

PUBLIC SERVICE COMMISSION

**INDUCTION HANDBOOK FOR THE
PUBLIC SERVICE**

January, 2017

TABLE OF CONTENTS

PREFACE.....	ix
ACRONYMS AND ABBREVIATIONS.....	xi
GLOSSARY OF TERMS AND CONCEPTS.....	xiii
Preamble.....	xv
CHAPTER ONE	1
ORIENTATION AND MANAGING THE INDUCTION PROCESS	1
1.0 Introduction.....	1
1.1 Roles and Responsibilities	1
1.2 Ministry/State Department/Agencies.....	2
1.3 The Inductees	2
1.4 Steps in the Induction Process	2
1.4.1 Reporting.....	2
1.4.2 Office Allocation.....	3
1.4.3 Familiarization Tour	3
1.4.3.1 Human Resource Management and Development..	3
1.4.3.2 Finance	3
1.4.3.3 Administration	3
1.4.3.4 Accounts.....	4
1.4.3.5 The Records Management Unit	4
1.4.3.6 Transport	4
1.4.3.7 Library/ Resource Centres	4
1.4.3.8 Supply Chain Management Unit.....	4
1.5 Code of Conduct and Work Culture	5
1.5.1 Code of Conduct	5
1.5.2 Office Hours.....	6

1.5.3 Public Holidays	7
1.6 Departmental Attachment	7
1.7 Allocation of Duties and Responsibilities	8
1.8 Staff Development	8
1.9 Pre-Retirement Training	8
CHAPTER TWO	9
GOVERNMENT COMMUNICATION	9
2.0 Introduction.....	9
2.1 Handling Correspondence	9
2.2 Communication by Public Officers	9
2.3 Correspondence with other Governments/ Administrations.....	10
2.4 Classified Correspondence	10
2.5 Reports and Memoranda for the Cabinet.....	10
2.6 Publicity/Broadcasts	11
2.7 Use of modern means of communication	11
2.8 Information Communication Technology	11
2.9 Use of Password	12
2.10 Official Seals and Stamps	12
2.11 Disposal of Records	12
2.12 Public Relations	12
2.13 Interpersonal Relations	13
CHAPTER THREE.....	14
GOVERNANCE AND STRUCTURE OF GOVERNMENT .	14
3.0 Introduction.....	14
3.1 The Constitution	14
3.2 Organization of Government	15

3.2.1 National Government	15
3.2.1.1 Executive.....	15
3.2.1.1.1 The President.....	15
3.2.1.1.2 Deputy President	16
3.2.1.1.3 The Cabinet	17
3.2.1.1.4 Cabinet Secretary	17
3.2.1.1.5 Secretary to the Cabinet	17
3.2.1.1.6 The Attorney General.....	18
3.2.1.1.7 The Director of Public Prosecutions	18
3.2.1.1.8 Principal Secretaries	18
3.2.1.2 The Legislature	18
3.2.1.3 The Judiciary	21
3.2.1.3.1 The Supreme Court	21
3.2.2 County Governments.....	23
3.2.3 Relationship between the National and County Governments.....	24
3.3 Commissions and Independent Offices	24
3.3.1 Commissions	25
3.3.2 Independent Offices	25
3.4 Functions of the National Government.....	25
3.5 Functions of the County Governments	27
3.6 Fundamental Rights and Freedoms	28
3.7 The Public Service	29
3.8 The Civil Service	30
3.9 Chief of Staff and Head of Public Service.....	30
3.10 National Values and Principles of Governance	31
3.11 Values and Principles of the Public Service	31

CHAPTER FOUR.....	33
PUBLIC SERVICE REGULATIONS AND STAFF WELFARE	33
4.0 Introduction.....	33
4.1 Human Resource Management and Development Function	33
4.2 The Public Service Commission.....	35
4.3 Authorized Officers	36
4.4 Privileges, Rights and Obligations	37
4.5 Human Resource Policies and Procedures Manual for the Public Service	37
4.5.1 Governance Structure and Official Communication ...	37
4.5.2 Recruitment, Selection, Appointment and Transfers...	37
4.5.3 Terms and Conditions of Service	37
4.5.4 Performance Management, Training and Development.....	38
4.5.5 Code of Conduct, Disciplinary Control and Labour Relations	38
4.6 Performance Management	38
4.6.1 Strategic Planning	38
4.6.2 Performance Contracting	39
4.6.3 Staff Performance Appraisal System.....	39
4.7 Employee welfare	39
4.8 Guidance, Counselling and HIV/AIDS Management .	39
4.9 Drugs and Substance Abuse	40
CHAPTER FIVE.....	41
PUBLIC FINANCE MANAGEMENT.....	41
5.0 Introduction.....	41

5.1 Principles of Public Finance	41
5.2 Role of Key Institutions in Public Finance Management	42
5.3 Parliament	42
5.3.1 National Assembly	42
5.3.2 Senate	42
5.3.2.1 Parliamentary Budget Office	43
5.4 County Assembly.....	43
5.5 The National Treasury	43
5.6 Controller of Budget	45
5.7 Auditor-General	45
5.8 Commission on Revenue Allocation	46
5.9 Salaries and Remuneration Commission	46
5.10 Central Bank of Kenya	47
5.11 Consolidated Fund	47
5.12 Contingency Fund.....	47
5.13 Equalization Fund	47
5.14 Revenue Funds for County Governments:	47
5.15 Classification of Government Expenditure	48
5.16 Sources of Government Revenue	48
5.16.1 National Government.....	48
5.16.2 County Governments	48
5.17 Accounting Officer	48
5.18 Authority to Incur Expenditure.....	49
5.19 Appropriations -in -Aid	49
5.20 Imprest	50
5.21 Accountable Documents.....	50

5.22 Procurement of Goods and Services.....	50
5.23 Disposal and Sale of Public Assets.....	51
5.24 Integrated Financial Management Information System (IFMIS)	51
MONITORING AND EVALUATION OF INDUCTION PROGRAMMES.....	52
6.0 Introduction.....	52
6.1 Monitoring and Evaluation	52
6.2 Monitoring the Induction Process.....	52
6.3 Evaluation of Induction Training.....	53
6.4 Framework for Monitoring and Evaluation of Induction Programmes.....	53
6.5 Reporting	54

PREFACE

The Government recognizes that an effective and efficient public service contributes immensely to the transformation of the country into a globally competitive economy. This is achieved through developing the requisite competencies for all public servants and growing the right leadership based on national values and principles of governance, principles of leadership and integrity and values and principles of public service as enshrined in the Constitution. For this reason, training and capacity building is prioritized in the public service.

