate accurate reporting.

The Commission is charged with overseeing the human resource function in the civil service. Therefore, it works closely with authorised officers and public officers in the respective implementing institutions, to enhance compliance.

During the period under review, the Commission undertook interventions that directly or indirectly impacted the achievement of values and principles in the service.

The Commission reviewed organizational structures and staff establishment for 47 MDAs and promoted 32,107 officers serving in various grades across 192 cadres in 38 MDAs. This not only addressed succession management issues but also eased stagnation in the civil service, motivated staff and increased productivity.

As part of improving the human resource capacity to effectively and efficiently deliver services to the citizens, the Commission recruited 8,522 officers, comprising 4,397 (52%) males and 4,125(48%) females for MDAs. Among them were 150 (1.8%) Persons With Disabilities (PWDs). As has been the practice, the Commission continued using this as an avenue for progressively achieving equitable representation of both gender and PWDs.

In keeping pace with the citizens' increasing need for improved service, the Commission undertook to support public institutions through the Business Re-engineering Programme. The Postal Corporation of Kenya was one such institution that received support and was able to achieve enhanced efficiency in the mail, courier, distribution, financial/payment and agency services through a 100-day Rapid Result Initiatives (RRI).

The Commission continues to provide critical support in the achievement of the government's development blueprint, as a priority. With the new focus by the government to leverage Technical and Vocational Education Training institutes (TVETs) to skill the youth, the Commission in this survey evaluated 164 TVET institutions for the first time, in addition to 262 MDAs.

A major finding during the survey, which calls for immediate action among the TVETs was the lack of authorised staff establishments. Without an authorised staff establishment career growth among the staff in the institutions is impracticable, ultimately impacting negatively on service delivery.

Out of a total of 506 institutions that were targeted in the survey, 426, representing 84% responded.

Despite the disruptions occasioned by the Covid-19 pandemic for the second year running,

the institutions registered improvement in various evaluation areas compared to the 2018/2019 and 2019/2020 evaluation years, after implementing the recommendations made in the respective reports.

To attest to this, the number of institutions that signed performance contract agreements in 2020/2021 increased by 18% compared to those who signed in the 2019/2020 period, and similarly, the institutions that provided Human Resource Plans increased.

The training budget that often suffers reductions occasioned by austerity measures increased in 2020/2021 by 0.24%, compared to the 2019/2020 evaluation period.

It is also worth noting that the number of disciplinary cases among staff across the institutions declined in 2020/2021 to 4,012 compared to the 7,151 cases that were reported in the 2019/2020 evaluation period.

The Commission continues to urge public institutions, among other aspects, to comply with the constitutional requirement of ensuring equitable allocation of opportunities and resources. During the evaluation year, the two-thirds gender principle was achieved by the majority of public institutions. The number of institutions that failed to meet the threshold of two-thirds gender principle in 2019/2020 reporting reduced by seven in the 2020/2021 reporting.

On efficiency, effectiveness and economic use of resources and sustainable development, the majority of the institutions, (69.8%), updated their assets and liabilities register and 28.2% more institutions submitted their registers to the National Treasury compared to the 2019/2020 period.

Likewise, as recommended in the 2019/2020 report, the National Treasury finalized the policy and guidelines on the preparation of the Asset and Liabilities registers.

On the flip side, a rising trend in the number of unaudited organizations from 2018/2019 through 2019/2020 financial years was noted across the Public Service, putting into question the safety of public funds and levels of efficiency concerning prudent utilization of public funds.

Nonetheless, the public institutions continued to leverage technology in providing services to the citizens in a rare demonstration of resilience against the unprecedented challenges triggered by the Covid-19 pandemic.

Although the number of institutions that provided services on the e-citizen platform remained the same over the evaluation period, the number of services that institutions offered online reduced compared to 2019/2020. The Commission will endeavour to investigate with a view of rectifying the trend.

Similarly, the Commission will continue to build on the successes so far realized while undertaking to reverse the negatives reported across the findings, to improve compliance in the next reporting. Concerning this, the Commission will continue working closely with the President, Parliament and authorised officers.

We take this opportunity to thank all the institutions that responded to the survey tool, and at the same time encourage those that did not respond to be compliant in the next evaluation period, to uphold the constitution.

We hope that the findings in this report will go a long way in improving compliance to values and principles of public service by the public institutions and individual officers.

The report will be a rich source of information for citizens to get an insight into what the government is doing to uphold values and principles



CPA CHARITY SELEINA KISOTU, CBS
VICE-CHAIRPERSON
PUBLIC SERVICE COMMISSION

ACKNOWLEDGEMENT

The 2020/2021 report on the *"Status of the Public Service Compliance with Values and Principles in Articles 10 and 232"* is a product of splendid collaborative effort by the Public Service Commission and public institutions under its jurisdiction that responded to the values and principles compliance evaluation survey. The evaluation exercise heavily benefitted from the Commission's leveraging on technological infrastructure to facilitate preliminary processes including data collection and analysis.

I wish to extend my gratitude to all the public institutions which responded to the evaluation survey by providing the data as per the set timelines. Specifically, I want to acknowledge officers in the institutions for their commitment in ensuring submission of adequate and authentic data despite the tight schedules.

I laud the leadership and direction provided by the Commission under the stewardship of Ms. Charity S. Kisotu, Acting Chairperson Public Service Commission, during the entire report preparation process. I equally appreciate the guidance provided by the Compliance and Quality Assurance Committee chaired by Commissioner Dr. Reuben Chirchir, PhD (Chair), and Commissioners Dr. Joyce Nyabuti, PhD (Member) and Dr. Mary C. Mwiandi, PhD (Member). The Committee shared crucial insights with the Technical Team and provided quality assurance in the preparation of this report.

In addition, I wish to thank the Secretariat's Inter-Departmental Technical Team for tirelessly working to ensure timely preparation and submission of this report. The Team, which was co-ordinated by Ms. Jane Chege (Deputy Commission Secretary) as the team leader, comprised of Wachinga Gikonyo (Director, Compliance and Quality Assurance), Dr. Gabriel Juma, PhD (Deputy Director, Governance and Ethics), Wesley Kipngétich (Deputy Director, Governance and Ethics), Selina Iseme, (Deputy Chief Commission Counsel), Dr. Philemon Kiprono, PhD (Head, Research & Policy Analysis),



Joshua Mwiranga (Deputy Director, Performance Management), Simon Ojala, (Deputy Director, Governance and Ethics), Habel Shiloli, (Assistant Director, Public Communication), Francis Lemarkat (Assistant Director, Governance and Ethics), Andrew Njogu (Assistant Director ICT), Joseph Kenei, (Assistant Director, Planning), Jacob Gumba, (Assistant Director, Monitoring and Evaluation), Kihiu Mugo (Assistant Director, Governance and Ethics) and Evelyn Adhiambo (Principal HRM&D Officer), Catherine Muthoni (Administrative Secretary), Gwyn Malik (Clerical Officer).

Special thanks to the leadership of the Commission's secretariat, human resource/capital departments in public institutions and other line stakeholders who supported the report preparation processes.

Dr. Simon K. Rotich, EBS, CBS
Commission Secretary/ CEO
PUBLIC SERVICE COMMISSION

A TRIBUTE TO THE FORMER CHAIRPERSON - THE LATE STEPHEN K. KIROGO, CBS

The Public Service Commission lost the Chairman, Stephen Kinyanjui Kirogo on Friday, May 14 2021. Having joined the Public Service Commission in August 2018, the late Kirogo was at the helm for barely three years.

On January 17 2019, Kirogo welcomed on board the current Vice-Chairperson and seven Commissioners to constitute the full board.

In a rare demonstration of understanding of the Constitutional spirit that vests power in the Kenyan people, Kirogo sought to put the citizen at the centre of the Commission's activities and service delivery focus by public institutions.

From the onset, he made clear the strategic direction that he envisaged for the Commission and the public service in general. Driven by his mantra of *"Reform-Perform-Transform,"* Kirogo championed a citizen-centric public service and further institutionalized it in the Public Service Commission's Strategic Plan 2019-2024.

For the 29 months that the late Kirogo worked with the current board, the Commission registered several milestones. As a priority, the Commission developed the Strategic Plan 2019-2024 and launched it in September 2019, with the vision to have A Citizen-Centric Public Service.

Kirogo showed genuine interest in people irrespective of their social status and had a heart for humanity. He was able to discern issues affecting people, especially those who did not have a voice, and would often surprise them with solutions to their challenges. Through this virtue, he led the Commission into working with the National Treasury to reduce the pension payment backlog of 40,000 files through a Rapid Results Initiative (RRI) approach. According to Kirogo, behind those files were names, faces and families. He stressed that it was insensitive to let retired officers who had served the country diligently live miserably in retirement and even die before receiving their dues.

Kirogo had a passion for the youth. Through his initiative, the Commission sought funding that enabled the rolling out of the Public Service Internship Programme (PSIP) to address the unemployment plight of the youth. Through the programme launched in October 2019, the government has engaged and



The late Stephen Kirogo addressing the inaugural cohort of interns in October, 2019

groomed thousands of young graduates to expand their potential for employability in the public and private sectors.

Kirogo's ability to network was so impressive that he comfortably worked with the Executive, the Legislature, the Judiciary, other government agencies and even beyond-border agencies to achieve the desired goals for the Commission and the entire public service.

He initiated collaboration with Korea's International Youth Fellowship (IYF) on Mindset Change, eventually leading a Kenyan delegation to participate in a mindset education Programme in Seoul, South Korea, from 15th to 21st November 2019.The nine-member team that he led comprised officials from the Public Service Commission, the National and the County Governments.

Kirogo knew what the Commission needed to do that would have the ripple effect of improving public service delivery in line with the Citizen-Centric focus. He led the Commission to start rebranding to be more responsive to the citizens and developed a logo inscribed with *"Honour, Commitment and Trust."*

The Commission further rolled out a staff motivation programme to address staff stagnation and succession management; hence promoted officers at the Public Service Commission and the entire civil service.

Kirogo introduced the Directorate of Performance and Service Delivery Improvement at the Commission, which has been instrumental in supporting public institutions to improve service delivery through the Business Process Re-engineering (BPR) approach.

He further envisaged a citizen service call centre that would link citizens and the government's services by facilitating access and real-time responses to citizens' concerns.

Kirogo's reform agenda was a great pillar in the achievement of compliance with the Values and Principles in Articles 10 and 232 of the Constitution.

His legacy lives on. May his soul rest in peace.



Dr. Joseph Kinyua, Head of Public Service signs the condolence book for the late Chairperson of the Public Service Commission, Stephen Kirogo on 17th May, 2021 at the Public Service Commission in Nairobi. Looking on is the Vice-Chairperson, Charity Kisotu.

THE COMMISSION



CPA Charity S. Kisotu, CBS,
Vice Chairperson



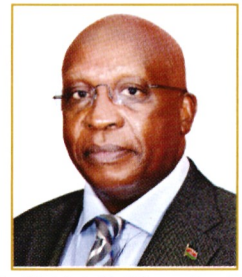
Dr. Joyce K. Nyabuti, PhD, MBS
Commissioner



Amb. Salma A. Ahmed, MBS
Commissioner



Ms. Joan A. Otieno, MBS
Commissioner



Amb. Patrick S. Wamoto, EBS
Commissioner



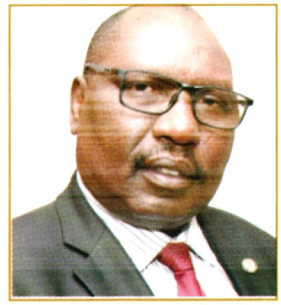
Dr. Mary C. Mwiandi, PhD, MBS
Commissioner



Mr. Andrew M. Muriuki, MBS
Commissioner



Dr. Reuben K. Chirchir, PhD, MBS
Commissioner



Dr. Simon K. Rotich, EBS, CBS,
Commission Secretary/ CEO

EXECUTIVE SUMMARY

This report presents the status of the public service compliance with the values and principles in Articles 10 and 232 of the Constitution in the financial year 2020/2021. The report has been prepared pursuant to the requirements of Articles 234 (2)(h) which obligates the Commission to evaluate, and, report to the President and Parliament the extent to which the values and principles in Articles 10 and 232 of the Constitution have been complied with in the public service.

The Commission discharges this mandate directly or through the delegated powers to authorized officers in Ministries, Departments and Agencies (MDAs). In discharging the mandate, the Commission is guided by the Constitution, Public Service Commission Act of 2017, Public Service (Values and Principles) Act, 2015, and other relevant legislation, policies and guidelines of government.

The national values and principles of governance in Article 10 bind all state organs, state officers, public officers and all persons whenever they apply or interpret the Constitution; enact, apply or interpret any law; or make or implement public policy decisions. While the values and principles of public service in Article 232 apply to public service in all State organs in both levels of government; and all State corporations.

"The Framework for Implementation of Values and Principles, in Articles 10 and 232 of the Constitution in the Public Service, 2015" effectively anchor and mainstream values and principles in the activities of all actors by providing preconditions for performance, performance standards, performance indicators, performance monitoring, evaluation and reporting on the values and principles.

Compliance requirements are met in the process of adherence to the law. Compliance also happens when public service institutions discharge their mandates effectively through a citizen responsive transactional environment. Compliance, therefore, occurs at three levels; the first level of compliance is when the government develop the legislative, policy, and regulatory framework for the institutionalization of values and principles in the public service which include the establishment of performance measures and mechanisms for implementation and enforcement.

The second level of compliance is when the public institutions mainstream the values and principles into their business processes and other promotional strategies. The third level of compliance is when public officers uphold the values and principles in the day-to-day delivery of public services.

Compliance with values and principles was assessed through an annual evaluation targeting public institutions under the jurisdiction of the Commission. The evaluation was conducted at two levels namely the institutional and the public officer level who render public services. A compliance survey was done using an online questionnaire that captured both qualitative and quantitative information. In addition, an institution-specific questionnaire was administered to 31 Oversight institutions. Data submitted by the oversight institutions was used to triangulate data submitted by the public institutions.

The compliance evaluation covered six service sectors comprising 506 public institutions as follows:

- Constitutional Commissions and Independent Offices;
- Ministries and State Departments;
- State Corporations and Semi-Autonomous Government Agencies (SAGAs);
- Public Universities;
- Statutory Commissions and Authorities; and
- Technical and Vocational Education Training Institutes.

Article 10 on National Values and Principles of Governance has 19 values and principles while Article 232 on values and principles of public service has 9 values and principles. These values are inter-related and interconnected to the extent that implementation of one value impacts on another. For instance, promotion of inclusion in Article 232 will lead to promotion of national unity in Article 10. For purposes of promotion and evaluation,

the Commission clustered similar and inter-related values and principles into seven thematic areas as follows:

i) Service Delivery Improvement;
ii) High Standards of Professional Ethics in the public service;
iii) Good Governance, Transparency and Accountability;
iv) Performance Management;
v) Equitable Allocation of Opportunities and Resources;
vi) Public Participation in policy making process; and
vii) Efficiency, effectiveness and economic use of resources and sustainable development.

The Commission conducted the survey in all public institutions under its purview out of which 426 responded, representing 84%. Since this is an activity mandated by the Constitution, it is recommended that the institutions which did not respond to the survey should be sanctioned and asked to explain why they did not comply.

Institutions were evaluated for status of compliance in all the seven thematic areas. The institutions demonstrate compliance through implementing the activities as provided in law and regulations as per the values and principles. The evaluation registered both positive and negative results in all thematic areas. The details on the findings are presented in chapters three and four.

The status of compliance is presented as a compliance index which is a measure of the extent to which an institution has complied with the values and principles. The index scores ranged from 0% to 100% where 0% represents non-compliance and 100% represents full compliance.

The overall compliance index for all institutions evaluated for the seven thematic areas was 40%. This was a slight decline of 2.3% compared to the 2019/2020 period. There was a decline in all the sectors with Statutory Commissions and Authorities recording the highest decline of 5.4%. The best performing sector was Public Universities while the least performing sector was Ministries and State Departments.

The top 10 best performing institutions in terms of compliance were: Water Sector Trust Fund, Kenya Revenue Authority, National Council for Population and Development, Kenya Literature Bureau, Kibabii University, Competition Authority of Kenya, State Department for Cooperatives, Kenya Electricity Transmission Company Limited, Konza Technopolis Development Authority and Ewaso Ng'iro South Development Authority.

Performance under each thematic area was also evaluated. Performance index for service delivery improvement was determined using eight indicators. The overall performance index was 49.1%. Majority of institutions (89.3%) had not sensitized their staff on social media engagement, while the websites of majority of institutions (64.5%) could not be accessed by visually impaired persons. Many institutions had not created awareness to citizens on the provisions of their service charters.

Performance index for good governance, transparency and accountability was determined using six indicators. The overall performance index was 46.3%. Constitutional Commissions and Independent Offices had the highest performance index (78.6%) while Ministries and State Departments had the lowest performance index.

Performance index for high standards of professional ethics in the public service was determined using four indicators. The overall performance index for this thematic area was 58%. Majority of the institutions evaluated had a Code of Conduct and Ethics. However, most of the codes used by institutions were not aligned to the ones prescribed by the respective responsible commissions. Public Universities had the highest performance index at 63.4%, while Ministries and State Departments had the lowest performance index at 49.8%.

Performance index for public participation in policy making process was measured using one indicator. The overall performance index for this thematic area was 17.6%. Majority of the institutions evaluated had not customized Public Service Commission guidelines for public participation in policy formulation, 2015.

Performance index for Efficiency, effectiveness and economic use of resources and sustainable development was measured using five indicators. The overall performance index for this thematic area was 52.4%. Majority of institutions had not prepared a board of survey report. Constitutional Commissions and Independent offices had the highest performance index (66.3%) while Ministries and State Departments had the lowest performance index (43.6%).

Performance index for performance management was measured using twelve indicators. The overall performance index was 27.9%. Majority of the public institutions evaluated had current strategic plans

published in the websites. Majority of the public institutions had not undertaken training impact assessment and workload analysis. Majority of the institutions did not have Human Resource Plans and coaching and mentoring policies. Performance management committees were not active in majority of the institutions. Majority of the institutions evaluated were medium achievers implying that there was need to put in place stringent measures to improve both individual and organizational performance.

Performance index for equitable allocation of opportunities and resources was measured using five indicators. The performance index was 28.1%. The proportion of ethnic communities represented in organizations was low. The gender representation at all levels in the public service does not meet the Constitutional requirements of not more than two-thirds be of the same gender. The female gender was not well represented at higher levels. The representation of PWDs in the service did not meet the 5% Constitutional requirement. Majority of the organizations had transcribed their documents into braille. The performance index in each category shows that on issues of diversity in the public service i.e. ethnicity, gender and disability representation was medium implying that affirmative action should be implemented by all institutions in order to improve the levels of representation.

The trend comparison on performance indices for the years 2018/2019 and 2019/2020 of the seven thematic areas indicate that there was improvement in four thematic areas namely, high standards of professional ethics; good governance transparency and accountability; public participation in policy making and Efficiency, effectiveness and economic use of resources and sustainable development. The other three thematic areas regressed with the highest regression being realised in service delivery improvement (-14.3%). This decline could be attributed to many factors including the Covid-19 pandemic and resultant close-down in the better part of the year 2020.

Arising from the findings, several cross-cutting and institution specific recommendations are proposed. The desire is to ensure that values and principles which are entrenched in the Constitution are mainstreamed in all activities of government so that citizens get quality and timely services and public resources are utilized in a sustainable manner. The report further recommends that in order to realize a representative public service, institutions should develop and implement affirmative action programmes to redress gender, ethnicity and PWD gaps, thus promoting national cohesion.

It is also recommended that parliament fast-track the finalization of the Public Participation Bill and other relevant legislations and policies to entrench and support mainstreaming of values and principles of governance. To improve performance, public institutions should implement the Public Service Commission (Performance Management) Regulations, 2021. Additionally, the report recommends that the TVET Act, 2013 be amended to bring all the TVET tutors under one employer and that the staff establishment and organizational structures for TVETs be reviewed to facilitate staff and career succession management. In view of emerging work environment and challenges of Covid-19 pandemic, the Government should develop a policy on remote working and invest in ICT equipment and infrastructure to facilitate uptake of e-services. Specific recommendations and responsible actors are provided in chapter five.





1 INTRODUCTION

CHAPTER ONE

INTRODUCTION

1.1 Background Information

Article 234 (2) (h) of the Constitution obligates the Public Service Commission to evaluate and report to the President and Parliament on the extent to which the values and principles in Articles 10 and 232 are complied with, in the public service. This responsibility covers all public service institutions except those expressly exempted under Article 234(3). The responsibility is further expounded in the Public Service (Values and Principles) Act, 2015 which requires the Commission to prepare and submit a report to the President and Parliament by 31st of December every year. The report should include information regarding: the measures taken to promote the values and principles of public service; the progress achieved in the promotion of values and principles; the challenges faced in the promotion of values and principles; any recommendations for the progressive realisation of values and principles; and any other matter that may be relevant to the realisation of the values and principles of public service.

This Chapter outlines the background to the evaluation, description of the National Values and Principles of Governance and Values and Principles of Public Service, the legal and policy framework and the mainstreaming of values and principles in public institutions. The Chapter further describes the six service sectors covered and outlines the process taken in compliance evaluation.

This report is the ninth by the Commission since the promulgation of the Constitution. The first report which was issued in 2012/2013 provided the baseline on the state of the public service in light of the Values and Principles outlined in Articles 10 and 232 of the Constitution. The next two reports issued in 2013/2014 and 2014/2015 provided further baseline information. The Commission then developed *"A Framework for the Implementation of Values and Principles in Articles 10 and 232 of the Constitution in the Public Service"*. This framework provided a structured engagement in promotion, evaluation and reporting on the values and principles. In the 2015/2016 report, the Commission presented the performance indices which formed the basis of comparison of performance across service sectors. The 2017/2018 report evaluation exercise revised the thematic areas from nine to seven partly because the transitional arrangements from National to County governments had been concluded and therefore, the thematic area of devolution and sharing of power was dropped. The reports prepared from2015/2016 to-date have been done in conformity with the values and principles framework and the revised thematic areas.

This report presents the status of compliance to values and principles in the 2020/2021 financial year and further provides a comparative analysis of the performance over the years.

1.2 The Public Service Commission

The Public Service Commission is established under Article 233, with the mandate spelt out in Articles 234, 155(3)(a), 158(2)(3) and (4), 171(2), 230(2)(b) and 236 of the Constitution. The mandate includes establishment and abolition of offices, provision of competent human resource, promotion of good governance and ensuring efficiency and effectiveness in the provision of quality services in the public service, among others. The Commission is also mandated to evaluate and report to the President and Parliament on the extent to which the values and principles referred to in Articles 10 and 232 are complied with, in the public service. This mandate is discharged directly or through the delegated powers to authorised officers in Ministries, Departments and Agencies (MDAs).

In discharging the mandate, the Commission is guided by the Constitution, Public Service Commission Act of 2017, Public Service (Values and Principles) Act, 2015, and other relevant legislation, policies and guidelines. The Commission is led by a Board composed of the chairperson, vice-chairperson and seven members. The members of the Commission serve on a full-time basis for a non-renewable term of six years and enjoy a security of tenure.

1.3 The National Values and Principles of Governance

The national values and principles of governance in Article 10 of the Constitution promoted and evaluated in this report include: (a) patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people; (b)

human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized; (c) good governance, integrity, transparency and accountability; and (d) sustainable development.

These Values and Principles bind all state organs, state officers, public officers and all persons whenever they apply or interpret the Constitution; enact, apply or interpret any law; or make or implement public policy decisions

1.4 Values and Principles of Public Service

The values and principles of public service in Article 232 of the Constitution promoted and evaluated in this report include: (a) high standards of professional ethics (b) efficient, effective and economic use of resources (c) responsive, prompt, effective, impartial and equitable provision of services (d) involvement of the people in the process of policy making (e) accountability for administrative acts (f) transparency and provision to the public of timely, accurate information (g) fair competition and merit as the basis of appointments and promotions (h) representation of Kenya's diverse communities and (i) affording adequate and equal opportunities for appointment, training and advancement, at all levels of the public service, of (i) men and women; (ii) the members of all ethnic groups; and (iii) persons with disabilities.

The values and principles of public service apply to public service in— all State organs in both levels of government; and all State corporations. Parliament enacted the Public Service Values and Principles Act, 2015 to give full effect to this Article.

The extent to which institutions comply with the values and principles in Articles 10 and 232 of the Constitution is of great importance. This is because the values and principles regulate the conduct of public officers, and are therefore the foundation for good governance and citizen-centric service delivery.

1.5 Legal and Policy Framework

To complement the constitutional provision on national values and principles of governance in Article 10 and values and principles of public service in Article 232, Parliament has enacted various legislation, policies and regulations.

a) Legislation

The legislation which assists in the implementation and mainstreaming of Articles 10 and 232 include the:

i). Public Officer Ethics Act, 2003 which guides the conduct of public officers by providing a Code of Conduct and Ethics for public officers and requiring Declaration of Income, Assets and Liabilities (DIALs) by public officers;

ii). Leadership and Integrity Act, 2012 that gives effect to, and establishes procedures and mechanisms for the effective administration of Chapter Six of the Constitution;

iii). Public Service (Values and Principles) Act, 2015 that gives effect to the provisions of Article 232 of the Constitution regarding the values and principles of public service. The Act provides standards to be observed in promoting the values and principles of public service; it prescribes what amounts to meaningful public participation in the promotion of the values and principles and policy making process. It also requires service commissions to report on the status of compliance with the values and principles of public service;

iv). Public Service Commission Act, 2017 which makes further provisions as to the functions and powers, and the administration of the Public Service Commission established under Article 233 of the Constitution;

v). Access to Information Act, 2016 which gives effect to Article 35 of the Constitution. It prescribes measures that will facilitate the citizens' exercise the right to access information held by the government. The implementation of this Act promotes the principle of transparency and accountability;

vi). Public Finance Management Act, 2012 which specifically sets the standards to ensure efficient, effective and economic use of resources;

vii). Proceeds of Crime and the Anti-Money Laundering Act, 2016 which prescribes measures for identifying, tracing, freezing, seizure and confiscation of proceeds of crime among others;

viii). Public Procurement and Asset Disposal Act, 2015 which provides for public procurement, and the retention and disposal of public property, in accordance with the principles of good governance, namely accountability, transparency, integrity and value for money, efficiency, fairness, equity and public confidence; local industry development, sustainable procurement and sustainable development; and

ix). Fair Administrative Action Act, 2015 which give effect to Article 47 of the Constitution which requires administrative actions to be concluded expeditiously and fairly. The Act prescribes measures that facilitate timely conclusion of administrative actions while giving affected parties a right to be heard.

These legislations have various accompanying regulations, procedures, codes and instruments respectively for effective implementation.

b) Policies

The National Values and Principles of Governance Policy, Sessional Paper No. 8 of 2013 gives effect to Article 10. The broad objective of the policy is to operationalize and institutionalize National Values and Principles of Governance as enshrined in the Constitution. The policy provides general guidelines to government, non-state actors and citizens to develop action plans to mainstream the National Values and Principles of Governance, into their day-to-day programmes and activities. This will ultimately ensure that the shared values become a way of life for the people of Kenya.

The expected policy outcomes and impact include enhanced sense of national identity, engaged, productive and motivated youth, empowered citizens, increased labour productivity, ethnic harmony, adoption of national culture, enhanced political and social stability, equitable distribution of resources and opportunities, reform of public institutions to respect human rights and fundamental freedoms, enhanced fiscal discipline in the management of public resources, optimal utilization of state resources, prudent management of land and natural resources, increased food security and higher life expectancy. The expected impact envisages substantial and timely attainment of Vision 2030, sustained compliance with the Constitution and entrenched constitutionalism.

"The Framework for Implementation of Values and Principles, in Articles 10 and 232 of the Constitution in the Public Service, 2015" effectively anchor and mainstream values and principles in the activities of all actors by providing preconditions for performance, performance standards, performance indicators, performance monitoring, evaluation and reporting on the values and principles.

Other policies that guide and inform the promotion, compliance evaluation and reporting on values and principles include the Kenya Vision 2030; Public Service Commission Diversity Management Policy 2015; the Human Resource Policies and Procedures Manual 2015; the Public Service Commission Rewards and Sanctions Policy 2015; the Public Service Commission Training Policy 2015; the Public Service Commission Code of Practice for Mainstreaming Disability in the Public Service, 2010; the Access to Government Procurement Opportunities (AGPO) 2019; the Buy-Kenya Build-Kenya Strategy 2017; the Big Four Agenda; the Commission for Revenue Allocation Policy 2018.

1.6 Implementation of Values and Principles

The Framework for Implementation of Values and Principles provide strategies for the implementation of values and principles in the public service. These include awareness creation; mainstreaming of the values and principles into the service delivery processes; training programmes; awards and commendations; setting of citizen service delivery standards in a citizen service charter; performance contracting; budgetary provisions and measures and mechanisms for enforcing compliance.

a) Measures Taken

The National Values Policy and the Framework for Implementation of Values and Principles enumerate various strategies that may be used to promote the values and principles. The strategies include awareness creation, training, performing arts, education, performance contracting, citizen service charters, mainstreaming into organisation business processes, use of information, education and communication materials, campaigns, advertisements and publicity, awards of honours, and commendations, collaborative ventures with stakeholders, infusion into government programmes and policies and equitable distribution of resources and opportunities.

b) Monitoring of compliance to Values and Principles

Compliance with values and principles is assessed through an annual evaluation targeting public institutions under the jurisdiction of the Commission. The evaluation is undertaken through an online survey. The information submitted in this self-reporting process is triangulated with secondary information from other oversight institutions.

c) Challenges to Implementation of the Values and Principles

The Framework for Implementation of Values and Principles identifies various preconditions for

performance that each public institution needs to put in place to perform. These include putting in place legislative, policy, regulatory and institutional frameworks and development or review of various business processes. Failure to effect recommended measures may in themselves be impediments to the successful implementation of the values and principles. Some of the key challenges in the implementation of values and principles include: inadequate sensitization on ethics and integrity, absence of an approved framework for lifestyle audit, delay in finalization of corruption-related cases, duplication of functions and roles, low compliance with the 5% constitutional requirement for PWD representation, low compliance on ethnic proportionate representation, weak enforcement of AGPO policy, non-existence and weak implementation of service delivery charters in some institutions, weak implementation of performance agreements, and lack of a national government public assets and liabilities register among others.

1.7 Compliance levels

Compliance requirements are first and foremost met in the process of adherence to the law. Compliance also happens through the transactional environment of the public service institutions and the discharge of their mandates; the public officers rendering services in the institutions and the citizens who are the recipients of public services. Compliance occurs at three levels.

The first level of compliance is when the government develop the legislative, policy, and regulatory framework for the institutionalization of values and principles in the public service. These include the establishment of performance measures and mechanisms for implementation and enforcement. Once this is done, the infrastructure for the implementation of values and principles is established.

The second level of compliance is when the public institutions mainstream the values and principles into their business processes and other promotional strategies including compliance enforcement.

The third level of compliance is when public officers uphold the values and principles in the day-to-day delivery of public services.

Compliance evaluation is conducted at two levels namely the institutional and the public officer level who render public services. The citizens are however the best judges on whether or not the values and principles are complied with, in the public service.

The Framework for Implementation of Values and Principles envisaged a formulation of an overarching citizen service delivery charter wherein the values and principles are mainstreamed in service delivery processes and an annual assessment of compliance is undertaken through a citizen satisfaction survey. The Commission has commenced the development of a citizen service delivery charter that will complement the current framework by placing the citizen at the centre of compliance evaluation and reporting processes.

1.8 Sectors Evaluated

The compliance evaluation targeted six service sectors comprising 506 public institutions as follows:

i) The Constitutional Commissions and Independent Offices

These are some of the Chapter 15 commissions and independent offices established by the Constitution. Nine commissions and two independent offices fall under the jurisdiction of the Public Service Commission with regard to promotion and evaluation of values and principles. These are the Independent Offices of the Auditor-General and Controller of Budget; the Commission for Administrative Justice; Ethics and Anti-Corruption Commission; Independent Electoral and Boundaries Commission; Kenya National Human Rights Commission; Gender and Equality Commission; National Lands Commission; Salaries and Remuneration Commission and Commission for Revenue Allocation. The compliance evaluation targeted 11 Independent Offices and Commissions out of which 8 responded.

ii) Ministries and State Departments

Ministries and State Departments are established by the President under Article 152 of the Constitution. The President establishes state departments through executive orders from time to time. The State Departments are currently 49 and include the Office of the Attorney General. The Commission has appointed Cabinet Secretaries and the Attorney General as Authorised Officers and delegated some of its human resource functions to be discharged on its behalf for officers in CSG 8 and below. The State Departments are under the administration of a Principal Secretary/Solicitor General. All the ministries and state departments responded to the survey.

iii) State Corporations and Semi-Autonomous Government Agencies (SAGAs)

The State Corporations are established by the President in accordance with Part II Section 3 of the State Corporations Act, Chapter 446 of the Laws of Kenya. The 2020/2021 compliance evaluation targeted 201 State Corporations and SAGAs out of which 166 responded.

iv) Public Universities

Public Universities are established under the Universities Act, No. 42 of 2012. Under section 3(1) (J and K) and (2) of the Act, a public university is expected to, among others, promote gender balance and equality of opportunity among students and employees; provide equal opportunities to persons with disabilities, minorities and other marginalized groups. Also, the university is required to enhance equity and accessibility of its services; promote inclusive, efficient, effective and transparent governance system and practices; and maintain public trust. Further, the university is expected to ensure sustainable development by adopting best practices in management and institutionalization of systems of checks and balances; promoting private-public partnership in education and development; and institutionalizing non-discriminatory practices in its operations. The compliance evaluation targeted 39 public universities out of which 33 responded.

v) Statutory Commissions and Authorities

Some Statutory Commissions and Authorities are established by the government to discharge specified duties and responsibilities. There are eight such institutions that were targeted in the evaluation. These are the Office of the Director of Public Prosecutions, Office of the Registrar of Political Parties, Inter-governmental Relations Technical Committee, Council of Governors, Kenya Law Reform Commission, Independent Policing Oversight Authority, National Cohesion and Integration Commission and Office of the Data Protection Commissioner. The evaluation targeted 8 statutory commissions and authorities out of which 6 responded.

vi) Technical and Vocational Education Training Institutes

The establishment of Technical and Vocational Education Training Institutes (TVETs) in the country started in 1949 and by 1963, when Kenya attained independence, the institutions were nine. Between 1964 and 2002, the number of institutions increased by three to 12. From 2013, there has been an exponential rise of TVET institutions due to a shift in policy by the government which emphasized technical training. Between 2014 and 2021, the TVET institutions increased by 122 to 164 of the reporting institutions.

The Technical and Vocational centres came into being after the enactment of the Technical and Vocational Education Training Act, 2013 while technical training institutes had been established under the Education Act, Cap 211. The Technical Training Institutes are recognized under Section 58 of the TVETA Act. Although they are named differently, the training they provide is the same. National polytechnics on the other hand were established through various orders issued by the cabinet secretary for education.

In conducting the evaluation, the Commission excluded teacher training institutes except for Kenya Technical Teachers College (KTTC). The teacher training institutes were excluded because they fall under the Teachers Service Commission whereas KTTC which was included has been designated as the training institute for TVET tutors. The technical training function was transferred from the Teachers Service Commission (TSC) to the Ministry of Education Science and Technology as per Section (4) (2) of the TVET Act, 2013.

1.9 Compliance Survey

The establishment of Technical and Vocational Education Training Institutes (TVETs) in the country started in 1949 and by 1963, when Kenya attained independence, the institutions were nine. Between 1964 and 2002, the number of institutions increased by three to 12. From 2013, there has been an exponential rise of TVET institutions due to a shift in policy by the government which emphasized technical training. Between 2014 and 2021, the TVET institutions increased by 122 to 164 of the reporting institutions.

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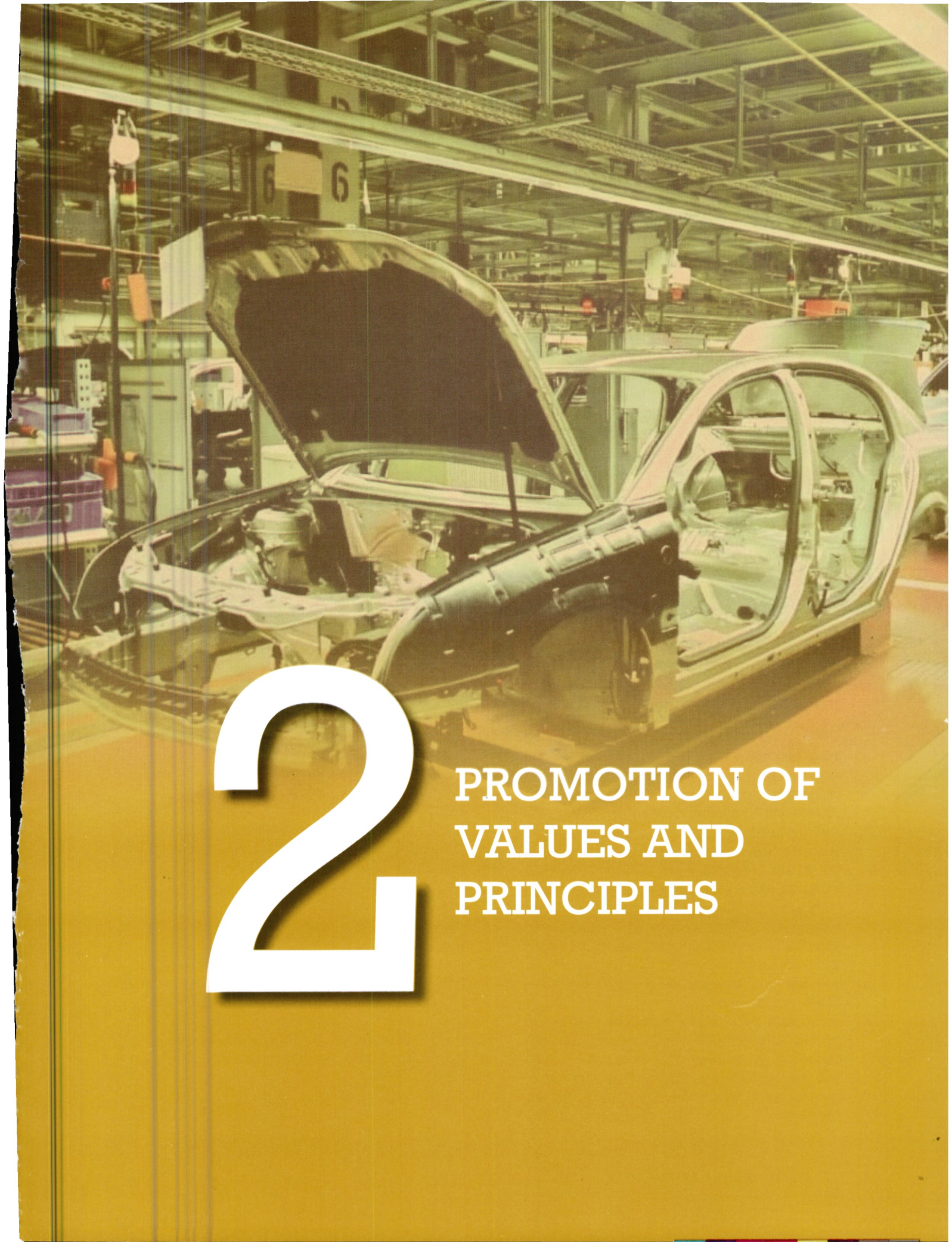
The Commission introduced TVETs as the sixth service sector in the evaluation to obtain baseline information regarding the values and principles. The evaluation targeted 198 TVET institutions out of which 10 National Polytechnics, 98 Technical and Vocational Centres and 56 Technical Training Institutes responded.



2 PROMOTION OF VALUES AND PRINCIPLES

CHAPTER TWO

PROMOTION OF VALUES AND PRINCIPLES

2.1 Introduction

The Public Service Commission is obligated to annually evaluate and report to the President and Parliament the extent to which the national values and principles of governance in Article 10 and the values and principles of public service in Article 232 of the Constitution have been complied with, in the public service. The promotion of values and principles of public service is therefore aimed at ensuring that all stakeholders identify with, commit to and feel responsible for agreed set of norms. This Chapter outlines the roles of various actors, strategies and measures taken by the Commission and the evaluated institutions to promote the values and principles.

2.2 Role of Public Service Commission

The role of the Commission in the promotion and evaluation of values and principles in the public service is operationalized under section 63(1) of the Public Service Commission Act, 2017 and section 58 and 59 of Part VIII of the Public Service Commission Regulations, 2020 which provides that the Commission shall:

a) integrate the values and principles in the regulations, procedures, policies and instruments for delivery of the Commission's powers and functions;
b) inform and educate public officers and the public about the values and principles to practise the values and principles;
c) formulate and implement programmes intended to inculcate in the public officers and citizens' awareness of their civic responsibilities and appreciation of their duty to uphold the values and principles;
d) oversee the implementation and effectiveness of the programmes;
e) collaborate with other institutions working in the field of good governance, integrity and anti-corruption to promote and protect the values and principles of governance in public service;
f) assess and report on the public bodies' compliance with their obligations under international treaties and conventions on good governance, integrity and anti-corruption;
g) report or recommend to the President and Parliament on action taken or effective measures for promotion of the values and principles; and
h) perform such other functions as the Commission may consider necessary for the promotion and protection of the values and principles.

The responsibilities mentioned above are implemented directly or through delegated authority by the Authorised Officers and Public Officers. The specific measures taken by the Commission to promote the values and principles include:

a) overseeing the implementation of recommendations made by the Presidency and Parliament;
b) building institutional capacity both internal and external necessary for the promotion, compliance evaluation and reporting on the values and principles;
c) developing and disseminating policy framework for the implementation of the values and principles;
d) inclusion of values and principles in the criteria for appointments, promotions and removals from the public service;
e) developing and disseminating the Public Service Code of Conduct and Ethics, 2016;
f) setting of the performance standards and indicators on values and principles;
g) establishing institutional linkages for implementation of the values and principles;
h) developing strategies for the promotion of values and principles;
i) developing a criterion for the evaluation of values and principles;
j) developing a reporting framework for the values and principles;
k) establishing a system for celebrating and honouring value-carriers and value-drivers through recognition, commendation and awards; and
l) hosting of a national conference once a year to stimulate national dialogue on various thematic areas.

2.3 Role of the Authorised Officer

The role of the Authorized Officer in the promotion, evaluation and reporting on the implementation of values and principles include:

a) disseminating and implementing of the values and principles policy framework;
b) establishing and facilitating the human resource management committee;
c) appointing and training of link person for the implementation of the values and principles;
d) inclusion of values and principles into the criteria for appointment, promotions and removal from the public service;
e) identification of value-carriers and value-drivers in the organization;
f) mainstreaming of the performance standards and indicators on values and principles into the organizational business processes;
g) mainstreaming of the values into the strategic plan and client service delivery charter;
h) mainstreaming of the values into the performance management system including performance appraisals;
i) mainstreaming of the Public Service Code of Conduct and Ethics into the organizational business processes;
j) identifying and recommending staff through a participatory process for recognition, reward, commendation and honours for exemplifying the values and principles;
k) reporting to the Commission on a quarterly, bi-annual and annual basis on the implementation of the values and principles including measures and activities on promotion of values and compliance evaluation; and
l) participating in the national conference on values and principles of the public service.

2.4 Role of Public Officer

A Public Officer is expected to:

a) respect, uphold and promote the values and principles;
b) be a value-carrier and value-driver;
c) support, encourage and respect others who exemplify the values in their day-to-day work;
d) respect and abide by the Public Service Code of Conduct and Ethics, 2016;
e) respect and be guided by the organizational citizen service delivery charter;
f) deliver on all the departmental and individual performance targets;
g) maintain high standards of decorum, civility and courtesy in the discharge of public duty;
h) act in a manner that does not bring self, organization and government into disrepute; and
i) report any violation of values and principles wherever and whenever detected.

2.5 Strategies for Promotion of the Values and Principles

The strategies for promotion of the values and principles are set out in the National Values and Principles of Governance Policy (Sessional Paper No. 8 of 2013) and the Framework for Implementation of Values and Principles, 2015.

The National Values Policy requires all public organizations to establish continuous training, awareness and dissemination programmes on the national values and principles of governance in a language understood by its staff, stakeholders and customers. Further, the Policy requires public officers to commit to continuous learning to advance knowledge and proper application of the national values and principles of governance. Consequently, institutions have continued to undertake diverse measures geared towards the promotion of values and principles.

The national values policy provides that promotion and inculcation of values be carried out in all the formal and informal institutions of learning. The policy further advocates for civic education to help students develop a reasoned commitment to fundamental values and principles necessary for the preservation and improvement of the Kenyan constitutional democracy. Civic education should aim at promoting values of hard work, courage, patriotism, national cohesion and integration.

The strategies for promoting the values and principles include awareness creation; training programmes; mainstreaming the values and principles into the curriculum and institutional business processes, citizen service delivery charter and the performance contracting platform; awards and commendations; budgetary provisions; compliance enforcement; recognition of value-carriers and values-drivers; public service entry requirements; and promotional manuals and materials among others.

The public institutions have undertaken various measures for the implementation of values and principles over time. Some of the measures are those prescribed under the constitution, legislation, policies and regulations.

2.6 Clusters of Values and Principles

Article 10 on National Values and Principles of Governance has 19 values and principles while Article 232 on values and principles of public service has 9 values and principles. These values are interrelated and interconnected. For instance, implementation of the value on efficient, effective and economic use of resources in Article 232 impacts sustainable development in Article 10. Similarly, the promotion of inclusion in Article 232 will promote national unity in Article 10. For purposes of promotion and evaluation, the Commission clustered similar and interrelated values and principles into seven thematic areas as follows:

i) Service Delivery Improvement;
ii) High Standards of Professional Ethics in the public service;
iii) Good Governance, Transparency and Accountability;
iv) Performance Management;
v) Equitable Allocation of Opportunities and Resources;
vi) Public Participation in policy making process; and
vii) Efficiency, effectiveness and economic use of resources and sustainable development.

2.6.1 Service Delivery Improvement

The values clustered under this theme include the following values from Article 10 namely: good governance; social justice; inclusiveness; human rights; human dignity; non-discrimination; and Protection of the marginalized. It also includes the following values from Article 232: public service values and principles of responsive, prompt, effective, impartial and equitable provision of services; high standards of professional ethics; efficient, effective and economic use of resources; accountability for administrative acts; and transparency and provision to the public of timely, accurate information.

Section 7(3) of the Public Service Values and Principles Act, 2015 anticipates public institutions to render services in accordance with the service charter of the institution. Further, the Section provides that service is delayed if it is not given in accordance with the service charter of the public institution. Section 5.5.7(v) of the National Values and Principles of Governance Policy (NV&PGP) requires public institutions to institute and comply with a citizen service delivery charter, which obligates individual public officers to commit to observe and uphold the provisions of the charter.

In compliance with these values, citizens expect accessible, timely and affordable services. The citizens also expect public officials to be qualified, well trained, competent and professional in the delivery of public services. The public service, therefore, is expected to continuously innovate on new ways of service delivery to meet the ever-rising expectations of the citizens. Such innovations involve a continuous review and automation of the business processes and the use of e-platforms in service delivery.

The service delivery innovations may require the development and review of service delivery tools such as service charters, grievance management procedures, provision of computers and accessories, IT connectivity, upskilling and reskilling and acceleration of uptake of technology by the public institutions and officers.

Public institutions are therefore obligated to develop and ensure adherence to service charters which indicate the type of service, commitments of the institution, expected delivery timelines and the cost of the service. Service delivery improvement is therefore promoted if institutions comply with the standards prescribed in their service charters.

The evaluation sought to establish the number of institutions with service charters, whether the charters are easily accessible to citizens and whether the charters are rendered in Kenyan sign languages such as braille. The evaluation also sought to establish whether institutions have put in place effective mechanisms for grievance handling and whether the business processes have been automated and migrated to e-platforms.

2.6.2 High Standards of Professional Ethics in the Public Service

The values clustered under this theme include the public service values and principles of efficiency, effectiveness and economic use of resources; accountability for administrative acts; and the national values and principles of governance of transparency and accountability; integrity; patriotism; and the rule of law.

Article 232(1)(a) provides for high standards of professional ethics. This is given effect through Section 5(3) the Public Service Values and Principles Act, 2015 that require public officers who are members of regulated professions to uphold high standards of professional ethics through compliance with the provisions of the relevant professional association regarding registration and continuing professional development; being bound by the code

of ethics of the relevant professional association; and undergo such disciplinary action of the relevant professional association and by the public service for any act of professional misconduct.

The other standards that the officers are required to comply with are prescribed in the Public Officer Ethics Act, 2003 (POEA) and the Leadership and Integrity Act, 2012 (LIA). All public officers and state officers are required to commit to the leadership and integrity code and the public service code of conduct and ethics respectively. The codes prescribe general ethical standards for professionalising the public service.

High standards of professionalism are therefore promoted if the public officers comply with the standards established in the above legislation alongside others that govern the members of various regulated professions. These professions are established by statute and are held to high standards of performance and responsibility. There were 29 regulated professions represented in the public service as at 30thJune, 2021.

Public service institutions are expected to comply with the values under this thematic area by maintaining an inventory of regulated professionals, supporting the professionals to undergo continuous professional development, ensuring they are in good standing by complying with their professional code of practice. Further, institutions are expected to budget for integrity training and ensure that all public officers comply with the public service code of conduct and ethics.

2.6.3 Good Governance, Transparency and Accountability

Article 232(1) (e) and (f) requires public institutions and officers to observe transparency and accountability in the discharge of their mandates. This is further amplified under Section 9 of the Public Service Values and Principles Act, 2015. The Public Service Code of Conduct and Ethics, 2016 prescribes ethical standards including mechanisms for accountability and transparency such as the declaration of gifts and conflict of interests.

The values clustered under this theme include public service values and principles of transparency and provision to the public of timely, accurate information and responsive, prompt, effective, impartial and equitable provision of services while the national values and principles of governance comprise good governance; transparency and accountability; and the rule of law.

Good governance is the accountable exercise of power and authority. Article 10(2)(c) of the Constitution provide for values and principles of good governance, integrity, transparency, and accountability. Other provisions for promoting good governance practices are contained in various legislation and policies including the Public Officer Ethics Act, 2003, the Leadership and Integrity Act, 2012, Public Finance Management Act, 2012, Public Procurement and Asset Disposal Act, 2015, The Public Service Values and Principles Act, 2015, and the Fair Administrative Action Act, 2015.

The policies that promote good governance practices include the Human Resource Policies and Procedures Manual (2015), the Framework for Implementation of Values and Principles (2015), the Mwongozo Code for State Corporations (2015), the National Values and Principles of Governance Policy (2013).

Transparency also calls for compliance with Section 5 of the Access to Information Act, 2016. Public institutions are therefore expected to ensure ease of access to information. Without information, it is not easy for the public to hold public institutions to account. Consequently, the channels that are used by institutions for communication should have a wide reach.

Public institutions and officers are required to comply with mechanisms prescribed in policy and the law for promoting good governance, transparency and accountability. They are expected to realize this by committing to the code of conduct and ethics, declaring and recording gifts given to officers and given out by the institutions and declaring, recording conflicts of interest whenever they occur. Additionally, public officers are expected to make declarations of income, assets and liabilities as required under Part IV Section 26 of POEA, 2003.

2.6.4 Performance Management

The values clustered under this theme include public service values and principles of accountability for administrative acts; efficient, effective and economic use of resources; responsive, prompt, effective, impartial and equitable provision of services; transparency and provision to the public of timely, accurate information; and the national values and principles of governance of equality; equity; inclusiveness; national unity; non-discrimination; patriotism; protection of the marginalized; and social justice.

The values under performance management require institutional and individual employee performance

towards the achievement of the institution's strategic goals and objectives. The National Values Policy, 2013 and the Framework for Implementation of Values and Principles, 2015 recommend the use of a performance contracting platform as a mechanism for mainstreaming the values and principles into the organisation's business process and according to a significant weight on values and principles as a basis of assessing performance. The values and principles are promoted when they form part of the performance agreements for institutions and individual public officers.

For improved productivity and service delivery, human resources need to be continuously retooled and up skilled through continuous training. The training should be conducted in a structured manner based on training needs assessment and training projections in accordance with Section 56(1) (c) and (d) of the PSC Act, 2017. Public institutions are expected to create awareness and inculcate the values and principles to public officers during staff induction and in-service training programmes.

2.6.5 Equitable allocation of Opportunities and Resources

The values clustered under this theme include public service values and principles of representation of Kenya's diverse communities; fair competition and merit as the basis of appointments and promotions; affording adequate and equal opportunities for appointment, training and advancement at all levels of the public service of men and women; members of all ethnic groups and persons with disabilities and the national values and principles of governance of equality; equity; inclusiveness; national unity; non-discrimination; patriotism; protection of the marginalized; and social justice.

