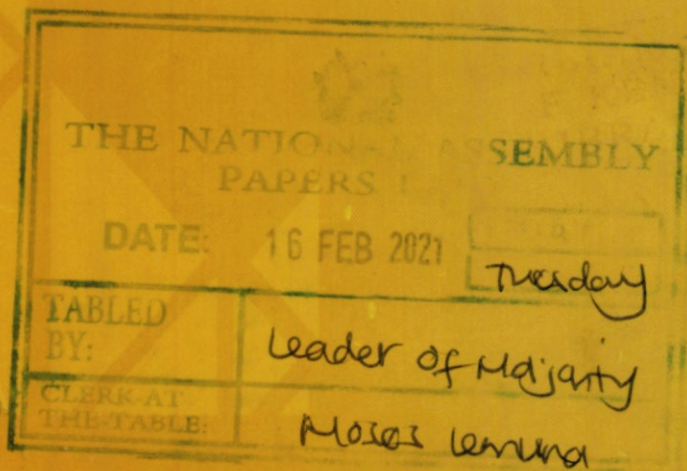


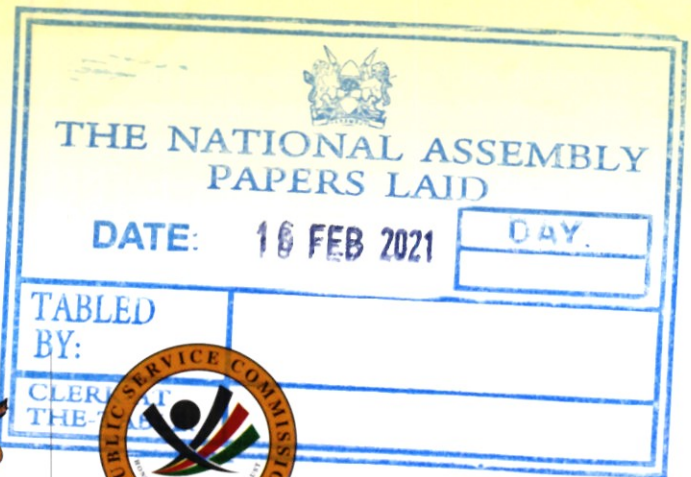
PUBLIC SERVICE COMMISSION



Status of the Public Service Compliance with the Values and Principles in Articles 10 and 232 of the Constitution for the Year 2019/2020

An Evaluation Report Prepared pursuant to Article 234(2)(h) of the Constitution

DECEMBER 2020



PUBLIC SERVICE COMMISSION

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Article 234(2)(h) of the Constitution**

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
AGPO	Access to Government Procurement Opportunities
ATI	Access to Information Act, 2016
AWP	Approved Work Plan
CAJ	Commission for Administrative Justice
CAK	Communication Authority of Kenya
CCIOs	Constitutional Commissions and Independent Offices
CIDPs	County Integrated Development Plans
CPC	Corruption Prevention Committees
CPD	Continuous Professional Development
CRB	Credit Reference Bureau and
CRPD	Convention on the Rights of Persons with Disabilities
CSG	Civil Service Grade
CTOVC	Cash Transfer for Orphans and Vulnerable Children
CTPWSD	Cash Transfer for Persons with Severe Disabilities
EACC	Ethics and Anti-Corruption Commission
EPZ	Export Processing Act
FY	Financial Year
GHRIS	Government Human Resource Information System
ICT	Information Communication Technology
IEBC	Independent Electoral and Boundaries Commission
IEC	Information, Education, and Communication
ILO	International Labour Organization
KDF	Kenya Defence Forces
KEMRI	Kenya Medical Research Institute
KENIA	Kenya National Innovation Agency
KeNIC	Kenya Network Information Centre
KeRRA	Kenya Rural Roads Authority
KICC	Kenyatta International Convention Centre
KICD	Kenya Institute of Curriculum Development
KIPPRA	Kenya Institute for Public Policy Research and Analysis
KIRDI	Kenya Industrial and Research Development Institute
KLRC	Kenya Law Reform Commission
LCBS	Low Cost Boarding Schools
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 Authorities
MoICTA	Ministry of Information Communications and Technology and Youth Affairs
MREs	Meal, Ready-to-Eat
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 Health Insurance Cover
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
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
PTRE	Phytochemicals, Textile and Renewable Energy
PWDs	Persons with Disabilities
RIVATEX	Rift Valley Textile
SAGAs	State Corporations and Semi-Autonomous Government Agencies
SDG	Sustainable Development Goals (SDGs)
SDGs	Strategic Development Goals
SEZs	Special Economic Zone
SMEs	Small and Medium Enterprises
SMS	Short Message Service
STI	Science, Technology and Innovation
STP	Science Technology Park
TIA	Training Impact Assessment
TIFA	Trends and Insights for Africa
TNA	Training Needs Assessment
TPCSI	Training and Production Centre for the Shoe Industry
TVET	Technical and Vocational Education and Training
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	Explanation
Accountability	An assumption of responsibility for one's words and deeds. It is an obligation that is imposed by law or other regulations on a person for purposes of governing his or her conduct to curb against wrongdoing. There are different types of accountability including: (a) Criminal accountability where one's actions are penal in nature; the person is criminally accountable for them; (b) Financial accountability where any person who is entrusted with funds is accountable for the usage of those funds; (c) Professional accountability where one is engaged as a professional to give a service, they are accountable for the proper delivery of that service to the standard required by the rules of that profession; and (d) Performance accountability where every person with a job description and pre-determined delivery targets is accountable for the achievements of those targets.
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 outlined in Table 1-2.
Coaching	The process where an experienced public officer guides a learner/new employee to improve the learner's performance or achieve personal or professional goals. It helps the learner unlock their potential and for institutional memory.
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.
Democracy	A governance system in which all citizens participate in different forms of governance and the management of the affairs of the country. This includes taking part in community forums and identifying developmental priorities.
Disadvantaged groups	These are groups of youth, women and persons with disabilities.

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

Term	Explanation
Effectiveness	The act of having an intended or expected result, effect or impact. Effectiveness focuses on desired results, whereas efficiency describes doing a certain task the right way. Effectiveness is oriented towards strategy and setting objectives but efficiency is oriented toward keeping the present system going.
Efficient use of resources	The process of performing or functioning in the best possible manner with the least waste of time, effort and at minimum expense or cost. It encompasses the extent to which time or effort is well used for the intended task or purpose.
Equality	The act of ensuring that every citizen has equal chances to make the most of every opportunity. This is further stretched to ensure that no citizen should be disadvantaged because of where they were born, live, religion, or status of ability/disability.
Equity	The act of being neutral, reasonable and fair in all decisions and actions. In the public sector, it is understood as treating all citizens impartially. It also implies that citizens in different circumstances may need to be treated differently to accommodate the challenges of service delivery.
Fairness	The act of making decisions objectively and free from external influence or personal favouritism.
Good Governance	The performance of public affairs and management of public resources efficiently and effectively to guarantee the realization of human rights and social welfare for all.
Human dignity	The honour bestowed on the citizens and the upholding of individual rights. It demands that all citizens are treated with love and respect regardless of class, race, gender, culture, religion, or educational/societal status. In the public sector, human dignity is exemplified in the way service is rendered in an ethical, timely and professional manner by public institutions.
Human rights	The basic rights and privileges that all citizens are born with and must be respected by both the government as well as fellow citizens. Such rights are enjoyed by all irrespective of their sex, ethnicity, religion, dialects or any other status.
Impartiality	The act of providing services without discrimination regardless of political affiliation and public servant's personal views.
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.
Inclusiveness	The act of ensuring access to opportunities and resources for people who might otherwise be excluded or marginalized.
Innovations	The act of creating more effective processes, products, and ideas. In service delivery, this includes the introduction of new processes, services, or products to effect positive change and reinvigorate service delivery cycle through value creation/addition or boosting growth and productivity.

Term	Explanation
Integrity	Being honest and truthful in one's actions, dealings, and relationship with others.
Mentoring	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 unity	A state of being able to work together as a citizenry and pursue common goals, aspirations, ideals and development agenda.
Non-discrimination	Every citizen being treated in a fair, humane and kind manner irrespective of their gender, ethnicity, class, religion, race, geographical or generational differences while at the same time ensuring that there is a balance after the inequity has been addressed.
Patriotism	The attributes of love, selfless service, sacrifice for and protection of one's nation.
Performance contract	An accountability tool signed between the Government and a public organization on an annual basis in which the organization commits to deliver certain outputs.
Public Officer	Any person, other than a State Officer, who holds a public office.
Performance Index	The measure of the extent to which an institution has complied with a thematic area.
Public Participation	Refers to working with communities in policy and service design, recognizing that citizens and communities are not passive recipients of services but need to be active shapers. This is achieved through public meetings, online participation, surveys, open houses, workshops, polling, citizen's advisory committees and other forms of direct involvement with the public.
Public Service	The collectivity of all individuals, other than State officers, performing a function within a State organ.
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.
Protection of Marginalized	The fair treatment of citizens in disadvantaged environments and situations.
Sharing and Devolution of Power	A governance environment in which all citizens are given space and opportunities to actively participate in the management of public affairs.
Skills inventory	The distribution of skills and competencies in an organization.
Social Justice	

Term	Explanation
	The fairness in the distribution of national wealth, opportunities, and privileges among citizens. It is further understood as the enjoyment of the rights that enhance the wellbeing of citizens and promotion of national unity and nationhood.
Sustainable development	The ability to maintain progressive development that meets the needs of the present without compromising the ability of future generations to meet their own needs.
Sustainability	Maintaining achieved progress without compromising the future.
The Rule of Law	The authority that requires that everyone, regardless of their positions in society, obey the laid down laws in all their actions.
Training Impact Assessment	The process of measuring the effectiveness and relevance of a training programme.
Transparency	Acting in an open manner while being held responsible for one's actions conduct and management of resources. Transparency in Government means that citizen must be able to "see through" its workings to know exactly what goes on when public officials transact business subject to limitations in the law.

MESSAGE FROM THE CHAIRMAN



This report has been prepared pursuant to the requirements of Articles 234 (2)(h) of the Constitution. The Article 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 values and principles are entrenched in the Constitution to ensure that every citizen gets quality and timely services, public resources are utilized in a sustainable way, and that all communities have equitable access to public services in order to promote national cohesion.

This evaluation report comes at a time when Kenya, like the rest of the world, is suffering the consequences of the COVID-19 pandemic, including a partial lockdown. Despite the pandemic, public institutions were expected to offer services and indeed all of them continued to do so, albeit in a constrained manner. The pandemic tested the public sector's resilience and, in the process, taught us that institutions must be flexible and innovative enough to

respond to disruptions in the normal way of doing business.

The evaluation shows there was marginal gains that point to the need to upscale efforts to improve compliance. For instance, a marginal increase of 0.1% in representation of PWDs was recorded in 2019/2020 compared to the 2018/2019 evaluation cycle. Clearly, a lot still has to be done to meet the constitutional threshold of 5%. The National Council for Persons with Disabilities will need to consider developing a database of Persons with Disabilities and their qualifications, and make it available to assist in the recruitment and appointment of PWDs.

Although the gender representation was largely met, there was still a low representation of the female gender at management and policy levels. Further, the evaluation established that 43 of the Kenyan communities were represented in the service even though proportionate representation for all the 46 ethnic communities was yet to be realized.

Notable decline was observed with regard to training of public officers and performance contracting. Whereas the acquisition of new skills and competencies is critical to service delivery improvement, the number of officers who attended long and short training was low at 17,687. The situation is compounded by austerity measures that often target training budgets thereby impacting negatively on service delivery. Continuous capacity building by public institutions will ensure that services offered meet the expectations of the Kenyan citizen.

The last financial year recorded the lowest mean score since the inception of performance contracting in the country, owing partly to the failure by many public institutions to sign performance contracts and embrace performance target-setting and appraisal systems.

Notwithstanding the findings in this report, the implementation of values and principles must be seen in the day-to-day operations of public institutions. Values and principles are not abstract statements; neither do they exist in a vacuum. This calls for the development of policies and programmes that translate the values and principles into actions with tangible results. Institutions must therefore commit themselves to specific deliverables and be able to track performance through a monitoring and evaluation framework. There should also be deliberate measures to facilitate ease of access to services by the citizen in line with the citizen-centric service mantra that the Commission is promoting as its vision statement.

I need at this point to commend the public institutions that took steps to improve service delivery by translating their service delivery charters into Kiswahili, which is a language understood by many Kenyans. Through the charters, public institutions communicate the services they offer, the timelines and the cost(s) of the service. Understanding what is in the charter in a language they are familiar with will enable more citizens to hold public officers to account.

The government has demonstrated commitment to actualize the values and principles through implementation of programmes such as the Big Four Agenda that are aligned to national and global goals, specifically the Vision 2030 and the United Nations Sustainable Development Goals. The programmes translate the values and principles from paper to tangible results, which must be seen to be distributed equitably.

Since its inception by (His Excellency) the President, the Big Four Agenda has recorded remarkable impacts in the lives of Kenyans in a fairly short time through the various projects that have been implemented. Nineteen programmes were rolled out under food security and nutrition and another 16 to support Universal Health Coverage. Under manufacturing, 25

programmes were initiated to support the sector while another seven programmes were implemented under affordable housing. I, therefore, wish on behalf of the Commission, to commend the government for implementing the Big Four Agenda programmes in line with Article 43 of the Constitution on economic and social rights. The programmes have significantly contributed to the transformation of the lives of the citizens including the vulnerable and marginalized groups.

The Constitution expressly provides for the protection of minorities and marginalized groups. To actualize this, the Government has put in place affirmative action programmes such as Access to Government Procurement Opportunities, Women Enterprise Development Fund, Youth Enterprise Development Fund and the cash transfer to persons with severe disabilities, older persons and orphans and vulnerable children.

The Commission thanks the President and Parliament for providing the necessary support that ensured improved public service delivery and adherence to the values and principles. Going forward, the Commission calls on public institutions to build on the positive gains made so far, to raise the quality of service delivery. We hope that the recommendations in this report will go a long way in entrenching values and principles in the operations of public institutions and realizing a citizen-centric public service. I call upon all public institutions to ensure that affirmative action commitments as required by the constitution are realized in the next reporting cycle..



Stephen K. Kirogo, FPRSK, CBS
Chairman
Public Service Commission

ACKNOWLEDGEMENT

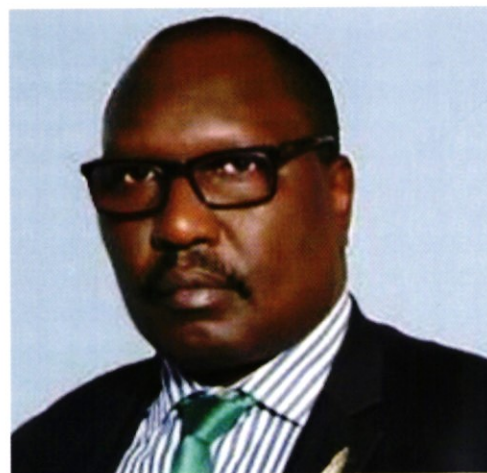
The 2019/2020 report on the “*Status of the Public Service Compliance with Values and Principles in Articles 10 and 232*” was a collaborative effort of the Public Service Commission and public institutions that responded to the survey. It was made possible by the Commission leveraging technology to undertake preliminary processes including data collection.

I wish to commend all the institutions which responded to the survey by providing authentic data. Specifically, I thank the officers who tirelessly worked under challenging circumstances posed by the COVID-19 pandemic to submit data within the tight schedules.

I laud the judicious leadership and guidance provided by Mr. Stephen Kirogo, CBS, Chairman Public Service Commission at every step of the process. The strategic direction he provided ensured the successful undertaking of the assignment within the stipulated timelines.

I appreciate the stewardship provided by the Compliance and Quality Assurance Committee led by Commissioner Dr. Reuben Chirchir (Chair) and Commissioner Dr. Joyce Nyabuti (Member). The Committee tirelessly guided the Technical Team and provided quality control in the preparation of this report.

In addition, I wish to thank the Secretariat's Inter-Departmental Technical Team for working around the clock to prepare this report. The Team comprised of Wachinga Gikonyo (Director, Compliance and Quality Assurance), Dr. Gabriel Juma (Deputy Director, Governance and Ethics), Selina Iseme, (Deputy Chief Commission Counsel), Dr. Philemon Kiprono (Deputy Director Research), Joshua Mwiranga (Deputy Director Performance Management), Habel Shiloli, (Assistant Director, Public Communication), Francis Lemarkat (Assistant Director, Governance and Ethics), Simon



Ojalla, (Assistant Director, Governance and Ethics), Andrew Njogu (Assistant Director ICT), Joseph Kenei, (Assistant Director Planning), Kihiu Mugo (Principal Governance and Ethics Officer), Jacob Gumba, (Principal Monitoring and Evaluation Officer), Salyvia Kagoi (Principal HRM&D) and Evelyn Adhiambo (Principal HRM&D Officer).

I also appreciate the co-opted task team appointed by the Commission to assist in the finalization of the report comprising Jane Chege (Deputy Commission Secretary), Dr Sylvester Obong'o (Director Performance Management), Jacqueline Manani (Chief Commission Counsel), and Browne Kutswa (Deputy Director Public Communication).

Special thanks to the Heads of Directorates, Divisions and Unit Heads at the Commission and all other stakeholders who in one way or another supported the preparation of the report.

A handwritten signature in black ink, appearing to read 'Simon K. Rotich'.

Simon K. Rotich, EBS
Commission Secretary/ CEO
Public Service Commission.

THE COMMISSION



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EXECUTIVE SUMMARY

Preparation of the ninth Evaluation Report on the Status of the Public Service Compliance with Values and Principles in Articles 10 and 232 of the Constitution is an annual obligation for Public Service Commission in line with the Public Service (Values and Principles) Act, 2015. The report is published in fulfilment of the constitutional mandate as provided in Articles 234 2(c) and (h), which mandates the Commission to promote the values and principles, evaluate and report to the President and Parliament on the extent to which they are complied with, in the public service.

Values and principles underpin efficient and effective delivery of services to citizens and every public officer and institution must endeavour to observe them for a better society. For evaluation purposes, the values were grouped into seven thematic areas: service delivery improvement and transformation; ensuring high standards of professional ethics in the public service; good governance, transparency and accountability; performance management; equitable allocation of opportunities and resources; efficiency, effectiveness and economic use of resources and sustainable development; and public participation in the policy making process.

The report is divided into five chapters. **Chapter one** provides a general overview of the objective of the report and the process followed in collecting and analyzing the data.

Chapter two describes the measures the Commission and other public institutions took to promote the values in the public service. These measures included the incorporation of values and principles in the induction programmes and recognition of officers for excellent service delivery through the Public Service Excellence Award scheme.

Chapter three presents the overall compliance index based on the number of institutions that participated. The overall compliance index for

public institutions in the seven thematic areas evaluated was 42.3%, registering a marginal decline of 0.1% compared to 2018/19. The survey targeted 305 institutions, out of which 291 (95%) responded, representing an improvement over the last evaluation period by 4%. Institutions were ranked either as high achievers, medium achievers or low achievers. Overall, 53(18%) institutions were high achievers, 191 (66%) medium achievers while 44 (16%) were low achievers. The category that registered improvement were Public Universities at 3.6% with a score of 46.2% and State Corporations and SAGAs at 0.1% with a score of 44.3%. However, a decline in performance was registered in Ministries and State Departments at 0.4% with a score of 32.1%, Constitutional Commissions and Independent Offices at 3%, with a score of 40.6%, and Statutory Commissions and Authorities at 8% with a score of 41.6% respectively.

Chapter four presents the findings in each of the thematic areas. Some of the key findings relate to measures taken to enhance access to services by citizens. These include use of the Huduma platform and scaling up the use of technology and innovation among others. The government sought to increase the number of Huduma centres and as at 30th June 2020, there were 52 operational Huduma Centres countrywide that offered 127 services to over 9 million citizens. Previously, only the national government offered services through Huduma centres but last financial year saw 38 county governments offer various services on the Huduma platform.

There was also an increase in the adoption and use of technology to offer public services. Despite the challenges posed by the COVID-19 pandemic during the second part of the year, public institutions leveraged technology to continue offering services.

There were innovations in various sectors including food security, governance, commerce and financial processes, health care, education, environmental conservation, manufacturing, security and safety and housing. A notable increase was recorded in the number of institutions that patented their innovations from six in 2018/2019 to nine in 2019/2020.

The report also presents findings on the programmes implemented by the government to address the wellbeing of Kenyans in general and those that targeted the vulnerable and marginalized groups. The programmes include those aligned to the Big Four Agenda and the United Nations Sustainable Development Goals as well as programmes targeting youth, older persons, Persons with Severe Disabilities and women. In implementing the programmes, the government aimed at balancing equity and equality.

Whereas performance contracting is a key tool for measuring the performance of public institutions, this report established that not all institutions ensured their officers set performance targets and this had adverse consequences on performance management. It was also noted that performance contracting has not been entrenched into any legislation despite the government having adopted it way back in 2004.

The requirement for public participation runs through the Constitution. Public institutions no longer have the discretion to determine by themselves what they deem right for the public without involving the public in conversations preceding decisions. Notwithstanding the requirement of the law, very few institutions had developed guidelines to facilitate structured public participation and access to information, both of which are critical components of meaningful public participation.

To address the challenge of youth employability, the public service implemented various internship programmes through which 11,173 interns were recruited. The

internship programmes provided the youth with opportunities to gain workplace experience. The 11,173 interns were drawn from 37 ethnic groups out of whom 6,326 (57%) were male, 4,847 (43%) were female and 90 (1%) were PWDs.

In making appointments, public institutions aimed at achieving inclusiveness in terms of ethnicity, gender and Persons with Disabilities. A total of 12,363 officers from 40 ethnic communities were appointed. Gender representation was achieved as those appointed were 7,520 (61%) male and 4,843 (39%) were female. Although overall the gender principle has been met, representation of the female gender is still low at management and policy levels. Representation of PWDs also remains low at all levels. Among those appointed, only 139 (1.1%) were PWDs. The same pattern was observed in promotions where 11,484 officers from 43 ethnic communities were promoted. Of those promoted, 7,233 (63%) were male, 4,251 (37%) were female while 111 (1%) were PWDs.

Regarding the receipt of gifts, there was evidence of non-compliance contrary to the law that bars public officers from receiving monetary gifts or non-monetary gifts whose value exceeds Kshs 20,000. Public officers are also not allowed to receive gifts from organizations the public entity they work for has contractual relations with.

Generally, there was commendable progress on the Status of the Public Service Compliance with Values and Principles in Articles 10 and 232 of the Constitution for the period 2019/2020. The gains that have been made and the momentum it has generated will need to be sustained and up-scaled to entrench a value culture in the entire public service for a better society.

The conclusion and recommendations are presented in **Chapter five** for action by various institutions.



1

INTRODUCTION



1.1 Values and Principles

Public service is the machinery through which the government delivers its development agenda. In performing their duties, which include formulating and implementing government policies and programmes, public servants are expected to observe the values and principles in the Constitution as amplified in legislation and institutional codes of conduct.

Values and principles underpin the foundation that informs, guides, determines behaviour and attitude. In public service, they provide a framework for decision making including resource allocation. Although public service is diverse; there are common tenets on how public servants should perform their duties, hence the need for public service values which provide a framework that guides the entire public service. The values which guide the public service are entrenched in the Constitution. Public institutions are also required to include the values in their institutional codes of conduct.

The purpose of entrenching the values and principles in the Constitution is to ensure that there is equity, equality and inclusion in service delivery and that citizens who are the taxpayers get value for money through quality services.

1.2 Constitutional Values and Principles

The Constitution of Kenya 2010 prescribes national values and principles of governance in Article 10 and public service values and principles in Article 232. These values bind all public institutions and all State and public officers in the discharge of their respective mandates, duties and responsibilities.

To ensure compliance with the values and principles, the Constitution under Article 234(h), mandates 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 report is prepared in compliance with the said constitutional obligation.

1.3 National Values and Principles of Governance

National values are beliefs of a nation guiding the way of life, attitudes, actions and behaviour of its citizens. Principles of Governance, on the other hand, are normative standards that obligate the State to perform its functions in a manner that promotes the general well-being of the people. For public service, the national and public service values and principles provide the minimum standards and benchmarks that public officers must observe in rendering services to citizens. The values and principles of public service provided in Article 10 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.

1.4 Public Service Values and Principles

Values are essential components of organizational culture and instrumental in determining, guiding and informing behaviour. The values and principles of public service apply to all persons in the public service in all state organs in both levels of government and all state corporations. Observance of public service values and principles generates public trust and confidence.

The values and principles of public service provided in Article 232 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.

1.5 Legislation Complementing the Values and Principles in the Constitution

In addition to the constitutional provisions on values and principles, Parliament has enacted various legislations which give effect to the Articles in the Constitution. The existing legislations which complement Articles 10 and 232 include the Public Officer Ethics Act, 2003; the Leadership and Integrity Act, 2012; the Public Service (values and principles) Act, 2015; the Public Service Commission Act, 2017; the Access to Information Act, 2016 which facilitates access to information; the Public Finance Management Act, 2012 which specifically sets the standards to ensure efficient, effective and economic use of resources; the Proceeds of Crime and the Anti-Money Laundering Act, 2016 which prescribes measures for the identification, tracing, freezing, seizure and confiscation of proceeds of crime among others.

These instruments facilitate public organizations and public officers to discharge their respective duties in accordance with Articles 10 and 232. Therefore, all public institutions and officers are required to play a fundamental role in the promotion of national values and principles of governance.

1.6 Application for the Values and Principles

Article 10 of the Constitution binds all State organs, State officers, public officers and all persons whenever: (a) they apply or interpret the Constitution (b) enact, apply or interpret any law; and (c) make or implements public policy decision. Further, Article 259(1)(a) provides that the Constitution shall be interpreted in a manner that promotes its purposes, values and principles. Article 249(1)(b) requires all constitutional commissions and independent offices to ensure the observance of democratic values and principles by all State organs. Article 132 (1)(c)(i) requires the President to report annually on progress on all measures taken and progress achieved in the realization of the National Values and Principles of Governance of Article 10. It is therefore the responsibility of all state actors, public institutions and officers to observe, promote and implement the values and principles of governance in their engagements.

There are several ways in which public institutions and public officers apply the values in their day-to-day activities. These include:

Professionalism

A public organization or a public officer demonstrates professionalism by:

- Working towards achieving an identified public need;
- Utilizing public resources in a prudent manner;
- Advancing objectives which impact positively on the welfare of the public;
- Obeying the laws and administrative policies;
- Setting up clear systems;
- Demonstrating objectivity and impartiality and timeliness;
- Adopting clear and accessible systems for fair and timely resolution of complaints;

- Complying with the Code of Conduct for public service;
- Putting public interest before self;
- Avoiding political influence in decision making; and
- Complying with the requirements of the regulatory organization if one is a member of a professional body.

Integrity

Upholding integrity for public servants means:

- Acting whether in public or private in a manner that upholds the dignity of the public office;
- Making decisions based on public interest and not self interest;
- Responsible exercise of power;
- Being honest, open and transparent in dealings;
- Avoiding conflict of interest whether real or perceived;
- Reporting improper conduct; and
- Striving to earn and sustain public trust.

Transparency

This entails:

- Publicly displaying service charters;
- Ensuring ease of access to information by the public;
- Disclosing important information to the public;
- Having transparent and democratic processes;
- Compliance with access to information laws;
- Submitting the financial disclosures as required by law; and
- Submitting reports to Parliament which exercises oversight authority.

Accountability

This entails:

- Exercise of power and utilization of resources for public good;
- Taking responsibility for performance;
- Responsiveness to identified needs of the community;
- Accepting responsibility for decisions;
- Subjecting self to scrutiny;
- Being ready to justify actions;
- Providing reasons for decisions or administrative actions; and
- Working towards achieving clear objectives of the public organization in a clear and transparent manner.

Good Governance

This entails:

- Having systems and structures through which the exercise of power and authority can be controlled or held to account;
- Prudent utilization of public resources;
- Clear delineation of roles and responsibilities; and
- Planning for efficient and effective service delivery.

Equity

This entails:

- Fairness in outcomes, not the process;
 - Identification and removal of barriers; and
 - Adoption of affirmative action where necessary.
-

The Rule of Law

This entails:

- Obedience to the laid down laws, policies, procedures and guidelines in all undertakings.
-

Sustainability

This entails

- Use of resources in a way that meets the needs of the present without compromising the ability of future generations to meet their own needs;
 - Working towards improving the quality of life for all generations present and future; and
 - Prudent utilization of resources.
-

Promotion of Human Rights

This entails

- Actively implementing and supporting human rights; and
 - Making decisions and providing advice consistent with human rights.
-

Non-discrimination

This entails

- Offering services and taking care of all persons without bias;
 - Placing advertisements in accessible formats and media to reach all categories of people;
 - Location of development projects and service access points need to be objective and to evenly cover all parts of the country; and
 - Ensuring that the procedures and processes do not result in exclusion of others.
-

Social Justice

This entails

- Fairness in service delivery, and distribution of wealth, opportunities, and privileges within a society;
 - Taking deliberate measures to redress any disadvantage a group may have suffered because of past discrimination; and
 - Ensuring enjoyment of the rights that enhance the wellbeing of individuals in all aspects of their interaction with one another and promotes solidarity.
-

Merit Based Appointments and Promotions

This entails

- Advertising all vacancies in the public service in a format that reaches the widest pool of potential applicants;
 - Auditing recruitment tools, procedures and processes to ensure that they do not create obstacles;
 - Ensuring fairness at the start of the selection process; and
 - Ensuring fairness in awarding of training opportunities
-

Equality

This entails

- Treatment of everyone in equal measure irrespective of their status such as gender, religion, social class, ethnicity or race;
 - Adopting open processes of sharing benefits using a common criterion; and
 - Fair distribution of development programs in the country to address the needs of all people.
-

Public Participation

This entails

- Provision of effective mechanisms for the involvement of the public, communities and organizations that would be affected by or be interested in a decision;
 - Identification of key stakeholders;
 - Providing the public access to the information they require to participate in a meaningful manner;
 - Development of appropriate feedback mechanisms; and
 - Taking public views into consideration in decision making.
-

Inclusion

This entails

- Ensuring that the public service is reflective of the community it serves;
 - Identifying and removing barriers which prevent certain groups or individuals from participating;
 - Adopting affirmative measures to address identified gaps;
 - Affording all people an opportunity to participate in activities including decision making;
 - Taking deliberate measures to address the needs of vulnerable groups;
 - Using a selection criterion that considers diversities within the population;
 - Identifying needs of marginalized and minority groups throughout the recruitment process;
 - Integrating equity objectives in the design of the recruitment processes; and
 - Giving everyone a chance to contribute to the development agenda.
-

Adherence to public service values and principles enables public service institutions to operate efficiently and effectively to achieve their objects and enhances public trust and confidence in the government. On the converse, non-compliance diminishes public trust and confidence in government .

1.7 The National Development Agenda

Kenya's long term development agenda as captured in Vision 2030 is to transform the country into a newly industrialized, middle-income country providing a high quality of life to all its citizens. In the medium term, the Government is implementing the Big Four Agenda which seeks to achieve 100%

universal health coverage, 500,000 affordable new homes, food and nutrition security and increase the contribution of manufacturing from 9.2% to 20% of the GDP by 2022. Realization of these aspirations requires reforms covering all the sectors of the economy including the public service. All these strategies are aligned to Africa Agenda 2063 and the Sustainable Development Goals (SDGs)).

Implementation of the Big Four agenda contributes to the progressive realization of Article 43 of the Constitution. The expected results of the Big Four agenda are to improve the quality of lives for Kenyans. The inter-linkage between Article 43 of the Constitution, the Big Four Agenda and Sustainable Development Goals (SDGs) is provided in Table1-1.

Table 1-1: Interlinkage between Article 43 of the Constitution, the Big Four Agenda and Sustainable Development Goals (SDGs)

S/ No.	Article 43 of the Constitution on Economic and Social Rights	Big Four Agenda	Sustainable Development Goals (SDGs)
1.	The right to be free from hunger	Food security	Zero hunger
2.	The right to the highest attainable standard of health which includes the right to health care services.	Universal Health Coverage	Good health and well being
3.	The right to accessible and adequate housing	Affordable Housing	Sustainable cities and communities
		Manufacturing	Industry innovation and infrastructure

In addition to the above-mentioned interventions, the government has put in place affirmative action programmes to support the vulnerable groups and address other emerging challenges such as the Covid-19 pandemic to cushion the citizens.

1.8 Thematic Areas

The values in Articles 10 and 232 are inter-related so that the implementation of one principle impacts on another. For instance, implementation of the value on efficient effective and economic use of resources in Article 232 impacts on sustainable development in

Article 10. Similarly, the promotion of inclusion in Article 232 will promote national unity in Article 10. Given the inter-relatedness and interconnectedness, the Commission, for purposes of the evaluation, grouped the values and principles into seven thematic areas as follows:

- i). Service Delivery Improvement and Transformation;
- ii). Ensuring 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 thematic areas and the corresponding values in Articles 10 and 232 are listed in Table 1-2.

Table 1-2: Thematic Areas and Related Values and Principles

S/No.	2019/2020 Thematic Area	Public Service Values and Principles Covered in The Thematic Area	National Values and Principles of Governance Covered in The Thematic Area
i	Service delivery improvement and transformation	<ul style="list-style-type: none"> • 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 • Transparency and provision to the public of timely, accurate information 	<ul style="list-style-type: none"> • Good governance • Social justice • Inclusiveness • Human rights (Implements article 43) Big 4 agenda fall under Human Rights • Human dignity • Non-discrimination • Protection of the marginalized
ii	High standards of professional ethics in the public service	<ul style="list-style-type: none"> • High standards of professional ethics • Observance of the rule of law • Transparency and accountability 	<ul style="list-style-type: none"> • Transparency and accountability • Integrity
iii	Good governance, transparency and accountability	<ul style="list-style-type: none"> • Transparency and provision to the public of timely, accurate information • Responsive, prompt, effective, impartial and equitable provision of services 	<ul style="list-style-type: none"> • Good governance • Transparency and accountability
iv	Performance management	<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • Good governance • Integrity • Transparency and accountability
v	Equitable allocation of opportunities and resources	<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • Equality • Equity • Inclusiveness • National unity • Non-discrimination • Patriotism • Protection of the marginalized • Social justice

S/No.	2019/2020 Thematic Area	Public Service Values and Principles Covered in The Thematic Area	National Values and Principles of Governance Covered in The Thematic Area
vi	Public participation in policy making	<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • Democracy and participation of the people • Transparency and accountability • Non-discrimination • Protection of the marginalized
vii	Efficiency, effectiveness and economic use of resources	<ul style="list-style-type: none"> • Efficient, effective and economic use of resources 	<ul style="list-style-type: none"> • Sustainable development • Good governance • Integrity

1.9 Objectives and Focus of the Report

The report provides the status of compliance of the public service with:

- i). National Values and Principles of Governance in Article 10 of the Constitution of Kenya; and
- ii). Values and Principles of the Public Service in Article 232 of the Constitution of Kenya.

It focuses on how public institutions have implemented and mainstreamed the values and principles of Article 10 and 232. It further outlines the measures adopted by the public service to transform itself to a fit for purpose vehicle which is value driven; skilled, effective, responsive and adaptive to the needs of the citizens.

The report provides information on the measures taken to promote the values and principles, and the extent to which public institutions implemented the values, and the progress realized. It also identifies gaps and makes recommendations on ways of improving the promotion of values and principles.

1.10 Survey Approach and Methodology

The survey was carried out in conformation with survey protocols. It entailed a systematic methodology for data collection through questionnaires, collation of evidence, processing, analysis and interpretation. Public institutions submitted data on an online survey tool. The data received was cleaned and analysed to arrive at the findings and recommendations that form the substance of the report. The process was consultative and participatory, enlisting key contact persons in MDAs. This approach was necessary in order to enhance ownership of findings, reflections and improvement on mainstreaming of values and principles in public institutions..

1.11 Response Rate

The survey targeted 305 institutions. A total of 291 institutions responded to the survey, representing a 95% response rate, while 14 did not. A summary of the respondents is presented in Table 1-3.

Table 1-3: Response Rate by Service Sector

S/No.	Category of Institution	No. of Institutions Targeted	No. of Institutions that Responded	Response Rate
1.	Constitutional Commissions & Independent Offices	11	10	91%
2.	Ministries & State Departments	49	49	100%
3.	Public Universities	37	35	95%
4.	State Corporations & SAGAs	201	190	95%
5.	Statutory Commissions & Authorities	7	7	100%
Total		305	291	95%

The 14 institutions that did not respond to the survey nor provide any reason for non-participation, though values and principles of the public service apply to them, include:

1. Kenya National Qualifications Authority
2. Central Bank of Kenya
3. Kenya National Accreditation Services
4. National Gender & Equality Commission
5. Tourism Regulatory Authority
6. Special Economic Zones Authority
7. South Nyanza Sugar Company
8. Public Health officers and Technicians Council
9. Kenya Film Classification Board
10. Financial Reporting Centre
11. Kenya Industrial Estates Limited
12. Public Sector Accounting Standards Board
13. Jomo Kenyatta University of Agriculture & Technology
14. Kenyatta University

Recommendation

Authorised officers to explain for their non-compliance to participate in the evaluation.

1.12 Structure of the Report

This report consists of five chapters. Chapter one which is on introduction provides general information on values and principles, and defines roles and responsibilities. Chapter two provides details on measures taken by the Commission and public organizations in promoting the values. Chapter three provides an overview of the overall compliance index and trend analysis of compliance index by sector, while Chapter four provides details of findings of the evaluation per thematic area. Chapter five presents the conclusion and recommendations on ways and interventions required to improve compliance with values and principles in the public service.



2

PROMOTION OF
NATIONAL AND
PUBLIC SERVICE
VALUES AND
PRINCIPLES IN THE
PUBLIC SERVICE

PROMOTION OF NATIONAL AND PUBLIC SERVICE VALUES AND PRINCIPLES IN THE PUBLIC SERVICE

2.1 Introduction

Values and principles are promoted in the public service through various avenues including putting in place measures to ensure public servants are skilled, efficient and effective in their service delivery, and having in place responsive and adaptive employment systems. Promotion of values, particularly those which improve inclusion, equity and equality, fairness and respect for citizens, contribute to peace and security and enhances national cohesion and integration. Development thrives when there is peace and security. This Chapter describes the measures taken by the Commission and the public institutions under its jurisdiction to promote the values and principles.

2.2 Obligation to Promote Values and Principles in the Public Service

Promotion of values and principles of governance in Articles 10 and 232 is one of the responsibilities given to the Public Service Commission under Article 234(2) (c) of the Constitution. The implementation of this provision is effected through the public service values and principles Act, 2015, which defines the standards to be observed by the Commission and other public institutions. The Act also provides strategies for promoting efficient and effective service delivery by public institutions. The Commission discharges this responsibility directly or indirectly by issuance of guidelines, delegation of functions where necessary, continuous training on ethics and

integrity and monitoring and evaluation of the implementation of values and principles. The main players in the promotion of values and principles therefore, include Public Service Commission, Constitutional Commissions and Independent Offices, authorized officers of public institutions, and all public officers. It is therefore incumbent upon public institutions to put in place deliberate measures to promote and mainstream the values in their administrative procedures and processes.

2.2.1 The Role of the Public Service Commission in the Promotion of Values and Principles

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 which assigns the following responsibilities regarding promotion of values:

- (a) integrating the values and principles in the regulations, procedures, policies and instruments for delivery of the Commission's powers and functions;
- (b) informing and educating public officers and the public about the values and principles for them to practise;
- (c) formulating and implementing 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) overseeing the implementation and effectiveness of the programmes;
 - (e) assessing and reporting on the public bodies' compliance with their obligations under international treaties and conventions on good governance, integrity and anti-corruption;
 - (f) collaborating 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 the public service;
 - (g) reporting or recommending to the President and Parliament on action taken or effective measures for promotion of the values and principles; and
 - (h) performing such other functions as the Commission may consider necessary for the promotion and protection of the values and principles.
- a) integrating the values and principles in the regulations, procedures, policies and instruments for delivery of the functions;
 - b) training, informing and educating public officers and the public about the values and principles;
 - c) adoption of corruption prevention measures;
 - d) mainstreaming values in the codes of conduct which prescribe clear and appropriate standards of conduct and sanctions for breaching them;
 - e) training of public servants on ethical standards; and
 - f) embedding values in conditions of service and adopting human resource practices which link values to the entry and advancement, and merit-based recruitment and promotion.

2.2.3 Role of Authorized Officers

The 'Authorized Officer' in the public service is the officer to whom the Public Service Commission has delegated responsibility for the discharge of some of its functions. They play an executive role in the management of the public institution.

The responsibilities of the Authorized officers in the promotion, evaluation and reporting on the implementation of values and principles in their institutions include:

- a) dissemination and implementation of the values and principles policy framework;
- b) identification of value carriers and value drivers in the organization; mainstreaming of the performance standards and performance indicators on values and principles into the organizational business processes;
- c) to mainstream the values into the client service delivery charter, the strategic plan, the performance management system including performance appraisal, the Public Officer Code of Conduct and Ethics into the organizational business processes; and
- d) report to the Commission on a quarterly and annual basis on the implementation of the

The Commission's scope of responsibility in the function of promotion, evaluation and reporting on values and principles in Articles 10 and 232 covers the public officers in all public service sectors including, a) Ministries and State Departments; b) State Corporations and Semi -Autonomous Government Agencies (SAGAs);c) Constitutional Commissions and Independent Offices namely: Gender and Equality Commission; Commission on Administrative Justice; Kenya National Commission on Human Rights; National Lands Commission; Independent Electoral and Boundaries Commission; Commission on Revenue Allocation; Ethics and Anti-Corruption Commission, Salaries and Remuneration Commission, the Office of the Auditor General and the Office of the Controller of Budget.

2.2.2 Role of Public Organizations in Promotion of Values and Principles

Although promotion of values is an express function of the Commission, public institutions are obligated to observe the provisions in Articles 10 and 232 in the discharge of their mandates. This requires the institutions to put in place measures which will facilitate observance. In essence, public institutions are obliged to promote the values. They do so through:

values and principles including measures and activities on promotion of values and compliance evaluation.

2.2.4 Role of Public Servants in Promotion of Values and Principles

Public servants are servants of the people, servants of the law and servants of the government of the day. Being a public servant is a position held in trust for the people of Kenya, therefore, public servants have a responsibility to always act in the best public interest of the country. Article 10(1) of the Constitution requires public officers to observe the values and principles of governance when applying or interpreting the Constitution; when enacting, applying or interpreting any law; or making or implementing public policy decisions. Public servants are always under scrutiny by the public, and must always:

- (a) act in a manner that upholds public service values whether acting in an official or private capacity;
- (b) provide politically neutral services and always act impartially without fear of political interference;
- (c) respect and abide by the Public Officer Code of Conduct and Ethics;
- (d) be guided by the citizen service delivery charter;
- (e) deliver on all the organizational, departmental and individual performance targets;
- (f) maintain high standards of decorum, civility and courtesy in the discharge of public duty;
- (g) act in a manner that does not bring self, organization and government into disrepute; and
- (h) report any violation of values and principles wherever and whenever detected.

2.3 Promotion Initiatives by the Commission

Values and principles are interrelated and interconnected. Therefore, one measure or

activity implemented would apply to several values and principles just as they cut across several thematic areas. The measures that are taken and activities implemented by the Commission to promote values and principles include establishment and abolition of offices; appointment of officers; enforcement of compliance with the Public Officer Ethics Act, 2003; administration of service delivery excellence awards; leveraging Information Communication and Technology; partnering with the Ministry of Education to promote values and principles; and collaborating with other institutions in the fight against corruption.

2.3.1 Establishment and Abolition of Offices

The Commission reviewed organizational structures and staff establishments to align the same to the mandates of the Ministries, Departments and Authorities (MDAs). The exercise aimed at removing overlaps and duplications thus improving on efficiency, to ensure organizations have staff establishments that will enable them to deliver on their mandates. The Commission undertook functional analysis and reviewed organizational structures for 14 MDAs based on allocated functions in the Executive Orders and workload analysis. The Commission further reviewed staff establishment for 13 MDAs and established 5,402 posts.

2.3.2 Appointments

Efficient and effective service delivery requires that public organizations are adequately staffed. In 2019/2020 financial year, the Commission made 9,806 appointments out of which 7,938 were new appointments done through competitive recruitment processes and 1,868 were promotions. Of the 7,938 appointments made 4,444 (60%) were male and 3,494 (40%) were female. Of the 1,868 promotions, 1,174 were male (63%) while 694 (37%) were female. The persons appointed were from diverse communities of Kenya thus promoting inclusivity in the public service.

2.3.3 Enforcing Compliance with the Public Officer Ethics Act, 2003

The Public Officer Ethics Act, 2003 designates the Public Service Commission to be the 'responsible commission' in relation to public officers. The Act prescribes a general code of conduct and ethics for the public service. It also requires public officers to make declarations on income, assets and liabilities within 30 days of being appointed to the service, thereafter every two years and finally 30 days after exiting the service. The declaration of income, assets and liabilities is a tool for the management of conflict of interest and for promoting accountability and transparency in the management of public affairs.

The Public Service Commission coordinated the administration of financial disclosures for the period 2017-2019 for all public officers. In readiness for the declaration exercise, the Commission trained 639 heads of human resource management and technical officers in ethics, on governance and declaration of income, assets and liabilities. The trainees were

drawn from Commissions and Independent Offices, Ministries/State Departments, State Corporations and Public Universities and Colleges.

2.3.4 Public Service Efficiency and Effectiveness

One of the functions of the Commission is to ensure that the public service is efficient and effective. To reinforce effectiveness and efficiency, the Commission established the Public Service Excellence Awards (PSEA) Scheme. The objective of the Scheme is to improve public service delivery by rewarding public officers who demonstrate sustained achievement over and above the expectations of their job description and whose actions have a tangible impact on the lives of citizens. The Commission recognized and rewarded 15 public servants for exemplary performance on 6th December 2019. The awards were in three categories namely: Citizen-Focused Service Delivery, Public Service Values and Ethics and Innovation for Efficiency and Productivity.



Mr. Hezron Momanyi receiving overall winner award in the values and ethics category from the head of public service Dr. Joseph Kinyua

2.3.5 Leveraging Information Communication and Technology

The Commission has always received job applications online. However, the year 2020 provided an unprecedented opportunity for the Commission to go a notch higher in terms of leveraging technology to deliver services. Following the reporting of the first Covid-19 case in the country in March 2020, the Commission was assigned an urgent responsibility of recruiting medical personnel to be deployed to various medical facilities following the spread of Covid-19 infections. The assignment came at a time when the country was on partial lockdown and prospective candidates who were spread all over the country could not travel to Nairobi for interviews, as has been the practice. The Commission, therefore, needed to be innovative to ensure that it enables the country to have healthcare personnel in good time without compromising the regulations¹ issued by the Ministry of Health.

To surmount the challenge, the Commission opted to shortlist applicants and conduct interviews online. As a result, the Commission processed 512,183 applications which were received online in record time, and conducted 3,462 interviews online. The adoption of online interviews did not only save the candidates time and travel costs, it enabled the Commission to recruit critical healthcare staff promptly. This enabled the country to be well prepared to fight the Covid-19 pandemic. The Commission also virtually interviewed 1,080 TVET tutors during the same period.

2.3.6 Collaboration with MDAs in Promotion of Values and Principles

i) Partnering with the Ministry of Education to Promote Values and Principles

Character is formed in the early years as children grow. Therefore, it is essential to impart values in them while they are still young. The Commission recognizes the importance of having values inculcated early in life. For this reason, the Commission partnered with the

¹Public Health (Covid-19 Restriction of movement of persons and related measures) Rules, 2020.

Ministry of Education and developed thematic areas on the promotion of Values & Principles that were used during the annual 2020 Kenya Music, and the Drama and Film, festivals. It also donated trophies for the winning teams on thematic areas of values and principles during the 93rd edition of the National Music Festival held at Kabarak University in August 2019.

ii) Collaboration in the Fight against Corruption

The fight against corruption requires collaboration by various agencies. In this regard, the government established the Multi-Agency Team (MAT) with membership drawn from the Office of the President, Ethics and Anti-Corruption Commission, Office of the Director of Public Prosecutions, Directorate of Criminal Investigations, National Intelligence Service, Financial Reporting Centre, Asset Recovery Agency and Kenya Revenue Authority.

Although the Commission is not part of MAT it works closely with the investigating agencies as the custodian of wealth declaration forms of public officers under its jurisdiction. The declaration form is a crucial document when a public officer is under investigation on suspicion of having acquired unexplained wealth. The law allows investigative agencies to access the declarations held by the Commission. As a result, there were 60 requests made to the Commission as follows: the Ethics and Anti-Corruption Commission, 21 requests; Directorate of Criminal Investigations, 10 requests; Kenya Revenue Authority 23 requests; and Asset Recovery Agency six requests. The collaboration with the investigative agencies contributes to good governance, transparency and accountability.

2.4. Promotion of Values by Public Organizations

2.4.1 Strategies for promotion of Values and Principles

The Public Service Commission Framework for Implementation of Values and Principles, 2015 outlines various strategies public organizations may adopt for promotion of values. These

strategies include: Mainstreaming values and principles in the public service entry requirements; awareness creation through induction and in-service training programmes; mainstreaming of values in the terms and conditions of service; use of media campaigns, advertisement and publications; use of posters, brochures and flyers; sports, performing arts, drama and music festivals and public service honours and awards among others.

a. Mainstreaming values and principles in the public service entry requirements

Promotion of values should commence at the entry level into the public service. The criteria for recruitment should entail an assessment of whether the candidate is aware of the values and principles governing the conduct of officers in the public service. Testing the awareness on the values and principles from the onset as candidates enter service helps create the consciousness on the officers that there are standards of conduct to keep an eye on in the public service. Interview questions need to be formulated around the values and principles. The survey sought to establish the number of institutions that had mainstreamed questions on integrity, values and principles in the interview tool.