Induction is one of the approaches intended to assist entrants into the Service and officers on transfer, promotion and/or re-designation to settle and familiarize into the new work environment. The Human Resource Development Policy for the Public Service makes induction mandatory. The policy stipulates that induction shall be conducted within three (3) months on appointment, transfer, promotion and re-designation.

In order to standardize the implementation of induction programmes, the government developed a Handbook for Civil Service Staff Induction in the year 2006. Since then, a lot of changes have taken place and new legislation developed. Therefore, it has become necessary to revise the induction handbook to align it to the Constitution while addressing other emerging issues.

This Handbook covers areas necessary to equip inductees with understanding of government structure, operations and public service policies, regulations, values and principles.

Ministries, Departments and Agencies (MDAs) are expected to make use of this Handbook to induct newly recruited, officers

on transfer, promotion and/or re-designation. Authorized Officers are responsible for effective implementation of this initiative in their respective areas of jurisdiction.

A handwritten signature in black ink, appearing to read 'Alice A. Otwala', written over a horizontal line.

ALICE A. OTWALA (MRS.), CBS

Secretary/Chief Executive Officer, Public Service Commission

ACRONYMS AND ABBREVIATIONS

AIA	Appropriation in Aid
AIDS	Acquired Immuno Deficiency Syndrome
AIE	Authority to Incur Expenditure
CS	Cabinet Secretary
DMS	Discipline Management System
DPP	Director of Public Prosecutions
GAA	Government Advertising Agency
GHRIS	Government Human Resource Information System
HIV	Human Immuno-deficiency Virus
HRM&D	Human Resource Management & Development
ICT	Information Communication Technology
IFMIS	Integrated Financial Management Information System
IPPD	Integrated Payroll and Personnel Database
IPRS	Integrated Population Registration System
IRMS	Integrated Records Management System
JSC	Judicial Service Commission
LPO	Local Purchase Order
LSO	Local Service Order
M&E	Monitoring and Evaluation
MDA	Ministry/Department/Agency

PAS	Performance Appraisal System
PC	Performance Contracting
PMS	Pension Management System
PS	Principal Secretary
PSC	Public Service Commission
SACCO	Savings and Credit Cooperative Society
VAT	Value Added Tax
SPAS	Staff Performance Appraisal system

GLOSSARY OF TERMS AND CONCEPTS

Appropriation	Means authority granted by Parliament to pay money out of the Consolidated Fund or any other Public Fund.
Authorized Officer	A public officer to whom the Public Service Commission has delegated the human resource function in a ministry/state department or agency.
Cabinet Secretary	Head of a Ministry and/or State Department appointed by President with the approval of the National Assembly.
Classified Material	A document bearing security classification.
Contingency Fund	Funds availed where there is an urgent or unforeseen need for expenditure.
County Legislation	Law made by a County Government or under authority conferred by County Authority.
Ethics	The moral principles or code of moral values expected to be observed by Public Servants.
Equalization Fund	A fund established by the Constitution meant to assist marginalized areas to provide basic services such as roads, water, health facilities and electricity.
Induction	The process of placing or formally introducing someone into a new job or a different work environment.

Orientation	Introductory stage in the process of induction; a part of the employee's continuous socialization in an organization.
Principal Secretary	A State Officer in charge of administration of a State Department.
Public Office	An office in the National Government, County Government or the Public Service, if payable directly from the Consolidated Fund or directly out of money provided by Parliament.
Public Officer	Any State Officer or any person, other than a state officer who holds a public office
Public Service	Means the collectivity of all individuals, other than State Officers, performing a function within a state organ
State Department	State office under the administration of a Principal Secretary
State Office	An office held by a State Officer who is under oath
State Officer	A person holding a state office
State Organ	A commission, office agency or other body established under the Constitution.
Supreme Court	A superior court at the apex of the Judiciary headed by the Chief Justice who is the president assisted by the Deputy Chief Justice and five other judges.

Preamble

The Induction Handbook for the Public Service provides guidelines and relevant content for the induction of officers into the public service. The Handbook provides steps on how to orientate an inductee into the new work environment. It has information on office organization, organization and functions of Government, public service regulations, career progression and staff welfare, monitoring, evaluation and how to report on induction programmes.

The Human Resource Development Policy for the Public Service (2015) stipulates that induction is mandatory and should be conducted within three (3) months of an officer joining the service, on transfer to a new work station, on re-designation or on promotion.

All Authorized Officers in public service organizations shall be responsible for ensuring that officers are inducted as stipulated in this Handbook.

Objectives of the Handbook

The objectives of the Handbook are to:

- (i) Provide guidelines for inducting officers joining Ministries, Departments and Agencies on their specific operations;
- (ii) Standardize the content and process of induction;
- (iii) Apprise newly appointed, deployed, transferred, re-designated and promoted officers with their work environment, culture and expected behaviour; and
- (iv) Acquaint inductees on rights and privileges as public servants.

Scope

This handbook shall apply to all newly appointed, transferred, re-designated and promoted officers in all Public Service Organizations.