Equity is the proportionate sharing or allocation of resources and opportunities. The resources may include national revenue, development projects, social amenities and infrastructure, natural resources and land. Opportunities are both tangible and intangible benefits that accrue from the sharing of national resources such as employment opportunities, award of public tenders for the supply of goods and services, education, healthcare and social support programmes. Issues of equity and equitable appropriation of resources and opportunities are well catered for in various Articles of the Constitution.

Article 10(2)(b) of the Constitution prescribes the values and principles of equity, equality, non-discrimination, inclusiveness, human rights and protection of the marginalised. Article 232 (1) (c, g, h & i) prescribes the values and principles of impartiality, equitable provision of services, fair competition and merit as a basis for appointments and promotions, representation of Kenya's diverse communities and affording adequate and equal opportunities for appointments, training and advancement at all levels of the public service of men and women, members of ethnic groups and persons with disabilities

Article 27 (6) provides that the State shall take legislative and other measures, including affirmative action programmes and policies designed to redress any disadvantage suffered by individuals or groups because of past discrimination. Article 27(8) further provides that no one gender should constitute more than two-thirds of appointments. Section 10(2) of the Public Service Values and Principles Act, 2015 provide a framework for affirmative action for under represented groups in the public service.

Section 10(2) of the PSV&P Act, 2015 give effect to this constitutional requirement and provide that the public service, a public institution or an authorised officer shall ensure that public officers are appointed and promoted on the basis of fair competition and merit, however a public service may appoint or promote public officers without undue reliance on fair competition or merit in case of under representation on the diverse categories or groups.

Article 54 (2) provides that 5% of appointments should comprise persons with disabilities. Article 55 (c) provides that the state shall take measures including affirmative action programmes to ensure that the youth, access employment and Article 56(c) provides that the state shall put in place affirmative action programmes to ensure that minorities and marginalised groups are provided with special opportunities for access to employment.

Article 56 of the Constitution provide that the State shall put in place affirmative action programmes designed to ensure that minorities and marginalised groups: participate and are represented in governance and other spheres of life; are provided special opportunities in educational and economic fields; are provided special opportunities for access to employment; develop their cultural values, languages and practices; and have reasonable access to water, health services and infrastructure.

Article 227(2) of the Constitution calls for allocation of resources in an equitable manner. The Article provides that an Act of Parliament shall prescribe a framework within which policies relating to procurement and asset disposal shall be implemented and may provide for categories

of preference in the allocation of contracts; the protection or advancement of persons, categories of persons or groups previously disadvantaged by unfair competition or discrimination.

Article 204 of the Constitution establishes the equalisation fund which is 0.5% of the total revenue collected by the National Government based on the last audited accounts approved by the National Assembly. The National Government shall use the Equalisation Fund only to provide basic services including water, roads, health facilities and electricity to marginalised areas to the extent necessary to bring the quality of those services in those areas to the level generally enjoyed by the rest of the nation, so far as possible. This is one of the important measures in ensuring that the marginalised and minorities are protected and their socio-economic and political development is assured.

Article 57 provide that the State shall take measures to ensure the rights of older persons to fully participate in the affairs of society; to pursue their personal development; to live in dignity and respect and be free from abuse; and to receive reasonable care and assistance from their family and the State. All these constitutional provisions form the basis of equitable distribution of resources and opportunities. The government has developed a policy for the protection of vulnerable members of society which is operationalized under the social protection programme. The social protection programme makes provisions for registered older persons to get monthly stipends from the government which also extends to widows, orphans and persons with severe disabilities.

Public institutions are expected to comply with the values in this thematic area by ensuring that the staff composition complies with the two-thirds gender principle; 5% requirement for persons with disabilities; and proportionate representation of all ethnic groups. All public institutions are required to develop affirmative action programmes to address the gaps in their staff composition.

Part 2.4 of the National Values Policy guides on equitable distribution of resources. Inequalities undermine the people's sense of belonging, causes alienation, marginalization, promotes injustice and ultimately undermines national cohesion and unity. Some of the measures recommended to be taken include enhanced poverty alleviation programmes, promotion of equitable distribution of resources and opportunities, and the initiation and implementation of affirmative action for marginalized groups. This means public resources shall be distributed equitably as far as is practicable geographically taking into account diversity, population and poverty index.

The institutions are further expected to comply with the provisions of Access to Government Procurement Opportunities (AGPO) by setting aside 30% of their procurement budget. They are required to award tenders for the supply of goods and services to registered special groups of women, youth and persons with disabilities.

In addition, all public institutions are expected to comply with equitable distribution of job opportunities at all levels of the public service through the determination of diversity gaps and developing affirmative action programmes to redress the gaps.

2.6.6 Public Participation in Policy Making Process

The values clustered under this theme include; public service values and principles of involvement of the people in the process of policy making; accountability for administrative acts; responsive, prompt, effective, impartial and equitable provision of services; transparency and provision to the public of timely, accurate information. The national values and principles of governance include democracy and participation of the people; transparency and accountability; non-discrimination; protection of the marginalized; and the rule of law.

Public participation entails empowering the people to actively and effectively involve themselves in creating the structures, systems, policies, laws and programmes that serve the interests of all as well as effectively implementing and contributing to the development process and sharing the benefits equitably.

Article 10(1)(c) of the Constitution binds all persons whenever they are making or interpreting public policy decisions. Further, Article 10(2)(a) provide for values and principles of sharing and devolution of power and participation of the people and Article 232 (1)(d) provide for the values and principles of involvement of the people in the process of policy making.

Section 11 and 12 of the Public Service (Values and Principles) Act, 2015 further gives effect to these constitutional provisions which require the public service to facilitate public participation and involvement in the promotion of values and principles of public service. It also provides that the public service shall develop guidelines for the involvement of the people in policy-making. The Public Service Commission developed and issued to the service the Public Participation Guidelines, 2015. The guidelines

provide that the public is given adequate opportunity to review a draft policy; be heard by the makers of a policy; make comments on a draft policy; and be notified of the final draft of the policy and whether or not it incorporates their views. Institutions are expected to customize and implement the guidelines during the development of policies.

Public institutions are therefore required to customize and adhere to the public participation guidelines whenever they make or develop public policies. This includes stakeholder mapping, timely circulation of policy documents for public participation, meaningful stakeholder input through the choice of appropriate venue, time and facilitation, keeping of records, ensuring diverse representation of the participants, undertaking policy validation before approval, adoption and publication of the policy.

2.6.7 Efficiency, Effectiveness and Economic Use of Resources and Sustainable Development

Article 232 (1)(b) provide for the values and principles of efficiency, effectiveness and economic use of the resources. Section (6) of The Public Service Values and Principles Act, 2015 requires public officers to be efficient and effective in the utilization of public resources.

The values clustered under this theme include; public service values and principles of efficient, effective and economic use of resources and national values and principles of governance of sustainable development; good governance; integrity; and the rule of law.

In the context of this compliance evaluation, efficiency relates to the timeliness and cost-effectiveness of service delivery and implementation of government programmes and projects at planned cost. Effectiveness is the ability to attain planned results while economic use of resources relates to the prudent use of public resources.

The standards for efficiency, effectiveness and economic use of resources are prescribed in the Public Finance Management Act, 2012 (PFMA) and the regulations issued under it. Regulation 26(1) (f) of the Public Finance Management (National Government) Regulations, 2015 prescribes that development expenditure shall be at least 30% of the total budget. Apart from prescribing roles on the expenditure, the Act places obligations on different institutions with relation to the management of government assets.

Related to the issue of efficient, effective and economic use of resources is sustainable development. The government, as a way of stimulating local production and promoting industrialization, issued the Buy Kenya - Build Kenya Strategy. The strategy obligates public institutions to reserve 40% of the public procurement budget for locally produced goods and services. This promotes patriotism, national unity, human dignity, social justice and sustainable development.

Public institutions are expected to ensure compliance by adhering to the budget ratios of recurrent to development of 70:30 and operation and maintenance to personnel emoluments of 65:35. To ensure that the development projects are properly planned, the institutions are required to undertake feasibility studies for sustainability and obtain environmental impact assessment approvals. The development projects are expected to have start and completion dates and are completed at cost. This promotes the value and principle of economic use of resources.

Public institutions are further expected to operate with approved optimal staff levels based on workload analysis. This presupposes that all institutions have human resource development plans which guide the recruitment and selection, staff development, career progression, staff exits and succession management projections. Optimal staffing is critical in maintaining a sustainable public service wage bill and ensuring demand-driven recruitment and selection.

Public institutions are ultimately expected to have a favourable opinion from the Auditor-General in the annual audits and implement recommendations and directions from Parliament as the overall oversight authority.

2.7 Promotion of Values and Principles by Public Service Commission

The overall responsibility of promotion of values and principles in the public service rests with the Public Service Commission. The role of the Commission is further defined in the Public Service Commission Act, 2017 that assigns responsibilities regarding the promotion of values. The measures and activities implemented by the Commission to promote the values and principles during the evaluation period included:

i) Review of requests on the establishment of offices from Constitutional Commissions, Independent Offices, State Offices and County Public Services to align them to the mandates

of the institutions. A total of 47 organizational structures and staff establishments in 37 Ministries and Departments and 10 agencies were reviewed. The review of organizational structures is undertaken pursuant to Articles 232 (1)(b), 234(2)(a)(1) of the Constitution and Part IV of the PSC Act, 2017. Organizational structures facilitate efficient and effective management processes for the attainment of the organization's mandate.

ii) Leveraged ICT to improve service delivery in the Commission by establishing remote interview centres, automated shortlisting process and conducted virtual interviews. This reduced the cost of service delivery because the interviewees did not have to incur transport costs to Nairobi for the interviews.

iii) Appointed 15,937 officers out of which 8,522 were new appointments made in 49 MDAs through a competitive process while 7,415 were promotions. The appointments were made to ensure proper staffing of the service for efficient and effective service delivery. Of the 8,522 new appointments made, 4,125 (48%) were male while 4,397 (52%) were female. PWDs were 150 constituting 1.8% of the officers recruited. Of the 7,415 promotions, 4,431 (60%) were male, 2,984 (40%) were female while 49 (0.8%) were PWDs. The appointments improved gender, ethnic and PWD representation in the public service.

iv) Promoted 32,107 officers serving in various grades across 192 cadres in 38 MDAs under succession management programme, to address stagnation and gaps in grading structures. The promotions filled staffing gaps, improved retention and service delivery.

v) Re-designated 253 officers drawn from 32 cadres in various Ministries and State Departments.

vi) Promoted constitutionalism by ensuring compliance with relevant legislation and the Public Service Commission (Performance Management) Regulations, 2021.

vii) Trained 39 officers on Business Process Re-engineering (BPR), and reviewed business processes of three institutions namely Postal Corporation of Kenya, Directorate of Immigration Services and the State Department of Planning. In addition, the first wave of Rapid Result Initiative (RRI) in the Postal Corporation of Kenya was launched to enhance mail and courier distribution in the country.

viii) Partnered with other government agencies like Kenya Revenue Authority, EACC, Directorate of Criminal Investigation and Asset Recovery Agency to promote ethics and integrity in the public service. The Commission provided information on the Declaration of Income, Assets and Liabilities for 60 officers who were under investigation. This collaboration contributes to good governance, transparency and accountability.

ix) Developed and disseminated IEC materials on Values and Principles.

x) Publicized the key findings and recommendations of the 2019/2020 report on the Status of the Public Service Compliance with the Values and Principles in Articles 10 and 232 of the Constitution through the print media.

xi) Mainstreamed values and principles in the induction and in-service training programmes.

xii) Sensitized over 600 public officers on the evaluation of values and principles and the Declaration of Income, Assets and Liabilities.

2.8 Promotion of Values and Principles by Public Institutions

Promotion of values by public institutions was done through the implementation of various activities clustered into six areas namely: awareness creation; integration into business processes; capacity-building; media campaigns and advertisement; capacity-building of the officers on values and principles through training; use of information, education and communication materials amongst others. Several strategies were adopted for the promotion of values and principles by public institutions. These include the following;

a) Awareness Creation

Values and principles were promoted by the creation of awareness through:

i) Drama/role play/skits;
ii) Poetry/verse speaking;
iii) Use of cultural dances from diverse cultural groups;
iv) Spoken word;
v) Mimicry;
vi) Music and dance; and
vii) Religious groups, education institutions and local administration.

b) Mainstreaming into Business Development Processes

Mainstreaming values and principles in business development processes of respective institutions through various initiatives including:

i) Annual talent days/shows;
ii) Fresher's days/Fanfare days;

iii) Exhibition days;
iv) Club activities i.e. scouts, wildlife, debate, human rights and 4K clubs;
v) Values and principles messages printed on staff payslip;
vi) Science congress exhibitions with values themes;
vii) Organizational anthem with values messages;
viii) Sports Activities and tournaments with values themes;
ix) Motivational speeches with values messages;
x) Establishment of values committee to drive values promotional activities; and
xi) Essay writing competitions on constitutional values and principles.

c) Capacity-Building of Staff

Several capacity-building activities were undertaken to enhance the appreciation of values and principles by staff. These included:

i) Structured training on values and principles;
ii) Organized students talk shows;
iii) Held open talk forums (Kamukunji) to discuss various topical issues;
iv) Talks during morning parade/assembly sessions on values and principles; and
v) End of year parties with values and principle's themes.

d) Media Campaigns and Advertisements

Media was used as a vehicle for the promotion of values and principles to the public. Tools utilized included:

i) Road shows;
ii) Talk shows in FM radio stations and TV;
iii) Radio announcements;
iv) Newspaper adverts and supplements;
v) Publicity via organizational websites;
vi) Use of college bulletins and newsletters;
vii) Use social media campaign on college social media platforms – Facebook, Twitter, hashtags Twitter Handle, Instagram, YouTube;
viii) Use of documentaries;
ix) Videos and infomercials; and
x) Roadside screens.

e) Information, Education and Communication Materials

Public institutions provided information education and communication materials for the promotion of values and principles. These included the following:

i) Portraits placards, billboards, brochures, pamphlets, posters and fliers with messages on values and principles;
ii) Mainstreaming values through service charters;
iii) Branded merchandise such as T-shirts, caps, scarves, key holders, cups, calendars with



A Chief in Kajiado Central registering his residents for food Distribution (Photo by KNA)

messages on Values ingrained on them;

iv) Use of banners and signposts;

v) Animation videos;

vi) Provision of handbooks; and

vii) Provision of informative stickers to offices and public transport with messages on values and principles.

Other measures undertaken by the public institutions in promotion of values and principles included the following:

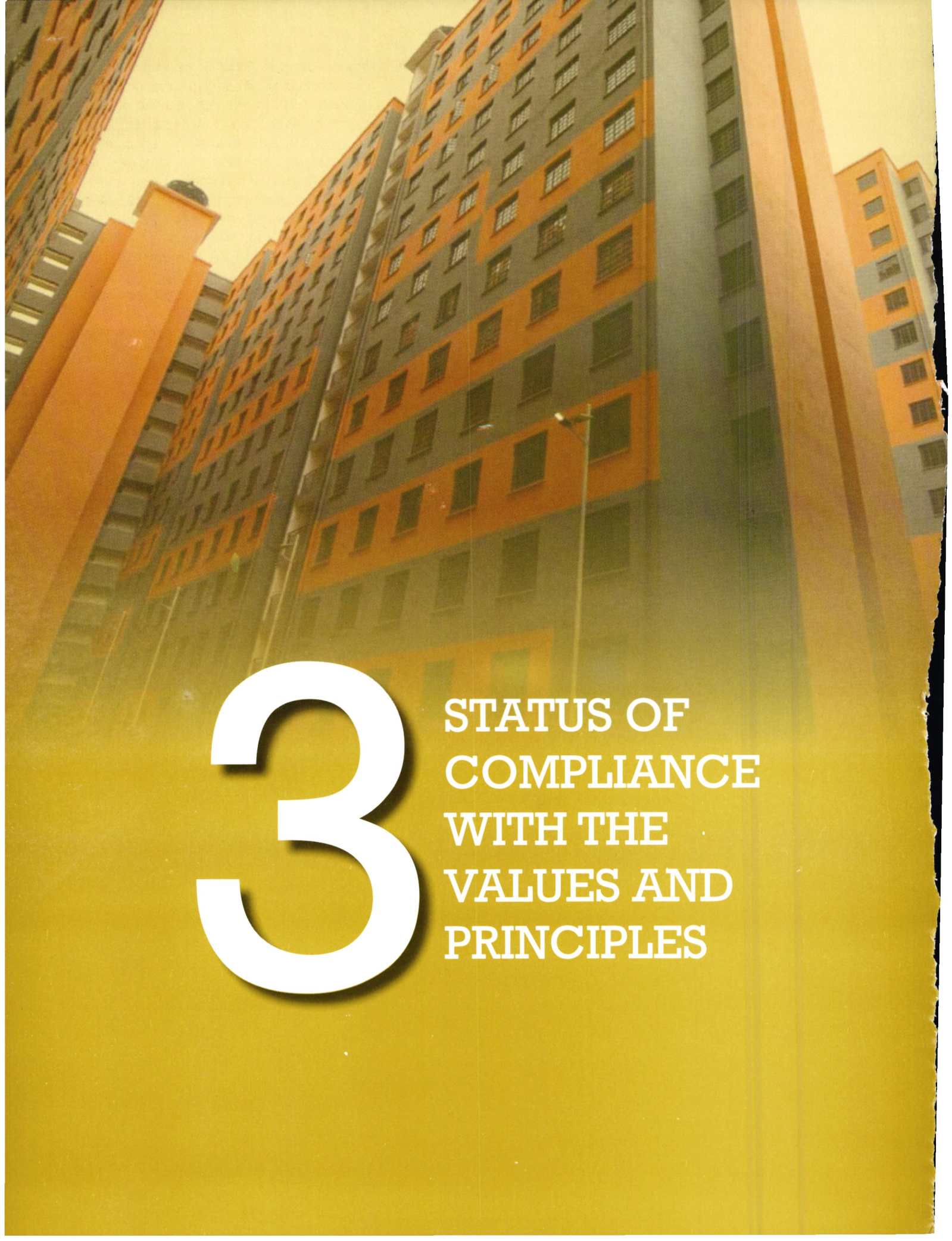
i) To address the value of equity, social justice and sustainable development institutions engaged in Corporate Social Responsibility (CSR) activities such as visits to prisons/ children's homes; donation of water tanks, planting of tree seedlings; organizing medical camps;and provision of sanitary pads, provision of sanitisers, disinfectants, food for the elderly, water pipes, masks, hand washing facilities, books, scholarships, laboratory equipment. Other activities included construction of classrooms, dams and boreholes;

ii) Awareness creation programmes for targeted groups e.g. youths and boda boda riders;

iii) Sponsorship of local musicians to produce songs with values messages, donation of dance costumes and assorted equipment;

iv) Participated in community barazas and gatherings; and

v) Sensitization during the annual customer service week.



3 STATUS OF COMPLIANCE WITH THE VALUES AND PRINCIPLES

CHAPTER THREE

STATUS OF COMPLIANCE WITH THE VALUES AND PRINCIPLES

3.1 Introduction

The Public Service Commission annually conducts a survey to assess the status of compliance of the public service to the values and principles in Articles 10 and 232 of the Constitution. This Chapter presents the findings and recommendations of the survey by thematic areas across service sectors.

3.2 Survey Response

The Commission administered survey questionnaires to all public institutions under its purview, which included 308 institutions in the five sectors and 198 Technical and Vocational Education Training institutes (TVETs). Two hundred and sixty-two institutions from the five sectors and 164 TVET institutions responded to the survey representing a response rate of 85% and 82.8% respectively (Table 3.1). Thirty-one TVETs and 46 institutions from the five sectors did not respond to the survey (Appendix I). The institutions did not give reasons for not responding.

Table 3.1: Response Rate by Service Sector

S/No	Service Sectors	No. of Institutions Targeted	No. of Institutions that Responded	Response Rate
1.	Constitutional Commissions & Independent Offices	11	8	72.7%
2.	Ministries and State Departments	49	49	100%
3.	Public Universities	39	33	84.6%
4.	State Corporations and SAGAs	201	166	82.6%
5.	Statutory Commissions & Authorities	8	6	75%
6.	TVETs	198	164	82.8%
Total		**506**	**426**	**84.1%**

Recommendation

Institutions that did not respond to the survey should be sanctioned and made to account for their non-compliance.

3.3 Compliance by the TVET Sector

The Government's heavy investment in the TVET sector has led to an accelerated increase in the number of TVETs from 42 in 2013 to 198 institutions by June 2021. However, this was not matched with capacity-building for effective service delivery.

3.3.1 Student Enrolment in TVET Institutions by Qualifications

The Technical Training Institutes (TTIs) had the highest number of enrolment (58%) followed by the National Polytechnics at 29%. The Technical and Vocational Colleges (TVCs) had the least enrolment at 13% although they accounted for 60% of the total institutions. This can be explained by the fact that the majority of the TVCs were established after the enactment of the TVET Act, 2013.

The qualifications of students enrolled in TVET institutions ranged from students with primary school certificates to those with degree certificates.

However, the highest number of students enrolled were of KCSE C (plain) and below. Although the TVCs had the highest number of institutions the student enrolment remained low at 12.7%. Some students with KCSE C+ enrolled for the TVET courses even though they qualified to join the university, implying that technical training is gaining preference over degree courses offered in the universities. The details on enrolment in public Technical and Vocational Education and Training institutions as of 30th June 2021 is presented in Table 3.2.

Table 3.2: Enrolment of Students in Public TVET Institutions by Qualification

Category	No. of Institutions	No. of Students by Levels of Entry Qualifications						Total No. of Students	% of Total
		Degree	Diploma	KCSE C+ and above	KCSE C (plain) and below	Primary Certificate	Below KCPE, Artisan & craft Certificate, Driving Certificate, CBETs)		
National Polytechnics	10	37	92	651	65,331	684	495	67,290	29.4
Technical & Vocational Colleges	98	4	1,574	783	21,098	5,205	491	29,155	12.7
Technical Training Institutes	56	1,519	12,198	4,587	98,239	7,129	8,790	132,462	57.9
Total	**164**	**1,560**	**13,864**	**6,021**	**184,668**	**13,018**	**9,776**	**228,907**	**100**
Percentage		0.7	6.1	2.6	80.7	5.7	4.3	100	

Recommendations

i) Establish the reasons for low enrolment in TVCs.
ii) Establish the pull factors contributing to students who qualify for university admission opting to join TVETs.

3.3.2 Staff Establishment

TVETs do not have authorised staff establishments and is therefore not possible to determine whether an institution is under or over-established. Authorised staff establishments facilitate the economic use of resources.

Recommendations

i) The TVET Authority Board should, under Section 18(2) (ii) & (v) of the TVET Act, 2013, review the structures to determine optimal staffing for the TVETs to have an authorised establishment. The Act mandates the Board to approve the governance and management structures and the number, qualifications and competence of the manager and trainers for the institutions.
ii) The Cabinet Secretary in charge of vocational and technical training should in accordance with the consent order recorded on 15th July 2019 propose amendments to the TVET Act to create an authority responsible for the appointment of TVET trainers.

3.3.3 Distribution of Staff

a) By the Appointing Authority

Members of staff in TVET institutions are appointed by 3 institutions namely: PSC, Board of Governors (BoG) and the Teachers Service Commission (TSC). The majority (51.5%) were appointed by the PSC while 48.2% were under the BoG/Councils (Table 3.3). The remaining 0.3% of the staff were still under the management of the TSC. Therefore, the tutors were serving under three different terms of service by different Boards. This scenario arises because all the TVETs are managed by a BoG/Council and initially under the TSC but have since been moved to PSC.

b) By Age

The majority of members of staff in TVET institutions representing 42.6% were youth aged between 20 and 35 years. Those aged between 36 and 45 years, and 46 to 55 years were 25.6% and 18.5% respectively. 5.9% of the staff were aged between 56 and 60 years while 0.47% were aged above 60 years as presented in Table 3.4.

Table 3.3: Distribution of Staff by Appointing Authority

Category	Total No. of Institutions	Total No. of Officers	Appointing Authority		
			PSC	BOG/Council	TSC
National Polytechnics	10	2,372	1,253	1,113	6
Technical Training Institutes	56	6,286	3,149	3,123	14
Technical & Vocational Colleges	98	2,523	1,361	1,158	4
Total	**164**	**11,181**	**5,763(51.5%)**	**5,394(48.2%)**	**24(0.2%)**

Recommendations

i) The Public Service Commission in consultation with the Salaries and Remuneration Commission (SRC) to harmonize the terms and conditions of service for the TVET staff as ordered by the High Court on 15th July 2019.

ii) The services of the 0.3% of TVET trainers who are still under the TSC be transferred to the PSC by March, 2021.

iii) PSC to review staff establishment and organization structures to facilitate staff and career succession management for TVET Institutions.

Table 3.4: Distribution of Staff by Age

Category	Total No. of Institutions	Total No. of Officers	Age Brackets					
			20-35 Years	36-45 Years	46-55 Years	56-60 Years	Above 60 Years	DoB Not Provided
National Polytechnics	10	2,372	749	607	541	203	10	262
Technical Training Institutes	56	6,286	2,565	1,701	1,269	391	28	332
Technical & Vocational Colleges	98	2,523	1,450	554	253	62	14	190
Total	**164**	**11,181**	**4,764 (42.6%)**	**2,862 (25.6%)**	**2,063 (18.5%)**	**656 (5.9%)**	**52 (0.5%)**	**784**

3.3.4 Acting appointment

All the administrators in TVET institutions were deployed by the State Department for Vocational and Technical Training, or the Board of Governors/ Councils and substantively appointed due to lack of an authorized establishment. Section 30(1) of TVET Act provides that a Principal of a public training institution shall be appointed by the responsible Cabinet Secretary on the recommendation of the BoG/Council following a competitive recruitment process. This procedure has not been complied with.

Recommendation

The Cabinet Secretary and BoG/Councils to comply with the law in the appointment of Principals of TVET institutions.

3.3.5 Service Delivery Improvement

a) Existence of Service Charters in TVET Institutions

Public institutions are required to be efficient and effective and to provide services in a responsive, prompt, impartial and equitable manner. They are further required to render services in accordance with their service charters.

A service charter is one of the performance management tools displayed at service points. It communicates the services rendered by public institutions, requirements and obligations of service seekers and timelines for delivery of each service rendered. Service charters thus contribute to improving service quality and user satisfaction.

A majority (69%) of the institutions had service charters which is a mandatory requirement. 55% of the institutions had translated and summarized the service charters into Kiswahili. Out of those which had charters, 65% had not published them on the website as shown in Table 3.5.

Table 3.5: Availability of Charters, summarized in Kiswahili and Published in the Website

Category	No. of Institutions	Existence of Service Charter in TVETs		Service Charter Summarized in Kiswahili		Service Charter Published in Website	
		Available	Not Available	Available	Not Available	Uploaded	Not Uploaded
National Polytechnics	10	10 (100%)	0	10 (100%)	0	8 (80%)	2 (20%)
Technical & Vocational Colleges	98	49 (50%)	49 (50%)	32 (32.7%)	66 (67.3%)	22 (22.4%)	76 (77.6%)
Technical Training Institutes	56	54 (96.4%)	2 (3.6%)	48 (85.7%)	8 (8.2%)	28 (50%)	28 (50%)
Total	**164**	**113 (68.9%)**	**51 (31.1%)**	**90 (54.9%)**	**74 (45.1%)**	**58 (35.4%)**	**106 (64.6%)**

Recommendation

The 31% of the TVET Institutions that were yet to develop citizen service charters to do so by 30th June, 2022.

b) Existence of Grievance Handling Procedure and Complaints Registers in TVET Institutions

Section 7(4), 9(2)(d) and Section 13 of the Public Service (Values and Principles) Act, 2015 provide for the resolution of grievances in the public service. Further, Section 42 of the Leadership and Integrity Act, 2012 provides for mechanisms for lodging, investigation and resolution of complaints. This therefore requires that all public institutions develop a Grievance Handling Procedure (GHP).

It was established that:

i) 57.9% of the evaluated TVET institutions had a grievance handling procedure; with all the 10 national polytechnics having the procedures (Table 3.6);
ii) 75% of the TVET institutions had complaints registers with all the 10 National Polytechnics having the register;
iii) 93 (56.7%) TVET institutions reported to have received complaints during the evaluation period through diverse modes (Table 3.7);
iv) Technical vocational colleges received the lowest number of complaints;
v) The most popular modes of lodging complaints and grievances in TVET institutions were letters (45.7%), telephone (23.2%) and Facebook (14.6%);
vi) The least popular modes of lodging complaints were twitter (3.7%) and website (6.1%); and
vii) Other modes of lodging complaints included complaint boxes, WhatsApp, walk-ins, staff and student's meetings and the Ombudsman.

Table 3.6: Grievance Handling Procedure and Complaints Register

Category	Total No. of Institutions	Existence of a documented grievance handling procedure in TVETs		Existence of a Complaints register	
		Available	Not Available	Available	Not Available
National Polytechnics	10	9 (90%)	1 (10%)	10 (100%)	0
Technical & Vocational Colleges	98	40 (40.8%)	58 (59.2%)	60 (61.2%)	38 (38.8%)
Technical Training Institutes	56	46 (82.1%)	10 (17.9%)	53 (94.6%)	3 (5.4%)
Total	**164**	**95 (57.9%)**	**69 (42.1%)**	**123 (75%)**	**41 (25%)**

Recommendations

i) The TVET institutions which did not have grievance handling procedures and complaints register should develop and implement the same by June 2022.
ii) TVET institutions should enhance the use of social media and websites as a mode of receiving complaints.

Table 3.7: Modes used to Receive Complaints

Category	Total No. of Institutions	TVET Institutions received complaints		Mode Complaints were Received in TVET Institutions					
				Letters	Website	Twitter	Facebook	Telephone	E-mail
		Yes	No	No. of Institutions	No. of Institutions	No. of Institutions	No. of Institutions	No. of Institutions	No. of Institutions
National Polytechnics	10	9 (90%)	1 (10%)	8 (80%)	4 (40%)	2 (20%)	4 (40%)	5 (50%)	3 (30%)
Technical & Vocational Colleges	98	35 (35.7%)	63 (64.3%)	32 (32.7%)	2 (2%)	1 (1%)	4 (4.1%)	9 (9.2%)	5 (5.1%)
Technical Training Institutes	56	49 (87.5%)	7 (12.5%)	35 (62.5%)	4 (7.1%)	3 (5.4%)	16 (28.6%)	24 (42.9%)	13 (23.2%)
Total	**164**	**93 (56.7%)**	**71 (43.3%)**	**75 (45.7%)**	**10 (6.1%)**	**6 (3.7%)**	**24 (14.6%)**	**38 (23.2%)**	**21 (12.8)**

c) Recognition of Excellence in Service Delivery

Public institutions are required to develop guidelines for the recognition, commendation and rewarding of public officers who offer exemplary, outstanding or innovative service or who have performed their duties exceptionally well.

Out of the 164 institutions, 68 (41.5%) had developed a criterion for identifying and recognizing officers for exemplary service. Figure 3.1 presents the institutions that had developed a criterion for recognizing officers who have excelled in service delivery.

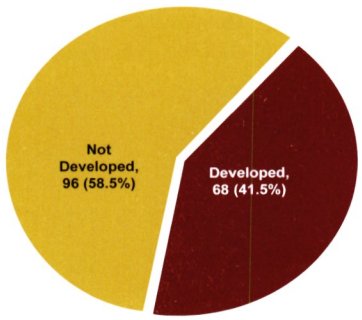


Figure 3.1: Existence of a criterion for recognizing officers who have excelled in service delivery

Recommendation

To accelerate the uptake of values and principles, TVET institutions should develop and implement a criterion for recognising officers who have excelled in service delivery.

d) Facilitating Officers with ICT Equipment

Public institutions are required to continuously improve their business processes through the documentation of the business processes, automation and migration of the automated processes into e-government platforms. This is to facilitate ease of access to information by the citizens, a faster turnaround in service delivery, reduction in bureaucracies and elimination of rent-seeking opportunities by public officials.

It was established that:

i) 164 TVETs surveyed had a total of 3,346 (72.3%) desktop computers, 897 (19.4%) laptops, 99 (2.1%) I-pads and 289 (6.2%) smartphones (Table 3.8);
ii) It was further observed that 27 of these institutions had no desktops, 36 had no laptops, 144 had no I-Pads and 98 had no smartphones;
iii) The 164 institutions had a total of 3,346 desktop computers against staff strength of 8,628 tutors giving a staff to computer ratio of 1:4. This was very low;
iv) The staff to computer ratio stood at 1:3 for the National Polytechnics, 1:3 for the Technical and vocational colleges and lowest at 1:6 for the Technical Training Institutes;
v) 17 (10%) of the TVET institutions had a staff to computer ratio of 1:1; and
vi) Given the shift to virtual learning, TVETs were not properly positioned to embrace e-learning.

Table 3.8: Distribution ICT Equipment by Category of Institutions

Category	Total No. of Institutions	ICT Equipment				Totals
		Desktop Computers	Laptops	I-pads	Smartphones	
National Polytechnics	10	1,099 (79.7%)	225 (16.3%)	39 (2.8%)	16 (1.2%)	**1,379 (12.8%)**
Technical & Vocational Colleges	98	915 (69.5%)	227 (17.2%)	12 (0.9%)	163 (12.4%)	**1,317 (28.4%)**
Technical Training Institutes	56	1,332 (68.8%)	445 (23%)	48 (2.5%)	110 (5.7%)	**1,935 (41.8%)**
Total	**164**	**3,346 (72.3%)**	**897 (19.4%)**	**99 (2.1%)**	**289 (6.2%)**	**4,631 (100%)**

Recommendations

i) The national government to invest in ICT equipment to bring the ratio of instructors to computers to 1:1 to facilitate uptake of e-learning by TVET institutions. Emphasis should be on the provision of laptops as this can be used both on-site in college and off-site in the event there is a need to work remotely.
ii) The national government to develop supportive ICT infrastructure in all the 47 Counties including internet access to allow TVETs to adopt e-learning.

3.3.6 High Standards of Professional Ethics in the Public Service

a) Status of Professionals in TVETs

Public officers are required to uphold high standards of professional ethics. The code of conduct and ethics for public officers professionalises the public service in the rendering of services and personal conduct. Members of regulated professional bodies are held to higher standards of performance due to the specialised nature of their training and additional qualifications imposed by the regulating body. Regulated professionals are required to comply with the provisions of the relevant professional bodies regarding registration, continuous professional development, adherence to the code of practice of the body and to undergo disciplinary action for any act of professional misconduct by the officer. 575 (5%) officers in TVETs were reported to be members of regulated professional bodies (Table 3.9).

b) Continuing Professional Development (CPD)

Continuous learning is necessary to keep officers updated on the new developments in their respective fields. It was established that:

i) 49 (8.5%) out of the 575 officers underwent continuous professional development; and
ii) The majority 573 (99.7%) of the professionals were in good standing.

Recommendation

Officers should be facilitated to attend the relevant CPD courses.

Table 3.9: Support for Continuous Professional Development

Category	No. of registered professionals	CPD Sponsorship Status				Total No. of Officers	Total Amount (Kshs)
		Institution		Self			
		No. of Officers	Kshs	No. of Officers	Kshs		
National Polytechnics	75	16	826,340	2	103,000	18	**929,340**
Technical & Vocational Colleges	175	2	129,340	8	281,000	10	**410,340**
Technical Training Institutes	325	17	960,780	4	116,000	21	**1,076,780**
Total	**575**	**35**	**1,916,460**	**14**	**500,000**	**49**	**2,416,460**

c) Submission of Initial and Final Declarations of Income, Assets and Liabilities

Public officers are required to uphold the values of good governance, accountability, transparency and integrity. Public officers are also required to submit initial declarations within 30 days of an appointment, every two years from 1st November, of the declaration year and final declarations within 30 days on exiting the service. The declaration of income, assets and liabilities is an overt statement by a public official to be accountable for the management of public resources placed under their charge while in service.

The declaration of income, assets and liabilities is a mechanism for promoting accountability in the management of public resources. The Public Service Commission administrative procedures for declaration of income, assets and liabilities, requires that the Authorized Officer institute disciplinary action against officers who do not submit their declarations within the stipulated timelines.

A majority (78%) of the newly employed officers submitted their initial declarations therefore they complied with the provisions of POEA (Figure 3.2a). However, administrative disciplinary action was not taken against the officers who did not submit their initial declaration as required by the Public Service Code of Conduct and Ethics, 2016.

The compliance level for submission of final declaration was at 48.6% implying that a majority of the officers did not submit their final declarations (Figure 3.2b).

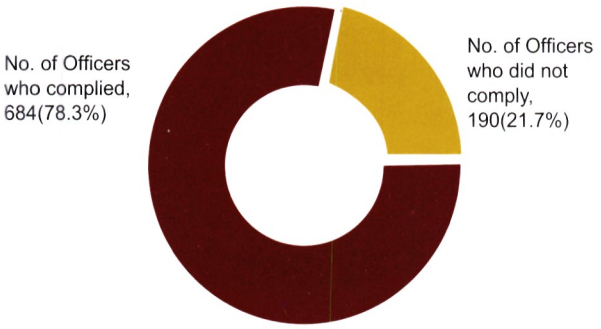


Figure 3.2 (a) Submission of Initial Declaration in TVETs

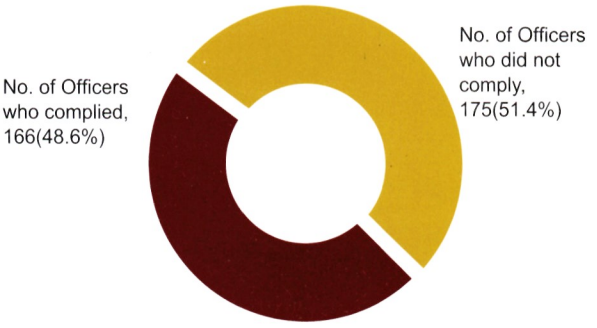


Figure 3.2 (b) Submission of Final Declaration in TVETs

Figure 3.2: Compliance Status of Declaration of Incomes, Assets and Liabilities in TVET Institutions

Recommendation

The Authorized Officer State department for Vocational and Technical Training should train the Principals of TVETs on the provisions of Part V of POEA and the administrative procedures.

d) Code Regulating the Conduct of TVET Staff

A code of conduct and ethics stipulates a set of ethical norms or values and professional standards of conduct to which members bound by the code are expected to commit and adhere to.

A majority of the TVET institutions reported having had a code of conduct. However, further analysis revealed that the institutions used different codes as follows: TSC Code of Conduct - 10 institutions, Public Service Code of Conduct and Ethics, 2016 – 44 institutions, Human Resource Procedures Manual - 21 institutions and institutional codes of conduct - 24 institutions.

Recommendation

The State Department for Vocational and Technical Training should standardize the code of conduct and ethics for TVET staff.

e) Promotion of Ethics and Integrity at the Workplace

Public institutions are expected to provide for budgetary provisions to effectively implement action plans that promote integrity at the workplace.

90% of the reporting institutions did not prepare action plans to promote integrity at the workplace and 42.7% had a budget for promotion of integrity.

Recommendations

i) The Authorized Officer should set aside a budget to support the promotion of ethics and integrity.
ii) TVET institutions should develop and implement an action plan to support the promotion of ethics and integrity.

3.3.7 Good Governance, Transparency and Accountability

a) Reported Cases on Civil Proceedings in TVET Institutions

Public institutions are at times subjected to civil proceedings in courts with staff, citizens or other institutions as litigants. It was established that:

i) Thirteen (7.9%) of the 164 reporting institutions had 24 civil cases filed against them. Litigations against an institution is an indicator of poor governance a result of which decisions are frequently challenged. It is also an indicator of non-compliance with the rule of law. The low number of cases implied that TVET institutions performed well regarding this indicator (Table 3.10); and
ii) Of the 24 cases, 3 had been concluded and 1 was on-going. Twenty cases (83%) were still pending in court. The high number of pending cases may impede service delivery and lead to high costs to the affected institutions.

Table 3.10: Summary of the Status of Civil Proceedings in TVETs

Category	No of Institutions	No. of Civil Cases Filed Against the Institution	No. of Cases Ruled in Favour of the Institution	No. of Cases Ruled Against the Institution	No. of Cases Pending/ Ongoing	Judgement Amount Against the Institution	Judgement Amount in Favour of the Institution
National Polytechnics	3	5	0	0	5	-	-
Technical & Vocational Colleges	2	2	0	0	2	-	-
Technical Training Institutes	8	17	3	1	13	95,252	100,000
Total	**13**	**24**	**3**	**1**	**20**	**95,252**	**100,000**

Recommendation

TVET institutions should explore Alternative Dispute Resolution (ADR) mechanisms to settle disputes.

b) Gift and Conflict of Interest Registers

Public entities are required to maintain gift and conflict of interest registers. The gift registers are meant to document the gifts received by institutions and officers in the course of duty as well as gifts given out by the institutions to other institutions/ individuals. Further, Public entities are expected to keep and maintain a conflict of interest register where officers are expected to register particulars of registrable interests, stating the nature and extent of the conflict (Table 3.11).

A majority (58%) of the TVETs did not maintain gift registers. Similarly, 47% of the institutions did not maintain a conflict of interest register. This was non-compliance with the provisions of the law and an indicator of weak governance systems.

Table 3.11: Existence of a Gift and Conflict of Interest Registers in TVET Institutions

Category	Total No. of Institutions	Existence of a gift register		Existence of a conflict of Interest register	
		Available	Not Available	Available	Not Available
National Polytechnics	10	9 (90%)	1 (10%)	9 (90%)	1 (10%)
Technical & Vocational Colleges	98	27 (27.6%)	71 (72.4%)	39 (39.8%)	59 (60.2%)
Technical Training Institutes	56	33 (58.9%)	23 (41.1%)	39 (69.6%)	17 (30.4)
Total	**164**	**69 (42.1%)**	**95 (57.9%)**	**87 (53%)**	**77 (47%)**

Recommendation

All TVET institutions to comply with the requirement to maintain gift register and conflict of interest register as required under the Leadership and Integrity Act, 2012 and Leadership and Integrity Regulations, 2015.

c) Corporate Communication Strategy

A communication strategy enables an institution to drive its strategic plan. It ensures that all stakeholders can have adequate information, maintain consistency and prevent any communication bottlenecks and ambiguity in the workplace. Strategic communication strengthens the relationship between an institution and its stakeholders; this results in enhanced professionalism, transparency, accountability and good governance.

A majority (69%) of TVETs had not developed a corporate Communication strategy (Figure 3.3).

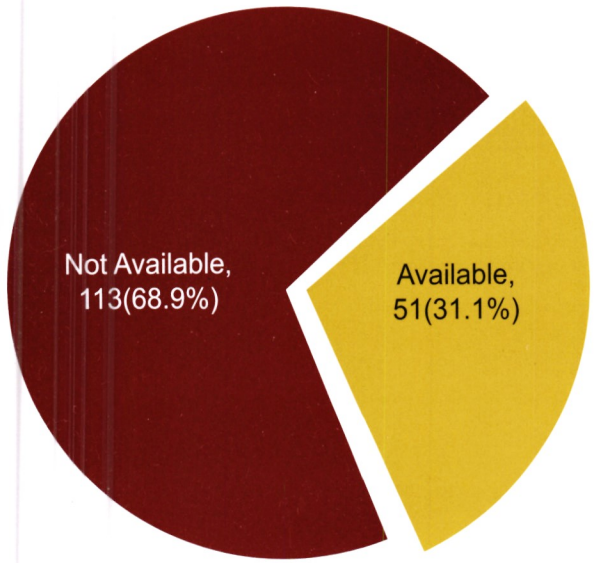


Figure 3.3: Availability of documented Corporate Communication Strategy in the TVET Institutions

Recommendation

The 51 institutions should develop and implement a corporate communication strategy aligned to their respective strategic plan.

d) Functional Board of Governors

The Board of Governors/Councils of TVETs is the organ that governs and manages the institutions according to the provisions of the TVET Act, 2013. A majority (92%) of the institutions had functional boards (Figure 3.4).

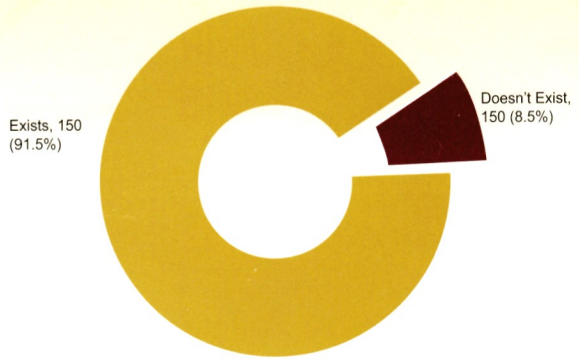


Figure 3.4: Existence of a functional Boards of Management/Councils during 2020/2021 Financial Year

Recommendation

The State Department for Vocational and Technical Training to constitute the Boards of the 8.5% of institutions that did not have functional Boards.

e) Induction of Officers/Board or Council members

An induction manual is intended to guide the induction of newly appointed Board/Council members and officers on the new responsibilities and work environment. The PSC Human Resource Policies and Procedures Manual requires that public institutions conduct induction within 3 months for newly recruited officers and those joining the service on transfer, promotion and re-designation.

It was established that:

i) A majority of the TVETs (52%) did not have an Induction Manual and did not induct newly appointed boards/ councils and officers. (Table 3.12); and
ii) A majority of the institutions had not included content on values and principles, organizational service charter, code of conduct and ethics, and financial disclosures in their induction programme.

Recommendation

The TVETs should develop or review their induction programmes to include content on service charters, code of conduct and ethics, values and principles and financial disclosures amongst others.

3.3.8 Performance Management

Performance management in the public service involves the development of strategic plans, the signing of performance agreements at organisational

Table 3.12: Existence of Induction Manual and Induction of New Officers and Board/Council Members

Category	Total No. of Institutions	Existence of an induction manual in TVETs Institutions		Institutions that inducted newly Appointed Boards/ Council Members &Officers	
		Available	Not Available	Inducted	Not Inducted
National Polytechnics	10	4 (40%)	6 (60%)	4 (40%)	6 (60%)
Technical & Vocational Colleges	98	4 (4.1%)	94 (95.9%)	40 (40.8%)	58 (59.2%)
Technical Training Institutes	56	6 (10.7%)	50 (89.3%)	35 (62.5%)	21 (37.5%)
Total	**164**	**14 (8.5%)**	**150 (91.5%)**	**79 (48.2%)**	**85 (51.8%)**

and individual levels, the undertaking of monitoring and evaluation of the performance of organisations and individuals, and the undertaking of performance appraisals. Organisations also manage the conduct of staff for better performance by training, instituting rewards and sanction measures, and taking disciplinary control.

a) Existence of Strategic Plans in TVET Institutions

A strategic plan is an accountability tool for enhancing efficiency and effectiveness in public institutions. It can be used as a platform for entrenching values and principles in public service.

It was established that a majority of the TVET institutions (62.8%) had current strategic plans. Out of the 103 institutions that had strategic plans, 36% reported having publicized the plans on the institution's website (Table 3.13).

Recommendation

The 61 institutions that did not have strategic plans develop and upload them on the organizational website.

Table 3.13: Availability of Current Strategic Plans in TVET Institutions

Category	Total No. of Institutions	Existence of Strategic Plan 2018 to 2022		Strategic Plan uploaded on Institution's Website	
		Available	Not Available	Uploaded on website	Not uploaded on website
National Polytechnics	10	10 (100%)	0	8 (80%)	2 (20%)
Technical & Vocational Colleges	98	42 (42.9%)	56 (57.1%)	11 (26.2%)	31 (73.8%)
Technical Training Institutes	56	51 (91.1%)	5 (8.9%)	18 (35.3%)	33 (64.7%)
Total	**164**	**103 (62.8%)**	**61 (37.2%)**	**37 (36%)**	**66 (64%)**

b) Performance Contracts and Performance Appraisal Process

To improve service delivery, the government adopted performance contracting to ensure that public institutions commit to delivering specific outcomes in the financial year by signing a performance contract.

The government also reviewed the staff appraisal process as a means of supporting the attainment of planned targets by staff. The appraisal process enables institutions to identify areas of under performance with a view to chart out appropriate interventions. The interventions may include performance improvement plans and sanctions.

It was established that:

i) 52% of the TVETs, a majority being National Polytechnics and Technical Training Institutes, signed performance contracts (Table 3.14);
ii) Most (70%) of the TVCs did not sign the performance contracts; and
iii) 87% of TVETs appraised their staff.

Recommendation

All principals of TVETs should sign performance contracts with the Cabinet Secretary and cascade the targets to the staff.

Table 3.14: Performance Contract and Staff Appraisal

Category	Total No. of Institutions	Institutions that signed Performance Contract	Annual Staff Performance Targets Set in TVETs		Annual Staff Appraisal undertaken in TVETs		Annual Appraisal of Non-Technical Staff in TVETs	
			Targets Set	Not Set	Appraised	Not Appraised	Appraised	Not Appraised
National Polytechnics	10	10 (100%)	10 (100%)	-	10 (100%)		10 (100%)	-
Technical & Vocational Colleges	98	29 (29.6%)	79 (80.6%)	19 (19.4%)	77 (78.6%)	21 (21.4%)	47 (48%)	51 (52%)
Technical Training Institutes	56	47 (83.9%)	53 (94.6%)	3 (5.4%)	56 (100%)	-	46 (82.1%)	10 (17.9%)
Total	**164**	**86 (52.4%)**	**142 (86.6%)**	**22 (13.4%)**	**143 (87.2%)**	**21 (12.8%)**	**103 (62.8%)**	**61 (37.2%)**

c) Performance Management Committee

The main function of the Performance Management Committee in any institution is to review the staff performance appraisal reports and make recommendations on rewards, performance improvements plans and sanctions for staff. It was established that 53% of the TVETs had a performance management committee in place. However, 60% of the TVCs did not have the committees as required (Figure 3.5).

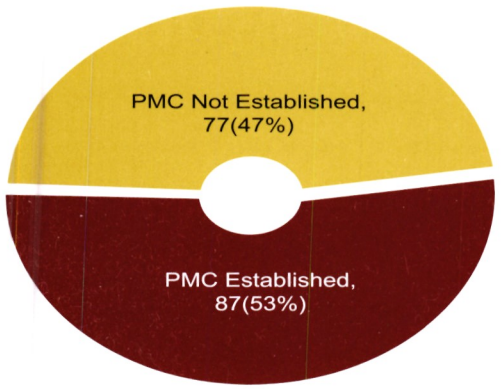


Figure 3.5: Establishment of Performance Management Committees in TVET Institutions

Recommendation

All TVET institutions should set up Performance Management Committees guided by the Public Service (Performance Management) Regulations, 2021.

d) Training Budget

Training is an important component in the improvement of staff performance in an organisation. Training enables staff to improve on their skills and competencies and enhance professionalism in service delivery. It is therefore necessary for all institutions to allocate sufficient funding to support both short term and long-term training for their staff.

It was noted that 76% of TVETs had allocated funds for training (Table 3.15).

e) Training Needs Assessment and Projection

The National Values Policy 2013 and the Framework for Implementation of Values and Principles recommend induction and in-service training as one of the strategies of inculcating values and principles

Table 3.15: Training Budget

Category	Total No. of Institutions	Funds Allocated to Training of Technical Staff		Funds allocated for training of Non-Technical Staff	
		Allocated	Not Allocated	Allocated	Not Allocated
National Polytechnics	10	10 (100%)	0	10 (100%)	0
Technical & Vocational Colleges	98	70 (71.4%)	28 (28.6%)	61 (62.2%)	37 (37.8%)
Technical Training Institutes	56	46 (82.1%)	10 (17.9%)	44 (78.6%)	12 (21.4%)
Total	**164**	**126 (76.2%)**	**38 (23.2%)**	**115 (70.1%)**	**49 (29.9%)**

to officers in the public service. Section 56(1)(d) of the Public Service Commission Act, 2017 requires that every Authorized Officer undertakes a Training Needs Assessment (TNA) before undertaking any trainings. Section 52(8) of the Public Service Commission Regulations 2020 requires Authorised Officers to submit to the Commission a report on any training undertaken by public officers within a financial year.

It was found that a majority of the TVET institutions had not conducted Training Needs Assessment (55%) and training projections (60%) (Table 3.16). This is an indication that the training projections and subsequent training were not based on the training needs.

Recommendation

All TVET institutions should base the training projections on the Training Needs Assessment reports.

f) Status of Discipline Cases in TVETs

Indiscipline of staff in an organisation impacts negatively on performance and may lead to loss of public confidence in the ability of the public institution to render quality public services.

Delay in the disposal of cases may lead to litigation for failure to meet the prescribed timelines and may result in costs awarded against the institution thus occasioning unnecessary loss to the government. Officers undergoing disciplinary proceedings are often placed on interdiction or suspension and this leads to the deployment of other officers to perform their duties on acting capacity over a long period. This situation stretches the human resources capacity and may compromise its performance and undermine optimal staffing requirements for the institutions.