A total of 248 (85.2%) institutions developed interview tools to guide the recruitment process while 43 institutions (14.8%) did not. Out of the 248 institutions with interviewing tools, only 57 (23%) mainstreamed questions on values and principles in the tool. The remaining 191 (77%) did not. Of the 57 institutions that mainstreamed values and principles, 39 were from State Corporations and SAGAs. The low numbers of the institutions which mainstreamed the values and principles in the interview tool mean many officers joined the service without being aware of the standards of conduct expected of them.

b. Induction programmes

Officers joining service should have clarity on why the values and how to observe them. It is therefore a requirement that the induction programme should include a thorough sensitization on the values and principles.

Institutions were asked whether they held induction programmes for newly recruited public officers and whether the induction covered topics on the code of conduct and ethics and values and principles. It was established that 147 (50.5%) held induction programmes for new officers. However, some induction programmes did not have content on either the code of conduct or values and principles. Induction programmes of 138 institutions (93.9%) covered topics on the code of conduct and ethics, while those of 9 institutions (6.1%) did not. On training on values and principles, 129 institutions (87.8%) had programmes which broadly covered topics on values and principles.

2.4.2 Civic Education and Awareness

The Commission sought to establish measures adopted by institutions to educate the citizens and create awareness. There is need to create awareness both to the public officers who are the service providers and the citizens in general who are the service recipients. When awareness is created the public officers will understand better what is expected of them and the citizens will know their entitlements and therefore be able to monitor effectively and provide feedback.

Figure 2-1 summarizes the various measures undertaken by institutions to promote constitutional values and principles. It was established that 284 institutions (98%) had implemented at least one measure to promote constitutional values and principles. Training of staff on values and principles, which accounted for 76%, was the preferred mode of creating awareness on values and principles to staff. This was followed by the provision of IEC materials on values and principles (47%); outreach programmes accounted for 39%, media campaigns and advertisements tied at 29%, sports accounted for 23% and use of performing arts at 12%. The low scores can be attributed to the fact that these measures require a substantial amount of resources to be actualized, albeit Covid-19 pandemic.

Other initiatives cited by institutions included: use of website; social media (Facebook,

LinkedIn, Twitter, Instagram); recognition of value drivers and value carriers; measurement of attributes during staff appraisal; career week activities for college students; posters on values and principles pinned at the reception and boardrooms; encouraging staff to use messages on values and principles as screen savers; team building activities; printing messages on pay slips; and participation in shows, exhibitions and cultural weeks, among others.

Seven institutions did not undertake any activities to promote constitutional values and principles. These institutions are, National Council for Children's Services; Non-Governmental Organizations Co-ordination Board; Kenya Space Agency; Kenya Prisons Service; Kenya National Library Service; and Chemelil Sugar Company Limited.

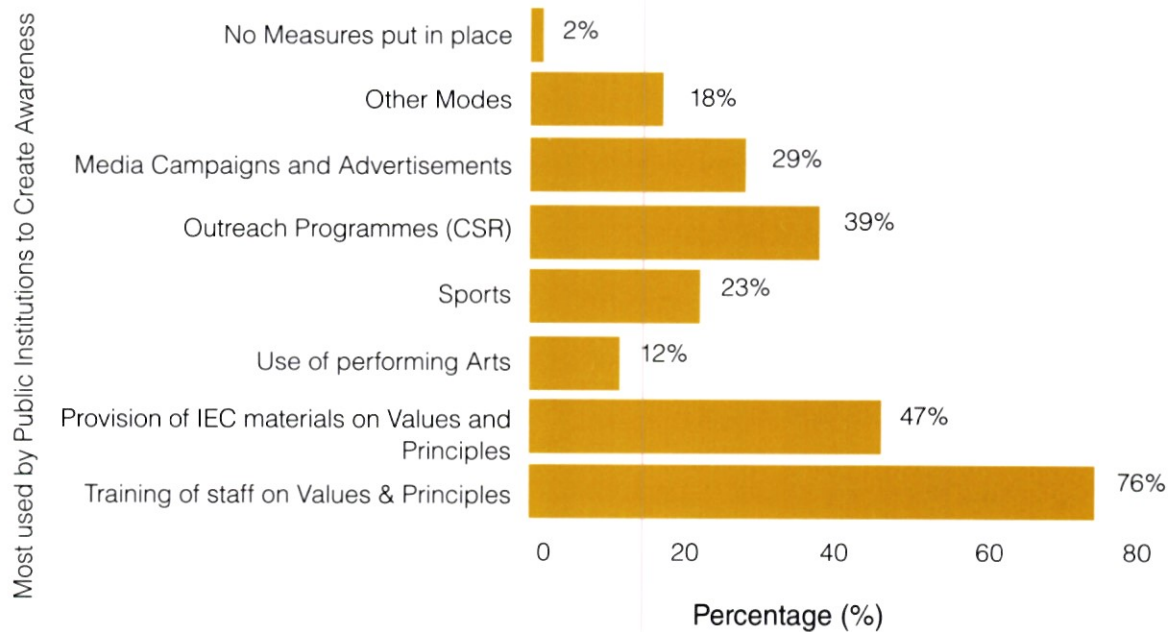


Figure 2-1: Promotion of Constitutional Values and Principles, Financial Year 2019/2020

2.4.3 Talent Management

Talent management is fundamental in building a public service that will effectively implement the constitutional values and principles of governance. Talent management programmes being implemented by public organizations include the Presidential Digital Talent Programme and Young Professionals Programme which cumulatively enrolled 425 interns. Through these programmes, the government built capacity for those participating in their respective areas and ensured there was a pool of talented young professionals..

2.4.4 Building a Skilled Public Service

To keep pace with the changing needs of the public service, there is a need for continuous renewal of the public service through identifying skills gaps, recruitment to bring in new talent and training existing officers. To this end, the public service appointed new officers and trained those already in the service. The aim was to have a workforce that could meet the felt needs of Kenyans.

(a) Appointment

Cumulatively 10,793 officers were appointed; of whom 6,753 were men (63%) and 4,040 were women (37%) while 99 were PWDs (0.9%).

(b) Training and Development

Additionally, 17,687 officers were trained. Of these 7,129 (49%) were male, 10,558 (60%) were female while 173 (1%) were PWDs. Other means such as secondment were also used for capacity building and skills transfer.

2.4.5 Innovation

There was a lot of effort by institutions to come up with innovations in various sectors including Food Security, Governance, Commerce and Financial Processes, Health Care, Education, Environmental Conservation, Manufacturing, Security and Safety and Housing. A total of 179 institutions submitted 643 initiatives to be considered as innovations. Further analysis of the innovations revealed that 86 (13%) out of the 643, were considered to be a response to an identified need and thus contributing to improved service delivery.

2.4.6 Programmes to Cushion Vulnerable Groups

Public institutions implemented various programmes intended to cushion vulnerable groups from economic hardships. The programmes included capacity building programmes, cash transfers and reserved procurement. A total of 185,279 women and youth entrepreneurs benefited from capacity building, 1,094,873 benefited from cash transfers while women, youth and PWDs benefited from reserved procurement to the tune of over Ksh. 42 billion.

2.4.7 Recognition of Excellence in Service Delivery

The Commission sought to establish whether the institutions had criteria for identifying and recognizing officers who had excelled in service delivery. The institutions were required to provide the criteria and state if they recognized and awarded outstanding officers. It was established that 141 (48%) developed criteria for identifying and recognizing exemplary officers. Of these, 34% reported having recognized and awarded their staff based on the criteria.

2.5 Deterrent Measures to Promote Constitutional Values

Deterrent measures are used in the public service to promote compliance to values and principle of governance. Some of the deterrent measures applied included prosecution; assets recovery and disciplinary action.

2.5.1 Criminal Prosecution of Public Officers

A total of 132 officers were prosecuted for various criminal offences under the Penal Code and the Anti-Corruption and Economic Crimes Act, 2003. Eight cases were concluded and the officers convicted.

2.5.2 Recovery of Unexplained Assets from Public Officers

A public office is an office held in trust for the people of Kenya. However, some officers abused the trust bestowed in a public office and unlawfully enriched themselves using public funds. To deter such behaviour, the Government continued to implement the Anti-Corruption and Economic Crimes Act, 2003 and the Proceeds of Crime and Anti-Money Laundering Act, 2009.

These legislations aim to make it painful for officers who acquire wealth illegally. Either they explain how they acquired their wealth or they lose it. The courts are critical in the realization of the objectives of the two laws. During the year, the courts ordered the forfeiture of property which the owners were unable to explain how they acquired.

2.5.3 Disciplinary Measures

The objective of disciplinary control in public service is to create a motivated and dedicated Public Service which upholds the rules of conduct and work ethics for optimal service delivery. Enforcement of desired behaviour is essential to avoid contaminating the culture and a domino effect where one dysfunctional employee derails a work group or department or, worse, prompts the departure of high-performance employees.

The standards of conduct for public officers are contained in the Constitution, various laws and the code of conduct and ethics. It was established that 7,151 officers breached these standards and were disciplined for various offences and various punishments meted. The leading cause for indiscipline was absence

from duty without permission at 2,524 (35%) cases followed by negligence of duty at 2,152 (30%) cases. The affected officers are aware they have adverse records in their files which may lead to termination of service unless they change their behaviour.



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3

STATUS OF
PERFORMANCE
AND
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STATUS OF PERFORMANCE AND COMPLIANCE

3.1 Introduction

This Chapter presents the compliance indices for all the public institutions as well as their category, performance indices in each thematic area, the scoring criteria for the indicators in each thematic area and level of achievement of the institutions.

The performance index (rating) in this evaluation is a measure of the extent to which an institution has complied with a thematic area. It was measured by determining the mean of the indicator score(s) of each thematic area. The performance index scores ranged from 0% to 100%. The compliance index (rating) in this evaluation is a measure of the extent to which an institution complied in the seven thematic areas. It was measured by determining the mean of 55 indicators across the seven thematic areas. The compliance index scores 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, classified into high achievers, medium achievers and low achievers 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.

The term proportion, as used in the report, refers to the number of institutions divided by the total number of institutions under the category of institutions that attained a certain level of achievement. 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.

3.2 Overall Compliance index

A summary of the overall compliance index per category of institutions is presented in Table 3-1. The overall compliance index for the institutions in the seven thematic areas evaluated was 42.3%. Despite the challenges in the second part of the year, the index was maintained at 42%. This was a moderate performance.

The best performing category was public universities. This may be attributed to the high scores that they registered in the thematic areas of service delivery improvement and transformation and high standards of professional ethics in the public service. The least performing category was Ministries and State Departments. This may be attributed to the low scores that they registered in the seven thematic areas.

Table 3-1: Overall Compliance Index of Public Institutions per Category

Category	Total No. of Institutions	High Achievers		Medium Achievers		Low Achievers		2019/20 FY	2018/19 FY	Variance
		No. of Institutions	Mean Scores (%)	No. of Institutions	Mean Scores (%)	No. of Institutions	Mean Scores (%)	Performance Index (%)	Performance Index (%)	
Constitutional Commissions & Independent Offices	10	2	60.8	6	39.3	2	24.3	40.6	43.6	-3.0
Ministries & State Departments	49	2	72.9	28	38.3	19	18.5	32.1	32.5	-0.4
Public Universities	35	9	62.4	24	42.5	2	17.0	46.2	42.6	3.6
State Corporations & SAGAs	190	39	64.7	129	42.3	22	20.8	44.4	44.3	0.1
Statutory Commissions & Authorities	7	1	63.6	4	44.9	2	23.9	41.6	49.6	-8.0
Total	291	53	64.5	191	41.7	47	20.0	42.3	42.4	-0.1

3.2.1 Comparison of Overall Compliance Index

Figure 3-1 and Appendix I present a comparative analysis of the compliance index for Financial Years 2018/19 and 2019/20 by category of

institutions. The overall performance of the institutions remained the same. However, there was a noticeable improvement in performance by Public Universities and State Corporations and SAGAs.

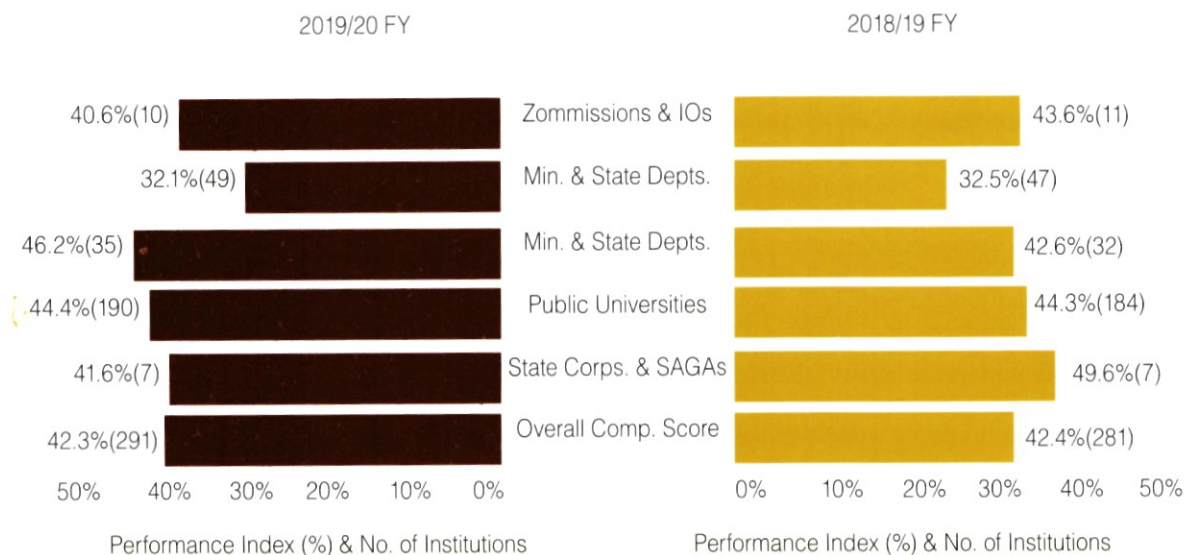


Figure 3-1: Comparison of Compliance index per category of 2018/19 and 2019/20 FYs

The top ten institutions in the compliance index were:

1. Kenya Reinsurance Corporation Limited
2. State Department for Interior and Citizen Services
3. Kenya Plant Health Inspectorate Service
4. National Environment Management Authority
5. Konza Technopolis Development Authority
6. Kibabii University
7. Engineers Board of Kenya
8. Competition Authority of Kenya
9. Kenya Forestry Research Institute
10. National Council for Population and Development

3.3 Performance index by thematic area

This section discusses the performance indicators and scoring criteria used, and mean scores attained in each thematic area.

3.3.1 Service delivery improvement and transformation

A summary of the mean scores for each performance indicator for service delivery improvement and transformation and the performance index on the thematic area by service sector is presented in Tables 3-2 and 3-3.

Table 3-2: Performance Indicators and Mean Score for Service Delivery Improvement and Transformation

Performance Indicator	Indicator scoring criteria	Mean Score (%)
Availability of publicly displayed a summarized service charter	Yes=100%, No=0%	92
Availability of summarized service charter translated in Kiswahili	Yes=100%, No=0%	79
Existence of a publicly displayed service charter in Kiswahili	Yes=100%, No=0%	95
Staff sensitized on the organization's client service charter	Yes=100%, No=0%	51
Awareness creation to external clients on provisions of the organization's service charter	Yes=100%, No=0%	49
Analysis of social media engagement undertaken by organizations	Yes=100%, No=0%	48
Analysis of feedback received from clients to improve service delivery	Yes=100%, No=0%	73
Existence of a documented procedure to address complaints from clients	Yes=100%, No=0%	77
Awareness creation to clients on complaints filing procedure by organizations	Yes=100%, No=0%	43
Existence of criteria for identifying and recognizing officers who have excelled in service delivery	Yes=100%, No=0%	48

Findings

a) Publicly displayed service charter in Kiswahili had the highest score implying that the majority of institutions had publicly displayed the Kiswahili version of the service charter.

b) Creation of awareness to clients on complaints filing procedure recorded the lowest score implying that few organizations had made their clients aware of their complaints filing procedures.

Table 3-3: Performance Scores on Service Delivery Improvement and Transformation

Category of institutions	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 Commissions & Independent Offices	10	1	100.0	6	54.8	
Ministries & State Departments	49	2	100.0	22	58.4	25	17.4	39.2
Public Universities	35	10	100.0	24	66.5	1	22.2	74.8
State Corporations & SAGAs	190	31	100.0	137	68.9	22	23.6	68.7
Statutory Commissions & Authorities	7			4	67.2	3	23.1	48.3
Total	291	44	100.0	193	66.9	54	21.0	63.4

Finding

Public Universities had the highest performance index because the proportion of universities that were rated as high achievers was high compared to those that were rated as medium and low achievers. On the other hand, Ministries and State Departments had the lowest performance index because the proportion of institutions in this sector that were rated as low achievers was high compared

to those that were rated as high and medium achievers respectively.

3.3.2 Good Governance, Transparency and Accountability

A summary of the mean score for each performance indicator and performance index by service sector for Good Governance, Transparency and Accountability is presented in Tables 3-4 and 3-5.

Table 3-4: Performance indicators and mean score for Good Governance, Transparency and Accountability

Performance Indicator	Indicator coring criteria	Mean Scores (%)
Existence of a functional Corruption Prevention Committee	Yes=100%, No=0%)	36.4
The proportion of initial declarations submitted to new recruitments (%)	Progressive assignment of values 0-100%	13.9
The proportion of final declaration submitted for officers exiting service except for death (%)	Progressive assignment of values 0-100%	9.8
Existence of scoring criteria for use during the recruitment and promotional interviews	Yes=100%, No=0%)	84.5
Values and principles mainstreamed in the scoring criteria for use during recruitment and promotional interviews	Yes=100%, No=0%)	23.3
Existence of a communication strategy	Yes=100%, No=0%)	44.7
Existence of guidelines to facilitate the organization's visibility.	Yes=100%, No=0%)	40.2
Existence of guidelines on media engagement	Yes=100%, No=0%)	40.5

Performance Indicator	Indicator coring criteria	Mean Scores (%)
Availability of guidelines on access to information in line with Section 8(2) of the Public Service Values & Principles Act, 2015 as recommended in the 2018/2019 Evaluation report.	Yes=100%, No=0%)	26.5
Values and Principles mainstreamed in the induction programmes for the newly recruited officers.	Yes=100%, No=0%)	64.8

Findings

a) Although few institutions included values and principles in the scoring criteria majority mainstreamed values and principles during the induction of newly recruited officers.

b) Majority of public institutions did not strictly implement the requirements of POEA, 2003 as regards initial and final declaration

Table 3-5: Performance scores on Good Governance, Transparency and Accountability

Category	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 Commissions & Independent Offices	10	3	69.9	6	39.5	1	10.0	45.7
Ministries & State Departments	49			24	37.6	25	7.6	22.3
Public Universities	35	8	70.5	22	36.8	5	8.4	40.5
State Corporations & SAGAs	190	40	73.0	120	38.4	30	7.1	40.8
Statutory Commissions & Authorities	7	4	71.6	2	41.4	1	14.3	54.8
Total	291	55	72.4	174	38.2	62	7.6	38.1

Finding

Statutory Commissions and Authorities had the highest performance index because the proportion of institutions in this sector that were rated as high achievers was high compared to those that were rated as medium and low achievers. Ministries and State Departments had the lowest performance index because the proportion of institutions that were rated as low achievers was high compared to those that were rated as high and medium achievers.

3.3.3 High Standards of Professional Ethics in the Public Service

A summary of the mean score for each performance indicator and performance index by service sector for ensuring high standards of Professional Ethics in the Public Service are presented in Tables 3-6 and 3-7.

Table 3-6: Performance indicators and Mean Score for High Standards of Professional Ethics in the Public Service

Performance Indicator	Indicator scoring criteria	Mean Score (%)
Officers sensitized on the revised Public Service Code of Conduct & Ethics, 2016	Yes=100%, No=0%	17.6
Existence of members of regulatory professional bodies in the organization	Yes=100%, No=0%	97.9
The proportion of professionals with practising license	Progressive assignment of values 0-100	57.7

Finding

Majority of public institutions did not sensitize their officers on the code of conduct.

Table 3-7: Performance Scores on High Standards of Professional Ethics in the Public Service

Category	Total No. of Institution	High Achievers		Medium Achievers		Low Achievers		Performance Index (%)
		No. of Institutions	Mean Score (%)	No. of Institutions	Mean Score (%)	No. of Institutions	Mean Score (%)	
		Constitutional Commissions & Independent Offices	10			9	57.6	
Ministries & State Departments	49	5	96.2	29	57.1	15	31.5	53.3
Public Universities	35	7	97.1	26	58.5	2	33.3	64.8
State Corporations & SAGAs	190	24	97.0	138	55.5	28	27.4	56.6
Statutory Commissions & Authorities	7	1	98.2	5	65.0	1	0.0	60.4
Total	291	37	97.0	207	56.4	47	28.6	57.1

Finding

Public Universities had the highest performance index because the proportion of universities that were rated as high achievers was more compared to those rated as medium and low achievers. Ministries and State Departments, on the other hand, had the lowest performance index because the proportion of institutions in this category rated as low achievers was more

compared to those that were rated as high and medium achievers respectively.

3.3.4 Public participation in the policy making process

A summary of the mean score for the performance indicator for Public Participation in Policy and performance index by service sector is presented in Tables 3-8 and 3-9.

Table 3-8: Performance Indicators and Mean Score for Public Participation in Policy Making Process

Performance Indicator	Indicator scoring criteria	Mean Score (%)
Existence of public participation guidelines in public institutions	Yes= 100%, No=0%	12.0

Majority of institutions surveyed did not have public participation guidelines.

Table 3-9: Performance Index on Public Participation in Policy Making Process

Category	Total No. of Institutions	High Achievers		Low Achievers		Performance Index (%)
		No. of Institutions	Mean Score (%)	No. of Institutions	Mean Score (%)	
Constitutional Commissions & Independent Offices	10			10	0.0	0.0
Ministries & State Departments	49	2		47	4.1	4.1
Public Universities	35	4	100.0	31	8.8	11.4
State Corporations & SAGAs	190	28	100.0	162	12.9	14.7
Statutory Commission & Authorities	7	1		6	14.3	14.3
Total	291	35	100.0	256	10.5	12.0

Finding

State Corporations and SAGAs had the highest performance index. The proportion of institutions in this category rated as high achievers was high compared to those that were rated as medium and low achievers. Constitutional Commissions and Independent Offices had the lowest performance index because the proportion of institutions that were rated as low achievers was more compared to those rated as high and medium achievers.

3.3.5 Efficiency, Effectiveness and Economic Use of Resources

A summary of the mean scores for each performance indicator for efficiency, effectiveness and economic use of resources and performance index on the thematic area by service sector is presented in Tables 3-10 and 3-11.

Table 3-10: Performance indicators and Mean Score for Efficiency, Effectiveness and Economic use of Resources

Performance Indicators	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%	71.8
Fixed Assets and Liabilities Registers prepared by public institutions and submitted to National Treasury	Yes=100%, No=0%	21.0

Finding

Although the majority of public institutions had updated assets and liabilities register, they did not submit the same to the National Treasury.

Table 3-11: Performance Scores on Efficiency, Effectiveness and Economic Use of Resources

Category	Total No. Institutions	High Achievers		Medium Achievers		Low Achievers		Performance Index (%)
		No. of Institution	Mean Score (%)	No. of Institution	Mean Score (%)	No. of Institution	Mean Score (%)	
		Constitutional Commissions & Independent Offices	10	8	100.0	1	50.0	
Ministries & State Departments	49	14	100.0	15	50.0	20	0.0	43.9
Public Universities	35	9	100.0	21	50.0	5	0.0	55.7
State Corporations & SAGAs	190	26	100.0	115	50.0	49	0.0	43.9
Statutory Commissions & Authorities	7	1	100.0	2	50.0	4	0.0	28.6
Total	291	58	100.0	154	50.0	79	0.0	46.4

Finding

Constitutional Commissions and Independent offices had the highest performance index because the proportion of institutions in this category that was rated as high achievers was high compared to those that were rated as medium and low achievers. Statutory Commissions and Authorities had the lowest performance index because the proportion of institutions in this category that were rated as

low achievers was more compared to those that were rated as high and medium achievers.

3.3.6 Performance Management

A summary of the mean score for each performance indicator for Performance Management and the performance index by service sector is presented in Tables 3-12 and 3-13.

Table 3-12: Performance Indicators and Mean Score for Performance Management

Performance Indicators	Indicator Scoring Criteria	Mean Score (%)
Existence of an approved, current operational strategic plan	Yes=100%, No=0%	83.5
Existence of organizational Annual Work-plans for 2019/2020 financial year	Yes=100%, No=0%	68.0
Overall Evaluation Scores (1/Composite Scores)*100 (%)	Progressive assignment of the inverse scores from 0 to 100	32.5
Availability of a signed performance contract during the 2019/2020 Financial Year	Yes=100%, No=0%	55.7
Performance appraisal of officers for the 2019/2020 financial year Reviewed by Performance Management Committee	Yes=100%, No=0%	17.2
Training Needs Analysis in public institutions undertaken in the last three financial years?	Yes=100%, No=0%	32.3
Training Impact Assessment undertaken in 2019/2020 financial year as recommended in the 2018/2019 Evaluation report.	Yes=100%, No=0%	2.7
Existence of a coaching and mentoring policy as recommended in the 2018/2019 Evaluation report	Yes=100%, No=0%	13.1

Performance Indicators	Indicator Scoring Criteria	Mean Score (%)
Skills inventory for officers established in the last two financial years	Yes=100%, No=0%	49.8
Existence of Human Resource Plans as recommended in the 2018/2019 evaluation report	Yes=100%, No=0%	12.0
Exit interviews conducted for officers exiting the organization as recommended in the 2018/2019 Evaluation report	Yes=100%, No=0%	51.2
Existence of analysed exit questionnaires for the officers exiting service in the 2019/2020 Financial Year	Yes=100%, No=0%	32.9

Findings

a) Majority of the public institutions had current strategic plans.

b) Majority of the public institutions did not undertake training impact assessment.

Table 3-13: Performance Scores on Performance Management

Category	Total No. of Institution	High Achievers		Medium Achievers		Low Achievers		2019/20FY Performance Index (%)
		No. of Institutions	Mean Score (%)	No. of Institutions	Mean Score (%)	No. of Institutions	Mean Score (%)	
		Constitutional Commissions & Independent Offices	10			5	36.9	
Ministries & State Departments	49	2	73.4	26	40.5	21	13.5	30.3
Public Universities	35	4	67.4	23	38.8	8	18.8	37.5
State Corporations & SAGAs	190	31	67.1	106	41.9	53	19.4	39.7
Statutory Commissions & Authorities	7	1	63.6	4	36.4	2	18.6	35.2
Total	291	38	67.4	164	40.9	89	18.0	37.4

Finding

State Corporations and SAGAs had the highest performance index because a higher proportion of institutions in this category were rated as high achievers compared to those that were rated as medium and low achievers. Constitutional Commissions and Independent Offices had the lowest performance index because a high proportion of institutions in this category were rated as low achievers compared to those that were rated as high and medium achievers.

3.3.7 Equitable Allocation of Opportunities and Resources

A summary of the mean score for each performance indicator for equitable allocation of opportunities and resources and performance index by service sector is presented in Tables 3-14 and 3-15.

Table 3-14: Performance Indicators, Scoring Criteria and Mean Score for Equitable Allocation of Opportunities and Resources

Performance Indicator	Indicator Scoring Criteria	Mean Score (%)
The proportion of each ethnic community to the total No. of ethnic Groups	Proportionate representation of each ethnic community to the total no. of ethnic communities in Kenya	35.4
Gender representation in the Organization	(33.3% and above of any gender =1, Less than 33.3% is assigned values progressively between 0 and less than 1	30.3
Representation of PWDs in the Organization	5% and above = 1 and less than 1 is assigned values between 0 and less than 1	1.4
Availability of Personal aides	Yes=100%, No=0%	26.1
Availability of Customized chairs	Yes=100%, No=0%	31.3
Availability of sign language interpreter	Yes=100%, No=0%	50.2
Availability of Braille	Yes=100%, No=0%	52.2
Existence of Flexible working hours	Yes=100%, No=0%	39.5
Availability of Assistive devices (i.e wheel chairs-customized software-hearing aids and crutches)	Yes=100%, No=0%	37.8
The proportion of PWDs Trained in the Institution (%)	% of PWDs trained against total PWDs in the organization	12.1
Use of Newspapers to advertise for job opportunities	Yes=100%, No=0%	91.4
Use of Website to advertise for job opportunities	Yes=100%, No=0%	95.2
Use of Social Media to advertise for job opportunities	Yes=100%, No=0%	44.3
Use of Local Administration to advertise for job opportunities	Yes=100%, No=0%	12.4
Use of Vernacular Radio Stations to advertise for job opportunities	Yes=100%, No=0%	3.8
Use of National radio Stations to advertise for job opportunities	Yes=100%, No=0%	3.3
Use of Television to advertise for job opportunities	Yes=100%, No=0%	3.8

Findings

- a) Radio was the least utilized mode of advertising despite its wide reach.
- b) Representation for PWDs in the public service remained low.

Table 3-15: Performance Scores on Equitable Allocation of Opportunities and Resources

Category	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 Commissions & Independent Offices	10	3	52.0	4	33.4	
Ministries & State Departments	49	10	62.9	25	27.8	14	11.2	30.2
Public Universities	35	9	53.7	22	32.7	4	12.6	35.8
State Corporations & SAGAs	190	28	57.4	134	32.4	28	12.7	33.1
Statutory Commissions & Authorities	7	1	63.2	5	29.9	1	17.4	32.8
Total	291	51	57.6	190	31.8	50	12.5	32.97

Finding

Public Universities had the highest performance index because the proportion of universities rated as high achievers was more compared to those that were rated as medium and low achievers. Ministries and State Departments had the lowest performance index because the proportion of institutions that were rated as low achievers was more compared to those rated as high and medium achievers.

3.4: Trend Analysis showing performance in each thematic area

A comparison of the performance index per thematic area in 2018/19 and 2019/20 is presented in table 3-16 and Figure 3-1.

Table 3-16: Comparison of the Performance Index per Thematic Area in 2018/19 and 2019/20

Thematic Area	Score In 2019/20 (A)	Score In 2018/19 (B)	Variance
(A-B)			
Service delivery improvement and transformation	63.4	52.3	11.1
Ensuring High Standards of Professional Ethics in the Public Service	57.1	60.3	-3.2
Good Governance, Transparency and Accountability	38.1	35.6	2.5
Performance Management	37.4	25.6	11.8
Equitable allocation of opportunities and resources	33	45.1	-12.1
Public participation in the policy making process	12	17.1	-5.1
Efficiency, effectiveness and economic use of resources	46.4	42.4	4.0

Findings

a) There was an improvement in the performance index for service delivery improvement and transformation. This may be attributed to institutions summarizing their charters, and translating them into Kiswahili and publicly displaying them.

b) There was a decline in the performance index for equitable allocation of opportunities and resources. This may be attributed to the low levels of appointments of PWDs in the public service and low levels of awards under Access to Government Procurement Opportunities (AGPO).

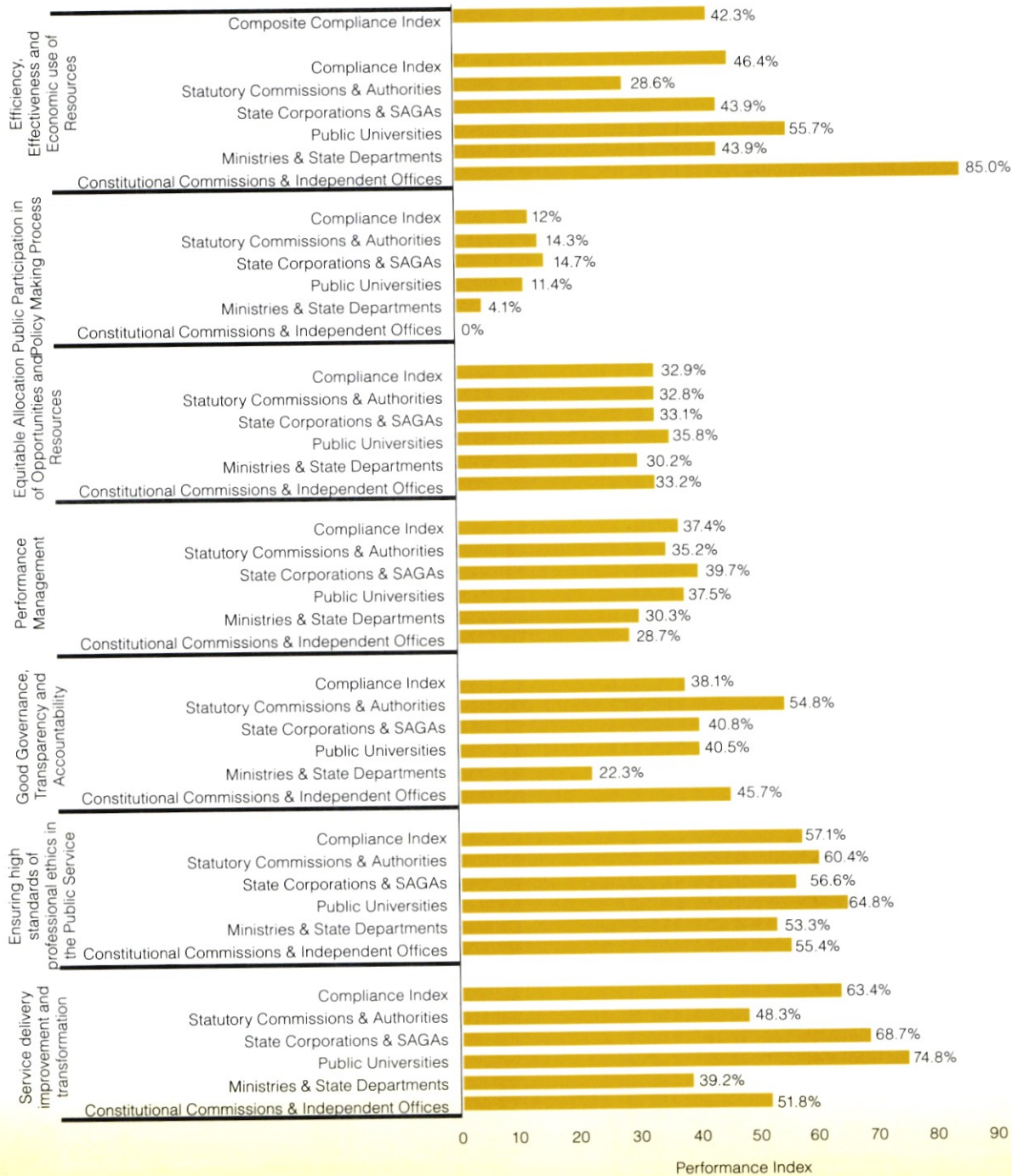


Figure 3-1: Performance Score by Thematic Area for 2019/2020



4

STATUS OF
COMPLIANCE
WITH THE
VALUES AND
PRINCIPLES



STATUS OF COMPLIANCE WITH THE VALUES AND PRINCIPLES

4.1 Introduction

The evaluation aimed at establishing the status of implementation of national and public service values and principles in Articles 10 and 232 of the Constitution. It targeted all public institutions under the jurisdiction of the Commission. The institutions were clustered into five categories namely: Constitutional Commissions and Independent Offices; Ministries and State Departments; State Corporations and Semi-Autonomous Government Agencies (SAGAs); Public Universities; and Statutory Commissions and Authorities.

The data sought included responses to the questions and corresponding reports, guidelines and other documents. The evaluation entailed a survey on the general status of human resource in the public service and the seven identified thematic areas. The findings of the survey are presented in this chapter.

4.2 Human Resource

The Constitution requires that public services be delivered efficiently and effectively. This

requires that fit for purpose structures are established and sufficient officers with the right skills and competencies appointed. It also requires that those appointed shall reflect the population it serves, that is, the public service shall be inclusive in terms of gender, ethnicity, Persons with Disabilities, minorities and marginalized groups.

4.2.1 Authorized Establishment

A summary of the staff establishment is presented in Table 4-1. The authorized establishment in 289 institutions surveyed was 336,074 authorized posts of which 215,860 were in-post representing 64% and 120,214 posts were vacant representing 36%. The vacant posts have been occasioned by the recruitment moratorium, re-organization and restructuring of government institutions and reviewing of the staff establishment. It was also established that nine institutions were over-established, nine were operating at optimal levels while 271 were under established as presented in Appendix II.

Table 4-1: Staff Establishment

Category	No. of Institutions	Authorized Establishment (A)	In- Post (B)	Variance (A-B)	% Variance ((A-B)/A*100)
Constitutional Commissions & Independent Offices	10	8,166	4,270	3,896	47.7
Ministries & State Departments	49	147,461	91,873	55,588	37.7
Public Universities	34	36,151	24,723	11,428	31.6
State Corporations & SAGAs	189	141,101	93,527	47,574	33.7
Statutory Commissions & Authorities	7	3,195	1,467	1,728	54.1
Total	289	336,074	215,860	120,214	35.8

*** NEA and Rongo University excluded due to lack of authorized staff establishment and inadequate data respectively.

Out of the nine over-established institutions, two were over established by over 50%. Of the 271 under established institutions, 103 were found

to be operating under 50% of the optimal level. The nine over-established institutions were:

S/No.	Institution	Over Established posts	Percentage of over establishment
1.	State Department for Vocational and Technical Training	893	20
2.	Moi University	815	216.8
3.	Kenya Civil Aviation Authority	45	6.2
4.	Kenya Medical Supplies Authority	555	161.8
5.	Kenya Post Office Savings Bank	37	6.1
6.	State Department for Tourism	12	6.5
7.	State Department for Wildlife	1	0.9
8.	Kenya Seed Company Limited	16	4.5
9.	Commission on Administrative Justice	6	7.9

*** NEA and Rongo University excluded due to lack of authorized staff establishment and inadequate data respectively.

Over-establishment may occur from time to time depending on the changes in the staffing needs of an institution. For example, the over-establishment in the State Department for Vocational and Technical Training was occasioned by the recruitment of additional staff for the newly established and existing TVET institutions during the year.

be over-established during the 2018/2019 evaluation cycle.

Recommendation

The structure of public institutions that are over-established be reviewed to align them to the authorized staff establishment.

Finding

Moi University, Kenya Civil Aviation Authority, Kenya Medical Supplies Authority and Kenya Post Office Savings Bank were also found to

4.2.2 Distribution of Officers in the Public Service

A summary of the distribution of officers in the public service by their terms of engagement is presented in Table 4-2.

Table 4-2: Distribution of Officers in the Public Service

Category	Number of Institutions	Total No. of Staff	No. of officers on P&P Terms of Service	Permanent without Pension	No. of officers on Contract Terms of Service	Contract beyond retirement age	No. of officers on Probation Terms of Service	No. of officers on Temporary Terms of Service	Number of Officers on Casual Terms	Total Number of Officers as per Terms of Service
Constitutional Commissions & Independent Offices	10	4,270	4,068	2	162	12	17	0	3	4261
Ministries & State Departments	49	91,873	87,332	78	3,111	450	2,362	1,450	2,468	94,783
Public Universities	34	24,723	18,346	1,631	4,165	209	140	502	2,579	24,993
State Corporations & SAGAs	189	93,527	76,229	2,291	12,672	117	676	6,102	6,368	98,087

Category	Number of Institutions	Total No. of Staff	No. of officers on P&P Terms of Service	Permanent without Pension	No. of officers on Contract Terms of Service	Contract beyond retirement age	No. of officers on Probation Terms of Service	No. of officers on Temporary Terms of Service	Number of Officers on Casual Terms	Total Number of Officers as per Terms of Service
Statutory Commissions & Authorities	7	1,467	1,340	0	42	1	96	0	9	1,479
Total	290	215,860	187,315	4,002	20,152	789	3,291	8,054	11427	223,603
			*(84%)	(2%)	(9%)	(0.3%)	(1.4%)	(3.5%)		

Findings

- a) The policy on employment on contract in the public service was institutionalized with a total of 20,152 officers serving on contract.
- b) The retirement age for public officers is 60 years except for officers with disabilities whose retirement age is 65 years. A total of 789 officers were serving beyond the retirement age.
- c) The officers serving on permanent without pension were mostly from the support staff cadre. Their retirement benefits are catered for under the National Social Security Fund.

4.2.3 Staff Secondment

A summary of the number of officers who served on secondment in various institutions and those who served on secondment beyond six years is presented in Figures 4-1 and Table 4-3 respectively.

A total of 1,265 officers were on secondment both in the public and private sector. Majority of the secondments were to State Corporations (49%), Constitutional Commissions and Independent Offices (16%) and County Governments (15%), while the majority were from Ministries and State Departments (60%), and State Corporations (16%).

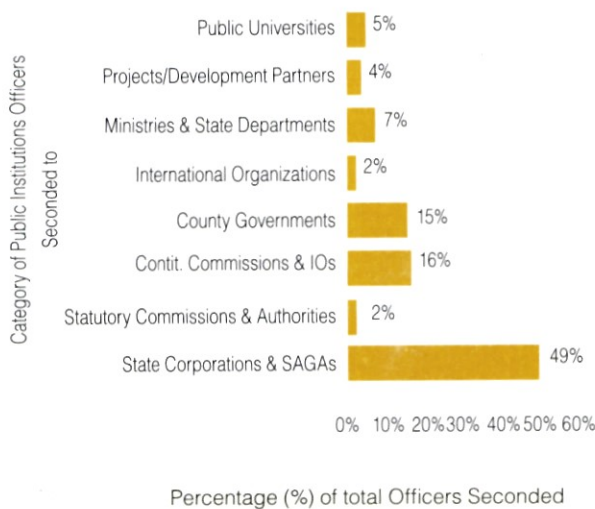


Figure 4-1(a): Pie chart of Category of Institutions Officers Seconded To

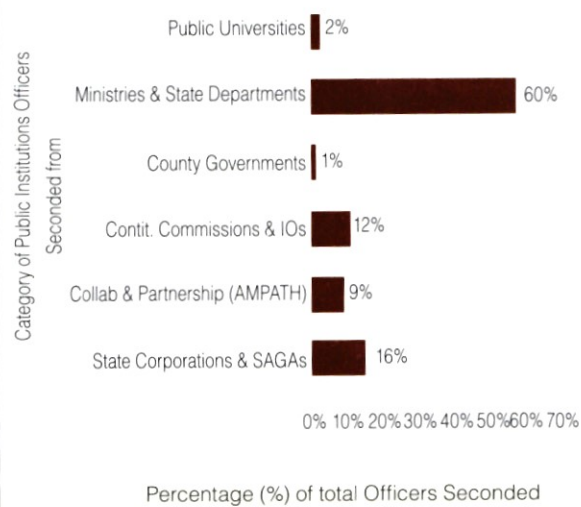


Figure 4-1(b): Pie chart of Category of Institutions Officers Seconded From

Table 4-3: Summary of Institutions with Officers on Secondment beyond 6 Years

Category of Institutions Seconded From	Category of Institutions Officers Seconded To								Total No. of Officers Seconded
	Constitutional Commissions & Independent Offices	County Governments	International Organizations	Ministries & State Departments	Projects/ Development Partners	Public Universities	State Corporations	Statutory Commissions & Authorities	
Constitutional Commissions & Independent Offices	17						1		18
County Governments								1	1
Ministries & State Departments	24	44	2		3	1	44	2	120
Public Universities					1	3	1		5
State Corporations & SAGAs		2	3	6	15		1		27
Totals	41	46	5	6	19	4	47	3	171
Percentage (%)	24%	27%	3%	4%	11%	2%	27%	2%	100%

Staff secondment is an instrument used by the government to share existing critical skills and competencies within the public service. It is also used as a method of re-skilling and re-tooling of staff. Staff secondment within the Public Service acts as a stop-gap measure as well as a means to build capacity for newly created Public Service organizations or officers at the initial stage of their set up.

Secondment opportunities allow officers to be exposed to fields and experiences that are new to the Service for purposes of transferring skills. Through secondment a pensionable employee is temporarily released from an organization within the public service to another organization which does not have reciprocal pension arrangements, to provide critical skills or acquire new skills while preserving the pension rights of the employee.

Finding

Section 37(4) of the Public Service Commission Regulations, provides that secondment shall be for a period not exceeding three years and may be renewed once for a further period not exceeding three years. However, the evaluation established that institutions did not comply fully with the provision.

The reasons that were given by the institutions for secondment beyond six years included:

- a) insecurity in the North Eastern Region which made it less attractive to serving officers;
- b) officers seconded to serve in public/private partnership units;
- c) expertise still required by the recipient organization;
- d) extension of projects where an officer is seconded to; and
- e) Under-staffing in the recipient organization.

Recommendations

- a) The approved six (6) year secondment period is sufficient for officers to acquire the requisite skills. Extension of secondment beyond six years is unlawful and does not accrue additional benefits to the donor institutions hence detrimental to service delivery. It is recommended therefore that the institutions which did not comply should urgently arrange to correct the anomaly and recall the officers.
- b) Secondment to international organizations gives a chance for Kenyans to rise in international public organizations. It also gives the country an effective representation

at the technical level in international organizations. It is therefore recommended that Section 42 of the PSC Act be amended to provide for secondment beyond 6 years in instances where officers are seconded to international organizations or public-private partnerships.

inculcate public service values and ethos in the young graduates from where the public service can recruit in the future.

4.2.4 Engagement of Interns in the Public Service

The public service developed and implemented various Internship programmes some of which were focused on specific sectors and cadres. Internship programmes aim at addressing youth unemployment by providing the youth with opportunities to gain workplace experience, thus enabling them to have a competitive edge in the job market. Internship further helps to

a) Public Service Commission Internship Programme (PSIP)

The Public Service Internship Programme (PSIP) was developed to consolidate the Internship initiatives in the service and inculcate qualities and values of patriotism, uprightness, integrity and honesty among others. Through this programme, the Commission increased the number of youths engaged as interns across the country.

A summary of interns engaged under the PSIP programme by gender, disability status and ethnicity is presented in Tables 4-4 and 4-5.

Table 4-4: Interns Engaged by Gender and Disability Status

Category of Institutions	No. of Institutions Interns Deployed	No. of Interns Engaged	Gender		Disability Status	
			Female	Male	Non-PWDs	PWDs
Constitutional Commissions & Independent Offices	5	75	36	39	75	
Ministries, State Departments & Other Entities	66	2,901	1,322	1,579	2,895	6
Public Universities	20	314	110	204	314	
State Corporations & SAGAs	127	1,937	850	1,087	1,925	12
Statutory Commissions & Authorities	2	31	11	20	31	
Total	220	5,258	2,329 (44%)	2,929 (56%)	5,240	18

Table 4- 5: Distribution of Interns by Ethnicity, Gender and Disability

Ethnic Group	No. of Interns Engaged	Gender		Disability Status	
		Female	Male	Non-PWDs	PWDs
Bajun	15	11	4	15	
Basuba	26	12	14	26	
Borana	39	12	27	39	
Burji	5	4	1	5	
Dasenach	1	1		1	
Dorobo	16	8	8	16	
Embu	52	27	25	51	1

Ethnic Group	No. of Interns Engaged		Gender		Disability Status	
Gabra	18	10	8	18		
Galla	1		1	1		
Kalenjin	880	393	487	877	3	
Kamba	464	217	247	463	1	
Kenyan Americans	1		1	1		
Kenyan Arab	6	4	2	6		
Kenyan Somali	125	39	86	124	1	
Kikuyu	1,073	533	540	1,069	4	
Kisii	355	158	197	352	3	
Konso	1		1	1		
Kuria	33	10	23	33		
Leysan	6		6	6		
Luhya	643	296	347	643		
Luo	581	231	350	579	2	
Makonde	1		1	1		
Masai	145	51	94	143	2	
Mbeere	35	17	18	35		
Meru	231	106	125	230	1	
Mijikenda	151	55	96	151		
Njemps	6	1	5	6		
Nubi	3	2	1	3		
Orma	4		4	4		
Other Kenyan	3	1	2	3		
Pokomo	25	13	12	25		
Rendille	18	3	15	18		
Sakuye	3		3	3		
Samburu	39	12	27	39		
Swahili-Shirazi	9	5	4	9		
Taita	71	33	38	71		
Taveta	6		6	6		
Teso	52	31	21	52		
Tharaka	36	18	18	36		
Turkana	79	15	64	79		
Total	5,258	2,329	2,929	5,240	18	



Head of Public Service, Dr Joseph Kinyua presents an appointment letter to one of the interns from the second cohort. Standing behind the intern is PSC Chairman Mr. Stephen Kirogo

b) Internship Programmes Undertaken by MDAs

Besides the PSIP programme, some MDAs run institutional specific Internship programmes. A summary of interns engaged by MDA,

gender, disability status, ethnicity and duration is presented in Tables 4-6 and 4-7. Further, a summary of stipends paid to the interns is presented in Table 4-8.