Organization of the Handbook

The Handbook is organized in six (6) Chapters. Chapter one deals with orientation and managing the induction process. Chapter two highlights communication approaches in government. Chapter three introduces the inductee to governance and structure of Government. Chapter four introduces the inductee to public service regulations and staff welfare. Chapter five deals with public finance management and Chapter six provides monitoring and evaluation framework for induction programmes.

CHAPTER ONE
ORIENTATION AND MANAGING THE INDUCTION
PROCESS

1.0 Introduction

This chapter deals with the induction process which enables an employee to adapt and acquaint themselves with the position and the organizational environment. It commences with orientation which takes place immediately upon reporting and enables the inductees to be conversant with the following:

- (i) Objectives and policies of the organization;
- (ii) Structure of the organization;
- (iii) Values and Principles of the Public Service;
- (iv) Positive work culture;
- (v) Conflict of interest in public service delivery;
- (vi) Prudent use of public resources;
- (vii) Duties and responsibilities;
- (viii) Performance management, training and career progression;
- (ix) Obligations, rights and privileges.

1.1 Roles and Responsibilities

The induction process is participatory, and a collective responsibility of both the Public Service organizations and the inductee. Their respective responsibilities are as follows:

1.2 Ministry/State Department/Agencies

In executing the induction process, the Ministry/ State Department/Agencies (MDA) is charged with the following responsibilities:

- (i) Ensuring that newly appointed officers are inducted within three (3) months of reporting;
- (ii) Orientating officers on transfer, promotion or re-designation to their new environment and responsibilities;
- (iii) Developing content of induction programmes as per the specific operations of the Ministry, State Department or Agencies;
- (iv) Providing the inductee with the relevant materials (which include this induction handbook);
- (v) Providing the inductee with a mentor/coach; and
- (vi) Putting in place a mechanism to gauge the effectiveness of the induction process.

1.3 The Inductees

Inductees shall be required to actively participate in the induction process and translate what is learnt into expected work performance.

1.4 Steps in the Induction Process

The sequence detailed below is to be followed when a new officer reports to a work station.

1.4.1 Reporting

Following appointment, promotion, transfer or re-designation the officer reports to the Head of HRM&D who

provides the officer with the Induction Handbook for the Public Service and other relevant documents. The head of HRM&D directs the officer to the Head of Department who provides detailed information on the vision, mission, mandate and organizational structure of the Department. The officer is introduced to other members of staff and acquainted on services and facilities within the Department.

1.4.2 Office Allocation

The officer is allocated office space, working tools and equipment.

1.4.3 Familiarization Tour

Departments have divisions and sections which offer services to officers. The inductees are familiarized with their operations. The Department include:

1.4.3.1 Human Resource Management and Development

The Human Resource Management and Development (HRM&D) Division undertakes the processing of appointments, promotions, transfers, advances, salary and allowances. It also manages human resource planning, career progression, complement control, and training and development.

1.4.3.2 Finance

This section deals with the management and control of finances, budgeting and approval of payments.

1.4.3.3 Administration

The section is concerned with provision and maintenance of office accommodation, security, provision of transport services, and supervision of Records Management units and co-ordination of various activities carried out in the MDA. Other

units that may fall within this Division include Information Communication Technology (ICT) and Telephone services.

1.4.3.4 Accounts

The Accounts section is where all receipts and payments of cash are made and all financial records reconciled and maintained.

1.4.3.5 The Records Management Unit

The Records Management unit is the place where all files are maintained. There are two sections of Records Management unit. The open registry is for non-classified documents while the secret registry is for confidential and classified files. Only vetted officers handle classified materials.

1.4.3.6 Transport

Every MDA maintains a pool of vehicles for official use. The pool is managed by a Transport Officer who ensures that the vehicles are maintained and only availed for official use.

1.4.3.7 Library/ Resource Centres

MDAs maintain libraries/resource centres. Officers are advised to make use of these facilities as they contain useful reading and reference materials that may relate to their duties.

1.4.3.8 Supply Chain Management Unit

This unit procures goods, services and manages stores. It is also charged with the responsibility of issuing stores to officers. The stores are issued strictly for office use and officers are expected to practice prudence. This unit also maintains an inventory of all the purchases made, equipment and furniture issued to each office and manages a record of all assets.

1.5 Code of Conduct and Work Culture

Work culture reflects the management style, work ethos, standard office practices and behavior that evolve within MDAs. The inductees are to be sensitized on the work culture to enable them to work in tandem with the MDA's mode of operations.

1.5.1 Code of Conduct

A public officer shall carry out their duties by observing the following:

- (i) Rule of law;
- (ii) Public trust;
- (iii) Efficient performance of duties;
- (iv) Professionalism;
- (v) Financial integrity;
- (vi) Political neutrality;
- (vii) Impartiality;
- (viii) Dress code;
- (ix) Care of public property;
- (x) Morals and ethical standards;
- (xi) Maintain integrity when conducting private affairs;
- (xii) Reporting improper orders; and
- (xiii) Declaration of Income, Assets and Liabilities.

A public officer should not engage in activities that may bring the office into disrepute. These include:

- (i) Pecuniary embarrassment;

- (ii) Accepting gifts or benefits in kind;
- (iii) Conflict of interest;
- (iv) Wrongful or unlawful acquisition of property;
- (v) Acting for foreigners;
- (vi) Misuse of official information;
- (vii) Falsification of records;
- (viii) Collections and harambees;
- (ix) Bullying;
- (x) Sexual harassment;
- (xi) Nepotism; and
- (xii) Acting through others

1.5.2 Office Hours

Public Officers are required to work 40 hours spread over 5 days in a week.

Government office hours are as follows:

Nairobi and all other Regions

Monday to Friday: 8.00 a.m. to 1.00 p.m.
2.00 p.m. to 5.00 p.m.

Mombasa and Northern Kenya

Monday to Friday: 7.30 a.m. to 12.30 p.m.
2.30 p.m. to 5.30 p.m.