Table 3.16: Training Needs Assessment and Projection

Category	No. of Institutions	Training Needs Assessment undertaken in the last three Financial Years		Training Projection Conducted based on the Training Needs Assessment (TNA) Reports	
		Yes	No	Yes	No
National Polytechnics	10	10 (100%)	-	10 (100%)	-
Technical & Vocational Colleges	98	24 (24%)	74 (76%)	20 (20.4%)	78 (79.6%)
Technical Training Institutes	56	40 (71.4%)	16 (28.6%)	36 (64.3%)	20 (35.7%)
Total	**164**	**74 (45.1%)**	**90 (54.9%)**	**66 (40.2%)**	**98 (59.8%)**

It was established that:

i) Out of the 164 TVETs,17.7% reported disciplinary cases; and
ii) Sixteen (28%) out of 57 of the cases had exceeded the six-month time limit allowed for disposal.

Recommendation

The Boards of Management/Councils in TVETs should finalize the discipline cases within six months as required by the Human Resource Policies and Procedures Manual to avoid potential litigation by aggrieved officers and court awards against the institutions.

g) Staff Exit and Interviews

Exit from service by staff may majorly be occasioned by retirement, death, resignation, dismissal and expiry of contract etc. Upon exit, organizations are expected to conduct exit interviews except in instances where the exit is occasioned by death.

Separately, an exit interview is an effective tool for obtaining feedback from an officer exiting a public institution. Good practice requires that the exit interview data be analyzed and the findings shared with the management for follow up. The information obtained can be used to improve organizational performance and assist in staff attraction, retention and motivation.

It was noted that:

i) 42% of the officers exited the service through retirement (Table 3.17); and
ii) 90.9% of the TVET institutions did not undertake exit interviews. The 9.1% that administered the exit interviews did not analyse the data.

Table 3.17: Staff Exits and Interviews

Category	Total No. of Institutions	Total No. of Officers	Nature of Exits						Conducted Exit Interview
			Resignation	Death	Dismissal	Retirement	Expiry of Contract	Other (Transfers, Appointed in other Institutions)	
National Polytechnics	10	84	9 (10.7%)	12 (14.3%)	3 (3.6%)	41 (48.8%)	9 (10.7%)	10 (11.9%)	2 (20%)
Technical & Vocational Colleges	98	46	17 (37%)	2 (4.3%)	0	9 (19.6%)	4 (8.7%)	14 (30.4%)	6 (6.1%)
Technical Training Institutes	56	241	35 (14.5%)	16 (6.6%)	4 (1.7%)	106 (44%)	70 (29%)	10 (4.1%)	7 (12.5%)
Total	**164**	**371**	**61 (16.4%)**	**30 (8.1%)**	**7 (1.9%)**	**156 (42%)**	**83 (22.4%)**	**34 (9.2%)**	**15 (9.1%)**

Recommendation

All TVETs should conduct exit interviews and subsequently analyse the feedback in their human resource practices.

a) Innovations Developed by TVETs to Improve Service Delivery

The TVETs are mandated to train, research and promote innovation in all training programmes.

It was established that:

i) 40.2% of the TVET institutions developed innovations in various sectors including Agriculture, Educational ICT systems, Food Security, Hygienic interventions towards combating COVID 19, Manufacturing, Housing and Construction, Security systems, Service Delivery Improvement initiatives, Technology and Engineering, Environmental Conservation, and Water Harvesting and Management systems; and

ii) 55% of the innovations addressed the Big 4 Agenda pillars namely: food security (20%), manufacturing and job creation (23%), universal healthcare (11.3%) and affordable housing (0.7%).

Recommendation

TVETs should document the innovations and seek support from the Kenya Industrial Property Institute (KIPI) to facilitate patenting of property and intellectual rights.

3.3.9 Equitable Allocation of Opportunities and Resources

a) Distribution of Officers in TVETs by Gender and Disability Status

Article 27(6) provides that no gender should constitute more than two-thirds of appointments and Article 54 (2) provides for 5% of appointments should comprise persons with disabilities.

It was observed that:

i) The constitutional two-thirds gender principle had been achieved in majority of TVET institutions (Table 3.18). However, this had not been realized in 54 institutions;

ii) Compliance on PWDs representation in TVET institutions was low at 1.2% against the constitutional threshold of a minimum of 5%. However, 12 had met the threshold namely Karen TTI for the Deaf; Machakos TTI for the

Table 3.18: Status of Representation by Gender and PWD

Category	Total No. of Institutions	Total No. of Officers	Gender		Disability Status	
			Female	Male	Non-PWD	PWD
National Polytechnics	10	2,372	883 (37.2%)	1,489 (62.8%)	2,352	20 (0.8)
Technical Training Institutes	56	6,286	2,595 (41.2%)	3,691 (58.8%)	6,199	87 (1.4)
Technical & Vocational Colleges	98	2,523	884 (35.0%)	1,639 (65.0%)	2,493	30 (1.2)
Total	**164**	**11,181**	**4,362 (39.0%)**	**6,819 (61.0%)**	**11,044**	**137 (1.2%)**

Blind; Runyenjes TTI; St. Joseph's TTI for the Deaf Nyang'oma; Bunyala Technical and Vocational College; Kamukunji TVC; Mwala TVC; Nachu TVC; Orogare TVC; Riatirimba TVC; Sikri TVC for the Blind and Deaf; and Tharaka Technical and Vocational College; and

iii) 64% of the TVET institutions did not have any PWD in their establishment.

Recommendations

i) TVET institutions that have attained the two-thirds gender principle to work towards achieving equal representation in line with Article 232(1) (i) of the Constitution and Article 11 of CEDAW convention.

ii) The 54 TVET institutions that have not complied with the two-thirds gender principle to develop and implement affirmative action programmes to address gender gaps by 2024.

iii) To achieve the constitutional threshold of a minimum of 5% for PWDs, it is recommended that TVET institutions should develop and fully implement affirmative action programmes during recruitment to address PWDs representation by June 2024.

b) Distribution of Staff by Ethnicity

Article 232(1)(h) prescribes the principle on representation of Kenya's ethnic communities.

It was established that:

i) A total of 37 (77%) ethnic communities, as per the National Population Census, 2019 were represented in the TVET institutions (Appendix II.);

ii) 24 minorities and marginalized communities were represented;

iii) The Kenya Coast National Polytechnic and the North Eastern National Polytechnic had the highest number of ethnic communities represented at 14 each;

iv) 56% of the 48 ethnic communities were within the normal threshold of representation (Figure 3.6);

v) Two communities (4%) were under-represented compared to their national population census, namely Maasai and Turkana;

vi) Three communities (6%) were grossly under-represented namely Kamba, Kenya Somali and Mijikenda, while four communities (9%) were grossly over-represented namely Kisii, Kalenjin, Luhya and Luo; and

vii) The 10 unrepresented communities were Aweer/ Waata, Dasenach (Merile), El-Molo, Gabra, Gosha, Kenyan Arabs, Kenyan European, Konso, Walwana/Malakote and Wayyu.

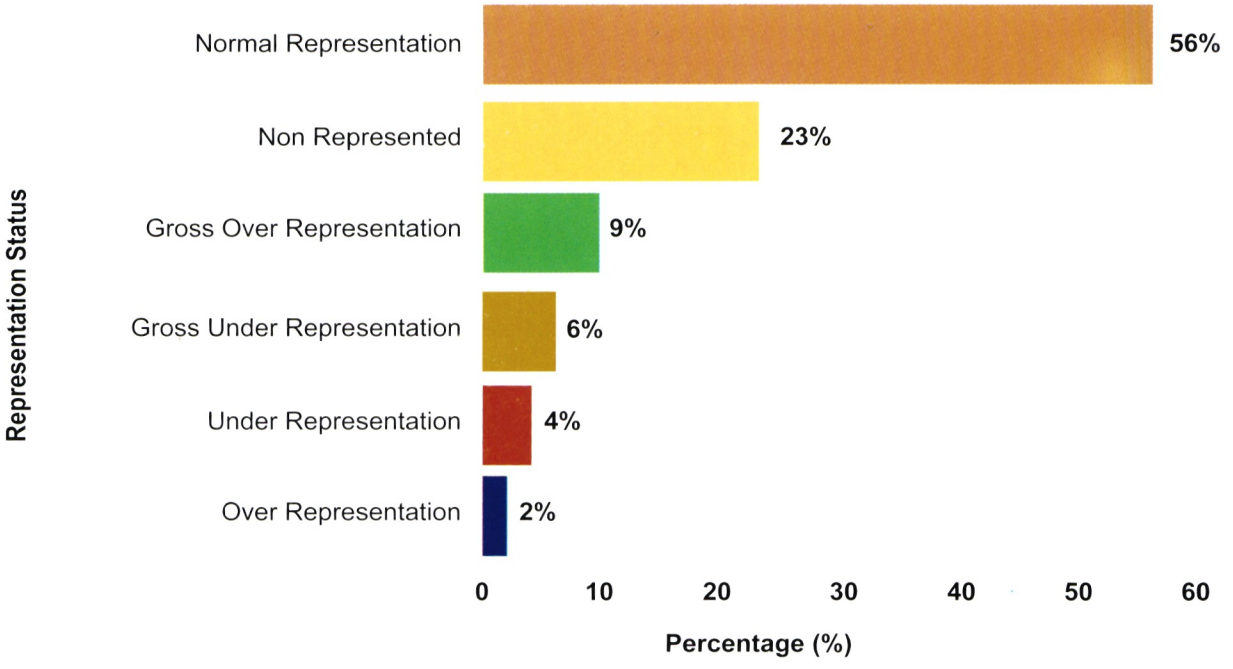


Figure 3.6: Status of Ethnic Representation in TVET Institutions

Key:

i) Gross over-representation or gross under-representation is a deviation of + 3 or -3

ii) Over-representation or under-representation is a deviation of +2 or -2

iii) Normal representation is a deviation of +1 or -1

Recommendation

All institutions should develop and implement affirmative action programmes to address the disproportionate ethnic representation based on the 2019 Kenya Population and Housing Census report.

c) Support provided to Staff, Students and clients with disability

Institutions have a responsibility to support staff, students and clients with diverse forms of disabilities. This is in line with Section 11-28 of Part III of the Persons with Disabilities Act, 2003.

It was established that:

i) 37.1% of the TVET institutions supported staff who had various forms of disabilities. The support provided included flexi hours, wellness programmes, customized furniture and sanitary facilities, aids, psychological counselling services, assistive devices and training and provision of institutional housing;
ii) Fifty-six (34.7%) of the TVET institutions provided various forms of support to clients who had various forms of disabilities. The support included the provision of ramps, customized sanitary facilities, signage, aide, assistive devices, customized premises and facilities and customized furniture; and
iii) Only 20% of the institutions had transcribed their documents into braille for staff, students and clients with visual impairment.

Recommendation

All TVETs should provide support to staff, students and clients with various forms of disabilities.

d) Access to Tenders and Job Opportunities

Equitable distribution of resources and opportunities is dependent on access to information on availability and conditions for access to those resources and opportunities to all eligible Kenyans. For all persons to receive information on the available opportunities, the mode of advertisement is key. With regard to employment, Section 37(1) of the PSC Act requires job advertisements to be placed on the Commission's website, at least one daily newspaper of nationwide coverage, the radio and other modes of communication, to reach as wide a population of potential applicants as possible.

The advertisement of tenders for public bodies is provided for in the Public Procurement and Asset Disposal Act, 2015 Section 96(2) that requires the procuring entity to take reasonable steps to bring the invitation to tender to the attention of those who may wish to submit tenders.

It was observed that:

The online platform was the most preferred mode of advertisement for job vacancies and tenders while radio was the least preferred mode. However, the Media Council Report of 2020, on the status of the media presented the radio as the most popular mode of communication in the rural areas (Table 3.19).

Recommendation

TVET institutions should advertise their tenders and job vacancies through the radio because it has the widest reach to the vast majority of the population.

Table 3.19:Distribution of Tenders and Vacancies Advertised and Modes of Advertisement

Category	Total No. of Institutions	Totals No. of Adverts	No. of Institutions & Adverts				Mode used for Advertisement				
			Tender		Vacancy						
			No. of Institutions	No. of Adverts	No. of Institutions	No. of Adverts	Newspapers	Radio Station(s)	Online Platform	Social Media Platform	Local Administration Offices
National Polytechnics	10	78	9	29	6	49	10	1	12	5	10
Technical & Vocational Colleges	54	542	38	450	37	92	24	2	35	44	49
Technical Training Institutes	45	656	41	592	21	64	42	1	47	23	31
Total	**109**	**1,276**	**88**	**1,071**	**64**	**205**	**76**	**4**	**94**	**72**	**90**

e) Job Vacancies filled and Tenders Awarded without a Competitive process

It was found that TVETs:

i) Appointed 18 officers without a competitive process. The reason for filling vacant positions without a competitive process was the urgent need to fill the posts. The circumstances under which vacant posts can be filled in the public service non-competitively are provided for under Section 10(2) of the Public Service Values and Principles Act, 2015 which only allows the non-consideration of fair competition and merit in the circumstances of disproportionate representation of gender, persons with disability and members of ethnic groups. The Public Service Commission Act allows for the filling of posts non-competitively only on account of affirmative action as provided under Section 36(4) and as contemplated under Article 27(6) and Article 56(c) of the Constitution on gender, minorities and marginalised groups respectively. The non-competitive filling of the vacancies on account of 'urgent need' is therefore not one of the circumstances contemplated by the constitution or the enabling legislations.

ii) Awarded 26 tenders without competitive bidding. The TVETs explained that the tenders awarded without the necessity for interviews were due to compliance with Presidential Directive, low-value items, single supplier as per MoU with Ministry of Education, Confidentiality (KNEC Exams), Supplier proximity to Institute and the need for prepayment for fuel and oil products, emergency (Covid protocols), lack of prequalified/listed service providers and critical nature of the service, local tender (to promote special groups), low bidders – opted for quotation method and the only supplier within the locality. The Public Procurement and Asset Disposal Act, 2015 provide for the circumstances under which tenders may be awarded by public entities without the necessity of a competitive process. Section 103 (a, b, c, d and e) provides for the circumstances under which direct procurement method may be used. These include when a particular supplier or contractor has exclusive rights in respect of goods, services or works or during times of war, invasion, disorder, natural disaster or there is an urgent need for the goods, works or services. The procedure to be followed includes the issuance of a tender document and the appointment of an ad hoc evaluation committee to negotiate with the person for the supply of goods, works or non-consultancy services among others. It is not clear from the explanations given for the non–competitive tendering whether the circumstances were satisfied or whether the procedures contemplated were used.

Recommendation

TVET institutions to comply with the relevant legal provisions in filling vacancies and advertisement for tenders except where exemptions are legally provided.

f) Status of Compliance with the AGPO Programme

To give effect to Article 227(2), the government established the Access to Government Procurement Opportunities programme which is entrenched in Section 157(5) of the Public Procurement and Asset Disposal Act, 2015. The policy requires public institutions to reserve and award 30% of their procurement budgets to the youth, women and persons with disabilities. While implementing these provisions, public institutions mainstream the values equity, social justice, human dignity, inclusiveness and non-discrimination.

It was established that:

i) 88 (54%) institutions awarded tenders to Women, Youth and PWDs groups (Table 3.20);
ii) Seventy-six (46%) institutions did not award tenders to the special groups under the AGPO programme thus failing to comply with Section 157(5) of PPAD Act, 2015;
iii) 4% of the institutions complied with the AGPO policy of awarding a minimum of 30% of the approved procurement budget to women, youth and PWDs. These were Tinderet TVC, Butere TVC, Machakos TTI, Kisumu, Nyeri and Meru National Polytechnics;
iv) The Youth were the highest beneficiaries at 55%, followed by women (40%) and PWDs (5%); and
v) Over 34.4 million worth of tenders were awarded to the uncategorized group of entrepreneurs thus failing to uphold the expected levels of transparency and accountability espoused in Article 227 from which the AGPO programme draws its life.

Recommendation

All the TVETs should adhere to the Provisions of the PPAD Act, 2015 that require that at least 30% of the procurement budget of a public entity be reserved to the disadvantaged registered groups.

Table 3.20: Status of compliance with AGPO Programme

Category	Institutions	Tender Amounts Awarded to:				Total Awarded		Expected (i.e. 30%)	Approved Procurement Budget
		PWD	Women	Youth	Uncategorized	Amount	%		
National Polytechnics	10	10,045,964	124,712,184	189,010,388	5,576,675	323,768,536	12	811,601,266	2,705,337,555
Technical & Vocational Colleges	31	4,697,158	18,836,308	16,785,542	2,559,806	40,319,008	4	297,003,976	990,013,251
Technical Training Institutes	47	21,760,728	156,181,200	208,474,439	26,280,598	386,416,367	7	1,693,754,791	5,645,849,308
Total	88	36,503,850	299,729,692	414,270,369	34,417,079	750,503,911	8	2,802,360,033	9,341,200,114

a) Buy Kenya - Build Kenya Strategy

Section 155 of the Public Procurement and Asset Disposal Act, 2015 requires that the Authorized Officer accord preferential procurement of manufactured articles, materials and supplies wholly mined and produced in Kenya.

The Buy Kenya - Build Kenya Strategy aims at ensuring the local cottage industries and services providers are supported to stimulate Kenya's economic growth. The Strategy requires public institutions to reserve a minimum of 40% of the contract budget for the procurement of locally produced goods and services. This promotes patriotism, national unity, human dignity, social justice and sustainable development.

It was established that:

i) 13 (15%) of the institutions complied with the 40% allocation of procurement budget towards supporting the Buy Kenya-Build Kenya Initiative;
ii) 7,040 products and services were procured under the initiative; and
iii) 35% of the items were categorized as products, 7% as services while 58% were not categorized.

Recommendation

TVET institutions should comply with the Buy-Kenya Build-Kenya Strategy by setting aside 40% of the procurement budget for locally produced goods and services.

g) Capitation for Recurrent Expenditure

The State Department for Vocational and Technical Training issued draft guidelines for disbursement of capitation, conditional, recurrent and development grants to public TVETs under the Ministry of Education.

The draft guidelines provide for procedures and structures and criteria for disbursement of capitation and development grants.

The draft guidelines also provide the rationale for the funding and include the appreciation of Kenya's youthful population size of approximately 75% of the total population. Funding of TVET trainees to acquire skills will address issues of unemployment, inclusivity, access and equity to education and training.

Article 10(2)(b) and (d) call for human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalised and promotion of sustainable development. Article 232 (1)(c) calls for responsive, prompt, impartial and equitable provision of services.

It was found that:

i) 123 (75%) institutions from 41 counties spread across 117 constituencies had received capitation from the National Government while 41 (25%) institutions had not (Table 3.21 and Appendix III and IV);
ii) Institutions from the following six counties did not receive capitation funds: Bomet, Isiolo, Samburu, West Pokot, Wajir and Lamu. Five of these counties were from marginalised areas;
iii) Institutions had received Ksh.4,133,162,737 as capitation against a student enrolment of 191,174. The State Department for Vocational Education and Technical Training disbursed Ksh.3,156,613,286 against a student enrolment of 205,649. This presented a variance of Ksh.976,549,451 between the Ministry figures and institutional reported figures and a variation of 14,475 students;
iv) On average, each student received between

Table 3.21: Capitation for Recurrent Expenditure

Category	Reports by TVETs			Reports by the State Department for Vocational and Technical Training	
	Number of TVETs	Student Enrolment TVETS	Capitation received (Kshs) TVETs	Ministry data on Total Student Enrolment	Capitation disbursed by the (Kshs) Ministry
National Polytechnics	10	66,265 (34.66%)	1,544,227,500 (37.36%)	67,290 (32.72%)	1,038,157,500 (32.89%)
Technical & Vocational Colleges	69	18,486 (9.67%)	385,034,911 (9.32%)	22,490 (10.94%)	420,242,500 (13.31%)
Technical Training Institutes	44	106,423 (55.67%)	2,203,900,326 (53.32%)	115,869 (56.34%)	1,698,213,286 (53.80%)
Total	**123**	**191,174 (100%)**	**4,133,162,737 (100%)**	**205,649 (100%)**	**3,156,613,286 (100%)**

Ksh.21,619.90 (TVETs data) and Kshs.15,349.52 (Department data) as capitation. The draft guidelines provide for student capitation of 30,000/= per student. From the figures given by the state department and TVET institutions there is a disparity of Ksh. -8,381 and Ksh. -14,651 respectively;

v) The draft guidelines further provide that a minimum of 2% of the capitation may be used for supervision, monitoring and evaluation and 1% may be used for the same under the development allocation. This translates to Ksh.81,041,128 based on the figure provided by TVETs and Ksh.63,545,379 on the figure provided by the ministry. The deductions from capitation are enough to pay over 2,700 students for one year; and

vi) Besides capitation, 106 (86%) institutions received additional funds from other multiple sources including bursaries, county government, school fees and individual contributions totalling Kshs 6,663,980,588.00.

Recommendations

i) The six counties which are yet to receive capitation should be supported to operationalise their TVETs.

ii) The variance in capitation and student enrolment reported by the Ministry and TVETs should be explained by the Ministry of Education.

iii) The Auditor-General to conduct a special audit of capitation funds in light of the huge variance reported by the Ministry and TVET institutions.

iv) The State Department for Vocational and Technical Training to finalize and issue guidelines on capitation to assure sustainability of the programme.

h) Distribution of Development Funds

TVETs receive their revenue from the national government, development partners, Constituency Development Fund (CDF) and joint funding by the national government and CDF.

It was established that:

i) 28 (17%) institutions from 24 (51%) counties received funds/grants for infrastructural Development (Table 3.22);

ii) 136 (83%) institutions from 23 (49%) counties did not receive development funds; and

iii) Institutions in 27 (9%) constituencies received funds for development.

Recommendation

The State Department for Technical and Vocational Training should develop a policy framework to guide on allocation, disbursements, monitoring and evaluation and audit of the development funds.

3.3.10 Public Participation in Policy Making

Public Participation as contained in Article 10 of the Constitution obligates all public institutions to engage citizens and share in agenda setting to ensure all-inclusive decisions. This promotes inclusivity so that government decisions and priorities reflect the needs of the people thus enhancing legitimacy and ease in the implementation of such policies.

The National Values and Principles of Governance Policy of 2013 requires every education institution up to university level to ensure that every pupil and student is familiar with the nation's fundamental instruments through age-appropriate instruction through classroom instruction with appropriate emphasis on civic education on national values and principles of governance, student participation

Table 3.22: Distribution of Development Funds by Category of Institution & Source of funds

Institution Category	Number of TVETS	Source of Funds (Amount Kshs)					Total Amount (Kshs)
		CDF	Development Partners	National Government	Joint Funding by National Government & CDF	Source not Stated	
National Polytechnics	3	0	428,205,483 (99.9%)	0	22,000,000 (24.7%)	0	450,205,483 (52.7%)
Technical & Vocational Colleges	15	32,458,627 (84.6%)	488,375 (0.1%)	63,178,910 (24.7%)	0	0	96,125,912 (11.3%)
Technical Training Institutes	10	5,900,000 (15.4%)	0	192,824,673 (75.3%)	66,933,334 (75.3%)	42,548,591 (100%)	308,206,598 (36%)
Grand Total	**28**	**38,358,627 (100%)**	**428,693,858 (100%)**	**256,003,583 (100%)**	**88,933,334 (100%)**	**42,548,591 (100%)**	**854,537,994 (100%)**

in school governance and various mentorship programmes. Learning institutions are therefore expected to inculcate a culture of public participation in their day-to-day activities.

a) Customization of Public Participation Guidelines

It was observed that:

i) 99% of the evaluated institutions had not customized the PSC guidelines for Public Participation in Policy formulation, 2015 (Table 3.23);
ii) 22% of the institutions had an inventory of stakeholders; and
iii) Although 56% of the institutions indicated that they had developed various policies, 32% had subjected the policy documents to the public participation process.

Recommendations

i) All TVETs to customize the PSC guidelines on Public Participation.
ii) TVETs should mainstream public participation in all their engagements with staff and students.
iii) All institutions to develop a standard inventory of stakeholders based on the stakeholder mapping.

3.3.11 Efficiency, Effectiveness and Economic Use of Resources and Sustainable Development

The TVETs received two forms of funding from the government i.e. capitation and development. The capitation fund was utilized for recurrent expenditure while the development fund was majorly used for infrastructural development and procurement of equipment. TVETs also received funding from other

Table 3.23: Customization of Public Participation Guidelines

Category	Total No. of Institutions	Customization of public participation guidelines by TVET Institutions		Existence of Inventory of Stakeholders		Institutions that had developed policies
		PP Guidelines Developed	Guidelines Not Developed	Inventory Available	Not Available	
National Polytechnics	10	0	10 (100%)	4(40%)	6 (60%)	8 (80%)
Technical & Vocational Colleges	98	0	98 (100%)	14 (14.3%)	84 (85.7%)	47 (48%)
Technical Training Institutes	56	1 (1.8%)	55 (98.2%)	18 (32.1%)	38 (67.9%)	37 (66.1%)
Total	**164**	**1 (1.8%)**	**163 (98.2%)**	**36 (22%)**	**128 (78%)**	**92 (56.1%)**

sources including county governments, constituency development funds, donors and non-governmental organizations.

a) Maintenance of Updated Assets and Liabilities Register

Section 12(12) (g) of The Public Finance Management Act, 2012 requires the National Treasury to maintain an inventory of government assets. Regulation 43 of the Public Finance Management Regulations requires Accounting Officers to maintain a register of assets under their control.

42% of the institutions did not have public assets and liability registers as required by the law (Figure 3.7). These institutions are therefore exposed to the risk of loss of public assets.



Figure 3.7: Existence of Updated Asset Registers in TVET Institutions

Recommendation

TVET institutions should update their Assets and Liabilities Registers as required by PFM Act and Regulations and submit to the National Treasury by March 2022.

b) Auditor-General's rating for 2018/2019 & 2019/2020 Financial Years

The mandate of the Office of the Auditor-General includes reporting on the use and management of public resources by public entities and undertaking audit activities in state organs and public entities to confirm whether or not public money has been applied lawfully and in an effective way. The Auditor-General's report revealed that:

i) A majority of the TVET institutions, had not been audited for the 2018/2019 and 2019/2020 financial years respectively (Table 3.24);
ii) 12 (7.3%) and 15 (9.1%) of the institutions were able to satisfactorily account to the Auditor-General for the funds allocated to them for the 2018/2019 and 2019/2020 financial years respectively; and
iii) The Auditor-General was however not satisfied with the accounts of 52 (31.7%) and 47 (28.7%) institutions which were not able to account for the funds allocated to them in the 2018/2019 and 2019/2020 financial years respectively.

Recommendation

The Auditor-General should undertake a special audit of the TVETs in light of the significant resources that are allocated to them by the exchequer.

c) Budget Ratios

The Public Finance Management Act, 2012 requires public institutions to adhere to a minimum of 30% allocation of their budget to the development expenditure. Based on fiscal responsibility principles, the National Treasury Circular No. 8/2018 Ref. ES 1/03/N (17) directs that not more than 35% of institutional budgets are spend on compensation to employees, in line with Public Finance Management Regulation, 2015. Besides, institutions are required to ensure all the budgeted funds are utilized fully.

It was established that:

i) The total amount received as capitation was Kshs. 4,133,162,737.00 and for development funds was Kshs.832,537,993.65;
ii) Based on 22 institutions which received capitation and development budgets, the ratio of Recurrent (RE= PE+O&M) to Development (DE) was 73:27 (Figure 3.8a);
iii) The total amount received for PE was Kshs.1,821,107,440.00 and for O&M was Kshs.5,324,873,541.80 thus the ratio of PE to O&M was 75:25 (Figure 3.8b); and
iv) The TVETs failed to comply with the 70:30 recurrent to development ratio and the 65:35 PE to O&M.

Recommendation

The State Department for Technical and Vocational Training should ensure that TVETs operate within the recommended budget ratios.

Table 3.24: Status of the Rating on TVET Institutions by the Office of the Auditor-General

Category	No. of Institutions	Rating of TVET Institution in the Auditor-General's report for 2018/2019 FY					Rating of TVET Institution in the Auditor-General's report for 2019/2020 FY			
		Adverse	Disclaimer	Not Yet Audited	Qualified	Unqualified	Disclaimer	Not Yet Audited	Qualified	Unqualified
National Polytechnics	10		0	2 (20%)	7 (70%)	1 (10%)		1 (10%)	6 (60%)	2 (20%)
Technical & Vocational Colleges	98	2 (2.0)	0	84 (85.7%)	6 (6.1%)	6 (6.1%)	1 (1%)	76 (77.6%)	13 (13.3%)	5 (5.1%)
Technical Training Institutes	56	7 (12.5%)	8 (14.3%)	14 (25%)	22 (39.3)	5 (8.9%)	4 (7.1%)	16 (28.6%)	23 (41.1%)	8 (14.3%)
Total	**164**	**9 (5.5%)**	**8 (4.9%)**	**100 (61%)**	**35 (21.3%)**	**12 (7.3%)**	**5 (3%)**	**93 (56.7%)**	**42 (25.6%)**	**15 (9.1%)**

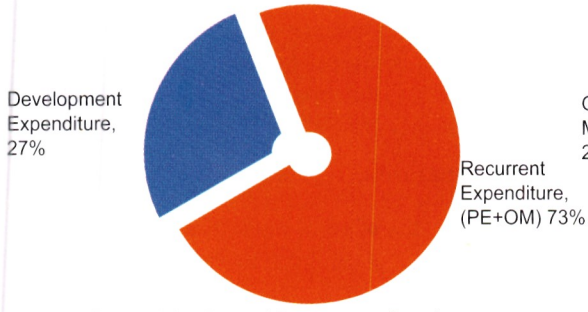


Figure 3.8a: Ratio of Recurrent to Development

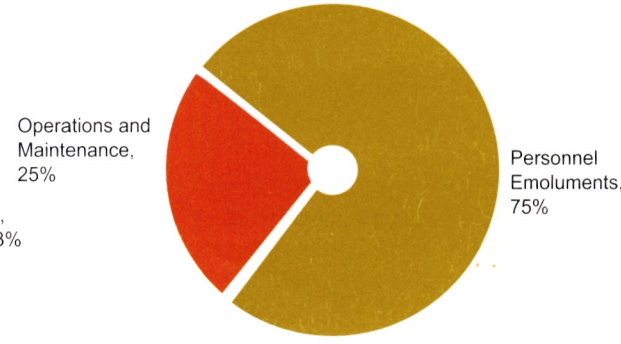


Figure 3.8b: Operations and Maintenance to Personnel Emoluments Ratio

Figure 3.8: Budget Ratios for TVET Institution as of 30th June, 2021

d) Implementation of development projects

Government institutions are required to implement the projects in the most efficiently and effectively to realize the intended benefits. Project planning is an important part of project implementation. Project viability and sustainability is determined through feasibility studies and environmental impact assessments. In addition, the project duration and cost are equally considered.

It was established that:

i) 35% of the TVETs undertook development projects;
ii) A total of 162 projects were implemented at a budget cost of Kshs.4,101,598,848.65;
iii) 70(43%) of the projects had feasibility studies done, 12(7%) had feasibility studies not done while the status of 80(50%) projects could not be determined (Figure 3.9a);
iv) 84(51%) of the projects had environmental impact assessment approved, 45 (28%) not approved and the status of environmental impact assessment for 33 (21%) projects could not be determined (Figure 3.9b);
v) 67% of the projects were completed within the stipulated period while 59% were completed at cost; and
vi) 19 projects in 15 institutions had their project cost varied.

Recommendations

i) TVETs that did not undertake environmental impact assessments and feasibility studies should comply with the project implementation cycle process from inception to completion.
ii) The Office of the Auditor-General to undertake an audit on the 7 projects in 6 institutions whose cost was varied beyond the 15% statutory threshold.

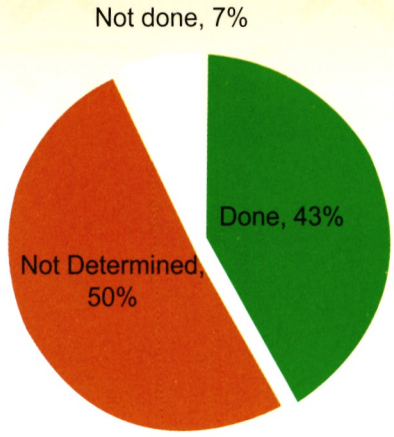


Figure 3.9a: Feasibility Status of Development Projects in TVET Institutions

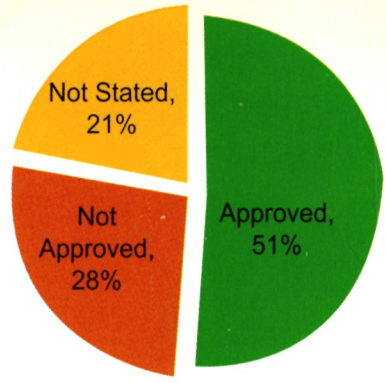


Figure 3.9b: Environment Impacted Assessment Status in TVET Institutions

Figure 3.9: Summary on Implementation of Development Projects in TVET Institutions

3.4 Status of Compliance for Ministries, Departments and Agencies (MDAs)

3.4.1 Staff Establishment

It was established that:

i) The authorized establishment for the 261 institutions was 347,845 posts of which 220,782 (63.5%) were in-post representing and 127,063 (36.5%) were vacant representing (Table 3.25);
ii) The vacant posts were occasioned by the recruitment moratorium,re-organization and restructuring of government institutions and reviewing of the staff establishment;
iii) Fifteen (15) institutions were over-established. Out of this, Agriculture and Food Authority, Kenya Medical Supplies Authority (KEMSA), Kenya Utalii College and State Department for University Education & Research were over-established by more than 50% (Table 3.26);
iv) Four were operating at optimal levels while 241 were under-established (Appendix V); and
v) Of the 241 under-established institutions, 90 were found to be operating under 50% of the optimal level.

Recommendations

i) The institutions with staff over-establishment to review and align them to the authorized staff establishment.
ii) The organizational structures and staff establishments for organizations operating below 50% be reviewed to determine the optimal staffing levels.

Table 3.25: Staff Establishment

Service Sectors	No. of Institutions	Authorized Establishment (A)	In-Post (B)	Variance (A-B)	% Variance ((A-B)/A*100
Constitutional Commissions & Independent Offices	8	4,749	2,017	2,732	57.53
Ministries & State Departments	49	156,218	95,618	60,600	38.79
Public Universities	33	46,762	29,951	16,811	35.95
State Corporations & SAGAs	165	136,853	91,674	45,179	33.01
Statutory Commissions & Authorities	6	3,263	1,522	1,741	53.36
Total	**261**	**347,845**	**220,782**	**127,063**	**36.53**

****Kenya Bureau of Standards excluded due to inadequate data.*

Table 3.26: Institutions with Staff Over-Establishment

S/No.	Name of Organization	Authorized Establishment	In-Post	Variance %
1.	Agricultural Development Corporation	1514	1637	-123
2.	Agricultural Finance Corporation	534	596	-62
3.	Agriculture and Food Authority	104	431	-327
4.	Coast Water Works Development Agency	173	182	-9
5.	Egerton University	1444	1654	-210
6.	Kenya Medical Supplies Authority (KEMSA)	341	877	-536
7.	Kenya Post Office Savings Bank	610	616	-6
8.	Kenya Reinsurance	157	158	-1
9.	Kenya Utalii College	395	788	-393
10.	Rongo University	330	467	-137
11.	State Department for Dev. of ASALs	140	172	-32
12.	State Department for Gender	207	220	-13
13.	State Department for Tourism	118	130	-12
14.	State Department for Transport	109	172	-63
15.	State Dept for University Education & Research	116	189	-73

3.4.2 Distribution of Officers by Terms of Service

Officers in the public service serve under various terms of service. These include permanent and pensionable, contract and permanent without pension.

It was established that:

i) 68.1% of the officers were serving on permanent and pensionable terms, 19.3% were on contract, 7.7% were on probation, 0.06% were on contract beyond the retirement age while 3.4% of officers were serving on permanent without a pension (Table 3.27);

ii) Out of the 149 officers serving on contract beyond the retirement age, 49 were from Ministries and State departments contrary to PSC circular Ref. PSC/ADM/13(7) dated 19th November 2020; and

iii) 1.2% of the officers were serving on temporary terms contrary to the provisions of the PSC Act and the Employment Act, 2017 that does not have a provision for this term of engagement.

Table 3.27: Distribution of Officers by Terms of Service

Service Sectors	No. of Institutions	No. of Officers	Terms of Service					
			Permanent and Pensionable	Permanent without Pension	Contract	Contract beyond retirement age	Probation	Temporary
Constitutional Commissions & Independent Offices	8	2,004	1,844		155	1	4	0
Ministries & State Departments	49	110,926	59,182	6,187	28,823	49	16,638	47
Public Universities	33	28,859	22,933	644	4,787	76	23	396
State Corporations & SAGAs	166	90,643	74,067	1,233	11,494	23	1,294	2,532
Statutory Commissions & Authorities	6	1,519	1,434	0	66	0	19	0
Total	**262**	**233,951**	**159,460**	**8,064**	**45,325**	**149**	**17,978**	**2,975**

Recommendations

i) Officers serving on permanent without pension should be converted to permanent and pensionable terms.

ii) Officers who have served on probation terms beyond six months and do not have adverse reports should be confirmed in the appointment.

iii) Officers serving on Temporary terms be converted to either contract or permanent and pensionable terms.

3.4.3 Secondment

The Public Service Commission Act, 2017 provides that the secondment of an officer to another organisation shall be for a period not exceeding three years and may be renewed once for a further period not exceeding three years. The positions held by officers on secondment to other organisations are reserved in the establishment and cannot be advertised or filled.

It was established that:

i) 8.6% of the officers were on secondment for a period exceeding six years (Table 3.28); and
ii) The number of officers serving on secondment for a period exceeding six years reduced from 16% in 2019/2020 to 8.6% in 2020/21.

Table 3.28: Secondment

Service Sectors	No. of Institution	Total No. of Officers	Total No. of Officers Seconded	Approval Status		Secondment Period	
				Approved	Approval Status Not Indicated	Six Years and Below	Beyond Six Years
Commissions & Independent Offices	4	2,004	89	88	1	61	27
Ministries & State Departments	43	110,926	395	368	27	344	24
Public Universities	17	28,859	156	79	77	73	6
State Corporations & SAGAs	72	90,643	493	295	198	251	44
Statutory Commissions & Authorities	4	1,519	35	35		35	
Total	**140**	**233,951**	**1,168**	**865**	**303**	**764**	**101**

Recommendation

The 101 officers who had overstayed the statutory secondment period should revert to the terms and conditions of service appropriate to their former substantive positions in the parent institutions. Those intending to continue working for the recipient institution to either transfer their services, retire or resign.

3.4.4 Service Delivery Improvement

Public institutions undertook various measures to improve service delivery during the evaluation period.

a) The Publication and Transcription of the Citizen Service Charter

Article 54 of the Constitution requires that documents, including the service charter, be transcribed into braille for use by visually impaired persons. In addition, the ICT policy requires that institutions publish service charters and sensitize citizens on them. The Policy further stipulates that the government shall take measures to ensure that websites of government departments and agencies comply with international web accessibility standards by persons including PWDs.

It was found that:

i) 89.3% of service recipients had access to service charters through institutional websites (Table 3.29);
ii) 56% of the institutions had transcribed their service charters into braille. This was a 28.7% increase compared to the 2019/2020 FY;
iii) 35% of the institutions had customized their websites for ease of access by visually impaired persons; and
iv) 43.5% of the institutions had created awareness to citizens on the provisions of the service charter in the last three financial years.

Recommendation

All institutions publish and publicize, transcribe the service charters into braille and customize the websites for ease of access by visually impaired persons.

b) Availability of a Complaints Register

The Public Service (Values and Principles) Act, 2015 requires public institutions to maintain complaints register where a complaint may be recorded for allegation or violation of values and principles of public service by a public officer.

Table 3.29: The Publication and Transcription of the Citizen Service Charter

Service Sectors	Total No. of Institutions	Institution publicized Citizen Service Charter on Website		Access of website by the Visually Impaired Persons	Institutions Transcribed the Service Charter into Braille		Created awareness to Citizens on Provisions of the Charter
		Publicized on website	Not publicized		Transcribed charter into braille	Charter Not Transcribed into Braille	
Constitutional Commissions & Independent Offices	8	6 (75%)	2 (25%)	4 (5%)	0	8 (100%)	3 (2.6%)
Ministries & State Departments	49	37 (75.5%)	12 (24.5%)	9 (18%)	16 (32.7%)	33 (67.3%)	6 (5.2%)
Public Universities	33	33 (100%)	0	14 (42%)	25 (75.8%)	8 (24.2%)	21 (18.4%)
State Corporations & SAGAs	166	155 (93.4%)	11 (6.6%)	65 (39%)	105 (63.3%)	61 (36.7%)	83 (72.8%)
Statutory Commissions & Authorities	6	3 (50%)	3 (50%)	1 (16.7%)	1 (16.7%)	5 (83.3%)	1 (1%)
Total	**262**	**234 (89.3%)**	**28 (10.7%)**	**93 (35%)**	**147 (56.1%)**	**115 (43.9%)**	**114 (43.5%)**

It was observed that:

i) 95.8% of the institutions evaluated maintained complaints register (Figure 3.10a);
ii) 79.3% of the evaluated institutions reported to have received complaints (Figure 3.10b);
iii) The State Corporations and SAGAs sector registered 90.8% of the recorded complaints, out of which KNEC reported having received 2 million complaints through Twitter. These accounted for 56% of the total complaints. The second-highest number of complaints, 224,665, was recorded by the State Department for Interior and Citizen Services, which accounted for 6% of the total number of complaints. Complaints from the two institutions accounted for 62% of all complaints that the 208 institutions received and recorded. (Table 3.30);
iv) The State Corporations and SAGAs (62.4%) received complaints through the tweeter handle more than other modes. Statutory Commissions & Authorities (79.7%) and Constitutional Commissions & Independent Offices (80.4%) both received complaints more through email while, Public Universities (30.5%) and Ministries and State Departments (78.6%) received complaints more through the website and letters respectively; and
v) Other modes of receiving complaints reported by 79 MDAs included Complaint Forms, Customer Feedback Forms, Complaint Boxes, Clinics and Public Awareness Campaign, Instagram, WhatsApp, Memo, Public Barazas, Google My Business, Newspaper, Walk-in, Strikes.

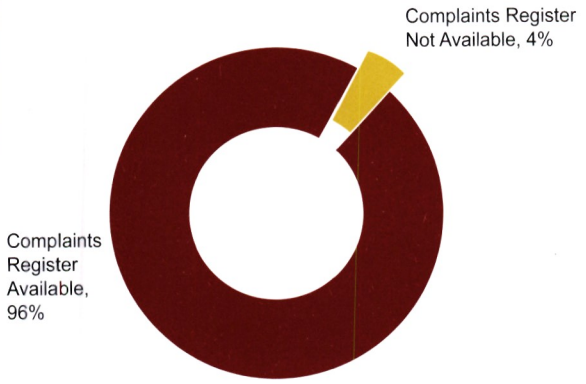


Figure 3.10(a): Availability of a Complaints Register

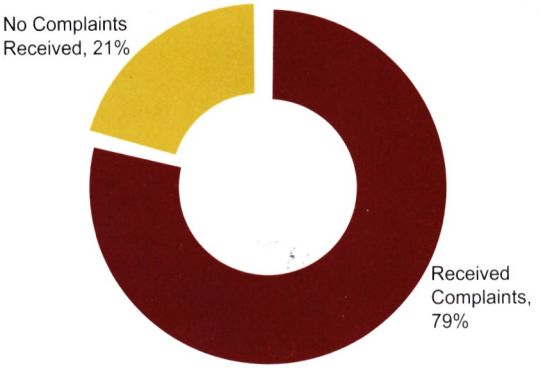


Figure 3.10(b): Status of Complaints received by MDAs

Figure 3.10: Availability of Compliant Registers and Status of Complaints in MDAs

Recommendations

i) MDAs without complaints registers should put in place the register as provided for under the Fifth Schedule of the Public Service Code of Conduct and Ethics by June, 2022.
ii) Two institutions which accounted for 62% of total complaints registered to explain the reasons for the high number of complaints.

Table 3.30: Registration of Complaints in Public Institutions in the FY2020/2021

Service Sectors	Total No. of Institutions	Total No. of Complaints	Mode used to Receive Complaints in MDAs and No. of Complaints Received in 2020/21FY						
			Letter	E-mail	Telephone	Facebook	Twitter	Website	Service Centres & Contact Centres
Constitutional Commissions & Independent Offices	8	18,670	1,221	15,019	2,294	94	38	4	
Ministries & State Departments	49	286,367	224,983	2,259	35,088	6,799	13,197	4,041	
Public Universities	33	32,336	1,299	2,322	5,279	8,613	4,967	9,856	
State Corporations & SAGAs	166	3,334,768	13,653	181,594	560,386	221,408	2,082,482	10,945	264,300
Statutory Commissions & Authorities	6	1,007	86	803	2	50	62	4	
Total	**262**	**3,673,148**	**241,242**	**201,997**	**603,049**	**236,964**	**2,100,746**	**24,850**	**264300**
		100.0	6.57	5.50	16.42	6.45	57.19	0.68	7.20

c) Engagements of Citizens through Social Media

Social media is increasingly becoming an important medium of interaction between institutions and their clients. Its interactive nature provides a platform for citizens to access services and demand accountability from institutions. Social media therefore allows immediate feedback which helps in service delivery improvement. Its benefits are mutual, between the institutions and the citizens. Through constructive social media engagement, citizens' concerns can be addressed. Constructive social media engagement provides a measure of transparency and enables timely and accurate availing of information to the public.

It was established that 54% of the institutions had not analyzed social media engagement reports (Figure 3.11).

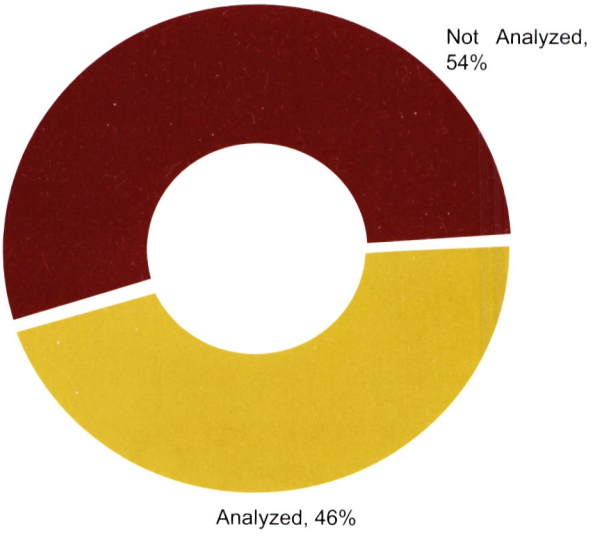


Figure 3.11: Status of Social Media Engagement

Recommendations

i) The Ministry of ICT should develop policy guidelines for social media engagement and utilization of feedback from clients.
ii) Institutions should undertake analyses of social media engagement with a view to using feedback for service delivery improvement.

d) Decentralization of Services

Article 6(3) of the Constitution requires that organizations ensure access to the services in all parts of the country as far as appropriate. Section 5(e) of the Public Service Values and Principles Act, 2015 requires that public institutions provide services equitably by ensuring that services are delivered closer to the service seekers.

It was noted that although 62% of the institutions reported having decentralized services, 81% of those institutions had decentralized services to regional levels (Table 3.31). Regional offices are understood to exist in former provincial headquarters. Ease of access to services may have been realized up to that extent but is still out of reach to the majority of Kenyans given the expanse of the regions.

Table 3.31: Decentralization of Services and the Modes Adopted

Service Sectors	No. of Institutions	Availability of Decentralized Services		Modes of Decentralizing Services		
		Decentralized	Not Decentralized	Regional offices	Mobile Offices	Others *
Constitutional Commissions & Independent Offices	8	5 (62.5%)	3 (37.5%)	5		1
Ministries & State Departments	49	34 (69.4%)	15 (30.6%)	27	2	11
Public Universities	32	15 (46.9%)	17 (53.1%)	8	1	8
State Corporations & SAGAs	168	103 (61.3%)	65 (38.7%)	86	3	22
Statutory Commissions & Authorities	5	4 (80%)	1 (20%)	4		1
Total	**262**	**161 (61.5%)**	**101 (38.5%)**	**130**	**6**	**43**

**Other County & Sub-county Offices, Branch Offices, Embassies, High Commissions & Consulates abroad, State Houses & Lodges, Huduma Centres, Boarder Posts*

Recommendation

Public service institutions to decentralize their services to the extent practicable including at county and ward levels to enhance access by citizens.

e) Existence of Criteria for allocation of ICT Equipment

Desktop, laptops, smartphones and other ICT equipment are critical resources for improved performance by officers and effective and efficient service delivery. Therefore, public institutions must maintain a criterion for allocation of these resources to ensure equity in the distribution.

It was established that:

i) 94% of the institutions did not have a documented criteria for allocating ICT equipment to staff (Table 3.32);
ii) Constitutional Commissions and Independent Offices had the highest Computer to Staff ratio while Ministries and State Departments had the least;
iii) The draft Public Sector Communication Policy had not been finalized. No reason was given despite the policy being in draft form since 2015;
iv) The National Information and Communication and Technology Policy, 2019 had not been disseminated despite the policy being issued three years back; and
v) In absence of other compensating IT infrastructure like ICT labs, the computer to staff ratio across the organizations is unfavourable for the realization of e-government initiatives.

Recommendation

The State Department of ICT should develop a policy on criteria for allocation of ICT equipment.

f) Documentation of Service Delivery Processes

The purpose of documenting business processes is to make it possible for the institutionalization of the processes. Public institutions are required to automate their documented business processes and migrate them to e-platforms for ease of access to citizens.

Table 3.32: Institutions with Documented Criteria on Allocation of ICT Equipment

Service Sectors	No. of Institutions	Total No. of Officers	Existence of a documented criteria on allocation of ICT equipment in MDAs		No. of ICT Equipment Issued to Staff as of 30th June, 2021						
			Available	Not Available	Computers	Computers to Staff Ratio	Ipads	Smartphones	Printers	Photocopiers	Scanners
Constitutional Commissions & Independent Offices	8	2,004	0	8	1,464	73:100	80	92	300	54	77
				100%	3.30%		2.9%	5.4%	4.4%	3.1%	4.4%
Ministries & State Departments	49	110,926	2	47	1546	1:100	43	19	361	170	124
			4.1%	95.9%	3.49%		1.6%	1.1%	5.2%	9.9%	7.1%
Public Universities	33	28,859	2	31	9,255	32:100	98	25	1,437	116	150
			(6.1%	93.9%	20.88%		3.6%	1.5%	20.9%	6.8%	8.6%
State Corporations & SAGAs	166	90,643	12	154	31,495	35:100	2,487	1,527	4,670	1,355	1,376
			7.2%	92.8%	71.05%		91.1%	90.2%	67.9%	78.9%	78.7%
Statutory Commissions & Authorities	6	1,519	0	6	566	37:100	21	29	109	23	21
				100%	1.28%		0.8%	1.7%	1.6%	1.3%	1.2%
Total	**262**	**233,951**	**16**	**246**	**44,326**		**2,729**	**1,692**	**6,877**	**1,718**	**1,748**
			6.1%	93.9%	100%	**19:100**	100%	100%	100%	100%	100%
Overall Proportion (%)							4.6	2.9	11.6	2.9	3

Business processes are examined and documented for efficient and consistent transaction of businesses. It ensures transparency, accountability and standardization of efforts so that there is no deviating from the organizational goals.

The ICT policy requires that all government services must be available online and be easily accessible to all citizens using their mobile devices anywhere at any time. The provision of online services contributes to effective and efficient service delivery.

It was established that:

i) 92% of the institutions had documented their processes thereby being accountable and transparent (Figure 3.12); and

ii) 55% of the services were still being offered manually hence a majority of public service institutions had neither automated nor migrated their services to e-platforms which rendered such services not easily accessible to citizens.