Table 4-6: Distribution of Interns engaged by MDAs by Gender, Disability and Duration

Category	No. of Institutions	Total No. of Interns Engaged	Gender		Disability Status		Period of Engagement		
			Female	Male	Non- PWD	PWDs	Below 6 months	6 Months- 1 Year	Above 1 Year
Constitutional Commissions & Independent Offices	9	273	146	127	271	2	113	51	109
Ministries & State Departments	9	129	55	74	129		7	20	102
Public Universities	24	228	96	132	226	2	72	107	49
State Corporations & SAGAs	138	3,702	1,707	1,995	3,644	58	1,098	1,908	696
Statutory Commissions & Authorities	2	28	15	13	28		9	17	2
Total	182	4,360	2,019	2,341	4,298	62	1,299	2,103	958
Percentage			(46%)	(54%)		(1.4%)			

Table 4-7: Distribution of Interns by Ethnicity, Gender and PWDs

Ethnicity	Total No. of Interns	Gender		Disability Status	
		Female	Male	Non- PWD	PWDs
Bajuni	5	3	2	5	
Boran	43	19	24	43	
Burji	5	3	2	5	
Dorobo	1	1		1	
Embu	66	38	28	65	1
Gabra	9	3	6	9	
Kalenjin	723	322	401	713	10
Kamba	424	196	228	418	6
Kenyan Arabs	7	2	5	7	
Kenyan Somali	111	43	68	110	1
Kikuyu	860	426	434	853	7
Kisii	344	170	174	340	4
Konso	1		1	1	
Kuria	16	5	11	15	1
Luhya	481	226	255	475	6
Luo	557	231	326	540	17
Maasai	176	82	94	174	2
Mbeere	10	5	5	9	1
Meru	180	90	90	176	4
Mijikenda	103	41	62	102	1
Njemps	14	7	7	14	
Non Kenyans	3	3		3	
Not Provided	17	9	8	17	
Nubi	7	6	1	7	
Orma	2		2	2	
Pokomo	3		3	3	

Ethnicity	Total No. of Interns	Gender		Disability Status	
		Female	Male	Non- PWD	PWDs
Rendile	15	9	6	15	
Sakuye	3	2	1	3	
Samburu	20	9	11	20	
Suba	8	3	5	8	
Swahili	15	8	7	15	
Taita	52	23	29	52	
Taveta	1	1		1	
Teso	25	13	12	25	
Tharaka	17	11	6	17	
Turkana	36	9	27	35	1
Total	4,360	2,019	2,341	4,298	62

Findings

- i) Majority of the ethnic communities were represented.
- ii) The two-thirds gender principle was met.
- iii) Engagement of PWDs was still low at 1.4%..
- c) Payment of Stipend

Table 4-8: Payment of Stipend to Interns engaged by MDAs

Category	No. of Institutions	Total	Paid	Not Paid	Pay Not Indicated	Ksh 3,000-10,000	Ksh 11,000-15,000	Ksh 15,520-25,000	Above Ksh 25,000	Total Amount Paid (Kshs)
Constitutional Commissions & Independent Offices	9	273	239		34	7	113	119		42,533,404
Ministries & State Departments	9	129	109		20			109		39,070,000
Public Universities	24	228	181	33	14	39	12	118	12	31,457,794
State Corporations & SAGAs	138	3,702	2,635	186	881	254	490	1,790	101	561,697,917
Statutory Commissions & Authorities	2	28	28					28		5,925,000
Total	182	4,360	3,192	219	949	300	615	2,164	113	680,684,116

Unlike the Interns engaged under the PSIP programme who were paid a stipend of Ksh. 25,000/-, those engaged directly by public institutions were paid a stipend of between Ksh. 3000 and Ksh. 48,500. Seven institutions paid interns a stipend between Ksh. 30,000 and Ksh. 48,500. These included Kenya National

Bureau of Statistics, Kenyatta International Convention Centre, Kenya Agricultural and Livestock Research Organization, Kenya Vision 2030 Delivery Secretariat, Media Council of Kenya, Anti-Counterfeit Authority and East African Portland Cement Plc. On the other hand, six institutions paid a stipend

of below Ksh. 10,000. The six institutions were Agricultural Development Corporation, Agricultural Finance Corporation, Agro-Chemical and Food Company Limited, Ewaso Ngiro South Development Authority, Kenya Industrial Property Institute and The Technical University of Kenya

Findings

- i) Two hundred and nineteen interns in public universities and state corporations and SAGAs were not paid any stipend, contrary to the Internship Policy and Guidelines for the Public Service 2016 and the Commission's circular Ref. PSC/ADM/14/V/105 dated 13th October 2016 that recommend payment of a stipend to the interns.
- ii) MDA's specific internships had varied stipends paid to interns. This depresses the interns and it is for this reason that the Commission harmonized stipend rates paid to interns.

Recommendation

Public institutions to comply with the provisions of Internship Policy for the Public Service, 2016 on payment of stipend for interns.

d) Mandatory Internship programme

The State Department for Livestock placed 939 veterinary surgeons on Internship, of whom 663 (71%) were male while 276 (29%) were female.

Findings

Internship has been very useful in building capacity and inculcating work ethics and

principles of public governance on young graduates.

e) Young Professionals Programme

The Young Professionals Programme (YPP) is an Internship initiative administered by KIPPRA. The programme aims to enhance technical competence in the evidence-based policy process, build research capabilities of participants, enlighten on the scope, relationships and procedures in governance structure in both national and county level, introduce participants to economic tools of analysis and provide practical experience in the policy making process. The programme targets young graduates from both public and private sector at initial stages of their career. A total of 30 interns joined the YPP of which 18 (60%) were male, 12 (40%) were female while one (3%) was a PWD.

f) Ministry of Health Universal Health Coverage Internship Programme

The Ministry of Health designed the Internship programme to improve the quality of health care provision in the country and address a critical resource in the implementation of Universal Health Coverage. The programme is a competency-based training that aims at consolidating and integrating knowledge acquired during college studies with clinical and field work experience to impart the requisite skills for service delivery³.

A summary of interns appointed under UHC programme by area of specialization is presented in Table 4-9.

Table 4-9: Distribution of interns under UHC Programme by specialization, Gender & PWDs

S/No	Area of specialization	Appointed Candidates			
		Female	Male	Total	PWDs
1.	Registered Clinical Officer	1	1	2	0
2.	Medical Laboratory Officer	6	16	22	0
3.	Nutrition and Dietetics Technologist III	4	1	5	1
4.	Nutrition and Dietetics Officer III	3	1	4	0
5.	Assistant Health Records and Information Management Officer III	15	7	22	1

³MOH Internship Policy for Health Professionals, 2020.

S/No	Area of specialization	Appointed Candidates			
		Female	Male	Total	PWDs
6.	Assistant Public Health Officer III	3	3	6	0
7.	Enrolled Nurse III	14	16	30	1
8.	Registered Nurse III	17	8	25	0
9.	Assistant Physiotherapist III	6	4	10	0
10.	Physiotherapist	4	9	13	0
11.	Medical Social Worker III	2	4	6	4
12.	Pharmaceutical Technologist III	1	8	9	0
13.	Assistant Occupational Therapist III	5	4	9	0
14.	Orthopedic Technologist III	4	6	10	0
15.	Radiographer III	4	6	10	1
16.	Orthopedic Trauma Technologist III	6	2	8	0
Total		95	96	191	8
Percentage (%)		49.7	50.3		4.2

Findings

- i) The gender principle was met in the recruitment of interns under the UHC programme.
- ii) There was a fair representation of PWDs at 4.2%.
- g) **Presidential Digital Talent Programme (PDTP)**

The Presidential Digital Talent Development Programme (PDTP) is a transformative ICT programme conceived by His Excellency the President to build capacity within government to ensure effective service delivery to Kenyans and create the next generation of globally competitive ICT leadership and technology talent that will transform Kenya. The Programme

is implemented by the Ministry of Information Communications and Technology and Youth Affairs (MoICTA) through the ICT Authority (ICTA).

PDTP has continued to receive support from the private sector in one of the most prominent Public-Private Partnership Programmes targeting the youth within the ICT sector. The year-long PDTP training is a mix of public and private sector attachments, intense specialized training and certification. Additionally, trainees work with seasoned mentors for career guidance and are challenged to innovate to scale up service delivery.

A summary of the interns recruited under the PDTP is presented in Table 4-10.

Table 4-10: Presidential Digital Talent Programme

Category	No. of Institutions	No. of Interns Deployed	Female	Male	Non-PWDs	PWDs
Constitutional Commissions & Independent Offices	5	45	17	28	45	
County Governments	3	12	2	10	12	
Ministries & State Departments	25	147	46	101	146	1
Public Universities	1	4	2	2	4	
State Corporations & SAGAs	16	184	49	135	184	
Statutory Commissions & Authorities	1	3		3	3	
Total	51	395	116 (29%)	279 (71%)	394	1

Findings

- i) The gender principle was not met.
- ii) Representation of PWDs was low at 1%.

4.3 Service delivery improvement and transformation

Service delivery improvement and transformation thematic area is one of the key building blocks for creating a citizen-centric public service. Service delivery improvement is achieved through various ways including: commitment to service delivery standards; enhancing accessibility to services; developing innovations to improve service delivery; putting in place measures for receiving feedback on services offered, prompt handling of complaints and recognizing officers who excel in service delivery. In this thematic area, the Commission sought to establish the measures public organizations had put in place for service improvement and transformation. The performance indicators were:

- a) Availability of service charters
- b) Modes used to enhance access to services
- c) Innovations implemented to improve service delivery
- d) Provision of online services
- e) Analysis of feedback
- f) Handling of complaints
- g) Recognition of officers who excelled in service delivery

4.3.1 Commitment to Service Delivery Standards

A service charter is a statement of commitment by the organization towards service delivery, and the standards which citizens should expect. Section 7(6)(a) of the Public Service (Values and Principles) Act 2015 requires that public institutions develop citizen service charters.

The Commission sought to establish the number of institutions which had translated the service charters to Kiswahili, an official language⁴ that is understood by the majority of citizens,

the institutions which publicly displayed the charters and the ones which took deliberate measures to create awareness to external customers about the charters.

To increase the numbers of citizens that could understand the contents of the service charters, 230 (79%) of the institutions translated their summarized charters into Kiswahili.

Out of those who had Kiswahili versions of the charter, 219 (95%) further displayed them, while 11 (5%) did not. There was an increase in the number of Institutions that sensitized staff on their service charters, at 147 institutions, accounting for 51%, compared to the previous year's 94 institutions that represented 33%.

In the last three financial years, half of the institutions, 143 representing 49%, sensitized external clients on the provisions of their service charters, while 148 (51%) did not.

Overall institutions' compliance rate in translating service charters, displaying them and sensitizing both staff and external clients on their contents was 69%. This was an increase of 11% compared to last year's 58% compliance rate. Among the categories of institutions, Public Universities' compliance rate was 79%, followed by State Corporations and SAGAs at 76%. MDAs came third at a compliance rate of 46% while Statutory Commissions and Authorities and Constitutional Commissions and Independent Offices followed at 40% and 36% respectively.

This means there is still room for overall improvement by 31%, while the three categories that registered lower than 50% improvement need to put deliberate efforts to improve their compliance rate.

Recommendation

Institutions that are yet to translate their charters into Kiswahili should proceed to do so urgently for wider understanding. They should also sensitize staff and clients on the provisions of the charter, and display it in strategic points.

⁴Article 7(1) of the Constitution of Kenya

4.3.2 Awareness Creation among Citizens on Services Offered

The responsibility of creating awareness among citizens on government services rests with the public institution rendering the service.

Most public institutions largely used six modes of creating awareness namely; website, social media, print media, IEC materials and broadcast media on their services among citizens. Website was the most preferred mode. This was used by 275 (95%) institutions. Social media was used by 234 (80%) institutions; Print media (Newspapers-News Letters) by 196 (67%); Information, Education and Communication (IEC) materials by 180 (62%); and Broadcast Media (TV & Radio) by 154 (53%) institutions.

Sixty-one institutions, representing 21% used other modes of creating awareness. These included mounting exhibitions, displaying service charters, conducting training, using short messages, physical/online stakeholder engagement, and media engagement.

On average, 63% of the institutions utilized the various modes in creating awareness, which was a drop from last year's 67%.

Statutory Commissions and Authorities took lead on average usage of all the modes to create awareness at 83%, Constitutional Commissions and Independent Offices (CCIOs) followed at 82%, Public Universities at 67%, State Corporations and SAGAs at 63%, and Ministries and State Departments at 54%.

However, there was a 10% decline in average usage of the modes by Statutory Commissions and Authorities from 93% previous year, and 8% drop by MDAs from 62% last year. State Corporations and SAGAs dropped by 5% from 68% previous year, while CCIOs and Public Universities gained by 5% and 1% to 73% and 66% respectively.

Finding

Most institutions have not given serious consideration to creating awareness of

their services among citizens. The drop in compliance from the previous year confirms this further. Failure by organizations on this aspect deprives citizens of their rights to access such services if they are not made aware of their availability.

Recommendation

Institutions should develop robust plans to create awareness of their services among citizens with clear indicators for monitoring and evaluating outputs and outcomes.

4.3.3 Social Media as a Platform for Service Delivery

Social media is a computer-based technology that facilitates the sharing of ideas, thoughts and information through the building of virtual networks and communities. By design social media is internet-based and gives users quick electronic communication of content which may include personal information, documents, videos and photos⁵. In the current technological age, it can play a significant role in gauging and monitoring levels of service delivery. Through social media, government institutions can get feedback on their service delivery and also get the opportunity to engage in direct dialogue with citizens who are consumers of their services. Institutions could also create awareness, manage crises, expectations by citizens, and improve institutional image through social media.

Findings revealed that a total of 139 (48%) institutions indicated that they analyzed social media engagements, while 152 (52%) did not. While all the 11 Constitutional Commissions and Statutory Commissions and Authorities used social media in creating awareness, seven, representing 70% went further to analyze social media engagement.

Among the 30 (86%) public universities that used social media to create awareness, only 15 representing 43% analyzed social media engagement.

Similarly, while 153 (81%) State Corporations and SAGAs used social media to create awareness, only 104 representing 55%

⁵Investopedia.com

analyzed social media engagement. Of the 34 (69%) MDAs that used social media to create awareness, only nine representing 18% analyzed the engagement.

Finding

Institutions' failure to analyze social media engagement implies that they did not tap all available information that would help them to improve service delivery.

Recommendations

- The Ministry of ICT to develop a policy to guide public institutions in utilizing or engaging on social media to improve service delivery.
- Institutions to train staff on modalities of constructive engagement with citizens on social media.
- Issues raised by citizens on social media

should be documented, analyzed and responded to for improvement.

4.3.4. Access to Services

The Constitution provides that a national state organ shall ensure access to its services in all parts of the Republic, so far as it is appropriate to do so, having regard to the nature of the service.⁶ It is therefore, a right of citizens to access services irrespective of their status or location. To achieve this, public institutions used various modes to enhance citizens' access to services. These included offering services through regional offices, e-citizen platforms, on-line systems, mobile phone applications, Huduma centres, call and contact centres, bulk Short Message Service (SMS) and mobile offices.

A summary of the modes used by citizens to access public services is presented in Table 4-11.

Table 4-11: Modes used by Citizens to Access Public Services

Mode used	Constitutional Commissions and Independent Offices	Ministries and State Departments	Public Universities	State Corporations	Total customers served
Bulk Short Message Service (SMS)	3,472	405,067 (0.2%)	31,400	61,202,542 (99.29%)	61,642,481 (31.6%)
Regional Offices	15,482	30,710,951 (70%)	3,000	13,143,621 (30%)	43,873,054 (22.5%)
Other Online systems	625,361 (1.5%)	24,662,119 (59.8%)	30,400 (0.1%)	15,952,277 (38.7%)	41,270,157 (21.2%)
e-Citizen platform		15,193,831 (99.5%)		74,289 (0.5%)	15,268,120 (7.8%)
Contact centers	467 (0.0%)	599,453 (4.8%)	39,992 (0.3%)	11,879,877 (94.9%)	12,519,789 (6.4%)
Huduma Centers	16,151 (0.2%)	3,427,755 (42.1%)	17,000 (0.2%)	4,683,360 (57.5%)	8,144,266 (4.2%)
Call centers	299	258,864 (3.5%)	33,800 (0.5%)	7,007,954 (96.0%)	7,300,917 (3.7%)
Mobile phone Apps.	7,865 (0.2%)	1,063,847 (24.7%)	9,000 (0.2%)	3,230,464 (74.9%)	4,311,176 (2.2%)
Mobile offices	34	485,556 (99.7%)		1,238 (0.3%)	486,828 (0.2%)
Other Modes(Letters, Telephone Calls, anonymous Reporting & Information Reports)	3,467 (21.7%)			12,480 (78.3%)	15,947 (0.01%)
Total Customers Served	672,598 (0.3%)	76,807,443 (39.4%)	164,592 (0.1%)	117,188,102 (60.1%)	194,832,735

⁶Article 6(3) of the Constitution of Kenya 2010

Findings

- a) Use of online and mobile applications is an efficient and effective way of service delivery. This is because citizens can access services from whichever location at a minimal cost.
- b) The leading institution on use of mobile applications and bulk message services was the National Hospital Insurance Fund.
- c) There was an increase in the use of online or mobile-based platforms to access services in the second half of the year as opposed to those who sought in-person services. This could be attributed to the country being on partial lock-down, which restricted movement yet citizens still needed to access services.

Recommendations

- a) Institutions to adopt more innovative ways of creating ease of access to their services taking advantage of the increasing digital technology.
- b) Institutions to document experiences and lessons learnt for future improvement and sharing best practices

4.3.5 Huduma Platform

Huduma platform is an integrated service delivery model that offers One-Stop-Shop for Citizen Services. The model was developed and adopted by the Government on 7th November 2013 to take services closer to the citizens. Huduma Secretariat indicated that as at 30th June 2020 there were 52 operational Huduma Centres countrywide that offered 127 services from 33 organizations including five water and sewerage companies in the counties and four private companies. The centres served a total of 9,340,657 citizens during the financial year.

The water and sewerage companies in the counties included Thika Water and Sewerage Company; Kirinyaga Water and Sanitation Company; Mariakani Water and Sewerage Company Limited; Homa-Bay Water and

Sewerage Company Limited; and Gusii Water and Sewerage Company Limited. The private institutions were Kenya Red Cross; Metropol Credit Reference Bureau (CRB); and Kenya Network Information Centre (KeNIC).

Seven institutions offered seasonal services on a need basis through the huduma platform. These included Ministry of Planning and National Treasury when they conducted headcount for pensioners; Ministry of Interior and Coordination of National Government when they conducted registration of Huduma number; Ministry of Lands Housing and Urban Development during registration and payment of affordable housing (Boma Yetu) and IEBC during the updating of the voter registration.

Others were Kenya Copyright Board which created awareness to the public on matters relating to copyright and related rights, implemented training programmes on copyright and rights, license and supervised activities of collective management organization as provided for under the Act, created awareness on protection and traditional knowledge and traditional cultural expression; Postal Corporation of Kenya sold success cards; and M-Akiba conducted sale of treasury bills.

A total of 38 county governments offered services on huduma platform. These ranged from collecting rates, Body Mass Index, Blood pressure and blood sugar tests, water services, licenses, seasonal parking, single business permits, rents and land rates, liquor licenses, bodaboda licensing, approvals for physical planning, hotel licensing, motorbike stickers and provision of Public Service Board Application forms.

Nine Counties did not offer services on Huduma Platform. These were Siaya, Turkana, Kwale, Makeni, Taita Taveta, Garissa, Kirinyaga, Marsabit and Mandera.

A summary of organizations that offered services through the Huduma Platform is presented in Table 4-12

Table 4-12: Organizations Offering Services Through the Huduma Platform

Institutions' Category	Offering Services		Not Offering Services		Total No. of Institutions
	No. of Institutions	%	No. of Institutions	%	
Constitutional Commissions and Independent Offices	4	40	6	60%	10
Ministries and State Departments	7	14	42	86%	49
State Corporations & SAGAs	17	9	173	91%	190
Total	28	11	221	89%	249

Findings

- a) The few institutions that utilized Huduma Platforms were successful in taking services closer to the people and enhanced convenience to citizens seeking services across the country.
- b) Majority of the institutions were yet to embrace the Huduma Platform as a way of enhancing citizen's access to public services..

Recommendation

Institutions to take advantage of Huduma platform to enhance access to their services by citizens across the country.

4.3.6 Enhancing Service Delivery through Innovation

Innovativeness is becoming a way of life, to improve social well-being through leveraging Information Communication Technology and bridging the digital divide. Covid-19 pandemic has reinforced the importance of innovation for business continuity. Innovation is important for the advancement of societies through solution provision and enhancing societies' capacity to act.

During the 2019/2020 financial year, 179 institutions submitted 643 initiatives for considerations as innovations. Figure 4-2 presents the innovations categorized by sectors.

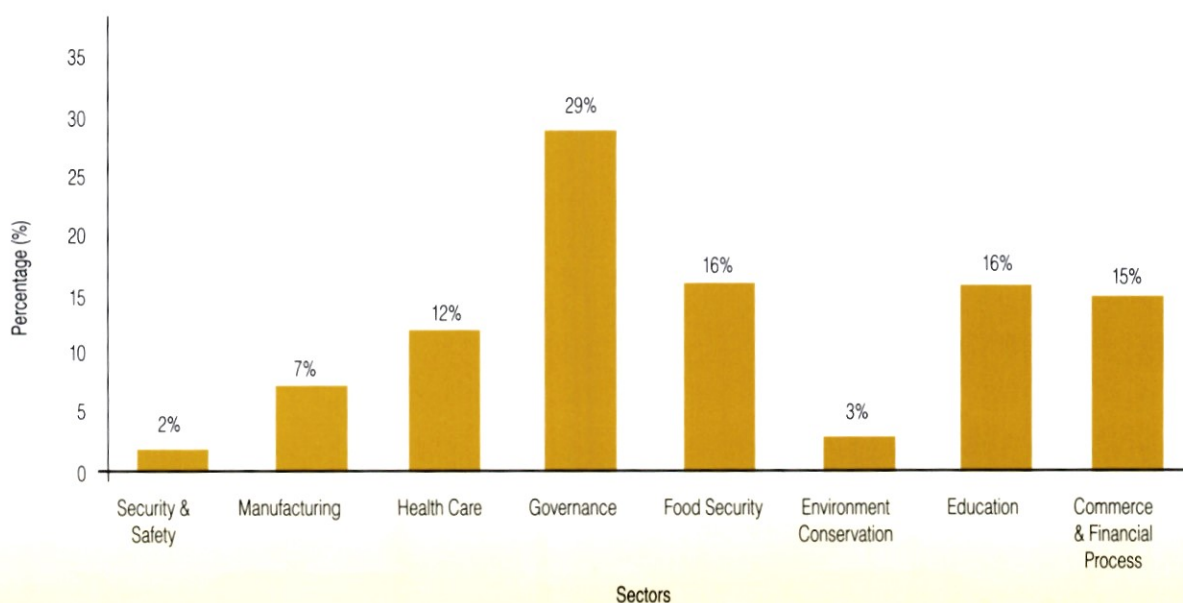


Figure 4-2: Innovations categorized by sector

The ever-increasing demand for efficient, effective and quality public services from an enlightened citizenry has necessitated public institutions to embrace innovation. The Government has mainstreamed innovation in the public service by factoring service delivery innovations in Performance Contracts of MDAs; and empowering the National Commission for Science, Technology and Innovation (NACOSTI) and Kenya National Innovation Agency (KENIA) to manage innovation in the public service.

Findings

- a) The Big Four Agenda accounted for 35% of the innovations.
- b) Nine institutions patented 13 innovations. This was an increase from the six that patented their innovations in the 2018/19 financial year.
- c) Sixty institutions developed 86 innovations to improve service delivery in Food Security, Governance, Commerce and Financial Processes, Health Care, Education, Environmental Conservation, Manufacturing and Safety and Security.

This was an improvement of 7.5% compared to the 2018/2019 evaluation where only 35 institutions that developed various innovations.

- d) The innovations relating to good governance directly contributed to the realization of Article 10 on good governance and are expected to improve service delivery and reduce complaints related to delay in service delivery.

Recommendation

Public institutions should, where possible, patent their innovations.

4.3.7 Feedback to Improve Service Delivery

Feedback analysis is critical in guiding public institutions to develop service delivery solutions to respond to citizen's needs.

(i) Analysis of Feedback

Some public institutions undertook feedback analysis and prepared reports. A summary is presented in Table 4-13.

Table 4-13: Institutions that Received and Prepared Feedback Analysis Reports

Category	No. of Institutions	Feedback from Clients				Analysis of Feedback			
		Received	%	Not Received	%	Not Analyzed	%	Analyzed	%
Constitutional Commissions and Independent Offices	11	2	18	9	82	1	11	8	89
Ministries and State Departments	49	29	59	20	41	10	50	10	50
Public Universities	35	8	23	28	80	8	29	20	71
State Corporations & SAGAs	190	36	19	154	81	36	23	118	77
Statutory Commissions & Authorities	6	1	17	5	83	2	40	3	60
Total	291	75	26	216	74	57	26	159	74

Finding

Analysis of the feedback reports presented by institutions indicated that not all reports contained clear implementation frameworks as required.

(ii) Implementation of the Feedback Analysis Report Recommendations

A summary of the implementation status of the feedback analysis report is presented in Table 4-14.

Table 4-14: Implementation of Feedback Analysis Reports by Sector

Category	Total No. of recommendations	Implemented		In Progress		Not Implemented	
		No.	%	No.	%	No.	%
Constitutional Commissions & Independent Offices	2			2	100		
Ministries & State Departments	5	2	40	3	60		
Public Universities	79	57	72	21	27	1	1
State Corporations and SAGAs	662	405	61	182	27	75	11
Statutory Commissions & Authorities	9	1	11	8	89		
Total	757	465	61	216	29	76	10

Findings

- a) Majority of public institutions did not implement recommendations in the feedback analysis reports.
- b) Analysis and implementation of feedback is an important tool in improving service delivery. Institutions that did not analyze and implement feedback missed out on critical input on their customers.

Recommendations

- a) Public organizations to develop mechanisms to capture and periodically analyze client feedback for improved service delivery; and
- b) Public organizations prepare quarterly client feedback analysis reports and monitor the implementation status on the recommendations made.

4.3.8 Complaints Handling

Complaints in public service are citizens' expressions of dissatisfaction with services delivered by public institutions. The complaints may be formal or informal but they all provide opportunity for institutions to improve service delivery. The Commission sort to establish the status and methods of handling complaints by public institutions.

- a) **Documented complaints handling procedures and awareness creation on complaints filing**

A summary of institutions that had a documented procedure for handling complaints and created awareness on complaints filing is presented in Table 4-15.

Table 4-15: Institutions with Documented Complaints Handling Procedures and those which Created Awareness on Complaints Filing

Institutions' Category	No. With Documented Procedures	No. Without Documented Procedures	Total No. of Institutions	No. Created Awareness	No. Not Created Awareness	Total No. of Institutions
Constitutional Commissions & Independent Offices	7 (70%)	3 (30%)	10	3 (30%)	7 (70%)	10
Ministries & State Departments	25 (51%)	24 (49%)	49	11 (22%)	38 (78%)	49
Public Universities	33 (94%)	2 (6%)	35	27 (77%)	8 (23%)	35
State Corporations & SAGAs	152 (80%)	38 (20%)	190	83 (44%)	107 (56%)	190
Statutory Commissions & Authorities	6 (86%)	1 (14%)	7	2 (29%)	5 (71%)	7
Total	223 (77%)	68 (23%)	291	126 (43%)	165 (57%)	291

Findings

- a) Over half of the institutions had not created awareness to clients on complaints filing, Ministries and State Department were the most affected.
- b) Developing a complaint filing procedure without creating awareness to citizens about it adds no value to the institution. It is the obligation of the institutions to create awareness among citizens on how to file complaints.

Recommendation

Institutions should use all available platforms to create awareness on the complaint filing procedure.

b) Complaints Resolution

Section 13 of the PSV&P Act, 2015 provides that complaints should be investigated expeditiously and resolved within three months. The survey sought to establish the nature and number of complaints received by public institutions and whether those complaints had been resolved.

A summary on the nature and number of complaints received and resolved is presented in Table 4-16.

Table 4-16: Nature of Complaints Lodged to Public Institutions by Citizens

Nature of Complaints Lodged	Complaints Lodged		No. of complaints resolved		No. of pending complaints	
	Total No.	% of Total	Total No	%	Total No	%
Unsatisfactory service	508,995	71	504,644	99	4,351	1
Other Complaints	152,493	21	151,495	99	998	1
Delay in service delivery	48,474	7	46,286	95	2,188	5
Abuse of Office	2,492	0.35	1,332	53	1,160	47
Unresponsive Public Official	1,381	0.19	916	66	465	34
Request for a Bribe by a public official	1,003	0.14	693	69	310	31
Civil Issues	680	0.09	3	0	677	100
Missing documents / files	506	0.07	430	85	76	15
Lack of feedback and enquiries	279	0.04	209	75	70	25
Stagnation of officers	246	0.03	242	98	4	2
Falsification of information	211	0.03	193	91	18	9
Lack of respect and courtesy by a public official	95	0.01	87	92	8	8
Lack of feedback	44	0.01	44	100	-	
Lack of courtesy	24	0.003	24	100	-	
Sexual harassment	16	0.002	14	88	2	13
Bullying	13	0.002	11	85	2	15
Absenteeism	6	0.001	6	100	-	
Annuity Quotation	3	0.0004	3	100	-	
Administrative	2	0.0003	1	50	1	50
Misappropriation of Funds	2	0.0003	1	50	1	50
Total	716,965	100.0	706,634	99	10,331	1

Findings

- Commission for Administrative Justice (CAJ) confirmed that the highest number of complaints received by the Commission was unresponsive/delay in service delivery.
- The recurrence of complaints relating to unsatisfactory service, unresponsive public officials and delay in service delivery reveals that institutions are not taking seriously the complaints from citizens.
- Quick resolution of complaints enhances public trust in the government.

Recommendation

Institutions should develop systems of flagging out recurrent complaints with a view to finding lasting solutions to them.

4.3.9 Recognizing Excellence in Service Delivery

The PSV&P Act, 2015 requires each public institution to develop guidelines for recognizing, commending and rewarding public officers who offer exemplary, outstanding or innovative services or who perform their duties exceptionally well⁷.

a) Institutions with Criteria for Recognizing Excellence in Service Delivery

A summary of institutions that had developed criteria for identifying, recognizing and awarding officers who had excelled in service delivery is presented in Figures 4-3 and 4-4

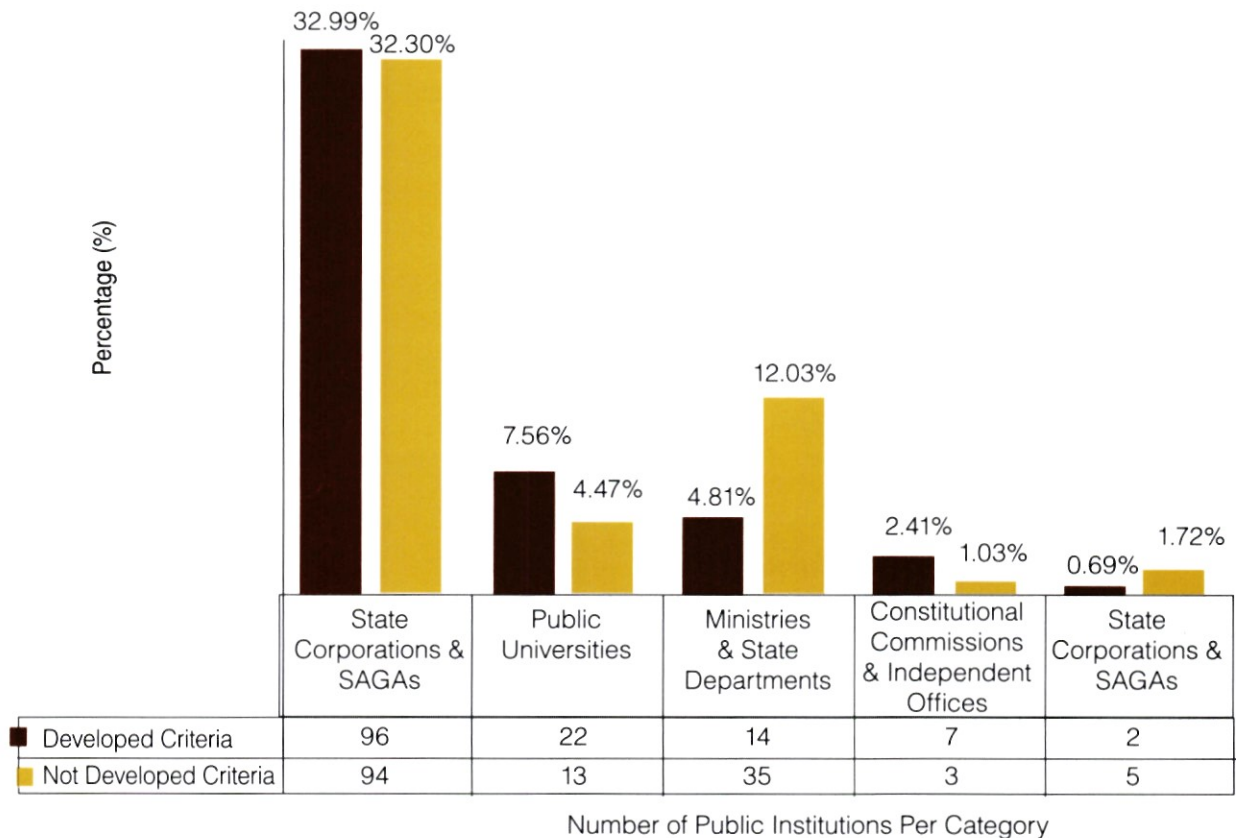


Figure 4-3: Institutions having developed Criterion for Identifying and Recognizing Officers

⁷The Public Service (Values and Principles), Act, 2015, section 15(2)

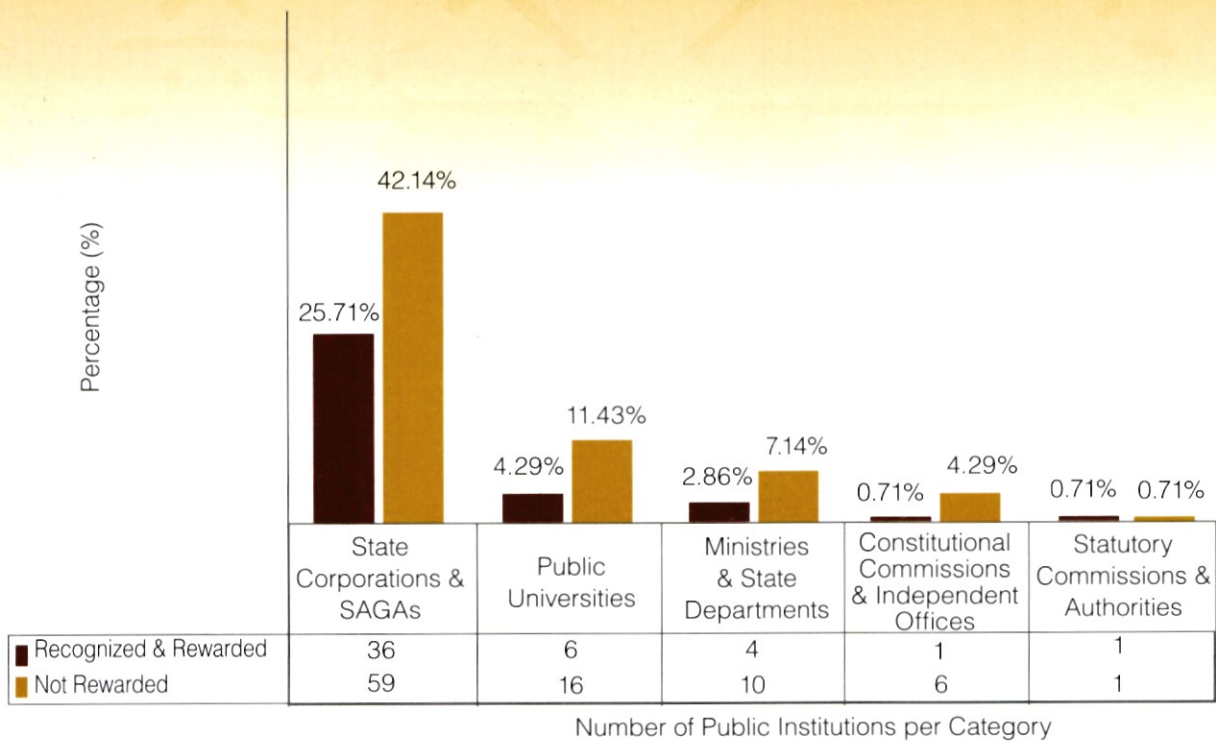


Figure 4-4: Institutions Recognized and Awarded Officers for Outstanding Service Delivery

Findings

- a) The objective of recognizing and rewarding officers for excellent service delivery is to motivate the recipient and encourage other officers to improve.
- b) Failure by majority of institutions to develop and implement reward criteria impacts negatively on service delivery.

Recommendation

Public institutions should develop and implement reward criteria to enable outstanding officers get recognized for improved service delivery.

4.3.10 Leveraging Information Technology for Enhanced Service Delivery

The outbreak of the COVID-19 challenged the long-held beliefs that one has to be in a formal office setup to be productive. The lockdown period provided opportunity for remote working.

a) Facilitating Officers with ICT Equipment

Existence of basic ICT infrastructure is key to successful implementation of sustainable e-government initiatives. Necessary devices for office automation and accessing the internet are therefore vital. A summary of provision of ICT equipment to staff is presented in Table 4-17.

Table 4-17: Distribution of ICT Resources in Public Institutions by Category

Category	No.	%	No.	%	No.	%	No.	%	No.	%
Constitutional Commissions & Independent Offices	4,261	2%	1,264	2.9%	1,068	8.2%	110	3.0%	88	5.5%
Ministries & State Departments	94,815	42%	6,375	14.8%	1,689	12.9%	1,112	30.3%	51	3.2%
Public Universities	25,404	11%	10,199	23.6%	821	6.3%	84	2.3%	87	5.5%
State Corporations & SAGAs	97,639	44%	24,684	57.2%	8,951	68.5%	2,326	63.3%	134	84.4%
Statutory Commissions & Authorities	1,484	1%	656	1.5%	547	4.2%	42	1.1%	22	1.4%
Total	223,603	100%	43,178	100%	13,076	100%	3,674	100%	1,591	100%

Findings

- a) Few institutions had a computer to staff ratio of 1:1
- b) State Corporations & SAGAs had made the highest investment in terms of desktop computers, laptops, I-Pads and smartphones.
- (i) Implementation of Circular Ref: No. OP/CAB.39/1A of March 1, 2018

The Government vide Circular Ref: No. OP/CAB.39/1A of March 1, 2018, directed that all ICT procurement be centralized under Ministry of ICT to ensure economies of scale in procurement and optimize the use of the Shared Services Strategy.

A summary of ICT equipment issued by the Ministry of ICT is presented in Table 4-18.

Table 4-18: Distribution of ICT Equipment by the State Department of ICT & Innovation to Public Institutions

Category	ICT Resources Supplied to Public Institutions			
	Laptops	Desktops	Smart Phones	I-Pads
Constitutional Commissions & Independent Offices	31	54	15	0
Ministries & State Departments	792	1,755	302	4
Public Universities	3	1		
State Corporations & SAGAs				
Statutory Commissions & Authorities	16	13		
Total	843	1,823	317	4

Automation reduces human error, promotes better visibility into reporting insights, ensures compliance, increases operational efficiency and improves customer satisfaction. This informs the reason why almost every activity in today's world relies on computer systems. The high internet speeds, advancement of communications, service networks and multimedia have made things better by opening

new horizons in business processing, payment transfer, and other forms of service delivery.

Findings

- a) Only 57 institutions across the public service save for State Corporations and SAGAs were issued with ICT equipment by the State Department of ICT and Innovation.

- b) In the issuance of the ICT equipment, 39 institutions received laptop computers, 29 received desktop computers, 2 received iPads and 3 received smartphones.
- c) The distribution of ICT equipment by the State Department of ICT appeared to favour some institutions like the National Treasury at the expense of others. The National Treasury received 400 (47.4%) of all the laptops and 834 (45.7%) of all the desk top computers issued.

Recommendations

- i) Public servants should be facilitated with the requisite ICT resources and re-skilled so as take full advantage of the technological space for enhanced service delivery.
- ii) The policy on centralization of procurement of ICT equipment be reviewed.

b) Facilitating Staff to Work Remotely During Covid-19 Lockdown

Government guidelines on physical distancing in public places to mitigate effects of COVID-19 affected service delivery. Innovatively, institutions had to leverage information technology to ensure essential services continued uninterrupted. In taking advantage of the fast internet in the country, organizations encouraged staff to work away from the office by using search online platforms as WebEx, Zoom, Microsoft Teams, GoToMeeting and Google Meet among others. This paradigm shift placed a demand on institutions to facilitate the staff accordingly.

A summary of institutions that facilitated staff to work remotely is presented in Table 4-19.

Table 4-19: Institutions that Facilitated Staff to Work Remotely

Institution	Total Staff	No. of Staff Facilitated	%
Constitutional Commissions & Independent Offices	3,412	1,418	42%
Ministries & State Departments	50,436	6,488	13%
Public Universities	16,947	2,493	15%
State Corporations & SAGAs	77,447	14,519	19%
Statutory Commissions & Authorities	1,484	1,428	96%
Total	149,726	26,346	18%

Finding

Very few officers were facilitated with airtime to work remotely.

c) Service Delivery through Improved Online Presence

Effective service delivery in the public service should be citizen centric. Online presence of

the services by ensuring global access, 24 hours a day and 7 days a week availability is necessary to maintain citizen satisfaction.

A summary of institutions that offered online services is presented in Figure 4-5.

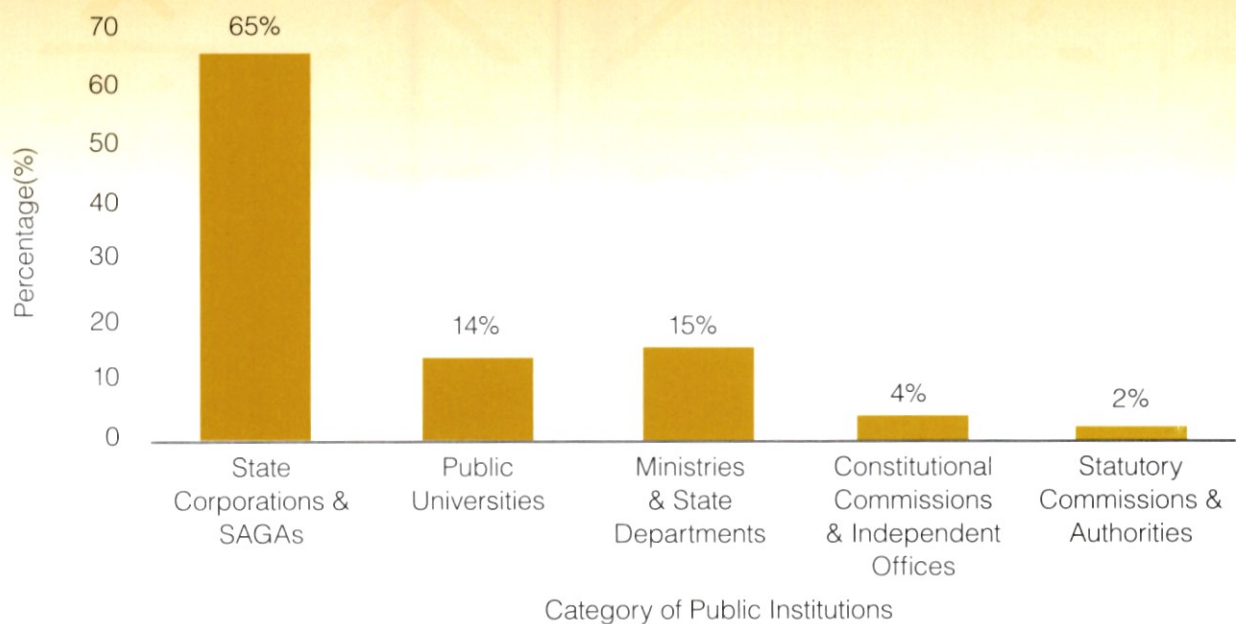


Figure 4-5: Public Institutions Offering Online Service by Category

Finding

- a) A total of 208 services were available online. Provision of online services is important in improving efficiency and effectiveness in service delivery.

Recommendations

- i) Public institutions to improve their online presence.
- ii) Public institutions to adopt remote working as a service delivery strategy.

4.4 Professional ethics in the public service

High standards of professional ethics are promoted through various means including, compliance with the law, the code of conduct and ethics and administrative policies, avoiding conflict of interest, provision of services in a timely manner, utilizing resources in a prudent manner and delivering services in an objective and impartial manner without political influence. High standards of professional ethics are further promoted by putting in place measures

for timely resolution of complaints and ensuring compliance with the requirements of the respective professional body.

The Commission sought to establish compliance with observance of high standards of professional ethics as provided in the Constitution, POEA, 2003, LIA, 2012 and PSV&P Act, 2015. The performance indicators for this thematic area were:

- a) Compliance with the Public Service Code of Conduct and Ethics, revised 2016;
- b) Sensitization of officers on the Public Service Code of Conduct and Ethics, revised 2016;
- c) Signing of commitment forms to the Code;
- d) Number of officers disciplined for breach of the Code of Conduct and Ethics;
- e) Number of officers charged in court;
- f) Compliance with the regulatory professional codes of conduct;
- g) Number of officers registered with regulatory professional bodies;
- h) Number of registered professionals in good standing; and
- i) Number of officers supported for Continuous Professional Development.

4.4.1 Public Service Code of Conduct and Ethics

The Code of Conduct and Ethics⁸ is a tool used to advance high standards of professional ethics in the public service. The Code which was initially issued in 2003, following enactment of the Public Officer Ethics Act, 2003, was amended by the Commission in 2016 so as to entrench the values and principles in Articles

10 and 232 of the Constitution. Institutions were then required to customize the Code of Conduct and Ethics in line with their organizational set up, train staff on the same and have them commit to the Code.

A summary of institutions that had sensitized and committed officers to the code is presented in Figure 4-6.

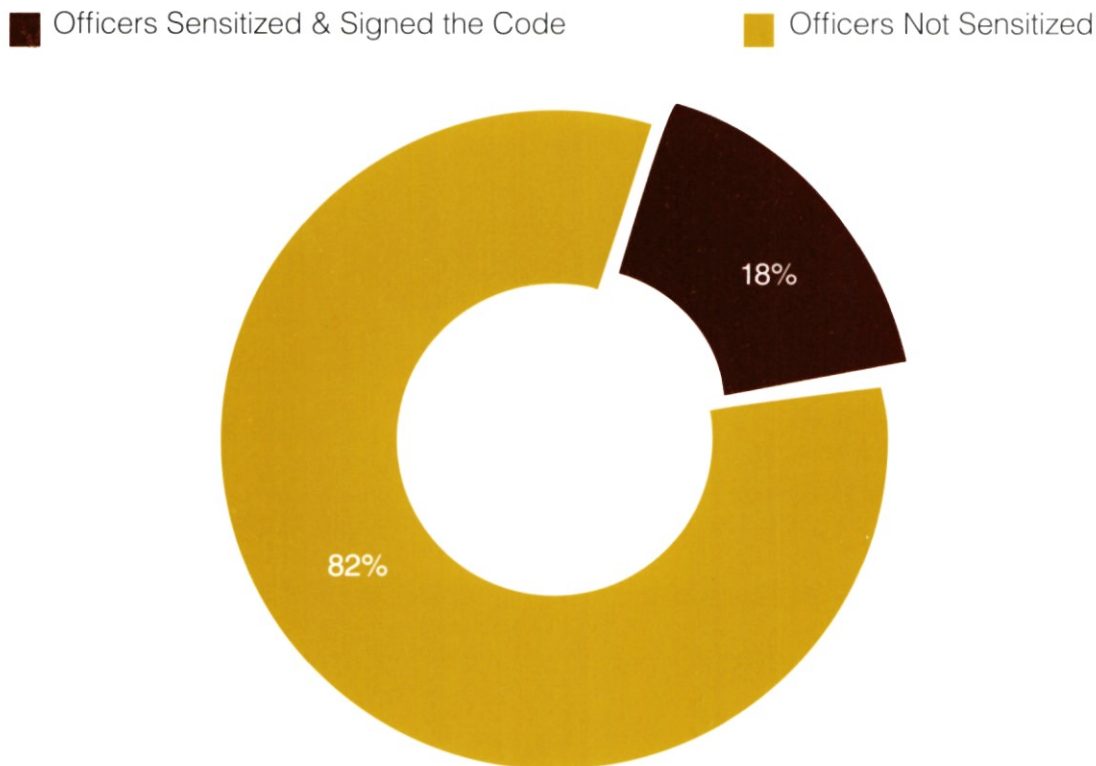


Figure 4-6: Sensitization of Officers in Public Institutions on Code of Conduct & Ethics

4.4.2 Discipline Cases Related to the Breach of the Code of Conduct and Ethics

Upholding high standards of professional ethics in the public service means complying with the Constitution, working within the laws, and observing the Public Officer Code of Conduct and Ethics. The number of discipline cases is an indicator on compliance levels. The Commission sought to establish the number of officers who had been disciplined based on infractions of the various standards of conduct

prescribed in the Code. There were a total of 7,121 discipline cases.