Though the general office hours will be as stated above, utilization of staff outside these hours when there is need for

their services will not be restricted, provided the officer renders a minimum of 40 hours per week.

1.5.3 Public Holidays

The following days shall be observed as public holidays in accordance with the relevant parliamentary legislation:

<i>New Year's Day</i>	<i>1st January</i>
<i>Good Friday</i>	*
<i>Easter Monday</i>	*
<i>Labour Day</i>	<i>1st May</i>
<i>Madaraka Day</i>	<i>1st June</i>
<i>Idd-ul-Fitr</i>	*
<i>Mashujaa Day</i>	<i>20th October</i>
<i>Jamhuri Day</i>	<i>12th December</i>
<i>Christmas Day</i>	<i>25th December</i>
<i>Boxing Day</i>	<i>26th December</i>

* In accordance with the relevant religious calendar.

In addition to the above public holidays, Idd-ul-Haj and Diwali will be observed as public holidays by officers professing these faiths.

1.6 Departmental Attachment

Newly deployed officers shall be attached to various sections and units in the Department for orientation purposes for a stipulated period of time. Attachment is intended to enhance the officer's level of awareness; provide insight on core activities and to familiarize them on the linkages between

sections and units. Attachment also provides an opportunity for the inductees to acquaint themselves with fellow works mates.

1.7 Allocation of Duties and Responsibilities

It is the responsibility of the MDA to effectively induct newly deployed officers on the job. This entails detailing in writing the job description and providing a schedule of duties to the officers. In addition, an enabling environment must be accorded to enable the officers perform effectively. Once on the job, the officers are coached and mentored on the working culture of the organization. This includes issues such as the style and format of official correspondence (letters, memorandums and briefs) and the reporting relationships.

1.8 Staff Development

The Government policy on training is to ensure continuous upgrading of employees' core competences, knowledge, skills and attitudes including their ability to assimilate technology to enable them create and seize opportunities for social advancement, economic growth and individual fulfillment. Officers will be eligible for individual short term training after completion of one year of service while eligibility for long term training will be after two years of service. Approval and sponsorship for a second Master's degree shall not be granted.

1.9 Pre-Retirement Training

Retirement from employment is inevitable and all employees should be prepared for it. It is imperative therefore, that all officers on joining the Service, be appropriately sensitized on the need to prepare for retirement when still young.

CHAPTER TWO

GOVERNMENT COMMUNICATION

2.0 Introduction

This chapter spells out the basic rules for effective communication through correspondence and other means. It provides for expeditious treatment of communication within the prescribed rules and gives a brief guide for use of a variety of other communication media. Officers are expected to acquaint themselves with Government communication procedures on joining the Service.

2.1 Handling Correspondence

Expeditious treatment of all communication in Government is vital hence all correspondence should be acknowledged promptly on receipt. The necessary consultations should then be finalized and appropriate reply dispatched in not more than seven (7) days unless it can genuinely be established that such consultations require a longer period.

Any information relating to Government business should not be communicated to the general public without the sanction of the Authorized Officer of the State Department concerned. When decisions of the Government have to be conveyed, they should be signed on behalf of the Authorized Officer.

2.2 Communication by Public Officers

A public officer shall communicate to his Authorized Officer through his/her head of department. All communication to other Government entities shall be through the Authorized Officer. An officer is not allowed to scan, take extracts or make copies of minutes or correspondence, unless such correspondence is expressly addressed to the officer.

2.3 Correspondence with other Governments/ Administrations

Any correspondence relating to relations between Kenya Government and other administrations shall be governed by existing bilateral arrangements and other protocols and shall be referred to the State Department responsible for Foreign Affairs for guidance.

2.4 Classified Correspondence

The Government of Kenya Security Manual contains instructions regarding classified correspondence. The appropriate classification should be clearly marked at the top and bottom of every page of all classified documents. There are four security classifications as follows:

- (i) *Top secret* – Information and material where unauthorized disclosure would cause exceptional or grave damage to the Republic.
- (ii) *Secret* – Information and material where unauthorized disclosure would cause serious injury to the interest of the Republic.
- (iii) *Confidential* - Information and material where unauthorized disclosure would be prejudicial to the interest of the Republic.
- (iv) *Restricted* – Information and material where unauthorized disclosure would be undesirable to the Republic.

2.5 Reports and Memoranda for the Cabinet

A memorandum intended for consideration by the Cabinet must be signed by the Cabinet Secretary concerned and submitted in original to reach the Secretary to the Cabinet at

least seven days before the meeting at which it is to be considered. Cabinet memoranda shall be prepared in accordance with the guidelines contained in the Government Office Manual.

2.6 Publicity/Broadcasts

Cabinet Secretaries liaise with Government Advertising Agency (GAA) through their respective Department of Public Communications for any information they wish to communicate to the public through the media. A public officer shall not issue statement(s) to the media on official matters without prior approval of the Authorized Officer.

2.7 Use of modern means of communication

For faster communication, MDAs shall adopt modern means of Communication such as use of e-mail, fax and telephones and social media. However, uploading content on the internet shall only be by authorized persons.

2.8 Information Communication Technology

The Government continues to leverage on technology in service delivery. Some of the ICT systems in use are:

- (i) Integrated Payroll and Personnel Database (IPPD);
- (ii) Integrated Financial Management Information System (IFMIS);
- (iii) Integrated Records Management System (IRMS);
- (iv) Government Human Resource Information System (GHRIS);
- (v) G-pay;
- (vi) E-citizen;
- (vii) Integrated Population Registration System (IPRS);

- (viii) Pension Management System (PMS);
- (ix) Discipline Management System (DMS);
- (x) I-tax;
- (xi) Transport Information Management System (TIMS);
and
- (xii) E-procurement

2.9 Use of Password

Where data is of a confidential nature and electronically stored, officers to whom passwords are entrusted shall take precautions to keep them confidential and safeguarded or otherwise be held accountable.