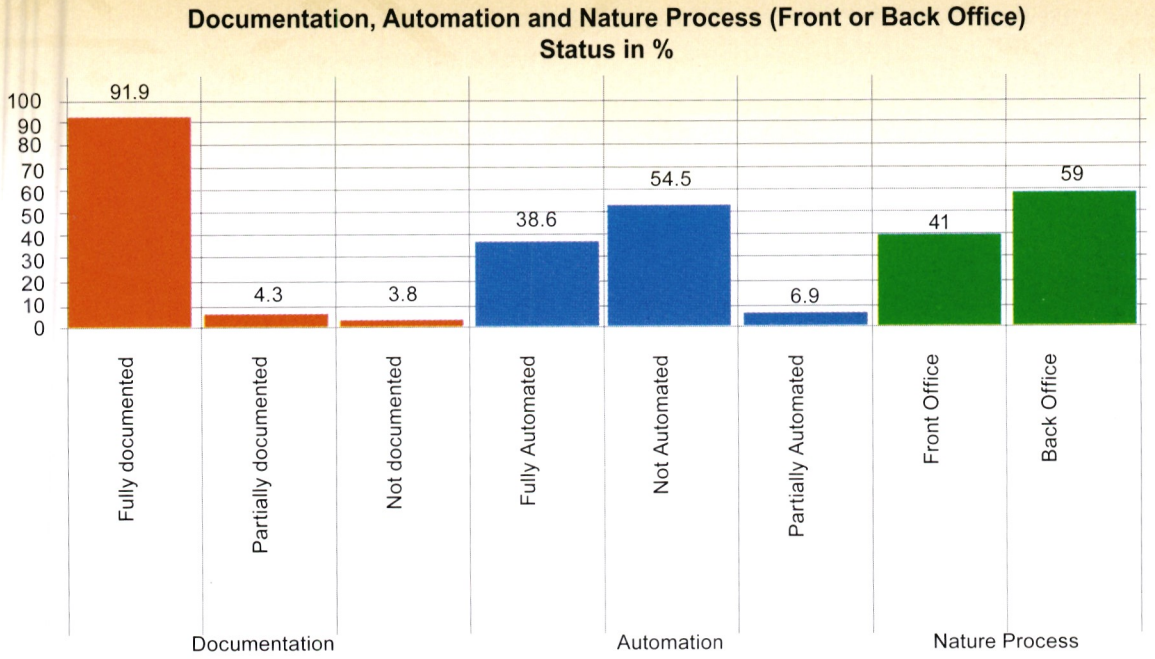


Figure 3.12: Status of Documentation of Business Processes in MDAs

Recommendation

The public institutions should finalize the documentation of all business processes and migrate to e-platforms for wider public access by June 2023.

g) Provision of Services through Huduma Platform

The Huduma platform is a one-stop-shop integrated service delivery model that takes services closer to the citizen. The establishment of the Huduma platform by the government was meant to facilitate ease of access to public services by citizens.

It was established that:

i) Huduma services were offered in 52 Huduma centres countrywide; and
ii) 8% of the public institutions offered their services through the platform. This was a decrease of 5% compared to the 2019/2020 evaluation period. This may be attributed due to some institutions not offering their services owing to the Covid-19 restrictions.

Recommendation

Public institutions whose services can be availed through Huduma centres to commence offering their services in the centres by June 2023.

h) Modes used by Citizens to Access Services

Public institutions use various platforms to facilitate access to services by citizens.

It was established that:

i) The most used (41%) mode of access to services by citizens was through institutional websites, followed by walk-in and bulk messages at 18% (Table 3.33); and
ii) Even though the most efficient mode of service delivery is the e-platform, it is the least used (1%) mode of access to services by citizens. It was further noted that the number of institutions offering services through the e-citizen platform was at 7%.

Recommendations

i) Public institutions that do not offer online services should migrate the services to online platforms by June 2023; and
ii) Public institutions that have not migrated their services to e-citizen platform to migrate the services by June 2023.

i) Feedback Channels used by citizens

Client feedback informs and guides decision making, influences business re-engineering, innovations and strategies to improve customer satisfaction. The analysis of feedback from citizens helps public institutions to develop responsive service delivery solutions.

Table 3.33: Modes Used by Citizens to Access Services

Service Sectors	No. of Institutions	Modes Used to Access Services							
		Walk-in clients	E-citizen platform	Mobile Phone Apps	Call centres	Bulk Short Message Service (SMS)	Websites	Other modes*	Total
Constitutional Commissions & Independent Offices	8	1,108,274	50	71	19,031	305,875	7,400,705	383,475	9,217,481
Ministries & State Departments	49	52,521,240	1,629,840	28,581,715	387,118	10,562,340	1,461,834	265,392	95,409,479
Public Universities	33	444,059	-	446,270	264,264	1,031,981	25,297,035	2,611,637	30,095,246
State Corporations & SAGAs	166	14,071,374	14,209	8,453,925	26,230,901	53,710,973	117,431,220	14,397,643	234,310,245
Statutory Commissions & Authorities	6	19,353	171,770	10,000	19,977	-	877,018	1,553	1,099,671
Total	**262**	**68,164,300**	**1,815,869**	**37,491,981**	**26,921,291**	**65,611,169**	**152,467,812**	**17,659,700**	**370,132,122**

*** Emails, VHF Radar, Facebook, Twitter, Instagram, LinkedIn, Letters & Memos, public barazas, field visits and outreach programmes, Virtual meetings, media coverage, USSD, Informational reports, Call centres, agents, social media, Telephone)*

It was established that the most preferred channels used by citizens to give feedback to institutions are correspondences, walk-in clients and social media (Table 3.34).

Table 3.34: Channels used by citizens to Give Feedback to Institutions

Service Sectors	No. of Institutions	Feedback Channels						
		Correspondence (letters, e-mails etc)	Electronic (TV, Radio, Telephone)	Social media (Institutional Twitter, WhatsApp, Facebook, YouTube, LinkedIn, SMS)	Surveys (customer satisfaction feedback, polling, online, etc.)	Public Service open days	Walk-in clients	Performance evaluation
Constitutional Commissions & Independent Offices	8	8	8	8	6	6	8	5
Ministries & State Departments	49	43	28	43	16	16	42	24
Public Universities	33	32	27	31	22	16	30	20
State Corporation s& SAGAs	166	160	125	151	127	80	156	106
Statutory Commissions & Authorities	6	6	5	6	4	4	6	2
Total	**262**	**249**	**193**	**239**	**175**	**122**	**242**	**157**

j) Recognition of Excellence in Service Delivery

Public institutions are required to recognize, commend and reward public officers who offer exemplary services to citizens.

It was noted that:

i) 41.2% of the institutions awarded best performing officers in their organizations (Figure 3.13); and

ii) 5,225 officers were awarded for performance excellence.

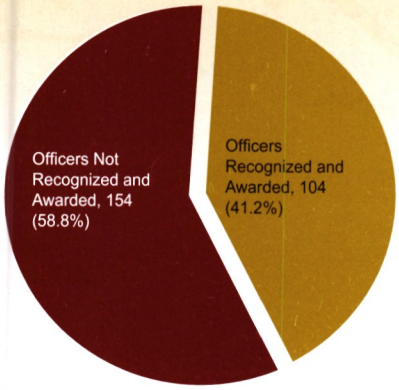


Figure 3.13: Staff recognition and ward for excellence in service delivery

Recommendation

Public institutions to recognize and reward best performing officers as an incentive to sustain excellence in service delivery.

3.4.5 High Standards of Professional Ethics in the Public Service

High standards of professional ethics in the public service is maintained by public officers through adherence to the Code of Conduct and Ethics, continuous training on values and principles and code of conduct and professionals' complying with provisions of the code of ethics of the relevant professional bodies.

a) Existence of Code of Conduct and Ethics

Kenya is a signatory of the United Nations Convention Against Corruption (UNCAC) that requires state parties to develop codes of conduct and ethics for public officers. To fulfil this requirement, the Commission developed the Public Officer Code of Conduct and Ethics, 2003 to guide the conduct of public officers. The Code was reviewed in 2016 to align it to the Constitution and Leadership and Integrity Act, 2012.

It was established that:

i) 80% of the institutions had codes of conduct and ethics (Figure 3.14);
ii) 14 (6%) out of 217 institutions that are under PSC as a responsible commission had aligned their codes to the PSC Code of Conduct and Ethics revised in 2016;
iii) 31 institutions were using the Human Resource Policies and Procedures manual 2016 as their codes of conduct;
iv) The Commission for Revenue Allocation was using the old version of the Code of conduct for public service issued in 2003; and
v) There was no standard code of conduct for public universities.



A Lab Technician attends to a patient at Mukuru Kwa Reuben Level 4 Hospital, Nairobi. (Photo by KNA)



H.E President Uhuru Kenyatta inspecting a revamped Kenya Meat Commission (KMC) production line. (Source PSCU)

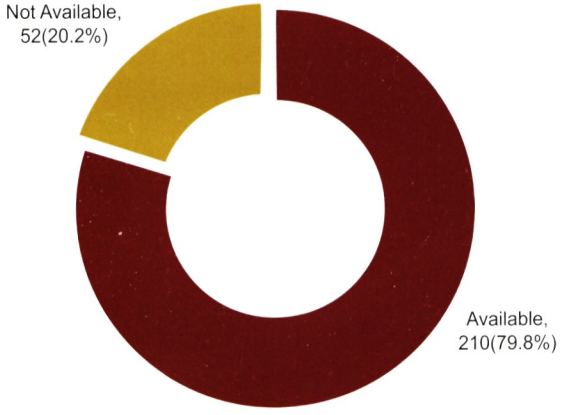


Figure 3.14: Status of the Code of Conduct in public institutions

Recommendations

i) The 203 institutions under PSC as a responsible Commission that had not aligned their codes to the PSC Code of Conduct and Ethics revised in 2016 to adopt the Code by June, 2022.
ii) Responsible Commissions that have not reviewed their codes should review and align them to the Constitution and LIA, 2012.

b) Promotion of Ethics and Integrity

The promotion of ethics and integrity remains pivotal as a measure towards concretizing high standards of professional ethics and integrity in the public service. Failure by institutions to undertake promotional measures on ethics and integrity compromises the government's effort to promote good governance practices in the public service. This also goes against the values and principles of transparency, accountability, integrity and sustainable development.

To ensure effective promotional initiatives on ethics and integrity, public institutions are required to not only make budgetary provision but also generate a comprehensive action plan to guide the promotional processes.

It was established that:

i) 54.6% of the institutions lacked an action plan to guide the promotion of ethics and integrity at the workplace (Table 3.35);
ii) 64.1% of the institutions made budgetary provision for the promotion of ethics and integrity in the public service. However, it is not clear how the budget was utilized considering that a majority of the organizations did not have an action plan to promote ethics and integrity;
iii) A majority of Constitutional Commissions & Independent Offices (62.5%), as well as Ministries & State Departments (57.1%) did not have a budget for promotion of ethics and integrity during the evaluation period; and
iv) 21.4% of public officers were sensitized on ethics and integrity.

Recommendations

i) All public institutions to annually make budgetary provisions for the promotion and sensitization on ethics and integrity in the workplace;and
ii) The Commission to direct the 144 organizations that do not have action plans to guide the promotion of ethics and integrity in the workplace to develop and implement them by March, 2022.

Table 3.35: Promotion of Ethics and Integrity at the Work Place

Service Sectors	Total No. of Institutions	Number of Officers	Existence of an action plan for promotion of ethics integrity at the work place in Public Institution		Availability of budget on promotion of ethics and integrity		No. of Officers sensitized on the code & Values and Principles
			Available	Not Available	Available	Not Available	
Constitutional Commissions & Independent Offices	8	2,004	1 (12.5%)	7 (87.5%)	3 (37.5%)	5 (62.5%)	449 (22.4%)
Ministries & State Departments	49	110,926	12 (24.5%)	37 (75.5%)	21 (42.9%)	28 (57.1%)	3,312 (3%)
Public Universities	33	28,859	19 (57.6%)	14 (42.4%)	27 (81.8%)	6 (18.2%)	4,011 (13.9%)
State Corporations &SAGAs	166	90,643	86 (51.8%)	80 (48.2%)	114 (68.3%)	52 (31.7%)	42,068 (46.4%)
Statutory Commissions & Authorities	6	1,519	1 (16.7%)	5 (83.3%)	3 (50%)	3 (50%)	165 (10.9%)
Total	**262**	**233,951**	**119 (45.4%)**	**143 (54.6%)**	**168 (64.1%)**	**94 (35.9%)**	**50,005 (21.4%)**

c) Membership to Professional Regulatory Bodies

Regulatory professional bodies support professionalism in the public service by setting standards of conduct for their members. The bodies also discipline their members when there is non-compliance with set standards. The bodies issue practising certificates for their members and organize training for continuous professional development (CPD).

It was observed that:

i) 13,794 officers (5.9%) from 242 institutions were members of 29 regulatory Professional bodies;
ii) Out of the 13,794 officers, 4,362 (32%) attended various courses for continuous professional development;
iii) Out of the 4,362 officers sponsored for various CPD programmes, 3,006 officers were sponsored by institutions, 311 were self-sponsored while the sponsorship for 1,045 officers could not be determined (Figure 3.15);
iv) All the officers who were members of various regulatory bodies were in good standing; and
v) Some regulatory professional bodies maintained an inventory of registered and licensed professionals that was accessible to members of the public. These were the Nursing Council of Kenya, Certified Public Secretaries of Kenya, Media Council of Kenya, Pharmacy and Poisons Board, Engineers Board of Kenya and Institute of Human Resource Management.

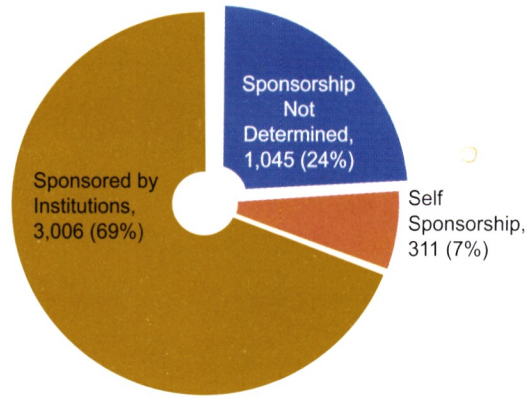


Figure 3.15: Support for Continuous Professional Development

Recommendation

Institutions should support professionals in their organizations to attend courses for Continuous Professional Development.

3.4.6 Good Governance, Transparency and Accountability

Good governance, transparency and accountability entail organizations having mechanisms to report corruption, management of gifts and conflicts of interest and institutions having mechanisms in which citizens can request for information and channels in which institutions can communicate to the citizens.

a) Modes used to Report Corruption Cases

There are various mechanisms used by citizens to report corruption cases in public institutions. These include hotlines, anonymous letters, corruption reporting boxes, social media amongst others.

It was established that:

i) Corruption-related cases involving staff were reported in 35 (13%) institutions (Table 3.36); and
ii) Whistle-blowing was the most preferred mode of reporting corruption cases. Despite having been the most preferred mode in 2019/2020, the prevalence rate reduced by 14%. The other preferred modes were anonymous letters and social media.

Recommendation

EACC should undertake more sensitization to citizens and public officers on the various modes available for reporting corruption.

b) Officers prosecuted for Corruption-Related Cases

It was established that:

i) 20 institutions had reported cases of corruption (Table 3.37). The number of institutions with reported cases of corruption reduced from 47 in the FY 2019/2020 to 20 in the FY 2020/2021 with the number of cases reported also reducing from 427 to 188;
ii) The government lost Ksh.226,719,887.4 due to corruption-related actions from the 20 institutions and recovered Ksh.1,718,975.4;
iii) The number of cases prosecuted in court improved from 132 in the 2019/2020 to 146 in 2020/2021 while the cases referred for administrative action declined from 222 in 2019/2020 to 66 in the FY2020/2021; and
iv) The number of convicted officers increased from 8 in FY2019/2020 to 12 officers in 2020/2021.

Table 3.36: Public Institutions with Reported Cases of Corruption and Modes used to Report Corruption Cases

Service Sectors	No. of Institutions	Corruption cases involving staff in Public Institutions reported in 2020/2021 FY		Modes used to Report Corruption Cases in Public Institutions						
		Yes	No	Hotlines	Corruption reporting boxes	Anonymous letters	Online reporting	Social Media	Whistle blowing	Other Modes*
Constitutional Commissions & Independent Offices	8	1 (12.5%)	7 (87.5%)				1			
Ministries & State Departments	49	11 (22.4%)	38 (77.6%)	1	2	2	2	4	2	5
Public Universities	33	5 (15.2%)	28 (84.8%)			1		1	2	3
State Corporations & SAGAs	166	17 (10.2%)	149 (89.8%)	6	3	6	4	4	7	7
Statutory Commissions & Authorities	6	1 (16.7%)	5 (83.3%)			1		1		
Total	**262**	**35 (13.4%)**	**227 (86.6%)**	**7**	**5**	**10**	**7**	**10**	**11**	**15**

**Other Modes Include:- Walk-ins, Anonymous letters, Letters, EACC, HoDs, Audit Reports and Managements reports*

Table 3.37: Status of Corruption Related Cases

Service Sectors	No. of Organization with reported corruption cases	No. of Corruption Cases	No. of officers Prosecuted In Court	No. of officers Convicted	No. of Cases Referred for Administrative Action	Value of Assets/Money Lost	Value of Assets/ Money Recovered
Constitutional Commissions & Independent Offices	1	1	1	0	0	-	-
Ministries & State Departments	8	111	93	12	7	16,751,400	0
Public Universities	2	2	6	0	1	177,000,000.00	0
State Corporations & SAGAs	9	74	46	0	58	32,968,487.40	1,718,975.40
Total	**20**	**188**	**146**	**12**	**66**	**226,719,887.40**	**1,718,975.40**

Recommendation

The institutions in the criminal justice system should expedite disposal of corruption cases as required by the National Values and Principles of Governance Policy, 2013.

c) Civil Proceedings Against Public Institutions

It was established that:

i) One hundred and thirty-nine institutions (53%) were subject to civil proceedings an indication that institutions did not uphold good governance practices (Table 3.38); and

ii) The amount paid by the institutions in rulings against them was more than the amounts paid to the institutions in rulings in their favour, an indication of an increase in cases of maladministration.

Recommendation

The Attorney General should consider carrying out an audit to establish the nature of civil proceedings and seek for out-of-court settlements so that service delivery is not affected.

Table 3.38: Civil Proceedings Against Public Institutions

Service Sectors	No. of Institutions	No. of Civil Cases Filed Against the Institution	No. of Cases Ruled in Favour of the Institution	No. of Cases Ruled Against the Institution	Judgement Amount (Kshs)		
					Against the Institution	In Favour of the Institution	Against Individual Officers
Constitutional Commissions & Independent Offices	5	371	76	128	1,234,000,000	21,912,535	-
Ministries and State Departments	19	1,456	58	116	18,965,807,140	-	-
Public Universities	21	530	142	72	199,292,863	2,781,380	-
State Corporations and SAGAs	94	2,013	347	208	7,091,564,942	3,474,986,788	869,711
Total	**139**	**4,370**	**623**	**524**	**27,490,664,945**	**3,499,680,703**	**869,711**

d) Management of Gifts in the Public Service

A public officer is required to exercise judgement on the nature of the gift he or she can receive. This is in consideration that gifts may be used as a conduit for bribery whose purpose is to influence decision-making in favour of the giver of the gift. The giving and receiving of gifts in the public service is

regulated through the Leadership and Integrity Act and Regulations.

1) Gifts received and declared by public officers

It was established that:

i) 22.1% of the institutions indicated that they had officers who received and declared gifts compared to 23% that had received and declared gifts during the 2019/2020 financial year. Therefore, the reduction was marginal;
ii) 610 gifts were received and declared, compared to 4,463 gifts received and declared in 2019/2020; and
iii) EACC was yet to undertake an audit of the gift registers maintained by public institutions as recommended by the 2018/2019 report.

2) Gifts Given out by Public Institutions

It was established that:

i) 56 institutions accounting for 21.4% indicated that they had given out gifts during the 2020/2021 financial year (Figure 3.16); and
ii) Organizations gave out gifts worth Ksh.21,726,853 in total. The National Oil Corporation gave out gifts with the highest value worth Ksh.6,575,000.00. It was followed by the Kenya Yearbook Editorial Board and the Kenya Institute for Public Policy Research and Analysis (KIPPRA) which gave out gifts worth Ksh.3,808,580.00 and Ksh.2,394,222.00 respectively.

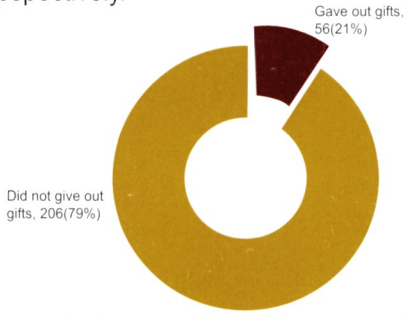


Figure 3.16: Status of Gifts Given out in MDAs

Recommendations

i) Public organizations to adhere to the provisions of the Leadership and Integrity Act, 2012, Leadership and Integrity Regulations, 2015 and the Public Service Code of Conduct and Ethics, 2016 regarding gift management.
ii) Public organizations and officers to be discouraged from giving and receiving gifts in form of alcohol.
iii) EACC to audit gift registers that are maintained by public institutions by June 2022.
iv) EACC to review the Leadership and Integrity Regulations to include provisions on management of the value of gifts given out by organizations.

e) Management of Conflict of Interest

The Leadership and Integrity Act, 2012 and POEA, 2003 provide for mechanisms of managing conflict of interests by Public Officers.

It was noted that:

i) Conflict of interest was declared by officers and recorded in 33 (12.6%) institutions (Figure 3.17). This was a slight decline from 2019-2020 Financial Year when 38 (13.1%) institutions had officers who had registered conflicts of interest;
ii) The nature of conflicts reported included business associate interest, directorship in a procurement company, familiarity with panellists, family interest and personal interest; and
iii) EACC was yet to undertake an audit of the conflict of interest registers maintained by public institutions as recommended by the 2018/2019 report.

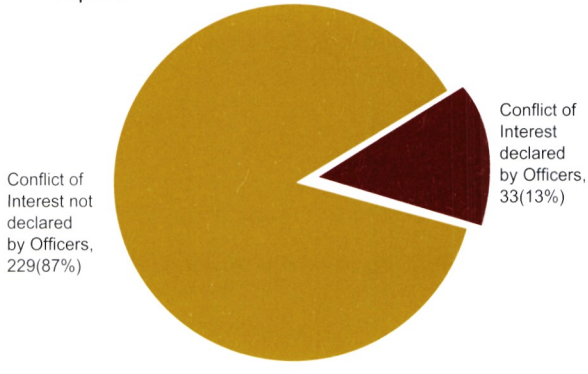


Figure 3.17: Institutions with cases of conflict of interest declared by officers

Recommendations

i) Public institutions to maintain and frequently update the conflict of interest register as required under Section 16(11) of Leadership and Integrity Act, 2012.
ii) EACC to audit conflict of interest registers maintained by public institutions by June 2022.

f) Existence of functional Boards of Directors and University Councils

Public organizations need to ensure they remain fit for purpose by having the structures necessary to deliver on their mandate. There should be a

functional Board of Directors (or University Council for Public Universities) at all times responsible for policy and providing strategic direction.

It was established that:

i) 94% of the state corporations and public universities had functional Boards of Directors/ Councils (Table 3.39). This was an increase of 2% compared to 2019/2020;
ii) 2 institutions namely National Communication Secretariat and Pharmacy and Poisons Board reported that they had no board of directors;
iii) 10 state corporations reported that they had no functional board of directors. This was a reduction by 7 institutions compared to 2019/2020; and
iv) 4 public universities and one state corporation indicated that they held less than four board meetings contrary to the four prescribed by the *Mwongozo* Code of Governance for State Corporations.

Recommendation

The Appointing Authority to constitute the Boards when due to enable the institutions execute their mandates.

Table 3.39: Institutions with Functional Boards of Directors/Councils

Service Sectors	No. of Institutions	Existence of functional Board of Directors or University Council in 2020/2021 FY		No. of Meetings Held
		Yes	No	
Public Universities	33	33 (100%)	0	220
State Corporations & SAGAs	166	154 (93.9%)	12(6.1%)	1,690
Total	**199**	**187(94%)**	**12(6%)**	**1,910**

g) Acting appointment

Section 34(3) of the PSC Act, 2017 provides that an officer may serve on acting appointment for six months in a position where there is no substantive office holder. It is presumed that the affected organization would take necessary measures to competitively fill the position within six months or confirm the officer acting in the position to the post upon satisfactory service.

It was established that:

i) 69% of the officers appointed on acting appointment were serving for a period exceeding six months (Table 3:40);
ii) Kenya Ports Authority, Anti-Counterfeit Authority, Water Services Regulatory Board and Kenya Pipeline appointed 4 officers on acting appointment through HRMAC; and
iii) The number of officers on acting appointment and serving for a period exceeding six months increased from 63% in 2019/2020 to 69% in 2020/21.

Recommendations

i) The institutions where the 1,202 officers have been allowed to exceed the six months of acting appointments to explain circumstances under which the officers have been allowed to exceed the statutory timeline.
ii) The four state corporations to declare the positions for competitive filling after the expiry of the six months acting period.

h) Induction Manual

The Public Service Commission Regulations 2020 require that new employees be inducted to assist the officer to adjust to the new work environment and responsibilities. The induction of the officers is guided by the organization's induction manual.

It was established that:

i) 40.8% of the institutions had an induction manual (Figure 3.18). Therefore, the institutions did not have a standard guideline to undertake induction; and
ii) The topics covered by a majority of the institutions during the induction included the provision of the institution's service charter, code of conduct and ethics, financial disclosures, values and principles in Articles 10 and 232 and governance.

Table 3.40:Status of Duration of Officers Serving on Acting Appointment

Service Sectors	No. of Institutions	No. of Officers	Authority Approval						Duration on acting Appointment		
			Board	MHRMAC	Public Service Commission	Teachers Service Commission	University Council	Approving Authority not Indicated	Six Months & Below	Above Six Months	Date of acting appointment not provided
Constitutional Commissions & Independent Offices	6	27	27						6	21	
Ministries & State Departments	6	17			13				10	7	
Public Universities	29	436			4		374	58	77	344	15
State Corporations & SAGAs	126	1240	1,139	4		1		100	398	825	17
Statutory Commissions & Authorities	5	12	12						7	5	
Total	**172**	**1,732**	**1,178**	**4**	**17**	**1**	**374**	**158**	**498 (29%)**	**1,202 (69%)**	**32 (2%)**

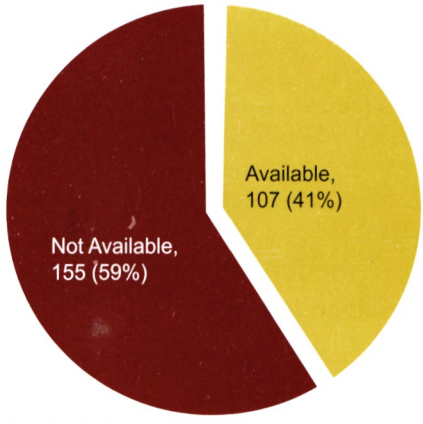


Figure 3.18: Existence of induction manual

Recommendation

Institutions should customize their induction manuals in line with the Induction Handbook for the Public Service, 2017 to include the topics on the institution's service charter, code of conduct and ethics, financial disclosures, values and principles in Articles 10 and 232 and governance.

3.4.7 Performance Management

Performance management in the public service involves the development of strategic plans, the signing of performance contracts/appraisal at the organisational and individual levels, and undertaking of monitoring and evaluation of the performance of organisations and individuals, and the undertaking of performance appraisals. Organisations also manage the conduct of staff for better performance by training, instituting rewards and sanction measures, and taking disciplinary control.

a) Strategic plans

Strategic plans are the government's main tool for establishing development effectiveness. The plans are aligned to national developments priorities outlined in Kenya Vision 2030 and its Medium Term Plans, linked to sustainable development goals, MTEF budget process and human resource planning. The plan is the basis of identifying deliverables in performance contracts and individual annual performance appraisal.

Therefore, a strategic plan provides a mechanism of achieving organization's goals and objectives through implementation of programmes and projects using the available financial and human resources in an effective and efficient manner.

Mid-term reviews of strategic plans is a monitoring mechanism that provides feedback on the effectiveness of the implementation of the strategic plan at mid-term. The mid-term review provides information based on targets outputs, outcomes and performance indicators.

It was established that:

i) 183 (70%) of the institutions had current strategic plan (Figure 3.19a);
ii) 128 institutions had published the strategic plan in their respective websites (Figure 3.19b); and

iii) 63% of the institutions had not undertaken mid-term reviews of their current strategic plans (Figure 3.20). This means that the institutions had not provided feedback on the effectiveness of the implementation of the plan, hence were not able to justify spending of the public resources.

Recommendations

i) Institutions that had not published the strategic plans should upload the plans in the websites as required by PFM Regulations, 2015.

ii) Institutions should undertake mid-term reviews as required.

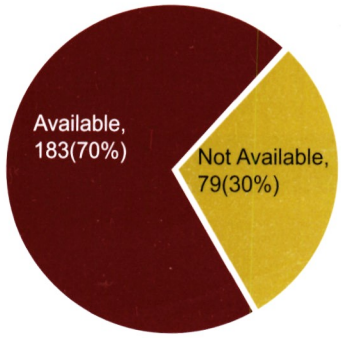


Figure 3.19(a): Existence of Current Strategic Plans in Public Institutions

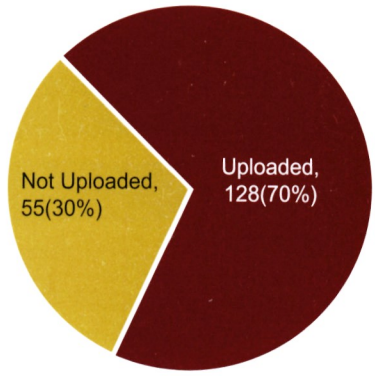


Figure 3.19(b): Strategic Plans uploaded on Organizational Website

Figure 3.19: Existence and uploading of Current Strategic Plans in the Websites

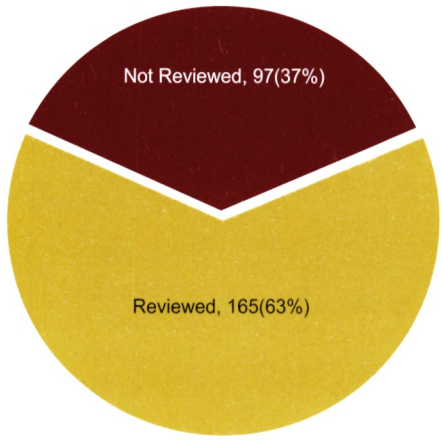


Figure 3.20: Institutions Undertaken Mid-Term Review

b) Performance Contracting

A performance contract is a negotiated contract in which public institutions set their performance targets for a financial year based on the strategic objectives provided in the strategic plan. The contract is expected to be cascaded to all departments, sections and staff in the organisation.

It was established that:

i) 62% of the CEOs of Constitutional Commissions and Independent Offices had not signed performance contracts with their Boards. However, 73% of institutions in the other four service sectors had signed performance contracts (Figure 3.21). This was an increase of 18% compared to the number that signed in 2019/2020 period; and

ii) There was a correlation between the number of institutions with current strategic plans and those that signed performance contract.

Recommendations

i) The CEOs of Constitutional Commissions and Independent Offices should sign performance contract with the respective Boards.

ii) All the authorised officers/CEOs of other institutions that had not signed a performance contract should sign the contract as per the PFM Regulations.

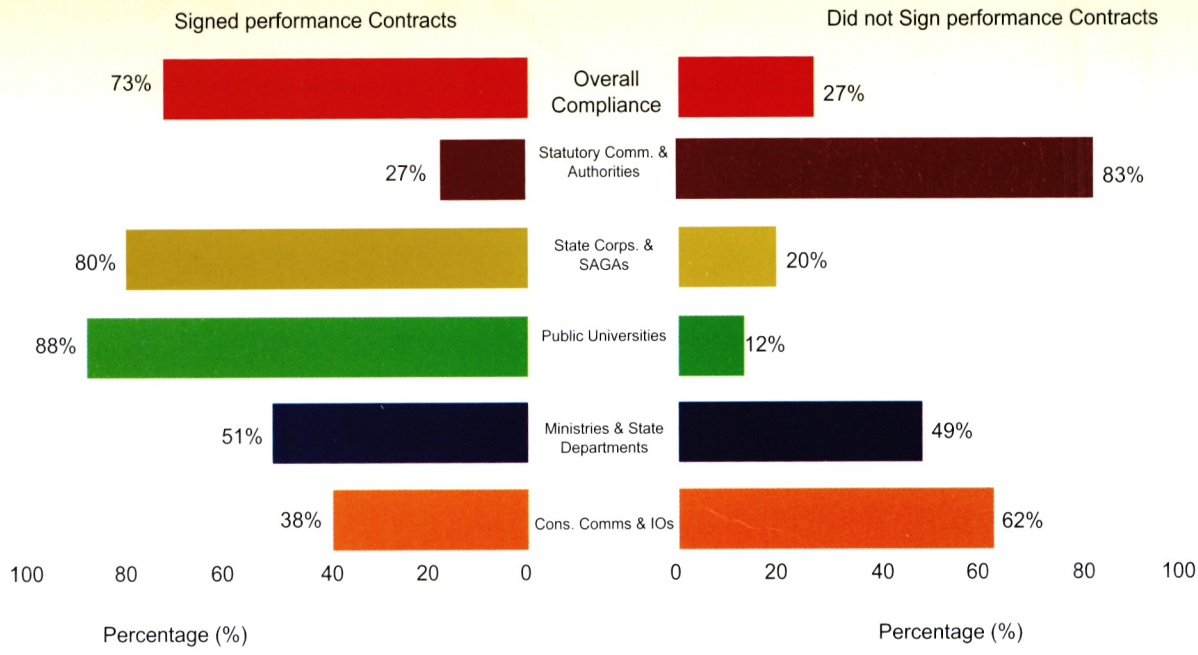


Figure 3.21: Signing of Performance Contracts in MDAs

c) Setting of Individual Performance Contracting Targets

The performance contracting guidelines require that the officers set their individual performance targets based on the signed performance contract and strategic plan.

It was found out that:

i) 91% of the institutions had officers who set their individual performance targets (Table 3.41). However, this figure is higher by 18% in comparison to the number of institutions that signed the contracts. This implies that there were institutions where officers set their targets without the institution signing a performance contract; and

ii) A majority (68%) of the officers set their individual performance targets.

Recommendation

The setting of individual performance targets should be based on the signed organizational performance contracts as required by the PFM Regulations and Performance Contracting Guidelines.

Table 3.41: Number of Officers who Set their Individual Performance Targets

Service Sectors	No. of Institutions	Total No. of Staff	Organization with officers who set Individual Performance Targets	Organization with officers who did not set Individual Performance Targets	Total No. of Staff who set Individual Performance Targets
Constitutional Commissions & Independent Offices	8	2,004	8 (100%)	0	2,001 (99.8%)
Ministries & State Departments	49	110,926	47 (96%)	2 (4%)	78,983 (71%)
Public Universities	33	28,859	29 (88%)	4 (12%)	14,132 (49%)
State Corporations & SAGAs	166	90,643	151 (90%)	15 (10%)	63,605 (70%)
Statutory Commissions & Authorities	6	1,519	3 (50%)	3 (50%)	328 (21%)
Total	**262**	**233,951**	**238 (91%)**	**24**	**159,049 (68%)**

d) Performance Contract Evaluation Scores

Performance evaluation is the final stage of the performance contracting cycle. It is carried out in a manner that ensures objectivity and integrity of results. It involves an annual assessment of the level of achievement of the set targets. The evaluation was done for Ministries, State Corporations and SAGAs, Public Universities and Tertiary institutions. The performance score (which is the inverse of the composite score) ranges from a score of 1.0 (Excellent) to 0.2 (poor).

It was established that:

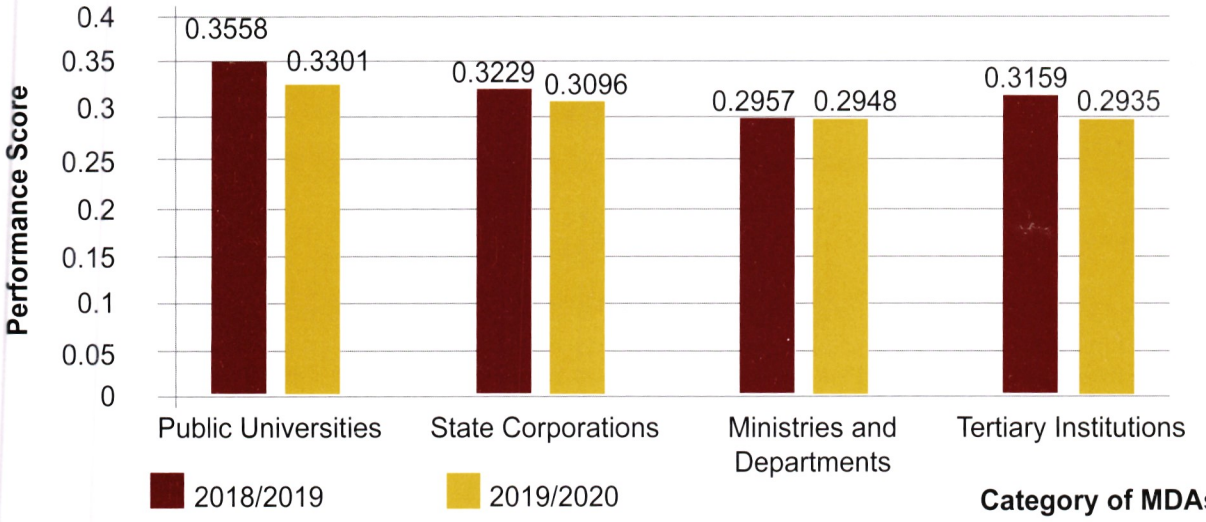
i) Performance of public institutions declined for all categories in the financial year 2019/2020 compared to the previous financial year for ministries, state corporations, public universities and tertiary institutions (Figure 3.22); and

ii) Public universities remained the best performing category of public institutions followed by State Corporations posting a performance score of 0.3301 and 0.3096 respectively.

Recommendation

All institutions should adhere to Performance Contracting Guidelines and the provisions of the Public Service Commission (Performance Management) Regulations, 2021 with regard to performance evaluation.

Comparison of Performance of Public Institutions for FY 2018/2019 and FY 2019/2020



Source: Ministry of Public Service and Gender

Figure 3.22: Report on Evaluation of the Performance of Ministries, State Corporations and Tertiary Institutions for the Financial Year 2019/2020

e) Performance Management Committee and Staff Performance Appraisal

The Performance Rewards and Sanctions Framework for the public service stipulates the functions of the Performance Management Committee. This, inter alia, includes ensuring that the performance of all officers is evaluated and feedback on performance is communicated at the end of the financial year; holding quarterly performance review meetings; and ensuring that the integrity and credibility of the overall process of rewards and sanctions system is safeguarded and maintained.

Staff Performance Appraisal System (SPAS) is a critical component of the Human Resource Management function in the public service. SPAS is a tool used to measure improvement and recognize the performance of the officer. The appraisal provides feedback to the institution on the effectiveness and efficiency of the officers in implementing the institution's mandate.

It was established that:

i) 76% of the institutions did not hold PMC meetings to review the performance of appraised staff (Table 3.42). However, there was an increase of 7% of the PMC meetings held compared to 2019/2020. The low number of institutions where PMC meetings were not held implies that the institutions were unable to assess the level of performance of their staff and this impacts negatively on productivity and serviced delivery; and

Table 3.42: Institutions that held PMC Meetings and number of Officers Appraised

Service Sectors	Total No. of Staff	No. of Institutions	No. of Institutions where PMC met	No. of staff who were appraised	No. of staff who exceeded the agreed performance targets (101% +)	No. of staff who attained all the agreed performance targets (100%)	No. of staff who attained between 80 – 99% of the agreed performance targets	No. of staff who attained between 60 – 79% of the agreed performance targets	No. of staff who attained 59% and below of the agreed performance targets
Constitutional Commissions & Independent Offices	2,004	8	0	0(0%)	0	0	0	0	0
Ministries & State Departments	110,926	49	13	8048 (7%)	1873	3907	1421	330	517
Public Universities	28,859	33	7	2588 (9%)	537	536	1047	424	44
State Corporations & SAGAs	90,643	166	42	10785 (12%)	592	3261	4920	1726	286
Statutory Commissions & Authorities	1,519	6	1	67 (4%)	7	48	12	0	0
Total	**233,951**	**262**	**63 (24%)**	**21,48 (9%)**	**3009**	**7752**	**7400**	**2480**	**847**

ii) Despite 68% of officers setting individual performance targets, 9% were appraised. This was a reduction of 63% compared to 2019/2020. This means that the setting of individual performance targets in institutions does not correlate with the performance appraisal system in the public service.

Recommendation

The PMCs should adhere to the provisions of the Public Service Commission (Performance Management) Regulations, 2021 and the Rewards and Sanctions Policy.

f) Rewards and Sanctions

The main purpose of implementing rewards and sanctions is to improve productivity and enhance service delivery. The Performance Rewards and Sanctions Framework for the public service provides for rewards and sanctions awarded to officers based on individual performance scores in the performance ratings as presented in Table 3.43.

It was established that:

i) 1.9% of the officers were rewarded, 0.5% were sanctioned and 0.5 % were placed on PIP (Table 3.44); and
ii) The number of officers rewarded, sanctioned and placed on PIP did not correlate to the numbers provided on the ratings as per the performance appraisal (Table 3.42 & 3.43).

Recommendations

i) Authorized Officers to establish and monitor functionality of PMC.
ii) The PMC should adhere to the provisions of the Rewards and Sanctions Policy.

Table 3.43: Rewards and Sanctions Based on Performance Ratings

Achievement of performance targets	Rating scale		Reward/Sanction
Achievement higher than 100% of the agreed performance targets.	Excellent	101% +	13th month salary based on score for "Excellent" performance and Roll of honour
Achievement up to 100% of the agreed performance targets.	Very Good	100%	Letter of commendation
Achievement between 80% and 99% of the agreed performance targets.	Good	80% - 99%	Place on performance improvement plan to attain higher performance
Achievement between 60% and 79% of the agreed performance targets.	Fair	60% - 79%	1st year – place on performance improvement plan
			2nd year – warning letter
			3rd year – final warning letter
			4th year - separation
Achievement upto 59% of the agreed performance targets.	Poor	59% and Below	1st year – warning letter
			2nd year – final warning letter
			3rd year - separation

Table 3.44: Number of Officers Rewarded, Sanctioned and Placed on PIP

Service Sectors	Total of officers	No. of officers rewarded	No. of officers Sanctioned	No. of officers placed on performance improvement plans (PIP)
Constitutional Commissions & Independent Offices	2,004	0	0	0
Ministries & State Departments	110,926	1,899	1,120	725
Public Universities	28,859	235	1	24
State Corporations & SAGAs	90,643	2,299	126	416
Statutory Commissions & Authorities	1,519	0	0	0
Total	**233,951**	**4,433 (1.9%)**	**1,247 (0.5%)**	**1,165 (0.5%)**

g) Human Resource Development

1. Training Budget

The Human Resource Development policy requires that institutions ensure efficient, effective and economic use of funds allocated for training. The policy requires the government to set aside 1-2% of the recurrent budget to training.

It was established that:

i) The percentage of training to recurrent budget was 0.6% (Table 3.45). This was an increase of 0.24% compared to 2019/2020. Therefore, the low training budget to recurrent ratio is a constraint to the execution of the training programmes in the public service; and

ii) The absorption rate of the expenditure in training was 78%. This was an increase of 11% compared to 2019/2020.

Recommendation

Public institutions should comply with the Public Service Human Resource Development Policy, 2016 which requires them to allocate between 1% and 2% of recurrent expenditure to training.

2. Training Needs Assessment

Section 56(d) of the PSC Act, 2017 requires that Authorized Officers undertake Training Needs Assessment (TNA) and training projections. The HRD policy requires that TNA be conducted every three years or as need arises. The aim of TNA is to identify performance gaps, determine their causes and recommend appropriate interventions.

Table 3.45: Allocation of Training Budget against Recurrent Budget

Service Sectors	Recurrent Budget	Training Budget	% of Training to Recurrent Budget	Training expenditure	Absorption Rate (%)
Constitutional Commissions & Independent Offices	8,279,410,000	85,399,297	1.0	83,030,762	97
Ministries & State Departments	588,099,300,000	1,084,023,692	0.2	1,030,520,798	95
Public Universities	20,379,980,000	111,319,525.7	0.5	75,755,211.1	68
State Corporation s& SAGAs	261,047,580,000	3,669,247,436	1.4	2,661,223,224	73
Statutory Commissions & Authorities	4,791,930,000	21,161,284	0.4	17,673,493	84
Total	**882,598,200,000**	**4,971,151,234**	**0.6**	**3,868,203,488**	**78**

It was established that:

32% of the institutions used the research approach in developing their TNA (Figure 3.23).There was no improvement on institutions undertaking TNA compared to 2019/2020 evaluation. This implies that the trainings undertaken by public institutions were not based on the identified training needs and contrary to the PSC Act, 2017 and the HRD policy.

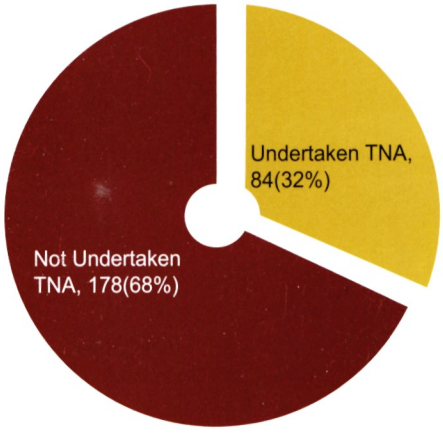


Figure 3. 23: Status of TNA in Public Institutions

Recommendations

i) A framework to be developed to standardize the process of undertaking TNA by public institutions.
ii) Institutions should undertake Training Needs Assessment (TNA) as required by the PSC Act, 2017 and the HRD policy.

3. Training Impact Assessment

The HRD policy provides that Training Impact Assessment (TIA) evaluates the effectiveness and relevance of a training programme in terms of content, application, adaptability and the behaviour change of the trainee on the job and in the work environment. This can be measured by comparing the performance of employees before and after the various training programmes.

The PSC Act, 2017 requires that TIA be undertaken annually by public institutions. Further, the HRD policy requires that TIA be undertaken 3 months following the completion of the training programme.

It was observed that 9 (3.4%) (Figure 3.24) of the institutions undertook TIA, which was a marginal improvement of 0.7% on institutions undertaking TIA compared to 2019/2020. This means that organizations continued to face challenges in determining the impact of training on performance and productivity of officers.

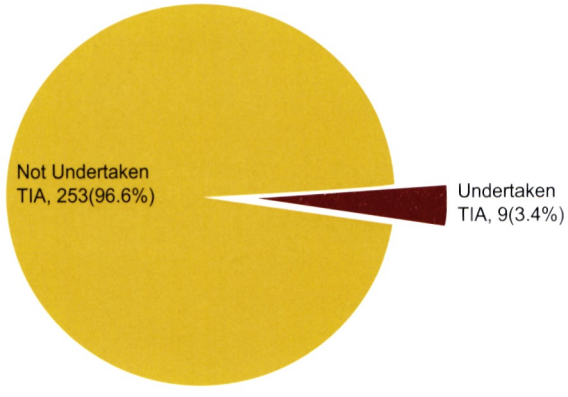


Figure 3.24: Institutions that undertook TIA in MDAs

Recommendation

A framework should be developed to guide institutions in undertaking TIA.

4. Workload Analysis by the MDAs

The PSC Act, 2017 stipulates that one of the conditions of establishing an office is for the public body to undertake workload analysis. The workload analysis determines the optimal staffing level of an organization. It reduces likelihood of excessive staffing, potential factors to human failure and promotes innovativeness.

It was established that 55 institutions had conducted workload analysis between 2018/2019 and 2020/2021 financial years (Table 3.46).

Recommendation

Institutions that had not undertaken workload analysis to undertake the analysis based on the organizational Strategic Plan cycle.

Table 3.46: Institutions that undertook workload analysis

Service Sectors	Organizations that Conducted Workload Analysis		
	2018/2019	2019/20	2020/21
	Conducted	Conducted	Conducted
Constitutional Commissions & Independent Offices	0	0	2
Ministries & State Departments	1	1	9
Public Universities	1	1	6
State Corporations & SAGAs	6	9	17
Statutory Commissions & Authorities	0		2
Total	**8**	**11**	**36**

5. Human Resource Plans

The instruments used for Human Resource Plan (HRP) in the public service are career progression guidelines and authorized establishment. However, these are inadequate to address all issues of HR Plans. HRP in organizations should take cognisance of the optimal staffing, skills and competencies required to achieve the institution's mandate within a given period of time.

It was established that:

i) 15% of the institutions provided a Human Resource Plan (Figure 3.25). This was an improvement of 3% compared to the 2019/2020 reporting period;
ii) Majority of the institutions submitted career progression guidelines for the various cadres of staff in their institutions and Authorized Establishment, annual work plan, Human Resource Policies and Procedures Manual. This was consistent with the findings by the Human Resource Planning and Succession Management Strategy, 2017; and
iii) Two institutions submitted plagiarized documents that did not meet the standard requirement for the Human Resource Plan.

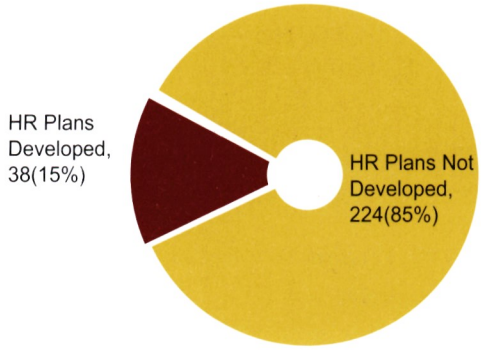


Figure 3.25: Human Resource Plans in Public Institutions

Recommendation

A framework be developed to standardize the process of developing human resource plans in public institutions.

6. Coaching and Mentorship in the Public Service

The HRD policy requires that public institutions develop and institutionalize coaching and mentoring programmes in their HRD strategies.

It was established that 22% of the institutions had developed a coaching and mentoring policy (Figure 3.26). This was an improvement of 8% compared to 2019/2020 evaluation period.

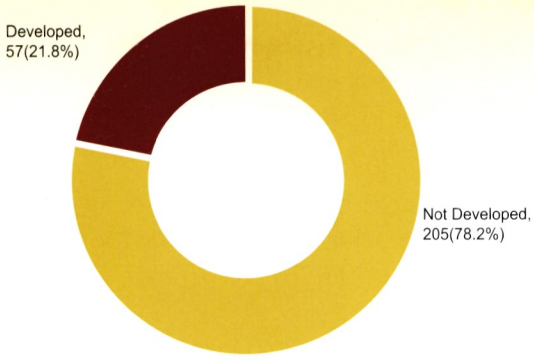


Figure 3.26: Coaching and Mentorship Policy in Public Institutions

h) Disciplinary Control in the Public Service

In order to ensure efficiency and effectiveness in public service delivery, public officers are required to uphold the code of conduct and ethics. In this regard, the objective of disciplinary control in the public service is to create a motivated and dedicated work force that adheres to rules and regulations. Existing laws require the disciplinary process to be procedurally fair and expeditious. In the public service, disciplinary cases ought to be finalized within six months. This is to ensure that the anxiety associated with disciplinary processes does not affect performance. The only exception to the six-month period is when the discipline case is a result of an ongoing court case which has to be concluded first before a determination is made.

It was established that:

i) 54% of the institutions reported 3,139 disciplinary cases (Table 3.47). The number of disciplinary cases declined by 4,012 from the 7,151 cases that were reported in the 2019/2020 financial year;

ii) The State Department for Interior and Citizen Services had the highest number of disciplinary cases with a total of 489. Other organizations with a high number of disciplinary cases were the Kenya Revenue Authority (262), State Department for Vocational and Technical Training (237), Kenya Ports Authority (159), Kenya Prisons Service (155), Kenyatta National Hospital (136), Moi Teaching and Referral Hospital (122) and Kenya Wildlife Service (109);

iii) 71% of the disciplinary cases were concluded within six months, 22% were outstanding beyond six months, while 7% were pending in court as of 30th June, 2021; and

iv) Absence from duty without permission presented the highest number of discipline cases representing 25%. Others were negligence of duty (20%), non-compliance with wealth declaration procedures (13%), fraud (8%) and pecuniary embarrassment (7%).

Table 3.47: Disciplinary Cases in Public Institutions

Service Sectors	No. of Public Institutions	No. of Discipline Cases	No. of Discipline Cases Concluded Within six Months	No. of Outstanding Disciplinary Cases Beyond six Months	No. of Discipline Related Cases Pending In Court
Constitutional Commissions & Independent Offices	4	15 (0.5%)	13 (86.6%)	1 (6.7%)	1 (6.7%)
Ministries & State Departments	35	1,232 (39.2%)	654 (53.1%)	455 (36.9%)	123 (10%)
Public Universities	20	222 (7.1%)	149 (67.1%)	66 (29.7%)	7 (3.2%)
State Corporations & SAGAs	79	1,661 (52.9%)	1,411 (84.9%)	151 (9.1%)	99 (6%)
Statutory Commissions & Authorities	3	9 (0.3%)	8 (88.9%)	1 (11.1%)	0
Total	**141 (53.8%)**	**3,139**	**2,235 (71.2%)**	**674 (21.5%)**	**230 (7.3%)**

Recommendations

i) All public institutions to finalize discipline cases within six months as prescribed in the Human Resource Policies and Procedures Manual, 2016 to avoid potential litigation by aggrieved officers and court awards against the institutions.

ii) Accounting officers to ensure continuous sensitization of staff on the provisions of the Public Service Code of Conduct and Ethics, 2016.

i) Staff Exit from the Public Service

Staff exit from service may result from retirement, death, resignation, dismissal and expiry of contract.