Findings

- The discipline cases increased by 903 cases (13%) compared to 6,218 recorded in 2018/2019 evaluation.
- The number of officers charged in court for professional misconduct increased by 158% from 39 to 99.
- Enforcement of compliance by way of prosecution has clearly gone up.

⁸Public Service Commission Public Officer Code of Conduct and Ethics 2016

Successful prosecution of such cases can act as a deterrent measure for other public officers.

Recommendations

- a) Institutions to sensitize staff on the Code of Conduct and Ethics and submit quarterly reports to the Commission.
- b) Public institutions to closely work with professional bodies when handling cases of professional misconducts.

4.4.3 Complaints on the Conduct of public Officers

A summary of complaints lodged by citizens is presented in Figure 4-7. There were 561,716 complaints related to the conduct of public officers and the manner in which services were delivered. Unsatisfactory service was the leading cause of complaints followed by delay in service delivery.

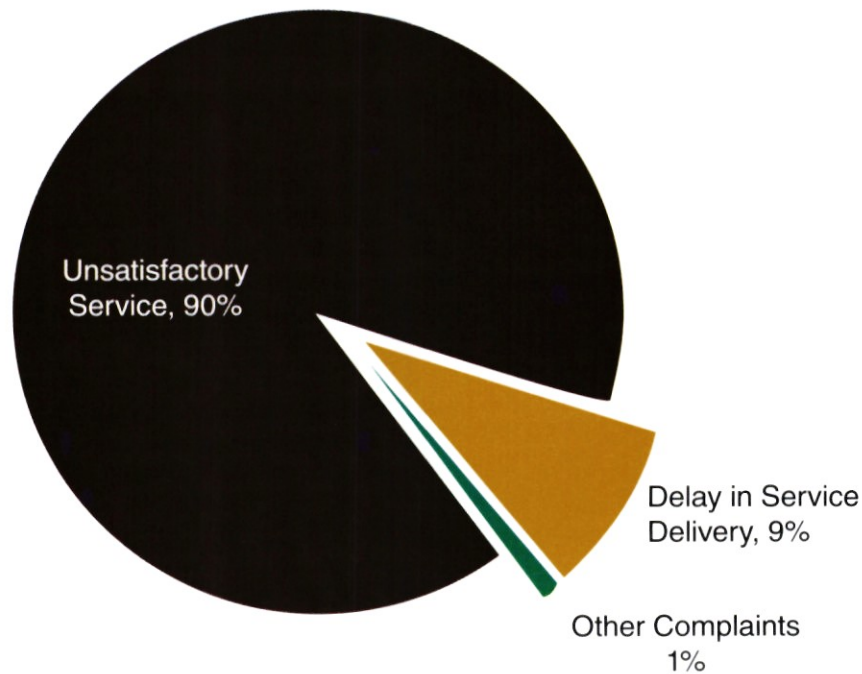


Figure 4- 7: Nature of Complaints Lodged by Citizens on Services Rendered

Finding

Professional service delivery leads to customer satisfaction and fewer complaints.

4.4.4 Registration with professional regulatory bodies

Regulatory professional bodies set the standards of conduct for their members and discipline the members when they err. Regulatory professional bodies issue

qualification certificates for their members and organize trainings to enable continuous professional development. The public service has several cadres which fall under regulated professionals.

A summary of membership to regulatory professional bodies and those supported for continuous professional development is presented in Figure 4-8.

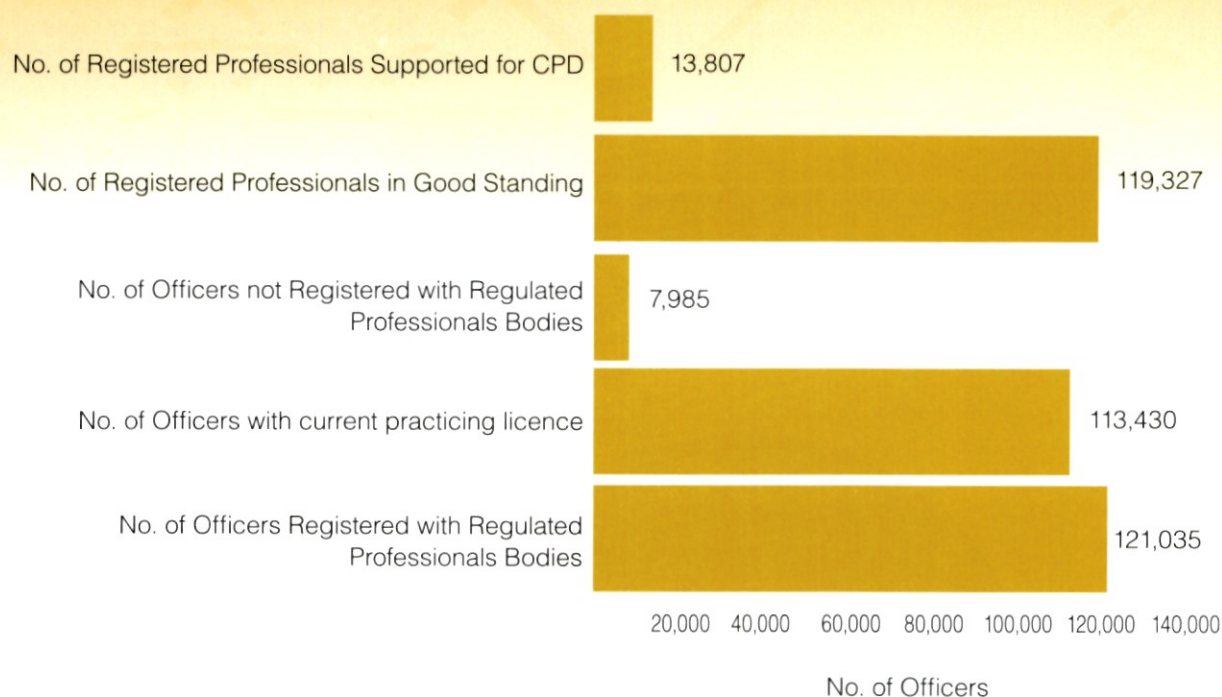


Figure 4-8: Status of Membership to Regulated Professional Bodies in Public Institutions

Findings

- Less than one-third of the institutions had sensitized their staff on the code of conduct and ethics over the last two years. Some of the discipline cases could be reduced if public institutions sensitized the officers on the code. Knowledge facilitates compliance, while lack of knowledge may lead to infraction.
- Very few officers, 13,807 (11%) were supported for Continuous Professional Development contrary to the recommendation in the 2018/19 report that public officers who are members of regulatory professional bodies be supported for CPD in line with Section 5(3) of the PSV&P Act, 2015.
- Continuous professional development is important as it enables the concerned officers to keep abreast with new developments in their respective fields.

Recommendation

Officers should be facilitated to attend courses for continuous professional development.

4.5 Good Governance, Transparency and Accountability

Good governance entails conducting of public affairs and managing public resources efficiently and effectively in order to guarantee the realization of human rights and social welfare for all. It requires developing capacity for the entity to deliver on its mandate; having systems for prudent utilization of public resources; clear delineation of roles and responsibilities; planning for efficient and effective service delivery; having internal mechanisms for risk management and establishing systems through which public organizations can be held to account for the exercise of power and authority.

A key tenet of good governance is that organizations should at all times act in public interest which encompasses a strong commitment to the rule of law, integrity and ethical values, transparency and stakeholder engagement.

The Commission sought to, inter alia establish the measures put in place by public organizations to: ensure that the organizations had capacity to deliver on their mandates;

promote the rule of law, integrity and ethical values; advance public interest; promote transparency; and facilitate meaningful public participation.

The performance indicators were:

- a) Existence of functional Boards/Councils
- b) Number of officers on acting appointment
- c) Submission of initial, every two year and final declarations.
- d) Number of gifts and conflict of interest declared.
- e) Measures for reporting corruption in the organization.
- f) Number of complaints lodged by citizens
- g) Existence of a communication strategy
- h) Channels used by citizens to request for information from public institutions
- i) Existence of guidelines to facilitate organization visibility
- j) Existence of guidelines on media engagement
- k) Existence of guidelines on access to information

4.5.1 Capacity to deliver on the institutional mandate

a) Existence of fully Constituted Boards or Councils

Public organizations need to ensure they remain fit for purpose by having structures and staffing that will enable them deliver on their mandate. At any given time, there should be a Board or Council which is responsible for policy and providing strategic direction. In addition to the governing body, organizations also require motivated staff with diverse skills and competencies.

Findings revealed that majority 208 (92%) of the institutions evaluated had functional Boards/Councils. Only 17 (8%) institutions were functioning without properly constituted Boards. Agriculture and Food Authority, National Biosafety Authority, National Communication Secretariat, Centre for Mathematics, Science and Technology Education in Africa and Kenya Law Reform Commission were also cited in the 2018/2019 report as not having fully functional

boards. The seventeen institutions that did not have fully functional Boards are as listed below:

1. Agriculture and Food Authority
2. National Biosafety Authority
3. National Communication Secretariat
4. Centre for Mathematics, Science and Technology Education in Africa
5. Kenya Law Reform Commission
6. Kenya National Commission on Human Rights
7. Athi Water Works Development Agency
8. Energy & Petroleum Regulatory Authority
9. Information and Communications Technology Authority
10. Kenya National Library Service
11. Lake Victoria South Water Works Development Agency
12. Local Authorities Provident Fund
13. National Council for Children's Services
14. National Youth Council
15. Non-Governmental Organizations Co-Ordination Board
16. Privatization Commission
17. Vision 2030 Delivery Secretariat

Finding

Lack of functional Boards/Councils have adverse effects on the functioning of these institutions and this impacts service delivery because the institutions lack a body to provide leadership and strategic direction.

Recommendations

- i) Appointing authorities to replace board members whose terms have expired in the respective institutions.
- ii) Appointing authorities to stagger appointments of Boards or Council members in line with Section 1.14 of the Mwongozo Code of Governance to ensure continuity and seamless transition.

b) Acting Appointments in the Public Service

The Period prescribed for acting appointments is six months. An officer is considered for acting appointment when the office becomes

vacant and it is pending substantive filling or the substantive holder has temporarily vacated it for one reason or another. Whereas acting capacity is necessary as a stop gap measure, it is not meant to last for long hence the limited period of six months. Public institutions should ensure that when a vacancy, which ought to be

substantively filled occurs, the process should be expedited.

A summary of the total number of officers who held offices in an acting capacity in the public service and the corresponding periods served is presented in Figure 4-9.

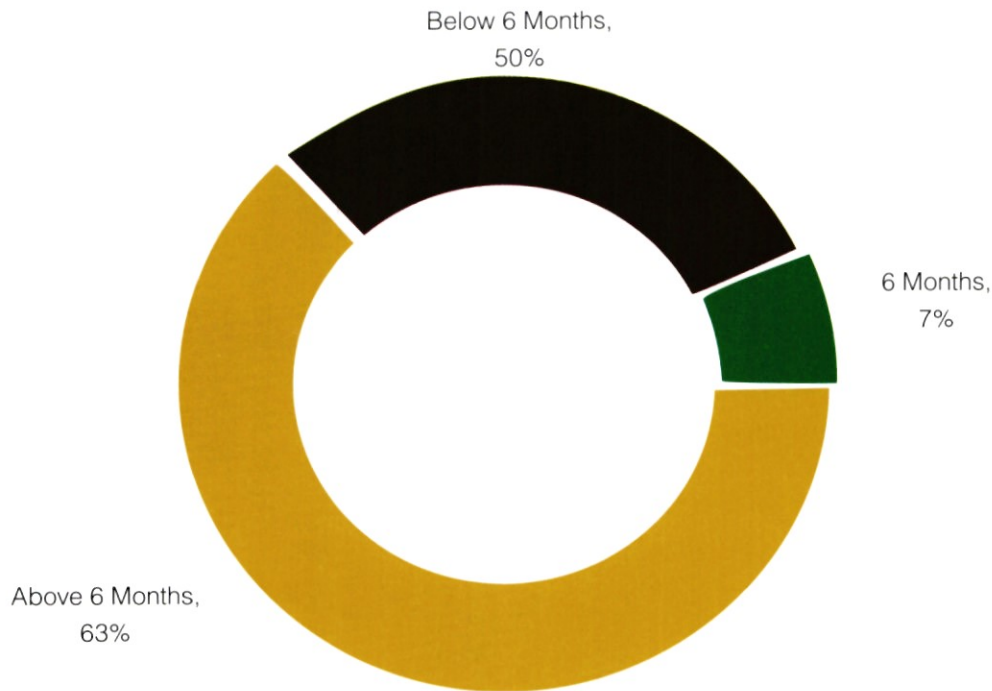


Figure 4-9: Duration of Acting Appointments in the Public Service

Finding

A total of 2,282 officers served in acting appointment of whom, 1,435 (63%) served for more than 6 Months while 847 (37%) served for six months and below.

Reasons given for acting appointments beyond Six Months

Institutions gave the following reasons for having officers act beyond six months:

- a) lack of a fully constituted Board/Council/Senate to undertake recruitment to fill the position;
- b) delay in the appointment of a substantive MD/CEO to drive the recruitment process;
- c) Acting appointment was renewed for a further six months while awaiting authority for recruitment from the National Treasury;
- d) delay in receiving approval to initiate recruitment from the relevant authority;
- e) Institution being re-organized;
- f) freeze on employment by the National Treasury;
- g) proposed mergers of some state corporations;
- h) Failure by the successful candidate to take up the position; and
- i) position not filled due to a pending court case or commencement of a disciplinary process.

Recommendation

Public institutions to comply with Regulation 23 of the Public Service Commission Regulations 2020 regarding acting appointments.

4.5.2 Compliance with the Rule of Law, Integrity and Ethical Values

a) Compliance with the Public Officer Ethics Act on financial disclosures

The Public Officer Ethics Act (POEA), 2003 makes it a mandatory requirement for public officers to make financial disclosures of themselves, their spouse(s) and dependent children. The administration of wealth declarations is regulated under Legal Notice No. 53 of 8th April 2016 which provides for procedures for the declaration of income,

assets and liabilities. The declaration of income, assets and liabilities is a tool for promoting accountability and transparency and also fighting corruption.

A public officer declares on entry into the service their wealth and liabilities, every two years they declare what they have accumulated and on exit they state what they have left the service with. It is a tool which is used by agencies investigating corruption in instances where an officer enters service with little wealth but suddenly the net-worth shoots exponentially, disproportionate to the earnings. The survey sought to establish the number of officers who complied with the Public Officer Ethics Act, 2003 on financial disclosures.

A summary of institutions that submitted initial and final declarations as required under Sections 27(3) and 27(5) of POEA, 2003 on initial and final declarations is presented in

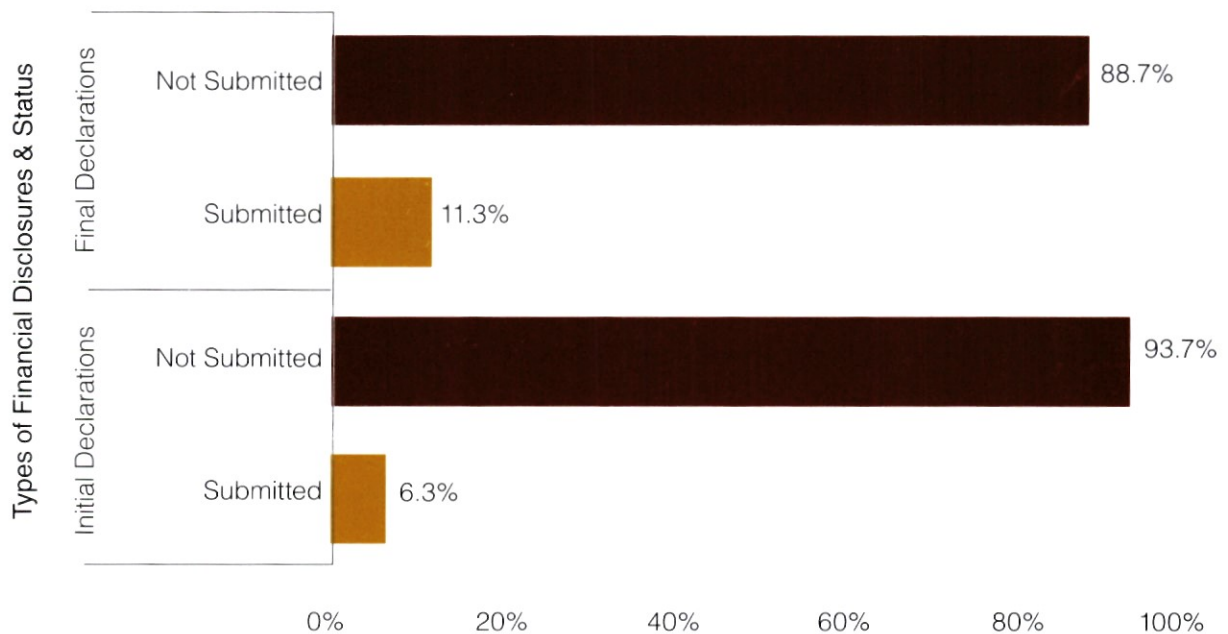


Figure 4-10: Status on submission of initial & final Declarations by Public Institutions

Figure 4-10.

Findings

i) Although there were 10,793 appointments only 684 officers made their initial declarations. Out of the 9,392 officers who

exited the service only 1,065 officers made their final declarations. The compliance level, was therefore ,6% and 11% for initial and final declarations respectively.

ii) Though the compliance levels for both initial and final declarations had gone up slightly

compared to the 2018/2019 report, majority of the officers were still non-compliant. This is a clear indication that many of the officers who joined or exited the service did not file their declarations as required by POEA, 2003.

Every two-year declaration

Pursuant to the Public Officer Ethics Act (POEA) 2003 and Legal Notice No. 53 of 2016, the evaluation period was a declaration year for the every two-year declaration period 2017/2019.

Table 4-20 provides a summary of the compliance levels for the five sectors.

Table 4-20: Status of Compliance on Two-Year Declaration of Income, Assets and Liabilities in the Public Service

Category	Total No. of Officers	No. of Officers who complied	% Compliance	Non-Compliant Officers	% Non-Compliance	No. of cases where disciplinary process was finalized	No. of cases where disciplinary process was not finalized **
Constitutional Commissions & Independent Offices	5,282	5,220	98.83%	62	1.17%	49	11
Ministries & State Departments	*88,721	86,787	97.82%	1,934	2.18%	119	1,665
Public Universities	21,177	20,495	96.78%	682	3.22%	153	7
State Corporations & SAGAs	*103,551	101,308	97.83%	2,243	2.17%	76	23,09
Statutory Commissions & Authorities	490	478	97.55%	12	2.45%	6	-
Total	219,221	214,288	98%	4,933	2%	403	3,992

*Derived from the Kenya Gazette No. 8091 dated 12th October, 2020.

**The discrepancies from the non-compliance column is due to exits and failure to resubmit the declarations upon clarifications

Recommendation

Authorized Officers to ensure compliance with POEA, 2003 with regard to initial, every two year and final declarations.

b) Declaration of gifts

The Leadership and Integrity Regulations, 2015 prescribe the nature and value of gifts a public officer can receive and retain and that which

shall be surrendered to the organization. The Regulations also require public organizations to maintain gift registers. The survey sought to establish the existence of gift registers, and the nature of gifts declared.

A summary of institutions with gifts received and declared by public officers and those given out by public institutions are presented in Table 4-21.

Table 4-21: Gifts Received and Declared by Public Officers and Gifts given out by Public Institutions

Category	Total No. of Institutions	No. of Institutions with gifts declared by Officers	Gifts received & declared by officers and Gifts Given to Institutions or Individuals		
			Gifts declared By Officers	Gifts Given to Organizations or Individuals	Total Gifts
Constitutional Commissions & Independent Offices	10	3 (10%)	10	15	25
Ministries & State Departments	49	4 (8%)	120	34	154
Public Universities	35	14 (40%)	147	104	251
State Corporations & SAGAs	190	47(25%)	1,401	2,632	4,033
Statutory Commissions & Authorities	7	-			-
Total	291	68(23%)	1,678	2,785	4,463

A gift is not necessarily a bad thing, gifts are exchanged all the time in human interactions. However, a holder of a public office must consider carefully the nature of the gift he or she can receive. This is because sometimes gifts are used as a conduit for corruption aimed at influencing the decision-making process to be in favour of the giver of the gift. For this reason, the giving and receiving of gifts in the public service is regulated.

Finding

Officers still received monetary gifts while others retained non-monetary gifts valued at more than Ksh. 20,000 contrary to Regulations 5(2) of Leadership and Integrity Regulations 2015.

Recommendation

Public institutions should open and maintain a gift register in the prescribed form as provided for in the Schedules in Form A, B-I and B-II in the Leadership and Integrity Act Regulations, 2015 and the Public Service Code of Conduct and Ethics, 2016.

4.5.3 Promoting Integrity and Ethical Values

a. Managing conflict of interest

Management of conflict of interest is at the core of good governance. Article 75(1)(a) provides that a State officer shall behave, whether in public and official life, in private life, or in association with other persons, in a manner that avoids any conflict between personal interests and public or official duties. Section 16 of The Leadership and Integrity Act 2012 addresses conflict of interest. It provides inter alia that *"A State officer or a public officer shall use the best efforts to avoid being in a situation where personal interests conflict or appear to conflict with the State officer's or public officer's official duties."*

Conflicts may arise time and again, what is of importance, and required of a public office holder is full disclosure. This calls for organizations to adopt practices which facilitate disclosure of interest. A summary of institutions that had officers declare conflict of interest and the number of conflicts declared is presented in Table 4-22.

Table 4-22: Maintenance of Conflict of Interest Registers and No. of Conflicts of Interests Declared

Category	Total No. of Institutions	No. of Institutions Not Maintained Conflict of Interest Registers	No. of Institutions that did not have Conflict of Interest declared	No. of Institutions where Conflict of Interest was declared	No. of Conflict of Interests declared by Institutions
Constitutional Commissions & Independent Offices	10	4(40%)	8 (80%)	2 (20%)	20
Ministries & State Departments	49	15 (31%)	47 (96%)	2 (4%)	12
Public Universities	35	1(3%)	27 (77%)	8 (23%)	45
State Corporations & SAGAs	190	23 (12%)	166 (87%)	24 (13%)	420
Statutory Commissions & Authorities	7	2 (29%)	5 (71%)	2 (29%)	21
Total	291	45 (15.5%)	253 (86.9%)	38 (13.1%)	518

Recommendation

Public institutions to maintain conflict of interest registers as required under Section 16(11) of Leadership and Integrity Act, 2012

The measures adopted should be such that an individual is able to report corrupt or unethical practices and at the same time be protected from potential repercussions from the implicated individuals.

b. Measures for Reporting Corruption

To fight corruption public organizations are required to put in place measures for reporting and to constitute Corruption Prevention Committees whose responsibility is to develop and implement Corruption Prevention Plans.

A summary of the number of institutions with Corruption Prevention Committees (CPC), reported cases of corruption, officers prosecuted and modes used to report corruption cases is presented in Table 4-23 and Figure 4-11.

Table 4-23: Public Institutions with CPC, Reported Cases of Corruption, Officers Prosecuted and modes used to Report Corruption Cases

Category	Total No. of Institutions	No. of Institutions with Reported Corruption Cases 2019/2020 Financial Year	No. of Institutions with Officers Prosecuted as of 30th June 2020	No. of Institutions with CPC
Constitutional Commissions & Independent Offices	10		4 (40%)	6 (60%)
Ministries & State Departments	49	12 (24%)	11(22%)	34 (69%)
Public Universities	35	9 (26%)	4 (11%)	32 (91%)
State Corporations & SAGAs	190	25 (13%)	15 (8%)	158 (83%)
Statutory Commissions & Authorities	7	1(14%)	0	6(86%)
Total	291	47 (16%)	34 (12%)	236 (81%)

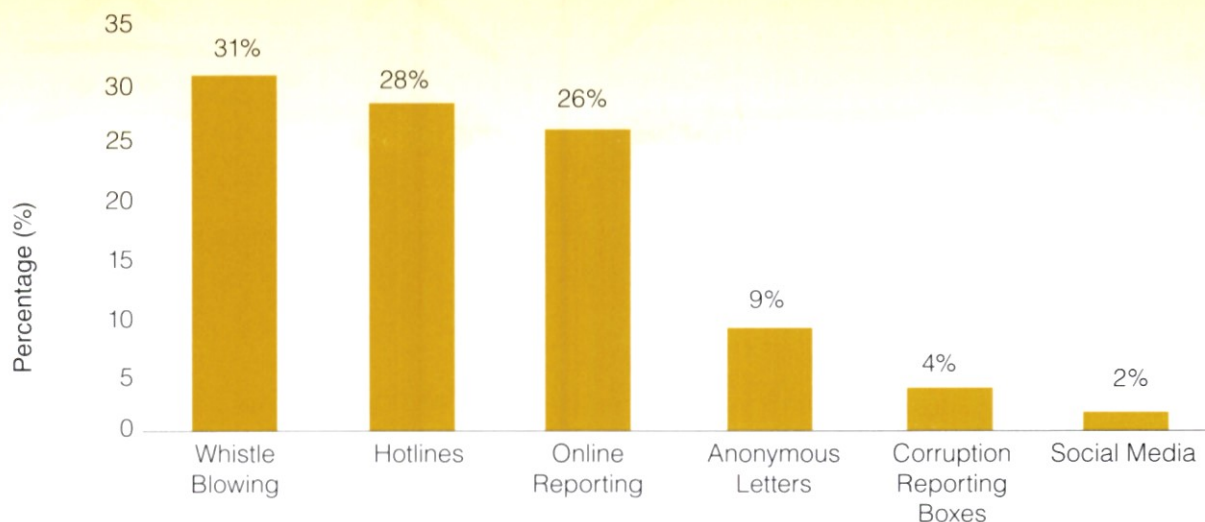


Figure 4-11: Modes Used to Report Corruption Cases

Findings

- Corruption undermines government ability to provide basic services such as healthcare and education and leads to wastage of public resources.
- Corruption increases the cost of doing business, discourages foreign and local investments, distorts public expenditures, reduces economic efficiency and slows down administrative processes hence,

undermining development and service delivery. If unchecked, it may hinder the achievement of Vision 2030, the Big Four Agenda and other development goals.

c. Prevalence of Corruption Cases

A summary of number of reported corruption cases, number of officers prosecuted, convicted or referred for administrative action is presented in Table 4-24.

Table 4-24: Nature of Corruption Cases Reported in Public Institutions

Nature of Case	No. of Corruption Cases	No. of Officers Prosecuted in Court	No. of Officers Convicted	No. of Cases Referred for Administrative Action
Fraud	166	14	6	57
Abuse of Office	134	65	1	69
Bribery	43	8	1	34
Misappropriation of Public Funds	21	17	0	18
Breach of Code of Conduct	19	4	0	18
Embezzlement	14	3	0	9
Any other (Failure to Comply with Procurement Law & Provisions of, Unethical Conduct, & Economic Crime among others)	13	20	0	5
Conflict of interest	9	1	0	6
Bid-rigging	4	0	0	3
Damage of public property	2	0	0	1
Forgery	2	0	0	2
Total	427	132	8	222

Findings

- a) Like the evaluation period 2018/2019 fraud and abuse of office still remained the most prevalent forms of corruption.
- b) According to EACC, 92 officers were investigated, out of whom 15 were indicted and convicted.
- c) A total of 183 files were recommended for administrative action.

Recommendation

EACC to review the public service integrity programme to align it to the Constitution and relevant laws.

4.5.4 Promoting Transparency and Accountability

Public organizations are accountable to the public for the utilization of the resources entrusted to them. Transparency is promoted by public organizations by among other things,

displaying service charters publicly; ensuring ease of access to information by the public; disclosing important information to the public; having transparent and democratic processes; compliance with access to information laws; and submitting reports to Parliament which exercises oversight authority over the Executive.

Accountability is promoted by exercising power and utilizing public resources for public good, accepting responsibility for decisions, being ready to justify actions, providing reasons for administrative actions, working towards achieving the objectives of an organization in a clear and transparent manner and being responsive to the identified needs of the citizens.

a) Access to Information by Citizens

A summary of public institutions that had developed guidelines on access to information and those which had not is presented in Table 4-25.

Table 4-25: Public Institutions with Guidelines on Access to information

Category	Total No. of Institutions	Institutions without Guidelines	Institutions with guidelines
Constitutional Commissions & Independent Offices	10	5	5
Ministries & State Departments	49	43	6
Public Universities	35	23	12
State Corporations & SAGAs	190	138	52
Statutory Commissions & Authorities	7	5	2
Total	291	214 (73.5%)	77 (26.5%)

Findings

- i) Citizens have a constitutional right to access information held by public organizations. To facilitate access to information, public organizations are required to develop guidelines.
- ii) Instead of uploading the guidelines on access to information, nine institutions uploaded either the ATI Act, 2016 or copies of the quarterly reports earlier submitted to CAJ.

Recommendation

Public institutions should develop guidelines on access to information based on their mandate, constitutional provisions and Access to Information Act, 2016.

b) Channels used by citizens to seek for Information

Citizens are increasingly demanding for information from public institutions. The most

preferred mode used by citizens to seek for information from public institutions was emails at 35%, followed by telephone calls at 21%, and social media (Facebook, WhatsApp and twitter) at 16%. Email and social media combined constituted 51% of the requests. However, the uptake of Instagram and twitter was still very low. The nature of information sought by citizens was on delayed or anticipated service delivery and professional advice/guidance.

Finding

The uptake of digital platforms by citizens is on the increase.

c) Communication Strategy and Organizational Visibility

A summary of institutions that had developed a communication strategy as recommended in the 2018/2019 Evaluation Report is presented in Table 4-26.

Table 4-26: Availability of Communication Strategy in Public Institutions

Category	Total No. of Institutions	No. of Institutions without Communication Strategy	%	No. of Institutions with Communication Strategy	%
Constitutional Commissions & Independent Offices	10	7	70	3	30
Ministries & State Departments	49	36	73	13	27
Public Universities	35	18	51	17	49
State Corporations & SAGAs	190	99	52	91	48
Statutory Commissions & Authorities	7	1	14	6	86
Total	291	161	55.3	130	44.7

Structured communication with the public is an important means of promoting transparency and accountability. A well-designed communication strategy helps an organization to share its strategic plan with staff, stakeholders and the general public. It ensures that all significant information is dispersed to the correct people at the right time, in the right format and using the right channel.

A communication strategy enables staff to refer to standardized procedures while interacting internally and externally, and ensures that everyone has adequate information. Consistency and flow of information is also maintained in the workplace, among stakeholders and among citizens.

Findings

- i) Seventeen institutions uploaded communication strategies that were obsolete¹⁰.
- ii) It was noted that the new modes of communication which the public prefers such as social media was not addressed in the obsolete strategies.
- iii) Lack of a communication strategy may subject the organization to inconsistent information dispersal or information blockages. This may lead to mistrust by the public or staff. It may also adversely affect service delivery.

Recommendations

- i) Institutions should develop and implement a Communication Strategy that is aligned to the strategic plan.

¹⁰Obsolete communication strategy is one that is not aligned to the institution's strategic plan. These were strategies dating over five years ago.

ii) Outdated communication strategies should be revised.

a. Guidelines on Visibility and Media Engagement

Visibility is about the citizens and stakeholders knowing the organization, what it offers and

contributes to effective delivery of service and operational efficiency. Some institutions that did not have a communication strategy presented guidelines on visibility and media engagement. A summary of institutions with guidelines on visibility and media engagement is presented in Table 4-27.

Table 4-27: Availability of Guidelines on Visibility and Media Engagement

Category	Total No. of Institutions	Guidelines on Organization Visibility		Guidelines on Media Engagement	
		No. of Institutions without guidelines	No. of Institutions with guidelines	No. of Institutions without guidelines	No. of Institutions with guidelines
Constitutional Commissions & Independent Offices	10	7 (70%)	3 (30%)	5	5
Ministries & State Departments	49	36 (73%)	13 (27%)	37	12
Public Universities	35	18 (51%)	17 (49%)	20	15
State Corporations & SAGAs	190	99 (52%)	91 (48%)	109	81
Statutory Commissions & Authorities	7	1 (14%)	6 (86%)	2	5
Total	291	161(55.3%)	130 (44.7%)	173 (59.5%)	118 (40.5%)

Existence of guidelines on visibility and media engagement provides opportunity for stakeholders to partner with the organization and help in achieving its mandate. Brand visibility may be achieved by engaging citizens and stakeholders through both online and offline communication such as social media platforms, media engagement and corporate activities.

Finding

Most of the guidelines on visibility presented had not been endorsed by management of respective institutions.

Overall, good governance is pivotal in enabling an institution achieve its objectives. For public institutions, the objective is to achieve outcomes which enhance or maintain the well-being of citizens unlike the private sector where the objective is to generate profits. Observance of

the rule of law, equality and fairness is given greater weight than financial performance.

4.6 Performance Management

Performance management aims at improving service delivery. It links individual performance to organizational goals and objectives. For there to be improved performance management, institutions need to plan ahead, there has to be commitment on the deliverables and means to monitor and measure the agreed deliverables. More important is the need to link the budget to deliverables. For improved productivity and enhanced efficiency and effectiveness in delivery of public services there is need to ensure continual re-skilling by first identifying the skills and competencies required by the institution to achieve its objective and facilitating the officers to acquire those skills. In addition, there is need to motivate officers by recognizing those who excel in service delivery

and also putting in place measures to address unsatisfactory performance.

Under this thematic area, the Commission sought to establish whether public institutions had put in place measures necessary for performance management. The performance indicators were-

- a) Availability of an approved and operational strategic plan,
- b) Availability of an annual organizational work-plan for 2019/2020 financial year;
- c) Availability of signed performance contracts, Performance Contract evaluation score (Composite Score) for financial year 2018/2019,
- d) Setting of performance targets and appraisal of staff,
- e) Sponsoring of officers in public institutions for individual training;
- f) Training Impact Assessment (TIA);
- g) Disciplinary control,
- h) Availability of coaching and mentoring policies;

- i) Availability of a Skills Inventory and Human Resource Plans;
- j) Exits and modes of exit;
- k) Exit interviews and analysis of exit interview questionnaires; and
- l) Compliance with measures on Management of Covid-19.

4.6.1 Institutional Performance

(a) Approved and Operational Strategic Plan

A strategic plan is an accountability tool through which public institutions commit to deliver specific services to the public by a specified period. It also outlines the required resources to implement the plan.

Table 4-28 presents a summary of organizations that had approved and operational strategic plans.

Table 4-28: Availability of Approved and Operational Strategic Plans in Public Institutions

Category	Total No. of Institutions	Without Approved SP	%	With Approved SP	%
Constitutional Commissions & Independent Offices	11	0	0.00	11	100.00
Ministries & State Departments	49	18	36.73	31	63.27
Public Universities	35	6	17.14	29	82.86
State Corporations & SAGAs	190	23	12.11	167	87.89
Statutory Commissions & Authorities	6	1	16.67	5	83.33
Total	291	48	16.49	243	83.51

A Strategic Plan enables an organization work towards achieving its objective in an organized manner. Having a strategic plan is a key tenet of good governance. Not having a current strategic plan means the affected institutions are implementing programmes in a haphazard manner. Such programmes may not be aligned to their sector vision and the Kenya Vision 2030. It will therefore be difficult to measure their contribution to the national development agenda.

Finding

Ministries and State Departments had the lowest level of compliance at 63%. The low rate negatively impacts on compliance by downstream institutions and service delivery.

Recommendations

- i) The National Treasury to enforce the requirement for institutions to have approved Strategic Plans before loading of institutional budgets.

- ii) Public institutions that do not have current strategic plans to fast track their finalization.
- iii) Public institutions to develop or review strategic plans and align them to MTP III and Vision 2030.

(b) Annual Organizational Work-Plans for 2019/2020 Financial Year

A summary of public institutions that had annual work plans and those that did not have are presented in Table 4-29.

Table 4-29: Availability of Annual Organizational Work Plans 2019/20 FY in Public Institutions

Category	Total No. of Institutions	No. of Institutions Without AWP	%	No. of Institutions with AWP	%
Constitutional Commissions & Independent Offices	10	4	40.00	6	60.00
Ministries & State Departments	49	15	30.61	34	69.39
Public Universities	35	16	45.71	19	54.29
State Corporations & SAGAs	190	58	30.53	132	69.47
Statutory Commissions & Authorities	7	0	0.00	7	100.00
Total	291	93	32.0%	198	68.0%

A work-plan is an internal framework for holding teams accountable. Through annual work-plans organizations are able to track, measure and evaluate progress and where necessary change course. Unavailability of an annual work-plan makes it difficult to measure performance of an institution.

Finding

Public universities had the lowest compliance rate with regard to having relevant annual work plans.

Recommendation

Institutions should develop and implement relevant annual work plans to facilitate achievement of institutional goals.

(c) Performance Contract Evaluation Score (Composite Scores) for Financial Year 2018/2019

The public institutions that are placed on performance contract are evaluated on annual basis to assess level of achievement of the set targets. Performance contract evaluation was undertaken for Ministries and State Departments, State Corporations and SAGAs, public universities and tertiary institutions. The performance grading ranges from a performance score of 1.0 (excellent performance) which is the highest a public institution can achieve to 0 (poor performance), the lowest performance score that an institution can record as shown in Table 4-30 below.

Table 4- 30: Performance Grading Criteria

Performance Score Value Range	Performance Category
0.4167 < X * < 1.0000	Excellent
0.3333 < X < 0.4167	Very Good
0.2778 < X < 0.3333	Good
0.2500 < X < 0.2778	Fair
0.0000 < X < 0.2500	Poor

Source: Performance score is adopted from composite scores in performance contracting guidelines for the 2018/19 FY.

A summary of the performance evaluation score by sector is presented in Figure 4-12.

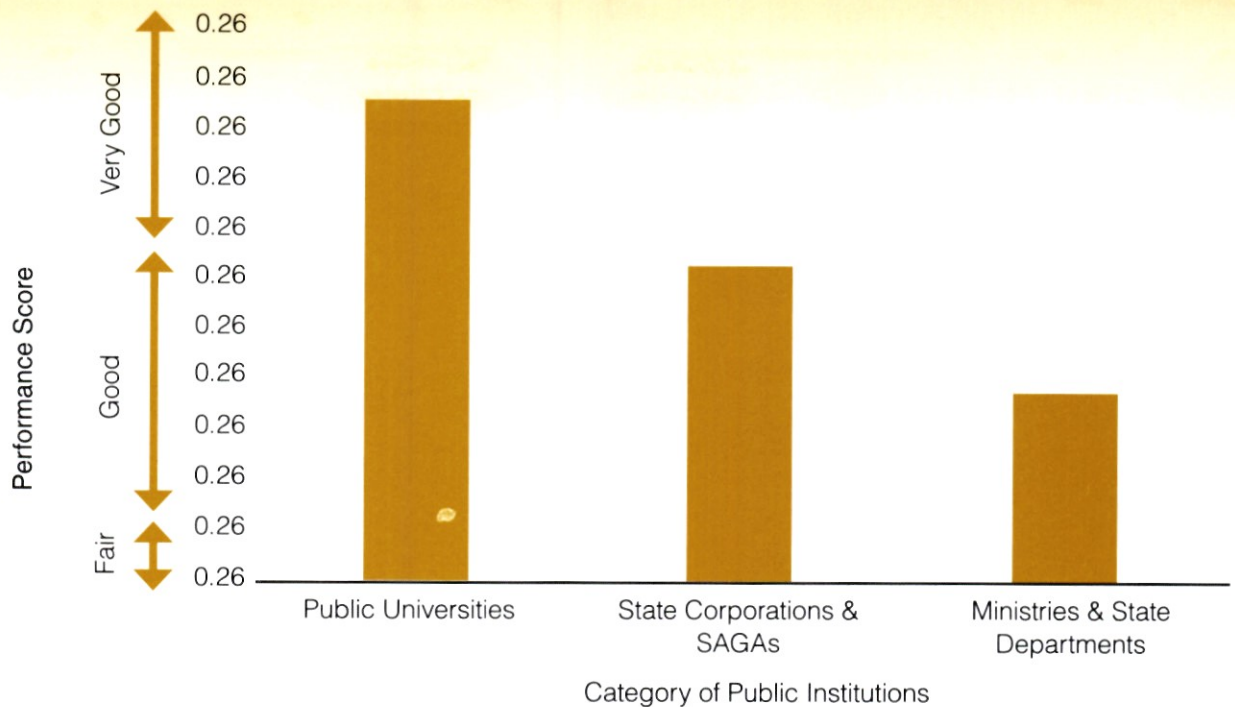


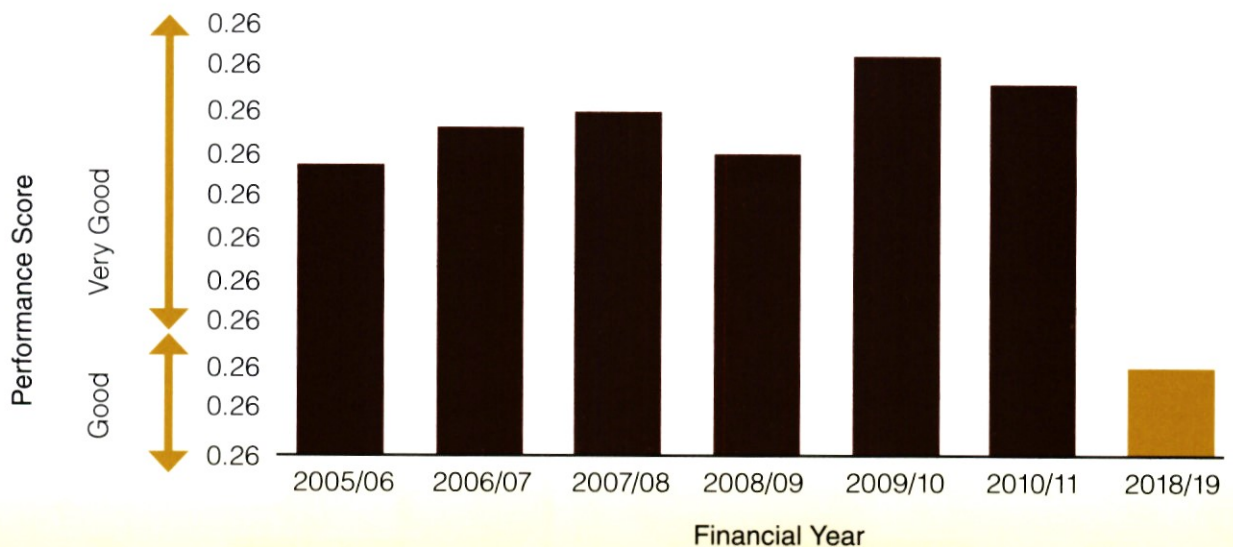
Figure 4- 12: Illustration of Performance by Category

Finding

Public Universities registered the highest performance index of 0.3558 (very good performance category) followed by State corporations and SAGAs whose performance score was 0.3229 (good performance category) while ministries and departments

had the lowest performance score of 0.2945 (good performance category).

A summary of comparative performance for 2005/06 - 2010/2011 Financial Years and 2018/2019 financial year is presented in Figure 4-13



Source: Performance contracts evaluation reports for 2005/2006 – 2010/2011

Figure 4- 13: Public Service Aggregate Performance: 2005/2006 – 2010/2011; & 2018/2019

Findings

- i) The overall aggregate performance score for institutions evaluated was 0.3205. This level of performance is lower than the performance level registered in the first six years of introduction of performance contracts in the public service.
- ii) The performance of the public service was on a decline trend compared to the previous years.

(d) Signed performance contracts during the 2019/2020 financial year

A summary of institutions which signed performance contracts or had vetted performance contracts during the 2019/2020 Financial Year and those which did not have are presented in Table 4-31.

Table 4- 31: Signing of 2019/20 Performance Contracts in Public Institutions

Category	Total No. of Institutions	No. of Institutions did not Sign 2019/20 PCs	%	No. of Institutions Signed 2019/20 PCs	%
Constitutional Commissions & Independent Offices	10	10	100.00	0	0.00
Ministries & State Departments	49	36	73.47	13	26.53
Public Universities	35	13	37.14	22	62.86
State Corporations & SAGAs	190	63	33.16	127	66.84
Statutory Commissions & Authorities	7	7	100.00	0	0.00
Total	291	129	44.33	162	55.67

A performance contract is a tool which promotes transparency and accountability. A performance contract should be linked to the strategic plan and the annual work-plan for an institution for a particular year. However, not every activity in the annual work-plan is escalated to the performance contract. Only the key priority activities which have a direct impact on the lives of citizens are included in the performance contract.

Findings

- i) Failure by 44% of the institutions surveyed to sign the performance contract does not augur well in terms of promoting transparency and accountability.
- ii) Article 249 of the Constitution provides that Constitutional Commissions and holders of Independent Offices are subject to the Constitution and the law and are not subject to direction or control by any person or authority. This may explain why none signed the Performance Contract which is usually spearheaded by a ministry.

Recommendations

- i) All public institutions to sign performance contracts.
- ii) For Constitutional Commissions and holders of Independent Offices the management to sign a performance contract with the respective Boards/Commission.
- iii) Public institutions to undertake annual performance evaluation to facilitate analysis of performance results and utilize the information analyzed to support decision making.
- iv) Organizational annual work plan to be included as one of the standard requirements during Performance Contract signing and vetting

(e) Cascading of Performance Contracts

Public Institutions deliver what they have promised in the signed performance contracts through their officers. It is, therefore, the responsibility of the accounting/ authorized officer to ensure that the contract is signed,

cascaded to directorates/departments /units and individual public officers. The public officers are then held accountable for their own targets and collectively for the targets of their state departments, Semi-Autonomous Government Agencies, directorates /departments or units etc.

By signing a performance contract an institution commits to utilize available resources both human and financial to deliver on the agreed targets. Cascading of performance contracts to the second and third levels enables officers to draw their individual targets from the cascaded level from which they can be individually held accountable.

Finding

All the 162 institutions that had the relevant performance contracts at the first level did not provide evidence that they cascaded the contracts at the second level.

Recommendation

Public institutions to cascade performance contracts to the lower levels and ensure that all departments are contributing to the execution of institutions' mandate.

(f) Reasons Given by Institutions for not signing Performance Contract

Institutions gave the following reasons for failure to sign PCs

- i) Failure to automate vetting of Performance Contracts through GHRIS;
- ii) The Performance Contracts were vetted and/or signed by the Chairpersons of the Board/ Council awaiting witnessing by the parent Ministry;
- iii) Delay in signing performance contracts forwarded to parent ministries;

- iv) Delay or failure to sign the performance contracts for Cabinet Secretaries;
- v) Some relatively new institutions that lacked structures and personnel were exempted from signing PC; and
- vi) Delay in appointing members of the Board or Council.

Finding

Currently, there is no existing legal framework to guide the performance contracting process. This may explain the fact that there are many public institutions which did not sign the performance contract in 2019/20.

Recommendation

Performance management to be anchored in law.

4.6.2 Employee Performance

A performance appraisal is a regular review of an employee's job performance and contribution to realization of the organization's goals and objectives. This therefore requires that public officers set targets against which they will be appraised. The targets can be reviewed on a quarterly, semi-annual or annual basis. Performance appraisal may be used to review progress and reward high achievers as well as make decisions which may include placing an employee whose performance is not satisfactory on performance improvement plan or even separation.

(a) Staff Performance Appraisal System

A summary of officers who set performance targets, those appraised and those recognized for excellent performance by category of institution is presented in Table 4-32.

Table 4-32: Appraisal of Staff by Category of Public Institutions

Category	Appraisal of Staff							
	Total No. of Staff	Total No. of Staff who Set individual performance targets?	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	4,270	4,071 (95%)	3,744 (92%)	890	1,735	744	335	54
Ministries & State Departments	91,873	35,874 (63%)	22,448 (39%)	7,467	16,512	2,487	428	329
Public Universities	24,723	19,712 (80%)	14,009 (71%)	474	1,636	6,237	4,315	613
State Corporations & SAGAs	93,527	67,868 (73%)	58,485 (86%)	5,834	13,605	25,535	9,685	1,370
Statutory Commissions & Authorities	1,467	407 (28%)	298 (73%)	6	52	83	139	14
Total	215,860	127,932	98,984	14,671	33,540	35,086	14,902	2,380
Percentage (%)		59	77.37	14.82	33.88	35.45	15.05	2.40

Findings

- i) About 59% of the officers set individual targets leaving out 41% whose performance could not be measured.
- ii) Ministries and State Departments and Statutory Commissions and Authorities recorded the lowest compliance levels with regard to setting performance targets.
- iii) About half of the officers appraised achieved their set targets.

Recommendation

Management should enforce the undertaking of the annual Staff Performance Appraisal for all staff.

(b) Review of performance appraisal for officers by Performance Management Committee

Having individual public officers set targets is just the first step of managing performance of an employee. For it to have meaning the targets set by individual officers should be monitored periodically. In the public sector this is done through Performance Management Committees. Table 4-33 presents the review of Performance Appraisal by Performance Management Committees.

For a citizen centric service to be realized there is need for all staff to be appraised each year. This will facilitate recognition for high performers to perform even better, those who are struggling to be put on performance improvement plans and separation for those not willing to improve.