2.10 Official Seals and Stamps

The use of official seals and stamps in all Government offices must be confined strictly to official requirements. Applications by private persons for impressions of official seals shall not be allowed. The official seals and stamps must be kept under the custody of a senior officer designated for the purpose by the Authorized Officer who shall be accountable for their custody and appropriate use.

2.11 Disposal of Records

Disposal of official records shall be done in accordance with the provisions of the Official Secrets Act, the Public Archives and Documentation Services Act and Personnel General Letter No.1 of 2008.

2.12 Public Relations

Public relations is a deliberate and planned activity by an organization to create mutual understanding between the

organization and its publics. In Government public relations is aimed at building public trust and confidence in the system of Government. Every public officer plays the role of a public relations officer. This is done through:

- (i) Accepting the fact that one is a servant and not a master.
- (ii) Understanding that the public service exists to deliver services to Kenyans.
- (iii) Internalizing the fact that the image of Government is mirrored through one's actions.
- (iv) Demonstrating the virtues of commitment and dedication.
- (v) Serving all with courtesy.
- (vi) Being accessible and responsive to the needs of the public.
- (vii) Clearly articulating Government policies while dealing with the public.

The Government is represented through its public officers and hence officers need to uphold dignity and demonstrate public decorum.

2.13 Interpersonal Relations

Interpersonal relations at the work place contribute effectively to work productivity. Social interaction is a human requirement. Before any job related information is communicated, employees must first interact. At the work place, interaction may be in form of verbal communication or body language such as waving, smiling and shaking hands. Employees should be assertive, courteous, responsible and accountable while at the same time exhibiting emotional intelligence.

CHAPTER THREE

GOVERNANCE AND STRUCTURE OF GOVERNMENT

3.0 Introduction

This chapter introduces the inductee to the organization and core functions of National and County Governments, their administrative organization as well as the requisite practices that guide the day-to-day transactions of Government business.

In order for Government to execute its mandate, it derives its legitimacy from the people of Kenya, both constitutional and statutory. The Government and its employees are bound by law just as it binds individuals and other corporate entities. Adherence to the rule of law and to the national values and ethics is the cardinal principle that public servants must guard and observe.

3.1 The Constitution

The Constitution of Kenya is the supreme law of the Republic from which all other laws emanate. The Constitution creates and organizes fundamental Government institutions. It provides the structures of Government; Legislature, Executive and Judiciary. It defines the role of each organ, its sphere of influence, the scope and limits of its authority. It also defines the inter-relations between these institutions and determines how conflict between them may be resolved. The Government is organized such that it enhances the separation of powers, guaranteeing a system of checks and balances that guard against either level of Government overstepping its constitutional authority.

3.2 Organization of Government

The functions of the Government are exercised at two levels namely; National and County levels of government as stipulated in the Constitution.

3.2.1 National Government

For the effective execution of its functions, the National Government has three (3) arms, namely:

- (i) Executive
- (ii) Legislature
- (iii) Judiciary

3.2.1.1 Executive

The Executive consists of the President, Deputy President, Cabinet Secretaries, and the Attorney-General.

3.2.1.1.1 The President

The President:

- (i) Is the Head of State and Government;
- (ii) Exercises the executive authority of the Republic, with the assistance of the Deputy President and Cabinet Secretaries;
- (iii) Is the Commander-in-Chief of the Kenya Defence Forces;
- (iv) Is the chairperson of the National Security Council; and
- (v) Is a symbol of national unity.

Functions of the President:

- (i) The President nominates and, with the approval of the National Assembly, appoints, and may dismiss – the Cabinet Secretaries, the Attorney-General, Secretary to the Cabinet, Principal Secretaries, High Commissioners, Ambassadors, Diplomatic and Consular Representatives; and in accordance with the Constitution, any other State or public officer whom the Constitution requires or empowers the President to appoint or dismiss;
- (ii) Power of Mercy — On the petition of any person, the President may exercise power of mercy in accordance with the advice of the Advisory Committee.
- (iii) Chairs Cabinet meetings;
- (iv) Directs and co-ordinates the functions of State Departments;
- (v) Receives foreign diplomatic and consular representatives;
- (vi) Confers honours in the name of the people and the Republic;
- (vii) Declares a state of emergency;
- (viii) With the approval of Parliament, may declare war; and
- (ix) Ensures that the international obligations of the Republic are fulfilled.

3.2.1.1.2 Deputy President

The Deputy President is the principal assistant of the President and deputizes him/her in the execution of the President's functions. The Deputy President performs the

functions conferred by the Constitution and any other function the President may assign.

3.2.1.1.3 The Cabinet

The Cabinet consists of the President, Deputy President, the Attorney General and not less than fourteen (14) and not more than twenty two (22) Cabinet Secretaries. The Cabinet assists and advises the President in governing the country.

3.2.1.1.4 Cabinet Secretary

Cabinet Secretaries (CSs) are state officers and are accountable individually, and collectively, to the President for the exercise of their powers and the performance of their functions.

A Cabinet Secretary attends committees of the National Assembly, or the Senate, when required by the committee, and answers any question concerning a matter for which they are responsible. CSs provide Parliament with full and regular reports concerning matters under their control. CSs are appointed by the President with the approval of the National Assembly. A Cabinet Secretary is not a Member of Parliament.

3.2.1.1.5 Secretary to the Cabinet

The Secretary to the Cabinet is nominated and with the approval of the National Assembly, appointed by the President.

The Secretary to the Cabinet has the following functions:

- (i) In charge of the Cabinet office.
- (ii) Responsible for arranging the business, and keeping minutes of the Cabinet.
- (iii) Convey decisions of the Cabinet to the appropriate persons or authorities.
- (iv) Have other functions as directed by the Cabinet.