It was established that:

i) Retirement had the highest number of officers exiting the service at 56.6% (Table 3.48); and

ii) The ratio of new appointments (10,319) to exits (9,759) was 1:1. Therefore, the staff strength in the service tends to be constant.

Table 3.48: Nature of Staff Exit from the Public Service

Service Sectors	Total No. of Public Institutions	No. of Institutions without Exits	No. of Institutions with officers who exited	Modes of Exit and No. of Officers who Exited Service						
				Resignation	Dismissal	Death	Retirement	Expiry of contract	Retrenchment	Totals
Constitutional Commissions & Independent Offices	8	2 (25%)	6 (75%)	19	3	9	14	6	0	51
Ministries & State Departments	49	0	49 (100%)	110	167	314	2586	124	0	3301
Public Universities	33	2 (6.1%)	31 (93.9%)	199	53	146	493	562	345	1798
State Corporations & SAGAs	166	30 (18.1%)	136 (81.9%)	438	333	475	2432	651	263	4592
Statutory Commissions & Authorities	6	1 (16.7%)	5 (83.3%)	13	0	0	4	0	0	17
Total	**262**	**35 (13.4%)**	**227 (86.6%)**	**779**	**556**	**944**	**5529**	**1343**	**608**	**9759**
Percentage (%)				**8.0**	**5.7**	**9.7**	**56.6**	**13.8**	**6.2**	**100**

a) Analysis of exit questionnaires

The exit interview is used by institutions to get feedback from officers leaving the service, except in the event of death. Analysed exit questionnaires provides useful information for improving the institution's performance, staff retention and motivation.

It was noted that:

i) 67% of the institutions evaluated did not administer and analyse the exit interviews (Table 3.49). Consequently, institutions failed to utilize valuable feedback from officers who exited their institutions; and

ii) Out of the 86 institutions that administered exit questionnaires, 29 (34%) analysed the questionnaires.

Recommendation

The Human Resource Policy and Procedures Manual be reviewed to make it mandatory for public institutions to administer exit questionnaires, analyse and implement the recommendations.

k) Mitigation Measures against Covid-19 Pandemic

With the advent of Covid-19 pandemic, public institutions experienced the effects of shut down and therefore had to make strategic interventions including working off-site to sustain service delivery.

It was established that:

i) 73% of the institutions facilitated their staff to work off-site (Table 3.50);

ii) 28,211 (12%) officers were supported in line with the government policy to encourage working from home; and

iii) A total of Ksh.441,948,653 was utilized to facilitate the officers with airtime to work off-site.

Recommendation

Public institutions to develop policy guidelines for remote working by staff by June 2022.

Table 3.49: Analysis of Staff Exit Questionnaires in MDAs

Category	No. of Institutions	Not administered exit questionnaire	Administered exit questionnaire	Not analysed exit questionnaires	Analyzed exit questionnaires
Constitutional Commission & Independent Office	8	6	2	1	1
Ministry & State Department	49	41	8	4	4
Public University	33	20	13	7	6
State Corporation & Semi-Autonomous Government Agency (SAGA)	166	105	61	43	18
Statutory Commission & Authority	6	4	2	2	0
Total	**262**	**176**	**86**	**57**	**29**
Percentage		**67%**	**33%**	**66%**	**34%**

Table 3.50: Officers Facilitated to Work Remotely in MDAs

Service Sectors	No. of Institutions	Total No. of Officers	Institutions that Facilitated in-line to work remotely		No. of Staff facilitated & Cumulative Value of airtime	
			Yes	No	Number of Staff facilitated	Amount Issued in Kshs.
Constitutional Commissions & Independent Offices	8	2,004	8 (100%)	0	815	23,073,029
Ministries & State Departments	49	110,926	25 (51%)	24 (49%)	7,033	102,618,122
Public Universities	33	28,859	27 (81.8%)	6 (18.2%)	9,048	70,720,871
State Corporations & SAGAs	166	90,643	125 (75.3%)	41 (24.7%)	10,092	201,054,781
Statutory Commissions & Authorities	6	1,519	5 (83%)	1 (13%)	1,223	44,481,850
Total	**262**	**233,951**	**190 (72.5%)**	**72 (27.5%)**	**28,211**	**441,948,653**

3.4.8 Equitable Allocation of Opportunities and Resources

The opportunities in the public service constitute of appointments, promotions and training at all levels. In the public service, the allocation of these opportunities is guided by the constitutional principles which require that:

i) There be no discrimination of the applicants on any ground;
ii) No one gender constitutes more than two-thirds of those appointed, promoted and trained;
iii) At least 5% of the representation in the organization constitutes persons with disabilities; and
iv) There is proportionate representation of all ethnic communities and youths are also appointed.

For purposes of ensuring representation of diverse Kenyan communities in the public service, the institutions are expected to adopt the affirmative action measures to redress the imbalances in diversity representation.

a) Gender and PWDs representation

It was established that:

i) The gender representation across the public service was at 37%:63% female to male (Table 3.51). However, 51 (19.5%) of the institutions had not met the constitutional two-thirds gender principle;
ii) The representation of PWDs across the public service was at 1.2%. This was below the constitutional requirement of at least

5%. However, there were 10 institutions that met the minimum constitutional requirement of PWDs representation. These were the State Department for Post Training and Skills Development; State Department for University Education and Research; Anti-Female Genital Mutilation Board; Ewaso Ng'iro North River Basin Development Authority; Institute of Human Resource Management; Kenya Education Management Institute; Kenya Institute of Special Education; Nairobi Centre for International Arbitration; National Council for Persons with Disabilities; and Kenya Deposit Insurance Corporation;and

iii) There was a reduction in the percentage of representation of PWDs from 1.3% in the 2019/2020 FY to 1.2% in the 2020/21.

Recommendations

i) The 51 institutions that had not complied with the two-thirds gender requirement to develop and implement affirmative action programmes to redress the gaps by June 2022.
ii) The 252 institutions that had not met the 5% PWDs threshold to develop and implement affirmative action programmes to redress the gaps by June 2022.

Table 3.51: Representation by Gender and PWD Status

Service Sectors	No. of Institutions	Total No. of Officers	Gender		Disability Status	
			Female	Male	PWD	%
Constitutional Commissions & Independent Offices	8	2,004	856 (42.7%)	1148 (57.3%)	23	1.2
Ministries & State Departments	49	110,926	40978 (36.9%)	69948 (63.1%)	1079	1.0
Public Universities	33	28,859	12053 (41.8%)	16806 (58.2%)	429	1.5
State Corporations & SAGAs	166	90,643	32262 (35.6%	58381 (64.4%)	1245	1.4
Statutory Commissions & Authorities	6	1,519	793 (52.2%)	726 (47.8%)	20	1.3
Total	**262**	**233,951**	**86,942 (37.2%)**	**147,009 (62.8%)**	**2,796**	**1.2**

b) Status of Representation by Gender and PWD's across Job Levels

It was established that:

i) The female gender was under-represented at policy level by 8% and senior management by 4% (Table 3.52). However, the two-thirds gender requirement was achieved at middle management, technical, operative levels and support staff; and
ii) There was an improvement of 3% in female representation at policy level and 0.6% at senior management level compared to 2019/2020.

Recommendation

Public institutions to develop and implement affirmative action programmes targeting improvement of the representation on the two-thirds gender principle at policy and senior management levels by June 2022.

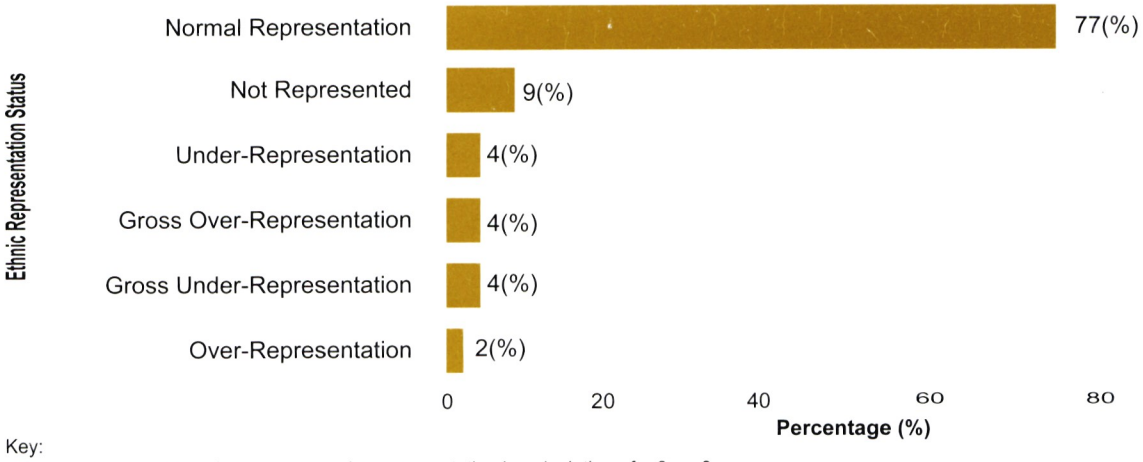
c) Representation of Ethnic Communities in the Public Service

It was established that:

i) 91.7% of the 48 ethnic communities were represented in the public service (Figure 3.27 and Appendix VI). This was an increase of 2.1% compared to the 2019/2020 FY;
ii) The Turkana and Mijikenda were under-represented accounting for 4%, while the Kenyan Somali and Luhya were grossly under-represented accounting for 4% of the 48 ethnic groups;
iii) 2% of the ethnic communities were over-represented. The over-representation reduced by 2.2% compared to 2019/20;
iv) The Kisii community was over-represented accounting for 2%, while the Kikuyu and Kalenjin were grossly over-represented accounting for 4% of the 48 ethnic groups;
v) 9% of the 48 ethnic communities were unrepresented. These were the Dahalo, Kenyan American, Konso and Makonde; and
vi) The top most representative institutions by sector are presented in Table 3.53.

Table 3.52: Representation of Staff by Gender and PWD's Across Job Levels

Job Level	No. of Staff by Job Level	Category					Gender		PWDs	
		Constitutional Com. & Ind. Offices	Ministries & State Departments	Public Universities	State Corporations & SAGAs	Statutory Com. & Authorities	No. of Male	No. of Female	Total No. of PWDs	% of PWDs
Policy Level	461	23	137	45	243	13	347 (75.3%)	114 (24.7%)	2	0.43
Senior Management	6,749	382	2,336	1,294	2,709	28	4,772 (70.7%)	1,977 (29.3%)	139	2.06
Middle management	19,652	528	4,099	7,722	7,165	138	12,645 (64.3%)	7,007 (35.7%)	298	1.52
Technical Staff	78,378	1,787	32,509	8,134	35,758	190	44,034 (56.2%)	34,344 (43.8%)	1,346	1.72
Operative Staff	75,744	337	40,730	6,936	27,663	78	45,167 (59.6%)	30,577 (40.4%)	902	1.19
Support Staff	19,044	487	2,200	3,830	12,503	24	12,853 (67.5%)	6,191 (32.5%)	204	1.07
Total	**200,028**	**3,544**	**82,011**	**27,961**	**86,041**	**471**	**119,818 (59.9%)**	**80,210 (40.1%)**	**2,891**	**1.45**



Key:
i. Gross over-representation or gross under-representation is a deviation of + 3 or -3
ii. Over-representation or under-representation is a deviation of +2 or -2
iii. Normal representation is a deviation of +1 or -1

Figure 3.27: Status of Ethnic Representation in the Public Service

Table 3.53: Top Most Representative Institutions by Sector

Service Sectors	Name of Institution	Establishment	No. of Ethnic Groups Represented
Ministry and State Department	Kenya Prisons Service	28,571	37
	Ministry of Health	17,713	36
	State Department for Interior and Citizen Service	25,063	35
	State Department For Vocational And Technical Training	6,869	34
	State Department for Social Protection	2,085	34
	Directorate of Immigration Services	1,458	30
	Ministry Of Foreign Affairs	957	30
	Ministry of Lands And Physical Planning	2,566	30
	State Department For Correctional Services	1,186	30
	State Department for Early Learning and Basic Education	4,460	30
	State Department For Infrastructure	1,694	30
Public University	University of Nairobi	4,403	30
State Corporation and SAGAs	Kenya Wildlife Service	4,536	37
	Kenya Forest Service	3,885	33
	Kenya Revenue Authority	7,908	33
	Kenyatta National Hospital	5,252	32
Constitutional Commissions & Independent Office	Ethics and Anti-Corruption Commission	766	31

Recommendation

Institutions affected by imbalances in ethnic representation to implement affirmative action programmes on ethnicities and as required by Section 10 of the Public Service (Values and Principles) Act, 2015.

d) Engagement of Interns in the Public Service

The Government continues to support internship programmes as guided by the service internship policies and procedures. These programmes enable beneficiaries to obtain work place experiences and also arm them with requisite skills and competences necessary for the job market. Besides promoting sustainable development, internship programmes seek to promote equity and fairness by ensuring inclusivity and accessibility of opportunities to interns from diverse backgrounds. Internship programmes are therefore a strategic intervention measure towards addressing youth unemployment in the country. A total of 10,242 interns were engaged under various internship programmes including the Public Service Internship Programme (PSIP), specific public institutions outside the PSIP and specific organizational programmes.

1. Public Service Commission Internship Programme (PSIP)

The Public Service Commission has continued to successfully manage the Public Service Internship Programme whose primary objective is to consolidate the internship initiatives in the service towards enhancing performance and productivity in the public service.

It was established that:

i) A total of 4,200 interns were engaged in the PSIP programme, which was a decline from the 5,258 interns who were engaged during the 2019/2020 FY (Table 3.54);
ii) The gender representation of the interns recruited was compliant with the two-third gender principle at 47% female and 53% male;
iii) The representation of PWDs recruited as interns was at 1.2% hence the constitutional 5% threshold was not met; and
iv) The interns recruited were drawn from 35 ethnic communities that included the Bajuni, Sakuye, Burji, Gabra and Dorobo among other marginalized/minority communities.

Table 3.54: Distribution of Interns engaged under the PSIP Programme by Gender, Disability Status and Ethnicity

Ethnic Name	Total No. Interns	Gender		Disability Status	
		Female	Male	Non-PWDs	PWDs
Bajuni	12	8	4	12	
Borana	24	10	14	24	
Burji	3	2	1	3	
Dorobo	21	5	16	20	1
Embu	35	17	18	35	
Gabra	17	2	15	17	
Kalenjin	726	338	388	714	12
Kamba	373	194	179	370	3
Kenyan Arab	5	1	4	5	
Kenyan Asian	1	1		1	
Kenyan European	1	1		1	
Kenyan Somali	88	21	67	87	1
Kikuyu	824	429	395	815	9
Kisii	307	147	160	301	6
Kuria	20	8	12	20	
Luhya	572	272	300	566	6
Luo	492	228	264	484	8
Maasai	94	35	59	91	3
Mbeere	25	8	17	25	
Meru	188	104	84	186	2
Mijikenda	117	59	58	117	
Njemps	9	5	4	9	
Nubi	2	2		2	
Orma	4	1	3	4	
Pokomo	11	6	5	11	
Rendile	12	4	8	12	
Sakuye	4	1	3	4	
Samburu	26	7	19	25	1
Suba	25	6	19	25	
Swahili	4	1	3	4	
Taita	42	19	23	42	
Taveta	4	2	2	4	
Teso	44	20	24	44	
Tharaka	15	7	8	15	
Turkana	53	16	37	53	
Total	**4,200**	**1,987 (47.3%)**	**2,213 (52.7%)**	**4,148 (1.2%)**	**52**

Recommendation

Deliberate measures be put in place to increase the number of ethnic communities and PWDs in the recruitment of interns.



Director Performance Management and Service Delivery Improvement, Dr. Obong'o addresses interns during the debriefing session at the Commission's ICT Training Centre

2. Interns Engaged by Organizations outside the PSIP Programme

The Public Service Commission continues to manage the Public Service Internship Programme (PSIP) that has benefitted numerous graduates across the country. However, some institutions also continue to recruit interns outside the PSIP programme.

It was established that:

i) 41.8% of the institutions recruited interns outside the PSIP programme;
ii) A total of 3,220 interns were recruited and the gender representation was compliant with the two-thirds gender principle at 52% male and 48% female (Table 3.55);
iii) The PWDs recruited as interns was at 1.1%, therefore the 5% PWDs constitutional threshold was not met;
iv) 2.6% of the interns had been engaged for more than 1 year contrary to the Internship Policy that requires interns to be engaged for a period not exceeding one year;
v) The interns engaged were drawn from 35 ethnic communities that included the Bajuni, Sakuya, Ilchamus/Njemps and Wayyu among other marginalized/minority communities;
vi) 61.3% received a stipend below Ksh.25,000; and
vii) The following 8 institutions did not pay any stipend to the interns engaged: Egerton University, Jomo Kenyatta University of Agriculture & Technology, Kirinyaga University, Machakos University, Universities Fund, Coast

Table 3.55: Interns Recruited by Organizations Outside the PSIP Programme

Service Sectors	No. of Institutions	Total No. of Interns Engaged	Gender		Disability Status		Period of Engagement as of 30th June, 2021		
			Female	Male	Non-PWD	PWDs	Above 1 Year	Below Six Months	Six Months-1 Year
Commissions & Independent Offices	4	94	49	45	93	1	32	16	46
Ministries & State Departments	6	370	141	229	369	1	1	34	335
Public Universities	19	156	71	85	154	2	7	121	28
State Corporations & SAGAs	76	2,538	1,243	1,295	2,508	30	45	1,422	1,071
Statutory Commissions & Authorities	4	62	33	29	62			38	24
Total	**109**	**3,220**	**1,537 (47.7%)**	**1,683 (52.3%)**	**3,186**	**34 (1.1%)**	**85**	**1,631**	**1,504**

Water Work, Kenya Institute of Curriculum Development and Lake Victoria North Water Works Development Agency.

e) Distribution of Internship Opportunities through Specific Organizational Programmes

Six institutions engaged interns under special organizational programmes while some were in fulfilment of legal requirements of professional bodies.

It was established that:

i) Overall, institutions complied with the two-thirds gender rule (Table 3.56). However, the State Department for Livestock Development and Kenya Roads Board were non-compliant; and
ii) None of the institutions complied with the 5% constitutional requirement on representation of PWDs.

Table 3.56: Distribution of Internship Opportunities through Specific Organizational Programmes

Organization	Total No. of Interns	Gender		Disability Status	
		Female	Male	Non-PWDs	PWDs
Kenya Institute for Public Policy Research & Analysis (KIPRRA) – Young Professionals Programme	20	13 (65%)	7 (35%)	19	1
Ministry of Health (MoH)	1,366	696 (51%)	670 (49%)	1,366	0
Moi Teaching & Referral Hospital (MTRH)	162	98 (60%)	64 (40%)	162	0
State Department for Livestock Development	874	252 (29%)	622 (71%)	874	0
Information Communication & Technology Authority - Presidential Digital Talent Programme (PDPT)	400	132 (33%)	268 (67%)	395	5
Kenya Roads Board	17	3 (18%)	14 (82%)	17	0
Total	**2,839**	**1,194 (42%)**	**1,645 (58%)**	**2,833**	**6 (0.2%)**

Recommendations

i) Public institutions which engaged interns beyond the 1 year stipulated in the policy to explain the extended engagement.
ii) All institutions running organizational-based internship programmes to adhere to the provisions of the Internship Policy and Guidelines for the Public Service 2016 regarding payment of stipend.

f) Distribution of Appointments, Training and Promotions by Gender, PWDs and Ethnicities

1. Representation in Appointments

It was established that:

i) 10,319 officers were appointed by 199 institutions. The appointments complied with the two-thirds gender principle where 56.3% were male, 43.7% female (Table 3.57);
ii) The number of PWDs appointed was at 0.9% which did not meet the 5% constitutional requirement for PWDs representation; and
iii) 81.3% of the 48 ethnic communities were represented in the appointments. However, the proportionate representation of the ethnic communities was not achieved.

Recommendation

The public institutions to implement the affirmative action programmes to meet the requirement of the of 5% for PWDs representation and proportionate representation of all ethnic communities.

2. Implementation of Affirmative Action Programmes to address Ethnic Imbalances

In 2018/2019, public institutions committed to develop affirmative action programmes to address the imbalances in representation in gender, PWDs and ethnicities that were not represented in the institution. The affirmative action programmes entailed planning to recruit officers over a three-year period from 2019/2020 to 2021/2022. The initial phase of implementation of the affirmative action programmes was evaluated in the financial 2019/2020.

The institutions had projected to recruit 2,362 officers to address ethnic imbalances in the 2020/2021 financial year.

Table 3.57: Staff Appointments by Gender and Disability

Service Sectors	No. of Officers Recruited	Job Levels						Gender		No. of PWDs Recruited
		A-D	E-H	J-N	P-Q	R-T	U and above	Female	Male	
Constitutional Commissions & Independent Offices	165	3	2	150	4	6		77 (46.7%)	88 (53.3%)	0
Ministries & State Departments	4,007	214	1,007	2,605	8	170	3	1,812 (45.2%)	2,195 (54.8%)	48 (1.2%)
Public Universities	1,004	93	224	380	277	29	1	403 (40.1%)	601 (59.9%)	7 (0.7%)
State Corporations & SAGAs	4,945	1,652	1,290	1,542	266	169	26	2,126 (43%)	2,819 (57%)	35 (0.7%)
Statutory Commissions & Authorities	198	15	67	102	11	2	1	93 (47%)	105 (53%)	1 (0.5%)
Total	**10,319**	**1,977**	**2,590**	**4,779**	**566**	**376**	**31**	**4,511 (43.7%)**	**5,808 (56.3%)**	**91 (0.9%)**

It was established that:

i) Out of the 10,319 officers recruited, 1,682 (16%) were from the marginalized and minority communities and 84% were from communities that were already represented in the institutions. This continues to widen the ethnic imbalances in public institutions (Table 3.58);

ii) 10 institutions redressed gender gaps, 5 redressed PWDs gaps while Kenya Forest Research Institutive (KEFRI) and National Land Commission (NLC) brought on board 2 of the 3 ethnic communities not represented in 2019/2020;

iii) The following minority and marginalized ethnic communities were not appointed despite having been projected for appointment: Suba, Dasenach, Gosha, Kenyan Americans, Kenyan Europeans, Konso, Galjeel, Galla, and Walwana;

iv) The following 11 communities had more officers recruited than the ones projected: Bajuni, Borana, Kenyan Indian, Kenyan Somali, Kuria, Maasai, Mijikenda, Pokomo, Taita, Teso and Wayyu. These improved their representation in the service; and

v) The following 14 institutions recruited the ethnic communities as planned: Ministry of Defence, State Department For Broadcasting and Telecommunications, State Department for Early Learning and Basic Education, State Department for Petroleum, Chuka University, Agricultural Finance Corporation, Ewaso Ng'iro South Development Authority, Kenya Institute of Curriculum Development, Kenya Leather Development Council, Kenya Literature Bureau, Kerio Valley Development Authority, Micro and Small Enterprise Authority, National Cereals and Produce Board and National Environment Management Authority (NEMA).

Table 3.58: Implementation of Affirmative Action Programmes on Ethnicities

Ethnicity	Total No. Recruited in2020/21FY	Total No. Planned 2020/21FY	Variance(Recruited - Planned)
Bajuni	85	55	30
Basuba	0	62	-62
Borana	70	38	32
Burji	14	56	-42
Dasenach	0	62	-62
Dorobo	5	62	-57
El Molo	5	59	-54
Gabra	55	59	-4
Galjeel	0	53	-53
Galla	0	67	-67
Gosha	0	64	-64
Kenya Indian	1	0	1
Kenyan Americans	0	34	-34
Kenyan Arabs	14	46	-32
Kenyan Asians	6	52	-46
Kenyan Europeans	0	39	-39
Kenyan Somali	299	135	164
Konso	0	36	-36
Kuria	76	47	29
Leysan	0	66	-66
Maasai	210	43	167
Mbeere	36	74	-38
Mijikenda	269	95	174
Njemps/Ilchamus	7	53	-46
Nubi	6	68	-62
Orma	19	62	-43
Pokomo	51	47	4
Rendille	17	42	-25
Sakuye	6	73	-67
Samburu	66	51	15
Suba	28	0	28
Swahili-Shirazi	17	48	-31
Taita	100	22	78
Taveta	11	62	-51
Teso	94	38	56
Tharaka	32	86	-54
Turkana	80	123	-43
Walwana	0	69	-69
Wayyu	3	0	3
Total	**1,682**	**2,148**	

Recommendations

i. All public institutions to ensure compliance with the constitutional and policy provisions on ethnic representation in appointments.

ii. The Section 10 of the Public Service (Values and Principles) Act, 2015 should be reviewed to require institutions to adhere to ethnic proportionate representation during recruitment of new officers.

3. Distribution of Training Opportunities by Gender, PWDs and Ethnicities

Article 232(1)(i) of the Constitution makes provision for adequate and equal opportunities for training at all levels of the public service for both gender, members of all ethnic groups and persons with disabilities. Further, the Human Resource Development Policy for public service, 2015 requires that all public servants attend at least 5 days training in each financial year.

Training opportunities in public service equips the officers with skills and competences to improve on performance and prepare them for higher responsibilities.

It was established that:

i) 38.2% of the institutions did not undertake any training for the officers (Table 3.59);
ii) Out of 233,951 public officers, 15,918 (7%) were trained;
iii) The gender representation of the trained officers was at 44% female and 56% male; therefore, the constitutional two-thirds gender principle was met. However, 30 institutions did not meet the two-thirds gender principle with regard to distribution of training opportunities;
iv) 169 (1.1%) PWDs benefitted from the training; hence the 5% constitutional threshold for PWDs representation was not met. There was a decline in the number of PWDs trained by 1.3% compared to the 2019/2020 period;and
v) 77% of the ethnic communities were represented in the trainings which included the following marginalized and minority communities: Bajuni, Borana, Burji, El-molo, Gabra, Ilchamus/ Njemps, Konso and Makonde.

Table 3.59: Distribution of Training Opportunities in the Public Service Across Gender and PWDs

Service Sectors	Total No. of Officers	Total No. of Officers Trained	Gender		Total No. of PWDs
			Female	Male	
Constitutional Commissions & Independent Offices	2004	53	29 (54.7%)	24 (45.3%)	0
Ministries & State Departments	110926	1,197	618 (51.6%)	579 (48.4%)	14
Public Universities	28859	505	159 (31.5%)	346 (68.5%)	3
State Corporations & SAGAs	90643	13,777	5,942 (43.1%)	7,835 (56.9%)	150
Statutory Commissions & Authorities	1519	386	232 (60.1%)	154 (39.9%)	2
Total	**233,951**	**15,918 (6.8%)**	**6,980 (43.8%)**	**8,938 (56.2%)**	**169 (1.1%)**

Recommendations

Public institutions should ensure that:

i) The two-thirds gender principle should be adhered in the distribution of training opportunities.
ii) PWDs should be accorded equal and adequate opportunities for training.

g) Distribution of promotions by Gender, PWDs and Ethnicities

It was established that:

i) 9% (21,528) of public officers from the evaluated institutions were promoted (Table 3.60);
ii) Gender representation was achieved in staff promotion at 60% male and 40% females. Proportionately, more female officers (10%) were promoted than male officers (9%). However, a total of 33 institutions did not comply;
iii) 153 (0.71%) of PWDs were promoted. This however did not achieve the 5% constitutional requirement; and
iv) 79.2% of ethnic communities were represented in the promotional appointments.

h) Support provided to Staff and clients with various forms of disability

Section 11-28 of Part III of Persons with Disabilities Act, 2003 provide for the rights and privileges of persons with disabilities which inter alia include customization of public premises; non-denial of entry/admission into premises; and provision of assistive devices.

It was established that:

i) 188 (71.7%) institutions supported staff who had various forms of disabilities. Support provided to staff included assistive devices, flexi working hours, wellness programmes, customized

Table 3.60: Distribution of Promotional Opportunities by Gender and PWDs

Service Sectors	Total No. of Officers	No. of Officers Promoted	Gender		No. of PWDs Promoted
			Female	Male	
Constitutional Commissions & Independent Offices	2,004	842	373 (44.3%)	469 (55.7%)	7 (0.8%)
Ministries & State Departments	110,926	14,696	5,687 (38.7%)	9,009 (61.3%)	77 (0.5)
Public Universities	28,859	1,218	549 (45.1%)	669 (54.9%)	11 (0.9%)
State Corporations & SAGAs	90,643	4,535	1,897 (41.8%)	2,638 (58.2%)	58 (1.3%)
Statutory Commissions & Authorities	1,519	237	136 (57.4%)	101 (42.6%)	-
Total	**233,951**	**21,528**	**8,642 (40.1%)**	**12,886 (59.9%)**	**153 (0.71%)**

furniture and sanitary facilities, personal aids, psychological and counselling services, training and provision of institutional housing;

ii) 167 (63.7%) institutions provided various forms of support to clients who had various forms of disability. Customized premises and facilities had the highest form of support to clients with disabilities in the institutions. Other forms of support included customized sanitary facilities, assistive devices, sign language interpreter, signages and customized furniture;

iii) 164 (62.6%) institutions transcribed documents into braille. This was an increase by 7.9% compared to 2019/2020. The documents transcribed included institutional service delivery charters, IEC materials, Examination scripts, organizational mandate, legislations and policies; and

iv) Ministries and State Departments and Statutory Commissions & Authorities did not have Sign Language Interpreters.

Recommendation

All public institutions to implement the requirements in the code of practice for mainstreaming disability issues in the public service including hiring sign language interpreters.

i) Programmes For the Vulnerable and Marginalized Groups

1. Distribution of AGPO Opportunities to Women, Youth and PWDs

Section 157(5) of the PPAD Act, 2015 requires that a procuring entity reserves 30% of its procurement budget to disadvantaged groups in which the majority of shareholders are Youth, Women and PWDs. These opportunities are awarded to these groups under the AGPO programme. For the groups to benefit from the reserved procurement, they are required to register with the National Treasury. The aim of the AGPO programme is to facilitate the enterprises owned by women, youth and persons with disabilities to be able to participate in Government opportunities.

It was established that:

i) 142,935 special groups were registered by the National Treasury under the AGPO programme. 73,655 (51.5%) were Youth groups, 62,323 (43.6%) women groups and 6,957 (4.9%) groups for PWDs as of 30th June, 2021. This was an increase of 16,579 groups compared to the 2019/2020 evaluation period;

ii) 225 (86%) institutions implemented the AGPO policy by awarding tenders to special group (Table 3.61). However, the compliance level under the AGPO policy was 0.6% contrary to the AGPO policy that requires that it be at a minimum of 30%;

iii) 30 (13%) complied with the 30% requirement on preservation and award of tenders to special groups under AGPO;

iv) The PWDs were awarded the least amount of tenders compared to women and youth. This trend is consistent with the awards for 2019/2020;

v) 123 (47%) institutions had submitted the AGPO reports to PPRA as required by law; and

vi) Except for the State Department for University Education, all the other reporting institutions reported award values (Ksh) at variance with the data submitted to PPRA.

Recommendations

i) All institutions to comply with the 30% budgetary allocation for special groups under the AGPO programme.

ii) Public institutions should submit quarterly reports on AGPO awards to PPRA.

Table 3.61: Summary of the Amount Allocated to Vulnerable Groups under AGPO by Sector

Service Sectors	Number of Institutions		Tenders Awarded (in Millions)					Approved Procurement Budget
	Total	No. of Compliant Institutions	Women	Youth	PWD	Uncategorized	Total Awards/ compliance level (%)	
Constitutional Commissions & Independent Offices	8	0	87.80	61.58	17.07	0.74	166.45 (7%)	2,266.63
Ministries & State Departments	38	6	3,226.27	2,469.70	178.08	482.17	5,773.35 (2.5%)	223,036.67
Public Universities	27	4	602.15	672.86	49.50	50.52	1,324.51 (10%)	13,257.94
State Corporations & SAGAs	148	19	9,087.54	9,897.45	2,334.09	1,178.94	21,319.08 (0.5%)	4,411,885.38
Statutory Commissions & Authorities	4	1	41.81	11.88	2.46	0.58	56.15 (3.7%)	1,511.53
Total	**225**	**30**	**13,045.57**	**13,113.48**	**2,581.20**	**1,712.96**	**28,740.25 (0.62%)**	**4,651,958.13**

j) Buy Kenya - Build Kenya Strategy

It was established that:

226 (86%) institutions implemented the Buy Kenya - Build Kenya initiative by awarding tenders for purchase of local goods and services (Table 3.62). However, the compliance level was 22% contrary to the provision of the PPAD Act, 2015.

Recommendation

Institutions be directed to comply with the Buy Kenya - Build Kenya policy by setting aside 40% of procurement budget for locally produced goods and services.

Table 3.62: Tenders issued under Buy Kenya - Build Kenya Strategy

Service Sectors	Number of institutions	Total Procurement Budget (Kshs Millions)	Amount Awarded (Kshs Millions)	Compliance with 40% Threshold
Constitutional Commission and Independent Office	5	1,495.29	446.08	30%
Ministry and State Department	38	157,633.70	12,842.21	8%
Public University	31	14,753.96	5,479.17	37%
State Corporation and SAGAs	149	290,295.21	80,942.28	28%
Statutory Commission and Authority	3	1,341.60	513.59	38%
Total	**226**	**465,519.76**	**100,223.33**	**22%**

k) Programmes for Vulnerable and Marginalized Groups

1. Women Empowerment

• Access to Credit Services

The Women Enterprise Fund continued to facilitate disbursement of the Constituency Women Enterprise Scheme (CWES) popularly known as the Tuinuke loan. This is a loan product given out to registered women groups interested in expanding or starting new businesses.

It was established that:

i) The Government facilitated loan disbursement to 11,361 women groups with a membership of 124,962 spread across all the 47 counties (Appendix VII);
ii) The women groups benefitted from loans worth Ksh.3,002,450,000 that was meant to facilitate diverse women projects and initiatives; and
iii) The number of women groups, total membership and total loan disbursed increased by 407; 3,120; and Ksh.289,550,000 respectively compared to the 2019/2020.

• *Training*

It was established that:

i) The Government through Women Enterprise Development Fund (WEDF) facilitated the training of 161,831 women from 16 regions on entrepreneurship out of whom 1,281 were PWDs (Appendix VIII); and
ii) The number of women trained increased from 125,279 in 2019/2020 to 161,831, an increase of 29%.

• *Accessibility to Local and International Markets*

The Government through WEDF continued to support women groups in accessing both local and international markets for their products. WEDF enabled a total of 560 women drawn from 112 women groups across all counties to access local and international markets for their services and products. Although the number of women who accessed local markets declined from 719 beneficiaries during the 2019/2020 financial year, the number of women groups increased from 68 to 112. All the 560 beneficiaries accessed local markets while none accessed international markets.

2. Youth Empowerment

Article 260 of the Constitution defines youth as collectivity of all individuals aged 18 years and below 34 years. Article 55 of the Constitution requires the state to take affirmative action programmes to ensure that the youth access relevant education and training; have opportunities to associate, be represented and participate in political, social, economic and other spheres of life; access employment and are protected from harmful cultural practices and exploitation. Article 21(3) requires all state organs and public officers to address the needs of vulnerable groups in the society including the youth. The above provisions require public institutions to ensure equity and non-discrimination in the management of youth affairs.

Government has put in place measures to strengthen youth employment and entrepreneurship through provision of credit facility, training and assisting the youth access local and international markets through the Youth Enterprise Development Fund (YEDF). The YEDF is a flagship project under Vision 2030 under the social pillar to provide loans, business development services and facilitate marketing of products and services of youth owned enterprises in local and international markets. The fund is part of the government initiative to empower the youth and reduce unemployment.

• *Access to Credit Services*

It was established that the Government through the YEDF disbursed over Ksh.44.7 million to 37 youth groups spread across 16 counties. The loans supported projects under the Agri Bizz and Vuka initiatives.

• *Training*

It was established that the Youth Enterprise Development Fund facilitated the training of 82,816 youths out of whom 56% were male, 44% were female while 3% were PWDs (Table 3.63). The trainings focused on entrepreneurship and youth employment abroad pre-departure training. Though the number of youths trained declined, the number of PWDs trained increased by 0.6% from the 2.2% that were trained in the previous evaluation period.

• *Accessibility to Local and International Markets*

The Youth Enterprise Development Fund continued to support youth groups in accessing both local and international markets for their services and products. YEDF facilitated 36 youth groups drawn from 36 counties to access local markets for their services and products. The number of counties represented increased from the 7 that benefitted during the 2019/2020. A total of 1,236 youths were assisted to access local markets (Appendix IX). However, none of the youth groups accessed international markets.

• *Youth Supported Through Strategic Partnerships*

It was established that in collaboration with UNDP, 176 youths drawn from Wajir and Marsabit counties benefitted from employment opportunities locally through the strategic partnership. Of the 176 beneficiaries, 120 (68.2%) were male and 56 (31.8%) were female. The beneficiaries were drawn from the Kenyan Somali and Borana ethnic communities and

Table 3.63:Nature of Training and Total Number of Youth Trained

S/No	Specific area of Training	Gender		Total No of Youth Trained	No. of PWDs trained
		Male	Female		
1.	Entrepreneurship Training	46,234	36,326	82560	2,344
2.	Youth Employment Abroad Pre-Departure Training	26	230	256	5
Total		**46,260 (55.9%)**	**36,556 (44.1%)**	**82,816**	**2,349 (2.8%)**

none was PWD. The beneficiaries were engaged to facilitate training and capacity-building on diverse social-economic issues. Baringo, Tana River and Turkana counties benefitted from similar partnership during the 2019/2020 financial year.

• *Youth empowerment programmes by the State Department for Youth Affairs*

The State Department for Youth Affairs continued to support youth empowerment programmes across the counties.

It was established that:

i) Out of its development fund of Kshs.6,742,600,000.00 (printed estimates) for the institution, 17.6% was allocated to youth empowerment programmes. A review of other secondary information from the State Department for Youth Affairs indicate that the State Department was involved in the implementation of three other youth empowerment programmes of *MbeleNaBiz* Business Plan Competition, Youth Empowerment Centres (YECs) and National Hygiene Programme (NHP) - *Kazi Mtaani* Programme totalling Ksh.11.7billion. Whereas the Ksh.10 billion *Kazi Mtaani* Programme was reported to have been implemented in 900 informal settlements across the 47 counties, distribution of *MbeleNaBiz* Business Plan Competition and Youth Empowerment Centres (YECs) was not indicated;

ii) 34,278 youths from 19 counties benefited from the three programmes (Table 3.64 and Appendix X). The beneficiaries were 16,277 (47.5%) males and 18,001 (52.5%) females, while PWDs were 668 (1.9%). Secondary data from the Department indicated that 283,210 youths benefitted from the National Hygiene Programme (NHP) - *Kazi Mtaani* Programme;

iii) 60% of the counties did not benefit from any of the three youth empowerment programmes while Nairobi and Kilifi counties benefited from all the three programmes; and

iv) 317,488 (2%) of the youth benefited from the three programmes compared to the youth population of 13,777,600 (age 18 to 34) in the 2019 Kenya Population and Housing Census.

Table 3. 64: Youth Empowerment Programmes

Name of Programme	Number of Counties	Number of Beneficiaries			Total Beneficiaries	Cost of the Programme (Kshs)
		Male	Female	PWD		
Core Business Skills Training	16	8,203	9,223	316	17,426	226,239,000.00
Job Specific Skills Training	15	6,458	7,647	307	14,105	922,020,000.00
Kikao Programme	5	1,616	1,131	45	2,747	36,346,798.00
Total		**16,277 (47.5%)**	**18,001 (52.5%)**	**668 (1.9%)**	**34,278**	**1,184,605,798.00**

Recommendations

i) The State Department for Youth Affairs to extend the youth empowerment programmes to the 60% of the counties that had not benefitted from the programmes by June 2023.

ii) The proportion of youths benefitting from the youth empowerment programmes should be increased from 2% to 5%.

3. Social Protection Programmes

Article 21(3) of the Constitution on implementation of rights and fundamental freedoms require all state organs and public officers to address the needs of vulnerable groups within the society including women, older members of society, persons with disabilities, children, orphans, youth, members of minorities or marginalized communities and

members of particular ethnic, religious or cultural communities.

The Government through the State Department for Social Protection continued to implement the Inua Jamii cash transfer programme that targets the older persons, orphans and vulnerable children and Persons with Severe Disabilities. Two additional programmes were reported by the State Department, the Nutrition Improvement Programme through Cash and Health Education (NICHE) and the Presidential Secondary School Bursary Programme (PSSBP).

NICHE falls under the Kenya Social Economic and Inclusion Programme (KSEIP) that seeks to increase access to social and economic inclusion interventions. The main goal of the programme is to ensure most vulnerable children in intervention areas of selected counties benefit. The programme targets 23,500 households with nutrition-sensitive cash transfer as a means to improve well-being in nutrition, child protection and social protection. The programme is supported by other development partners like the World Bank, DFID and UNICEF. The pilot programme was undertaken in Kitui County in 2017. Since then, the programme has been rolled out to four other counties with high rates of malnutrition namely West Pokot, Turkana, Marsabit and Kilifi for a period of 5 years.

The Presidential Secondary School Bursary (PSSB), a flagship project of vision 2030, seeks to reduce illiteracy by increasing access to education and improving transition rates from primary to secondary schools for orphans and vulnerable children. The bursary is a Government's commitment to actualizing legal requirement of the constitution Article 53 (b) on access to free and compulsory education and Section 7(1) of the Children's Act, 2001. The programme, which is allocated Ksh.400m annually by the National Treasury, is a complementary service to the Cash Transfer for Orphans and vulnerable children (OVC- CT).

It was established that:

i) All counties benefitted from the 4 programmes save for NICHE which targeted 5 counties;
ii) There was an increase of 1.5% in disbursement in 2020/2021 amounting to Ksh.26.6 billion disbursed to 1,122,326 persons under the five special programmes (Table 3.65 and Appendix XI). The number of beneficiaries also increased by 2.5% from the 2019/2020 evaluation period;
iii) The Older Persons Cash Transfer programme disbursed the highest amount at KSh.18.3 billion representing 68.9%. However, this was slightly lower compared to 2019/2020 period;
iv) Out of a population 941,510 for older persons above 70 years, 89% benefitted from the Cash Transfer Programme;
v) More females (61%)aged 70 and above benefited from the older persons cash transfer programme;
vi) The number of males with severe disabilities is 7 times more than that of females;
vii) The number of females that benefited from the Cash Transfer to Persons with Severe Disabilities were more than those registered in the programme by 1,290 persons;
viii) Overall, the top beneficiaries by county in the five programmes combined were Murang'a, Ksh.1.2B, Kakamega Ksh.1.11B, Kitui Ksh.1.07B, Kiambu Ksh.1.07B and Nakuru, Ksh.944 million (Table 3.66). This accounted for 20% of the total amount disbursed;
ix) The PSSB programme benefited a total of 21,960 students from 9,922 secondary schools in all the counties and constituencies; and
x) Elimu Scholarships under the World Bank benefitted 9,004 students in 1,478 (14.1%) secondary schools out of whom 4,925 (55%) were male and 4,079 (45%) were female.

Recommendations

i) The cash transfer programme should be expanded to cover all the registered eligible beneficiaries;
ii) The State Department for Social Protection to establish the reasons for disbursement made to non-registered persons in the programme for persons with severe disabilities; and
iii) The State Department for Social Protection to develop policy guidelines for equitable distribution under the cash transfer programme.

Table 3. 65: Social protection programmes Disaggregated by Gender and Amount Disbursed

Name of Programme	Total No. Registered	Total No. of Beneficiaries			Total Beneficiaries	Total amount disbursed
	Male	Female	Male	Female		
Cash Transfer to Orphans and Vulnerable Children (CT-OVC)	59,577	234,770	59,577 (20.3%)	234,770 (79.7%)	294,347	7,039,436,000.00 (26.4%)
Older Persons Cash Transfer (OP-CT)	336,281	503,699	295,918 (39%)	467,652 (61%)	763,570	18,343,542,000.00 (68.9%)
Cash Transfer to Persons with Severe Disabilities (PWSD-CT)	37,422	5,570	27,679 (80.1%)	6,860 (19.9%)	34,539	837,510,000.00 (3.1%)
NICHE			2,323 (29.4%)	5,587 (70.6%)	7,910	26,386,000.00 (0.1%)
Presidential secondary school bursary (PSSB)	10,611	11,501	10,590 (48%)	11,370 (52%)	21,960	395,859,552.00 (1.5%)
Total	**443,891**	**755,540**	**396,087 (35.3%)**	**726,239 (64.7%)**	**1,122,326**	**26,642,733,552.00**

Table 3.66: Top Five Beneficiaries Per Programme by County

CT-OVC	OP-CT	PWSD-CT	NICHE	PSSB (Bursary)	Total Disbursed for all Programmes
Turkana	Murang'a	Mandera	Turkana	Murang'a	Murang'a
Kisumu	Kiambu	Migori	Marsabit	Kakamega	Kakamega
Kakamega	Kakamega	Uasin Gishu	Kitui	Nakuru	Kitui
Mandera	Kitui	Nairobi	Kilifi	Kiambu	Kiambu
Bungoma	Machakos	Kisii	West Pokot	Kisii, Meru	Nakuru

3.4.9 Public Participation in Policy Making

Progressive policy making process requires involvement of all interested stakeholders right from inception. This is to ensure everyone's concerns are addressed and for ownership purposes. The Constitution places a strong emphasis on public participation. Article 10 (2) (a) of the Constitution provides the national values and principles of governance on democracy and participation of the people.

It was established that:

i) 18% of the institutions had customized the PSC public participation guidelines. This was an improvement of 6% compared to 2019/2020 (Figure 3.28);
ii) 169 (64.3%) institutions developed policy document(s) in the 2020/2021 financial year, out of which 36% undertook public participation during the development of the policies (Table 3.67);
iii) The average notification time for stakeholder engagement was 24 days while the average duration given to stakeholders to familiarise themselves with the policy document was 36 days;
iv) Preferred mode of stakeholder engagement was through written/online submissions with 221 (35%) engagements followed by virtual mode with 212 (34%) engagements;
v) 21,765 participants were recorded to have attended the forums. The majority of the attendees were from public institutions; and
vi) The most preferred mode of communication to PWDs was the sign language at 79% and Braille at 21%.



Chief Administrative Secretary, Ministry of Public Service, Gender, Senior Citizen Affairs and Special Programmes Linah Jebii Kilimo with pupils of Kibera Primary School in a campaign against violence to children (Photo by KNA)

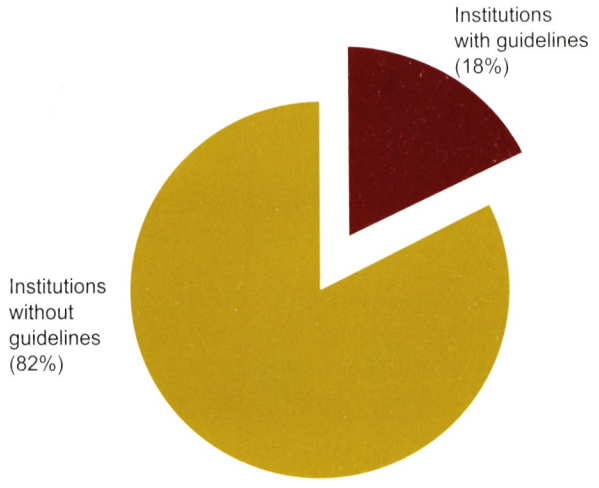


Figure 3.28: Institutions that have customized PSC public participation guidelines

Recommendations

i) Public institutions to develop and implement public participation policy or guidelines by June 2022.
ii) Public institutions to incorporate the use of Kenyan sign language in the public participation processes.
iii) Parliament to fast-track finalization of The Public Participation Bill.

3.4.10 Efficiency, Effectiveness and Economic Use of Resources and Sustainable Development

a) Maintenance of Updated Public Assets and Liabilities Registers by MDAs

The Public Finance Management Act, 2012 and Public Finance Management Regulations 2015 requires Accounting Officers to manage the assets and liabilities under them in a manner that ensures value for money in acquiring, using and disposing of these assets.

It was established that:

i) The National Treasury had finalized the policy and guidelines on preparation of the Assets and Liabilities registers as recommended in the 2019/2020 report;
ii) A majority of the institutions (69.8%) had an updated public asset and liabilities register (Table 3.68);
iii) 90 institutions had submitted their registers to The National Treasury. There was an improvement of submission to the National Treasury by 28.2% compared to 2019/2020 evaluation period; and

Table 3.67: Institutions that Engaged the Public, Duration and Mode of Stakeholder Engagement

Service Sectors	Institutions that undertook Public Participation	Duration		Mode of stakeholder engagement			
		Average of duration between notification and circulation (Days)	Average duration from Circulation to engagement (Days)	Physical Meetings	Virtual	Written /Online Submissions	Number of engagements
Constitutional Commissions & Independent Offices	4 (1.53%)	31	9	7 (1%)	8 (1%)	4 (1%)	19 (3%)
Ministries and State Departments	9 3.44%)	22	70	31 (5%)	21 (3%)	35 (6%)	87 (14%)
Public Universities	6 (2.29%)	28	39	88 (14%)	106 (17%)	88 (14%)	282 (45%)
State Corporations and SAGAs	39 (14.89%)	22	25	70 (11%)	77 (12%)	94 (15%)	241 (38%)
Statutory Commissions and Authorities	2 0.76%)	0	15	3 (0%)	0 (0%)	0 (0%)	3 (0%)
Totals	**60 22.90%)**	**24**	**36**	**199 31%)**	**212 34%)**	**221 35%)**	**632 100%)**

iv) The National Treasury reported that the National Assets and Liabilities Register for all the National Government Assets had not been prepared in line with the PFM Act, 2012.

Recommendations

i) Accounting Officers to prepare and maintain an updated public Assets and Liabilities Register and submit to the National Treasury by March, 2022.

ii) The National Treasury to compile and maintain an updated National Assets and Liabilities Register for all national government assets in line with the PFM Act, 2012 by June 2022.

Table 3.68: Maintenance and Submission of Public Assets and Liabilities Register

Service Sectors	No. of Organizations	Existence of Updated Assets and Liabilities - Institutions that:		
		Maintained Updated Register	%	Submitted Updated Register to the National Treasury
Constitutional Commissions & Independent Offices	8	7	87.5	4
Ministries & State Departments	49	19	38.8	13
Public Universities	33	27	81.8	13
State Corporations & SAGAs	167	126	75.4	60
Statutory Commissions & Authorities	5	4	80	0
Total	**262**	**183**	**69.8**	**90**

b) Existence of Approved Board of Survey Report

The Public Procurement and Disposal Act stipulates that the disposal committee in an organization shall make recommendations on the assets to be disposed. The recommendations are reflected in Board of Survey Report.

It was established that out of the 61 institutions that disposed their assets, 24 disposed the assets without a Board of survey report contrary to Public Procurement and Asset Disposal Act, 2015.

Recommendation

The public institutions that disposed assets in breach of the PPAD Act, 2015 and Regulations to explain the non-adherence to the procedures.

c) Auditor-General's Reports

1) Auditor's Opinion

The Constitution and the Public Audit Act, 2015 requires the Auditor-General to examine and audit submitted accounts from public entities within the prescribed period and express an opinion and certify the result of that examination. The Auditor expresses his opinion on audited institutions as Qualified, Unqualified, Adverse or Disclaimer. Towards establishing the efficiency in MDAs, the Commission sought data on the Auditor's opinion from the MDAs and also from the Office of the Auditor-General (OAG) for 2018/2019 and 2019/2020 financial years (Table 3.69).

It was established that:

i) 19% of the evaluated institutions had a positive auditor's opinion compared to 31% in 2018/2019 financial year, a decrease of 12%;
ii) Across the Public Service, there was steady rise in the number of unaudited organizations from 2018/2019 to 2019/2020 financial years and this puts into question the safety of public funds and levels of efficiency with regard to prudent utilization of public funds; and
iii) Adverse and Disclaimer Auditor's opinion decreased across the two financial years.

Table 3.69: Comparative analysis of Auditors Opinion as Submitted by Institutions and the Auditor-General

#	Auditor's Opinion	MDAs' Response		Auditor-General Submission	
		2018/2019	2019/2020	2018/2019	2019/2020
1	Unqualified	98	91	83	49
2	Qualified	129	95	139	62
3	Adverse	4	2	10	5
4	Disclaimer	5	2	2	
5	Not Yet Audited	26	72	27	145
Total		**262**	**262**	**261**	**261**

Recommendation

Government to constitute a multi-agency forum composed of oversight institutions in the public finance management sector to review the under-performance in public finance management sector by June 2022.

d) Sustainability of Development Projects

The PFM Act, 2012 stipulates that at least 30% of institutional budget be preserved for development expenditures. It is imperative that in undertaking the projects a feasibility study is done, Environmental Impact Assessment (EIA) is approved and the projects are completed on time and prompt payment made. Timely delivery of the projects is an indicator of efficiency and effectiveness in project implementation.