Table 4-33: Review of Performance Appraisal by Performance Management Committees by Category of Institutions

Category	Total No. of Organizations	No. of Institutions where PMC did not Meet	%	No. of Institutions where PMC Met	%	No. of Officers Rewarded	No. of Officers Sanctioned	No. of Officers Placed on performance improvement plans
Constitutional Commissions & Independent Offices	10	9	3.1	1	0.3	-	2	2
Ministries & State Departments	49	45	15.5	4	1.4	103	29	48
Public Universities	35	29	10.0	6	2.1	522	9	1
State Corporations & SAGAs	190	152	52.2	38	13.1	3,747	162	517
Statutory Commissions & Authorities	7	6	2.1	1	0.3	4	1	12
Total	291	241	83%	50	17%	4,376	203	580

Finding

The low numbers of organizations in which performance review committees met is an indication that performance management of staff is not taken seriously. This impacts negatively on productivity and service delivery. The high performers will be demotivated for lack of recognition and the poor performers will have no motivation to improve.

Recommendation

Performance Management Committees to meet quarterly to review performance of staff as provided in the Performance Rewards and Sanctions Framework for the Public Service.

4.6.3 Human Resource Development

(a) The Training Budget

To keep abreast with citizens' expectations and developments in various fields there is need to ensure that the public officers have the necessary skills and competencies. Further, the Constitution requires that all public servants are afforded adequate and equal training opportunities. For institutions to get the best out of the training investment, training should be conducted in a structured and organized manner. Institutions therefore need to undertake training needs assessment, prepare training projections and ensure that adequate budget of not less than 1% of the recurrent budget is provided for human resource development.

A summary of allocation and expenditure on training by sector is presented in Table 4-34.

Table 4-34: Allocation and Absorption of Training Budget

Sector	Recurrent Budget	Training Budget	% of Training Budget to Recurrent Budget	Training Expenditure	Absorption Rate
Constitutional Commissions & Independent Offices	19,551,415,129.00	274,682,442.00	1.4%	178,579,859.00	65%
Ministries & State Departments	1,192,362,457,314.00	1,355,161,883.00	0.11%	888,038,038.00	66%

Sector	Recurrent Budget	Training Budget	% of Training Budget to Recurrent Budget	Training Expenditure	Absorption Rate
Public Universities	58,824,103,599.00	137,123,054.00	0.23%	97,961,283.00	71%
State Corporations & SAGAs	577,509,954,751.20	4,805,191,865.00	0.83%	3,303,200,492.00	69%
Statutory Commissions & Authorities	6,372,418,046.00	155,375,273.00	2.44%	64,414,019.00	41%
Total	1,854,620,348,839.20	6,637,534,517.00	0.36%	4,460,193,691.00	67%

Findings

- i) A total of 110 (39%) of public institutions set aside minimum of 1% of recurrent budget to cater for training.
- ii) Data inconsistency on budget allocation and absorption was noted from 48 institutions.

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.

(b) Training Needs Assessment (TNA)

Table 4-35 presents a summary of the institutions that conducted TNA and Training projections.

A TNA can help fix a performance problem; it ensures that the training obtained is relevant for the job performance. A properly conducted

Table 4-35: Implementation of Training Needs Assessment and Training Projections in Public Institutions

Category	TNA Conducted			TNA Not Conducted			Training Projections Based on TNA			
	Total No. of Institutions	No. of Institutions who have not Conducted TNA	%	No. of Institutions that Conducted TNA	%	Total No. of Institutions	No. of Institutions not conducted Training Projections Based on TNA Reports	%	No. of Institutions that conducted Training Projections Based on TNA Reports	%
Constitutional Commissions & Independent Offices	10	10	3.4		0.0			0.0		0.0
Ministries & State Departments	49	25	8.6	24	8.2	24	6	6.4	18	19.1
Public Universities	35	21	7.2	14	4.8	14	3	3.2	11	11.7
State Corporations & SAGAs	190	135	46.4	55	18.9	55	6	6.4	49	52.1
Statutory Commissions & Authorities	7	6	2.1	1	0.3	1	1	1.1		0.0
Total	291	197	67.7	94	32.3	94	16	17.0	78	83.0

TNA followed by actual training will lead to improved performance.

Findings

i) Majority of the public institutions did not conduct training needs assessment despite 17,687 of officers being trained. Therefore, the training projections and subsequently the actual training of officers are not based on the training needs and performance gaps of the officers. This means the training was not necessarily based on identified training needs necessary for improvement of performance of the officer and for the institution.

ii) Further analysis revealed that Institutions used different approaches in conducting TNA. While some institutions used the research orientated approach others did not.

Recommendation

A TNA framework to be developed to standardize the process of undertaking TNA by public institutions.

(c) Conducting of Training Impact Assessment (TIA)

A summary of institutions that conducted training impact assessment is presented in Table 4-36.

Table 4-36: Training Impact Assessment undertaken in Public Institutions

Type of Organization	Total No. of Institutions	No. of Institutions not undertaken TIA	%	No. of Institutions undertaken TIA	%
Constitutional Commissions & Independent Offices	10	10	3.4	0	0
Ministries & State Departments	49	47	16	2	0.7
Public Universities	35	35	12		0
State Corporations & SAGAs	190	185	64	5	1.7
Statutory Commissions & Authorities	7	6	2.1	1	0.3
Total	291	283	97	8	2.7

Training impact assessment is concerned with assessing the efficiency and effectiveness of the training programme attended by a public officer and its contribution to helping the organization achieve its objectives.

Finding

Majority of the institutions did not undertake training impact assessment therefore it was difficult to establish the effectiveness of the training programmes towards improvement in performance and productivity.

Recommendation

A Training Impact Assessment framework should be developed to guide public institutions on how to carry out training impact assessment.

(c) Coaching and Mentorship in the Public Service

A summary of institutions with coaching and mentorship policies is presented in Table 4-37.

Coaching and mentoring are beneficial to both the employee and the organization. The employee gets to learn from the best and for the organization mentorship instils loyalty in employees and reduces turn over. Mentorship is good for succession planning and ensures business continuity when experienced employees exit an organization.

Table 4-37: Availability of Coaching and Mentorship Policy in Public Institutions

Category	Total No. of Institutions	No. Of Institutions without the Policy	No. Of Institutions Developed the Policy	Total No. of Institutions	Specific dates			Other Dates outside Specific Dates				No Specific Date	
					Dec-2020	Mar-2021	Jun-2021	Aug-2021	Dec. 2021	Mar-2022	Jun-2022		Dec. 2022
Constitutional Commissions & Independent Offices	10	10		8	1	3	4						
Ministries & State Departments	49	48	1	41	1	8	29		1		1		1
Public Universities	35	33	2	30	4	7	19						
State Corporations & SAGAs	190	156	34	143	12	22	92	1	4	1	6		5
Statutory Commissions & Authorities	7	6	1	5			4					1	
Total	291	253 (87%)	38 (13%)	227	18	40	148	1	5	1	7	1	6

Findings

- i) A comparative analysis from the 2018/2019 evaluation revealed that out of the 281 organizations evaluated, a total of 16 institutions representing 6% had a policy on coaching and mentorship, while a total of 265 institutions representing 94% did not have the said policy. From the two-year assessment, it can be observed that there is a slight marginal increase in terms of coaching and mentorship policy developed.
- ii) Coaching and mentoring are critical in ensuring that an organization addresses the present and future needs of both the individual employee and the organization. To facilitate structured coaching and mentoring it is important for institutions to have policies to guide the process.
- iii) Six institutions that did not provide a specific date when they intend to develop the coaching and mentorship policies gave various reasons including lack of a fully constituted Board, lack of funding to develop the policy, the merger of state corporations is finalized or the institution in the process of being wound up.

Recommendations

- i) Public institutions to develop and implement coaching, mentoring and talent management policies and programmes as required in the Human Resource Policies and Procedures Manual, 2016.
- ii) Public institutions to institutionalize coaching and mentoring for performance improvement and succession management.

4.6.4 Skills Inventory and Human Resource Plans

A skills inventory enables an institution determine the available skills and whether these skills will enable the institution deliver on its mandate. Where there are skills gaps then remedial measures can be taken either through redeployment, employment or training existing officers.

Human resource planning is critical in ensuring business continuity, and that there are less disruptions to service delivery. An institution is able to forecast in advance the skills required in the foreseeable future and put in place mechanisms to ensure that those skills will be available. Human resource planning is critical in promoting good governance.

A summary of institutions with skills inventory and human resource plans is presented in Table 4-38.

Table 4-38: Availability of Skills Inventory and Human Resource Plans In Public Institutions

Category	Total No. of Institutions	No. of Institutions Without Skills Inventory	%	No. of Institutions With Skills Inventory	%	No. of Institutions not developed HR Plan	%	No. of Institutions developed HR Plan	%
Constitutional Commissions & Independent Offices	10	6	2.1	4	1.4	10	3.4		0.0
Ministries & State Departments	49	22	7.6	27	9.3	38	13.1	11	3.8
Public Universities	35	22	7.6	13	4.5	31	10.7	4	1.4
State Corporations & SAGAs	190	93	32.0	97	33.3	171	58.8	19	6.5
Statutory Commissions & Authorities	7	3	1.0	4	1.4	6	2.1	1	0.3
Total	291	146	50.2	145	49.8	256	88.0	35	12.0

Findings

i) Majority of the institutions provided an inventory of academic and professional qualifications of officers. However, the skills and competencies possessed by officers was not indicated. This finding was consistent with the Human Resource Planning and Succession Management strategy for the Public Service 2017 that indicated that Ministries, Department and Agencies do not maintain comprehensive skills inventories that would adequately inform the correct human resource status. This therefore makes it difficult to identify the existing skills gaps and develop appropriate programmes to address the gaps.

ii) As regards Human Resource Plans, institutions submitted career progression guidelines for the various cadres of staff in their institutions and Authorized Establishment. These efforts were not adequate to address all issues in Human Resource Planning.

Recommendation

A comprehensive skills inventory framework should be developed to guide in preparation of institutional skills inventory.

4.6.5 Disciplinary Control in the Public Service

The objective of disciplinary control in the public service is to create a motivated and dedicated Public Service which upholds the rules of conduct and work ethics for optimal service delivery. The law requires the disciplinary process to be procedurally fair and expeditious. In the public service, disciplinary cases ought to be finalized within six months. The rationale for this is that when an officer is facing a disciplinary process the levels of anxiety are heightened as the officer is not sure whether he or she is retaining the job or losing it. Performance therefore is affected. The exception to the six-month period is when the discipline case is a result of an ongoing court case in which case the court case has to be concluded first before a determination is made.

A summary of the number of discipline cases, those concluded within six months and those pending are presented in Table 4-39.

Table 4-39: Nature of Discipline cases and Finalization of Cases in Public Institutions

Nature of Discipline Case	No. of Discipline Cases	No. of Discipline Cases Concluded Within 6 Months	No. of Outstanding Disciplinary Cases Beyond 6 Months	No. of Discipline Related Cases Pending in Court
Absence from duty without permission	2,524	1,983	236	55
Negligence of duty	2,152	1,812	125	25
Non-compliance with wealth declaration	614	366	233	4
Fraud	376	210	110	57
Breach of the Code of Conduct and Ethics	270	228	41	19
Theft by public servant	156	91	42	40
Intoxication during working hours	148	58	8	2
Insubordination	131	118	9	2
Abuse of Office	129	27	84	72
Use of abusive language	109	102	2	0
Wilful destruction of Government Property	102	92	7	0
Providing false information	62	42	12	6
Forgery	60	29	20	11
Lateness	51	51	0	0
Soliciting and acceptance of bribe	43	13	21	21
Misuse of public property	41	25	12	1
Sexual harassment	28	16	12	5
Budget Overrun	23	23	0	0
Pecuniary embarrassment	22	10	10	0
Conflict of interest	20	17	1	1
Delay in offering service	17	14	3	0
Bullying	14	3	8	3
Breach of confidentiality	11	7	1	1
Loss of government funds	9	9	0	0
Pending murder case	9	0	9	9
Earning Two Salaries	8	8	0	1
Desertion of duty	5	4	1	0
Accident Case	3	2	0	1
Damage to government property	2	1	1	0
Politicking	2	2	0	0
Stoppage of Salary	2	2	0	0
Forgery/Impersonation	1	1	0	0
Gross misconduct	1	1	0	0
Loss of government property	1	1	0	0
Manslaughter	1	0	1	1
Misuse of government property	1	0	1	1
Others Cases	3	1	2	2
Total	7,151	5,369	1,012	340

Findings

- i) Absenteeism and negligence of duty accounted for 66% of the discipline cases.
- ii) Absenteeism and negligence of duty can affect an officer's productivity leading to inadequate individual and organizational performance. It would be advisable for the human resource to consider the root cause of work-place absenteeism and negligence of duty which may be due to disengagement, burn out or a lack of sufficient work or supervision. A closer engagement with the concerned officer(s) or counselling may provide insights on the cause and provide viable interventions for both the public officer and the organization.
- iii) Abuse of office, theft by servant and bribery has an impact on service delivery and performance to a great extent. Some of these misdemeanors would proceed on to the Anti-Corruption court, much as administrative action will commence within the specific institution where the offence was committed, the final decision say of dismissal will wait for the court's outcome to avoid a scenario of double jeopardy to the accused officer. Similarly, training on the Public Officer Code of conduct and Ethics would provide the officer(s) with knowledge on what would be tantamount to a breach of the code and even how to report such breach.
- iv) Disciplinary cases in the public service are of diverse nature and vary from minor misconducts to serious offences. In a number of instances, a number of these misconducts are deemed minor which can either be resolved through counselling, refresher in-house training on human resource policies and codes of conduct and on the job-retraining for all employees regardless of rank.

Recommendation

Discipline cases to be finalized within 6 months as prescribed in the Human Resource Policies and Procedures Manual, 2016.

4.6.6 Compliance with Government Measures on Management of Covid-19 Pandemic

Following the declaration by the World Health Organization on Covid-19 being a global health crisis, the Government formed an inter-agency team including stakeholders from the private sector. The Ministry of Health, taking a lead role, developed Regulations which provided for a legislative framework in the management of Covid-19 as provided for in the Public Health (Prevention, Control and Suppression of Covid-19), 2020.

With the advent of the pandemic, there was need to adapt new ways of working in order to address the spread of the deadly virus. Work place guidelines were developed and issued by the Head of Public Service to the National and County Governments on how to manage the pandemic at the work place. Several strategies under the guidelines were put across ranging from promotion of physical and social distancing at the work place, public officers with pre-existing conditions and those aged 58 years and above being asked to work from home. Additional measures included ensuring workplace hygiene by providing face masks, alcohol-based sanitizers, setting up hand-washing stations, conducting temperature checks and fumigation of office premises.

The guidelines also provided the protocols to be followed upon return to work after quarantine and isolation. The guidelines were put in place to ensure the safety of public officers while at the same time ensuring that service delivery continued.

A summary of compliance with government measures on management of Covid-19 is presented in Table 4-40.

Table 4-40: Compliance with Government Measures on Management of Covid-19

Category	Total No. of Institutions	No. of Institutions Compliant with Govt Measures on COVID-19	No. of officers aged 58 years and above released to work from home.	No. of staff with pre-existing conditions released to work from home.	No. of facemasks procured or received as donation as at 30th June 2020.	No. of facemasks issued to staff as at 30th June 2020.	No. of alcohol based sanitizing points installed in the workplace.	No. of hand-washing points available at the workplace.	No. of times offices were fumigated.	No. of functional thermo temperature guns in use as at 30th June 2020.	No. of digital meeting platform adopted by the organization.
Constitutional Commissions & Independent Offices	10	10	83	30	144,450	42,810	555	159	67	28	38
Ministries & State Departments	49	49	3,307	792	4,730,202	1,307,055	36,838	38,565	468	2,763	3,089
Public Universities	35	35	3,159	1,079	191,279	85,675	3,577	1,472	246	289	477
State Corporations & SAGAs	190	189	3,709	1,919	4,093,643	4,114,216	23,744	5,684	2,273	2,160	7,097
Statutory Commissions & Authorities	7	7	20	33	29,550	23,974	3,100	61	94	68	22
Grand Total	291	290	10,278	3,853	9,189,124	5,573,730	67,814*	45,941	3,148	5,308*	10,723

* Exclude data from the Ministry of Health

Finding

Compliance with preventive measures at the work place was adhered to by a majority (290) of the evaluated institutions.

a) Existence of a Shift Work Schedule

Shift work schedule is where employees succeed one another at work to enable an institution operate on extended work hours. In certain public institutions shift work hours has been the norm. However, during the period of

Covid-19 pandemic, the use of shift work system provided a forum for public organizations to ensure work is done within a set time frame by ensuring compliance with guidelines provided in the management of Covid-19. In implementing the guidelines issued by the head of public service, institutions ought to have created work schedules to facilitate seamless service delivery even in the face of the pandemic.

A summary of the institutions which had shift schedule of work is presented in Table 4-41.

Table 4-41: Adoption of Shift Work Schedule by Category of Institutions

Category	Total No. of Institutions	Available	Not available	Others
Constitutional Commissions & Independent Offices	10	9	0	1
Ministries & State Departments	49	41	5	3
Public Universities	35	31	3	1
State Corporations & SAGAs	190	159	14	16
Statutory Commissions & Authorities	7	6	1	1
Total	291	246 (84.5%)	23 (7.9%)	22(7.6%)

Findings

- i) Covid-19 pandemic disrupted the way things were being done. Officers were required to work from home or work in shifts. Adoption of shift work schedule was accelerated during the lockdown.
- ii) Other initiatives adopted by institutions to contain the pandemic ranged from remote to virtual working and downscaling of staff physically present in the office to a bare minimum.
- iii) COVID-19 had not been anticipated and so there is no policy to guide the normal way

of working. It became difficult to assess the performance of officers who were working from home.

Recommendation

A policy framework for managing performance of employees working remotely or in shifts be developed.

4.6.7 Exits from the service

The summary of nature of exits is presented in Table 4-42.

Table 4- 42: Nature and Modes of Exits in the Public Service

Category	Total No. of Public Institutions				Modes of Exits & No of Officers who exited Service						
	Total No. of Public Institutions	No. of Institutions Without Officers who Exited Service	%	No. of Institutions With Officers who Exited Service	%	Resignation	Dismissal	Death	Retirement	Expiry of contract	Totals
Constitutional Commissions & Independent Offices	10	3	1.0	7	2.4	19	2	8	50	13	92
Ministries & State Departments	49		0.0	49	16.8	61	221	256	3,033	401	3,972
Public Universities	35	1	0.3	34	11.7	207	57	91	440	250	1,045
State Corporations & SAGAs	190	24	8.2	166	57.0	590	489	341	2,627	891	4,938
Statutory Commissions & Authorities	7	1	0.3	6	2.1	15	2	5	11	13	46
Total	291	29	10.0	262	90.0	892	771	701	6,161	1,568	10,093

Findings

- i) Retirement is the leading cause of exits accounting for 6,161 (61%) officers.
- ii) Generally, it was observed that the ratio of new appointments (10,793) to exits (10,093) was 1:1 therefore the number of officers in the service tend to be constant.

Recommendation

Institutions to utilize information received from exit interviews to improve service delivery.

a) Conduction and Analysis of Exit Interview Questionnaires

A summary of the institutions that conducted and analysed exit interviews is presented in Table 4-43.

Table 4-43: Administration of Exit Interviews and analysis of Exit Questionnaires in Public Institutions

Category	No. of Institutions	No. of Institutions not Conducted Exit Interviews	%	No. of Institutions Conducted Exit Interviews	%	No. of Institutions not Analyzed Exit Interview tools	%	No. of Institutions Analyzed Exit Interview tools	%
Constitutional Commissions & Independent Offices	10	3	1.0	7	2.4	4	2.6	3	2.0
Ministries & State Departments	49	44	15.1	5	1.7	5	3.3	0	0.7
Public Universities	35	10	3.4	25	8.6	17	11.2	8	5.3
State Corporations & SAGAs	190	81	27.8	109	37.5	72	48.7	37	24.3
Statutory Commissions & Authorities	7	4	1.4	3	1.0	2	1.3	1	0.7
Total	291	142	48.8	149	51.2	100	67.1	49	32.9

An exit interview is an effective tool of obtaining feedback from officer(s) 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.

Findings

- i) Failure to conduct and analyze exit interviews by majority of the institutions implied that the institutions missed out valuable feedback from officers who exited their institutions.
- ii) The draft Public Service Commission (Performance Management) Regulations has been forwarded to the Attorney General for publication. Once approved by Parliament, the Regulations will streamline

performance management in the public service.

Recommendation

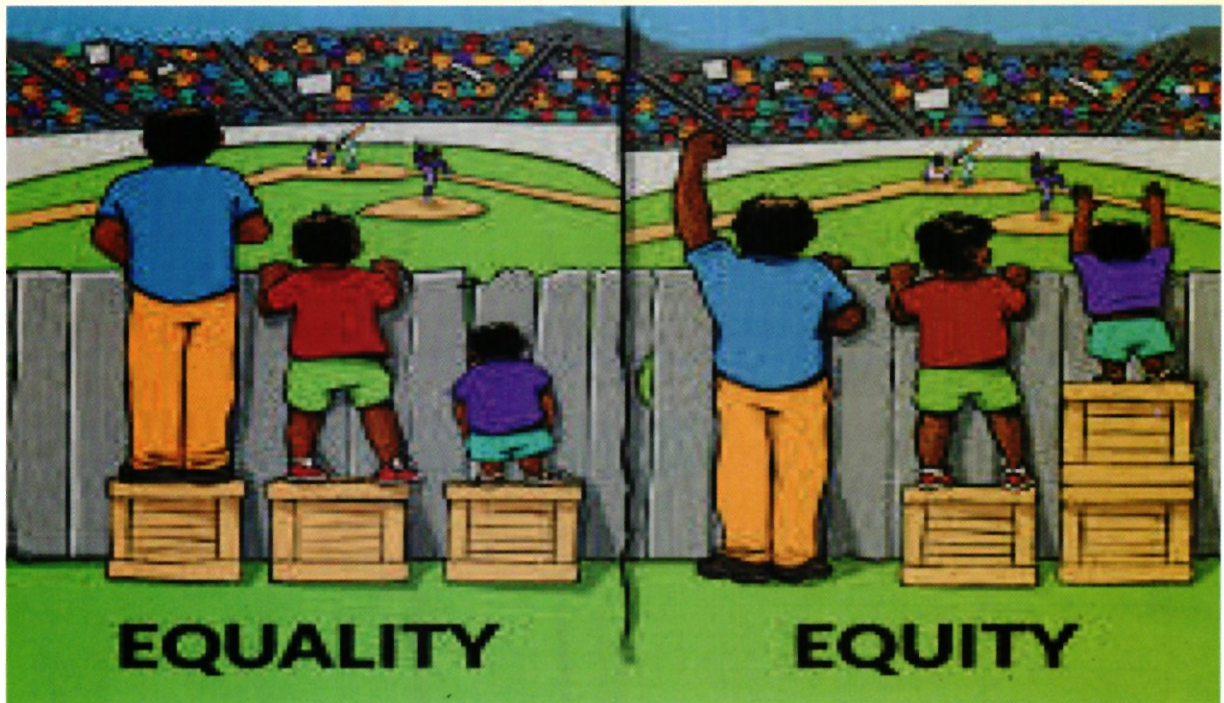
The Human Resource Policy and Procedures Manual 2016 be reviewed to make it mandatory for public institutions to conduct exit interviews, analyze the questionnaires and implement the recommendations.

4.7 Equitable Allocation of Opportunities and Resources

Article 27 of the Constitution calls for equality and non-discrimination of all persons. Equal treatment does not always result in equal gains. Thus, the Article further introduces the principle of equity to cure this problem by obligating the State to take legislative and other measures including affirmative action programmes and policies designed to redress

any disadvantages suffered by individuals or groups because of past discrimination. These may include identification and removal

of barriers that have kept some groups in the margins of the society.



A graphic representation of the difference between equality and equity

Source: Interaction Institute for Social Change

In light of the foregoing, the Constitution obligates the government to ensure two thirds gender representation; at least 5% of appointments in the public service of Persons with Disabilities (PWDs); youth shall be provided with opportunities to participate in political, social and economic spheres; minority and marginalized communities are provided with special opportunities in education and economic fields and have reasonable access to water, health services and infrastructure respectively; and that older persons live in dignity.

The opportunities in the public service shall constitute training and advancement at all levels as well as appointments and promotions based on fair competition and merit in cognizance of the diverse communities in Kenya, men and women, PWDs and the youth. Section 10 of the Public Service (Values and Principles) Act, 2015 provides for circumstances under which the principle of fair competition may be waived to provide for affirmative action.

Diversity Policy for the Public Service, 2016 guides on mainstreaming and management of diversity issues in the public service. Under this thematic area, the Commission sought to establish the distribution of resources and opportunities in line with the above constitutional provisions and indicator 16.7.1(a) of Goal 16.7 of the United Nations Sustainable Development Goals. The performance indicators were-

- a) Distribution of staff by gender, PWDs and ethnicities;
- b) Distribution of appointments, training and promotions by gender, PWDs and ethnicities;
- c) Provision and customization of facilities and services for use by PWDs;
- d) Mode of advertising vacancies;
- e) Affirmative action programmes;
- f) Distribution of AGPO opportunities to women, youth and PWDs; and
- g) Distribution of programmes for marginalized/minorities, vulnerable and special groups.

4.7.1 Distribution of Public Officers by Gender, PWDs and Ethnicities

The Commission sought to establish the total number of officers serving in the public service based on gender, PWDs and ethnicity during the 2019/2020 financial year.

a) Gender representation in the public service

A summary of gender representation in the public service is presented in Table 4-44.

Table 4-44: Summary of Gender representation in the Public Service

Category	No. of Institutions	Total No. of Officers	Female	Male
Constitutional Commissions & Independent Offices	10	4,270	1,748(41%)	2,522(59%)
Ministries & State Departments	49	91,873	30,873(34%)	61,000(66%)
Public Universities	35	24,723	10,055(41%)	14,668(59%)
State Corporations & SAGAs	189	93,527	32,377(35%)	61,150(65%)
Statutory Commissions & Authorities	7	1,467	763 (52%)	704(48%)
Total	*290	215,860	75,816(35%)	140,044(65%)

* National Employment Authority was considered under the State department for Labour.

Finding

Analysis of the bio-data revealed that two thirds gender principle was generally met in all the five sectors across the public service except in the 58 institutions listed in Appendix III. It is however noted that the constitutional requirement of equal representation has not been met. Article 232(1)(i) of the Constitution requires equal representation of both genders at all levels.

and indicator 16.7.1 (a) of Goal 5 of the United Nations Sustainable Development Goals.

- ii) The 58 public institutions which had not complied with the two thirds gender requirement to address their gender gaps as guided by the respective affirmative action programmes.

Recommendations

- i) Public institutions should work towards achieving equal gender representation in line with Article 232(1)(i) of the Constitution

b) Representation by Gender across Job Levels

A summary of the gender representation at various levels in the public service is presented in Table 4-45.

Table 4-45: Summary of Representation by Gender across Job Levels

Job Groups/ Levels/Scale/Grade	Total No. of Staff per Level	Gender				Variance*
		Male	%	Female	%	
CEO or Policy Level (CSG 1 & CSG 2 or equivalent) [U and above or equivalent]	426	335	78.6	91	21.4	-11.9
Senior Management (CSG 3 - CSG 5 or equivalent) [R-T or equivalent]	6,233	4,442	71.3	1,791	28.7	-4.6
Middle management (CSG 6 & CSG 7 or equivalent) [P-Q or equivalent]	18,040	11,804	65.4	6,236	34.6	0
Technical Staff - Entry level for Bachelors (CSG 8 - CSG 11 or equivalent) [J-N or equivalent]	76,664	45,166	59	31,498	41.1	0

Job Groups/ Levels/Scale/Grade	Total No. of Staff per Level	Gender				Variance*
		Male	%	Female	%	
Operative Staff- Entry-level for certificate/ Diploma (CSG 12-CSG 15 or equivalent) (E-H or equivalent)	95,811	64,824	67.7	30,987	32.3	-0.6
Support Staff (CSG 16 & CSG 17 or equivalent) [A-D or equivalent]	18,274	12,429	68	5,845	32	-1.3
Total	215,448	139,000		76,448		

*Variance is the difference between the actual % and the constitutional 33%

Note: Data from the following seven institutions was excluded from the above analysis as the data had not been populated across the six job levels. Industrial and Commercial Development Corporation, Kenya Dairy Board, Kenya Petroleum Refineries Limited, Office of the Director of Public Prosecutions, State Department for Public Works, Tourism Fund, and Kenya National Bureau of Statistics.

Finding

It was observed that the female gender was grossly under-represented at senior management and policy levels.

- ii) Public institutions to develop and implement deliberate affirmative action programmes to ensure gender parity is realized at all job levels.

Recommendations

- i) Public institutions to commit to achieve equal representation at various levels in line with Article 232(1)(i) of the Constitution and indicator 16.7.1 (a) of Goal 16.7 of the United Nations Sustainable Development Goals.

c) Representation of PWDs in the Public Service

A summary of the status of representation of PWDs by service sector is presented as Table 4-46.

Table 4-46: Status of Representation of PWDs by Service Sector

Category	No. of Institutions	Total No. of Officers	Non-PWDs	PWDs	%
Constitutional Commissions & Independent Offices	10	4,270	4,218	52	1.2%
Ministries & State Departments	49	91,873	90,945	928	1.0%
Public Universities	35	24,723	24,376	347	1.4%
State Corporations & SAGAs	189	93,527	92,134	1,393	1.5%
Statutory Commissions & Authorities	7	1,467	1,447	20	1.4%
Total	290	215,860	213,120	2,740	1.3%

Findings

- i) There was a marginal improvement of 0.1% compared to 2018/19 report.
- ii) The PWD representation gap was 3.7% of the constitutional threshold of a minimum of 5%.
- iii) Although the constitutional threshold had not been met by a majority of the institutions, the following 13 organizations had met the threshold:

- a) National Council for Persons With Disabilities
- b) Inter-governmental Relation Technical Committee
- c) Anti-Female Genital Mutilation Board
- d) Nairobi Centre For International Arbitration
- e) Universities Fund
- f) Kenya Education Management Institute
- g) Kenya Institute of Special Education
- h) EwasoNgiro North River Basin Development Authority

- i) Lake Victoria South Water Works Development Agency
- j) Council of Legal Education
- k) State Department for Post Training and Skills Development
- l) National Water Harvesting and Storage Authority
- m) National Authority for the Campaign Against Alcohol and Drug Abuse.

d) Representation of PWDs at various Levels

A summary of representation of PWDs at all levels is presented in Table 4-47. The National Council for Persons with Disabilities reported that a total of 522,022 PWDs were registered with the Council as at 30th June, 2020. In this regard, only an equivalent of 0.5% of registered PWDs were represented in the public service. The Council however did not provide disaggregated data by levels of education and gender.

Table 4-47: Summary of Representation of PWDs at Various Levels

Job Groups/ Levels/Scale/Grade	Total No. of Staff per Level	Total No. of PWDs	%	Disability (PWDs)	
				Male	Female
CEO or Policy Level (CSG 1 & CSG 2 or equivalent) [U and above or equivalent]	427	2	0.5	1	1
Senior Management (CSG 3 - CSG 5 or equivalent) [R-T or equivalent]	6,233	117	1.9	95	22
Middle management (CSG 6 & CSG 7 or equivalent) [P-Q or equivalent]	18,040	240	1.3	180	60
Technical Staff - Entry level for Bachelors (CSG 8 - CSG 11 or equivalent)[J-N or equivalent]	76,664	1261	1.6	824	437
Operative Staff- Entry-level for certificate/Diploma (CSG 12-CSG 15 or equivalent) (E-H or equivalent)	95,811	902	0.9	594	308
Support Staff (CSG 16 & CSG 17 or equivalent) [A-D or equivalent]	18,274	218	1.2	151	67
Total	215,448	2,740	1.3	1,845	895

Note:

Data from the following 7 organizations was excluded from the above analysis of Bio-data as it was inadequate: Industrial and Commercial Development Corporation, Kenya Dairy Board, Kenya Petroleum Refineries Limited, Office of the Director of Public Prosecutions, State Department for Public Works, Tourism Fund, and Kenya National Bureau of Statistics.

Finding

The constitutional threshold of 5% representation of PWDs at all levels was not met.

Recommendations

To achieve the constitutional threshold of a minimum of 5% for PWDs, it is recommended that:

- i) NCPWD be required to disaggregate the PWDs data by gender and education levels and share with public organizations for

- consideration during recruitments
- ii) Public institutions to implement affirmative action programmes during recruitment in line with Section 10 of the Public Service (Values and Principles) Act, 2015, and as guided by the affirmative action programmes for PWDs developed during the 2018/19 values compliance evaluation;
- iii) Public institutions to deliberately provide training opportunities for officers with disabilities in line with the Human Resource Development Policy for the Public Service to enable them acquire qualifications to facilitate their advancement in the service.

e) **Representation of Ethnic Communities in the Public Service**

Ethnic Representation

Forty-three out of 46 ethnic communities as per the 2019 Kenya Population and Housing Census were represented in the public service. None of the institutions evaluated had attained proportionate representation of all the 46 ethnic communities. However, 51 (18%) of the

institutions had a representation of at least half of the 46 ethnic communities. Of those with at least half of the ethnic communities, 22 were Ministries and State Departments, 23 State Corporations and SAGAs, three Constitutional Commissions and Independent Offices, two Public Universities and one Statutory Commission and Authority. Table 4-48 is a summary of the top 10 most representative institutions.

Table 4-48: Summary of the Top Ten Most Representative Institutions by Sector

Sector	Name of Institutions	No. of Ethnic Groups Represented
Constitutional Commissions & Independent Offices	Independent Electoral and Boundaries Commission	33
	Ethics and Anti-Corruption Commission	32
Ministries & State Departments	State Department For Interior And Citizen Services	35
	Ministry of Health	34
	State Department For Social Protection	33
State Corporations & SAGAs	Kenya Wildlife Service	37
	Kenya Prisons Service	33
	Kenya Revenue Authority	33
	Kenya Forest Service	30
	Kenya Medical Training College	30

Finding

None of the public universities and statutory commissions & authorities were among the top 10 most representative organizations. Additionally, 126 (43%) institutions had ethnic representation of less than a third (15) of the 46 ethnic communities. These comprised six Ministries and State Departments, 99 State Corporations and SAGAs, 17 Public Universities, two Constitutional Commissions and Independent Offices and two Statutory Commissions and Authorities.

(i) Normal representation

A total of 35 of the 46 ethnic communities were within the normal threshold of proportionate representation relative to national population size with a standard deviation of +1 or -1. Generally, proportionate representation for all the 46 ethnic communities was yet to be realized.

(ii) Under-represented Communities

Three communities namely the Turkana, Luhya and Mijikenda were under-represented when compared to national population while the Kenyan Somali were grossly under-represented. It was observed that the Luhya and Mijikenda were also reported as under-represented during the 2018/19 evaluation.

(iii) Over-representation

The Kisii and Luo ethnic communities were over-represented, and that the representation status for the two was the same during the 2018/19 evaluation. The Kikuyu and the Kalenjin communities were grossly over-represented, as was the case in the previous evaluation.

(iv) Unrepresented Communities

The Dahalo, Wayyu and Kenyan American were the only non-represented ethnic communities in the public service. It is however noted that

the Dahalo and the Wayyu ethnic communities had not been enlisted in the 2009 Population Census report. Details of representation status for ethnic communities are presented in Appendix IV.

The National Employment Authority (NEA) indicated that a database for citizens seeking job opportunities had been developed. The institution committed to be continually updating the database and disseminating reports to organizations for consideration during recruitment.

Recommendation

Public service institutions affected by imbalances in ethnic representation should endeavour to implement the affirmative action programme on ethnicities that was presented in the 2018/19 evaluation report and as required by Section 10 of the Public Service (Values and Principles) Act, 2015.

4.7.2 Provision of Reasonable Accommodation for PWDs

The United Nations Convention on the Rights of Persons with Disabilities (CRPD) provides that in order to promote equality and non-discrimination, State parties shall take steps to ensure that reasonable accommodation is provided.

A reasonable accommodation is any change to the application or hiring process, to the job, to the way the job is done, or the work environment that allows a person with a disability who is qualified for the job to perform the essential functions of that job and enjoy equal employment opportunities. Accommodations are considered "reasonable" if they do not create an undue hardship or a direct threat. It may include: changing job tasks, providing reserved parking, improving accessibility in a work area, changing the presentation of tests and training materials, providing or adjusting a product, equipment, or software, allowing a flexible work schedule, providing an aid or a service to increase access or reassigning to a vacant position.

Reasonable accommodation entails any change to the application or hiring process, to the job, to the way the job is done, or the work environment that allows a person with a disability who is qualified for the job to perform the essential functions of that job and enjoy equal employment opportunities. Accommodations are considered "reasonable" if they do not create an undue hardship or a direct threat. This may include changing job tasks, providing reserved parking, improving accessibility in a work area, changing the presentation of tests and training materials, providing or adjusting a product, equipment, or software, allowing a flexible work schedule, providing an aid or a service to increase access or reassigning to a vacant position.

The Public Service Commission Code of Practice on mainstreaming Disability, 2010 provides that public service entities shall implement the principle of universal design and reasonable accommodation in procuring goods, services and works. Reasonable accommodation should commence from the advertising stage to the duration of an employee with disability is in employment.

a) Advertisement of Vacancies as a Mode of Equalization of Employment Opportunities

The mode of advertisement has an impact on achieving representation in the public service. Section 5(2) of the Employment Act, 2003 provides that an employer shall promote equal opportunity in employment and strive to eliminate discrimination in any employment policy or practice. It is observed that sometimes under representation of communities occurs because of the mode adopted by public institutions to advertise vacancies. To ensure that all potential applicants have an equal opportunity to apply for the advertised positions, Section 37(1) of PSC Act, 2017, requires that the advertisement be posted on the website, at least one daily newspaper of nationwide coverage, the radio and other modes of communication.

Further, Section 37(3) of the PSC Act provides that the advertisements shall be conducted in an efficient and effective manner so as to

ensure that the applicants, including persons who for any reason have been or may be disadvantaged, have an equal opportunity to apply for the advertised positions. Separately, Section 2.2.2(ii)(b) of the Diversity Policy for the Public Service, 2016 provides that public institutions shall advertise available job vacancies in a format accessible to Persons with Disabilities including using established Government channels, print, large print, Braille, television, radio and the internet including sharing advertisements with the National Council for Persons with Disabilities (NCPWD).

Separately, Section 32 (b) of the Public Service Commission Regulations, 2020 requires public institutions to review their recruitment policies to ensure that the mode of advertisement of job vacancies do not in any way disadvantage any particular group.

The Commission sought to establish the modes used by public institutions to advertise job vacancies. A summary of modes used is presented in Table 4-49.

Table 4-49: Modes used by Public Institutions to Advertise Available Vacancies

Sector	Print Media (Newspapers- News Letters)	Broadcast Media (TV & Radio)	Social Media	Information- Education & Communication (IEC) materials	Website	Others
Constitutional Commissions & Independent Offices	11	9	11	9	11	3
Ministries & State Departments	29	23	34	20	45	9
Public Universities	29	20	30	21	34	7
State Corporations & SAGAs	122	97	153	124	180	40
Statutory Commissions & Authorities	5	5	6	6	6	2
Total	196	154	234	180	276	61

Findings

- i) Equality of opportunity has been interpreted to mean the “process through which various systems of society and the environment such as services, activities, information and documentation are made available to all, particularly Persons with Disabilities.”¹¹
- ii) Print media remained the most preferred mode as was reported in 2018/2019.
- iii) Broadcast media was the least preferred mode as was reported in 2018/2019. This is despite the fact that broadcast media, especially the radio, is one of the most effective channels in reaching out to the widest pool of job applicants. Efficacy of broadcast media in advertisement was confirmed by the Kenya Media Landscape

Report of July, 2019 produced by Reel forge and TIFA Research that showed that radio was the most consumed media source in the country at 66%.

Recommendations

- i) All public institutions to comply with Section 37(1) of PSC Act, 2017 relating to the mode of communication and advertisement of job vacancies.
- ii) Public institutions to share available job vacancies with the NCPWD and National Employment Authority (NEA).
- iii) The policy on centralization of job advertisements be reviewed to align it with Section 37(1) of PSC Act, 2017.

¹¹UN Standard Rules On Equalization Of Opportunities, Background para 24

b) Customization of Services and Facilities

It is not sufficient to appoint PWDs into the public sector. Once appointed, the public institutions should put in place measures to ensure that an employee with disability is retained and grows. The ILO Employment (Disabled Persons) Convention (No. 159), encourages Member States to adopt measures that will provide Persons with Disabilities with equal opportunity to access, retain and advance in employment that is freely chosen in an open labour market¹². This therefore calls for customization of facilities and services. This requirement is embedded in Section 21 of the Persons with Disabilities Act, 2003 which provides that Persons with Disabilities are entitled to a barrier-free and disability friendly environment to enable them have access to buildings, roads and other

social amenities and assistive devices and other equipment to promote their mobility.

The Commission sought to establish the total number of facilities and services available in public institutions that are customized for use by PWDs. It sought to establish the status of customization of services and facilities for PWDs under the following parameters: personal aides, accessible premises, reserved parking, customized chairs, availability of sign language interpreter, availability of Braille, customized sanitary facilities, availability of customized lifts, flexible working hours, and provision of assistive devices.

A summary of the measures adopted by public institutions to customize facilities and services to be responsive to the needs of PWDs is presented in Table 4-50.

Table 4-50: Customized Facilities and Services for PWDs

Facilities or Services Customized for PWDs	Category of Institutions					Total
	Constitutional Commissions & Independent Offices	Ministries & State Departments	Public Universities	State Corporations & SAGAs	Statutory Commissions & Authorities	
Personal aides	4	21	11	37	3	76
Accessible premises	10	39	35	167	7	258
Reserved parking	8	36	32	160	4	240
Customized chairs	3	19	12	56	1	91
Availability of sign language interpreter	2	11	23	107	3	146
Availability of Braille	2	12	25	111	2	152
Customized sanitary facilities	8	25	28	126	6	193
Availability of customized lifts	3	14	8	67	5	97
Flexible working hours	4	24	10	74	3	115
Assistive devices (i.e wheel chairs-customized software-hearing aids and crutches)	3	10	18	77	2	110
*Others	0	3	3	5	0	11

¹²Article 3 of C159_Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)

Findings

- i) The number of institutions that reported to have transcribed their documents into Braille increased from 33 in 2018/2019 to 160, an increase of 80%.
- ii) Half of the institutions had transcribed their institutional customer service charter into Braille.
- iii) Other transcribed documents included product catalogues, organizational mandate, legislations, policies, regulations, procedure manuals, training manuals and strategic plans.
- iv) Other facilities or services customized for use by PWDs were, customized clients' service counters for PWDs such as dwarfism, customized websites, disability friendly buses, customized students' hostels, non-taxable remuneration, free transport, customized tables, signages, working ramps and sign language interpreters.
- v) The National Council for Children's Services, National Quality Control Laboratory and Regional Center on Ground Water Resource Education, Training and Research did not comply with any of the above parameters.
- vi) Whereas institutions may provide aides, flexible working hours and wheelchairs depending on the nature of disability of their employee(s), there are services which should be customized regardless of whether there is an employee with disability in an organization or not. This is because public offices are visited by persons with various needs. There should therefore be 100% compliance by institutions in providing: accessible premises, reserved parking, sign language interpreters and customized sanitary facilities.



Disability-friendly bus procured by the Kenya Institute of Special Education for use by Persons with Disabilities

Source: Kenya Institute of Special Education

Recommendations

- i) The National Council for Persons with Disabilities to conduct an audit of premises to determine accessibility for PWDs by March 2021.
- ii) All public institutions to commit to customize their services and facilities to address the diverse needs of PWDs.
- iii) Public institutions to customize their services and facilities to address the diverse needs of PWDs.

4.7.3 Distribution of Appointments, Training and Promotions by Gender, PWDs and Ethnicities

Article 232(1)(i) of the Constitution requires affording adequate and equal opportunities for appointment, training and advancement, at all levels of the public service, of (i) men and women (ii) members of all ethnic groups and (iii) persons with disabilities. The Commission sought to establish the total number of officers appointed, trained and promoted disaggregated by gender, PWDs and ethnicity.

4.7.3.1 Appointments

(a) Representation in Appointments in the Public Service

A total of 195 institutions representing 67% indicated that they had made appointments in 2019/20. A summary of the appointments disaggregated by gender and disability across sectors is presented in Table 4-51.

Table 4-51: Summary of Appointments Disaggregated by Gender and PWD Status across Sectors

Category of Public Institutions	Total No. of Officers Recruited	Gender		Gender of PWDs Recruited		Total No. of PWDs Recruited	%
		Female	Male	Female	Male		
Constitutional Commissions & Independent Offices	955	338 (35.4%)	617 (64.6%)	2	3	5	0.5
Ministries & State Departments	6,804	2,771 (40.7%)	4,033 (59.3%)	20	60	80	1.2
Public Universities	1,121	402 (35.9%)	719 (64.1%)	5	10	15	1.3
State Corporations & SAGAs	3,397	1,289 (37.9%)	2,108 (62.1%)	9	30	39	1.1
Statutory Commissions & Authorities	86	43 (50.0%)	43 (50.0%)			0	0.0
Total	12,363	4,843 (39.2%)	7,520(60.8%)	36	103	139	1.1

Findings

- i) The two-thirds gender principle was attained in the appointments.
- ii) There was an increase in the ethnic representation from 38 ethnic communities in 2018/2019 to 41 in 2019/2020.
- iii) None of the five sectors achieved the (5%) requirement of representation of persons with disabilities in appointments.

Recommendation

The institutions with under-representations with respect to the two-thirds gender principle, 5% PWDs and ethnicities to implement the affirmative action programmes developed during 2018/19 financial year to redress the imbalances by June 2021.

(b) Appointment through Head-hunting

Head hunting is a form of recruitment and selection which entails conducting a specified search to identify highly-skilled or hard-to-find candidate(s) for a particular role or position, especially for executive and senior-level jobs. The Constitution requires that appointments in the public service be through fair competition. However, some institutions appointed staff through head hunting. A total of 21 (7%) institutions head hunted 143 suitable persons for diverse positions in the public service. State House had the highest number with 47 (33%) officers, followed by Office of the Deputy President and Kisii University at 28 (20%) and 20 (14%) officers respectively.

4.7.3.2 Distribution of Training Opportunities by Gender, PWDs and Ethnicities

Training is necessary in providing the officers with requisite skills for job performance. To ensure that officers compete on the same level for promotions, training opportunities should be distributed fairly. The Human Resource Development Policy for the public service recommends that training should be systematically aligned to the principles of Results-Based management (RBM) and guided by national values and principles of governance and values and principles of public service.

In addition, the training policy further provides for affirmative action programmes to ensure the marginalized and minority groups and PWDs are granted opportunities for training in the public service and also sponsored for relevant undergraduate degree programmes. The Commission sought to determine the distribution of training opportunities by gender, PWDs and ethnicity.

(a) Representation in Training in the Public Service

A summary of the distribution of officers trained by gender and PWDs status across sectors is presented as Table 4-52.

Table 4-52: Distribution of Officers Trained by Gender and PWD Status Across Sectors

Category	Total Staff as per Bio-Data	Total No. of Officers Trained	% Trained	Gender		Total No. of PWDs Trained
				Female	Male	
Constitutional Commissions & Independent Offices	4270	330	7.7%	171 (52%)	159 (48%)	5
Ministries & State Departments	91873	1,837	2.0%	877 (48%)	960 (52%)	17
Public Universities	24723	543	2.2%	215 (39.6%)	328 (60.4%)	10
State Corporations & SAGAs	93527	14,687	15.7%	5,694 (38.8%)	8,993 (61.2%)	137
Statutory Commissions & Authorities	1467	290	19.8%	172 (59%)	118 (41%)	4
Total	215,860	17,687	8.2%	7,129 (40%)	10,558 (60%)	173 (2.4%)

A summary of the distribution of officers trained by course level, sponsor, gender, PWDs and marginalized is presented in Table 4-53.

Table 4-53: Distribution of Officers Trained by Course Level, Sponsor, Gender, PWDs and Marginalized

Level	Total No. of Officers Trained	Sponsor Type			Gender		Disability Status			Marginalized		
		Development Partner	GOK	Self	No. of Female	No. of Male	Total No. of PWDs Trained	No. of Female	No. of Male	Total No. of Marginalized Trained	No. of Female	No. of Male
PhD	224	48	146	30	79	145	1		1	18	6	12
Masters	325	31	274	20	151	174	109	53	56	30	13	17
Bachelor	43	4	19	20	16	27	54	18	36	2		2

Level	Total No. of Officers Trained	Sponsor Type			Gender		Disability Status			Marginalized		
		Development Partner	GOK	Self	No. of Female	No. of Male	Total No. of PWDs Trained	No. of Female	No. of Male	Total No. of Marginalized Trained	No. of Female	No. of Male
Higher Diploma	35	2	31	2	22	13	2	1	1	4	1	3
Diploma	69	5	53	11	40	29				2	1	1
Certificate	11,085	455	10598	32	4392	6693	5	2	3	1704	502	1202
Conferences & Workshops	5,906	254	5645	7	2429	3477	2		2	510	173	337
Total	17,687	799 (4.5%)	16,766 (94.8%)	120 (0.7%)	7,129	10,558	173	74	99	2,270	696	1,574

The detailed distribution of training opportunities by ethnic groups is as presented in Appendix V.