3.2.1.1.6 The Attorney General

The Attorney General is nominated by the President and with the approval of the National Assembly, appointed by the President and is a member of the Cabinet. The AG is the principal legal advisor to the Government. His responsibilities include ensuring that State Departments are given appropriate legal advice as per the Office of the Attorney General Act, 2012.

3.2.1.1.7 The Director of Public Prosecutions

The Director of Public Prosecutions (DPP) is nominated and, with the approval of the National Assembly, appointed by the President.

The Director of Public Prosecutions has power to direct the Inspector-General of the National Police Service to investigate any information or allegation of criminal conduct and the Inspector-General shall comply with any such direction.

The DPP exercises State powers of prosecution. However, Parliament may enact legislation conferring powers of prosecution on authorities other than the Director of Public Prosecutions.

3.2.1.1.8 Principal Secretaries

Principal Secretaries are in charge of the administration of State Departments. They are appointed by the President after recommendation by the Public Service Commission with approval of the National Assembly.

3.2.1.2 The Legislature

Parliament is the legislative arm of Government. It consists of the National Assembly and the Senate. Parliament exercises its legislative power through Bills passed by Parliament and assented to by the President to become Acts of Parliament.

3.2.1.2.1 The National Assembly

The National Assembly consists of:

- (i) Two hundred and ninety (290) members elected by the registered voters of every Constituency.
- (ii) Forty-seven (47) women representatives each elected by the registered voters in the respective Counties.
- (iii) Twelve members (12) nominated by Parliamentary political parties according to their proportion of members of the National Assembly, to represent special interests including the youth, persons with disabilities and workers.
- (iv) The Speaker, who is an ex-officio member.

The Role of the National Assembly is to:

- (i) Make National Laws.
- (ii) Determine the allocation of national revenue between the two levels of government.
- (iii) Approve funds for expenditure by the national government.
- (iv) Exercise oversight over national revenue and national expenditure.
- (v) Review of conduct in office of the executive.
- (vi) Approve declarations of war and extensions of states of emergency.
- (vii) Approve appointments made by the President.

3.2.1.2.2 The Senate

The Senate represents the counties, and serves to protect interests of the counties and their governments. The Senate consists of:

- (i) Forty-seven (47) members each elected by the registered voters of the counties.
- (ii) Sixteen (16) women members nominated by political parties according to their proportion of members of the Senate.
- (iii) Two (2) members, one man and one woman, representing the youth.
- (iv) Two (2) members, one man and one woman, representing persons with disabilities.
- (v) The Speaker, who is an ex-officio member.

The Role of the Senate:

- (i) The Senate participates in the law-making function of Parliament by considering, debating and approving Bills concerning counties (Articles 109 to 113) of the Constitution of Kenya.
- (ii) The Senate determines the allocation of national revenue among counties (Article 217), and exercises oversight over national revenue allocated to county governments.
- (iii) The Senate participates in the oversight of State officers by considering and determining any resolution to remove President or Deputy President from office in accordance with Article 145.

3.2.1.3 The Judiciary

The Judiciary consists of four levels of courts namely; the Supreme Court, the Court of Appeal, the High Court and the subordinate courts. It is headed by a Chief Justice, who is assisted by a Deputy Chief Justice. It has judges of the superior courts, magistrates, other judicial and non-judicial staff. There is a Chief Registrar, who is the chief administrator and accounting officer of the Judiciary.

3.2.1.3.1 The Supreme Court

The Supreme Court consists of the Chief Justice, who is the President of the court, the Deputy Chief Justice and five Supreme Court judges. The function of the Supreme Court is to:

- (i) Hear and determine disputes relating to the election of the President of the Republic.
- (ii) Hear and determine appeals from the Court of Appeal and any other court or tribunal.
- (iii) If required, give an advisory opinion on any matter concerning county governments.

The Chief Justice and the Deputy Chief Justice are appointed by the President on recommendations of the Judicial Service Commission and subject to approval by National Assembly.

3.2.1.3.2 The Court of Appeal

The Court of Appeal consists of a number of judges, not less than twelve as may be prescribed by an Act of Parliament. It has jurisdiction to hear appeals from the High Court and any other court or tribunal.

The High Court

The number of High Court judges is set by an Act of Parliament. On appointment, the judges elect from amongst themselves, a Principal Judge of the High Court.

The High Court will deal with:

- (i) Criminal and public matters.
- (ii) Matters that relate to individual rights.
- (iii) Appeals from a decision of a tribunal.
- (iv) Hearing any question with regard to the interpretation of the Constitution.
- (v) Questions on whether any law is inconsistent with or contradicts the Constitution.
- (vi) Any matter relating to the constitutional relationship between the levels of government.
- (vii) Supervision of the subordinate courts.

Judges of the Court of Appeal and High Court are appointed by the President on the recommendation of the Judicial Service Commission.

3.2.1.3.3 Subordinate Courts

The subordinate courts are:

- (i) The Magistrates' courts.
- (ii) The Kadhis' courts.
- (iii) The Courts Martial.
- (iv) Any other court or local tribunal as may be established by an Act of Parliament.

Note: The jurisdiction of a Kadhis' court is limited to the determination of questions of law relating to personal status, marriage, divorce or inheritance in proceedings in which all the parties profess the Muslim religion.

3.2.2 County Governments

The County Government consists of a County Executive and a County Assembly. There are forty (47) Counties as per the First Schedule of the Constitution.

3.2.2.1 County Executive Committee

The executive authority of the county is vested in the county executive committee.

The committee consists of:

- (i) The County Governor and the Deputy Governor.
- (ii) Members appointed by the County Governor, with the approval of the Assembly, from among persons who are not members of the Assembly.

The number of members of the committee should not exceed:

- (i) One-third of the number of members of the county assembly, if the assembly has less than thirty members.
- (ii) Ten, if the assembly has thirty or more members.