It was established that:

i) 1,740 projects were implemented in 156 (60%) institutions;
ii) 693 (40%) of the projects had feasibilities done, 28 (2%) not done while 1,019 (58%) did not provide the feasibility status (Figure 3.29a);
iii) 1,056 (61%) of the projects had their EIA approved, 185 (10%) were not approved and 499 (29%) did not have EIA approvals indicated (Figure 3.29b);
iv) Even though 517 projects had their EIA approved, feasibility studies were not undertaken;

v) The average duration for the completion of the projects was 1.69 years; and
vi) 80 projects in 34 institutions had costs variations.

Recommendations

i) Institutions that did not undertake environmental impact assessments and feasibility studies should comply with the project implementation cycle process from inception to completion.
ii) The Office of the Auditor-General to undertake an audit on the 61projects in 34 institutions whose cost was varied.

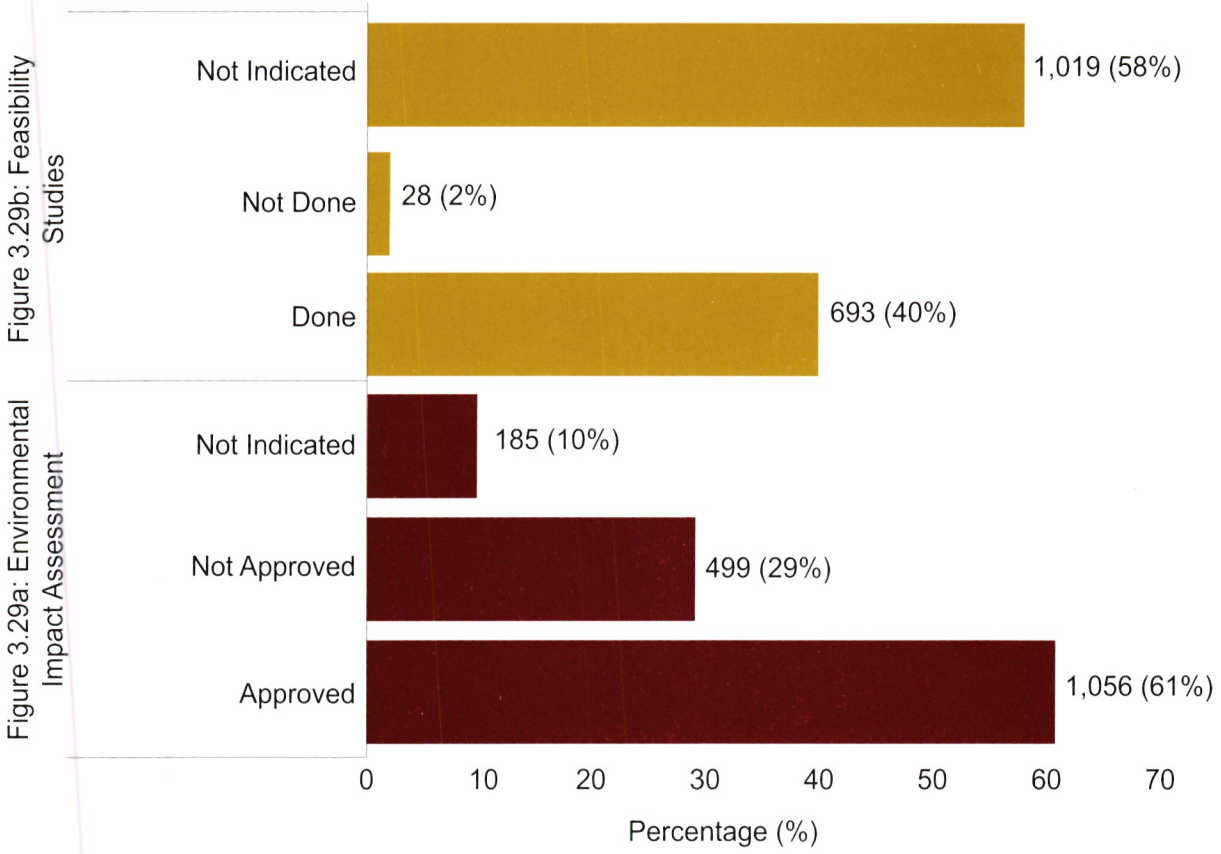


Figure 3.29: Sustainability of Development Projects in MDAs

e) Budget Ratios

It was established that:

i) Expenditures on compensation to employees (PE) stand at 21%. This is below the threshold of maximum of 35%. The ratio for PE to operation and maintenance (O&M) was 41:59, an improvement from last year's 63:37 (Table 3.70); and
ii) The overall ratio of recurrent expenditure versus development expenditure was 52:48, a drop from last year's 50:50. This does not comply with the recommended 30:70.

f) Budget Absorption

It was established that:

i) Overall budget absorption was at 77% (Figure 3.30); and
ii) The absorption levels for Ministries and State Departments declined by 6% compared to 2019/2020

Recommendations

Public institutions to comply with PFM Act, 2012 and other provisions to uphold fiscal responsibility.

Table 3.70: Budget Allocations and Expenditure Ratios

Service Sectors	Number of Institutions	(Ksh. Million)					Ratio	
		Total Allocation of Revised Estimates	Recurrent budget	Recurrent Expenditure	Development budget	Development Expenditure	PE:OM	Recurrent: Development
Constitutional Commissions & Independent Offices	7	8,339.49	8,279.41	8,266.26	60.08	60.08	68 :32	99 :1
Ministries & State Departments	38	1,130,613.13	588,099.30	423,572.40	542,513.83	527,843.18	37 :63	45 :55
Public Universities	19	21,386.65	20,379.98	31,718.59	1,006.67	2,623.94	70 :0	92 :8
State Corporations and SAGAs	89	379,032.26	261,047.58	239,382.66	117,984.68	121,932.88	43 :57	66: 34
Statutory Commissions & Authorities	4	4,840.93	4,791.93	4,733.23	49	22.3	55 :45	99.5: 0.5
Total	**157**	**1,544,212.46**	**882,598.20**	**707,673.15**	**661,614.26**	**652,482.37**	**41:59**	**52:48**

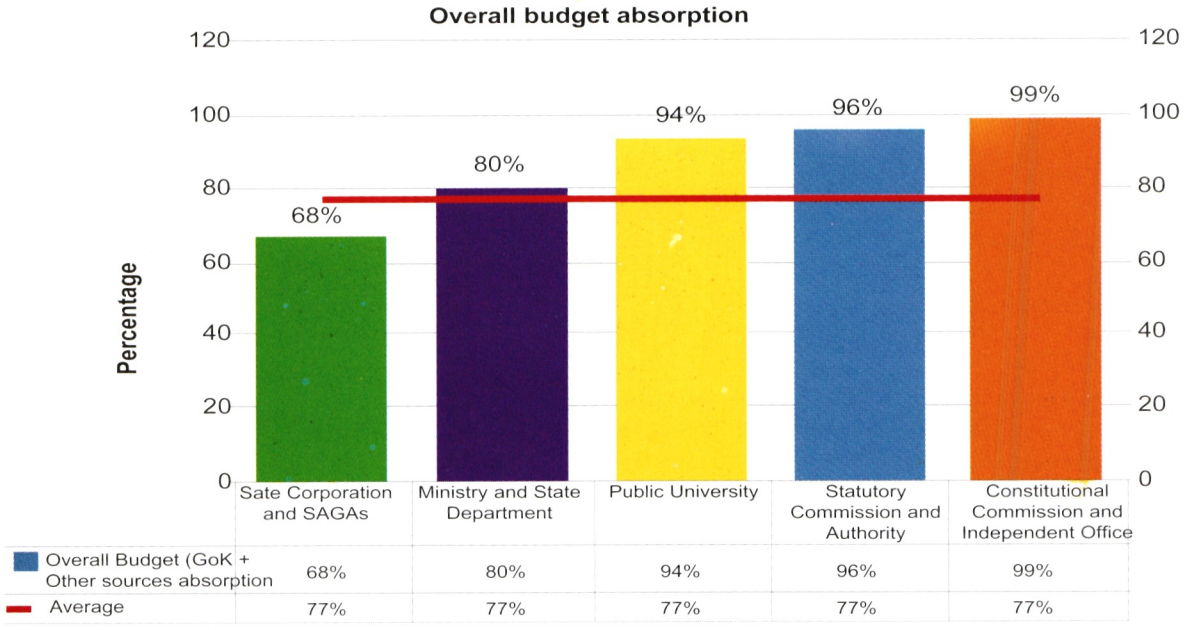


Figure 3.30: Budget Absorption levels

g) Implementation of Parliamentary Investment Committee (PIC) and Parliamentary Accounts Committee PAC Recommendations by Public Institutions

The primary mandate of the Parliamentary Accounts Committee (PAC) is to oversight the expenditure of public funds by public institutions to ensure value for money and adherence to government financial regulations and procedures. The mandate of the Parliamentary Investment Committee (PIC) is to examine the working of public investments with a particular focus on financial oversight on use of appropriated public funds. The two committees

prepare reports on diverse issues raised and make recommendations to the organizations concerned.

It was established that:

i) 31 (11.8%) institutions indicated that they were subjects of PIC and PAC recommendations. 70% of these institutions had fully implemented the PIC and PAC recommendations while 18% had not, and 11% had partially implemented (Figure 3.31);
ii) 161 PIC & PAC recommendations were made to public institutions;
iii) The highest number of PIC & PAC recommendations were from the Kenya Airports Authority (38), State Department for Co-operatives (20), State Department for Devolution (18) and State Department for Industrialization (18); and
iv) The highest number of unimplemented PIC & PAC recommendations (81%) was from State Corporations and SAGAs.

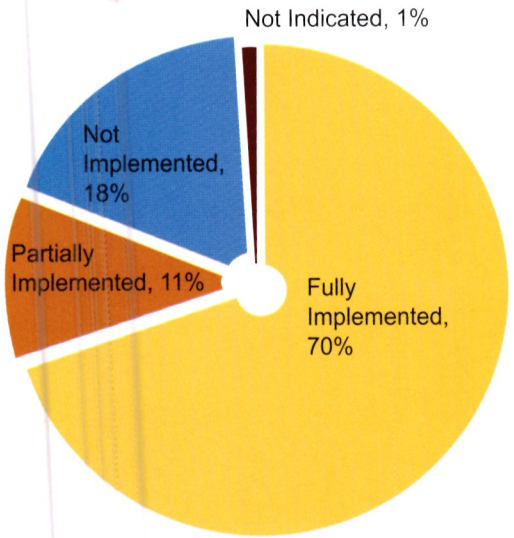


Figure 3.31: Status of Implementation of PIC and PAC Recommendations by MDAs

Recommendations

i) Parliament to consider conducting an audit on the status of recommendations on PIC and PAC by institutions.
ii) Institutions that failed to implement the PIC and PAC recommendations to explain reasons for non-compliance.

h) Complaints Against Tender Awards and Assets Disposal

It was established that a total of 334 procurement-related complaints were lodged to Public Procurement Regulatory Authority (PPRA). This was lower than the 476 complaints filed in 2019/2020. A total of 298 complaints (89%) were resolved while 36 (11%) were pending. Flaws in tender evaluation and awards remained the most prevalent followed by discriminative treatment in the tendering process leading to request for review of the procurement process. Other complaints included alleged corruption, delayed payments and alleged breach of contract among others.

i) Appeals on procurement of assets received by the Public Procurement Administrative Review Board

Section 27(1), of the Public Procurement and Asset Disposal Act, 2015 establishes the Public Procurement Administrative Review Board to review, hear and determine tendering and asset disposal disputes. In a bid to establish the level of efficiency and effectiveness of services, the Commission required of the Public Procurement Administrative Review Board to submit the number of appeals received and the number resolved or pending.

It was established that out of the 156 appeals received within 2020/2021, 142 were resolved and 14 were pending.

j) Implementation of Projects under the Big Four Agenda

The Big Four Agenda focuses on four areas namely Manufacturing, Food Security and Nutrition, Universal Health Coverage and Affordable Housing. The enablers support the implementation of the Agenda.

It was established that:

i) Out of the 1,194 projects reported, 14% of the projects were under the Food Security and Nutrition pillar, 13% under the Universal Health Coverage, 9% were under the Affordable Housing pillar, 8% were under Manufacturing pillar and 56% of the projects were Enablers (Figure 3.32);
ii) The projects were implemented by 156 (60%) institutions;
iii) 56% of the projects had feasibility studies done, 21% feasibility studies were not undertaken and 23% feasibility status was not reported;
iv) 39% of the projects had Environmental Impact Assessment (EIA) approved, 2% not approved and 31% of the projects had not undertaken EIA or ongoing and 28% of projects did not report EIA status.

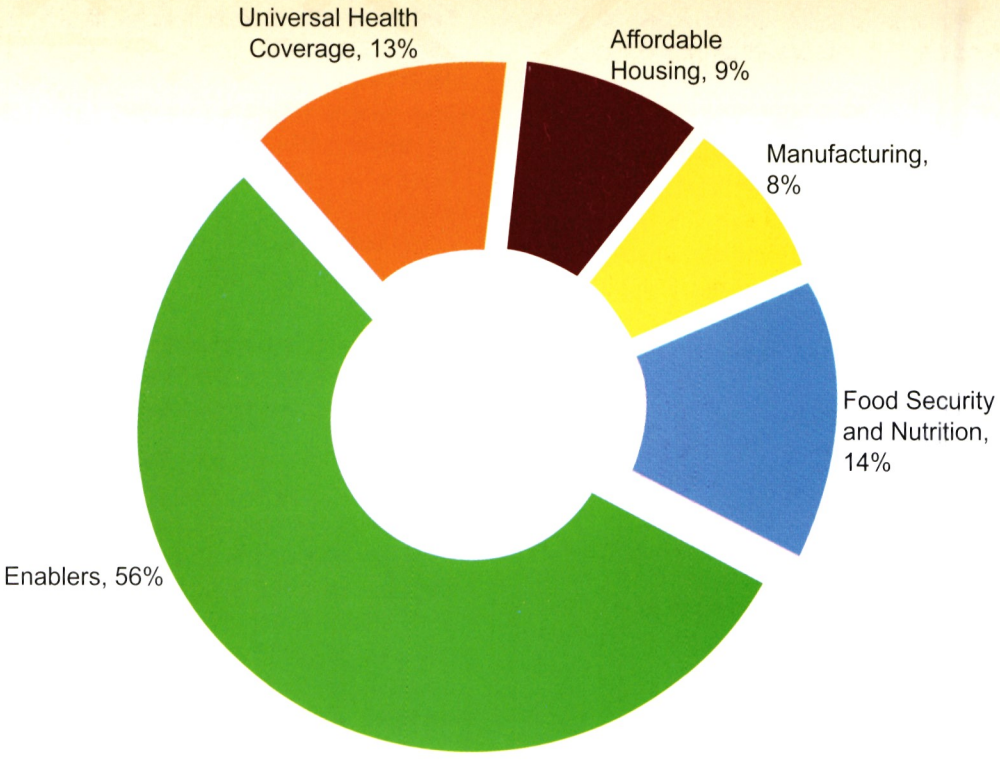


Figure 3.32: Proportions of the Big Four Agenda Projects

Recommendation

Institutions should conduct Environmental Impact Assessments and feasibility studies during the implementation of the Big Four Agenda projects.



An Employee of Vintz plastic works aligns a basin at the factory (Photo by KNA)



Bulldozer compacts a road in Mukuru Kwa Njenga (Photo by KNA)



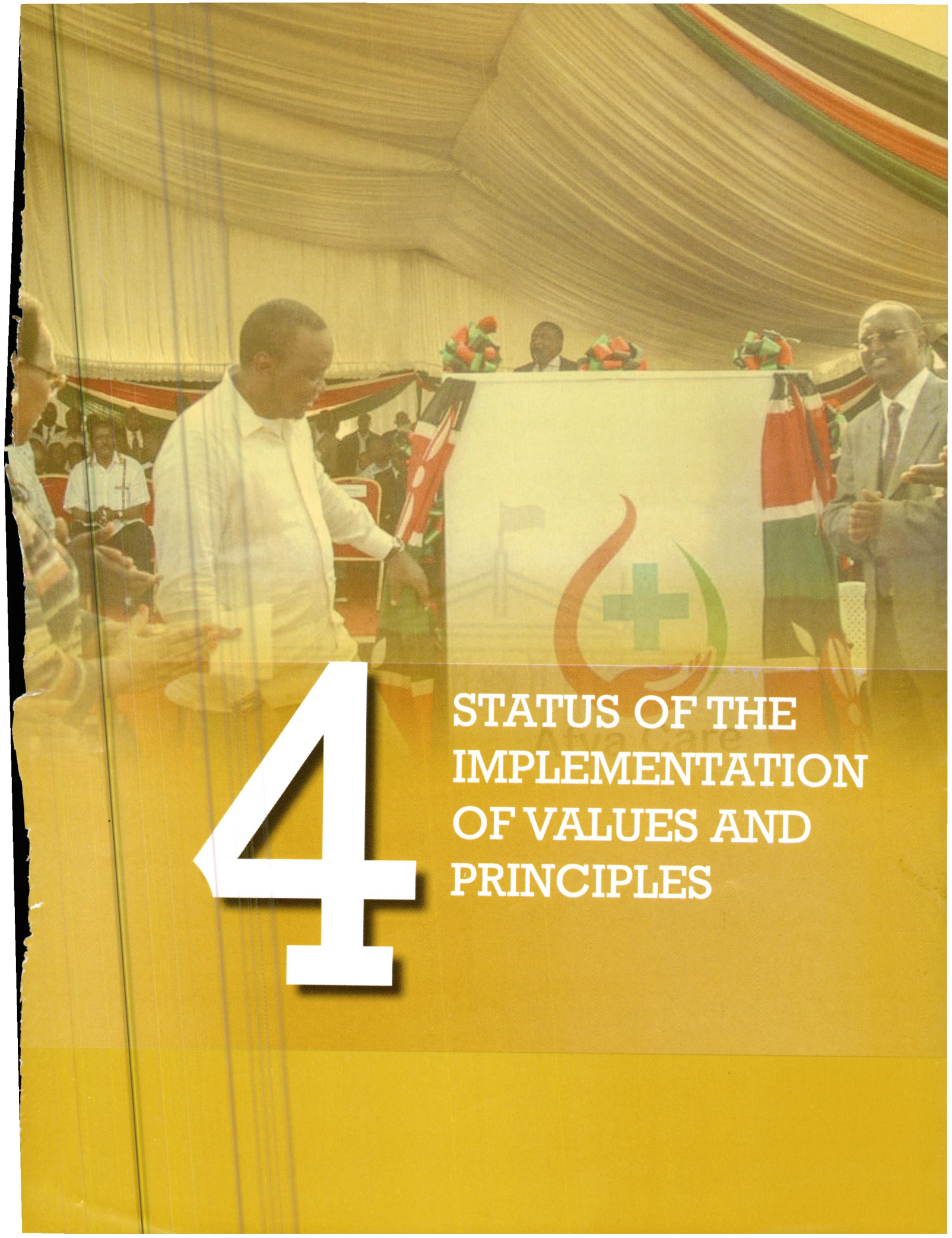
Health Cabinet Secretary Mutahi Kagwe inspects equipment in one of the health facilities in the country (Photo by KNA)



H.E President Uhuru Kenyatta inspecting a grain storage facility together with senior government officials (Source: PSCU)



H.E President Uhuru Kenyatta inspecting a housing model proposed for construction in line with the Government's Big Four Agenda strategy. (Source: PSCU)



4 STATUS OF THE IMPLEMENTATION OF VALUES AND PRINCIPLES

CHAPTER FOUR

STATUS OF THE IMPLEMENTATION OF VALUES AND PRINCIPLES

4.1 Introduction

The purpose of the evaluation was to establish the status of compliance to values and principles in Articles 10 and 232 of the constitution by institutions under the jurisdiction of the Commission. The status of implementation is presented as a compliance index which is a measure of the extent to which an institution has complied with the values and principles. The performance index scores ranged from 0% to 100% where 0% represents non-compliance and 100% represents full compliance.

A comparative analysis is also presented of overall compliance level from 2018/2019 to 2020/2021, compliance index by thematic areas and performance by public institutions in the five service sectors. Compliance indices are also presented for each thematic area, the scoring criteria for the indicators in each thematic area and level of achievement of each institution.

The Performance index was measured by determining the mean of the indicator score(s) of each thematic area, which ranged from 0% to 100%. Compliance index was measured by determining the mean of the indicators identified in the seven thematic areas, and ranged from 0% to 100%.

The performance index was determined by identifying questions in each thematic area from the cross-cutting questionnaire that were selected as indicators. The selected indicators were assigned a score of 100% to institutions possessing the attribute and zero to those not possessing the attribute. In some instances, the scores were assigned based on possession of minimum constitutional provisions and in other circumstances, the scores were proportionately assigned. The scores were normalized using the min-max normalization criterion. The mean scores of the indicators in a thematic area for each institution were thereafter determined.

The level of achievement of the institution was classified into high, medium and low achievers and was applied to both performance and compliance indices. A public institution was considered a high achiever if the index score was more than one standard deviation above the mean. An institution was considered medium achiever if the index score was within one standard deviation of the mean and low achiever if the score was one standard deviation below the mean.

As a general rule, the category with the highest proportion of institutions under high achievers will have the highest performance index while the category with the highest proportion of institutions under low achievers will have the lowest performance index.

4.2 Overall Performance

The overall compliance index for all institutions evaluated for the seven thematic areas was 40% (Table 4.1 and Figure 4.1). This was a slight decline of 2.3% compared to the 2019/2020 period. This was moderate performance. There was a decline in all the sectors with Statutory Commissions and Authorities having the highest decline of 5.7%. The best performing sector was Public Universities while the least performing sector was Ministries and State departments.

The top 10 institutions in the compliance index were: Water Sector Trust Fund, Kenya Revenue Authority, National Council for Population and Development, Kenya Literature Bureau, Kibabii University, Competition Authority of Kenya, State Department for Cooperatives, Kenya Electricity Transmission Company Limited, Konza Technopolis Development Authority and Ewaso Ng'iro South Development Authority.



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Table 4.1: Overall Compliance Index of Public Institutions per Service Sector

Service Sectors	Total No. of Institutions	High Achievers		Medium Achievers		Low Achievers		2020/2021 FY	2019/2020 FY	Variance
		No. of Institutions	Mean Score(%)	No. of Institutions	Mean Score(%)	No. of Institutions	Mean Score(%)	Performance Index (%)	Performance Index (%)	
Constitutional Commission & Independent Office	8	1	70.7	7	39.7			43.6	40.6	3
Ministry & State Department	49	3	74	25	36.8	21	16.9	30.6	32.1	-1.5
Public University	33	4	70.2	28	42.3	1	15.5	44.8	46.2	-1.4
State Corporation & SAGAs	166	29	68.7	112	40.2	25	17.3	41.7	44.4	-2.7
Statutory Commission & Authority	6			5	39.8	1	16.4	35.9	41.6	-5.7
Total/Average	**262**	**37**	**69.3**	**177**	**40**	**48**	**17.1**	**40.0**	**42.3**	**-2.3**

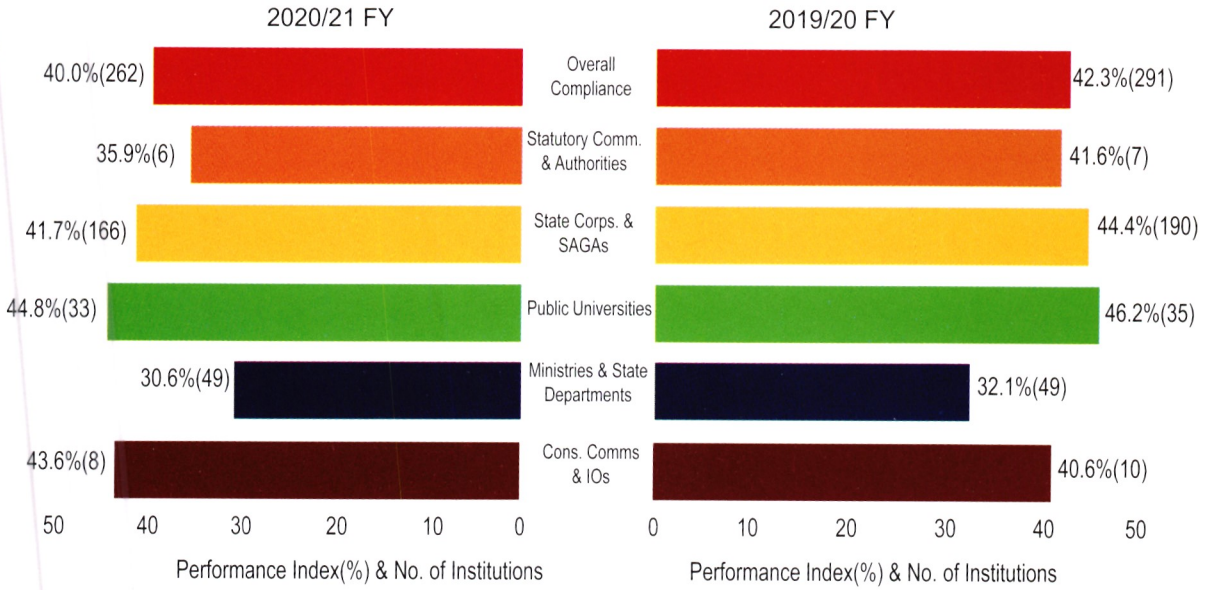


Figure 4.1: Comparison of Compliance Index Per Service Sector for 2020/2021 and 2019/2020 FYs

4.3 Performance Index

This section discusses the performance indicators, scoring criteria and mean scores attained by the indicators in each thematic area. It also presents the performance scores of each thematic area per category.

4.3.1 Service Delivery improvement

Performance index for service delivery improvement was determined using eight indicators as listed in Table 4.2. The overall performance index was 49.1%, a decline by 14.3%. However, a majority of institutions (89.3%) had not sensitized their staff on social media engagement. The websites of a majority of institutions (64.5%) could not be accessed by visually impaired persons. Many institutions had not created awareness to citizens on the provisions of their service charters. Public Universities had the highest performance index (58.3%) as the proportion of universities that were rated as high achievers was high compared to those rated as low achievers. Ministries and State Department had the lowest

Table 4.2:Performance Indicators and Mean Score for Service Delivery Improvement

Performance Indicator	Indicator Scoring Criteria	Mean Score (%)
Citizen Service Charter published in public institutions website	Yes= 100%, No=0%	89.3
Service Charter for public institutions transcribed into Braille	Yes= 100%, No=0%	56.1
Websites or public Institutions customized to be accessed by the visually impaired persons	Yes= 100%, No=0%	35.5
Awareness to citizens on the provisions of Service Charter conducted in the last three financial years	Yes= 100%, No=0%	43.9
Staff sensitized on the modalities of constructive engagement with citizens on social media	Yes= 100%, No=0%	10.7
Analysis of social media engagement undertaken in the 2020/2021 Financial Year.	Yes= 100%, No=0%	45.8
Existence of documented service delivery processes in public institutions	Yes= 100%, No=0%	68.7
Officers recognized and awarded for excellence in service delivery in the public institutions	Yes= 100%, No=0%	42.7

Table 4.3: Performance Scores on Service Delivery Improvement

Service Sectors	Total No. of Institutions	High Achievers		Medium Achievers		Low Achievers		Performance Index %
		No. of Institutions	Mean Score %	No. of Institutions	Mean Score %	No. of Institutions	Mean Score %	
Constitutional Commission & Independent Office	8			7	50.0	1	12.5	45.3
Ministry & State Department	49	3	79.2	26	35.6	20	9.4	27.6
Public University	33	10	80.0	22	50.6	1	12.5	58.3
State Corporation & SAGAs	166	52	81.7	100	46.5	14	8.0	54.3
Statutory Commission & Authority	6			5	40.0	1	12.5	35.4
Total	**262**	**65**	**81.3**	**160**	**45.2**	**37**	**9.1**	**49.1**

score because the proportion of institutions rated as low achievers was more compared to those rated as high achievers (Table 4.3).

4.3.2 Good Governance, Transparency and Accountability

Performance index for good governance, transparency and accountability was determined using six indicators listed in Table 4.4. Although the induction programmes of a majority of the institutions contained the topics on service charter, Code of Conduct, financial disclosures, values and principles and corporate governance, 35.7% had induction manuals. Constitutional Commissions and Independent Offices had the highest performance index (78.6%), as the proportion of institutions that were rated as high achievers was high compared to those that were rated as low and medium achievers. Ministries and State Departments had the lowest performance index (Table 4.5), given that the proportion of institutions that were rated as low achievers was high compared to those rated as medium and high achievers. The overall performance index was 46.3%. This was a remarkable improvement compared to the 2019/2020 period.

Table 4.1: Overall Compliance Index of Public Institutions per Service Sector

Service Sectors	Total No. of Institutions	High Achievers		Medium Achievers		Low Achievers		2020/2021 FY	2019/2020 FY	Variance
		No. of Institutions	Mean Score(%)	No. of Institutions	Mean Score(%)	No. of Institutions	Mean Score(%)	Performance Index (%)	Performance Index (%)	
Constitutional Commission & Independent Office	8	1	70.7	7	39.7			43.6	40.6	3
Ministry & State Department	49	3	74	25	36.8	21	16.9	30.6	32.1	-1.5
Public University	33	4	70.2	28	42.3	1	15.5	44.8	46.2	-1.4
State Corporation & SAGAs	166	29	68.7	112	40.2	25	17.3	41.7	44.4	-2.7
Statutory Commission & Authority	6			5	39.8	1	16.4	35.9	41.6	-5.7
Total/Average	**262**	**37**	**69.3**	**177**	**40**	**48**	**17.1**	**40.0**	**42.3**	**-2.3**

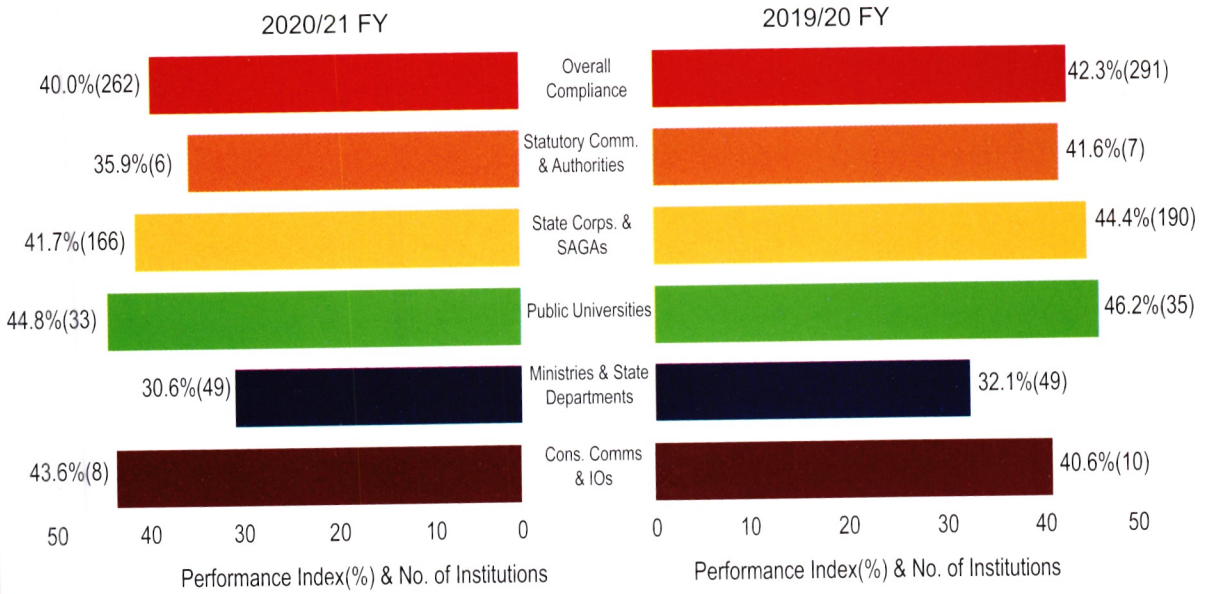


Figure 4.1: Comparison of Compliance Index Per Service Sector for 2020/2021 and 2019/2020 FYs

4.3 Performance Index

This section discusses the performance indicators, scoring criteria and mean scores attained by the indicators in each thematic area. It also presents the performance scores of each thematic area per category.

4.3.1 Service Delivery improvement

Performance index for service delivery improvement was determined using eight indicators as listed in Table 4.2. The overall performance index was 49.1%, a decline by 14.3%. However, a majority of institutions (89.3%) had not sensitized their staff on social media engagement. The websites of a majority of institutions (64.5%) could not be accessed by visually impaired persons. Many institutions had not created awareness to citizens on the provisions of their service charters. Public Universities had the highest performance index (58.3%) as the proportion of universities that were rated as high achievers was high compared to those rated as low achievers. Ministries and State Department had the lowest

Table 4.2:Performance Indicators and Mean Score for Service Delivery Improvement

Performance Indicator	Indicator Scoring Criteria	Mean Score (%)
Citizen Service Charter published in public institutions website	Yes= 100%, No=0%	89.3
Service Charter for public institutions transcribed into Braille	Yes= 100%, No=0%	56.1
Websites or public Institutions customized to be accessed by the visually impaired persons	Yes= 100%, No=0%	35.5
Awareness to citizens on the provisions of Service Charter conducted in the last three financial years	Yes= 100%, No=0%	43.9
Staff sensitized on the modalities of constructive engagement with citizens on social media	Yes= 100%, No=0%	10.7
Analysis of social media engagement undertaken in the 2020/2021 Financial Year.	Yes= 100%, No=0%	45.8
Existence of documented service delivery processes in public institutions	Yes= 100%, No=0%	68.7
Officers recognized and awarded for excellence in service delivery in the public institutions	Yes= 100%, No=0%	42.7

Table 4.3: Performance Scores on Service Delivery Improvement

Service Sectors	Total No. of Institutions	High Achievers		Medium Achievers		Low Achievers		Performance Index %
		No. of Institutions	Mean Score %	No. of Institutions	Mean Score %	No. of Institutions	Mean Score %	
Constitutional Commission & Independent Office	8			7	50.0	1	12.5	45.3
Ministry & State Department	49	3	79.2	26	35.6	20	9.4	27.6
Public University	33	10	80.0	22	50.6	1	12.5	58.3
State Corporation & SAGAs	166	52	81.7	100	46.5	14	8.0	54.3
Statutory Commission & Authority	6			5	40.0	1	12.5	35.4
Total	**262**	**65**	**81.3**	**160**	**45.2**	**37**	**9.1**	**49.1**

score because the proportion of institutions rated as low achievers was more compared to those rated as high achievers (Table 4.3).

4.3.2 Good Governance, Transparency and Accountability

Performance index for good governance, transparency and accountability was determined using six indicators listed in Table 4.4. Although the induction programmes of a majority of the institutions contained the topics on service charter, Code of Conduct, financial disclosures, values and principles and corporate governance, 35.7% had induction manuals. Constitutional Commissions and Independent Offices had the highest performance index (78.6%), as the proportion of institutions that were rated as high achievers was high compared to those that were rated as low and medium achievers. Ministries and State Departments had the lowest performance index (Table 4.5), given that the proportion of institutions that were rated as low achievers was high compared to those rated as medium and high achievers. The overall performance index was 46.3%. This was a remarkable improvement compared to the 2019/2020 period.

Table 4.4: Performance indicators and mean score for Good Governance, Transparency and Accountability

Performance Indicator	Indicator Scoring Criteria	Mean Scores (%)
Existence of induction manual in Public Institutions	Yes =100%, No=0%	35.7
Induction topics included the provisions of organization's Service Charter	Yes =100%, No=0%	61.1
Induction topics included Code of Conduct & Ethics	Yes =100%, No=0%	63.1
Induction topics included Financial Disclosures	Yes =100%, No=0%	53.0
Induction topics included Values and Principles in Article 10 & 232	Yes =100%, No=0%	60.6
Induction topics included Corporate Governance	Yes =100%, No=0%	57.1

Table 4.5: Performance scores on Good Governance, Transparency and Accountability

Service Sectors	Total No. of Institutions	High Achievers		Medium Achievers		Low Achievers		Performance Index (%)
		No. of Institutions	Mean Scores (%)	No. of Institutions	Mean Scores (%)	No. of Institutions	Mean Scores (%)	
Constitutional Commission & Independent Office	7	3	100.0	4	62.5			78.6
Ministry & State Department	48	8	100.0	15	55.6	25	0.0	34.0
Public University	30	7	100.0	18	57.4	5	0.0	57.8
State Corporation & SAGAs	150	30	100.0	60	66.4	60	0.0	46.6
Statutory Commission & Authority	6	1	100.0	2	83.3	3	0.0	44.4
Total	**241**	**49**	**100.0**	**99**	**63.3**	**93**	**0.0**	**46.3**

4.3.3 High standards of professional ethics in the public service

Performance index for high standards of professional ethics in the public service was determined using four indicators listed in Table 4.6. A majority of the institutions evaluated had a Code of Conduct and Ethics. However, most of the codes used by institutions were not aligned to the ones prescribed by the respective responsible commissions.

Public Universities had the highest performance index at 63.4% given that the proportion of institutions rated as medium achievers was high to those rated as low achievers. Ministries and State Departments had the lowest performance index (Table 4.7) because the proportion of institutions that were rated as low achievers was more compared to those rated as high and medium achievers. The performance index of this thematic area was 58%, which was an improvement by 0.9%.

Table 4.6: Performance Indicators and mean score for High Standards of Professional Ethics in the Public Service

Performance Indicator	Indicator Scoring Criteria	Mean Score (%)
Existence of Code of Conduct and Ethics	Yes= 100%, No=0%	79.8
Alignment of Code to the one developed by Responsible Commission	Yes= 100%, No=0%	7.2
Existence of an action plan for promotion of ethics integrity at the work place	Yes= 100%, No=0%	45.4
Existence of members of regulatory professional bodies serving public Institutions	Yes= 100%, No=0%	96.6

Table 4.7: Performance scores on High standards of professional ethics in the Public Service

Service Sectors	Total No. of Institutions	High Achievers		Medium Achievers		Low Achievers		Performance Index %
		No. of Institutions	Mean Score %	No. of Institutions	Mean Score %	No. of Institutions	Mean Score %	
Constitutional Commission & Independent Office	8			7	57.1	1	33.3	54.2
Ministry & State Department	49			27	64.8	22	31.4	49.8
Public University	33			32	64.6	1	25.0	63.4
State Corporation & SAGAs	166	1	100.0	139	65.2	26	29.5	59.8
Statutory Commission & Authority	6			5	55.0	1	33.3	51.4
Total	**262**	**1**	**100.0**	**210**	**64.6**	**51**	**30.4**	**58.0**

4.3.4 Public participation in the policy making process

Performance index for public participation in policy making process was measured using one indicator listed in Table 4.8.

A majority (82.4%) of the institutions evaluated had not customized Public Service Commission Guidelines for Public Participation in Policy Formulation, 2015 (Table 4.9). Performance index for this thematic area was 17.6%, an improvement of 5.6% compared to 2019/2020 period.

Table 4.8: Performance Indicators and Mean Score for Public Participation in Policy Making Process

Performance Indicator	Indicator Scoring Criteria	Mean Score (%)
Customization of Public Service Commission guidelines for Public Participation in Policy Formulation, 2015	Yes= 100.0%,No=0%	17.6

Table 4.9: Performance Index on Public Participation in Policy Making Process

Service Sectors	Total No. Institutions	High Achievers		Low Achievers		Performance Index (%)
		No. of Institutions	Mean Scores (%)	No. of Institutions	Mean Scores (%)	
Constitutional Commission & Independent Office	8	1	100.0	7	0.0	12.5
Ministry & State Department	49	4	100.0	45	0.0	8.2
Public University	33	6	100.0	27	0.0	18.2
State Corporation & SAGAs	166	35	100.0	131	0.0	21.1
Statutory Commission & Authority	6			6	0.0	0.0
Total	**262**	**46**	**100.0**	**216**	**0.0**	**17.6**

4.3.5 Efficiency, effectiveness and economic use of resources and sustainable development

Five indicators were used to determine the performance index for this thematic area (Table 4.10).

It was established that:

i) A majority of institutions had not prepared a board of survey report;
ii) Constitutional Commissions and Independent offices had the highest performance index because the proportion of institutions rated as high achievers was more than those rated as medium or low achievers. Ministries and State Departments had the lowest performance index given that the proportion of institutions rated as low achievers was more compared to those rated as high achievers (Table 4.11); and
iii) The performance index was 52.4%, an improvement by 6% compared to 2019/2020 period.

Table 4.10: Performance Indicators and Mean Score for Efficiency, effectiveness and Economic use of Resources and Sustainable Development

Performance Indicator	Indicator Scoring Criteria	Mean Score %
Existence of an updated Assets and Liabilities Register as required by the Public Finance Management Act, 2012 and Public Finance Management Regulations 2015	Yes =100%, No=0%	69.8
Public Institutions prepared and submitted Assets and Liabilities Register to the National Treasury as per Circular No. 5/2020 dated 25th February 2020 on preparation of fixed assets and liabilities registers in the public sector.	Yes =100%, No=0%	34.4
Disposal of assets in the 2020/2021 Financial Year by Public Institutions	Yes =100%, No=0%	23.3
Rating of Public Institutions in the Auditor-General's report for 2018/2019 financial year.	Unqualified Opinion=100% Qualified Opinion=50% Adverse Opinion=25% Disclaimer =0%	69.3
Rating of Public Institutions in the Auditor-General's report for 2019/2020 financial year.	Unqualified Opinion=100% Qualified Opinion=50% Adverse Opinion=25% Disclaimer =0%	73.2

Table 4.11: Performance Index on Efficiency, Effectiveness and Economic use of Resources

Service Sectors	Total No. of Institutions	High Achievers		Medium Achievers		Low Achievers		Performance Index %
		No. of Institutions	Mean Score %	No. of Institutions	Mean Score %	No. of Institutions	Mean Score %	
Constitutional Commission & Independent Office	8	4	85.0	4	47.5			66.3
Ministry & State Department	49	7	85.7	26	47.5	16	18.8	43.6
Public University	33	8	83.4	22	51.1	3	20.0	56.1
State Corporation & SAGAs	166	36	89.8	106	49.7	24	15.1	53.4
Statutory Commission & Authority	6	1	80.0	5	54.0			58.3
Total	**262**	**56**	**87.9**	**163**	**49.6**	**43**	**16.8**	**52.4**

4.3.6 Performance Management

Twelve indicators were used to determine the performance index for this thematic area (Table 4.12).

It was established that:

i) A majority of the public institutions evaluated had current strategic plans published in the websites;
ii) A majority of the public institutions had not undertaken training impact assessment and workload analysis;
iii) A majority of the institutions did not have Human Resource Plans and coaching and mentoring policies;
iv) Performance management committees were not active in the majority of the institutions;
v) A majority of the institutions evaluated were medium achievers implying that there was need to put in place stringent measures to improve both individual and organizational performance (Table 4.13).
vi) The performance index was 27.9%, a decline by 9.5%.

Table 4.12: Performance Indicators and Mean Score for Performance Management

Performance Indicators	Indicator Scoring Criteria	Mean Scores (%)
Existence of Current Strategic Plan in the Organization's website.	Yes=100%, No=0%	69.8
Evaluation Scores = (1/ Composite Score)*100	Progressive assignment of the Inverse Scores form 0-100	31.8
Workload analysis Undertaken in Public Institutions in the last three Financial Years.	Yes=100%, No=0%	22.9
Performance Management Committee reviewed performance appraisal of officers for the 2020/2021 Financial Year.	Yes=100%, No=0%	22.9
Proportion of Staff Appraised to the Staff In post	Progressive Assignment of Scores from 0-100%	83.2
Undertaken a Training Needs Assessment in the last three financial years.	Yes=100%, No=0%	32.1
Undertaken training impact assessment during the 2020/2021 FY	Yes=100%, No=0%	5.0
Proportion of Discipline Cases finalized within six months	Progressive Assignment of Scores from 0-100%	34.6
Existence of a coaching and mentoring policy	Yes=100%, No=0%	21.8
Existence of a Human Resource plan	Yes=100%, No=0%	14.1
Exit interviews for officers exiting the organization conducted in 2020/2021 FY	Yes=100%, No=0%	32.8
Analysis of exit questionnaires for the officers who exited the service in the 2020/2021 FY	Yes=100%, No=0%	12.4

Table 4.13: Performance Scores on Performance Management

Service Sectors	Total No. of Institutions	High Achievers		Medium Achievers		Low Achievers		Performance Index (%)
		No. of Institutions	Mean Score (%)	No. of Institutions	Mean Score (%)	No. of Institutions	Mean Score (%)	
Constitutional Commission & Independent Office	8		0.0	5	24.0	3	10.0	18.8
Ministry & State Department	49	8	63.7	31	23.9	10	5.9	26.7

Service Sectors	Total No. of Institutions	High Achievers		Medium Achievers		Low Achievers		Performance Index (%)
		No. of Institutions	Mean Score (%)	No. of Institutions	Mean Score (%)	No. of Institutions	Mean Score (%)	
Public University	33	5	55.8	28	25.7			30.2
State Corporation & SAGAs	166	29	57.9	118	24.6	19	4.5	28.1
Statutory Commission & Authority	6	1	50.0	5	25.5			29.6
Total	**262**	**43**	**58.6**	**187**	**24.6**	**32**	**5.5**	**27.9**

4.3.7 Equitable Allocation of Opportunities and Resources

Five indicators were used to determine the performance index for this thematic area (Table 4.14).

It was established that:

i) The proportion of ethnic communities represented in organizations was low;
ii) The gender representation at all levels in the public service does not meet the Constitutional requirements of not more than two-thirds be of the same gender. The female gender was not well represented at higher levels (policy and senior management);
iii) The representation of PWDs in the service did not meet the 5% Constitutional requirement;
iv) A majority (59%) of the organizations had transcribed their documents into braille;
v) The performance index in each category shows that on issues of diversity in the public service i.e. ethnicity, gender and disability representation was medium implying that affirmative action should be implemented by all institutions to improve the levels of representation. (Table 4.15);and
vi) The performance index was 28.1%, a decline 4.8% compared to the 2019/2020 period.

Table 4.14: Performance Indicators and Mean Score for Equitable Allocation of Opportunities and Resources

Performance Indicator	Indicator Scoring Criteria	Mean Score %
The proportion of ethnic groups represented in an organization	Proportionate representation of Ethnic Communities in the Organization	36.9
Gender Representation in the Organization	33.3% and above of any gender is equals=1 Less than 33.3% is assigned values progressively between 0 and 1	30.3
Representation of PWDs in the organization	5% and above is assigned 1 and Less than 1 is assigned values between 0 and less than 1	1.5
Proportion of PWDs trained in the organization	% of PWDs Trained against Total No. of officers trained	8.8
Transcription of Documents into Braille for use by visually impaired persons	Yes=100, No=0%	59.2

Table 4.15: Performance Scores on Equitable Allocation of Opportunities and Resources

Service Sectors	Total No. of Organizations	High Achievers		Medium Achievers		Low Achievers		Performance Index (%)
		No. of Institutions	Mean Score (%)	No. of Institutions	Mean Score (%)	No. of Institutions	Mean Score (%)	
Constitutional Commission & Independent Office	8			4	27.5	4	3.0	20.2
Ministry & State Department	49	4	41.3	29	27.3	16	13.6	24.0
Public University	33	2	40.6	26	33.5	5	12.7	30.8
State Corporation & SAGAs	166	28	45.6	90	33.0	48	12.8	29.3
Statutory Commission & Authority	6	1	42.6	2	28.8	3	14.4	23.9
Total	**262**	**35**	**44.7**	**151**	**31.8**	**76**	**13.1**	**28.1**

4.3.8 Comparative Analysis of Compliance index by Thematic Areas

The trend analysis on the 2019/2020 and 2020/2021 performance indices on the seven thematic areas indicate that there was improvement in four out of the seven thematic areas. These were high standards of professional ethics; good governance transparency and accountability; public participation in policy making and Efficiency, effectiveness and economic use of resources and sustainable development. The rest of the three thematic areas regressed with the highest regression being realised in service delivery improvement (-14.3%) followed by performance management at -9.5% (Table 4.16). This decline may be attributed to the challenges posed by Covid-19, especially the restrictions put in place by Government to contain the pandemic. The analysis by thematic area and service sector is presented in Figure 4.2 and Appendix XII.