Findings

- i) A total of 11,781 officers representing (67%) of the total trained attended long and short courses, while 5,906 (33%) officers attended workshops and conferences lasting one to four days.
- ii) There was a decline in the number of officers supported for short and long courses from 40,171 in FY 2018/2019 to 17,687 in FY 2019/2020. The decline may be attributed to the effects of COVID-19 during the second half of the financial year.
- iii) Officers from 37 ethnic groups benefited from the training opportunities. There was a decline by Four (9%) from the 41 ethnic communities that were represented in training during the 2018/19 Financial Year.
- iv) Out of 17,687 officers trained, 2,270 were from the minorities and marginalized groups representing 13%. In addition, though 75% of the minorities and marginalized groups were trained on general certificate courses, 50 (2%) trained for PhD, Masters and Bachelors courses.
- v) Officers from the Aweer/Waata, Dasenach, Dorobo, Gabra, Gosha, Konso, Walwana/Malakote ethnic groups did not benefit from the training opportunities.

Recommendation

Institutions develop a comprehensive capacity building training programme targeting officers at all levels with a view to equip them with on-job skills and competencies required in the transformation of service delivery.

(b) Training of PWDs

Of the 17,687 trained officers 173 (1%) were PWDs. Majority of the PWDs trained were from State Corporations & SAGAs with 137 representing 79% of the PWDs trained. Ministries & State Departments followed with 17 (10%) officers, public universities with 10 (6%) while Constitutional Commissions and Independent Offices and Statutory Commissions and Authorities had 5 (3%) and 4 (2%) officers trained respectively. In addition, from the 173 PWDs trained, majority undertook Master's degree i.e. 109 (63%) while 54 (31%) undertook Bachelor's degrees. Five (3%) officers undertook general certificate while Higher Diploma and PhD courses were undertaken by 2 (1%) and 1 (1%) officer respectively. The highest number of PWDs trained was from the Kenya Pipeline Company Limited with 14 (8%) PWDs trained followed by the Kenya School of Government with 10 (6%).

Finding

Out of the total 2,740 PWDs serving in the public service, only 173 (6%) were sponsored for training during the reporting period.

Recommendation

Public institutions to comply with the Human Resource Development Policy for the Public Service, 2015 and grant PWDs training opportunities to facilitate their advancement in the public service.

4.7.3.3 Distribution of Promotions by Gender, PWDs and Ethnicities

(a) Representation in Promotions in the Public Service

A summary of the number of promotions that were made disaggregated by gender and disability across sectors is presented in Table 4-54.

Table 4-54: Summary of Promotions Disaggregated by Gender and Disability per Sectors

Category	No. of Officers Promoted	Gender		PWDs	
		Female	Male	No. of PWDs	%
Constitutional Commissions & Independent Offices	153	72 (47%)	81 (53%)	2	1.3%
Ministries & State Departments	5,221	1,996 (38%)	3,225 (62%)	39	0.7%
Public Universities	718	323 (45%)	395 (55%)	6	0.8%
State Corporations & SAGAs	5,377	1,853 (33%)	3,524 (66%)	64	1.2%
Statutory Commissions & Authorities	15	7 (47%)	8 (53%)	0	0%
Total	11,484	4,251 (37%)	7,233 (63%)	111	1%

The detailed distribution of promotions by ethnicity, gender and disability across job levels is presented as Appendix VI.

Findings

- i) Whereas the two-thirds gender principle was achieved, the 5% requirement on PWDs was not met as was the case during the 2018/19 evaluation.
- ii) The number of ethnic communities represented in the promotions increased from 35 to 43 towards realizing the principle of ethnic inclusivity.

Recommendation

It is recommended that the public service institutions with reported cases of under representation and non-representation of ethnic communities in promotional appointments commit to implement affirmative action programmes developed during the 2018/19 financial year to redress the gaps.

(b) Promotions Undertaken Without Interviews

Section 10(1) of the Public Service (values and principles) Act, 2015 states that the public service, a public institution or an authorized officer shall ensure that public officers are appointed and promoted on the basis of fair competition and merit. The Act however provides situations where promotions may be conducted without competition if-

- i) a community in Kenya is not adequately represented in appointments or promotions in the public service or in a public institution;
- ii) the balance of gender in the public service or in a public institution is biased towards one gender;
- iii) an ethnic group is disproportionately represented in the public service or in a public institution; or
- iv) persons with disabilities are not adequately represented in the public service or in a public institution.

A total of 74 (26%) institutions promoted 5,833 officers for diverse vacant positions in the public service without conducting interviews. The State Department for Interior and Citizen Services had the highest with 1,799 (31%) officers promoted without interviews. This was followed by KenGen, State House and Kenya Wildlife Service with 1,123 (19%), 588 (10%) and 429 (7%) officers promoted respectively.

Finding

Whereas the law anticipates that in some instances promotions may be made without the necessity of interviews being conducted the law prescribes circumstances under which such promotions may occur.

Recommendation

An audit be undertaken to establish whether the promotions that were conducted without interviews were in line with Section 10 of the Public Service (Values and Principles) Act, 2015.

4.7.4 Implementation of Affirmative Action Programmes

The Public Service Commission Act, 2017 defines affirmative action as the measures

designed to overcome or ameliorate an inequity or the systematic denial of opportunities. Section 48 of the Act requires the Commission to make regulations to give effect to the requirements of the Constitution regarding inclusivity in terms of gender, Kenya's diverse communities, persons with disabilities and the youth. In the 2018/19 values report public institutions committed to implement a three-year plan to address diversity gaps in ethnicity, gender and PWDs representation in their institutions. The three-year plans were for FY 2019/20, 2020/21 and 2021/22. This Section provides details of implementation of the diversity gaps for the period 2019/20.

(a) Implementation of the Affirmative Action Programmes on Gender Gaps

The 2018/19 values report indicates that 150 public institutions planned to recruit 1,211 officers, 27 male and 1,184 female in order to address the gender gaps in their institutions at various levels.

A summary of the affirmative action programmes to address gender gaps at various levels is presented in Table 4-55.

Table 4-55: Recruitment to Address Gender Gaps per Level

Job levels	Total No. of Officers Planned for Recruitment (A)	No. of Female	No. of Male	Total No. of Officers Recruited	No. of Male	%	No. of Female	%
CEO or Policy	7	6	1	72	51	71	21	29
Senior Management	87	84	3	435	301	69	134	31
Middle management	237	221	16	1,188	817	69	371	31
Technical Staff	239	236	3	5,592	3,404	61	2,188	39
Operative Staff	520	516	4	3,503	2,036	58	1,467	42
Support Staff	121	121	0	1,573	911	58	662	42
Total	1,211	1,184	27	12,363	7,520	61	4,843	39

Findings

- i) Though the recruitment complied with the two thirds gender principle across the public service, the principle was not attained at higher levels in the public service.
- ii) Like the FY 2018/2019, more male were recruited than female officers.

(b) **Implementation of the Affirmative Action Programmes for Persons with Disabilities Gaps**

The 2018/19 values report indicates that 150 public institutions planned to recruit 1,289

PWDs to address the representation of PWD gaps in their institutions at various levels. A summary of the affirmative action programmes to address PWDs gaps at various levels is presented in Table 4-56.

Table 4-56: Recruitment to Address PWD Gaps per Level

Job Levels	No. of PWDs Planned for Recruitment for 2019/20 FY (A)	Total No. Officers recruited	No. of PWDs recruited in 2019/20FY (B)	% of PWDs recruited
CEO or Policy Level	24	72	2	2.7
Senior Management	77	435	7	1.6
Middle Management	187	1,188	6	0.5
Technical Staff	470	5,592	82	1.5
Operative Staff	387	3,503	30	0.9
Support Staff	144	1,573	12	0.8
Total	1,289	12,363	139	1.1

Finding

The recruitment for PWDs across all levels did not meet the Constitutional requirement of minimum representation of 5%.

officers from ethnic groups not represented in the institutions. The planning was made with the assumptions that the other communities were represented in the institutions. Therefore, priorities in recruitment was to be accorded to the communities not represented and this were majorly the communities categorized as minorities and marginalized.

(c) **Implementation of the Affirmative Action Programmes to address Ethnic Imbalances**

The 2018/19 values report indicates that 210 public institutions planned to recruit 2,175

A summary of affirmative action programmes to address ethnic imbalances is presented in Table 4-57.

Table 4-57: Recruitment to address ethnic imbalances

Ethnic Name	No. of Officers Planned for Recruitment (A)	No. of Officers Recruited (B)	No. of Institutions Not Planned but recruited	No. of Institutions that recruited as Planned	No. of Institution that Under Recruited
Bajuni	53	40	11	1	
Basuba	47	43	15	1	1
Boni-Sanye	0	2	1		
Borana	34	101	25	2	2
Burji	51	11	5		1
Dorobo	72	7	6		
Gabra	53	37	11	1	2
Gosha	64	1		1	
Kenyan Somali*	92	423	57	2	1
Kuria	49	58	19		
Maasai	34	366	47	5	3
Mbeere	61	58	15		1

Ethnic Name	No. of Officers Planned for Recruitment (A)	No. of Officers Recruited (B)	No. of Institutions Not Planned but recruited	No. of Institutions that recruited as Planned	No. of Institution that Under Recruited
Mijikenda	81	347	40	4	1
Njemps	58	22	7		
Nubi	68	10	2		1
Orma**	52	15	6		
Pokomo	44	51	13		
Rendille	46	19	6	1	
Sakuye	68	4	2		
Samburu	53	67	13		
Swahili	45	34	13	1	1
Taita	21	257	39	2	
Taveta	59	14	5		
Teso	23	105	25	2	
Tharaka	82	48	10	1	1
Turkana	98	106	19	1	
Walwana/Malakote	62	2	2		
Totals	1,470	2,248			

* Leysan was merged with Somali in the 2019 census

**Galla was merged with Orma in the 2019 census

Findings

- i) Out of the 12,363 officers recruited 2,248 (18.2%) were from the marginalized and minorities communities and 10,115 (81.8%) were from communities that were represented in the institutions.
- ii) Majority of institutions that did not plan for any recruitment recruited the marginalized and minorities.
- iii) The institutions did not recruit as planned in order to bring in the under-represented communities. Without complying to the recruitment plans the representation gaps continue to widen.

Recommendation

Institutions to implement the affirmative action programmes to bridge representation gaps.

4.7.5 Distribution of Programmes for Vulnerable Groups

Equality of opportunity will only be realized if State Parties adopt a substantive equality approach.¹³ This is because, a substantive approach addresses entrenched inequalities arising from collective dimensions such as group membership.¹⁴ Any measures adopted to provide substantive equality must be practical and effective and not theoretical and illusionary if they are to deliver tangible benefits to the affected individual.¹⁵ For this reason, Articles 54 to 57 of the Constitution provides for rights of special groups that requires the State to take deliberate measures to address issues related to these special groups.

To facilitate achievement of these special rights, the government has put in place programmes

¹³Sandra Fredman, 'Providing Substantive Equality and the Positive Duty to Provide', (2005)

¹⁴De Vos, 'Beyond Formal Equality- Positive Action Under European Commission', 10

¹⁵Alastair Mowbray, 'The Creativity of the Human Rights Court', (2005), 5 Human Rights Law Review, 57 at 73

targeting the vulnerable groups. The programmes include Access to Government Procurement Opportunities (AGPO), the Women Enterprise Development Fund, (WEDF), the Youth Enterprise Development Fund (YEDF), the Older Persons Cash Transfer (OP-CT) and the Orphans and Vulnerable Children (CT-OVC) and Persons with severe disability (PWDs-CT) among others implemented by various government agencies.

4.7.5.1 Distribution of AGPO opportunities to Women, Youth and PWDs

Article 227(2) of the Constitution 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 and the protection or advancement of persons and categories of persons or groups previously disadvantaged by unfair competition or discrimination.

In line with this Article, Section 157(10) of the Public Procurement and Asset Disposal Act, 2015 provides that every procuring entity shall ensure that at least 30% of its procurement value in every financial year is allocated to the youth, women and PWDs. To operationalize this provision, the government rolled out the Access to Government Procurement Opportunities (AGPO) programme to enable youth, women and PWDs to participate in government procurement.

For the groups to benefit from the reserved procurement, they are required to register with the National Treasury. By 30th June 2020, 126,356 special groups comprising 53,564 (42%) women groups, 66,742 (53%) youth groups and 6,050 (5%) PWDs groups had registered with the National Treasury.

A summary of the amount allocated to vulnerable groups per sector is presented in Table 4-58.

Table 4-58: Summary of the Amount Allocated to vulnerable groups under AGPO per Sector

Sector	Special Group			Total
	Women	Youth	PWDs	
Constitutional Commissions & Independent Offices	513,267,521	575,086,829	115,046,029	1,203,400,379
Ministries & State Departments	4,789,638,002	5,735,069,761	750,065,616	11,274,773,379
Public Universities	1,386,368,005	1,166,308,874	146,792,499	2,699,469,378
State Corporations & SAGAs	12,865,273,925	11,248,281,804	2690413533	26,803,969,262
Statutory Commissions & Authorities	289,302,409	303,176,836	167833705	760,312,950
Total	19,843,849,862 (46%)	19,027,924,104 (45%)	3,870,151,382 (9%)	42,741,925,348

Public institutions allocated Kshs.42.7 billion to the vulnerable groups under the AGPO programme.

Findings

- i) Special groups registered with the National Treasury increased by 19,129 (18%) from 107,227 registered in 2018/19 FY to 126,356.
- ii) Institutions that submitted AGPO reports to the National Treasury declined by 22 from

131 during the 2018/19 FY to 109 during the reporting period.

- iii) With regard to compliance with the AGPO Policy, the National Treasury reported that only 22 institutions had complied. These were five ministries and departments, 14 State Corporations and SAGAs, one under Constitutional Commissions and Independent Offices; and two public universities.
- iv) The women and youth groups took the larger share in accessing the procurement

opportunities. PWD groups were awarded the least number of tenders. This correlates with the registration of the groups at the National Treasury where PWD groups had registered the lowest number.

- v) The State Department for Culture and Heritage, Turkana University, National Quality Control Laboratory, Hydrologist Registration Board and Kenya Petroleum Refineries Limited did not allocate any funds for the above special groups.

Recommendation

All procuring entities to comply with the requirement to submit AGPO implementation reports to the National Treasury as provided for by the AGPO policy.

4.7.5.2 Programmes for Vulnerable and Marginalized Groups

Article 10 requires all public institutions and public officers to promote human dignity, human rights and protect the marginalized. Public institutions were required to provide the programmes implemented for the vulnerable groups and the total number of beneficiaries. Reporting institutions across all sectors indicated that diverse affirmative action programmes were implemented. These included capacity building and awareness creation; development of legislations, policies and guidelines; provision of clean water and sanitation; healthcare services; customized services and facilities for PWDs; employment opportunities; food and nutrition; renewable

energy; and information, communication and technology infrastructure.

Other programmes implemented included the Access to Government Procurement Opportunities (AGPO), education and learning; improvement in road networks; environmental conservation; youth empowerment, gender equality and women empowerment; cash transfers; small and micro-enterprise; peace building and cohesion; disaster prevention and management; establishment of committees and working groups and agriculture.

Recommendation

Public institutions to prioritize and support the implementation of affirmative action programmes for marginalized and minority groups in their respective mandate areas.

4.7.5.3 Programmes for Special Groups

a) Women Empowerment

i) Access to Credit Services

The Government through Women Enterprise Development Fund (WEDF) facilitated loan disbursement to 10,954 women groups with a membership of 121,842 spread across all the 47 counties. The women groups benefited from loans worth Ksh. 2.7 billion that was meant to facilitate diverse projects and initiatives. A summary of loans disbursed to women groups disaggregated by counties is presented as Appendix VII.



Officials from the Ministry of Public Service and Gender, Uwezo Fund and Women Enterprise Fund presenting a Cheque to a beneficiary of Uwezo Fund in Laikipia County on June 13, 2020

Source: Ministry of Public Service and Gender.

ii) Training

A summary on the nature of training and total number of women trained is presented in Table 4-59. The Government through Women Enterprise Development Fund facilitated the training of 125,279 women on entrepreneurship

and value addition. Specifically, the trainings focused on principles of entrepreneurship and value-addition for agricultural and industrial goods. It is however noted that none of the training beneficiaries were PWDs.

Table 4-59: Summary on the Nature of Training and Total Number of Women Trained

Type of Training	Specific Area of Training	Total No of women Trained	No. of PWDs Trained
Entrepreneurship Training	Introduction to Women Enterprise Fund	119,119	0
	Forming a Strong Group		
	Gender & Entrepreneurship		
	Entrepreneurship		
	How To Generate a Viable Business Idea		
	How to Develop a Business Plan		
Value Addition Trainings	Crop farming and value addition	6,160	0
	Dairy farming and value addition		

Type of Training	Specific Area of Training	Total No of women Trained	No. of PWDs Trained
	Poultry farming and value addition		
	Soap making and value addition		
	Bee farming, honey making and value addition		
	Tomato sauce making and value addition		
	Yoghurt making and value addition		
	Livestock farming and value addition		

iii) Accessing Local and International Markets

The Government through WEDF continued to support women groups in accessing both local and international markets for their products. WEDF supported 719 women drawn from 68 women groups across all counties to access local and international markets for their services and products. Out of the 719 beneficiaries, 689 and 356 accessed local and international markets respectively.

b) Youth Empowerment

i) Access to Credit Services

Government has put in place measures to strengthen youth employment and entrepreneurship through credit financial assistance, 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 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 initiatives to enhance youth employment opportunities

The Government through the YEDF disbursed over Ksh.450 million to 2,550 youth groups with a membership of 16,248 spread across 45 counties. The loans supported projects in real estate; agriculture; building and construction; energy and water; financial services; manufacturing; mining/quarrying; tourism and hospitality; and transport and communications. It was however noted that no youth groups from Mandera and Marsabit counties benefited.

ii) Training

The State Department for Youth Affairs facilitated training on core business skills for youths drawn from all the 47 counties. A total of 1,676 youths comprising of 797 (48%) male, 879 (52%) female and 16 (1%) PWDs benefited from the training programme.

In addition, the YEDF trained youths from various counties. A summary on the nature of training, total number of beneficiaries by county and gender is presented as Table 4-60 and Appendix VIII.

Table 4- 60: Nature of Training and Total Number of Youth Trained

Specific area of Training	Gender		Total No. of Youths Trained	No. of PWDs trained
	Male	Female		
Entrepreneurship and Business opportunity identification	29,808	24,792	54,600	1,200
AGPO & YEDF mandates	2,952	2,448	5,400	90
TOTAL	32,760	27,240	60,000	1,290

Finding

The training equipped the youth with skills on entrepreneurship and business opportunity identification. This in the long run will address the issue of youth unemployment.

1) Access to Local and International Markets

The Youth Enterprise Development Fund supported 12 youths drawn from 10 youth groups in Kitui, Nyamira, Kisii, Nakuru, Kilifi, Mombasa and Kisumu to access local and international markets for their services and products. Of the 12 beneficiaries, 7 accessed local markets while 5 accessed international markets.

2) Youth Support Through Strategic Partnerships

The YEDF in collaboration with UNDP supported 737 youths drawn from Baringo, Tana River and Turkana counties to access employment opportunities locally. Of the 737 beneficiaries, 435 (59%) were male and 302 (41%) were female.

Finding

The numbers of individuals who benefited from the YEDF and WEDF programmes is low compared the general population.

4.7.6 Social Protection Programmes

The Sustainable Development Goal No. 1 on "No Poverty" encapsulates the measures that State Parties are required to take to ensure social protection systems are established. Social protection refers to the policies and actions, including legislative measures, that enhance the capacity of and opportunities for the poor and vulnerable to improve and sustain their lives, livelihoods, and welfare. These measures enable income-earners and their dependants to maintain a reasonable level of income through decent work, ensure access to affordable health care, social security and social assistance.

The overall objective of social protection in Kenya is to ensure that all citizens live in dignity and exploit their human capabilities for their own social and economic development. Current delivery instruments of social protection within the social assistance, social security and social health insurance sectors include cash transfers, food distribution, school-based feeding programmes, social health insurance, retirement benefits, price subsidies, public works and micro-finance amongst others.

The Government through the State department for Social Protection continued to implement the *Inua Jamii* cash transfer programme. A summary of the social protection programmes disaggregated by gender and amount disbursed is presented as Table 4-61.

Table 4-61: Social Protection Programmes Disaggregated by Gender and Amount Disbursed

Name of Programme	Gender		Total No. of Beneficiaries	Total Amount Disbursed	% Total Disbursement
	Male	Female			
CT-OVC	59,703 (20%)	234,657 (80%)	294,360	7,065,076,000	26.9%
OPCT	297,636 (39%)	468,788 (61%)	766,424	18,364,848,000	70.0%
PWDs	27,451 (81%)	6,638 (19%)	34,089	816,444,000	3.1%
Total	384,790	710,083	1,094,873	26,246,368,000	100%

Finding

Overall, the top beneficiaries by county in the three cash transfer programmes combined were Muranga with 49,663, Kakamega with 44,700, Kiambu with 44,519, Kitui with 39,779 and

Nakuru with 38,419 beneficiaries. A summary of the cash disbursed for each programme disaggregated by county is presented in Appendix IX. The top 5 beneficiaries by county in the cash transfer programmes is presented in Table 4-62.

Table 4-62: Beneficiaries by the Leading five Counties per programme

S/No.	CT-OVC		OP-CT		PWSD-CT	
	County	Total Beneficiaries	County	Total Beneficiaries	County	Total Beneficiaries
1.	Turkana	18,625	Muranga	42,232	Mandera	2,299
2.	Mandera	16,981	Kiambu	35,916	Migori	1,781
3.	Kakamega	10,615	Kakamega	33,177	Nairobi	1,322
4.	Kisumu	10,318	Kitui	32,196	Kisii	1,170
5.	Migori	10,505	Nakuru	30,142	Kiambu	1,135



President Uhuru Kenyatta presents cash to an elderly man at the KCB stand during the launch of the Social Protection Conference Week at the KICC in Nairobi on January 27, 2020

4.8 Efficiency, effectiveness, economic use of resources, and sustainable development

To ensure that institutions use the resources allocated to them efficiently and to reinforce

the principles of public finance which require that public money be used in a prudent and responsible way¹⁶, Parliament enacted the Public Finance Management Act, 2012 (PFM Act, 2012). The Act seeks to ensure that resources are spent on service delivery as

¹⁶ Article 201 of the Constitution of Kenya 2010

opposed to recurrent expenditure. The PFM Act therefore prescribes that the development to recurrent expenditure ratio shall be 70:30. This is to ensure resources are directed to programmes that have impact on the citizens. Further, the Act provides that the accounting officer be responsible for the management of the entity's assets and liabilities. For this reason, public institutions are required to maintain asset and liabilities registers.

Parliament also enacted The Public Procurement and Asset Disposal Act, 2015 which sets the standards for efficient procurement and asset disposal by public entities. The number of complaints or disputes lodged with either the Public Procurement Regulatory Authority (PPRA) or the Public Procurement Review Board (PPRB) is a pointer on the levels of compliance with the Public procurement and Asset Disposal Act.

As regards effectiveness, having the intended results, public organizations are expected to implement programmes whose objectives are to better the lives of Kenyans. The programmes fall under the Big Four Agenda which is drawn from the Vision 2030 and also programmes under the United Nations Development Goals. The effectiveness of government investment in various income generating state corporations is evidenced by dividends received by the National Treasury.

The Commission sought to establish the levels of compliance with the PFM, Act 2012 and the PPAD, Act 2015. In addition, it sought to establish the programmes implemented to actualize the Big Four and the SDGs.

The performance indicators under this thematic area were-

- a) adherence to the development to recurrent expenditure ratio of 70:30;
- b) adherence to the operation and maintenance to personnel emoluments ratio of 60:40;
- c) absorption of funds allocated;
- d) pending bills;
- e) maintenance of an inventory of assets and liabilities;
- f) submission of an updated register to the National Treasury
- g) complaints lodged with the Public Procurement Regulatory Authority;
- h) number of disputes lodged with the Public Procurement Review Board; and
- i) the Auditor General's report.

4.8.1 Compliance with the PFM Act, 2012

a) Compliance with the ratios of development to recurrent 70:30

Institutions were asked to present their budgets: total allocations of the budget, total allocation for revised development budget, total allocation for revised recurrent budget, actual expenditure on development, actual expenditure on recurrent budget, expenditure on operation and maintenance (O&M) and expenditure on personal emolument (PE). A summary of budget allocations and expenditures is presented in Table 4-63.

Table 4-63: Reported Budget Allocations and Actual Expenditures by Public Institutions during FY 2019/2020

Institution Category	Budget Allocations (Ksh. Million)			Actual Expenditure (Ksh. Million)		Actual expenditure on OM & PE		PE:OM	Recurrent: Development
	Total allocation of the budget estimates	Total allocation for revised Development budget	Total allocation for revised Recurrent budget	Actual expenditure on development	Actual expenditure on recurrent budget	Expenditure on Operation and Maintenance	Expenditure on Personal Emolument		
State Corporation & SAGAs	1,096,281.13	640,702.46	455,578.66	338,416.91	431,140.49	174,708.78	126,790.59	58:42	42:58
Public Universities	42,216.32	7,189.36	35,026.96	6,112.20	32,395.25	7,604.13	23,567.74	24:76	83:17
Ministries & State Departments	1,256,670.20	566,876.53	689,793.67	506,881.91	578,621.49	197,630.34	67,529.75	75:25	55:45
Constitutional Commissions & Independent Offices	20,111.57	560.16	19,551.42	524.86	19,192.16	6,996.29	11,571.28	38:62	97:3
Statutory Commissions & Authorities	6,401.99	29.57	6,372.42	24.13	5,835.52	1,992.95	2,802.20	42:58	99.5:0.5
Total	2,421,681.21	1,215,358.09	1,206,323.13	851,960.02	1,067,184.92	388,932.49	232,261.56	63:37	50:50

Note: Data from 63 institutions was not analysed as it was considered to be an outlier data sets.

Findings

- i) Overall, the 70:30 at recurrent to development ratio was met 50:50 a slight drop from the previous 2018/19 FY which recorded a ratio of 55:45.
- ii) The low allocation rates for the CCIOs and Public Universities can be attributed to the

nature of their mandates as majority are service-oriented or regulatory agencies.

b) Budget Utilization

A summary of budget utilization by category of institutions is presented as Figure 4-14.

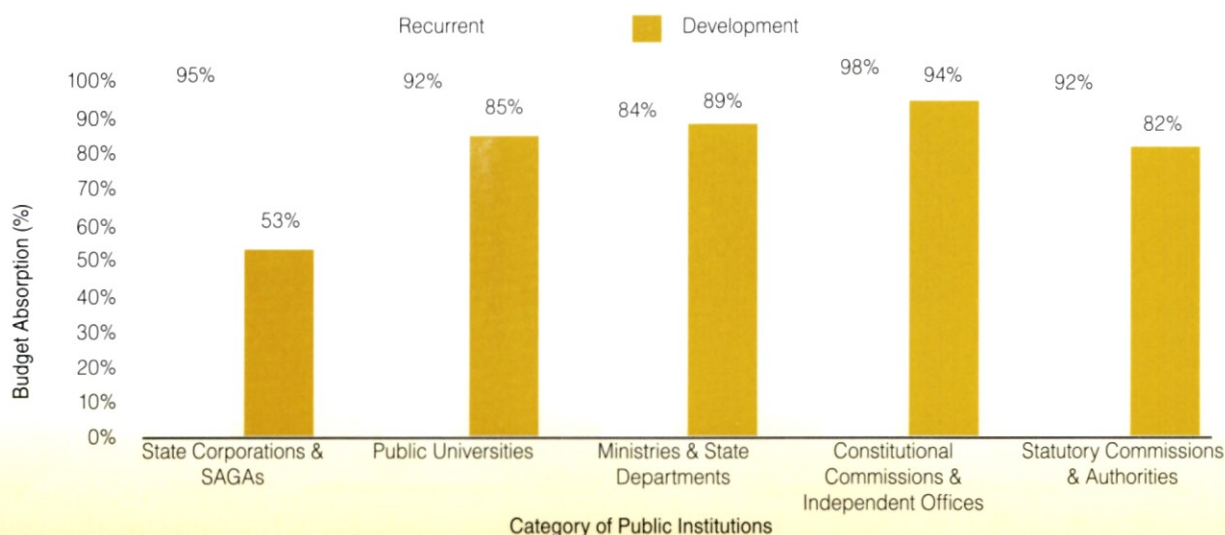


Figure 4-14: Budget Utilization in Public Institutions by Categories

Finding

Majority of the institutions utilized their budgets above 90%. These funds were reported to have been directed to implement policies and programmes under the “Big Four” agenda, aimed at accelerating and sustaining inclusive growth, creating opportunities for productive jobs, reducing poverty and income inequality and providing a better future for all Kenyans.

behalf of the citizens. The PFM Act, 2012 and Regulations requires all institutions to keep and maintain a comprehensive asset registers to protect public assets. These registers are submitted to the National Treasury for safe keeping.

A summary of the status of availability of updated Assets and Liabilities Registers for National Government public entities is presented in Figure 4-15.

c) National Asset and Liabilities

Government assets and liabilities are citizens' wealth. The National Treasury hold them on

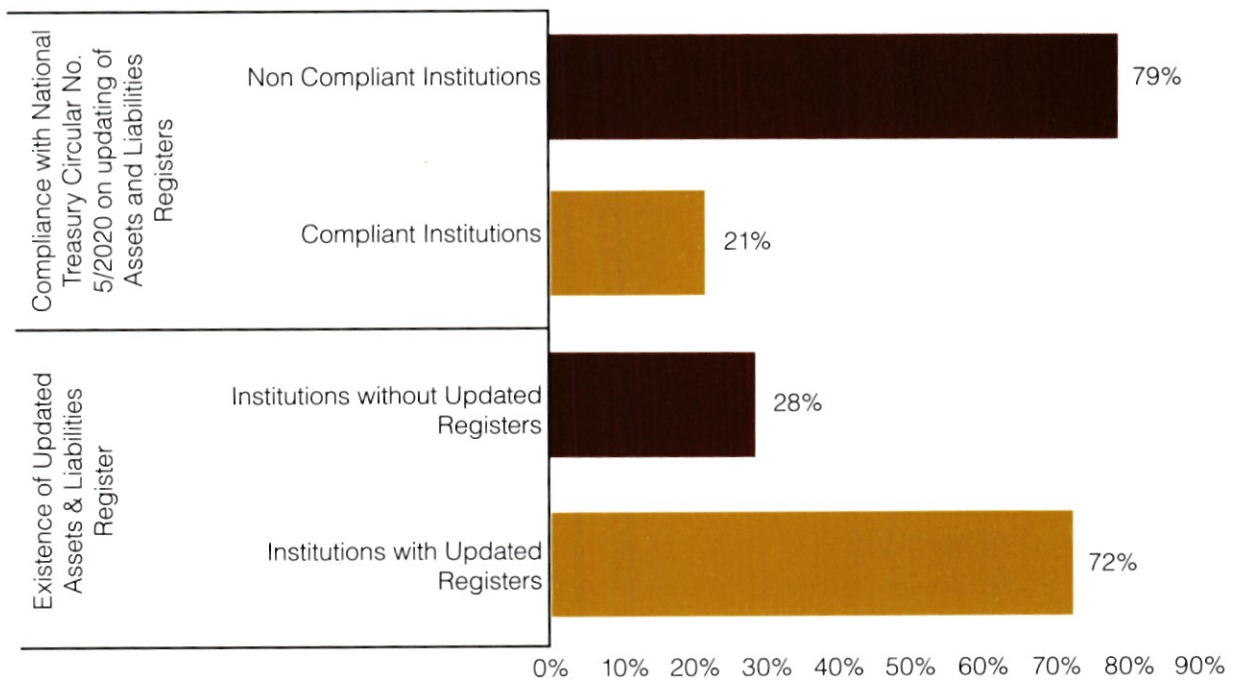


Figure 4-15: Existence of Updated Assets & Liabilities Registers and Level of Compliance with National Treasury Circular No. 5/2020 on Updating of Assets & Liabilities Registers by Public Institutions

Findings

i) A total of 209 (72%) institutions surveyed indicated they had assets and liabilities registers. Of these, 61 (21%) had complied with National Treasury Circular No. 5/2020 dated 5th February 2020 on updating of assets and liabilities registers and submitting the same to the National

Treasury. However, data from the National Treasury revealed that only 13 institutions had submitted reports on Assets and Liabilities as required.
ii) The National Treasury indicated 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) The National Treasury finalizes the Policy and Guidelines on preparation of Asset and Liabilities Registers;
- ii) Accounting Officers of National Government Entities to prepare and submit up-to-date Registers of Assets to the National Treasury; and
- iii) The National Treasury to compile an updated National Assets and Liabilities Register for all the National Government Assets in line with the PFM Act, 2015.

d) Auditor General's Reports

Majority of the institutions reported they had not received audit reports for the F/Y 2018/19. This can be explained by the fact that the Auditor General's office remained vacant for a long time following expiry of the term of the previous office holder. The delay in appointing the Auditor General affected the signing of Audit Reports for the FY 2018/2019 as required by law.

Government assets are at high risk of being misused if their records are not kept properly as per the PFM, Act 2012 and PFM Regulations, 2015.

4.8.2 Compliance with the Public Procurement and Asset Disposal Act, 2015

a) Procurement related complaints

A total of 476 procurement related complaints were lodged with the Public Procurement Regulatory Authority. Compared to the 2018/2019 report, flaws in tender evaluation and specifications remained the most prevalent complaints accounting for 39% of the complaints lodged (185 cases), followed by delay in payments for goods/services delivered which accounted for 19%, (89 cases), while alleged corruption during procurement proceedings accounted for 15% of the complaints (71 cases).

PPRA determined 132 cases while nine were pending. In addition, the Procurement Review Administrative Board indicated that 177 appeals on procurement were received, out

of which 165 were determined and 12 were pending.

b) Capacity Building on Procurement related matters

To build capacity and re-skill the procurement personnel, PPRA organized a four-day training for 157 procurement officers in line with the recommendation of the 2018/2019 report. The topics covered included, bodies involved in the regulation of public procurement; internal organizations of procuring entities; procurement methods and consultancies; procurement contract formulation, administration and management; preferences and reservation schemes in procurement; inventory control, assets and stores management; disposal of unserviceable, obsolete, surplus assets; ethics and integrity in procurement and compliance, administration review, offences and sanctions.

4.8.3 Compliance with Human Resource Policies and Guidelines

a) Staff Secondment

Secondment is one way of utilizing available human resource for efficient service delivery. From the survey a total of 1,265 officers were seconded to various public institutions, county governments and other international organizations. Majority of the officers who were seconded were from Ministries and State Departments. This is in line with the fourth schedule of the Constitution which places the duty of building capacity on the national government.

b) Staff motivation

A motivated workforce is the foundation of successful implementation of government programmes. Motivation of staff translates to increased productivity and can contribute to higher levels of output. Motivation can be by way of recognition of an employee for excellent service delivery. Only 140 institutions confirmed they had developed criteria for identifying and recognizing officers for exemplary service delivery. This translates to 48% of the of the total number of institutions evaluated. Of

these, 48 (34%) reported to have recognized and awarded staff based on the criteria.

4.8.4 Effectiveness in the use of Public Resources

a) Dividends/revenue to The National Treasury

Public organizations are more about enhancing the welfare of citizens as opposed to making profits. However, government has invested in some income generating state corporations categorized as commercial state corporations. These corporations engage in income generating activities through public assets and services. The institutions are expected to generate reasonable returns and should declare (full disclosure of internally generated revenues) and pay dividends to the National Treasury. The effectiveness of these investments can only be seen through dividends received.

A total of 29 (10%) institutions remitted dividends/revenue to the National Treasury amounting to Kshs 69.4 billion. State Corporations and SAGAs and Ministries and State Departments constituted 73% and 27% respectively of the institutions that remitted dividends/revenue.

Finding

Management of public assets requires proper accounting. This area can easily be a soft spot for misuse and corruption.

b) The Big Four Agenda

The utilization of public resources should be seen in the transformation of the lives of the Kenyan citizens. In June 2008, government launched the Kenya Vision 2030. Progressive economic performance has been witnessed since the inception of the Vision 2030. Aware that more needed to be done to boost the well-being of Kenyans and to achieve the desired levels of economic growth, the government decided that there was need for a paradigm shift. The new thinking yielded the Big Four Agenda.

The Big Four Agenda is the government's targeted transformative agenda based on four socio-economic pillars whose aim is to create a level playing field, make the economy more inclusive and ensure shared prosperity. A summary of the four socio-economic pillars and the Big Four Agenda programmes is presented in Table 4-64 and Appendix X.

Table 4-64: The Big Four Pillars

S/No	Big Four Pillar	Description
1.	Manufacturing	Supports value addition and raise Manufacturing sector's share of Gross Domestic Product (GDP) from 9.2% to 20% by 2022. This is aimed at accelerating economic growth, create jobs and reduce poverty.
2.	Food Security and Nutrition	Focuses on initiatives that guarantee food security and nutrition to all Kenyans by 2022 through expansion of food production and supply, reduction of food prices to ensure affordability and support value addition in the food processing value chain.
3.	Universal Health Coverage	Aims at guaranteeing quality and affordable healthcare to all Kenyans.
4.	Affordable Housing	Aims at having at least five hundred thousand (500,000) affordable new houses constructed by 2022, thereby improving the living conditions for Kenyans.
5.	Enablers	Provides an enabling environment and building blocks to achieving the Big Four Agenda

The Big Four seeks to address the most pressing concerns facing Kenyans whilst creating the best environment for achieving accelerated economic transformation, increase job creation

and improve quality of life in general. In all spheres, The Big Four Agenda is tied closely to national development plans, the SDGs and African Union Agenda 2063.

A summary of respondents by the Big Four pillars is presented in Figure 4-16.

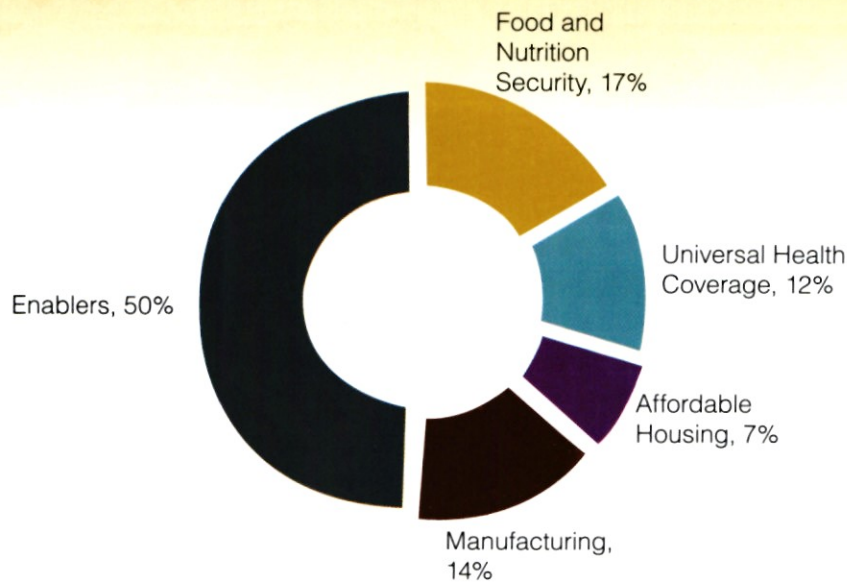


Figure 4-16: Percentage of the Big Four Programmes by Sector

Findings

- i) Majority, (74%), of the institutions indicated they were implementing at least one of the 4 pillars of the Big Four Agenda.
- ii) Half, (50%), of the institutions of the public institutions are enablers, providing requisite support and conducive environment for the Big Four Agenda drivers to implement the programmes.
- iii) The low representation of the drivers of the Big Four Agenda is by design, as the programmes are tailored to the four thematic areas.
- iv) State Corporations and SAGAs lead in the implementation of the Big Four across all the 4 pillars with 141 (66%) institutions. This was followed by Ministries and State departments at 17% and public universities at 14%.

c) Beneficiaries of the Big Four

Implementation of The Big Four Agenda positively impacted many lives, especially in the health sector through the Universal Health Coverage. A total of 2.9 million citizens benefited directly from UHC pilot programme which was

rolled out in four (4) counties of Machakos, Nyeri, Isiolo and Kisumu. On manufacturing, industries like RIVATEX, Bedi textiles and other cottage industries and SMEs roared back to life as result of government subsidies, resulting in hundreds of jobs to the youth. Expansion of housing provided opportunities for SMEs to fabricate windows and doors for the new housing units. Many farmers and livestock keepers benefited from government subsidies and animal insurance to shield them from losses owing to adverse weather conditions. Expansion of electricity and improvement of roads and other infrastructure together with investment in security provided the needed conducive environment for many sectors in the economy to thrive.

d) Sustainable Development Goals (SDGs)

The Sustainable Development Goals (SDGs), also known as the Global Goals, are development strategies adopted by all United Nations Member States in 2015. They are aimed at accelerating interventions to end poverty, reduce inequality (including gender inequality) and hunger and ensure access to education, clean water and decent work for all. The SDGs therefore aim to protect the planet and ensure

peace and prosperity is enjoyed by all people by 2030. Overall, there are 17 SDGs as presented in Table 4-65.

Table 4-65: The Sustainable Development Goals (SDGs)

S/No	SDGs	Action
1.	No Poverty	End poverty in all its forms everywhere
2.	Zero Hunger	End hunger, achieve food security and improved nutrition, and promote sustainable agriculture
3.	Good Health and Well-being	Ensure healthy lives and promote wellbeing for all at all ages
4.	Quality Education	Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all
5.	Gender Equality	Achieve gender equality and empower all women and girls
6.	Clean Water and Sanitation	Ensure availability and sustainable management of water and sanitation for all
7.	Affordable and Clean Energy	Ensure access to affordable, reliable, sustainable and modern energy for all
8.	Decent Work and Economic Growth	Promote sustained, inclusive and sustainable economic growth, full and productive employment, and decent work for all
9.	Industry, Innovation and Infrastructure	Build resilient infrastructure, promote inclusive and sustainable industrialization, and foster innovation
10.	Reducing Inequality	Reduce inequality within and among countries
11.	Sustainable Cities and Communities,	Make cities and human settlements inclusive, safe, resilient and sustainable
12.	Responsible Consumption and Production	Ensure sustainable consumption and production patterns
13.	Climate Action	Take urgent action to combat climate change and its impacts (taking note of agreements made by the United Nations Framework Convention on Climate Change (UNFCCC) forum)
14.	Life Below Water	Conserve and sustainably use the oceans, seas and marine resources for sustainable development
15.	Life on Land	Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification and halt and reverse land degradation, and halt biodiversity loss
16.	Peace, Justice, and Strong Institutions	Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels
17.	Partnerships for the Goals	Strengthen the means of implementation and revitalize the global partnership for sustainable development

A summary of Number of SDG Programmes Implemented by Category of institutions is presented in Table 4-66.

Table 4-66: SDG Programmes Implemented in Public Institutions by Category

#	SDGS	Number of Respondents by Institutional Category				
		State Corporations	Public Universities	Ministries & State Departments	Statutory Commissions & Authorities	Constitutional Commissions & Independent Offices
SDG 1	No Poverty	23	3	7	0	0
SDG 2	Zero Hunger	32	7	7	1	0
SDG 3	Good Health and Well-being	30	13	6	2	1
SDG 4	Quality Education	29	21	8	1	2
SDG 5	Gender Equality	18	9	2	2	0
SDG 6	Clean Water and Sanitation	35	10	2	1	1
SDG 7	Affordable and Clean Energy	19	7	1	0	1
SDG 8	Decent Work and Economic Growth	22	8	8	0	0
SDG 9	Industry, Innovation and Infrastructure	29	11	9	0	1
SDG 10	Reducing Inequality	8	2	3	1	0
SDG 11	Sustainable Cities and Communities	13	4	3	2	1
SDG 12	Responsible Consumption and Production	8	1	2	0	0
SDG 13	Climate Action	29	10	3	0	1
SDG 14	Life Below Water	11	3	3	0	1
SDG 15	Life on Land	14	4	2	0	1
SDG 16	Peace, Justice, and Strong Institutions	13	4	6	2	2
SDG 17	Partnerships for the Goals	16	10	5	1	0

The 2020 Voluntary National Report (VNR) for Kenya shows good progress has been made in most of the 17 SDGs such as poverty reduction, health, education, gender equality, provision of clean water and sanitation, electricity, combating climate change and ensuring sustainable cities. However, a number of targets are still lagging. These include poverty levels, malaria incidence per 1,000 populations, unemployment and some gender related indicators.

Findings

a) Majority, (65%), of the institutions implemented at least one of the 17 goals of the SDGs.

- b) Most programmes implemented aimed at improving the livelihoods, healthy living and wellbeing of Kenyans.
- c) Other programmes aimed at promoting inclusivity, improving ease of doing business, provision of affordable credit to facilities by potential investors, climate change mitigation and environmental sustainability.

4.9 Public participation in policy making process

Meaningful public participation requires establishment of a clear structure and process with clearly defined roles and how public participation will be conducted and how the

decision will be made. It calls for identification of stakeholders, transparency supported by strong communication systems and mechanisms for receiving feedback. Public participation requires involving the public in the entire policy making process and taking their views in decision making.

Under this thematic area the Commission sought to establish measures which public institutions had put in place to facilitate meaningful public participation. The specific indicators were:

- a) Availability of public participation guidelines;
- b) Availability of inventory of stakeholders; and
- c) Evidence of involvement of the public in policy making.

4.9.1 Development of Public Participation Guidelines

A summary of Institutions that developed PP guidelines is presented in Figure 4-17.

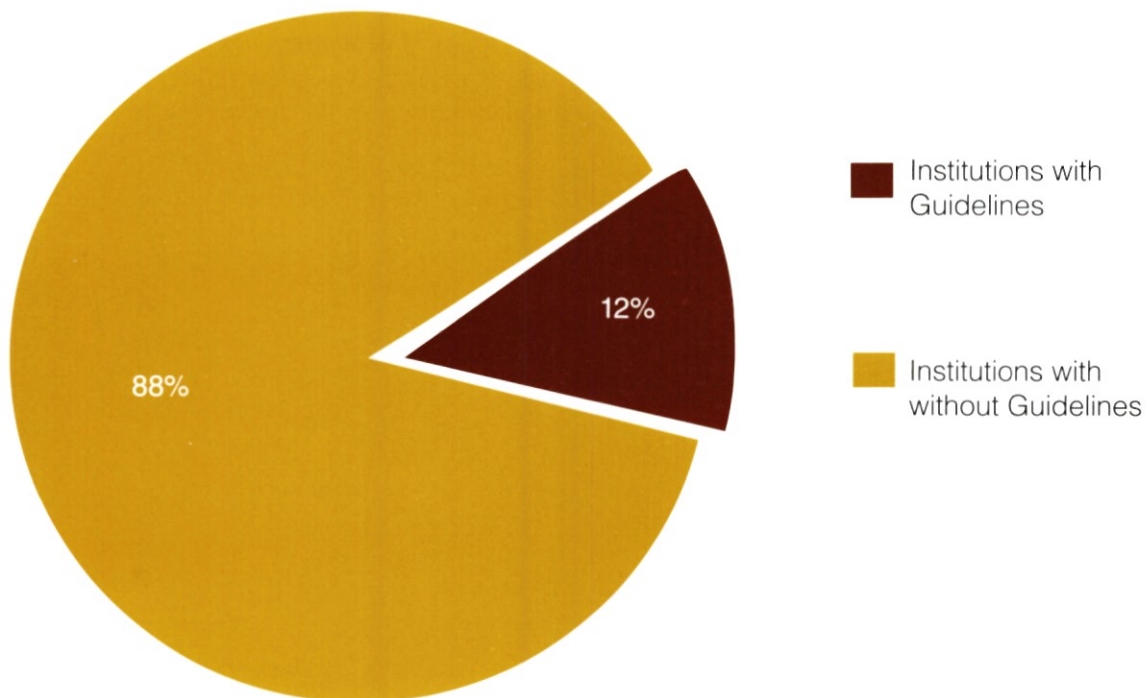


Figure 4-17: Existence of Public Participation Guidelines in Public Institutions

Findings

- a) Few institutions, (12%) developed PP guidelines.
- b) Public participation guidelines facilitate structured public participation to yield implementable decisions. Lack of guidelines means that the process will be conducted in a haphazard manner and there will be lack of consistency.

4.9.2 Policies Developed

The Commission sought to establish whether public institutions had involved the public in

developing policies and the methods used to facilitate public participation. A total of 110 institutions (38%) indicated that they had developed policy documents. For those that involved the public in developing policy documents, the most preferred form of public participation was sending written submissions, with a total of 11,225 written submissions being received by institutions. This was followed by online submissions where a total of 5,204 online submissions were received. Workshops were the least utilized mode for public participation with 1,325 participants attending workshops.

4.9.3 Institutions with Stakeholder Inventory

A stakeholder inventory ensures that the right stakeholders are engaged. If the right stakeholders are not engaged the value of the input received may not be much. Majority 205 (70%) of the institutions evaluated had an inventory of stakeholders. This ties with the finding relating to institutions which had strategic plans which stood at 234 (84%). Institutions usually provide an inventory of stakeholders in their strategic plans.