3.2.2.2 County Assembly

County assembly consists of:

- (i) Members elected by the registered voters of the wards in a general election.

- (ii) The number of special seats necessary to ensure that no more than two-thirds of the membership of the assembly are of the same gender.
- (iii) Members of marginalized groups, including persons with disabilities and the youth.
- (iv) The Speaker, who is an ex officio member.

The members in (ii) and (iii) above are to be nominated by political parties in proportion to the seats received in the election in a particular County.

3.2.3 Relationship between the National and County Governments

Government at either level is required to:

- (i) Perform its functions in mutual respect to the other, assist, support and consult, as appropriate.
- (ii) Liaise with the other governments for the purpose of exchanging information, coordinating policies and administration, and enhancing capacity.
- (iii) Co-operate in the performance of functions and, may also set up joint committees and authorities.

3.3 Commissions and Independent Offices

The Constitution has established a number of Commissions and Independent offices. The aim of creating the Commissions and Independent offices is to protect the sovereignty of the people, secure observance by all state organs of democratic values and principles and promote the rule of law and constitutionalism.

3.3.1 Commissions

- (i) The Kenya National Human Rights and Equality Commission
- (ii) The National Land Commission
- (iii) The Independent Electoral and Boundaries Commission
- (iv) The Parliamentary Service Commission
- (v) The Judicial Service Commission
- (vi) The Commission on Revenue Allocation
- (vii) The Public Service Commission
- (viii) The Salaries and Remuneration Commission
- (ix) The Teachers Service Commission
- (x) The National Police Service Commission

3.3.2 Independent Offices

- (i) The Controller of Budget
- (ii) The Auditor-General

3.4 Functions of the National Government

The National Government is responsible for the following:

- (i) Foreign affairs, foreign policy and international trade
- (ii) The use of international waters and water resources
- (iii) Immigration and citizenship
- (iv) The relationship between religion and state

- (v) Language policy and the promotion of official and local languages
- (vi) National defence and the use of the national defence services
- (vii) Police services, including setting of standards for recruitment, training of police personnel and use of police services; criminal law and correctional services
- (viii) Courts
- (ix) National economic policy and planning
- (x) Monetary policy, currency, banking (including central banking), the incorporation and regulation of banking, insurance and financial corporations
- (xi) National statistics and data on population, the economy and society generally
- (xii) Intellectual property rights
- (xiii) Labour standards
- (xiv) Consumer protection, including standards for social security and professional pension plans
- (xv) Education policy, standards, curricula, examinations and the granting of university charters
- (xvi) Universities, tertiary educational institutions and other institutions of research and higher learning, primary schools, special education, secondary schools and special education institutions
- (xvii) Promotion of sports and sports education
- (xviii) Transport and communications

- (xix) National public works
- (xx) Housing policy
- (xxi) General principles of land planning and the co-ordination of planning by the counties
- (xxii) Protection of the environment and natural resources with a view to establishing a durable and sustainable system of development
- (xxiii) National referral health facilities
- (xxiv) Disaster management
- (xxv) Ancient and historical monuments of national importance
- (xxvi) National elections
- (xxvii) Health policy
- (xxviii) Agricultural policy
- (xxix) Veterinary policy
- (xxx) Energy policy including electricity and gas reticulation and energy regulation
- (xxxi) Capacity building and technical assistance to the counties
- (xxxii) Public investment
- (xxxiii) National betting, casinos and other forms of gambling
- (xxxiv) Tourism policy and development

3.5 Functions of the County Governments

The County Governments oversee the following:

- (i) Agriculture (crop and animal husbandry).
- (ii) County health services.
- (iii) Public entertainment and public amenities.
- (iv) County transport.
- (v) Trade development and regulation.
- (vi) County planning and development.
- (vii) Pre-primary education, village polytechnics, home craft centers and children facilities.
- (viii) Implementation of specific national government policies on natural resources and environmental conservation.
- (ix) County public works and services.
- (x) Control of air pollution, noise pollution, other public nuisances and outdoor advertising.
- (xi) Animal control and welfare.
- (xii) Fire-fighting services and disaster management.
- (xiii) Control of drugs and pornography.
- (xiv) Coordinating the participation of communities in governance.

3.6 Fundamental Rights and Freedoms

Rights belong to individuals and are not granted by the State. Human rights are entitlements that human beings have regardless of their race, place of origin, residence or other local connection, political opinion, social status as enshrined in the Universal Declaration of Human Rights (1948). These rights are:

- (i) Right to life.
- (ii) The right to equality and to be free from discrimination.
- (iii) Rights of the family.
- (iv) Human dignity.
- (v) The right to freedom and security of the person.
- (vi) Freedom from slavery.
- (vii) The right to privacy.
- (viii) Rights to food, water, health care, education, housing and social security.
- (ix) Freedom of conscience, religion and belief.
- (x) Freedom of the media and the right to information.
- (xi) Political rights.
- (xii) Freedom of association.
- (xiii) Freedom of movement.
- (xiv) Right to property.
- (xv) Right to fair working conditions.
- (xvi) The right to a fair trial.

However, an individual's rights must not interfere with the rights of others.

3.7 The Public Service

The Public Service means the collectivity of all individuals performing a function within a State Organ. The Public Service is the principal organ of service delivery by the government. Through the Public Service the government establishes control,

presence and authority of the State. The Public Service is a key component of the government. An officer in the Public Service is expected to be faithful to the Republic, honour and abide by the Constitution.

3.8 The Civil Service

The Civil Service is the policy implementation arm of the Government. In executing this role, it is guided by public policy pronouncements and the attendant development plans and circulars.

The Civil Service is constituted by ministries and State Departments.