Table 4.16: Comparative Analysis of Compliance Index by Thematic Areas

S/No	Thematic Area	2018/2019 Compliance Index (%)	2019/2020 Compliance Index (%)	2020/2021 Compliance Index (%)	Deviation
	Overall Compliance Index	42.4	42.3	40	-2.3
1.	Service Delivery Improvement	52.3	63.4	49.1	-14.3
2.	High standards of professional ethics in the public service	60.3	57.1	58	0.9
3.	Good Governance, Transparency and Accountability	35.6	38.1	46.3	8.2
4.	Performance Management	25.6	37.4	27.9	-9.5
5.	Equitable Allocation of Opportunities and Resources	45.1	32.9	28.1	-4.8
6.	Public Participation in policy making process	17.1	12	17.6	5.6
7.	Efficiency, effectiveness and economic use of resources and sustainable development	60.9	46.4	52.4	6

Legend: (-) declined performance; (+) improved performance

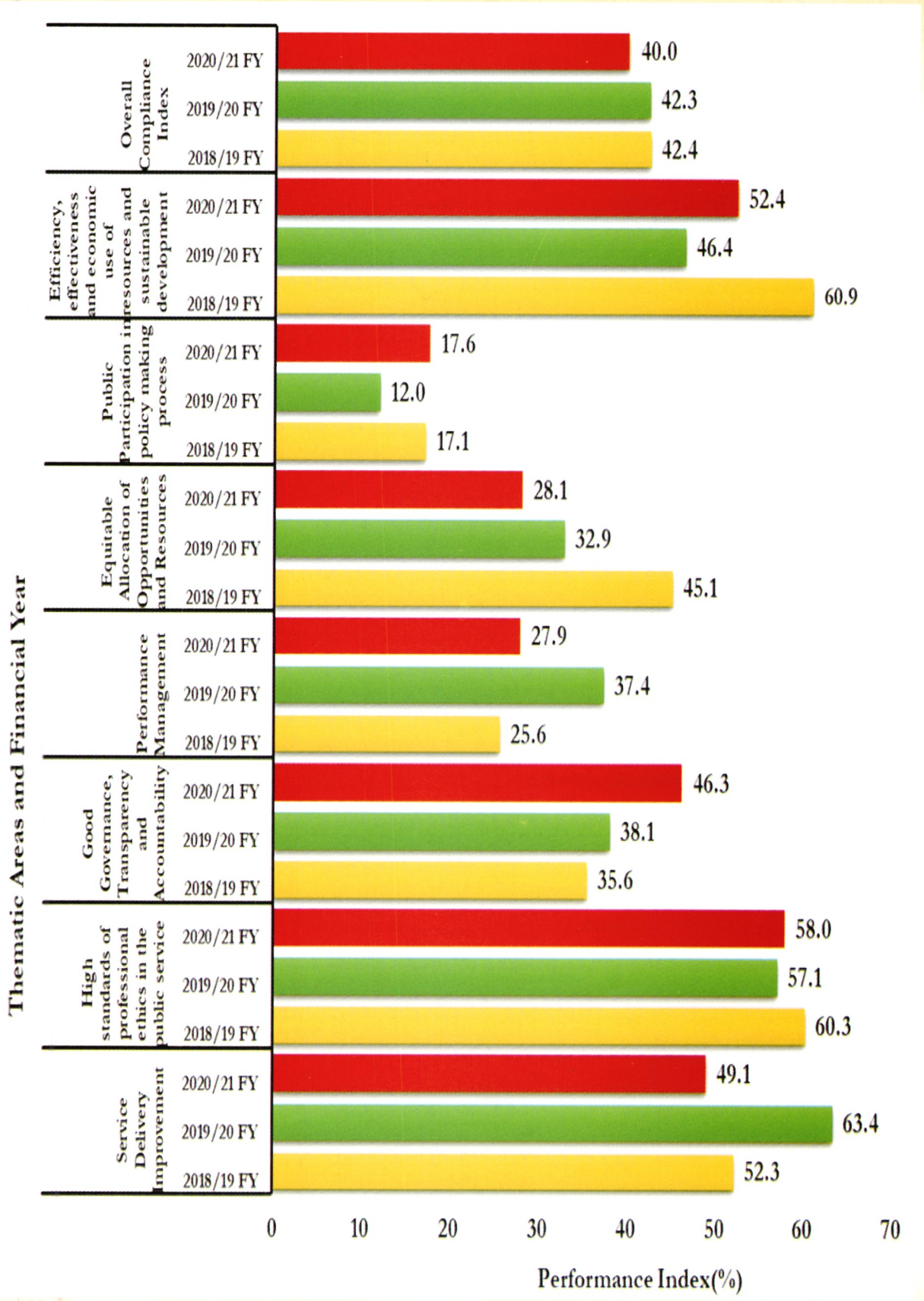


Figure 4.2: Comparative Analysis for Overall Compliance and Performance by Thematic Areas for 2018/19, 2019/20 and 2020/21 Financial Years

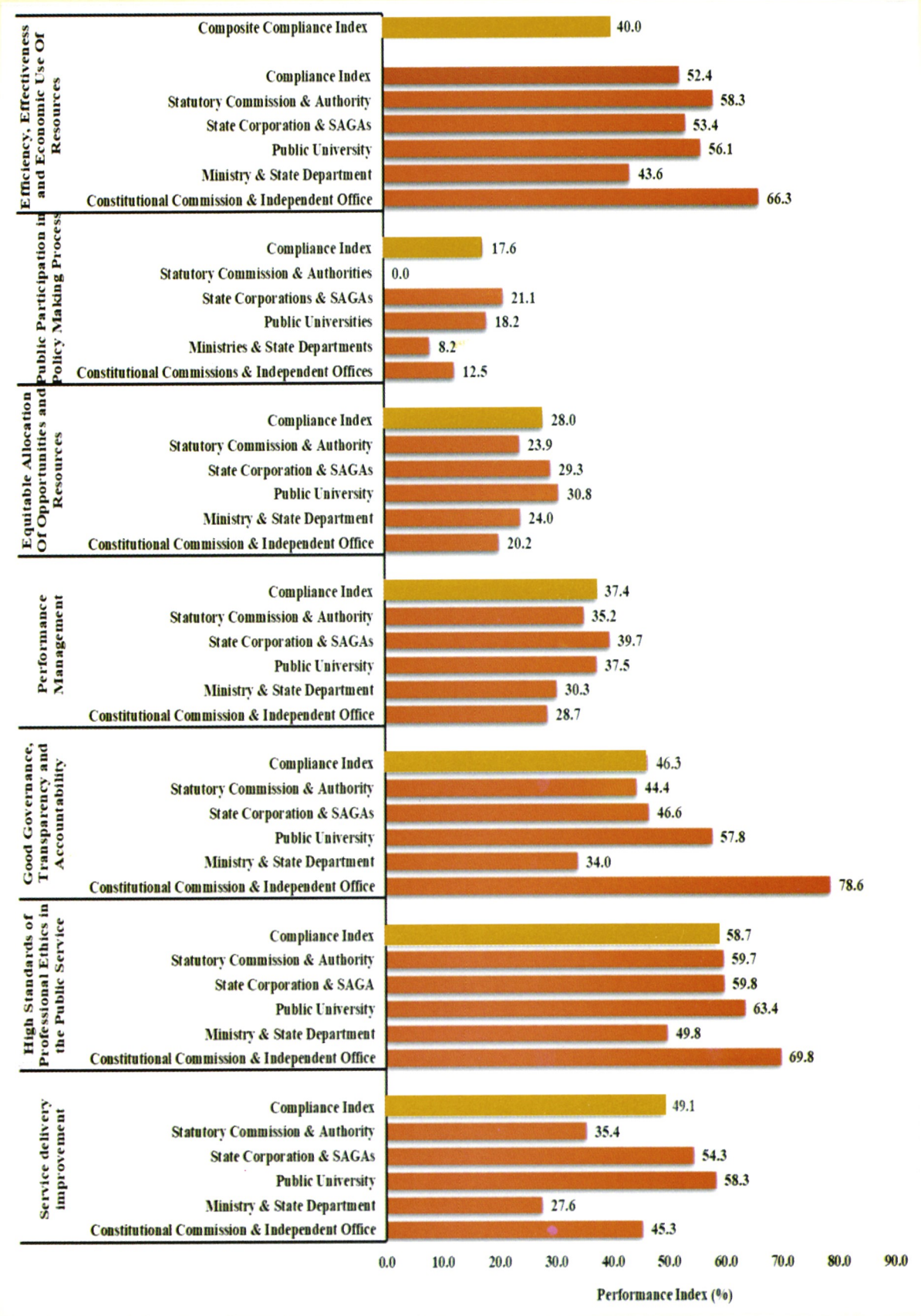
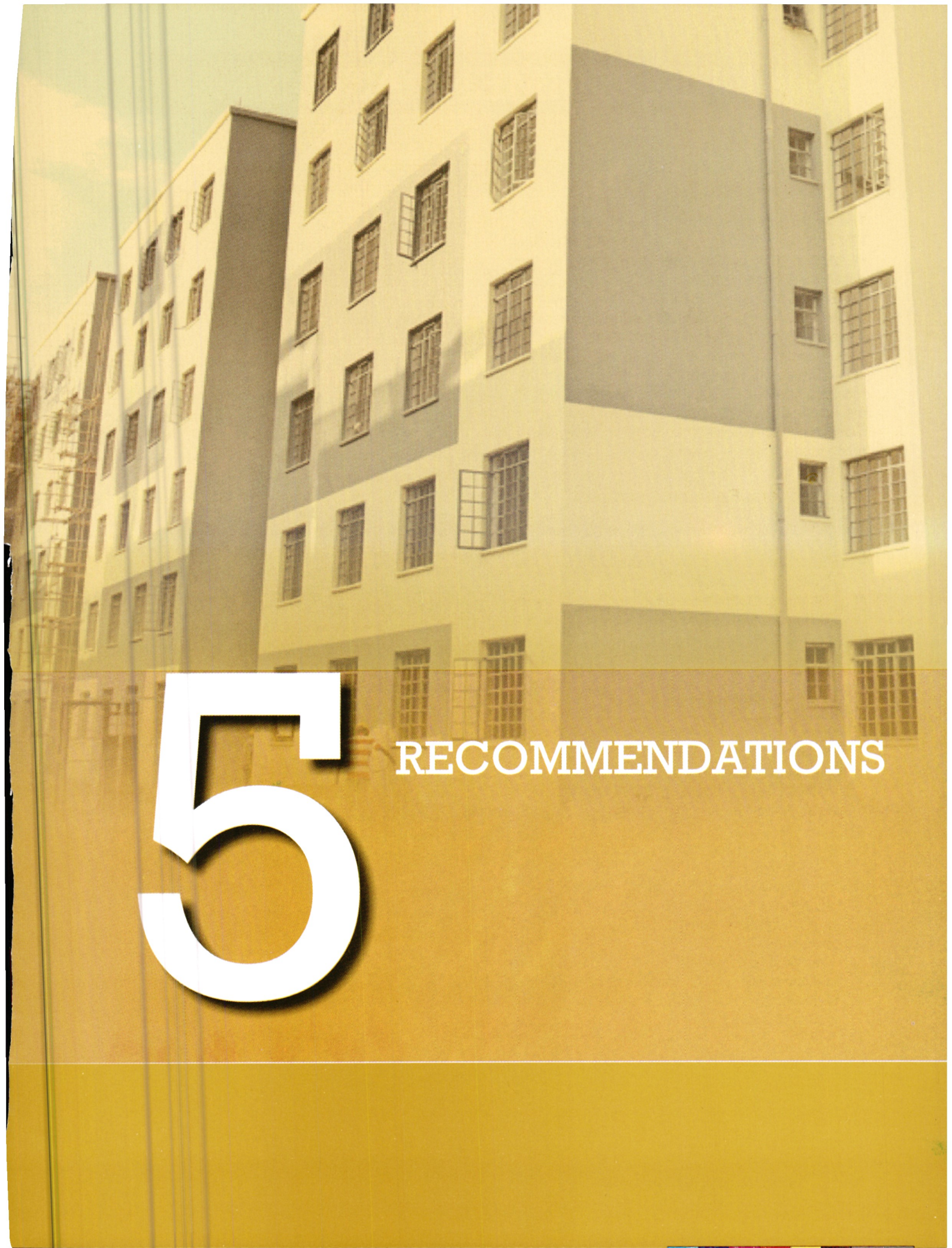


Figure 4.3: Performance Scores by Thematic Areas across Service Sectors or 2020/2021



5 RECOMMENDATIONS

CHAPTER FIVE RECOMMENDATIONS

5.1 Introduction

The purpose of the evaluation was to establish the status of compliance to the values and principles in Articles 10 and 232 of the constitution by the public institutions under the purview of the Public Service Commission. Based on the status of performance and compliance, the Commission makes recommendations inferred from the findings. The recommendations are structured based on the clustered public sectors evaluated. Most of the recommendations should be implemented within the Financial Year 2021/2022. This will enable the Commission to review the status of implementation of recommendation in the next cycle of evaluation.

5.2 General Recommendations

The general recommendations include the following:

i) Parliament to fast-track the finalization of the Public Participation Bill;
ii) Institutions that failed to implement the PIC and PAC recommendations to explain reasons for non-compliance;
iii) The Ministry of Education to initiate the review of the TVET Act, 2013 to bring all the TVET tutors under one employer;
iv) Institutions to implement the Public Service Commission (Performance Management) Regulations, 2021;
v) The National Treasury should prepare and maintain an updated National Assets and Liabilities Register;
vi) The Government should invest in ICT equipment and infrastructure to facilitate uptake of e-services;
vii) The Ministry of ICT should develop policy guidelines for social media engagement and criterion for allocation of ICT equipment in public institutions;
viii) The staff establishment and organizational structures for TVET institutions should be reviewed to facilitate staff and career succession management;
ix) The State Department for Vocational and Technical Training to fast-track the development of a code of conduct and ethics for TVET instructors to professionalise the TVETs;
x) Institutions under the purview of the Pubiic Service Commission to develop and align their codes to the Public Service Code of Conduct and Ethics, 2016;
xi) Responsible commissions to review their codes and align them to the Constitution and LIA, 2012;
xii) Public institutions to document their business process and migrate their services to e-platform as appropriate;
xiii) The Ministry of Education to finalize and issue policy guidelines on capitation;
xiv) Special audit be conducted on capitation and development funds received by TVETs;
xv) All public institutions should publish and publicize, transcribe the service charters into braille and customize the websites for ease of access by visually impaired persons;
xvi) Public institutions should comply with the Public Service Human Resource Development Policy, 2016 which requires them to allocate between 1% and 2% of recurrent expenditure to training;
xvii) A framework be developed to standardize the process for undertaking TNA, TIA and human resource plans;
xviii) Policy guidelines for remote working by staff should be developed;
xix) Public institutions to develop and implement affirmative action programmes to redress gender, ethnicity and PWDs gaps;
xx) All institutions to develop, implement and maintain the complaints, gifts and conflicts of interest registers;
xxi) EACC to audit the gifts and conflict of interest registers maintained by public institutions; and
xxii) All public institutions to comply with the AGPO policy and the Buy Kenya – Build Kenya Strategy.

5.3 Key Recommendations by Sector

5.3.1 Technical and Vocational Training Institutions

Thematic Area	Issue	Recommendations	Lead Actor
Staff Establishment	Varied terms of service for TVET Tutors	Review staff establishment and organization structures to facilitate staff and career succession management for TVET Institutions.	PSC
		State Department for Vocational & Technical Training	
		The Public Service Commission in consultation with the Salaries and Remuneration Commission (SRC) to harmonize the terms and conditions of service for the TVET staff.	PSC, SRC
		The services of the 0.3% of TVET trainers who are still under the TSC be transferred to the PSC.	
		TVET Act,2013 be reviewed with the aim of bringing all TVET tutors under one employer.	Ministry of Education Parliament
Service delivery improvement and transformation	Lack of service charters	All TVET Institutions should develop Citizen Service Charters.	TVETs
	Lack of GHP and Complaints Registers	The 69 TVET institutions which do not have grievance handling procedures should develop and implement the procedures. The 51 institutions that did not have Complaints Registers should develop and implement the same.	TVETs
	ICT equipment and infrastructure	The government to invest in ICT equipment to bring the ratio of instructors to computers to 1:1 to facilitate uptake of e- learning by TVET institutions.	State Department for Vocational & Technical Training
		Government to develop supportive ICT infrastructure in all the 47 Counties including internet access to allow TVETs to adopt e-learning.	Ministry of ICT & Innovation
High standards of professional ethics in the public service	Lack of a code of conduct for TVET staff	The State Department for Vocational and Technical Training to fast-track the development of a code of conduct and ethics for TVET instructors so as to professionalise the TVETs.	State Department for Vocational & Technical Training
Good governance, transparency and accountability		TVETs should be encouraged to explore Alternative Dispute Resolution (ADR) system.	State Department for Vocational & Technical Training AG

Thematic Area	Issue	Recommendations	Lead Actor
	Lack of gift and conflict of interest registers	Develop and maintain a gift register and conflict of interest register as required under LIA, 2012.	TVETs
		51 institutions should develop and implement a corporate communication strategy that is aligned to the strategic plan.	TVETs
	Functional Boards/ Councils	The Boards of the 8.5% of the institutions that did not have functional Boards be constituted.	State Department for Vocational & Technical Training
Performance management	Lack of strategic plans	The 61 institutions that did not have a strategic plan to develop and upload on the organizational website.	State Department for Vocational &Technical Training
	Failure to sign PC agreements	All principals to sign performance contract with the Cabinet Secretary and cascade the targets to staff.	State Department for Vocational & Technical Training
	Lack of PMC	All TVETs to set up Performance Management Committees guided by the Public Service Commission (Performance Management) Regulations, 2021.	TVETs
	Mainstreaming of values and principles	values and principles should be mainstreamed into the performance contracting platform and induction and training programmes.	PSC TVETs
	Finalization of discipline cases	Discipline cases be finalized within six months.	TVETs
	Conduct and analysis of exit interviews	Institutionalize the conduct of exit interviews and subsequent analysis.	TVETs
Equitable allocation of opportunities and resources	Gender, PWD and ethnic representation	The 54 institutions that had not complied with the two-thirds gender principle should develop and fully implement affirmative action programme to address gender gaps.	TVETs
		Institutions should develop and fully implement affirmative action programmes during recruitment to address PWDs representation gaps in line with Section 10 of the Public Service (Values and Principles) Act, 2015.	TVETs
		All TVET institutions to work towards achieving proportionate representation of ethnic communities as presented in the 2019 Kenya Population and Housing Census report.	TVETs
	Support to PWDs	TVETs should provide support to staff, students and clients with various forms of disability.	TVETs

Thematic Area	Issue	Recommendations	Lead Actor
	Non-compliance to AGPO	TVETs should comply to the AGPO Policy of reserving and awarding 30% of procurement budget to Women, Youth and PWDs.	TVETs
		The six counties which were yet to receive capitation should be supported to operationalise their TVETs.	State Department for Vocational & Technical Training
		A special audit be conducted on capitation and development funds received by TVETs.	Auditor-General
		Policy guidelines on capitation for TVETs should be developed and issued to assure sustainability of the programme.	State Department for Vocational & Technical Training
Public participation in policy making	Lack of Public Participation guidelines	TVETs to customize PSC guidelines on Public Participation.	TVETs
	Undertaking of Public Participation process	Institutions should mainstream public participation in all their engagements with staff and students.	TVETs
		Develop and maintain a standard inventory of stakeholders.	TVETs
Efficiency, effectiveness and economic use of resources	Lack of Assets and Liabilities registers	The registers of Assets and Liabilities should be updated as required by PFM Act and Regulations.	
	Non-Compliance to the Buy Kenya - Build Kenya strategy	Institutions should comply with the Buy Kenya - Build Kenya policy.	TVETs
	Implementation of development projects	Institutions to undertake environmental impact assessments and feasibility studies.	TVETs

5.3.2 Ministries, Departments and Agencies

Thematic Area	Issue	Recommendation	Actor
Staff Establishment	Over-established institutions	The institutions with staff over-establishment be reviewed to align them to the authorized staff establishment.	PSC
	Under-established institutions	The organizational structures and staff establishments for organizations operating below 50% be reviewed to determine the optimal staffing levels.	PSC
	Terms of service	Officers serving on permanent without pension should be converted to permanent and pensionable terms. Officers who have served on probation terms beyond six months and do not have adverse reports should be confirmed in the appointment. Officers serving on Temporary terms be converted to either contract or permanent and pensionable terms.	PSC MDAs

Thematic Area	Issue	Recommendation	Actor
	Secondment	The 101 officers who had overstayed the statutory secondment period should revert to the terms and conditions of service appropriate to their former substantive positions in the parent institutions. Those intending to continue working for the recipient institution to either transfer their services, retire or resign.	MDAs
Service delivery improvement and transformation	Transcription of citizen service charters	All public institutions to publish and publicize, transcribe the service charters into braille and customize the websites for ease of access by visually impaired persons.	MDAs
	Complaints register	Institutions without complaints registers should put in place the register as provided for under the Fifth Schedule of the Public Service Code of Conduct and Ethics The two institutions which accounted for 62% of total complaints registered to explain the reasons for the high number of complaints.	MDAs PSC
	Social media engagement	The Ministry of ICT should develop policy guidelines for social media engagement and utilization of feedback from clients. Institutions should undertake analyses of social media engagement with a view to using feedback for service delivery improvement.	Ministry of ICT
	Decentralization of services	Institutions to decentralize their services to the extent practicable including at county and ward levels to enhance access by citizens.	MDAs
	Criteria for allocation of ICT equipment	State department of ICT should develop a policy on criteria for allocation of ICT equipment.	Ministry of ICT
	Documentation of service delivery process	Public institutions should finalize the documentation of all business processes.	MDAs
	Provision of services through Huduma Platform.	Public institutions whose services can be availed through Huduma platform to commence offering their services in the centres.	MDAs
	Modes used by citizens to access services	Public institutions that do not offer online services should migrate the services to online platforms. Public institutions that have not migrated their services to e-citizen platform to migrate the services.	MDAs
	Recognition of excellent service delivery	Public institutions to recognize and reward best performing officers as an incentive to sustain excellence in service delivery.	MDAs
High standards of professional ethics in the public service	Existence of a code of conduct and ethics	The 203 institutions under PSC as a responsible Commission that had not aligned their codes to the PSC Code of Conduct and Ethics revised in 2016 to adopt the Code. Responsible Commissions that have not reviewed their codes should review and align them to the Constitution and LIA, 2012.	MDAs & Responsible Commissions

Thematic Area	Issue	Recommendation	Actor
	Promotion of ethics and integrity	All institutions to annually make budgetary provisions for the promotion and sensitization on ethics and integrity in the workplace. The Commission to direct the 144 organizations that do not have action plans to guide the promotion of ethics and integrity in the workplace to develop and implement.	MDAs PSC
	Membership to professional bodies	Institutions should support professionals in their organizations to attend courses for Continuous Professional Development.	MDAs
Good governance, transparency and accountability	Modes on reporting corruption cases	Awareness creation programmes for citizens and public officers on the various modes available for reporting corruption undertake.	EACC
	Officers prosecuted on corruption related cases	The institutions in the criminal justice system should expedite disposal of corruption cases as required by the National Values and Principles of Governance Policy, 2013.	MDAs
	Civil proceedings against public institutions.	An audit to establish the nature of civil proceedings on public institutions should be carried out with a view to having the matters finalized so that service delivery is not affected.	AG & MDAs
	Management of gifts	Public organizations to adhere to the provisions of the Leadership and Integrity Act, 2012, Leadership and Integrity Regulations, 2015 and the Public Service Code of Conduct and Ethics, 2016 regarding gift management. Public organizations and officers be discouraged from giving and receiving gifts in form of alcohol. An audit of gift registers that are maintained by public institutions should be undertaken. The Leadership and Integrity Regulations be reviewed to include provisions on management of value of gifts given out by organizations.	MDAs EACC EACC
	Conflict of interest	Public institutions to maintain and frequently update the conflict of interest register as required under Section 16(11) of Leadership and Integrity Act, 2012. An audit of conflict of interest registers maintained by public institutions be done.	MDAs EACC
	Existence of functional Boards	The Appointing Authority to constitute the Boards when due to enable the institutions execute their mandates.	MDAs
	Acting appointment	The institutions where the 1,202 officers had been allowed to exceed the six months of acting appointments to explain circumstances under which the officers have been allowed to exceed the statutory timeline. The four state corporations to declare the positions for competitive filling after the expiry of the six months acting period.	MDAs

Thematic Area	Issue	Recommendation	Actor
	Induction manuals	Institutions should customize their induction manuals in line with the Induction Handbook for the Public Service, 2017 to include the topics on institution's service charter, code of conduct and ethics, financial disclosures, values and principles in Articles 10 and 232 and governance.	MDAs
Performance management	Strategic plans	Institutions that had not published the strategic plans should upload the plans in the websites as required by PFM Regulations, 2015. Institutions should undertake mid-term reviews as required.	MDAs
	Performance Contracting	The CEOs of Constitutional Commissions and Independent Offices should sign performance contract with the respective Boards. All the authorised officers/CEOs of other institutions that had not signed a performance contract should sign the contract as per the PFM Regulations.	MDAs
	Setting individual performance targets	The setting of individual performance targets should be based on the signed organizational performance contracts as required by the PFM Regulations.	MDAs
	Performance evaluation scores	All institutions to adhere the provisions of the Public Service Commission (Performance Management) Regulations, 2021 with regard to performance evaluation.	MDAs
	Performance management committee	The PFM Regulations should be reviewed to provide timelines and frequencies for PMC meetings.	MDAs
	Rewards and sanctions.	Authorized Officers to establish and monitor functionality of PMC. The PMCs should adhere to the provisions of the PSC (Performance Management Regulations), 2021 and the Rewards and Sanctions Policy.	MDAs
	Human Resource development	Public institutions should comply with the Public Service Human Resource Development Policy, 2016 which requires them to allocate between 1% and 2% of recurrent expenditure to training.	MDAs
	Training needs assessment	A framework to be developed to standardize the process of undertaking TNA by public institutions. Institutions should undertake Training Needs Assessment (TNA) as required PSC Act, 2017 and the HRD policy	PSC
	Training impact assessment	A framework should be developed to guide institutions in undertaking TIA.	PSC
	Workload analysis	Institutions that had not undertaken workload analysis to undertake the analysis based on the organizational Strategic Plan cycle.	MDAs

Thematic Area	Issue	Recommendation	Actor
	Human resource plans	A framework be developed to standardize the process of developing human resource plans in public institutions.	PSC
	Disciplinary control	All public institutions to finalize discipline cases within six months as prescribed in the Human Resource Policies and Procedures Manual, 2016 to avoid potential litigation by aggrieved officers and court awards against the institutions. Accounting officers to ensure continuous sensitization of staff on the provisions of the Public Service Code of Conduct and Ethics, 2016.	MDAs
	Exit questionnaires	The Human Resource and Procedure Manual be reviewed to make it mandatory for public institutions to administer exit questionnaires, analyse and implement the recommendations	PSC MDAs
	Mitigation measures against COVID-19	Policy guidelines for remote working by staff should be developed.	PSC MDAs
Equitable allocation of opportunities and resources	Gender & PWD representation	The 51 institutions that had not complied with the two-thirds gender requirement to develop and implement affirmative action programmes to redress the gaps. The 252 institutions that had not met the 5% PWDs threshold to develop and implement affirmative action programmes to redress the gaps.	MDAs
	Representation of Gender & PWD across job levels	Public institutions to develop and implement affirmative action programmes targeting improvement of the representation on the two-thirds gender principle at policy and senior management levels.	MDAs
	Ethnic representation in the public service.	Institutions affected by imbalances in ethnic representation to implement affirmative action programmes on ethnicities and as required by Section 10 of the Public Service (Values and Principles) Act, 2015.	MDAs
	Internship Opportunities	Deliberate measures be put in place to increase the number of ethnic communities and PWDs in the recruitment of interns.	MDAs
		Public institutions which engaged interns beyond the 1 year stipulated in the policy to provide justification on the reason for the extended engagement. All institutions running organizational-based internship programmes to adhere to the provisions of the Internship Policy and Guidelines for the Public Service 2016 regarding payment of stipend.	MDAs

Thematic Area	Issue	Recommendation	Actor
	Distribution of Appointment opportunities	The public institutions to implement the affirmative action programmes to meet the requirement of the of 5% for PWDs representation and proportionate representation of all ethnic communities.	MDAs
	Implementation of affirmative action programmes	All public institutions to ensure compliance with the constitutional and policy provisions on ethnic representation in appointments. The Section 10 of the Public Service (Values and Principles) Act, 2015 should be reviewed to require institutions to adhere to ethnic proportionate representation during recruitment of new officers.	MDAs AG/MAT
	Distribution of training opportunities	The two-thirds gender principle should be adhered to the distribution of training opportunities. PWDs should be accorded equal and adequate opportunities for training.	MDAs
	Mainstreaming disability in the public service	All public institutions to implement the requirements in the code of practice for mainstreaming disability issues in the public service including hiring sign language interpreters.	MDAs
	AGPO	All institutions to comply with the 30% budgetary allocation for special groups under the AGPO programme. Public institutions should submit quarterly reports on AGPO awards to PPRA.	MDAs
	Buy Kenya – build Kenya	Institutions be directed to comply with the Buy Kenya - Build Kenya policy by setting aside 40% of locally produced goods and services.	MDAs
	Youth empowerment programmes	The State Department for Youth Affairs to extend the youth empowerment programmes to the 60% of the counties that had not benefitted from the programmes; The proportion of youths benefitting from the youth empowerment programmes should be increased from 2% to 5%.	State Dept. for Youth
	Social protection programmes	The cash transfer programme should be expanded to cover all the registered eligible beneficiaries. The State Department for Social Protection to develop policy guidelines for equitable distribution under the cash transfer programme.	State Department for Social Protection
Public participation in policy making	Stakeholder engagement	Public institutions to develop and implement public participation policy or guidelines by June 2022. Public institutions to incorporate the use of Kenyan sign languages in the public participation processes. Parliament to fast-track finalization of The Public Participation Bill.	MDAs

Thematic Area	Issue	Recommendation	Actor
Efficiency, effectiveness and economic use of resources	Assets and liabilities register	Accounting Officers to prepare and maintain an updated public Assets and Liabilities Register and submit to the National Treasury by March, 2022. The National Treasury to compile and maintain an updated National Assets and Liabilities Register for all national government assets in line with the PFM Act, 2012 by June 2022.	MDAs
	Board of Survey Report	The public institutions that disposed assets in breach of the PPAD Act, 2015 and Regulations to explain the non-adherence to the procedures.	National Treasury
	Auditor-General report(s)	Government to constitute a multi-agency forum composed of oversight institutions in the public finance management sector to review the under-performance in public finance management sector by June 2022.	Auditor-General
	Sustainability of development projects	Institutions that did not undertake environmental impact assessments and feasibility studies should comply with the project implementation cycle process from inception to completion. The Office of the Auditor-General to undertake an audit on the 61 projects in 34 institutions whose cost was varied.	MDAs Auditor-General
	Budget absorption	Public institutions to comply with PFM Act, 2012 and other provisions to uphold fiscal responsibility.	Treasury
	Implementation of PIC & PAC	Parliament to consider conducting an audit on the status of recommendations on PIC and PAC by institutions; and Institutions that failed to implement the PIC and PAC recommendations to explain reasons for non-compliance.	Parliament MDAs
	Big 4 agenda projects	Institutions should conduct Environmental Impact Assessments and feasibility studies during the implementation of the Big Four Agenda projects.	MDAs NEMA



Commissioner Amb. Salma Ahmed plants a tree at the Ngong Hills Forest to mark this year's Africa Public Service Day, 23rd June 2020. Looking on (right) is the Deputy Commission Secretary Mr. Remmy Mulati



The Chairman of the CQA Committee, Commissioner Dr. Reuben Chirchir, (second left) with Commissioner Dr. Mary Mwiandi (left) address the PSC inter-departmental team preparing the 2020/2021 Values Report (inset). At third left and far right are Deputy Commission Secretary Ms. Jane Chege and Director CQA Mr. Simon Wachinga respectively.



APPENDICES

APPENDICES

Appendix I: Non-Respondents to the Survey

S/No.	Non- Responses (TVETs)	S/No.	Non- Responses (TVETs)
1	Elwak Technical & Vocational College	18	Maasai Mara Technical & Vocational College
2	Emgwen Technical & Vocational College	19	Manyatta Technical & Vocational College
3	Endebess Technical & Vocational College	20	Mwea Technical & Vocational College
4	Fayya Technical & Vocational College	21	North Horr Technical & Vocational College
5	Heroes Technical & Vocational College	22	Ombek Technical & Vocational College
6	Ijara Technical & Vocational College	23	Riamo Technical & Vocational College
7	Kandara Technical & Vocational College	24	Sirisia Technical & Vocational College
8	Kericho Township Technical & Vocational College	25	Sotik Technical Training Institute
9	Kerio Valley Technical Training Institute	26	The Eldoret National Polytechnic
10	Keroka Technical Training Institute	27	Turkana East Technical & Vocational College
11	Kiirua Technical Training Institute	28	Wajir South Technical and Vocational College
12	Konoin Technical & Vocational College	29	Jeremiah Nyagah TTI
13	Lamu East Technical & Vocational College	30	Kapchepkor TVC
14	Lari Technical & Vocational College	31	Lagdera TVC
15	Lungalunga Technical & Vocational College	32	Marsabit TVC
16	Mathira TVC	33	Samburu West TVC
17	Samburu North TVC	34	Ikutha TVC
State Corporations and SAGAs			
1	Agro-Chemical and Food Company Limited	19	Lake Victoria South Water Works Development Agency
2	Capital Markets Authority	20	National Affirmative Action Fund
3	Central Rift Valley Water Works Development Agency	21	National Council For Children's Services
4	Centre On Ground Water	22	National Employment Authority
5	Chemelil Sugar Company Limited	23	National Government Constituencies Development Fund
6	Consolidated Bank of Kenya Limited	24	National Irrigation Authority
7	Geothermal Development Company	25	National Museums Of Kenya
8	Huduma Kenya Secretariat	26	National Transport And Safety Authority
9	Hydrologists Registration Board	27	Northern Water Works Development Agency
10	IDB Capital Limited	28	Policyholders Compensation Fund
11	Industrial and Commercial Development Corporation	29	Postal Corporation of Kenya
12	Jomo Kenyatta Foundation	30	Rivatex East Africa Limited
13	Kenya Institute of Supplies Management	31	Sacco societies regulatory authority
14	Kenya Meat Commission	32	Tourism Finance Corporation
15	Kenya National Library Service	33	University Fund Board

S/No.	Non- Responses (TVETs)	S/No.	Non- Responses (TVETs)
16	Kenya Plant Health Inspectorate Service	34	Uwezo Fund Oversight Board
17	Kenya Space Agency	35	Women Enterprise Fund
18	Kenyatta International Convention Centre		
Constitutional Commissions & Independent Offices			
1	Office of the Auditor General	3	National Gender and Equality Commission
2	Independent Electoral and Boundaries Commission		
Statutory Commissions & Authorities			
1	Council of Governors	2	Office of the Data Commissioner
Public Universities			
1	Bomet University College	4	Koitalel Arap Samoei University College
2	Garissa University	5	Mama Ngina University
3	Kaimosi Friends University College	6	Turkana University

Appendix II: Proportionate Representation of Ethnicities in TVETs

Ethnic Name	No. of Officers	National population size %	Total no. in TVETs %	Variance	Status of Representation
Bajuni	1	0.04	0.01	-0.03	Normal Representation
Borana	5	0.58	0.04	-0.54	Normal Representation
Burji	2	0.08	0.02	-0.06	Normal Representation
Dahalo	1	0	0.01	0.01	Normal Representation
Dorobo	3	0.05	0.03	-0.02	Normal Representation
Embu	111	0.85	0.99	0.14	Normal Representation
Ilchamus / Njemps	1	0.07	0.01	-0.06	Normal Representation
Kalenjin	2,497	13	22.33	8.96	Gross Over-represented
Kamba	673	9.81	6.02	-3.79	Gross Under-represented
Kenya American	1	0	0.01	0.01	Normal Representation
Kenyan Asian	1	0.1	0.01	-0.09	Normal Representation
Kenyan Somali	47	5.85	0.42	-5.43	Gross Under-represented
Kikuyu	2,014	17	18.01	0.88	Normal Representation
Kisii	988	5.68	8.84	3.16	Gross Over-represented
Kuria	27	0.66	0.24	-0.42	Normal Representation
Luhya	2,057	14	18.40	4.05	Gross Over-represented
Luo	1,634	11	14.61	3.96	Gross Over-represented
Maasai	77	2.5	0.69	-1.81	Under-represented
Makonde	2	0.01	0.02	0.01	Normal Representation
Mbeere	17	0.41	0.15	-0.26	Normal Representation
Meru	611	4.15	5.46	1.31	Normal Representation
Mijikenda	80	5.23	0.72	-4.51	Gross Under-represented
Non Kenyan	3	0.97	0.03	-0.94	Normal Representation
Nubi	1	0.04	0.01	-0.03	Normal Representation
Orma	1	0.33	0.01	-0.32	Normal Representation
Other Kenyan	2	-	0.02	0.02	Normal Representation
Pokomo	4	0.24	0.04	-0.20	Normal Representation
Rendile	3	0.2	0.03	-0.17	Normal Representation
Sakuye	1	0.06	0.01	-0.05	Normal Representation
Samburu	11	0.7	0.10	-0.60	Normal Representation
Suba	12	0.33	0.11	-0.22	Normal Representation
Swahili	3	0.12	0.03	-0.09	Normal Representation
Taita	118	0.72	1.06	0.34	Normal Representation
Taveta	4	0.06	0.04	-0.02	Normal Representation
Teso	68	0.88	0.61	-0.27	Normal Representation
Tharaka	84	0.46	0.75	0.29	Normal Representation
Turkana	16	2.14	0.14	-2.00	Under-represented

Appendix III: Distribution of Capitation by Counties as Provided by TVETs

County	Number of TVETS	Student Enrolment	Capitation received (Kshs)	Average capitation (Kshs)
Baringo	2 (1.6%)	2,780 (1.5%)	61,380,000 (1.5%)	22,079.14
Bungoma	5 (4.1%)	10,975 (5.7%)	268,072,500 (6.5%)	24,425.74
Busia	4 (3.3%)	2,262 (1.2%)	26,835,001 (0.7%)	11,863.40
Elgeyo-Marakwet	3 (2.4%)	1,238 (0.7%)	26,372,500 (0.6%)	21,302.50
Embu	1 (0.8%)	140 (0.07%)	4,327,500 (0.1%)	30,910.71
Garissa	1 (0.8%)	947 (0.5%)	28,402,500 (0.7%)	29,992.08
Homa Bay	2 (1.6%)	4,503 (2.4%)	112,095,000 (2.7%)	24,893.40
Kajiado	2 (1.6%)	1,936 (1.0%)	54,892,500 (1.3%)	28,353.56
Kakamega	8 (6.5%)	14,347 (7.5%)	335,082,432 (8.1%)	23,355.57
Kericho	3 (2.4%)	3,428 (1.8%)	97,642,500 (2.4%)	28,483.81
Kiambu	4 (3.3%)	11,380 (6.0%)	302,505,000 (7.3%)	26,582.16
Kilifi	3 (2.4%)	763 (0.4%)	9,641,055 (0.2%)	12,635.72
Kirinyaga	1 (0.81%)	124 (0.1%)	3,720,000 (0.1%)	30,000.00
Kisii	4 (3.3%)	10,345 (5.4%)	140,032,500 (3.4%)	13,536.25
Kisumu	4 (3.3%)	12,975 (6.8%)	313,512,500 (7.6%)	24,162.81
Kitui	2 (1.6%)	175 (0.1%)	6,162,500 (0.2%)	35,214.29
Kwale	2 (1.6%)	218 (0.1%)	4,822,500 (0.1%)	22,121.56
Laikipia	1 (0.8%)	272 (0.1%)	5,535,000 (0.1%)	20,349.26
Machakos	3 (2.4%)	916 (0.5%)	54,119,429 (1.3%)	59,082.35
Makueni	3 (2.4%)	2,257 (1.2%)	33,442,500 (0.8%)	14,817.24
Mandera	1 (0.8%)	204 (0.1%)	6,120,000 (0.2%)	30,000.00
Marsabit	1 (0.8%)	134 (0.1%)	2,000,000 (0.1%)	14,925.37
Meru	6 (4.9%)	11,481 (6.0%)	288,915,000 (7.0%)	25,164.62
Migori	5 (4.1%)	2,309 (1.2%)	51,507,580 (1.3%)	22,307.31
Mombasa	1 (0.8%)	4,475 (2.3%)	134,257,500 (3.3%)	30,001.68
Murang'a	4 (3.3%)	3,829 (2.0%)	136,900,000 (3.3%)	35,753.46
Nairobi City	5 (4.1%)	21,225 (11.1%)	490,374,811 (11.9%)	23,103.64
Nakuru	4 (3.3%)	9,065 (4.7%)	82,065,000 (2.0%)	9,052.95
Nandi	4 (3.3%)	4,896 (2.6%)	131,936,500 (3.2%)	26,947.81
Narok	1 (0.8%)	500 (0.3%)	12,187,518 (0.3%)	24,375.04
Nyamira	3 (2.4%)	1,327 (0.7%)	33,945,000 (0.8%)	25,580.26
Nyandarua	3 (2.4%)	1,977 (1.0%)	34,341,409 (0.8%)	17,370.46
Nyeri	5 (4.1%)	8,009 (4.2%)	231,337,500 (5.6%)	28,884.69
Siaya	4 (3.3%)	7,456 (3.9%)	129,967,501 (3.1%)	17,431.26
Taita-Taveta	3 (2.4%)	9,306 (4.9%)	72,487,001 (1.8%)	7,789.28
Tana River	1 (0.8%)	158 (0.1%)	2,000,000 (0.1%)	12,658.23
Tharaka-Nithi	3 (2.4%)	1,151 (0.6%)	31,985,000 (0.8%)	27,788.88
Trans Nzoia	2 (1.6%)	9,272 (4.9%)	133,812,500 (3.2%)	14,431.89
Turkana	1 (0.8%)	44 (0.0%)	2,490,000 (0.1%)	56,590.91
Uasin Gishu	5 (4.1%)	8,480 (4.4%)	153,660,000 (3.7%)	18,120.28
Vihiga	3 (2.4%)	3,895 (2.0%)	82,277,500 (2.0%)	21,123.88
Total	**123 (100%)**	**191,174 (100%)**	**4,133,162,73 (100%)**	**21,619.90**

Appendix IV: Distribution of Capitation by Constituencies

Constituency	Number of TVETS	Student Enrolment	Capitation received (Kshs)	Average capitation (Kshs)
Ainabkoi	2 (1.6%)	6,808 (3.6%)	134,812,500 (3.3%)	19,802.07
Aldai	1 (0.8%)	1,113 (0.6%)	28,372,500 (0.7%)	25,491.91
Alego - Usonga	1 (0.8%)	3,292 (1.7%)	89,940,000 (2.2%)	27,320.78
Awendo	1 (0.8%)	180 (0.1%)	1,000,000 (0.0%)	5,555.56
Baringo Central	1 (0.8%)	2,641 (1.4%)	59,707,500 (1.4%)	22,607.91
Belgut	1 (0.8%)	300 (0.2%)	6,255,000 (0.2%)	20,850.00
Bobasi	1 (0.8%)	143 (0.1%)	1,102,500 (0.0%)	7,709.79
Bondo	2 (1.6%)	3,487 (1.8%)	21,997,501 (0.5%)	6,308.43
Borabu	1 (0.8%)	268 (0.1%)	2,010,000 (0.1%)	7,500.00
Bureti	1 (0.8%)	2,127 (1.1%)	63,832,500 (1.5%)	30,010.58
Butere	1 (0.8%)	1,394 (0.7%)	21,495,000 (0.5%)	15,419.66
Chesumei	1 (0.8%)	164 (0.1%)	3,221,500 (0.1%)	19,643.29
Chuka Igamba-Ng'ombe	1 (0.8%)	601 (0.3%)	12,672,500 (0.3%)	21,085.69
Eldama Ravine	1 (0.8%)	139 (0.1%)	1,672,500 (0.0%)	12,032.37
Emuhaya	1 (0.8%)	104 (0.1%)	2,162,500(0.1%)	20,793.27
EmuruaDikiir Constituency	1 (0.8%)	500 (0.3%)	12,187,518 (0.3%)	24,375.04
Funyula	1 (0.8%)	1,605 (0.8%)	16,537,500 (0.4%)	10,303.74
Ganze	1 (0.8%)	484 (0.3%)	26,055 (0.0%)	53.83
Garissa Township	1(0.8%)	947 (0.5%)	28,402,500 (0.7%)	29,992.08
Garsen	1 (0.8%)	158 (0.1%)	2,000,000 (0.1%)	12,658.23
Gatanga	1 (0.8%)	237 (0.1%)	7,260,000 (0.2%)	30,632.91
Gatundu South	1 (0.8%)	193 (0.1%)	5,010,000 (0.1%)	25,958.55
Hamisi	1 (0.8%)	3,015 (1.6%)	67,342,500 (1.6%)	22,335.82
Igembe North	1 (0.8%)	75 (0.0%)	1,530,000 (0.0%)	20,400.00
Ikolomani	1 (0.8%)	1,254 (0.7%)	37,597,500 (0.9%)	29,982.06
Imenti North	2 (1.6%)	9,329 (4.9%)	253,830,000 (6.1%)	27,208.70
Imenti South	1 (0.8%)	608 (0.3%)	18,187,500 (0.4%)	29,913.65
KabondoKasipul	1 (0.8%)	229 (0.1%)	5,077,500 (0.1%)	22,172.49
Kabuchai	1 (0.8%)	2,706 (1.4%)	81,187,500 (2.0%)	30,002.77
Kajiado Central	1 (0.8%)	1,647 (0.9%)	49,417,500 (1.2%)	30,004.55
Kajiado West	1 (0.8%)	289 (0.2%)	5,475,000 (0.1%)	18,944.64
Kaloleni	1 (0.8%)	9 (0.0%)	1,500,000 (0.0%)	166,666.67
Kanduyi	1 (0.8%)	3,227 (1.7%)	96,810,000 (2.3%)	30,000.00
Kangema	1 (0.8%)	3,212 (1.7%)	121,790,000 (3.0%)	37,917.19
Karachuonyo	1 (0.8%)	4,274 (2.2%)	107,017,500 (2.6%)	25,039.19
Kasarani	1 (0.8%)	597 (0.3%)	17,287,500 (0.4%)	28,957.29
Keiyo North Constituency	1 (0.8%)	370 (0.2%)	7,210,000 (0.2%)	19,486.49
Keiyo South	1 (0.81%)	396 (0.2%)	6,495,000 (0.2%)	16,401.52
Kiambaa	1 (0.8%)	3,955 (2.1%)	118,657,500(2.9%)	30,001.90
Kibwezi West Constituency	1 (0.8%)	103 (0.1%)	765,000 (0.0%)	7,427.18
Kieni	1 (0.8%)	238 (0.1%)	4,095,000 (0.1%)	17,205.88

Constituency	Number of TVETS	Student Enrolment	Capitation received (Kshs)	Average capitation (Kshs)
Kikuyu	1 (0.8%)	71 (0.0%)	1,597,500 (0.0%)	22,500.00
Kimilili	1 (0.8%)	4,445 (2.3%)	78,487,500 (1.9%)	17,657.48
Kiminini	1 (0.8%)	242 (0.1%)	1,602,500 (0.0%)	6,621.90
Kinango	1 (0.8%)	166 (0.1%)	3,067,500 (0.1%)	18,478.92
Kinangop	1 (0.8%)	110 (0.1%)	3,315,000 (0.1%)	30,136.36
Kipipiri	1 (0.8%)	617(0.3%)	28,909 (0.0%)	46.85
Kipkelion West	1 (0.8%)	1,001 (0.5%)	27,555,000 (0.7%)	27,527.47
Kisumu Central	1 (0.8%)	9,003 (4.7%)	226,125,000 (5.5%)	25,116.63
Kisumu west	1 (0.8%)	3,154 (1.7%)	69,315,000 (1.7%)	21,976.85
Kitui South	1 (0.8%)	78 (0.0%)	187,500 (0.0%)	2,403.85
KitutuChache North	1(0.8%)	49 (0.0%)	1,102,500 (0.0%)	22,500.00
Kuresoi North	1(0.8%)	137 (0.1%)	847,500 (0.0%)	6,186.13
Kuresoi South	1(0.8%)	238 (0.1%)	5,692,500 (0.1%)	23,918.07
Kuria East	1(0.8%)	453 (0.2%)	2,690,000 (0.1%)	5,938.19
Kuria West	1(0.8%)	543 (0.3%)	16,290,000 (0.4%)	30,000.00
Laikipia East	1(0.8%)	272 (0.1%)	5,535,000 (0.1%)	20,349.26
Laisamis Constituency	1(0.8%)	134 (0.1%)	2,000,000 (0.1%)	14,925.37
Langata	1(0.8%)	938 (0.5%)	39,948,563 (1.0%)	42,589.09
Lukuyani	1(0.8%)	155(0.1%)	2,145,000 (0.1%)	13,838.71
Machakos Town	1(0.8%)	301 (0.2%)	43,079,429 (1.0%)	143,121.03
Makueni	1(0.8%)	2,004 (1.1%)	31,215,000 (0.8%)	15,576.35
Malava	1(0.8%)	1,858 (1.0%)	51,499,932 (1.3%)	27,717.94
Malindi	1(0.8%)	270 (0.1%)	8,115,000 (0.2%)	30,055.56
Mandera East	1(0.8%)	204 (0.1%)	6,120,000 (0.2%)	30,000.00
Mara	1(0.8%)	176 (0.1%)	8,092,500 (0.2%)	45,980.11
Maragua	1(0.8%)	185 (0.1%)	2,000,000 (0.1%)	10,810.81
Marakwet West	1(0.8%)	472 (0.3%)	12,667,500 (0.3%)	26,837.92
Masinga Constituency	1(0.8%)	176 (0.1%)	2,580,000 (0.1%)	14,659.09
Matayos	1(0.8%)	89 (0.1%)	1,350,000 (0.0%)	15,168.54
Mathioya	1(0.8%)	195(0.1%)	5,850,000 (0.1%)	30,000.00
Matungulu	1(0.8%)	439 (0.2%)	8,460,000 (0.2%)	19,271.07
Mbooni West	1(0.8%)	150 (0.1%)	1,462,500 (0.0%)	9,750.00
Moiben	2 (1.6%)	1,573 (0.8%)	18,105,000 (0.4%)	11,509.85
Mosop	1(0.8%)	3,246 (1.7%)	89,152,500 (2.2%)	27,465.34
Msambweni	1(0.8%)	52 (0.0%)	1,755,000 (0.0%)	33,750.00
Mukurwe-ini	1(0.8%)	1,194 (0.6%)	30,427,500 (0.7%)	25,483.67
Mumias East	1(0.8%)	243 (0.1%)	2,602,500 (0.1%)	10,709.88
Mumias West Constituency	1(0.8%)	144 (0.1%)	4,320,000 (0.1%)	30,000.00
Mvita	1(0.8%)	4,475 (2.3%)	134,257,500 (3.3%)	30,001.68
Mwingi Central	1(0.8%)	97 (0.1%)	5,975,000 (0.1%)	61,597.94
Naivasha	1(0.8%)	92 (0.1%)	2,760,000 (0.1%)	30,000.00

Constituency	Number of TVETS	Student Enrolment	Capitation received (Kshs)	Average capitation (Kshs)
Nambale	1(0.8%)	146(0.1%)	1 (0.0%)	0.01
Navakholo	1(0.8%)	75 (0.0%)	1,777,500 (0.0%)	23,700.00
Ndia	1(0.8%)	124 (0.1%)	3,720,000 (0.1%)	30,000.00
North Mugirango	2 (1.63%)	1,059 (0.6%)	31,935,000 (0.8%)	30,155.81
Nyakach	1(0.8%)	358 (0.2%)	9,982,500 (0.2%)	27,884.08
NyaribariChache	1(0.8%)	10,108 (5.3%)	137,490,000 (3.3%)	13,602.10
NyaribariMasaba	1(0.8%)	45 (0.0%)	337,500 (0.0%)	7,500.00
Nyeri Central	1(0.8%)	4,850 (2.5%)	145,515,000 (3.5%)	30,003.09
Oljoro-Orok	1(0.8%)	1,250 (0.7%)	30,997,500 (0.8%)	24,798.00
Othaya	1(0.8%)	1,632 (0.9%)	48,975,000 (1.2%)	30,009.19
Rongai	1(0.8%)	8,598(4.5%)	72,765,000 (1.8%)	8,463.01
Rongo	1(0.8%)	984 (0.5%)	29,527,580 (0.7%)	30,007.70
Runyenjes	1(0.8%)	140(0.1%)	4,327,500 (0.1%)	30,910.71
Sabatia	1 (0.8%)	776(0.4%)	12,772,500 (0.3%)	16,459.41
Saboti	1(0.8%)	9,030(4.7%)	132,210,000 (3.2%)	14,641.20
Seme	1(0.8%)	460 (0.2%)	8,090,000 (0.2%)	17,586.96
Shinyalu	1(0.8%)	9,224 (4.8%)	213,645,000 (5.2%)	23,161.86
Starehe	1(0.8%)	6,500(3.4%)	170,203,747 (4.1%)	26,185.19
Suna East	1(0.8%)	149 (0.1%)	2,000,000 (0.1%)	13,422.82
Taveta	1(0.8%)	0 (0.0%)	3,119,500 (0.1%)	-
Teso South	1(0.8%)	422 (0.2%)	8,947,500 (0.22%)	21,202.61
Tetu	1(0.8%)	95 (0.1%)	2,325,000 (0.1%)	24,473.68
Tharaka	1(0.8%)	374 (0.2%)	11,220,000 (0.3%)	30,000.00
Thika Town	1(0.8%)	7,161 (3.8%)	177,240,000 (4.3%)	24,750.73
Tigania East	1(0.8%)	118 (0.1%)	142,500 (0.0%)	1,207.63
Tigania West	1(0.8%)	1,351 (0.7%)	15,225,000 (0.4%)	11,269.43
Tinderet Constituency	1(0.8%)	373 (0.2%)	11,190,000 (0.3%)	30,000.00
Tongaren	1(0.8%)	333 (0.2%)	4,297,500 (0.1%)	12,905.41
Turbo	1(0.8%)	99 (0.1%)	742,500 (0.0%)	7,500.00
Turkana Central	1(0.8%)	44(0.0%)	2,490,000 (0.1%)	56,590.91
Ugenya constituency	1(0.8%)	677(0.4%)	18,030,000 (0.4%)	26,632.20
Voi	1(0.8%)	9,249 (4.8%)	69,367,500 (1.7%)	7,500.00
Webuye west	1(0.8%)	264(0.1%)	7,290,000 (0.2%)	27,613.64
Westlands	2 (1.63%)	13,190 (6.9%)	262,935,001 (6.4%)	19,934.42
Wundanyi	1(0.8%)	57(0.0%)	1 (0.0%)	0.02
Total	**123 (100%)**	**191,174 (100%)**	**4,133,162,737 (100%)**	**21,619.90**

Appendix V: Under-Established Institutions

Category	Name of Organization	Authorized Establishment (A)	In-Post (B)	Variance (A-B)	% Variance (A-B) /A*100
Constitutional Commissions & Independent Offices	Commission on Revenue Allocation	84	70	14	16.7
	Commission on Administrative Justice	292	79	213	72.9
	Ethics and Anti-Corruption Commission	1,508	766	742	49.2
	Kenya National Commission on Human Rights	461	107	354	76.8
	National Land Commission	1,622	559	1,063	65.5
	Office of the Controller of Budget	254	131	123	48.4
	Public Service Commission	434	231	203	46.8
	Salaries & Remuneration Commission	94	74	20	21.3
Ministries and State Departments	Cabinet Affairs Office	630	374	256	40.6
	Kenya Prisons Service	39,701	28,691	11,010	27.7
	Ministry of Foreign Affairs	1,222	936	286	23.4
	Ministry of Defence	3,481	1,856	1,625	46.7
	Ministry of Environment	1,981	786	1,195	60.3
	Ministry of Lands	4,392	2,491	1,901	43.3
	Ministry of Energy	825	366	459	55.6
	Ministry of Health	3,965	2,500	1,465	36.9
	Ministry of Water, Sanitation & Irrigation	910	501	409	44.9
	National Treasury	4,738	2,623	2,115	44.6
	Office of Attorney General	1,659	1,006	653	39.4
	Office of the Deputy President	470	342	128	27.2
	State Depart for Planning	541	380	161	29.8
	State Department for Broadcasting & Telecommunications	1,085	455	630	58.1
	State Department for Cooperatives	332	172	160	48.2
	State Department for Correctional Services	1,402	1,177	225	16.0
	State Department for Crop Development	930	739	191	20.5
	State Department for Culture & Heritage	1,531	195	1,336	87.3
	State Department for Devolution	311	204	107	34.4
	State Department for Early Learning	9,593	4,382	5,211	54.3
	State Department for East African Community	265	167	98	37.0
	State Department for Fisheries, Aquaculture & Blue Economy	568	251	317	55.8
	State Department for Housing & Urban Development	1,934	739	1,195	61.8