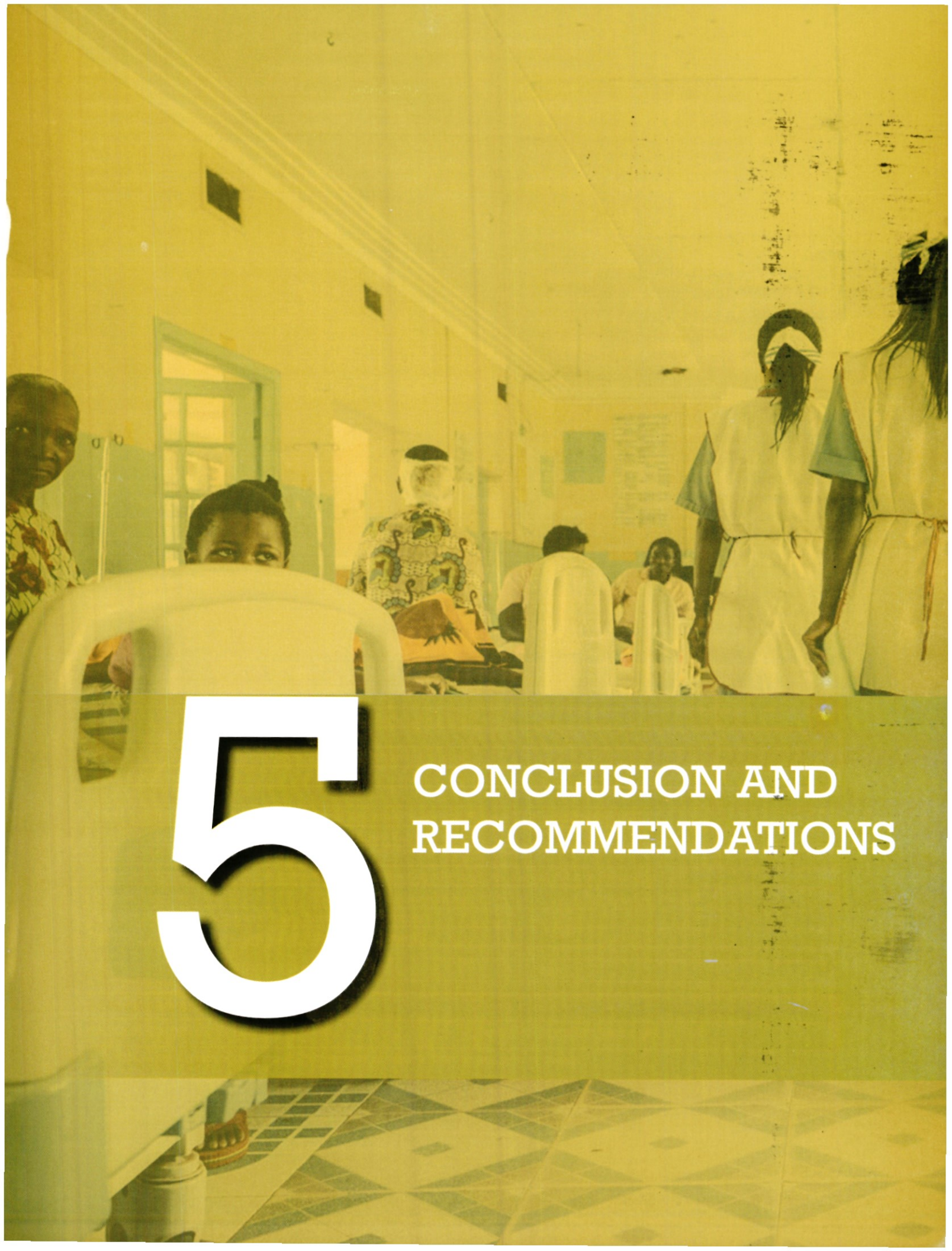
Findings

- i). The low usage of workshops as a mode of public participation could be attributed to the partial lockdown where in-person engagements were discouraged to reduce the spread of Covid-19.

- ii). On the positive side there was an increase on the uptake of online submissions compared to the 2019/2020 evaluation. Online submissions create traceability, which is important for accountability purposes.

Recommendations

- i). Public institutions to customize and implement the Public Service Commission guidelines for public participation in policy formulation; and
- ii). Parliament to fast track the enactment of the Public Participation Bill 2018. This will guide institutions in developing institutional public participation guidelines.



5

CONCLUSION AND RECOMMENDATIONS

CONCLUSION AND RECOMMENDATIONS

5.1 Introduction

Over the years, the public service has focused more on improving efficiency, effectiveness and economy (3Es). However, the Constitution 2010 incorporates values and principles as a critical element in achieving the 3Es and citizen-centric public service. The centrality of citizens in service delivery as envisaged in the Constitution requires going beyond publication of the values and principles in the promotional efforts. It calls for putting in place specific strategies for promotion to facilitate implementation, collection of data for evidence based decision-making and capacity building initiatives for the realization of the ultimate goal of a professional, value based and ethical service.

This report has highlighted the measures the Commission has put in place to promote values and principles, the status of implementation in terms of progress made and the challenges realised. A value-based and professional public service is a prerequisite for an efficient and effective public service, which in turn

is necessary for ensuring equitable service delivery to citizens. Establishing an ethical and value based public service is a dynamic process requiring active participation of all key stakeholders.

The public service to a very large extent determines the performance of the economy. The ultimate objective is therefore to strengthen public service institutional capacity to deliver services and to foster citizen focus and inclusive sustainable growth within the framework of overarching values and principles of the public service.

Towards this end, notable progress has been realized with regard to entrenching a value-based culture in the public service as demonstrated by the attainment of the two-thirds gender principle, increase in representation of PWDs in the service, increased representation of ethnic composition in the public service, improvement in service delivery, and implementation of social protection programme for the vulnerable groups. To sustain the momentum, the following recommendations are to be implemented:

Thematic Area	Issue	Recommendations	Lead Actor(s)	Timelines
General recommendation	Participation in the Values and Principles Evaluation Survey	The 14 institutions that failed to participate in the compliance evaluation survey be required to explain reasons for non-compliance	PSC	By March 2021
Overview of Human Resource in the Public Service	Mainstreaming values and principles in the public service entry requirements	Public institutions to mainstream values and principles in recruitment/ interview tools	All MDAs	Continuous
		Public institutions to comply with HRD Policy on induction of newly appointed officers and include content on values and principles.	All MDAs	Continuous

Thematic Area	Issue	Recommendations	Lead Actor(s)	Timelines
		The recruitment and selection interview score sheet be reviewed to include a weighted score on values and principles for use by public institutions	PSC	By March 2021
	Staff establishment	The structure of public institutions that were over-established be reviewed	PSC	By June 2021
	Secondment beyond six (6) years	a) Officers serving on secondment beyond 6 years be recalled. b) Section 42 of the PSC Act be amended to provide for secondment beyond 6 years in instances where officers are seconded to international organizations or public private partnerships.	All MDAs	By June 2021
	Internship	Public institutions to comply with the provisions of Internship Policy for the Public Service, 2015 on payment of stipend for interns	All MDAs	By June 2021
Service delivery improvement and transformation	Procurement of ICT equipment	The policy on centralization of procurement of ICT equipment be reviewed	Head of Public Service(HOPS)	By June 2021
	Commitment to Service Delivery Standards	Public organizations that are yet to translate their service charters into Kiswahili to do so for wider readership	MDAs	By June 2021
		Public organizations that are yet to sensitize staff and clients on the provisions of the service charters to create awareness on the charters.	MDAs	By June 2021
	Awareness creation to citizens about services offered by public organizations	Public institutions to create awareness on their services among citizens with clear indicators for monitoring and evaluating outputs and outcomes	All MDAs	By June 2021
	Analysis of social media reports	Government through the relevant state agencies to develop a policy framework to guide public institutions on social media engagement	<ul style="list-style-type: none"> State Department for ICT and Innovation Information and Communication Technology Authority (ICTA) 	By June 2021
		A policy to guide public institutions in utilizing or engaging on social media to improve service delivery be developed	Ministry of ICT	By June 2021

Thematic Area	Issue	Recommendations	Lead Actor(s)	Timelines
		Public institutions to train staff on modalities of constructive engagement with citizens on social media.	All MDAs	By June 2021
	Enhancing Access to Services	Public institutions to adopt innovative ways of enhancing service delivery especially through digital technology platforms to facilitate ease of access to public services	All MDAs	By June 2021
		Institutions to take advantage of Huduma platform to enhance access to their services by citizens across the country (where applicable).	All MDAs Huduma Secretariat	Continuous
	Utilization of client feedback	Public institutions to document and analyse client feedback, prepare and implement reports.	All MDAs	Continuous
		Guidelines on client feedback analysis be developed	PSC	By June 2021
	Complaints Handling procedures	Public institutions to use available platforms to create awareness to citizens on the complaint filing procedures in their institutions.	All MDAs	By June 2021
		Public institutions to maintain complaints registers, and develop systems of flagging out recurrent complaints with a view to finding lasting solutions	All MDAs	Continuous
	Recognizing Excellence in Service Delivery	Public institutions under the jurisdiction of the Commission to develop a reward criteria to enable outstanding officers get recognized and awarded for excellence in service delivery	MDAs	By March 2021
	Leveraging Information Technology for Enhanced Service Delivery	Public officers to be facilitated with the ICT resources and be re-skilled	All MDAs	Progressively
		Public institutions to adopt remote working as a service delivery strategy	All MDAs	Continuous
	Provision of services on online platforms	Public institutions to improve their online presence.	All MDAs	By June 2021
High standards of professional ethics in the public service	Compliance with the Public Service Code of Conduct and Ethics	Public institutions to periodically sensitize staff on the provisions of the Public Service Code of Conduct and Ethics, 2016 and submit quarterly reports to PSC	All MDAs	Continuous

Thematic Area	Issue	Recommendations	Lead Actor(s)	Timelines
	Membership to professional regulatory bodies	Public institutions to support members of respective professional bodies to attend courses for continuous professional development	All MDAs	Continuous
Good governance, transparency and accountability	Appointment of members of Boards or Councils	Appointing authorities to stagger appointments of Boards or Council members in accordance with Section 1.14 of the Mwongozo Code of Governance to ensure seamless transition	Head of Public Service (HoPS)	Continuous
		Appointing authorities to replace board members whose terms have expired in the respective institutions.	Head of Public Service (HoPS)	June 2021
	Acting Appointments in the Public Service	Public institutions to comply with Regulation 23 of the Public Service Commission Regulations 2020 regarding acting appointments	All MDAs	By March 2021
	Compliance with the Public Officer Ethics Act, 2003 on financial disclosures	Authorized Officers to ensure officers comply with POEA, 2003 with regard to initial, bi-annual and final declarations	PSC	Continuous
	Gift management	Public institutions to open and maintain a gift register in the prescribed form as provided for in the Schedules in Form A, B-I and B-II in the Leadership and Integrity Act Regulations, 2015 and the Public Service Code of Conduct and Ethics, 2016	All MDAs	By June 2021
	Managing conflict of interest	Public institutions to maintain conflict of interest registers as required under Section 16(11) of Leadership and Integrity Act, 2012	All MDAs	Continuous
	Prevalence of corruption cases	The Public Service Integrity Programme be reviewed and aligned to the Constitution and relevant laws.	EACC	By June 2021
	Corruption prevention	EACC to sensitize MDAs on the National Ethics and Anti-Corruption Policy, 2020	Ethics and Anti-Corruption Commission (EACC)	By June 2022
	Access to Information by Citizens	Public institutions to develop guidelines on access to information based on their mandate as guided by the Access to Information Act, 2016	All MDAs	By June 2021

Thematic Area	Issue	Recommendations	Lead Actor(s)	Timelines
	Communication Strategy	Public institutions to develop or review the respective communication strategies to be in sync with their strategic plans	All MDAs	By June 2021
		Outdated communication strategies to be revised	All MDAs	By June 2021
Performance management	Strategic plans	The National Treasury to enforce the requirement for institutions to have approved Strategic Plans before loading of institutional budgets	All MDAs	By June 2021
		The public institutions that do not have current strategic plans should expedite the process and finalize the same in 6 months to avoid the inconvenience brought by such delay	All MDAs	By June 2021
		The strategic planning period for institutions be aligned to the MTP period.	State Department of Planning, All MDAs	By June 2021
	Annual organizational work-plans	Public institutions to develop annual work plans to facilitate achievement of institutional goals	All MDAs	Continuous
	Performance Contract	All public institutions to sign performance contracts	All MDAs	Continuous
		For Constitutional Commissions and holders of Independent Offices the management to sign a performance contract with the respective Boards/Commission	Constitutional Commissions and Independent Offices	Continuous
		Public institutions to cascade performance contracts to the lower levels and ensure that all departments are contributing to the execution of institutions' mandate	All MDAs	Continuous
		Public institutions to undertake annual performance evaluation to facilitate analysis of performance results and utilize the information analyzed to support decision making	All MDAs	Continuous
		Organizational annual work plan to be included as one of the standard requirements during Performance Contracting signing and vetting	All MDAs	Continuous
		Performance management to be anchored in law	Parliament	

Thematic Area	Issue	Recommendations	Lead Actor(s)	Timelines
	Employee Performance	Management should enforce the undertaking of the annual Staff Performance Appraisal for all staff	All MDAs	Continuous
		Performance Management Committees to meet quarterly to review performance of staff as provided in the Performance Rewards and Sanctions Framework for the Public Service.	All MDAs	By June 2021
	Staff training	A TNA framework be developed to guide public institutions in conducting TNA	PSC	By June 2021
		Adequate funding of between 1% and 2% of recurrent expenditure be set aside for capacity building in line with Public Service Human Resource Development Policy, 2016	National Treasury	Continuous
		Training Impact Assessment framework be developed to guide public institutions on training impact assessment procedures.	PSC	By June 2021
	Coaching and Mentorship	A coaching and mentoring policy framework be developed for use by public institutions	PSC	By June 2021
		Public institutions to institutionalize coaching and mentoring for performance improvement and succession management	All MDAs	By June 2021
	Skills Inventory and Human Resource Plan	A comprehensive skills inventory framework be developed	PSC	By June 2021
	Disciplinary Control in the Public Service	Public institutions to expedite discipline cases within the timelines stipulated in the HR policies	All MDAs	Continuous
	Compliance with Government Measures on Management of Covid-19 Pandemic	A policy framework for managing performance of employees working remotely or in shifts be developed.	PSC	By June 2021
	Staff exit	Institutions to utilize information received from exit interviews to improve service delivery.	All MDAs	Continuous
Equitable allocation of opportunities and resources	Distribution of public officers in the public service	Fast track enactment of legislation on Article 27(8) on two-thirds gender rule	Parliament	

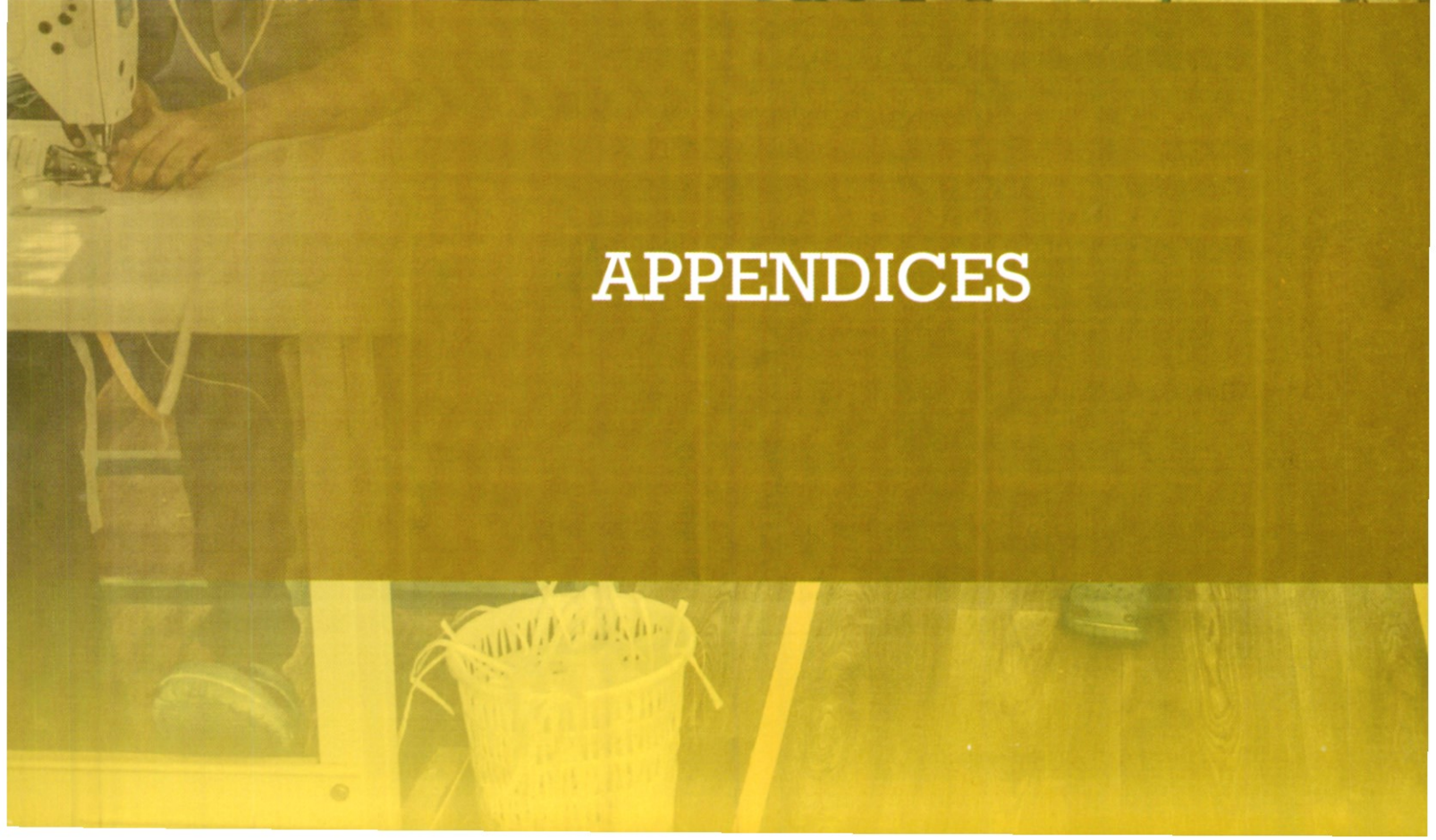
Thematic Area	Issue	Recommendations	Lead Actor(s)	Timelines
	Distribution of public officers in the public service	Public institutions to commit to achieve equal gender representation in line with Article 232(1)(i) of the Constitution and Goal 5 of the United Nations Sustainable Development Goals.	All MDAs	Continuous
		Public institutions to commit to achieve equal representation at various levels in line with Article 232(1)(i) of the Constitution and indicator 16.7.1 (a) of Goal 16.7 of the United Nations Sustainable Development Goals.	All MDAs	Continuous
		Public institutions to work towards achieving the 50/50 representation which is a requirement under the UN Convention on elimination of all forms of discrimination against women.	All MDAs	Continuous
		Public institutions to implement affirmative action programmes during recruitment in line with Section 10 of the Public Service (Values and Principles) Act, 2015, and as guided by the affirmative action programmes developed during the 2018/19 values compliance evaluation	All MDAs	Continuous
		Public institutions to provide training opportunities for officers with disabilities in line with the Human Resource Development Policy for the Public Service to enable them acquire qualifications to facilitate their advancement in the service.	All MDAs	Continuous
		Public institutions affected by imbalances in ethnic representation to endeavour to implement the affirmative action programme on ethnicities that was presented in the 2018/19 evaluation report.	All MDAs	By June 2021
		Public institutions to implement affirmative action programmes to ensure gender parity at all job levels.	MDAs	Continuous
		National data for PWDs be disaggregated by gender and education levels and shared with public institutions.	NCPWD	By June 2021

Thematic Area	Issue	Recommendations	Lead Actor(s)	Timelines
		The 58 public institutions which have not complied with the two thirds gender requirement be required to implement their respective affirmative action programmes	PSC	Continuous
		PSC to conduct an audit on the organizations that headhunted for various positions so as to ensure compliance with Article 232(1) (g) on fair competition and merit as the basis of appointments and promotions.	PSC	By June, 2021
	Advertisement of job vacancies	The policy on centralization of job advertisements be reviewed to align it with Section 37(1) of PSC Act, 2017	HoPS	
		Public institutions to comply with Section 37(1) of PSC Act, 2017 relating to the mode of communication and advertisement of job vacancies.	All MDAs	Continuous
		Public institutions to share available job vacancies with the NCPWD and National Employment Authority (NEA)	All MDAs	Continuous
	Customization of facilities and services for use by PWDs	Public institutions to customize their services and facilities to address the diverse needs of PWDs.	All MDAs	By June 2021
		An audit on accessibility of premises for PWDs be undertaken	National Council for Persons with Disabilities	By March 2021
	Distribution of appointments, training and promotions opportunities	Public institutions to comply with the Human Resource Development Policy for the Public Service, 2015 and grant PWDs training opportunities to facilitate their advancement in the public service.	All MDAs	Continuous
		Institutions develop a comprehensive capacity building training programme targeting officers at all levels with a view to equip them with on-job skills and competencies required in the transformation of service delivery	All MDAs	Continuous

Thematic Area	Issue	Recommendations	Lead Actor(s)	Timelines
		Public institutions with reported cases of under representation and non-representation of ethnic communities in promotional appointments be required to implement affirmative action programmes developed during the 2018/19 FY to redress the gaps.	All MDAs	Continuous
		All public institutions to implement affirmative action programmes to bridge representation gaps	All MDAs PSC	By June 2021
	Distribution of Programmes for Special, Marginalized / Minorities, Vulnerable Groups	All procuring entities to comply with the requirement to submit Access to Government Procurement Opportunities implementation reports to the National Treasury as provided for by the AGPO policy.	All MDAs	By June 2021
		Public institutions to prioritize and support the implementation of affirmative action programmes for marginalized and minority groups in their respective mandate areas	All MDAs	By June 2021
Efficiency, effectiveness and economic use of resources and sustainable development	Compliance with the PFM, Act 2012 and PFM Regulations, 2015	The National Treasury to compile an updated National Assets and Liabilities Register for all the National Government Assets in line with the PFM Act, 2015	National Treasury	By June 2021
		Accounting Officers of National Government Entities to prepare and submit up to date Registers of Assets to the National Treasury	All MDAs	By March, 2021
		The National Treasury to finalize the policy and guidelines on preparation of asset and liability registers	National Treasury	By June 2021
Public participation in policy making process.	Public participation guidelines	Fast track the enactment of the Public Participation Bill, 2019	Parliament	
		Public institutions to customize and implement the Public Service Commission guidelines for public participation in policy formulation.	All MDAs	By June, 2021



APPENDICES



APPENDICES

Appendix I: Comparative Analysis of Compliance Index for FY 2018/19 and 2019/20

Name of Organization	Type of Organization	Overall Compliance Index (%) 2019/20	Overall compliance index(%) 2018/19	Deviation
Kenya Reinsurance Corporation Limited	State Corporation & SAGAs	79.4	53.8	25.6
State Department For Interior And Citizen Services	Ministry & State Department	77.2	68	9.2
Kenya Plant Health Inspectorate Service	State Corporation & SAGAs	75.1	43.5	31.6
National Environment Management Authority	State Corporation & SAGAs	74.4	51.8	22.6
Konza Technopolis Development Authority	State Corporation & SAGAs	74.3	64.6	9.7
Kibabii University	Public University	73.3	49.2	24.1
Engineers Board Of Kenya	State Corporation & SAGAs	72.2	76.5	-4.3
Competition Authority Of Kenya	State Corporation & SAGAs	71.5	66.3	5.2
Kenya Forestry Research Institute (KEFRI)	State Corporation & SAGAs	71.5	61.3	10.2
National Council For Population And Development	State Corporation & SAGAs	70.8	39.6	31.2
Kisii University	Public University	69.5	43.1	26.4
Office Of Attorney General And Department Of Justice	Ministry & State Department	68.7	48.2	20.5
Capital Markets Authority	State Corporation & SAGAs	67.4	79.5	-12.1
Kenya Trade Network Agency (KENTRADE)	State Corporation & SAGAs	67.1	57.2	9.9
Kenya Revenue Authority	State Corporation & SAGAs	66.6	75.6	-9
Lake Basin Development Authority	State Corporation & SAGAs	66.3	38.9	27.4
Kenya National Highways Authority	State Corporation & SAGAs	66.3	67.7	-1.4
Kenya School Of Government	State Corporation & SAGAs	66.1	69	-2.9

Name of Organization	Type of Organization	Overall Compliance Index (%) 2019/20	Overall compliance index(%) 2018/19	Deviation
Kenya Electricity Transmission Company Limited	State Corporation & SAGAs	66.0	61.3	4.7
Tana Water Works Development Agency	State Corporation & SAGAs	65.8	57.7	8.1
Water Sector Trust Fund	State Corporation & SAGAs	65.7	62.2	3.5
Kenya Literature Bureau	State Corporation & SAGAs	64.4	58.3	6.1
Kenya Accountants And Secretaries National Examinations Board -KASNEB	State Corporation & SAGAs	63.9	65.8	-1.9
Independent Policing Oversight Authority	Statutory Commission & Authority	63.6	78.9	-15.3
Centre For Mathematics, Science And Technology Education in Africa	State Corporation & SAGAs	63.6	53.3	10.3
Kenya National Commission On Human Rights	Constitutional Commission & Independent Office	63.2	71.4	-8.2
Lake Victoria South Water Works Development Agency	State Corporation & SAGAs	63.2	52.4	10.8
Chuka University	Public University	63.0	57.2	5.8
National Aids Control Council	State Corporation & SAGAs	62.8	65.4	-2.6
National Construction Authority	State Corporation & SAGAs	62.7	38	24.7
Tharaka University College	Public University	62.6	-	
Kenya Medical Training College	State Corporation & SAGAs	61.8	46.9	14.9
Energy & Petroleum Regulatory Authority	State Corporation & SAGAs	61.7	42.9	18.8
Athi Water Works Development Agency	State Corporation & SAGAs	61.6	27.6	34
Anti-Counterfeit Authority	State Corporation & SAGAs	60.9	79.2	-18.3
LAPSSSET Corridor Development Authority	State Corporation & SAGAs	60.9	34.7	26.2
Kenya Tsetse And Trypanasomiasis Eradication Council (KENTTEC)	State Corporation & SAGAs	60.7	42.9	17.8
Multimedia University Of Kenya	Public University	60.5	47.2	13.3

Name of Organization	Type of Organization	Overall Compliance Index (%) 2019/20	Overall compliance index(%) 2018/19	Deviation
The Kenya Institute For Public Policy Research And Analysis (KIPPRA)	State Corporation & SAGAs	60.5	57.3	3.2
Kirinyaga University	Public University	59.9	49.8	10.1
National Social Security Fund	State Corporation & SAGAs	59.7	47.7	12
National Irrigation Authority	State Corporation & SAGAs	59.5	52.6	6.9
Kenya Pipeline Company Limited	State Corporation & SAGAs	59.3	67.6	-8.3
Kenya Electricity Generating Company Plc	State Corporation & SAGAs	59.2	53.7	5.5
Commission For University Education	State Corporation & SAGAs	59.0	59.9	-0.9
Commodities Fund	State Corporation & SAGAs	58.8	52.6	6.2
Kenya Maritime Authority	State Corporation & SAGAs	58.4	56.4	2
National Land Commission	Constitutional Commission & Independent Office	58.3	41.9	16.4
Jaramogi Oginga Odinga University Of Science And Technology	Public University	58.2	28	30.2
Technical And Vocational Education And Training Authority	State Corporation & SAGAs	57.9	49.6	8.3
Murang'a University Of Technology	Public University	57.7	38.8	18.9
National Crime Research Centre	State Corporation & SAGAs	57.6	41.7	15.9
Pwani University	Public University	57.2	42.9	14.3
Laikipia University	Public University	56.8	50.7	6.1
University Of Eldoret	Public University	56.8	45.4	11.4
Kenya Ferry Services Limited	State Corporation & SAGAs	56.6	41.3	15.3
Kenya National Commission For UNESCO	State Corporation & SAGAs	56.6	-	
National Council For Law Reporting - Kenya Law	State Corporation & SAGAs	56.5	45.4	11.1
Kenya Airports Authority	State Corporation & SAGAs	56.1	49.7	6.4

Name of Organization	Type of Organization	Overall Compliance Index (%) 2019/20	Overall compliance index(%) 2018/19	Deviation
Ministry Of Health	Ministry & State Department	55.2	41.8	13.4
Kenya Marine And Fisheries Research Institute	State Corporation & SAGAs	55.2	41.6	13.6
Women Enterprise Fund	State Corporation & SAGAs	55.0	48.7	6.3
Agricultural Finance Corporation	State Corporation & SAGAs	54.9	37.8	17.1
State Department For Co-Operatives	Ministry & State Department	54.6	38.5	16.1
Kenya Industrial Property Institute	State Corporation & SAGAs	54.6	73.3	-18.7
Kenya Civil Aviation Authority	State Corporation & SAGAs	54.5	38.7	15.8
National Hospital Insurance Fund	State Corporation & SAGAs	54.3	32.6	21.7
Kenya Broadcasting Corporation	State Corporation & SAGAs	53.6	42.5	11.1
Media Council Of Kenya	State Corporation & SAGAs	53.3	40	13.3
Public Procurement Regulatory Authority	State Corporation & SAGAs	53.3	31.1	22.2
Kenya Universities And Colleges Central Placement Service	State Corporation & SAGAs	53.2	47.8	5.4
Postal Corporation Of Kenya	State Corporation & SAGAs	53.1	41.9	11.2
Privatization Commission	State Corporation & SAGAs	53.0	52.7	0.3
Kenya Bureau Of Standards	State Corporation & SAGAs	53.0	52.7	0.3
Retirement Benefits Authority	State Corporation & SAGAs	52.9	53.2	-0.3
Nuclear Power And Energy Agency	State Corporation & SAGAs	52.7	-	
Moi Teaching And Referral Hospital	State Corporation & SAGAs	52.7	44.4	8.3
Insurance Regulatory Authority	State Corporation & SAGAs	52.7	71.1	-18.4
Masinde Muliro University Of Science And Technology	Public University	52.6	33.3	19.3
Ministry Of Energy	Ministry & State Department	52.5	65	-12.5

Name of Organization	Type of Organization	Overall Compliance Index (%) 2019/20	Overall compliance index(%) 2018/19	Deviation
Council Of Governors	Statutory Commission & Authority	52.1	44.8	7.3
University Of Nairobi	Public University	51.9	49.4	2.5
Meru University Of Science And Technology	Public University	51.9	46.7	5.2
Kenya Ports Authority	State Corporation & SAGAs	51.6	40.2	11.4
Karatina University	Public University	50.8	53.5	-2.7
Geothermal Development Company	State Corporation & SAGAs	50.6	53.6	-3
Kenya Law Reform Commission (KLRC)	Statutory Commission & Authority	50.5	49.2	1.3
IDB Capital Limited	State Corporation & SAGAs	50.3	53.7	-3.4
Kenya Institute Of Curriculum Development	State Corporation & SAGAs	50.3	44.1	6.2
National Cereals And Produce Board	State Corporation & SAGAs	50.1	15.8	34.3
Ewaso Ngiro South Development Authority	State Corporation & SAGAs	50.1	65.1	-15
State Department For Early Learning And Basic Education	Ministry & State Department	50.0	48	2
Rural Electrification And Renewable Energy Corporation	State Corporation & SAGAs	49.9	37.4	12.5
National Environment Trust Fund	State Corporation & SAGAs	49.8	54.7	-4.9
The Kenya Deposit Insurance Corporation	State Corporation & SAGAs	49.6	46	3.6
State Department For Public Service	Ministry & State Department	49.5	25.7	23.8
National Biosafety Authority	State Corporation & SAGAs	49.4	33.8	15.6
Kenya Institute Of Special Education	State Corporation & SAGAs	49.3	47.2	2.1
Nyayo Tea Zones Development Corporation	State Corporation & SAGAs	49.0	37.1	11.9
Kenya Power & Lighting Company	State Corporation & SAGAs	48.8	43.2	5.6
National Transport And Safety Authority	State Corporation & SAGAs	48.8	66.1	-17.3

Name of Organization	Type of Organization	Overall Compliance Index (%) 2019/20	Overall compliance index(%) 2018/19	Deviation
Maseno University	Public University	48.3	41.7	6.6
National Government Constituencies Development Fund	State Corporation & SAGAs	48.3	51.1	-2.8
Water Resources Authority	State Corporation & SAGAs	48.3	-	
Higher Education Loans Board	State Corporation & SAGAs	47.9	46.4	1.5
Kenya Water Towers Agency	State Corporation & SAGAs	47.8	54.1	-6.3
Witness Protection Agency	State Corporation & SAGAs	47.5	45.6	1.9
Kenya Industrial Research And Development Institute	State Corporation & SAGAs	47.4	42.7	4.7
Nairobi Centre For International Arbitration	State Corporation & SAGAs	46.8	48.8	-2
Office Of The Registrar Of Political Parties	Statutory Commission & Authority	46.7	49.6	-2.9
Kenya Copyright Board	State Corporation & SAGAs	46.5	43.8	2.7
Kenya Medical Supplies Authority (KEMSA)	State Corporation & SAGAs	46.4	47.2	-0.8
Maasai Mara University	Public University	46.4	41.5	4.9
Kenyatta International Convention Centre	State Corporation & SAGAs	46.3	38	8.3
Unclaimed Financial Assets Authority	State Corporation & SAGAs	46.2	47.4	-1.2
Kenya National Shipping Line Ltd	State Corporation & SAGAs	46.2	43.3	2.9
Nursing Council Of Kenya	State Corporation & SAGAs	46.1	30.6	15.5
Kenya Tourism Board	State Corporation & SAGAs	45.9	43.8	2.1
Youth Enterprise Development Fund	State Corporation & SAGAs	45.9	30.3	15.6
Public Service Commission	Constitutional Commission & Independent Office	45.9	40.2	5.7
Jomo Kenyatta Foundation	State Corporation & SAGAs	45.8	49.2	-3.4

Name of Organization	Type of Organization	Overall Compliance Index (%) 2019/20	Overall compliance index(%) 2018/19	Deviation
State Department For Gender	Ministry & State Department	45.5	39.3	6.2
Agriculture and Food Authority	State Corporation & SAGAs	45.5	46.2	-0.7
Central Rift Valley Water Works Development Agency	State Corporation & SAGAs	45.2	29.8	15.4
Vision 2030 Delivery Secretariat	State Corporation & SAGAs	45.1	33.3	11.8
Kenya School Of Law	State Corporation & SAGAs	44.9	38.1	6.8
Water Services Regulatory Board	State Corporation & SAGAs	44.9	67.4	-22.5
Kenya Veterinary Board	State Corporation & SAGAs	44.9	37.8	7.1
Kenya Animal Genetic Resources Centre	State Corporation & SAGAs	44.8	38.5	6.3
University Of Embu	Public University	44.8	53	-8.2
Egerton University	Public University	44.3	42.7	1.6
Ethics And Anti-Corruption Commission	Constitutional Commission & Independent Office	44.2	47.4	-3.2
Communications Authority Of Kenya	State Corporation & SAGAs	44.1	48.1	-4
Agricultural Development Corporation	State Corporation & SAGAs	43.7	37	6.7
New Kenya Cooperative Creameries (NKCC)	State Corporation & SAGAs	43.7	47.3	-3.6
Commission On Administrative Justice	Constitutional Commission & Independent Office	43.7	59.8	-16.1
National Council For Persons With Disabilities	State Corporation & SAGAs	43.7	45.5	-1.8
Kenya Post Office Savings Bank	State Corporation & SAGAs	43.6	41.1	2.5
Council Of Legal Education	State Corporation & SAGAs	43.4	40.1	3.3
Kenya Forest Service	State Corporation & SAGAs	43.2	64	-20.8
Kenya Agricultural And Livestock Research Organization	State Corporation & SAGAs	42.8	35.7	7.1
Ministry of Lands And Physical Planning	Ministry & State Department	42.6	21.1	21.5

Name of Organization	Type of Organization	Overall Compliance Index (%) 2019/20	Overall compliance index(%) 2018/19	Deviation
The Kenya National Examinations Council	State Corporation & SAGAs	42.6	50.2	-7.6
Consolidated Bank Of Kenya Limited	State Corporation & SAGAs	42.5	48.5	-6
Tana and Athi Rivers Development Authority	State Corporation & SAGAs	42.3	35.8	6.5
Ministry Of Defence	Ministry & State Department	42.3	46.1	-3.8
Dedan Kimathi University Of Technology	Public University	42.2	-	
National Oil Corporation	State Corporation & SAGAs	42.0	46.3	-4.3
Machakos University	Public University	42.0	41.1	0.9
Export Processing Zones Authority	State Corporation & SAGAs	41.7	44.4	-2.7
Anti-Doping Agency Of Kenya	State Corporation & SAGAs	41.7	40.9	0.8
Rongo University	Public University	41.7	34.9	6.8
National Water Harvesting & Storage Authority	State Corporation & SAGAs	41.2	32.1	9.1
Uwezo Fund Oversight Board	State Corporation & SAGAs	41.2	24.4	16.8
Kenya Institute Of Mass Communication	State Corporation & SAGAs	41.1	37.9	3.2
Northern Water Works Development Agency	State Corporation & SAGAs	41.0	36.6	4.4
The Co-operative University Of Kenya	Public University	40.6	38.5	2.1
Information And Communications Technology Authority	State Corporation & SAGAs	40.4	31.7	8.7
Lake Victoria North Water Works Development Agency	State Corporation & SAGAs	40.4	53	-12.6
Local Authorities Provident Fund	State Corporation & SAGAs	40.3	39	1.3
State Department For Livestock	Ministry & State Department	39.4	37.5	1.9
State Department For Labour	Ministry & State Department	39.1	36.8	2.3
Ministry Of Foreign Affairs	Ministry & State Department	38.8	35	3.8
Directorate Of Immigration Services	Ministry & State Department	38.7	35.6	3.1

Name of Organization	Type of Organization	Overall Compliance Index (%) 2019/20	Overall compliance index(%) 2018/19	Deviation
Kenya National Trading Corporation	State Corporation & SAGAs	38.6	35.3	3.3
Kenya National Bureau Of Statistics	State Corporation & SAGAs	38.3	49.8	-11.5
Kenya Investment Authority	State Corporation & SAGAs	38.3	46.3	-8
Kaimosi Friends University College (KAFUCO)	Public University	38.1	36.5	1.6
Kenya Medical Research Institute	State Corporation & SAGAs	38.1	47.6	-9.5
Kenya Rural Roads Authority	State Corporation & SAGAs	38.1	39.8	-1.7
State Department For Trade And Enterprise Development	Ministry & State Department	38.0	36.8	1.2
Kenya Seed Company Limited	State Corporation & SAGAs	38.0	44.5	-6.5
Sacco Societies Regulatory Authority	State Corporation & SAGAs	37.9	68.4	-30.5
National Authority For The Campaign Against Alcohol And Drug Abuse (NACADA)	State Corporation & SAGAs	37.8	50.5	-12.7
Tanathi Water Works Development Agency	State Corporation & SAGAs	37.7	40.5	-2.8
Kenya Wildlife Service	State Corporation & SAGAs	37.7	40.9	-3.2
National Housing Corporation	State Corporation & SAGAs	37.5	42.7	-5.2
Commission On Revenue Allocation	Constitutional Commission & Independent Office	37.3	36.6	0.7
Kenya Utalii College	State Corporation & SAGAs	37.3	40.1	-2.8
Office Of The Deputy President	Ministry & State Department	36.9	14.5	22.4
Tourism Finance Corporation	State Corporation & SAGAs	36.9	49.6	-12.7
Bukura Agricultural College	State Corporation & SAGAs	36.9	43.9	-7
National Youth Service	State Corporation & SAGAs	36.8	33.5	3.3
Kenya Urban Roads Authority(KURA)	State Corporation & SAGAs	36.8	46.5	-9.7

Name of Organization	Type of Organization	Overall Compliance Index (%) 2019/20	Overall compliance index(%) 2018/19	Deviation
State Department For Transport	Ministry & State Department	36.7	31.2	5.5
University OfKabianga	Public University	36.5	47.3	-10.8
Alupe University College	Public University	35.9	35.1	0.8
State House	Ministry & State Department	35.9	34.5	1.4
Coast Development Authority	State Corporation & SAGAs	35.8	38	-2.2
National Industrial Training Authority - Nita	State Corporation & SAGAs	35.8	43.9	-8.1
Salaries & Remuneration Commission	Constitutional Commission & Independent Office	35.8	40.5	-4.7
Kenya Safari Lodges & Hotel Limited	State Corporation & SAGAs	35.7	34.2	1.5
The Technical University Of Kenya	Public University	35.5	34.3	1.2
University Of Nairobi Enterprises And Services Limited	State Corporation & SAGAs	34.8	41.9	-7.1
South Eastern Kenya University	Public University	34.7	45.3	-10.6
Pharmacy And Poisons Board	State Corporation & SAGAs	34.7	-	
Bomet University College	Public University	34.5	-	
Micro And Small Enterprise Authority	State Corporation & SAGAs	34.5	31.6	2.9
Taita Taveta University	Public University	34.3	32.7	1.6
Non Governmental Organizations Co-Ordination Board	State Corporation & SAGAs	34.3	33.9	0.4
TVET Curriculum Development Assessment And Certification Council (TVET CDACC)	State Corporation & SAGAs	34.2	49.6	-15.4
Business Registration Service	State Corporation & SAGAs	34.1	44.4	-10.3
Moi University	Public University	34.0	39.3	-5.3
State Department For Social Protection	Ministry & State Department	33.9	22.9	11
Tom Mboya University College	Public University	33.7	42.8	-9.1
State Department For Planning	Ministry & State Department	33.4	45.4	-12
Agro Chemical And Food Company Limited	State Corporation & SAGAs	33.4	50.4	-17

Name of Organization	Type of Organization	Overall Compliance Index (%) 2019/20	Overall compliance index(%) 2018/19	Deviation
State Department For Fisheries, Aquaculture And Blue Economy	Ministry & State Department	33.3	37.3	-4
National Commission For Science, Technology And Innovation	State Corporation & SAGAs	33.0	48.7	-15.7
Kerio Valley Development Authority	State Corporation & SAGAs	32.8	32.3	0.5
State Department For Devolution	Ministry & State Department	32.8	37.9	-5.1
National Youth Council	State Corporation & SAGAs	32.7	33.5	-0.8
National Drought Management Authority	State Corporation & SAGAs	32.6	29	3.6
State Department For University Education And Research	Ministry & State Department	32.4	21.5	10.9
Technical University Of Mombasa	Public University	32.1	31.5	0.6
Kenya Railways Corporation	State Corporation & SAGAs	32.0	40.2	-8.2
Anti-Female Genital Mutilation Board	State Corporation & SAGAs	31.7	31	0.7
Industrial And Commercial Development Corporation	State Corporation & SAGAs	31.6	29.2	2.4
National Treasury	Ministry & State Department	31.6	29.6	2
Kenya Dairy Board	State Corporation & SAGAs	31.5	48.2	-16.7
State Department For Mining	Ministry & State Department	31.3	43.8	-12.5
State Department For Youth	Ministry & State Department	31.1	25.7	5.4
School Equipment Production Unit	State Corporation & SAGAs	31.1	26.7	4.4
Tourism Fund	State Corporation & SAGAs	30.6	41.8	-11.2
Kenya Leather Development Council	State Corporation & SAGAs	30.5	29.2	1.3
Intergovernmental Relations Technical Committee (IGRTC)	Statutory Commission & Authority	30.4	39.8	-9.4
Kenya National Library Service	State Corporation & SAGAs	30.1	-	

Name of Organization	Type of Organization	Overall Compliance Index (%) 2019/20	Overall compliance index(%) 2018/19	Deviation
State Department For Petroleum	Ministry & State Department	30.0	32.7	-2.7
State Department For Tourism	Ministry & State Department	29.5	34.3	-4.8
Kenya Meat Commission	State Corporation & SAGAs	29.0	33.1	-4.1
State Department For Broadcasting And Telecommunications	Ministry & State Department	29.0	22.4	6.6
Office Of The Auditor - General	Constitutional Commission & Independent Office	29.0	25.5	3.5
National Employment Authority	State Corporation & SAGAs	28.8	-	
National Quality Control Laboratory	State Corporation & SAGAs	28.7	27.8	0.9
East African Portland Cement Plc	State Corporation & SAGAs	28.6	25.7	2.9
NEPAD/APRM Kenya Secretariat	State Corporation & SAGAs	28.4	53.6	-25.2
State Department For Public Works	Ministry & State Department	28.3	27.2	1.1
Bomas Of Kenya Ltd	State Corporation & SAGAs	28.3	34.5	-6.2
Kenya Yearbook Editorial Board	State Corporation & SAGAs	28.2	37.9	-9.7
Kenya Veterinary Vaccines Production Institute	State Corporation & SAGAs	28.2	42.5	-14.3
Sports Kenya	State Corporation & SAGAs	28.1	35.9	-7.8
Numerical Machining Complex	State Corporation & SAGAs	28.1	40.8	-12.7
National Affirmative Action Fund	State Corporation & SAGAs	28.0	25.2	2.8
National Museums Of Kenya	State Corporation & SAGAs	27.6	31.8	-4.2
State Department For Crop Development & Agricultural Research	Ministry & State Department	27.1	23.7	3.4
Pest Control Products Board	State Corporation & SAGAs	27.1	41.9	-14.8

Name of Organization	Type of Organization	Overall Compliance Index (%) 2019/20	Overall compliance index(%) 2018/19	Deviation
National Cohesion And Integration Commission	Statutory Commission & Authority	27.1	49.7	-22.6
Office Of The Controller Of Budget	Constitutional Commission & Independent Office	27.0	43.5	-16.5
Kenya Petroleum Refineries Limited	State Corporation & SAGAs	26.4	-	
State Department For Development Of The ASALs	Ministry & State Department	26.0	16	10
Policyholders Compensation Fund	State Corporation & SAGAs	25.9	28.7	-2.8
State Department For Infrastructure	Ministry & State Department	25.9	-	
State Department For ICT And Innovation	Ministry & State Department	25.6	24.6	1
State Department For Regional And Northern Corridor Development	Ministry & State Department	25.4	24.2	1.2
State Department For Vocational And Technical Training	Ministry & State Department	25.4	41.8	-16.4
Kenya Education Management Institute	State Corporation & SAGAs	25.2	32.5	-7.3
National Communication Secretariat	State Corporation & SAGAs	25.1	22.3	2.8
Garissa University	Public University	25.0	29	-4
Kenya Institute Of Supplies Management	State Corporation & SAGAs	25.0	39.2	-14.2
Kenya Export Promotion And Branding Agency	State Corporation & SAGAs	24.8	42.5	-17.7
Kenya Medical Practitioners And Dentists Council	State Corporation & SAGAs	24.3	34	-9.7
Huduma Kenya Secretariat	State Corporation & SAGAs	23.5	45.6	-22.1
Coast Water Works Development Agency	State Corporation & SAGAs	23.4	43.3	-19.9
Kenya Water Institute	State Corporation & SAGAs	23.4	37.3	-13.9
State Department For East African Community	Ministry & State Department	23.0	24.2	-1.2
Universities Fund	State Corporation & SAGAs	22.7	-	

Name of Organization	Type of Organization	Overall Compliance Index (%) 2019/20	Overall compliance index(%) 2018/19	Deviation
Kenya Ordnance Factories Corporation	State Corporation & SAGAs	22.4	32.2	-9.8
Independent Electoral & Boundaries Commission	Constitutional Commission & Independent Office	21.7	31.3	-9.6
EwasoNg'iro North River Basin Development Authority	State Corporation & SAGAs	21.3	45.7	-24.4
State Department For Industrialization	Ministry & State Department	21.1	26	-4.9
State Department For Housing And Urban Development	Ministry & State Department	20.7	26.9	-6.2
Office Of The Director Of Public Prosecutions	Statutory Commission & Authority	20.7	37.3	-16.6
Ministry Of Environment And Forestry	Ministry & State Department	19.6	28.5	-8.9
National Council For Children's Services	State Corporation & SAGAs	19.1	-	
Chemelil Sugar Company Limited	State Corporation & SAGAs	18.0	-	
Regional Centre On Groundwater	State Corporation & SAGAs	17.8	-	
Registration Of Certified Public Secretaries Board	State Corporation & SAGAs	17.6	35.8	-18.2
Kenya National Assurance Company (2001) Limited	State Corporation & SAGAs	16.8	29.6	-12.8
The Kenya Cultural Centre	State Corporation & SAGAs	16.4	18.5	-2.1
Cabinet Affairs Office	Ministry & State Department	15.4	32.8	-17.4
State Department For Correctional Services	Ministry & State Department	14.3	23.9	-9.6
Ministry Of Water, Sanitation And Irrigation	Ministry & State Department	14.1	35.5	-21.4
State Department For Post Training And Skills Development	Ministry & State Department	13.7	17.5	-3.8
State Department For Wildlife	Ministry & State Department	13.1	24.5	-11.4
State Department For Shipping And Maritime	Ministry & State Department	12.6	31.7	-19.1
Kenya Prisons Service	Ministry & State Department	12.0	12.9	-0.9

Name of Organization	Type of Organization	Overall Compliance Index (%) 2019/20	Overall compliance index(%) 2018/19	Deviation
State Department For Sports	Ministry & State Department	10.8	27.1	-16.3
Turkana University College	Public University	8.9	-	
Kenya Space Agency	State Corporation & SAGAs	8.2	-	
State Department For Culture And Heritage	Ministry & State Department	6.3	24.7	-18.4
Hydrologists Registration Board	State Corporation & SAGAs	2.7	-	

Appendix II: Staff Establishment

Category	Name of Organization	Authorized Establishment (A)	In Post (B)	Variance (A-B)	% Variance (A-B)/A*100
Constitutional Commissions & Independent Offices	Commission On Administrative Justice	76	82	-6	-7.9
	Commission On Revenue Allocation	94	67	27	28.7
	Ethics And Anti-Corruption Commission	2,243	736	1,507	67.2
	Independent Electoral Boundaries Commission	1,024	853	171	16.7
	Kenya National Commission On Human Rights	461	106	355	77
	National Land Commission	1,665	442	1,223	73.5
	Office Of The Auditor - General	1,895	1,563	332	17.5
	Office Of The Controller Of Budget	204	125	79	38.7
	Public Service Commission	410	223	187	45.6
	Salaries And Remuneration Commission	94	71	23	24.5
Total		8,166	4,268	3,898	47.7
Ministries & State Departments	Cabinet Affairs Office	445	271	174	39.1
	Directorate Of Immigration Services	4,796	1,472	3,324	69.3
	Ministry Of Defence	3,481	1,573	1,908	54.8
	Ministry Of Energy	827	373	454	54.9
	Ministry Of Environment And Forestry	1,981	767	1,214	61.3
	Ministry Of Foreign Affairs	1,547	802	745	48.2
	Ministry Of Health	3,964	2,494	1,470	37.1
	Ministry Of Lands And Physical Planning	4,950	2,472	2,478	50.1
	Ministry Of Water, Sanitation And Irrigation	1,055	482	573	54.3
	National Treasury	3,982	2,475	1,507	37.8
Office Of Attorney General And Department Of Justice	1,101	854	247	22.4	

Category	Name of Organization	Authorized Establishment (A)	In Post (B)	Variance (A-B)	% Variance (A-B)/A*100
	Office Of The Deputy President	490	351	139	28.4
	State Department For Infrastructure	4,362	1,870	2,492	57.1
	State Department For Livestock	2,909	1,179	1,730	59.5
	State Department For Broadcasting	597	368	229	38.4
	State Department For Co-operatives	331	158	173	52.3
	State Department For Correctional Services	1,533	1,214	319	20.8
	State Department For Crops Development	913	714	199	21.8
	State Department For Culture And Heritage	1,348	202	1,146	85
	State Department For Devolution	307	214	93	30.3
	State Department For Early Learning & Basic Education	8,895	4,471	4,424	49.7
	State Department For East African Community	260	145	115	44.2
	State Department For Fisheries, Aquaculture And Blue Economy	660	266	394	59.7
	State Department For Gender	287	221	66	23
	State Department For Housing And Urban Development	1,925	852	1,073	55.7
	State Department For ICT And Innovation	511	205	306	59.9
	State Department For Interior And Citizen Services	35,750	25,442	10,308	28.8
	State Department For Labour	1,801	577	1,224	68
	State Department For Mining	1,035	359	676	65.3
	State Department For Petroleum	349	188	161	46.1
	State Department For Planning	532	305	227	42.7

Category	Name of Organization	Authorized Establishment (A)	In Post (B)	Variance (A-B)	% Variance (A-B)/A*100
	State Department For Post Training And Skills Development	60	38	22	36.7
	State Department For Public Service	512	290	222	43.4
	State Department For Public Works	1,674	679	995	59.4
	State Department For Regional And Northern	244	53	191	78.3
	State Department For Shipping And Maritime	205	69	136	66.3
	State Department For Social Protection	2,880	1,896	984	34.2
	State Department For Sports	281	156	125	44.5
	State Department For The Development Of ASALs	148	128	20	13.5
	State Department For Tourism	184	196	-12	-6.5
	State Department For Trade And Enterprise Development	753	351	402	53.4
	State Department For Transport	306	190	116	37.9
	State Department For University Education And Research	250	172	78	31.2
	State Department For Vocational And Technical Training	4,431	5,324	-893	-20.2
	State Department For Wildlife	116	117	-1	-0.9
	State Department For Youth	718	632	86	12
	State Department For Industrialization	865	434	431	49.8
	State House	1,208	872	336	27.8
	Kenya Prisons Service	39,702	26,121	13,581	34.2
Total		147,461	91,054	56,407	38.3
Public Universities	Alupe University College	1,050	77	973	92.7
	Bomet University College	182	90	92	50.5
	Chuka University	658	625	33	5
	Dedan Kimathi University Of Technology	867	522	345	39.8

Category	Name of Organization	Authorized Establishment (A)	In Post (B)	Variance (A-B)	% Variance (A-B)/A*100
	Egerton University	2,125	1,768	357	16.8
	Garissa University	287	187	100	34.8
	Kaimosi Friends University College	646	195	451	69.8
	Karatina University	498	405	93	18.7
	Kibabii University	554	388	166	30
	Kirinyaga University	394	235	159	40.4
	The Co-Operative University Of Kenya	351	262	89	25.4
	Jaramogi Oginga Odinga University Of Science And Technology	867	311	556	64.1
	Kisii University	1,461	982	479	32.8
	Laikipia University	926	547	379	40.9
	Maasai Mara University	1,681	616	1,065	63.4
	Machakos University	608	524	84	13.8
	Maseno University	2,017	1,185	832	41.2
	Masinde Muliro University Of Science And Technology	1,630	945	685	42
	Meru University Of Science And Technology	1,512	401	1,111	73.5
	Moi University	376	1,191	-815	-216.8
	Multimedia University Of Kenya	720	394	326	45.3
	Murang'a University Of Technology	564	279	285	50.5
	Pwani University	905	437	468	51.7
	Taita Taveta University	637	240	397	62.3
	South Eastern Kenya University	522	489	33	6.3
	Technical University Of Mombasa	1,326	624	702	52.9
	Tharaka University College	82	82	0	0
	The Technical University Of Kenya	2,003	1,512	491	24.5
	Tom Mboya University College	107	80	27	25.2
	Turkana University College	96	94	2	2.1
	University Of Eldoret	1,510	1,274	236	15.6
	University Of Embu	696	372	324	46.6
	University Of Kabianga	641	570	71	11.1
	University Of Nairobi	7,652	4,622	3,030	39.6

Category	Name of Organization	Authorized Establishment (A)	In Post (B)	Variance (A-B)	% Variance (A-B)/A*100
Total		36,151	22,525	13,626	37.8
State Corporations	Agricultural Development Corporation	959	814	145	15.1
	Agricultural Finance Corporation	561	494	67	11.9
	Agriculture And Food Authority	731	53	678	92.7
	Agro Chemical And Food Company Limited	292	240	52	17.8
	Anti-Counterfeit Authority	250	108	142	56.8
	Anti-Doping Agency Of Kenya	68	34	34	50
	Anti-Female Genital Mutilation Board	66	10	56	84.8
	Athi Water Works Development Agency	121	82	39	32.2
	Bomas Of Kenya Ltd	225	176	49	21.8
	Bukura Agricultural College	272	138	134	49.3
	Business Registration Service	80	36	44	55
	Capital Markets Authority	165	105	60	36.4
	Center For Mathematics Science And Technology	191	120	71	37.2
	Central Rift Valley Water Works Development Agency	43	36	7	16.3
	Chemelil Sugar Company Limited	1,151	552	599	52
	Coast Development Authority	166	133	33	19.9
	Coast Water Works Development Agency	169	169	0	0
	Commission For University Education	188	84	104	55.3
	Commodities Fund	159	47	112	70.4
	Communications Authority Of Kenya	287	268	19	6.6
	Competition Authority Of Kenya	99	74	25	25.3
	Consolidated Bank Of Kenya Limited	282	258	24	8.5
	Council Of Legal Education	51	36	15	29.4
	East African Portland Cement Plc	530	524	6	1.1

Category	Name of Organization	Authorized Establishment (A)	In Post (B)	Variance (A-B)	% Variance (A-B)/A*100
	Energy Petroleum Regulatory Authority	249	137	112	45
	Engineers Board Of Kenya	111	28	83	74.8
	Ewaso Ngiro North River Basin Development Authority	170	47	123	72.4
	Ewaso Ngiro South Development Authority	217	173	44	20.3
	Export Processing Zones Authority	276	156	120	43.5
	Geothermal Development Company	2,010	1,054	956	47.6
	Higher Education Loans Board	315	267	48	15.2
	Huduma Kenya Secretariat	101	67	34	33.7
	Hydrologists Registration Board	1	1	0	0
	IDB Capital Limited	37	18	19	51.4
	Industrial And Commercial Development Corporation	86	56	30	34.9
	Information And Communications Technology Authority	188	87	101	53.7
	Insurance Regulatory Authority	110	74	36	32.7
	Jomo Kenyatta Foundation	120	112	8	6.7
	Kenya Accountants And Secretaries National	127	107	20	15.7
	Kenya Agricultural And Livestock Research Organization	3,612	2,104	1,508	41.7
	Kenya Airports Authority	1,430	736	694	48.5
	Kenya Animal Genetic Resources Centre	171	115	56	32.7
	Kenya Broadcasting Corporation	2,262	1,514	748	33.1
	Kenya Bureau Of Standards	1,440	1,018	422	29.3
	Kenya Civil Aviation Authority	721	766	-45	-6.2
	Kenya Copyright Board	119	40	79	66.4
	Kenya Cultural Centre	77	38	39	50.6
	Kenya Dairy Board	253	147	106	41.9

Category	Name of Organization	Authorized Establishment (A)	In Post (B)	Variance (A-B)	% Variance (A-B)/A*100
	Kenya Education Management Institute	107	58	49	45.8
	Kenya Electricity Generating Company Plc	2,537	2,518	19	0.7
	Kenya Electricity Transmission Company Limited	910	553	357	39.2
	Kenya Export Promotion And Branding Agency	216	95	121	56
	Kenya Ferry Services Limited	340	285	55	16.2
	Kenya Forest Service	8,374	4,099	4,275	51.1
	Kenya Forestry Research Institute (KEFRI)	1,291	776	515	39.9
	Kenya Industrial Property Institute	175	79	96	54.9
	Kenya Industrial Research And Development Institute	640	320	320	50
	Kenya Institute For Public Policy Research And Analysis	171	53	118	69
	Kenya Institute Of Curriculum Development	670	328	342	51
	Kenya Institute Of Mass Communication	237	95	142	59.9
	Kenya Institute Of Special Education	172	149	23	13.4
	Kenya Institute Of Supplies Management	45	30	15	33.3
	Kenya Investment Authority	86	57	29	33.7
	Kenya Leather Development Council	129	47	82	63.6
	Kenya Literature Bureau	302	183	119	39.4
	Kenya Marine And Fisheries Research Institute	1,363	696	667	48.9
	Kenya Maritime Authority	158	120	38	24.1
	Kenya Meat Commission	324	217	107	33
	Kenya Medical Practitioners And Dentists Council	143	43	100	69.9
	Kenya Medical Research Institute	1,977	814	1,163	58.8
	Kenya Medical Supplies Authority (KEMSA)	343	898	-555	-161.8

Category	Name of Organization	Authorized Establishment (A)	In Post (B)	Variance (A-B)	% Variance (A-B)/A*100
	Kenya Medical Training College	5,986	2,374	3,612	60.3
	Kenya National Assurance Company (2001) Limited	6	6	0	0
	Kenya National Bureau Of Statistics	709	442	267	37.7
	Kenya National Commission For Unesco	57	38	19	33.3
	Kenya National Highways Authority	742	527	215	29
	Kenya National Library Service	1,692	639	1,053	62.2
	Kenya National Shipping Line Ltd	26	16	10	38.5
	Kenya National Trading Corporation	124	57	67	54
	Kenya Ordnance Factories Corporation	692	298	394	56.9
	Kenya Petroleum Refineries Limited	221	118	103	46.6
	Kenya Pipeline Company Limited	1,572	1,423	149	9.5
	Kenya Plant Health Inspectorate Service	437	395	42	9.6
	Kenya Ports Authority	7,971	6,654	1,317	16.5
	Kenya Post Office Savings Bank	610	647	-37	-6.1
	Kenya Power And Lighting Company	10,928	10,481	447	4.1
	Kenya Railways Corporation	946	284	662	70
	Kenya Reinsurance Corporation Limited	160	160	0	0
	Kenya Revenue Authority	14,555	7,901	6,654	45.7
	Kenya Rural Roads Authority	988	681	307	31.1
	Kenya Safari Lodges _ Hotel Limited	425	262	163	38.4
	Kenya School Of Government	987	574	413	41.8
	Kenya School Of Law	192	138	54	28.1
	Kenya Seed Company Limited	358	374	-16	-4.5
	Kenya Space Agency	1	1	0	0

Category	Name of Organization	Authorized Establishment (A)	In Post (B)	Variance (A-B)	% Variance (A-B)/A*100
	Kenya Tourism Board	113	68	45	39.8
	Kenya Trade Network Agency	118	72	46	39
	Kenya Tsetse And Trypanasomiasis Eradication Council	432	57	375	86.8
	Kenya Universities And Colleges Central Placement Service	127	60	67	52.8
	Kenya Urban Roads Authority(Kura)	628	278	350	55.7
	Kenya Utalii College	448	420	28	6.3
	Kenya Veterinary Board	118	19	99	83.9
	Kenya Veterinary Vaccines Production Institute	234	160	74	31.6
	Kenya Water Institute	316	74	242	76.6
	Kenya Water Towers Agency	108	101	7	6.5
	Kenya Wildlife Service	7,457	4,661	2,796	37.5
	Kenya Yearbook Editorial Board	32	29	3	9.4
	Kenyatta International Convention Centre	182	124	58	31.9
	Kerio Valley Development Authority	232	139	93	40.1
	Konza Technopolis Development Authority	187	49	138	73.8
	Lake Basin Development Authority	362	275	87	24
	Lake Victoria North Water Works Development Agency	76	58	18	23.7
	Lake Victoria South Water Works Development Agency	80	55	25	31.3
	Lapsset Corridor Development Authority	162	69	93	57.4
	Local Authorities Provident Fund	184	126	58	31.5
	Media Council Of Kenya	50	31	19	38
	Micro And Small Enterprise Authority	268	112	156	58.2
	Moi Teaching And Referral Hospital	4,027	3,741	286	7.1
	Nairobi Centre For International Arbitration	55	21	34	61.8

Category	Name of Organization	Authorized Establishment (A)	In Post (B)	Variance (A-B)	% Variance (A-B)/A*100
	National Affirmative Action Fund	263	100	163	62
	National Aids Control Council	351	156	195	55.6
	National Authority For The Campaign Against Alcohol And Drug Abuse	118	57	61	51.7
	National Biosafety Authority	180	38	142	78.9
	National Cereals And Produce Board	1,079	766	313	29
	National Commission For Science Technology And Innovation	172	52	120	69.8
	National Communication Secretariat	26	21	5	19.2
	National Construction Authority	417	397	20	4.8
	National Council For Children Services	86	0	86	100
	National Council For Law Reporting	161	72	89	55.3
	National Council For Persons With Disabilities	267	102	165	61.8
	National Council For Population And Development	254	104	150	59.1
	National Crime Research Centre	214	29	185	86.4
	National Drought Management Authority	798	206	592	74.2
	National Environment Management Authority	417	408	9	2.2
	National Environment Trust Fund	77	32	45	58.4
	National Government Constituencies Development	502	305	197	39.2
	National Hospital Insurance Fund	2,220	1,888	332	15
	National Housing Corporation	320	187	133	41.6
	National Industrial Training Authority - Nita	740	305	435	58.8
	National Irrigation Authority	518	266	252	48.6

Category	Name of Organization	Authorized Establishment (A)	In Post (B)	Variance (A-B)	% Variance (A-B)/A*100
	National Museums Of Kenya	1,200	1,104	96	8
	National Oil Corporation	258	180	78	30.2
	National Quality Control Laboratory	79	50	29	36.7
	National Social Security Fund	1,454	1,261	193	13.3
	National Transport And Safety Authority	729	672	57	7.8
	National Water Harvesting _ Storage Authority	347	196	151	43.5
	National Youth Council	81	14	67	82.7
	National Youth Service	4,671	1,652	3,019	64.6
	NEPAD-APRM Kenya Secretariat	46	31	15	32.6
	New Kenya Cooperative Creameries (NKCC)	1,968	1,964	4	0.2
	Non-Governmental Organizations Co-Ordination Board	74	61	13	17.6
	Northern Water Works Development Agency	39	37	2	5.1
	Nuclear Power And Energy Agency	149	72	77	51.7
	Numerical Machining Complex	200	116	84	42
	Nursing Council Of Kenya	44	12	32	72.7
	Nyayo Tea Zones Development Corporation	1,032	641	391	37.9
	Pest Control Products Board	419	117	302	72.1
	Pharmacy And Poisons Board	640	183	457	71.4
	Policyholders Compensation Fund	5	5	0	0
	Postal Corporation Of Kenya	2,882	2,510	372	12.9
	Privatization Commission	63	27	36	57.1
	Public Procurement Regulatory Authority	115	71	44	38.3
	Regional Centre On Groundwater	2	2	0	0
	Registration Of Certified Public Secretaries	28	3	25	89.3
	Retirement Benefits Authority	91	68	23	25.3

Category	Name of Organization	Authorized Establishment (A)	In Post (B)	Variance (A-B)	% Variance (A-B)/A*100
	Rural Electrification And Renewable Energy Corporation	1,118	298	820	73.3
	Sacco Societies Regulatory Authority	139	68	71	51.1
	School Equipment Production Unit	45	36	9	20
	Sports Kenya	240	121	119	49.6
	Tana And Athi Rivers Development Authority	377	377	0	0
	Tana Water Works Development Agency	105	65	40	38.1
	Tanathi Water Works Development Agency	72	43	29	40.3
	Technical And Vocational Education And Training Authority	140	48	92	65.7
	The Kenya Deposit Insurance Corporation	158	50	108	68.4
	The Kenya National Examinations Council	657	399	258	39.3
	Tourism Finance Corporation	75	45	30	40
	Tourism Fund	268	249	19	7.1
	TVET Curriculum Development Assessment And Certification Council	67	23	44	65.7
	Unclaimed Financial Assets Authority	39	32	7	17.9
	Universities Fund	78	9	69	88.5
	University Of Nairobi Enterprises And Services Limited	112	88	24	21.4
	Uwezo Fund Oversight Board	1,174	24	1,150	98
	Vision 2030 Delivery Secretariat	29	15	14	48.3
	Water Resources Authority	826	668	158	19.1
	Water Sector Trust Fund	175	70	105	60
	Water Services Regulatory Board	77	30	47	61
	Witness Protection Agency	296	86	210	70.9
	Women Enterprise Fund	396	377	19	4.8

Category	Name of Organization	Authorized Establishment (A)	In Post (B)	Variance (A-B)	% Variance (A-B)/A*100
	Youth Enterprise Development Fund	242	165	77	31.8
Total		141,101	91,181	49,920	35.4
Statutory Commissions & Authorities	Council Of Governors	82	59	23	28
	Kenya Law Reform Commission	177	58	119	67.2
	Independent Policing Oversight Authority	326	221	105	32.2
	Intergovernmental Relation Technical Committee	118	55	63	53.4
	National Cohesion And Integration Commission	79	67	12	15.2
	Office Of The Director Of Public Prosecutions	2,204	985	1,219	55.3
	Office Of The Registrar Of Political Parties	209	64	145	69.4
Total		3,195	1,509	1,686	52.8
Grand Total		336,074	210,537	125,537	37.4

Appendix III: Organizations that did not comply with the Two-Thirds Gender Rule

No.	Sector	Name of organization
1	Ministries & State Departments	State Department For Mining
2	Ministries & State Departments	Ministry Of Environment And Forestry
3	Ministries & State Departments	Ministry Of Water, Sanitation And Irrigation
4	Ministries & State Departments	State Department For Infrastructure
5	Ministries & State Departments	State Department For Public Works
6	Ministries & State Departments	Kenya Prisons Service
7	Public Universities	Technical University Of Mombasa
8	Public Universities	Alupe University College
9	Public Universities	Garissa University
10	State Corporations	Public Procurement Regulatory Authority
11	State Corporations	EwasoNg_Iro North River Basin Development Authority
12	State Corporations	Kenya National Bureau Of Statistics
13	State Corporations	National Oil Corporation
14	State Corporations	Kenya Airports Authority
15	State Corporations	Export Processing Zones Authority
16	State Corporations	Pest Control Products Board
17	State Corporations	Kenya National Trading Corporation
18	State Corporations	Kenya National Shipping Line Ltd
19	State Corporations	Unclaimed Financial Assets Authority
20	State Corporations	Lake Victoria South Water Works Development Agency
21	State Corporations	Kenya Marine And Fisheries Research Institute
22	State Corporations	Kenya Civil Aviation Authority
23	State Corporations	New Kenya Cooperative Creameries (Nkcc)
24	State Corporations	National Drought Management Authority
25	State Corporations	Tana Water Works Development Agency
26	State Corporations	Geothermal Development Company
27	State Corporations	Kenya Electricity Transmission Company Limited
28	State Corporations	Kenya Ordnance Factories Corporation
29	State Corporations	Pharmacy And Poisons Board
30	State Corporations	Northern Water Works Development Agency
31	State Corporations	Lake Victoria North Water Works Development Agency
32	State Corporations	Kenya Urban Roads Authority(Kura)
33	State Corporations	National Youth Service

No.	Sector	Name of organization
34	State Corporations	Information And Communications Technology Authority
35	State Corporations	Agricultural Development Corporation
36	State Corporations	Lapsset Corridor Development Authority
37	State Corporations	Kenya Rural Roads Authority
38	State Corporations	National Government Constituencies Development Fund
39	State Corporations	Kenya Petroleum Refineries Limited
40	State Corporations	Kenya Veterinary Vaccines Production Institute
41	State Corporations	Kenya Safari Lodges _ Hotel Limited
42	State Corporations	Kenya Electricity Generating Company Plc
43	State Corporations	Kenya Animal Genetic Resources Centre
44	State Corporations	Kenya Forest Service
45	State Corporations	School Equipment Production Unit
46	State Corporations	Kenya Power _ Lighting Company
47	State Corporations	Kenya Ports Authority
48	State Corporations	National Affirmative Action Fund
49	State Corporations	Kenya Wildlife Service
50	State Corporations	Kenya Space Agency
51	State Corporations	Policyholders Compensation Fund
52	State Corporations	Numerical Machininh Complex
53	State Corporations	Coast Water Works Development Agency
54	State Corporations	Chemelil Sugar Company Limited
55	State Corporations	Agro Chemical And Food Company Limited
56	State Corporations	Kenya Ferry Services Limited
57	State Corporations	East African Portland Cement Plc
58	State Corporations	Hydrologists Registration Board

Appendix IV: Representation of Ethnic Communities in the Public Service

S/No.	Ethnicity	Total Population (2019 Census)	% Proportionate Representation in the National population	Total In-post	% of Total in-post	Variance	Status of Representation
1	Kalenjin	6358113	13.37	35,991	16.77	3.40	Gross Over-representation
2	Kikuyu	8148668	17.13	45,291	21.10	3.97	Gross Over-representation
3	Kenyan Somali	2780502	5.85	5,052	2.35	-3.50	Gross Under-representation
4	Dahalo	575	0	0	0.00	0.00	Non-Represented
5	Wayyu	3761	0.01	0	0.00	-0.01	Non-Represented
6	Kenyan American	596	0	0	0.00	0.00	Non-Represented
7	Aweer / Waata	20103	0.04	4	0.00	-0.04	Normal Representation
8	Bajuni	91422	0.19	417	0.19	0.00	Normal Representation
9	Borana	276236	0.58	1,658	0.77	0.19	Normal Representation
10	Burji	36938	0.08	147	0.07	-0.01	Normal Representation
11	Dasenach	19337	0.04	11	0.01	-0.03	Normal Representation
12	Dorobo	23171	0.05	62	0.03	-0.02	Normal Representation
13	El Molo	1104	0	14	0.01	0.01	Normal Representation
14	Embu	404801	0.85	3,248	1.51	0.66	Normal Representation
15	Gabra	141200	0.3	381	0.18	-0.12	Normal Representation
16	Igoshu	685	0	2	0.00	0.00	Normal Representation
17	Ilchamus / Njemps	32949	0.07	133	0.06	-0.01	Normal Representation
18	Kamba	4663910	9.81	19,804	9.23	-0.58	Normal Representation
19	Konso	1299	0	11	0.01	0.01	Normal Representation
20	Kuria	313854	0.66	827	0.39	-0.27	Normal Representation
21	Maasai	1189522	2.5	3,696	1.72	-0.78	Normal Representation
22	Makonde	3764	0.01	10	0.00	-0.01	Normal Representation
23	Mbeere	195250	0.41	806	0.38	-0.03	Normal Representation
24	Meru	1975869	4.15	10,207	4.76	0.61	Normal Representation
25	Nubi	21319	0.04	84	0.04	0.00	Normal Representation
26	Pokomo	112075	0.24	958	0.45	0.21	Normal Representation
27	Orma	158993	0.33	336	0.16	-0.17	Normal Representation
28	Rendile	96313	0.2	288	0.13	-0.07	Normal Representation

S/No.	Ethnicity	Total Population (2019 Census)	% Proportionate Representation in the National population	Total In-post	% of Total in-post	Variance	Status of Representation
29	Sakuye	27006	0.06	55	0.03	-0.03	Normal Representation
30	Samburu	333471	0.7	1,002	0.47	-0.23	Normal Representation
31	Suba	157787	0.33	363	0.17	-0.16	Normal Representation
32	Swahili	56074	0.12	1,089	0.51	0.39	Normal Representation
33	Taita	344415	0.72	3,419	1.59	0.87	Normal Representation
34	Taveta	26590	0.06	209	0.10	0.04	Normal Representation
35	Teso	417670	0.88	1,451	0.68	-0.20	Normal Representation
36	Tharaka	220015	0.46	449	0.21	-0.25	Normal Representation
37	Walwana / Malakote	21774	0.05	18	0.01	-0.04	Normal Representation
38	Kenyan Asians	47555	0.1	80	0.04	-0.06	Normal Representation
39	Kenyan Arabs	59021	0.12	230	0.11	-0.01	Normal Representation
40	Kenyan European	1738	0	5	0.00	0.00	Normal Representation
41	Non Kenyans	463562	0.97	173	0.08	-0.89	Normal Representation
42	Kisii	2703235	5.68	16,176	7.54	1.86	Over-Representation
43	Luo	5066966	10.65	25,382	11.83	1.18	Over-Representation
44	Luhya	6823842	14.35	25,657	11.96	-2.39	Under-Representation
45	Mijikenda	2488691	5.23	7,778	3.62	-1.61	Under-Representation
46	Turkana	1016174	2.14	1,632	0.76	-1.38	Under-Representation
TOTAL		47,347,915		214,606			

Appendix V: Distribution of Training Opportunities by Ethnic Groups

Ethnic Names	Ethnic Category		Level of Training								Sponsor Type			Gender		Disability Status	
	Marginalized	Non-Marginalized	Total No. of Officers Trained	PHD	Masters	Bachelor	Higher Diploma	Diploma	Certificate	Conferences & Workshops	Development Partner	GOK	Self	Female	Male	Non-PWDS	PWDS
Bajuni	23		23		1				10	12	5	18		9	14	23	
Basuba	29		29						17	12	3	26		10	19	28	1
Borana	81		81		1				46	34	12	69		23	58	81	
Burji	3		3							3		3			2	2	
Elmolo	1		1							1		1			1	1	
Embu		249	249	1	6		1	1	163	77	14	235		115	134	248	1
Gabbara	16		16						11	5	3	13		7	9	16	
Gureeh	3		3		1				1	1	1	2			3	3	
Ilchamus/ Njemps	14		14						14			14			14	14	
Kalenjin		2,559	2,559	25	36	13	4	12	1,516	953	91	2,432	36	941	1,618	2,530	29
Kamba		1,746	1,746	22	36	2	1	7	1,061	617	99	1,637	10	728	1,018	1,732	14
Kenyan Arabs		51	51	3	12				33	3	3	48		20	31	51	
Kenyan Asians		12	12		3				4	5		12		6	6	12	
Kenyan European		1	1							1		1			1	1	
Kenyan Somali		324	324	1	9	1	1		189	123	12	309	3	92	232	317	7
Kikuyu		3,845	3,845	53	74	11	11	21	2,282	1,393	158	3,665	22	1,863	1,982	3,807	38
KISII		1,138	1,138	20	29	1	3	4	706	375	34	1,097	7	465	673	1,126	12
Kuria	34		34	1					19	14	4	30		9	25	34	
Luhya		2,154	2,154	33	35	5	5	9	1,306	761	113	2,023	18	879	1,275	2,127	27
Luo		2,338	2,338	39	38	6	3	8	1,498	746	110	2,212	16	868	1,470	2,306	32
Maasai		283	283		5			2	181	95	19	264		99	184	280	3

Ethnic Names	Ethnic Category		Level of Training							Sponsor Type				Gender		Disability Status	
	Marginalized	Non-Marginalized	Total No. of Officers Trained	PHD	Masters	Bachelor	Higher Diploma	Diploma	Certificate	Conferences & Workshops	Development Partner	GOK	Self	Female	Male	Non-PWDS	PWDS
Mbeere	21		21					1	12	8		21		9	12	21	
Meru		714	714	9	12	2	2	3	440	246	27	681	6	356	358	712	2
Mijikenda	1,119		1,119	9	14	1	1		936	158	32	1,087		301	818	1,115	4
Non Kenyans		3	3						2	1		3		1	2	3	
Nubi	10		10		1				6	3	1	9		3	7	10	
Orma	21		21						12	9		21		6	15	21	
Pokomo	67		67						51	16	8	59		21	46	66	1
Rendille	19		19						9	10	5	14		3	16	19	
Sakuye	3		3						1	2	1	2		1	2	3	
Samburu	48		48		1				25	22	10	38		9	39	48	
Swahili	135		135		4		1		113	17	4	131		41	94	135	
Taita	462		462	5	5	1	1		346	104	19	441	2	192	270	461	1
Taveta	11		11						6	5	1	10		4	7	11	
Teso	80		80	1	2		1	1	41	34	6	74		31	49	79	1
Tharaka	8		8						3	5		8		6	2	8	
Turkana	62		62	2					25	35	4	56	2	10	52	62	
Total	2,270	15,417	17,687	224	325	43	35	69	11,085	5,906	799	16,766	122	7,129	10,558	17,514	173

Ethnic Name	Total No. of Officers Promoted	Job Levels				Gender		PWDs			Job Levels							
		CEO or Policy Level	Senior Management	Middle management	Technical Staff	Operative Staff	Support Staff	Female	Male	Total PWDs	Female PWDs	Male PWDs	Middle management	Operative Staff	Senior Management	Support Staff	Technical Staff	
Kenyan Somali	370		5	17	105	229	14	51	319	2	2			2				
Kikuyu	2,762	1	94	261	1,247	956	203	1,220	1,542	18	5	13	1	1	7	1	1	2
Kisii	868		34	97	357	340	40	330	538	13	8	5		3	4		5	1
Kuria	45			2	23	19	1	13	32									
Kuria	2					2		2										
Luhya	1,257	1	49	141	575	405	86	482	775	13	3	10		1	4	1	1	2
Luo	1,349		54	149	558	466	122	468	881	16	4	12	1	1	5		2	2
Maasai	242		2	7	89	105	39	54	188	2	1	1				1		1
Mbeere	39		4	2	12	11	10	16	23	2	2	2						2
Meru	501	1	27	48	203	200	22	228	273	6	3	3		1	1		3	1
Mijikenda	428		3	28	156	191	50	118	310	2	1	1		1			1	
Njemps	8				3	5		2	6									
Non Kenyans	6		1	4	1			3	3									
Nubi	1					1			1									
Orma	12				4	8		1	11									
Pokomo	72			2	20	49	1	3	3									
Rendille	12			1	6	4	1	14	58	1		1			1			
Sakuye	2				2			4	8	1		1						1
Samburu	34		1	1	12	20		2										
Shirazi	1				1			12	22	1	1		1					

Ethnic Name	Total No. of Officers Promoted	Job Levels						Gender		PWDs			Job Levels								
		CEO or Policy Level	Senior Management	Middle management	Technical Staff	Operative Staff	Support Staff	Female	Male	Total PWDs	Female PWDs	Male PWDs	Middle management	Operative Staff	Senior Management	Support Staff	Technical Staff				
Suba	29		2	5	12	10		1													
Swahili	35			3	8	19	5	6	23												
Taita	211		4	17	85	86	19	6	29												
Taita	15				11	2	2	78	133	1	1			1							
Taveta	22				10	10	2	4	11												
Teso	61			8	25	26	2	10	12	1	1									1	
Tharaka	13			2	6	5		18	43												
Turkana	94			4	26	56	8	5	8												
Other Kenyans	6			1	5			28	66	4	4			2						2	
Total	11,484	6	352	1,026	4,854	4,417	829	4,251	7,233	111	37	74	3	1	12	32	3	2	5	20	33

Appendix VII: Loans Disbursed to Women Groups Disaggregated by Counties

S/N	Number of Women Groups	No. of Member	County	Amount Disbursed in Kshs
1	137	1,603	Baringo	33,500,000
2	179	1,915	Bomet	33,150,000
3	297	3,268	Bungoma	80,450,000
4	187	2,303	Busia	45,050,000
5	85	996	Elgeyo Marakwet	20,100,000
6	293	3,116	Embu	81,100,000
7	62	637	Garissa	10,750,000
8	226	2,496	Homa Bay	73,650,000
9	92	965	Isiolo	17,100,000
10	140	1,608	Kajiado	32,450,000
11	419	4,729	Kakamega	106,900,000
12	196	2,127	Kericho	50,700,000
13	708	7,622	Kiambu	185,250,000
14	315	3,493	Kilifi	67,250,000
15	196	2,120	Kirinyaga	65,200,000
16	249	2,646	Kisii	59,900,000
17	248	2,919	Kisumu	74,300,000
18	206	2,420	Kitui	43,500,000
19	73	776	Kwale	17,950,000
20	147	1,537	Laikipia	29,000,000
21	55	582	Lamu	16,100,000
22	300	3,515	Machakos	67,850,000
23	391	4,443	Makueni	64,800,000
24	104	1,053	Mandera	12,150,000
25	66	791	Marsabit	11,650,000
26	680	8,002	Meru	154,300,000
27	246	2,721	Migori	49,600,000
28	209	2,153	Mombasa	63,200,000
29	524	6,240	Muranga	141,200,000
30	544	5,916	Nairobi	153,400,000
31	692	7,751	Nakuru	166,350,000
32	206	2,317	Nandi	53,300,000
33	77	823	Narok	15,450,000
34	101	1,125	Nyamira	21,750,000
35	215	2,427	Nyandarua	63,050,000
36	628	6,711	Nyeri	212,050,000
37	70	727	Samburu	13,700,000

S/N	Number of Women Groups	No. of Member	County	Amount Disbursed in Kshs
38	283	3,185	Siaya	51,050,000
39	129	1,380	Taita Taveta	30,550,000
40	112	1,152	Tana River	24,650,000
41	162	1,881	Tharaka Nithi	41,850,000
42	160	1,714	Trans Nzoia	33,100,000
43	86	975	Turkana	15,600,000
44	178	1,958	Uasin Gishu	43,600,000
45	138	1,535	Vihiga	39,700,000
46	94	949	Wajir	15,100,000
47	49	520	West Pokot	10,550,000
	10,954	121,842	Total	2,712,900,000

Appendix VIII: Beneficiaries of Youth Training Programmes by County and Gender

S/No.	County	No. of Beneficiaries		Total No. of Beneficiaries	No. of PWDs
		Male	Female		
1.	Mombasa	447	483	930	4
2.	Kwale	175	220	395	2
3.	Kilifi	288	330	618	19
4.	Tana River	0	0	0	0
5.	Lamu	0	0	0	0
6.	Taita/Taveta	0	0	0	0
7.	Garissa	0	0	0	0
8.	Wajir	166	205	371	15
9.	Mandera	280	387	667	40
10.	Marsabit	0	0	0	0
11.	Isiolo	0	0	0	0
12.	Meru	0	0	0	0
13.	Tharaka-Nithi	0	0	0	0
14.	Embu	0	0	0	0
15.	Kitui	318	348	666	3
16.	Machakos	344	354	698	9
17.	Makueni		0	0	0
18.	Nyandarua	312	320	632	11
19.	Nyeri	0	0	0	0
20.	Kirinyaga	0	0	0	0
21.	Murang'a	0	0	0	0
22.	Kiambu	706	703	1,409	18
23.	Turkana	360	275	635	1
24.	West Pokot	0	0	0	0
25.	Samburu	0	0	0	0
26.	Trans Nzoia	0	0	0	0
27.	Uasin Gishu	0	0	0	0
28.	Elgeyo/Marakwet	0	0	0	0
29.	Nandi	0	0	0	0
30.	Baringo	0	0	0	0
31.	Laikipia	0	0	0	0
32.	Nakuru	848	903	1751	43
33.	Narok	0	0	0	0
34.	Kajiado	0	0	0	0
35.	Kericho	0	0	0	0
36.	Bomet	0	0	0	0
37.	Kakamega	531	580	1111	66

S/No.	County	No. of Beneficiaries		Total No. of Beneficiaries	No. of PWDs
		Male	Female		
38.	Vihiga	0	0	0	0
39.	Bungoma	538	596	1134	16
40.	Busia	0	0	0	0
41.	Siaya	0	0	0	0
42.	Kisumu	512	510	1022	16
43.	Homa Bay	0	0	0	0
44.	Migori	663	691	1354	60
45.	Kisii	377	380	757	40
46.	Nyamira	0	0	0	0
47.	Nairobi	797	879	1676	16
Total		5644	5837	11481	287

Appendix IX: Disbursement of Cash to Vulnerable Groups Disaggregated by Counties

S/No.	County	Categories of Vulnerable Groups			
		CT-OVC	OP-CT	PWDs-CT	Total For Three CTS
1.	Baringo	6,528	12,159	803	19,490
2.	Bomet	4,488	18,167	549	23,204
3.	Bungoma	8,332	24,887	814	34,033
4.	Busia	7,818	16,905	1,011	25,734
5.	Elgeyo Marakwet	3,342	9,363	459	13,164
6.	Embu	3,855	16,601	360	20,816
7.	Garissa	4,655	4,767	355	9,777
8.	Homa Bay	9,196	21,644	717	31,557
9.	Isiolo	2,621	3,363	152	6,136
10.	Kajiado	3,238	6,870	340	10,448
11.	Kakamega	10,615	33,177	908	44,700
12.	Kericho	5,903	14,495	619	21,017
13.	Kiambu	7,455	35,916	1,148	44,519
14.	Kilifi	9,614	21,897	828	32,339
15.	Kirinyaga	3,415	15,690	481	19,586
16.	Kisii	9,639	25,450	1,170	36,259
17.	Kisumu	10,318	17,125	1,135	28,578
18.	Kitui	7,035	32,196	548	39,779
19.	Kwale	5,347	13,703	1,002	20,052
20.	Laikipia	2,833	10,593	537	13,963
21.	Lamu	1,431	2,111	173	3,715
22.	Machakos	6,133	29,640	825	36,598
23.	Makueni	6,213	24,169	909	31,291
24.	Mandera	16,981	6,850	2,299	26,130
25.	Marsabit	4,900	6,871	559	12,330
26.	Meru	7,262	28,059	690	36,011
27.	Migori	10,505	16,005	1,781	28,291
28.	Mombasa	4,341	5,899	724	10,964
29.	Muranga	6,659	42,232	772	49,663
30.	Nairobi	9,049	12,314	1,322	22,685
31.	Nakuru	7,194	30,142	1,083	38,419
32.	Nandi	4,539	16,568	719	21,826
33.	Narok	5,223	9,402	354	14,979
34.	Nyamira	3,397	13,202	442	17,041
35.	Nyandarua	4,013	16,647	376	21,036
36.	Nyeri	4,585	26,650	764	31,999

S/No.	County	Categories of Vulnerable Groups			
		CT-OVC	OP-CT	PWDs-CT	Total For Three CTS
37.	Samburu	6,328	5,434	544	12,306
38.	Siaya	6,626	22,897	570	30,093
39.	Taita Taveta	2,909	7,745	340	10,994
40.	Tana River	2,836	4,652	280	7,768
41.	Tharaka Nithi	2,890	12,603	400	15,893
42.	Trans Nzoia	4,992	12,278	489	17,759
43.	Turkana	18,625	11,491	881	30,997
44.	Uasin Gishu	4,183	14,410	697	19,290
45.	Vihiga	6,605	19,105	708	26,418
46.	Wajir	9,124	5,311	786	15,221
47.	West Pokot	570	8,769	666	10,005
Total		294,360	766,424	34,089	1,094,873

Appendix X: Programmes Under the Big Four Agenda

S/No.	Big Four Pillar	Programmes being Implemented
1	Manufacturing	<ul style="list-style-type: none"> • Cotton Revitalization programme including commercialization of Bt. cotton • Sustained production of Core products, increased consumption of local content (raw material), Launched new products (Bottled- hand sanitizers & Surgical Spirit) • Providing an enabling environment for Ushanga initiative (cottage industry for beads making that benefits entrepreneurs at grass roots) in realization of its function by providing space for their administrative functions, playing linkage on finance and procurement between itself and the parent Ministry • Leveraging on technology and innovations to drive the Capital Markets Value Chain • Promoting SME access to financing through debt-based crowd funding within the Capital markets • Job Creation and Growth of Manufacturing sector • Improvement in transport infrastructure to facilitate competitive transport sector; minimized cost of doing business • Access to credit to potential borrowers in manufacturing sector • Incubation hubs that will produce innovations and add value to the manufacturing sector • Provision of basic infrastructure (production technology, industrial space, low investment and high cost of production especially waste water management) for investment in the leather and leather products sectors • Reducing power costs and increasing electricity reliability i.e. introducing new forms of electricity generation like Turkana Wind Power, and Menengai Geothermal Power MW. • Enhancing TVET enrolment to provide skills for manufacturing sector. • Improvement in machinery i.e. Modernizing Rivatex, Purchase and installation of a new yard spinning machinery in Bedi's factory at Nakuru, purchase and installation of large capacities pasteurizing machine, installation of large capacity paper board production line, installation two wire drawing machines which completed the set-up of a 46,080 MT/annum wire annealing and galvanizing plant, installation of a confectionary plant in Kisumu, drilling rig, pump testing unit and accessories, installation of a large capacity milling plant in Ruiru. • Developing appropriate, modern and efficient infrastructure to support an industrial park with a capacity to host a diverse collection of leather products and related manufacturing industries. • Upgrading Training and Production Centre for the Shoe Industry (TPCSI), the only institution offering industry-based skills and common manufacturing facilities to the leather products manufacturers into a Centre of excellence so as to provide efficient services. • Development for sericulture technologies and production of silk raw materials for manufacturing silk fabrics

S/No.	Big Four Pillar	Programmes being Implemented
		<ul style="list-style-type: none"> • Support to start-ups i.e. Water bottling plants, Jua kali associations to produce and supply of building elements for affordable housing projects • Kenya Defence Forces (KDF) Food Processing Factories for Dry Ration, Meal, Ready-to-Eat (MREs) and Fruits • Research on Modification and Miniaturization Field Kitchens using DEFKITCH Tech • Integrated Solid Waste Management • Biogas System upgrade • Medical Insert Design for Localized Medical equipment Solution • 10 kW Custom-made Solar PV System at Ulinzi Complex • Fabrication of energy saving jikos for learning institutions • Subsidy on essential commodity-water, electricity • Product Value chain enhancement i.e. value addition on tea, quality of hides and skins • Rehabilitation and expansion of industrial installments i.e., sugar factories, co-operative unions • Improve Cane Production and transport • Enhancing locally produced paint, sanitizers and soap, animal feeds • Supported the phytochemicals, textile and renewable energy (PTRE) programme at Moi University • Investment in KIRDI • Establishment of new industrial parks and SEZs • Reducing permit processing times and number of required permits • Processing to completion of patents, utility models and industrial designs • Micro and Small Enterprises Authority Policy reviewed, Kenya Accreditation Services Act 2019 enacted, Kenya Investment Policy 2019 approved by cabinet, Taskforce on the National Reforms on Standards and Quality infrastructure constituted, Draft National Automotive Policy developed and submitted to Cabinet for Approval, Taskforce to fast-track the process of establishing of a National Credit Guarantee Fund constituted.
2	Food and Nutrition Security	<ul style="list-style-type: none"> • Livestock improvement through quality semen production, cost reduction in nitrogen provision for cold storage, fish fingerlings • Cost subsidy on liquid nitrogen used for preservation of germ-plasm/ semen for Artificial Insemination services in the country • Variety improvement for Potatoes, sugarcane, HVC capsicum, rice, tomatoes, watermelon, sunflower, tomatoes, Hybrid maize and finger millet seed resistant to striga, mushrooms, Avocado and Yellow Passion fruits • Expansion of irrigation infrastructure for large scale production of dairy, Hay, piggery, horticulture products, sugarcane, maize, • Adoption of green technology i.e. Solar powered boreholes for irrigation in water deficient areas • Training of frontline agricultural extension workers and farmers on best agricultural practices

S/No.	Big Four Pillar	Programmes being Implemented
		<ul style="list-style-type: none"> • Value addition to farm products through processing to reduce wastage and stabilize markets • Establishment of competitive agricultural commodities exchange and structured commodities trading • Promotion of agribusiness - Farmers/producers access to market information through a market information system • Reduction of post-harvest losses and Farmer access to credit / Financial inclusion through establishment of Warehouse Receipt Systems • "Green bonds are an important channel for low-carbon climate-resilient investments to support the transition to a sustainable economy. Agricultural sectors access to credit at low cost of 2% commission on availed funds one off with zero Interest charged. • Building Associated Project Schools Network (ASPnet) capacities to initiate and run projects related to growing of crops for their schools. • Tsetse flies and trypanosomiasis control • Adoption of Post-harvest innovations • Undertake seed sampling testing and fertilizer samples for quality and nutritive • Empowering of farmers and traders in African indigenous vegetables value chain • Insurance of Livestock from adverse weather conditions • Farmers support programmes: Supply bee hives and capacity build Bee keepers, Provision of indigenous poultry and equipment to poultry farmers, Provision of good quality pigs to farmers for pork production. • Enhancing access to farm mechanization services • Adoption of Aquaculture and Aqua-ponics Technologies • Rehabilitation of fish landing sites
3	Universal Health Coverage	<ul style="list-style-type: none"> • The Beyond Zero programme • The Linda Mama programme • Pilot programmes on UHC in Machakos, Nyeri, Isiolo and Kisumu. Comprehensive health services to staff members including insurance cover. • Training of highly qualified medical personnel to serve the citizenry. • Cost subsidy on essential health services • Anti-Doping Education Programmes • Financing of students pursuing health courses in various medical institutions • Increasing access to Universal Health Care through (i) Funded project under Universal Health Care (ii) Accreditation to provide Health Services to the general public by the University Health Unit • Cutting-edge research at KEMRI for all health-related complications • Dedicated Malaria control programmes • Adoption of technology-based health interventions programmes i.e. leveraging on smartphones to reach far flanked areas • Procurement of Medical equipment and quality UHC Health Products and technologies for counties and referral hospitals • Construction and upgrading of health facilities

S/No.	Big Four Pillar	Programmes being Implemented
		<ul style="list-style-type: none"> • Modernization of hospital fleet (Ambulance and utility vehicles) and equipment • Expanded and broadened health services to rope inn more patients at lower cost under NHIF coverage. • Providing NHIF covers for cancer survivors and boda boda riders
4	Affordable Housing	<ul style="list-style-type: none"> • Provide lending facilities to members of the public at affordable rates to enable construction and purchase of houses. • Enhance accessibility to mortgage facility, subsidized interest rates for mortgage to members of staff to access affordable housing • Construction of hostels, barracks and staff houses • Roads/ Streetscape to facilitate access and investments in the city • Wastewater Reclamation Facility and Utility Lines to make the city habitable • Konza Complex project • Partnering with institutions and SMEs in providing affordable and cheaper construction materials i.e. bricks, windows, doors, gutters, precast • Established affordable housing village • Slum Upgrading
5	Enablers	<ul style="list-style-type: none"> • Credit facility provision for land purchases and other uses • Establishment of Technology Demonstration Units e.g. for road construction, housing • Provision of essential infrastructure: roads, warehouses, sewerage, electricity, fuels, internet, piped water, ferry services • Ease of doing business • Timely provision of requisite documentation to eligible foreigners who intend to invest in Kenya • encouraging Kenyans in the diaspora to invest back home • Provide conducive environment for investors by securely manning our borders • Facilitating easier and efficient movement of Kenyans by timely issuance of travel documents for them to get Job and do business etc. • Mainstreaming issues affecting the youth in policies. • Realigned County Integrated plans (CIDPs) to reflect Focus on Affordable Housing • Profiling for suitable and serviced public land • Enhancement of access to information. • Develop the park to facilitate, incubate and commercialize innovations • Enhancing lives by ensuring there is sustainable, cost efficient and quality energy and petroleum. • Facilitating local manufacturers to penetrate the European market and other world markets • Demonstration trials of bamboo for commercial and conservation of water sources • Linking SMEs to products development • Capacity building on technology adoption

S/No.	Big Four Pillar	Programmes being Implemented
		<ul style="list-style-type: none"> • Reforming the curriculum to reflect development agenda requirements • Connecting electricity to health centers • Reduced cost of transport in the city and enhanced human movement to reduce man hours wasted in traffic. • Cost subsidy on essential health services, Provision of Medical Insurance cover to Staff of KeRRA (and their dependants); and liaise with County Governments to ensure that all roads serving health facilities are accessible at all times. • Facilitate the last mile connectivity from farm to market for farm inputs and outputs; and Employment creation through road construction leading improved quality of life through food and nutritional security. • Provision of ample environment for investment trough strengthening institutions • Review of investment laws and regulations

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