Category	Name of Organization	Authorized Establishment (A)	In-Post (B)	Variance (A-B)	% Variance (A-B) /A*100
	State Department for ICT and Innovation	330	170	160	48.5
	State Department for Industrialization	877	369	508	57.9
	State Department for Infrastructure	4,362	1,808	2,554	58.6
	State Department for Interior & Citizen Services	35,750	25,205	10,545	29.5
	State Department for Labour	1,369	566	803	58.7
	State Department for Livestock	2,909	1,179	1,730	59.5
	State Department for Mining	1,039	353	686	66.0
	State Department for Petroleum	319	166	153	48.0
	State Department for Public Service	569	306	263	46.2
	State Department for Public Works	817	675	142	17.4
	State Department for Regional & Northern Corridor Development	84	54	30	35.7
	State Department for Shipping & Maritime	105	61	44	41.9
	State Department for Social Protection	4,766	2,065	2,701	56.7
	State Department for Sports	285	150	135	47.4
	State Department for Trade & Enterprise Development	561	378	183	32.6
	State Department for Wildlife	97	88	9	9.3
	State Department for Youth Affairs	706	615	91	12.9
	State Department for Vocational & Technical Training	12,060	6,867	5,193	43.1
	State House	1,195	833	362	30.3
	Directorate of Immigration Services	4,790	1,463	3,327	69.5
	State Department for Post Training and Skills Development	72	31	41	56.9
Public Universities	Alupe University College	901	101	800	88.8
	Chuka University	770	633	137	17.8
	Dedan Kimathi University of Technology	561	555	6	1.1
	Jaramogi Oginga Odinga University of Science and Technology	1,175	535	640	54.5
	Jomo Kenyatta University of Agriculture and Technology	4,943	2,602	2,341	47.4
	Karatina University	450	405	45	10.0
	Kenyatta University	3,620	2,895	725	20.0
	Kibabii University	722	404	318	44.0
	Kirinyaga University	473	251	222	46.9
	Kisii University	1,474	515	959	65.1
	Laikipia University	758	497	261	34.4
	Maasai Mara University	1,681	618	1,063	63.2
	Machakos University	596	511	85	14.3

Category	Name of Organization	Authorized Establishment (A)	In-Post (B)	Variance (A-B)	% Variance (A-B) /A*100
	Maseno University	2,017	711	1,306	64.7
	Masinde Muliro University of Science and Technology	1,631	914	717	44.0
	Meru University	1,964	402	1,562	79.5
	Moi University	6,924	5,444	1,480	21.4
	Multimedia University	713	388	325	45.6
	Murang'a University	429	302	127	29.6
	Pwani University	905	426	479	52.9
	Taita Taveta University	637	239	398	62.5
	Technical University of Mombasa	1,144	643	501	43.8
	The Co-operative University of Kenya	357	267	90	25.2
	The Technical University of Kenya	2,081	1,544	537	25.8
	Tom Mboya University College	118	88	30	25.4
	University of Eldoret	256	40	216	84.4
	University of Embu	794	384	410	51.6
	University of Kabianga	641	560	81	12.6
	University of Nairobi	7,652	4,399	3,253	42.5
	South-Eastern Kenya University	534	473	61	11.4
State Corporations and SAGAs	Anti-Counterfeit Authority	250	103	147	58.8
	Anti-Doping Agency of Kenya	68	34	34	50.0
	Anti-Female Genital Mutilation Board	17	15	2	11.8
	Athi Water Works Development Agency	120	83	37	30.8
	Bomas of Kenya Ltd	226	197	29	12.8
	Bukura Agricultural College	260	132	128	49.2
	Business Registration Service	166	104	62	37.3
	Centre For Mathematics, Science & Technology Education in Africa	192	121	71	37.0
	Chemelil Sugar Company Limited	1,154	191	963	83.4
	Coast Development Authority	162	135	27	16.7
	Commission for University Education	188	79	109	58.0
	Commodities Fund	159	58	101	63.5
	Communications Authority of Kenya	394	256	138	35.0
	Competition Authority of Kenya	94	77	17	18.1
	Council of Legal Education	67	36	31	46.3
	Energy & Petroleum Regulatory Authority	251	154	97	38.6
	Engineers Board of Kenya	122	29	93	76.2
	Ewaso Ng'iro South Development Authority	214	158	56	26.2
	Ewaso Ng'iro North River Basin Development Authority	222	189	33	14.9

Category	Name of Organization	Authorized Establishment (A)	In-Post (B)	Variance (A-B)	% Variance (A-B) /A*100
	Export Processing Zones Authority	276	162	114	41.3
	Higher Education Loans Board	315	260	55	17.5
	Information Communication Technology Authority	183	83	100	54.6
	Insurance Regulatory Authority	110	80	30	27.3
	Kenya Accountants and Secretaries National Examinations Board (KASNEB)	127	104	23	18.1
	Kenya Agricultural and Livestock Research Organization	3,612	1,879	1,733	48.0
	Kenya Airports Authority	2,661	1,879	782	29.4
	Kenya Animal Genetic Resources Centre	171	117	54	31.6
	Kenya Broadcasting Corporation	1,093	839	254	23.2
	Kenya Civil Aviation Authority	721	718	3	0.4
	Kenya Copyright Board	119	46	73	61.3
	Kenya Dairy Board	253	158	95	37.5
	Kenya Education Management Institute	132	63	69	52.3
	Kenya Electricity Generating Company Plc	2,574	2,572	2	0.1
	Kenya Electricity Transmission Company Limited	910	546	364	40.0
	Kenya Ferry Services Limited	335	257	78	23.3
	Kenya Film Commission	142	25	117	82.4
	Kenya Forest Service	8,307	3,936	4,371	52.6
	Kenya Forestry Research Institute	1,290	769	521	40.4
	Kenya Industrial Property Institute	173	74	99	57.2
	Kenya Industrial Research and Development Institute	640	304	336	52.5
	Kenya Institute of Curriculum Development	666	326	340	51.1
	Kenya Institute of Mass Communication	116	91	25	21.6
	Kenya Institute of Special Education	172	134	38	22.1
	Kenya Investment Authority	86	56	30	34.9
	Kenya Leather Development Council	129	58	71	55.0
	Kenya Literature Bureau	301	177	124	41.2
	Kenya Marine Fisheries and Research Institute	820	659	161	19.6
	Kenya Maritime Authority	158	123	35	22.2
	Kenya Medical Practitioners & Dentists Council	149	82	67	45.0
	Kenya Medical Research Institute	1,977	855	1,122	56.8
	Kenya Medical Training College	5,956	2,317	3,639	61.1
	Kenya National Bureau of Statistics	701	410	291	41.5
	Kenya National Commission For UNESCO	94	37	57	60.6
	Kenya National Highways Authority	742	519	223	30.1
	Kenya National Qualifications Authority	126	32	94	74.6

Category	Name of Organization	Authorized Establishment (A)	In-Post (B)	Variance (A-B)	% Variance (A-B) /A*100
	Kenya National Shipping Line Ltd	26	19	7	26.9
	Kenya National Trading Corporation	124	57	67	54.0
	Kenya Ordnance Factories Corporation	692	294	398	57.5
	Kenya Petroleum Refineries Ltd	221	117	104	47.1
	Kenya Pipeline Company	1,572	1,414	158	10.1
	Kenya Ports Authority	7,971	6,509	1,462	18.3
	Kenya Power and Lighting Company	14,122	10,227	3,895	27.6
	Kenya Railways Corporation	2,029	1,410	619	30.5
	Kenya Revenue Authority	10,806	7,908	2,898	26.8
	Kenya Roads Board	96	89	7	7.3
	Kenya Rural Roads	988	632	356	36.0
	Kenya Safari Lodges	356	260	96	27.0
	Kenya School of Government	987	548	439	44.5
	Kenya School of Law	192	138	54	28.1
	Kenya Seed Company Limited	353	300	53	15.0
	Kenya Tourism Board	113	69	44	38.9
	Kenya Trade Network Agency	118	72	46	39.0
	Kenya Universities and Colleges Central Placement Service	129	59	70	54.3
	Kenya Urban Roads Authority	639	273	366	57.3
	Kenya Veterinary Board	202	21	181	89.6
	Kenya Veterinary Vaccines Production Institute	236	162	74	31.4
	Kenya Water Institute	316	68	248	78.5
	Kenya Water Towers	114	107	7	6.1
	Kenya Wildlife Service	7,457	4,543	2,914	39.1
	Kenya Yearbook	52	28	24	46.2
	Kenyatta National Hospital	6,857	5,013	1,844	26.9
	Kerio Valley Development Authority	232	139	93	40.1
	Konza Technopolis Development Authority	187	63	124	66.3
	Lake Basin Development Authority	370	262	108	29.2
	Lake Victoria NWWDA	88	54	34	38.6
	LAPSSET Corridor Development Authority	241	176	65	27.0
	Local Authorities Provident	149	74	75	50.3
	Media Council	106	65	41	38.7
	Micro & Small Enterprises	655	211	444	67.8
	Moi Teaching & RH	4,484	3,826	658	14.7
	Nairobi Centre For International Arbitration	54	23	31	57.4
	National Aids Control Council	351	156	195	55.6
	National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA)	287	102	185	64.5

Category	Name of Organization	Authorized Establishment (A)	In-Post (B)	Variance (A-B)	% Variance (A-B) /A*100
	National Biosafety Authority	106	35	71	67.0
	National Cereals Produce	1,140	742	398	34.9
	National Commission for Science, Technology and Innovation	172	50	122	70.9
	National Communications Sec	26	21	5	19.2
	National Construction Authority	379	279	100	26.4
	National Council for Law Reporting	163	72	91	55.8
	National Council for Persons With Disabilities	267	106	161	60.3
	National Council for Population and Development	254	101	153	60.2
	National Crime Research	217	27	190	87.6
	National Drought Management Authority	798	308	490	61.4
	National Environment Management Authority	483	404	79	16.4
	National Environment Trust Fund	77	36	41	53.2
	National Government Constituencies Development Fund	509	321	188	36.9
	National Hospital Insurance Fund	2,220	1,854	366	16.5
	National Housing Corporation	320	187	133	41.6
	National Industrial Training Authority	740	278	462	62.4
	National Oil Corporation of Kenya	264	163	101	38.3
	National Quality Control Laboratory	77	50	27	35.1
	National Research Fund	132	11	121	91.7
	National Social Security Fund	1,454	1,200	254	17.5
	National Water Harvesting and Storage Authority	316	194	122	38.6
	National Youth Council	80	14	66	82.5
	National Youth Service	4,686	2,304	2,382	50.8
	NEPAD-APRM Kenya Secretariat	46	30	16	34.8
	New Kenya Cooperative Creameries (NKCC)	1,968	1,834	134	6.8
	Non-Governmental Organizations Co-ordination Board	109	62	47	43.1
	Nuclear Power & Energy	147	81	66	44.9
	Numerical Machining Complex Ltd.	200	120	80	40.0
	Nursing Council of Kenya	58	48	10	17.2
	Nyayo Tea Zones Development Corporation	1,032	623	409	39.6
	Pest Control Products Board	259	99	160	61.8
	Pharmacy & Poisons Board	357	184	173	48.5
	Privatization Commission	63	27	36	57.1
	PSASB	47	19	28	59.6
	Public Procurement Regulatory Authority	115	74	41	35.7

Category	Name of Organization	Authorized Establishment (A)	In-Post (B)	Variance (A-B)	% Variance (A-B) /A*100
	Registration of Public Certified Secretaries Board	28	3	25	89.3
	Retirement Benefits Authority	91	69	22	24.2
	Rural Electrification and Renewable Energy	1,077	291	786	73.0
	School Equipment Production Unit	45	36	9	20.0
	Sports Kenya	240	117	123	51.3
	Tana and Athi River Dev. Authority	443	350	93	21.0
	Tanathi Water WDA	72	44	28	38.9
	Technical and Vocational Education and Training Authority (TVETA)	140	50	90	64.3
	The Kenya Cultural Centre	86	34	52	60.5
	The Kenya Deposit Insurance Corporation	159	49	110	69.2
	The Kenya National Examinations Council	1,314	824	490	37.3
	Tourism Fund	268	263	5	1.9
	Tourism Regulatory Authority	193	62	131	67.9
	TVET Curriculum Development Assessment & Certification Council	66	48	18	27.3
	Universities Fund	79	10	69	87.3
	University of Nairobi Enterprises and Services Limited	114	77	37	32.5
	Vision 2030	31	19	12	38.7
	Water Resources Authority	1,173	687	486	41.4
	Water Sector Trust Fund	175	83	92	52.6
	Water Services Regulatory Board	77	39	38	49.4
	Witness Protection Agency	296	110	186	62.8
	Youth Enterprise Development Fund	242	180	62	25.6
	Unclaimed Financial Assets Authority	39	32	7	17.9
	Tana Water Works Development Agency	105	68	37	35.2
	The Kenya Institute For Public Policy Research and Analysis	171	64	107	62.6
Statutory Commissions and Authority	Independent Policing Oversight Authority	326	224	102	31.3
	Intergovernmental Relations Technical Committee	118	13	105	89.0
	Kenya Law Reform Commission	142	58	84	59.2
	National Cohesion and Integration Commission	194	39	155	79.9
	Office of the Director of Public Prosecutions	2,248	1,106	1,142	50.8
	Office of the Registrar of Political Parties	235	82	153	65.1

Appendix VI: Distribution of Officers by Ethnicity in MDAs

S/No	Ethnicity	Total Population (2019 Census)	Percentage Contribution	In-post		Variance	Status of Representation
				No.	%		
1.	Aweer/Waata	20,103	0.04	5	0.00	-0.04	Normal representation
2.	Bajuni	91,422	0.19	482	0.21	0.01	Normal representation
3.	Borana	276,236	0.58	2,003	0.86	0.28	Normal representation
4.	Burji	36,938	0.08	191	0.08	0.00	Normal representation
5.	Dasenach (Merile)	19,337	0.04	14	0.01	-0.03	Normal representation
6.	Dorobo	23,171	0.05	74	0.03	-0.02	Normal representation
7.	El Molo	1,104	0.00	33	0.01	0.01	Normal representation
8.	Embu	404,801	0.85	3,555	1.52	0.67	Normal representation
9.	Gabra	141,200	0.30	516	0.22	-0.08	Normal representation
10.	Gosha	685	0.00	4	0.00	0.00	Normal representation
11.	Ilchamus / Njemps	32,949	0.07	137	0.06	-0.01	Normal representation
12.	Kalenjin	6,358,113	13.37	39,618	16.93	3.57	Gross over-representation
13.	Kamba	4,663,910	9.81	21,145	9.04	-0.77	Normal representation
14.	Kenyan Arabs	59,021	0.12	259	0.11	-0.01	Normal representation
15.	Kenyan Asians	47,555	0.10	163	0.07	-0.03	Normal representation
16.	Kenyan European	1,738	0.00	5	0.00	0.00	Normal representation
17.	Kenyan So Stated	183,023	0.38	246	0.11	-0.28	Normal representation
18.	Kenyan Somali	2,780,502	5.85	6,417	2.74	-3.10	Gross under-representation
19.	Kikuyu	8,148,668	17.13	48,264	20.63	3.50	Gross over-representation
20.	Kisii	2,703,235	5.68	17,402	7.44	1.75	Over representation
21.	Kuria	313,854	0.66	965	0.41	-0.25	Normal representation
22.	Luhya	6,823,842	14.35	27,360	11.69	-2.65	Under representation
23.	Luo	5,066,966	10.65	26,579	11.36	0.71	Normal representation
24.	Maasai	1,189,522	2.50	4007	1.71	-0.79	Normal representation
25.	Mbeere	195,250	0.41	841	0.36	-0.05	Normal representation
26.	Meru	1,975,869	4.15	11,610	4.96	0.81	Normal representation
27.	Mijikenda	2,488,691	5.23	8,938	3.82	-1.41	Under representation
28.	Non-Kenyans	463,562	0.97	141	0.06	-0.91	Normal representation
29.	Not Stated	33,358	0.07	1,319	0.56	0.49	Normal representation
30.	Nubi	21,319	0.04	75	0.03	-0.01	Normal representation
31.	Orma (Galla, Wardei)	158,993	0.33	354	0.15	-0.18	Normal representation
32.	Pokomo	112,075	0.24	1,053	0.45	0.21	Normal representation
33.	Rendile	96,313	0.20	322	0.14	-0.06	Normal representation
34.	Sakuye	27,006	0.06	54	0.02	-0.03	Normal representation

S/No	Ethnicity	Total Population (2019 Census)	Percentage Contribution	In-post		Variance	Status of Representation
35.	Samburu	333,471	0.70	1,168	0.50	-0.20	Normal representation
36.	Suba	157,787	0.33	376	0.16	-0.17	Normal representation
37.	Swahili	56,074	0.12	752	0.32	0.20	Normal representation
38.	Taita	344,415	0.72	3,477	1.49	0.76	Normal representation
39.	Taveta	26,590	0.06	210	0.09	0.03	Normal representation
40.	Teso	417,670	0.88	1,551	0.66	-0.22	Normal representation
41.	Tharaka	220,015	0.46	490	0.21	-0.25	Normal representation
42.	Turkana	1,016,174	2.14	1,760	0.75	-1.38	Under representation
43.	Walwana/Malakote	21,774	0.05	12	0.01	-0.04	Normal representation
44.	Wayyu	3,761	0.01	4	0.00	-0.01	Normal representation
Total		**47,558,062**	**100**	**233,951**	**100**	**0**	

Appendix VII: Loans Disbursed to Women Groups Across County Governments

S/No	County	No. of Groups	Approved Amount	No Of Members
1	Baringo	171	44,900,000	1,999
2	Bomet	314	58,850,000	3,379
3	Bungoma	269	66,900,000	2,948
4	Busia	186	45,200,000	2,187
5	Elgeyo Marakwet	102	25,200,000	1,172
6	Embu	287	91,100,000	3,036
7	Garissa	51	11,050,000	524
8	Homa Bay	268	87,900,000	2,932
9	Isiolo	83	20,650,000	869
10	Kajiado	109	26,650,000	1,214
11	Kakamega	330	80,550,000	3,669
12	Kericho	257	62,600,000	2,827
13	Kiambu	599	199,250,000	6,507
14	Kilifi	315	71,350,000	3,451
15	Kirinyaga	199	73,250,000	2,090
16	Kisii	180	45,150,000	1,913
17	Kisumu	231	66,950,000	2,706
18	Kitui	358	79,650,000	4,177
19	Kwale	138	29,750,000	1,484
20	Laikipia	150	39,900,000	1,569
21	Lamu	67	18,650,000	687
22	Machakos	504	109,550,000	5,916
23	Makueni	494	100,750,000	5,464
24	Mandera	74	9,550,000	744
25	Marsabit	70	14,250,000	789
26	Meru	411	115,550,000	4,731
27	Migori	188	46,150,000	2,019
28	Mombasa	239	76,800,000	2,514
29	Muranga	421	127,750,000	4,990
30	Nairobi	495	144,700,000	5,403
31	Nakuru	840	209,350,000	9,194
32	Nandi	203	52,850,000	2,263
33	Narok	118	23,650,000	1,243
34	Nyamira	110	24,500,000	1,196
35	Nyandarua	293	87,550,000	3,258
36	Nyeri	676	264,150,000	7,129
37	Samburu	114	24,550,000	1,178
38	Siaya	227	42,700,000	2,495
39	Taita Taveta	150	39,550,000	1,583
40	Tana River	103	21,000,000	1,053
41	Tharaka Nithi	142	41,150,000	1,647

S/No	County	No. of Groups	Approved Amount	No Of Members
42	Trans Nzoia	137	34,100,000	1,446
43	Turkana	68	17,450,000	755
44	Uasin Gishu	332	62,650,000	3,609
45	Vihiga	139	37,050,000	1,493
46	Wajir	95	17,600,000	959
47	West Pokot	54	12,100,000	551
Total		**11,361**	**3,002,450,000**	**124,962**

Appendix: VIII: Nature of training and Number of Women Trained

S/No.	Regions-Women Group	Specific Area of Training	No.of Women Trained	No. of Women with Disabilities Trained
1	Nairobi	Entrepreneurship	16,675	132
2	Upper Central	Entrepreneurship	6,231	49
3	Lower Central	Entrepreneurship	12,074	96
4	Upper Eastern	Entrepreneurship	2,594	21
5	Central Eastern	Entrepreneurship	11,033	87
6	Lower Eastern	Entrepreneurship	16,997	135
7	Upper North Eastern	Entrepreneurship	3,145	25
8	Lower North Eastern	Entrepreneurship	3,444	27
9	Upper Rift Valley	Entrepreneurship	3,441	27
10	Central Rift Valley	Entrepreneurship	11,993	95
11	Lower Rift Valley	Entrepreneurship	17,377	138
12	Central Nyanza	Entrepreneurship	14,732	117
77	Lower Nyanza	Entrepreneurship	10,308	82
14	Upper Coast	Entrepreneurship	5,602	44
15	Lower Coast	Entrepreneurship	7,939	63
16	Western	Entrepreneurship	18,246	144
Total			**161,831**	**1,281**

Appendix IX: Youth Groups Supported to Access Local and International Markets

S/No.	Name of Youth Group	County	No. of Members	Youths facilitated to market products both locally and abroad	
				No. Facilitated Locally	No. Facilitated Abroad
1	Kapsoen Adventist Youth Group	Nandi	30	30	Nil
2	Chabumba	Kisii	45	45	Nil
3	Light Impact Youth Group	Kiambu	47	47	Nil
4	Jikaze Youth Group	Nairobi	35	35	Nil
5	Mbukilye Mukile Women Group	Machakos	30	30	Nil
6	Nyae Chiguzo Youth Group	Kwale	20	20	Nil
7	Wenalo Youth Group	Migori	48	48	Nil
8	Bidii Youth Group	Baringo	35	35	Nil
9	Bolaro Youth Group	Nyamira	40	40	Nil
10	Vision Matt Youth Group	Kitui	5	5	Nil
11	Konya Gero Youth Group	Kisumu	48	48	Nil
12	Vicmoz Youth Group	Bungoma	40	40	Nil
13	Young And Old Self Help Group	Nyeri	42	42	Nil
14	Pamba Africa Youth Group	Mombasa	47	47	Nil
15	Zingira Youth Group	Nakuru	46	46	Nil
16	Possible Help Youth Group	Eldoret	31	31	Nil
17	Jalate Mothers Youth Group	Kericho	42	42	Nil
18	Baschok Youth Group	Bomet	48	48	Nil
19	Change Youth Group	Siaya	45	45	Nil
20	Maji Baridi Youth Group	Kilifi	40	40	Nil
21	Mvono Arts Youth Group	Taita Taveta County	49	49	Nil
22	Lolamala Youth Group	Laikipia	45	45	Nil
23	Nkui Digital Youth Group	Meru	43	43	Nil
24	Chok Youth Group	Homabay	48	48	Nil
25	Royal Destiny Youth Group	Kakamega	12	12	Nil
26	Chemu Youth Group	Garisa	41	41	Nil
27	Sweatshine Youth Group	Tranzoia	43	43	Nil
28	Patu Youth Group	Turkana	20	20	Nil
29	Vijana Bidii Youth Group	Pokot	15	15	Nil
30	Naveta Marti Youth Group	Samburu	21	21	Nil
31	Neena Youth Group	Elgeyo Marakwet	10	10	Nil
32	Mwaga Big Minds	Muranga	45	45	Nil
33	Sharif Youth Group	Mandera	10	10	Nil
34	Mapatano Youth Group	Tanariver	12	12	Nil
35	Strong Pillar Group	Kirinyaga	49	49	Nil
36	Furqan Youth Group	Wajir	9	9	Nil

Appendix X (a) (b) and (c) Youth Empowerment Programmes

(a) Core Business Skills Training

State Department for Youth Affairs

S/No.	County	No. of Beneficiaries		No. of PWDs	Cost of the Programme
		Male	Female		
1.	Mombasa	400	441	7	10,933,000.00
2.	Kilifi	508	530	3	13,494,000.00
3.	Wajir	272	397	8	8,697,000.00
4.	Mandera	401	609	18	13,130,000.00
5.	Kitui	372	477	9	11,037,000.00
6.	Machakos	460	448	9	11,804,000.00
7.	Nyandarua	360	383	7	9,659,000.00
8.	Kiambu	930	980	9	24,830,000.00
9.	Turkana	270	269	6	7,007,000.00
10.	Nakuru	391	439	21	10,790,000.00
11.	Kakamega	795	891	70	21,918,000.00
12.	Bungoma	690	775	17	19,045,000.00
13.	Kisumu	404	468	29	11,037,000.00
14.	Migori	463	478	55	12,233,000.00
15.	Kisii	641	667	32	17,004,000.00
16.	Nairobi	846	971	16	23,621,000.00
Total		8,203	9,223	316	226,239,000.00

(b) Job Specific Skills Training

S/No.	County	Male	Female	No. of PWDs	Cost of Programme
1.	Mombasa	328	408	7	47,840,000.00
2.	Kilifi	474	503	3	63,505,000.00
3.	Wajir	203	270	8	30745,000.00
4.	Mandera	253	361	18	39,910,000.00
5.	Machakos	418	417	9	54,275,000.00
6.	Nyandarua	316	359	7	43,875,000.00
7.	Kiambu	594	763	9	88,205,000.00
8.	Turkana	201	231	6	28,080,000.00
9.	Nakuru	300	372	21	43,875,000.00
10.	Kakamega	684	804	70	96,720,000.00
11.	Bungoma	612	748	17	88,400,000.00
12.	Kisumu	369	459	29	58,820,000.00
13.	Migori	433	467	55	58,500,000.00
14.	Kisii	560	626	32	77,090,000.00
15.	Nairobi	713	859	16	102,180,000.00
Total		**6,458**	**7,647**	**307**	**922,020,000.00**

(c) Kikao programme

S/No.	County	No. of Beneficiaries		No. of PWDs	Cost of the Programme
		Male	Female		
1.	Kilifi	160	40	5	1,599,000.00
2.	Marsabit	100	30	4	2,042,266.00
3.	Embu	340	60	10	2,042,266.00
4.	Narok	170	30	6	2,042,266.00
5.	Nairobi	846	971	20	28,621,000.00
Total		**1,616**	**1,131**	**45**	**36,346,798.00**

Appendix XI: Cash Transfer Programmes

#	County	Cash Transfer to Orphans and Vulnerable Children (CT-OVC)	Older Persons Cash Transfer (OP-CT)	Cash Transfer to Persons with Severe Disabilities (PWSD-CT)	NICHE	Presidential secondary school bursary	Total Amounts
1.	Mombasa	92,932,000.00	141,856,000.00	17,368,000.00		8,226,705.00	260,382,705.00
2.	Kwale	133,324,000.00	328,992,000.00	24,044,000.00		5,506,720.00	491,866,720.00
3.	Kilifi	224,996,000.00	528,304,000.00	19,992,000.00	3,940,000.00	9,664,166.00	786,896,166.00
4.	Tana River	63,508,000.00	112,388,000.00	6,720,000.00		4,101,665.00	186,717,665.00
5.	Lamu	38,416,000.00	50,048,000.00	4,144,000.00		2,751,720.00	95,359,720.00
6.	Taita/Taveta	70,064,000.00	183,588,000.00	8,124,000.00		5,503,440.00	267,279,440.00
7.	Garissa	105,148,000.00	114,636,000.00	8,696,000.00		8,245,956.00	236,725,956.00
8.	Wajir	156,252,000.00	127,932,000.00	19,328,000.00		8,207,229.00	311,719,229.00
9.	Mandera	283,556,000.00	165,436,000.00	56,724,000.00		8,255,160.00	513,971,160.00
10.	Marsabit	98,418,000.00	165,770,000.00	13,530,000.00	6,170,000.00	4,081,025.00	287,969,025.00
11.	Isiolo	72,316,000.00	80,844,000.00	3,640,000.00		2,751,720.00	159,551,720.00
12.	Meru	173,544,000.00	675,040,000.00	16,520,000.00		11,778,260.00	876,882,260.00
13.	Tharaka-Nithi	75,036,000.00	302,904,000.00	9,656,000.00		4,127,108.00	391,723,108.00
14.	Embu	96,924,000.00	397,024,000.00	8,640,000.00		5,503,440.00	508,091,440.00
15.	Kitui	205,222,000.00	773,846,000.00	13,198,000.00	4,586,000.00	11,032,880.00	1,007,884,880.00
16.	Machakos	154,180,000.00	702,380,000.00	19,796,000.00		11,006,880.00	887,362,880.00
17.	Makueni	167,172,000.00	579,416,000.00	21,820,000.00		5,284,161.00	773,692,161.00
18.	Nyandarua	102,300,000.00	400,616,000.00	9,076,000.00		6,879,300.00	518,871,300.00
19.	Nyeri	110,632,000.00	635,308,000.00	18,268,000.00		3,949,115.00	768,157,115.00
20.	Kirinyaga	55,076,000.00	374,600,000.00	11,584,000.00		3,631,132.00	444,891,132.00
21.	Murang'a	164,648,000.00	1,015,848,000.00	18,500,000.00		5,489,503.00	1,204,485,503.00
22.	Kiambu	178,912,000.00	857,840,000.00	27,584,000.00		13,758,600.00	1,078,094,600.00
23.	Turkana	362,886,000.00	278,546,000.00	21,500,000.00	8,390,000.00	8,208,936.00	679,530,936.00
24.	West Pokot	124,182,000.00	211,812,000.00	16,254,000.00	3,300,000.00	5,514,836.00	361,062,836.00
25.	Samburu	148,100,000.00	130,696,000.00	13,288,000.00		4,055,026.00	296,139,026.00
26.	Trans Nzoia	117,980,000.00	296,400,000.00	11,768,000.00		6,879,300.00	433,027,300.00
27.	Uasin Gishu	105,076,000.00	345,764,000.00	33,408,000.00		13,677,230.00	497,925,230.00
28.	Elgeyo/ Marakwet	81,292,000.00	225,964,000.00	11,060,000.00		5,503,440.00	323,819,440.00
29.	Nandi	110,568,000.00	390,464,000.00	17,200,000.00		8,300,912.00	526,532,912.00
30.	Baringo	153,216,000.00	291,900,000.00	19,168,000.00		8,225,487.00	472,509,487.00
31.	Laikipia	63,596,000.00	254,820,000.00	12,880,000.00		4,126,720.00	335,422,720.00
32.	Nakuru	179,408,000.00	724,420,000.00	26,012,000.00		14,901,806.00	944,741,806.00
33.	Narok	133,996,000.00	225,888,000.00	8,640,000.00		8,285,972.00	376,809,972.00
34.	Kajiado	76,744,000.00	165,400,000.00	8,172,000.00		6,880,652.00	257,196,652.00
35.	Kericho	135,380,000.00	345,944,000.00	14,876,000.00		8,255,160.00	504,455,160.00
36.	Bomet	116,296,000.00	437,080,000.00	13,156,000.00		6,879,300.00	573,411,300.00
37.	Kakamega	291,596,000.00	786,064,000.00	21,772,000.00		15,323,836.00	1,114,755,836.00
38.	Vihiga	153,016,000.00	453,080,000.00	17,008,000.00		6,879,300.00	629,983,300.00
39.	Bungoma	247,564,000.00	581,524,000.00	19,064,000.00		12,326,757.00	860,478,757.00
40.	Busia	197,656,000.00	401,808,000.00	24,332,000.00		9,631,020.00	633,427,020.00

#	County	Cash Transfer to Orphans and Vulnerable Children (CT-OVC)	Older Persons Cash Transfer (OP-CT)	Cash Transfer to Persons with Severe Disabilities (PWSD-CT)	NICHE	Presidential secondary school bursary	Total Amounts
41.	Siaya	148,580,000.00	550,976,000.00	13,508,000.00		7,052,898.00	720,116,898.00
42.	Kisumu	317,276,000.00	400,420,000.00	27,064,000.00		9,620,920.00	754,380,920.00
43.	Homa Bay	237,228,000.00	521,372,000.00	17,140,000.00		10,263,422.00	786,003,422.00
44.	Migori	227,212,000.00	384,584,000.00	42,840,000.00		9,631,020.00	664,267,020.00
45.	Kisii	214,000,000.00	610,748,000.00	28,032,000.00		12,382,740.00	865,162,740.00
46.	Nyamira	89,584,000.00	317,148,000.00	10,560,000.00		5,498,440.00	422,790,440.00
47.	Nairobi	184,428,000.00	296,104,000.00	31,856,000.00		23,898,466.00	536,286,466.00

Appendix XII: Analysis of Performance by Thematic Area and Service Sector

Thematic Area	Service Sector	Service Sector Performance Index	Overall Thematic area Performance Index
Efficiency, Effectiveness and Economic Use of Resources	Constitutional Commission & Independent Office	66.3	52.4
	Ministry & State Department	43.6	
	Public University	56.1	
	State Corporation & SAGAs	53.4	
	Statutory Commission & Authority	58.3	
Equitable Allocation of Opportunities & Resources	Constitutional Commission & Independent Office	20.2	28.0
	Ministry & State Department	24.0	
	Public University	30.8	
	State Corporation & SAGAs	29.3	
	Statutory Commission & Authority	23.9	
Good Governance Transparency & Accountability	Constitutional Commission & Independent Office	78.6	46.3
	Ministry & State Department	34.0	
	Public University	57.8	
	State Corporation & SAGAs	46.6	
	Statutory Commission & Authority	44.4	
High Standards of Professional Ethics	Constitutional Commission & Independent Office	69.8	58.7
	Ministry & State Department	49.8	
	Public University	63.4	
	State Corporation & SAGAs	59.8	
	Statutory Commission & Authority	59.7	
Performance Management	Constitutional Commission & Independent Office	18.8	27.9
	Ministry & State Department	26.7	
	Public University	30.2	
	State Corporation & SAGAs	28.1	
	Statutory Commission & Authority	29.6	
Public Participation	Constitutional Commission & Independent Office	12.5	17.6
	Ministry & State Department	8.2	
	Public University	18.2	
	State Corporation & SAGAs	21.1	
	Statutory Commission & Authority	0.0	
Service Delivery Improvement	Constitutional Commission & Independent Office	45.3	40.0
	Ministry & State Department	27.6	
	Public University	58.3	
	State Corporation & SAGAs	54.3	
	Statutory Commission & Authority	35.4	

Appendix XIII: Comparative Analysis of Performance by Service Sector and Institution

Category	Name of Institution	Overall Compliance Index (%) 2020/21	Overall Compliance Index (%) 2019/20	Deviation (2020/21-2019/20)
Constitutional Commission & Independent Office	Commission on Administrative Justice	43.6	43.7	-0.1
	Commission on Revenue Allocation	26.7	37.3	-10.6
	Ethics and Anti-Corruption Commission	44.5	44.2	0.3
	Kenya National Commission on Human Rights	70.7	63.2	7.5
	National Land Commission	44.3	58.3	-14
	Office of the Controller of Budget	44.2	27.0	17.2
	Public Service Commission	38.3	45.9	-7.6
	Salaries and Remuneration Commission	36.0	35.8	0.2
Compliance Index		**40.6**	**3**	**43.6**
Ministry & State Department	Cabinet Affairs Office	36.1	15.4	20.7
	Directorate of Immigration Services	50.1	38.7	11.4
	Kenya Prisons Service	13.2	12.0	1.2
	Ministry of Defence	35.7	42.3	-6.6
	Ministry of Energy	73.8	52.5	21.3
	Ministry of Environment & Forestry	28.5	19.6	8.9
	Ministry of Foreign Affairs	52.8	38.8	14
	Ministry of Health	22.1	55.2	-33.1
	Ministry of Lands and Physical Planning	31.7	42.6	-10.9
	Ministry of Water, Sanitation & Irrigation	17.4	14.1	3.3
	National Treasury	35.6	31.6	4
	Office of the Deputy President	55.0	36.9	18.1
	Office theof Attorney General and Department of Justice	33.2	68.7	-35.5
	State Department for Correctional Services	16.1	14.3	1.8
	State Department for Broadcasting and Telecommunication	34.3	29.0	5.3
	State Department for Cooperatives	78.2	54.6	23.6
	State Department for Crop Development & Agricultural Research	17.8	27.1	-9.3
	State Department for Culture and Heritage	11.1	6.3	4.8
	State Department for Development of ASALs	28.6	26.0	2.6
	State Department for Devolution	12.6	32.8	-20.2
	State Department for Early Learning and Basic Education	26.6	50.0	-23.4
	State Department for East African	20.6	23.0	-2.4
	State Department for Fisheries Aquaculture & Blue Economy	17.0	33.3	-16.3
	State Department for Gender	32.7	45.5	-12.8

Category	Name of Institution	Overall Compliance Index (%) 2020/21	Overall Compliance Index (%) 2019/20	Deviation (2020/21-2019/20)
	State Department for Housing and Urban Development	18.6	20.7	-2.1
	State Department for ICTand Innovation	23.0	25.6	-2.6
	State Department for Industrialization	13.2	21.1	-7.9
	State Department for Infrastructure	37.8	25.9	11.9
	State Department for Interior and Citizen Services	70.1	77.2	-7.1
	State Department for Labour, Ministry of Labour and Social Protection	43.0	39.1	3.9
	State Department for Livestock	35.5	39.4	-3.9
	State Department for Mining	23.3	31.3	-8
	State Department for Petroleum	51.6	30.0	21.6
	State Department for Planning	34.0	33.4	0.6
	State Department for Post Training and Skills Development	15.4	13.7	1.7
	State Department for Public Service	44.7	49.5	-4.8
	State Department for Public Works	18.9	28.3	-9.4
	State Department for Regional and Northern Corridor	19.9	25.4	-5.5
	State Department for Social Protection	24.0	33.9	-9.9
	State Department for Sports	11.2	10.8	0.4
	State Department for Tourism	17.8	29.5	-11.7
	State Department for Trade and Enterprise Development	48.3	38.0	10.3
	State Department for Transport	12.3	36.7	-24.4
	State Department for University Education and Research	22.7	32.4	-9.7
	State Department for Vocational and Technical Training	34.5	25.4	9.1
	State Department for Wildlife	30.1	13.1	17
	State Department for Youth	16.3	31.1	-14.8
	State Department of Shipping and Maritime	18.0	12.6	5.4
	State House	32.2	35.9	-3.7
Compliance Index		**32.1**	**-1.5**	**30.6**
Public University	Alupe University College	32.9	35.9	-3
	Chuka University	44.8	63.0	-18.2
	Dedan Kimathi University of Technology	56.0	42.2	13.8
	Egerton University	27.1	44.3	-17.2
	Jaramogi Oginga Odinga University of Science and Technology	53.8	58.2	-4.4

Category	Name of Institution	Overall Compliance Index (%) 2020/21	Overall Compliance Index (%) 2019/20	Deviation (2020/21-2019/20)
	Jomo Kenyatta University of Agriculture and Technology	41.4	-	
	Karatina University	60.0	50.8	9.2
	Kenyatta University	34.6	-	
	Kibabii University	78.9	73.3	5.6
	Kirinyaga University	66.9	59.9	7
	Kisii University	74.9	69.5	5.4
	Laikipia University	51.8	56.8	-5
	Maasai Mara University	39.0	46.4	-7.4
	Machakos University	44.2	42.0	2.2
	Maseno University	15.5	48.3	-32.8
	Masinde Muliro University of Science and Technology	35.8	52.6	-16.8
	Meru University of Science and Technology	38.9	51.9	-13
	Moi University	39.2	34.0	5.2
	Multimedia University of Kenya	39.0	60.5	-21.5
	Murang'a University of Technology	40.8	57.7	-16.9
	Pwani University	53.7	57.2	-3.5
	Rongo University	36.2	41.7	-5.5
	South Eastern Kenya University	55.3	34.7	20.6
	Taita Taveta University	25.4	34.3	-8.9
	Technical University of Mombasa	40.3	32.1	8.2
	Tharaka University College	55.8	62.6	-6.8
	The Co-Operative University of Kenya	35.9	40.6	-4.7
	The Technical University of Kenya	49.8	35.5	14.3
	Tom Mboya University College	26.0	33.7	-7.7
	University of Eldoret	40.5	56.8	-16.3
	University of Embu	52.2	44.8	7.4
	University of Kabianga	43.0	36.5	6.5
	University of Nairobi	50.2	51.9	-1.7
Compliance Index		**46.2**	**-1.4**	**44.8**
State Corporations& SAGAs	Agricultural Development Corporation	47.0	43.7	3.3
	Agricultural Finance Corporation	45.3	54.9	-9.6
	Agriculture and Food Authority	40.5	45.5	-5
	Anti-Counterfeit Authority	50.4	60.9	-10.5
	Anti-Doping Agency of Kenya	35.5	41.7	-6.2
	Anti-Female Genital Mutilation Board	41.0	31.7	9.3
	Athi Water Works Development Agency	60.1	61.6	-1.5
	Bomas of Kenya Ltd	24.2	28.3	-4.1

Category	Name of Institution	Overall Compliance Index (%) 2020/21	Overall Compliance Index (%) 2019/20	Deviation (2020/21-2019/20)
	Bukura Agricultural College	38.4	36.9	1.5
	Business Registration Service	40.2	34.1	6.1
	Centre for Mathematics, Science & Technology Education in Africa	70.3	63.6	6.7
	Chemelil Sugar Company Limited	13.3	18.0	-4.7
	Coast Development Authority	44.8	35.8	9
	Coast Water Works Development Agency	38.6	23.4	15.2
	Commission for University Education	57.4	59.0	-1.6
	Commodities Fund	53.5	58.8	-5.3
	Communications Authority of Kenya	29.5	44.1	-14.6
	Competition Authority of Kenya	78.8	71.5	7.3
	Council of Legal Education	42.1	43.4	-1.3
	East African Portland Cement Plc	32.2	28.6	3.6
	Energy & Petroleum Regulatory Authority	71.9	61.7	10.2
	Engineers Board of Kenya	51.0	72.2	-21.2
	Ewaso Ng'iro North River Basin Development Authority	45.4	21.3	24.1
	Ewaso Ng'iro South Development Authority	76.8	50.1	26.7
	Export Processing Zones Authority	52.7	41.7	11
	Higher Education Loans Board	42.0	47.9	-5.9
	Information Communication Technology Authority	29.9	40.4	-10.5
	Institute of Human Resource Management	26.3	-	
	Insurance Regulatory Authority	57.6	52.7	4.9
	Kenya Accountants and Secretaries National Examinations Board (KASNEB)	45.8	63.9	-18.1
	Kenya Agricultural and Livestock Research Organization	14.9	42.8	-27.9
	Kenya Airports Authority	51.9	56.1	-4.2
	Kenya Animal Genetic Resources Centre	44.4	44.8	-0.4
	Kenya Broadcasting Corporation	39.8	53.6	-13.8
	Kenya Bureau of Standards	42.0	53.0	-11
	Kenya Civil Aviation Authority	42.0	54.5	-12.5
	Kenya Copyright Board	47.6	46.5	1.1
	Kenya Dairy Board	39.3	31.5	7.8
	Kenya Deposit Insurance Corporation	67.3	49.6	17.7
	Kenya Education Management Institute	20.0	25.2	-5.2
	Kenya Electricity Generating Company Plc	56.8	59.2	-2.4

Category	Name of Institution	Overall Compliance Index (%) 2020/21	Overall Compliance Index (%) 2019/20	Deviation (2020/21-2019/20)
	Kenya Electricity Transmission Company Limited	77.7	66.0	11.7
	Kenya Ferry Services Limited	22.2	56.6	-34.4
	Kenya Film Commission	36.2	-	
	Kenya Forest Service	37.3	43.2	-5.9
	Kenya Forestry Research Institute	50.3	71.5	-21.2
	Kenya Industrial Property Institute	33.5	54.6	-21.1
	Kenya Industrial Research and Development Institute	42.2	47.4	-5.2
	Kenya Institute of Mass Communication	31.8	41.1	-9.3
	Kenya Institute for Public Policy Research and Analysis	58.3	60.5	-2.2
	Kenya Institute of Curriculum Development	74.0	50.3	23.7
	Kenya Institute of Special Education	30.4	49.3	-18.9
	Kenya Investment Authority	36.7	38.3	-1.6
	Kenya Leather Development Council	25.1	30.5	-5.4
	Kenya Literature Bureau	81.1	64.4	16.7
	Kenya Marine and Fisheries Research Institute	54.7	55.2	-0.5
	Kenya Maritime Authority	35.9	58.4	-22.5
	Kenya Medical Practitioners and Dentists Council	22.1	24.3	-2.2
	Kenya Medical Research Institute	48.8	38.1	10.7
	Kenya Medical Supplies Authority	41.2	46.4	-5.2
	Kenya Medical Training College	35.6	61.8	-26.2
	Kenya National Assurance Company (2001) Limited	11.1	16.8	-5.7
	Kenya National Bureau of Statistics	43.0	38.3	4.7
	Kenya National Commission for UNESCO	33.7	56.6	-22.9
	Kenya National Highways Authority	28.1	66.3	-38.2
	Kenya National Qualifications Authority	16.1	-	
	Kenya National Shipping Line Ltd	32.0	46.2	-14.2
	Kenya National Trading Corporation	26.8	38.6	-11.8
	Kenya Ordnance Factories Corporation	18.9	22.4	-3.5
	Kenya Petroleum Refineries Limited	36.0	26.4	9.6
	Kenya Pipeline Company Limited	54.1	59.3	-5.2
	Kenya Ports Authority	43.3	51.6	-8.3
	Kenya Post Office Savings Bank	39.1	43.6	-4.5
	Kenya Power	19.9	48.8	-28.9
	Kenya Railways Corporation	29.9	32.0	-2.1

Category	Name of Institution	Overall Compliance Index (%) 2020/21	Overall Compliance Index (%) 2019/20	Deviation (2020/21-2019/20)
	Kenya Reinsurance Corporation Limited	40.7	79.4	-38.7
	Kenya Revenue Authority	81.6	66.6	15
	Kenya Roads Board	52.1	-	
	Kenya Rural Roads Authority (KERRA)	37.5	38.1	-0.6
	Kenya Safari Lodges & Hotel Limited	39.3	35.7	3.6
	Kenya School of Government	70.9	66.1	4.8
	Kenya School of Law	47.7	44.9	2.8
	Kenya Seed Company Ltd	17.4	38.0	-20.6
	Kenya Tourism Board	53.0	45.9	7.1
	Kenya Trade Network Agency	65.5	67.1	-1.6
	Kenya Tsetse and Trypanosomiasis Eradication Council (KENTTEC)	37.1	60.7	-23.6
	Kenya Universities and Colleges Central Placement Service	69.4	53.2	16.2
	Kenya Urban Roads Authority (KURA)	53.0	36.8	16.2
	Kenya Utalii College	27.9	37.3	-9.4
	Kenya Veterinary Board	26.7	44.9	-18.2
	Kenya Veterinary Vaccines Production Institute - KEVEVAPI	33.1	28.2	4.9
	Kenya Water Institute	27.8	23.4	4.4
	Kenya Water Towers Agency	47.0	47.8	-0.8
	Kenya Wildlife Service	43.8	37.7	6.1
	Kenya Yearbook Editorial Board	41.6	28.2	13.4
	Kenyatta National Hospital	55.4	-	
	Kerio Valley Development Authority	13.0	32.8	-19.8
	Konza Technopolis Development Authority	77.2	74.3	2.9
	Lake Basin Development Authority	67.9	66.3	1.6
	Lake Victoria North Water Works Development Agency	52.6	40.4	12.2
	LAPSSET Corridor Development Authority	50.1	60.9	-10.8
	Local Authorities Provident Fund	50.0	40.3	9.7
	Media Council of Kenya	49.6	53.3	-3.7
	Micro and Small Enterprises Authority	43.7	34.5	9.2
	Moi Teaching and Referral Hospital	51.8	52.7	-0.9
	Nairobi Centrefor International Arbitration	39.1	46.8	-7.7
	National Aids Control Council	53.0	62.8	-9.8
	National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA)	64.8	37.8	27
	National Biosafety Authority	62.3	49.4	12.9

Category	Name of Institution	Overall Compliance Index (%) 2020/21	Overall Compliance Index (%) 2019/20	Deviation (2020/21-2019/20)
	National Cereals and Produce Board	40.0	50.1	-10.1
	National Commission for Science Technology and Innovation	57.2	33.0	24.2
	National Communication Secretariat	12.1	25.1	-13
	National Construction Authority	49.0	62.7	-13.7
	National Council for Law Reporting - Kenya Law	35.1	56.5	-21.4
	National Council for Persons With Disabilities	52.9	43.7	9.2
	National Council for Population and Development	81.2	70.8	10.4
	National Crime Research Centre	53.4	57.6	-4.2
	National Drought Management Authority	23.1	32.6	-9.5
	National Environment Management Authority	60.3	74.4	-14.1
	National Environment Trust Fund	54.5	49.8	4.7
	National Government Constituencies Development Fund Board	34.6	48.3	-13.7
	National Hospital Insurance Fund	28.0	54.3	-26.3
	National Housing Corporation	44.2	37.5	6.7
	National Industrial Training Authority - Nita	27.8	35.8	-8
	National Oil Corporation of Kenya	41.9	42.0	-0.1
	National Quality Control Laboratory	12.9	28.7	-15.8
	National Research Fund	26.9	-	
	National Social Security Fund	57.3	59.7	-2.4
	National Water Harvesting & Storage Authority	27.0	41.2	-14.2
	National Youth Council	41.9	32.7	9.2
	National Youth Service (NYS)	41.1	36.8	4.3
	NEPAD/APRM Kenya Secretariat	19.8	28.4	-8.6
	New Kenya Cooperative Creameries NKCC	39.2	43.7	-4.5
	Non-Governmental Organizations Coordination Board	19.9	34.3	-14.4
	Nuclear Power and Energy Agency	40.7	52.7	-12
	Numerical Machining Complex	35.5	28.1	7.4
	Nursing Council of Kenya	33.9	46.1	-12.2
	Nyayo Tea Zones Development Corporation	32.2	49.0	-16.8
	Pest Control Products Board	32.6	27.1	5.5
	Pharmacy and Poisons Board	13.8	34.7	-20.9
	Privatization Commission	60.6	53.0	7.6
	Public Procurement Regulatory Authority	32.5	53.3	-20.8
	Public Sector Accounting Standards Board	18.8	-	

Category	Name of Institution	Overall Compliance Index (%) 2020/21	Overall Compliance Index (%) 2019/20	Deviation (2020/21-2019/20)
	Registration of Certified Public Secretaries Board	21.4	17.6	3.8
	Retirement Benefits Authority	73.1	52.9	20.2
	Rural Electrification & Renewable Energy Corporation	21.4	49.9	-28.5
	School Equipment Production Unit	17.5	31.1	-13.6
	Sports Kenya	13.8	28.1	-14.3
	Tana and Athi Rivers Development Authority	38.0	42.3	-4.3
	Tana Water Works Development Agency	72.6	65.8	6.8
	Tanathi Water Works Development Agency	41.0	37.7	3.3
	Technical and Vocational Education and Training Authority (TVETA)	53.1	57.9	-4.8
	The Kenya Cultural Centre	20.5	16.4	4.1
	The Kenya National Examinations Council	41.7	42.6	-0.9
	The Universities Fund	34.9	22.7	12.2
	Tourism Fund	41.7	30.6	11.1
	Tourism Regulatory Authority	13.1	-	
	TVET CDACC Curriculum Development Assessment and Certification Council	40.0	34.2	5.8
	Unclaimed Financial Assets Authority	35.4	46.2	-10.8
	University of Nairobi Enterprisesand Services Limited	36.9	34.8	2.1
	Vision 2030 Delivery Secretariat	37.9	45.1	-7.2
	Water Resources Authority	30.0	48.3	-18.3
	Water Sector Trust Fund	81.9	65.7	16.2
	Water Services Regulatory Board	29.3	44.9	-15.6
	Witness Protection Agency	30.9	47.5	-16.6
	Youth Enterprise Development Fund	15.9	45.9	-30
Compliance Index		**44.4**	**-2.7**	**41.7**
Statutory Commission & Authority	Independent Policing Oversight Authority	40.6	63.6	-23
	Intergovernmental Relations Technical Committee	24.7	30.4	-5.7
	Kenya Law Reform Commission	51.4	50.5	0.9
	National Cohesion and Integration Commission	51.4	27.1	24.3
	Office of the Director of Public Prosecutions	16.4	20.7	-4.3
	Office of the Registrar of Political Parties	31.0	46.7	-15.7
Compliance Index		**41.6**	**-5.7**	**35.9**
Grand Total		**40.0**	**42.3**	**-2.3**

©Public Service Commission
P.O Box 30095, 00100, Nairobi, Kenya, Harambee Avenue
Telephone: +254 (020) 2223901-5, 2227471-5
Fax: +254 (020) 2214791
Mobile: +254-724-253807, +254-735-800282
Contact Center No. 0204865000
Website: www.publicservice.go.ke
psck@publicservice.go.ke
Facebook page: Public Service Commission
Twitter: @PSCKenya

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