3.9 Chief of Staff and Head of Public Service

The Chief of Staff and Head of Public Service will be responsible for:

- (i) General efficiency of the Public Service;
- (ii) Co-ordination of the activities of public servants;
- (iii) Overall organization of the machinery for the execution of Government policies; and
- (iv) Ensuring that all agencies of Government are adequately staffed for the performance of their functions.

All Principal Secretaries have a duty to keep the Chief of Staff and Head of Public Service informed of staffing, operational and major policy issues in their Ministries and State Departments.

3.10 National Values and Principles of Governance

The national values and principles of governance as stipulated in Article 10 of the Constitution bind all state organs, state officers and public officers. These include:-

- (i) Patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people;
- (ii) Human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized;
- (iii) Good governance, integrity, transparency and accountability; and
- (iv) Sustainable development.

3.11 Values and Principles of the Public Service

The values and principles of public service include:

- (i) High standards of professional ethics.
- (ii) Efficient, effective and economic use of resources.
- (iii) Responsive, prompt, effective, impartial and equitable provision of services.
- (iv) Involvement of the people in the process of policymaking.
- (v) Accountability for administrative acts.
- (vi) Transparency and provision to the public of timely, accurate information.
- (vii) Competition and merit as the basis of appointments and promotion.

- (viii) Representation of Kenya's diverse communities.
- (ix) Providing adequate and equal opportunities for appointment, training and advancement at all levels of the Public Service.

CHAPTER FOUR
PUBLIC SERVICE REGULATIONS AND STAFF
WELFARE

4.0 Introduction

This chapter aims at introducing Public Service regulations that govern officers in the execution of the functions of a public office. Public Service operations are governed by various policies, regulations, work procedures and guidelines. These provisions mould and define the Public Service, and all employees are bound by them. The regulations cover human resource management and development and staff welfare matters.

4.1 Human Resource Management and Development Function

The policies, regulations and guidelines which govern the Human Resource Management and Development (HRM &D) function are contained in several documents, which include:

- (i) The Constitution;
- (ii) The Public Service Commission Act 2017;
- (iii) The Pensions Act (Cap 189);
- (iv) Employment Act, 2007(Cap 226);
- (v) Labour Relations Act, 2007;
- (vi) Labour Institutions Act, 2007;
- (vii) The Work Injury Benefits Act, 2007;
- (viii) The Occupational Safety and Health Act,2007
- (ix) Fair Administrative Action Act, 2015

- (x) Public Officer Ethics Act, 2003;
- (xi) Anti-corruption and Economic Crimes Act, 2003
- (xii) Public Service (Values and Principles) Act, 2015
- (xiii) Widows and Children's Pension Scheme (Cap.195);
- (xiv) National Social Security Fund Act, 2013
- (xv) National Hospital Insurance Fund Act (Cap 255);
- (xvi) The Persons With Disabilities Act No. 15, 2003;
- (xvii) Leadership and Integrity Act, 2012;
- (xviii) Human Resource Policies and Procedures Manual For the Public Service, 2016;
- (xix) Human Resource Development Policy for the Public Service, 2015;
- (xx) Discipline Manual for the Public Service, 2016;
- (xxi) Diversity Policy for the Public Service, 2016;
- (xxii) Internship Policy and Guidelines for the Public Service, 2016;
- (xxiii) Framework for the Development and Review of Terms and Conditions of Service in the Public Service, 2016;
- (xxiv) Performance Rewards and Sanctions Framework for the Public Service, 2016;
- (xxv) Guidelines on Staff Appraisal System (SPAS) in the Public Service, 2016
- (xxvi) Guidelines on Declaration of Income, Assets and Liabilities, 2009

- (xxvii) Delegation of Public Service Commission Human Resource Functions to the Cabinet Secretary, 2015;
- (xxviii) Government circulars issued from time to time; and
- (xxix) Government Office Manual.

The HRM&D function in the Public Service is managed by the Public Service Commission (PSC) and Authorized Officers under delegated authority.

4.2 The Public Service Commission

The PSC is an independent entity established under Chapter XIII of the Constitution of Kenya. By virtue of being a constitutional body, it enjoys wide powers and privileges in the discharge of its mandate. These powers are operationalized in the Public Service Commission Act, 2017. The Core functions of the PSC are:

- a) Subject to this Constitution and legislation:
 - (i) establish and abolish offices in the public service; and
 - (ii) appoint persons to hold or act in those offices, and to confirm appointments;
- b) Exercise disciplinary control over and remove persons holding or acting in those offices;
- c) Promote the values and principles referred to in Articles 10 and 232 throughout the Public Service;
- d) Investigate, monitor and evaluate the organization, administration and personnel practices of the public service.

- e) Ensure that the public service is efficient and effective;
- f) Develop human resources in the public service;
- g) Review and make recommendation to the national Government in respect of conditions of service, conduct and qualifications of officers in the public service;
- h) Hear and determine appeals in respect of county governments' public service; and
- i) Perform any other functions and exercise any other powers conferred by national legislation.

Article 234 (3) states that PSC will not make appointments in respect of the following;

- a) State offices;
- b) An office of high commission, ambassador or other diplomatic or consular representative of the Republic;
- c) An office or position subject to-
 - (i) The Parliamentary Service Commission
 - (ii) The Judicial Service Commission
 - (iii) The Teachers Service Commission
 - (iv) The National Police Service Commission; or
 - (v) An Office in the service of a county government, except as contemplated in clause 2 (i).

4.3 Authorized Officers

Article 234(5) allows the Commission to delegate in writing with or without conditions any of its functions and

powers. The Commission has consequently delegated some of its powers to Authorized Officers in State Departments.

4.4 Privileges, Rights and Obligations

Many of the privileges, rights and obligations of employees in the Public Service are stipulated in the Human Resource Policies and Procedures Manual. The public officer should not be;

- (i) Victimized or discriminated against for having performed the functions of office in accordance with the Constitution or any other law; and
- (ii) Dismissed, removed from office, demoted in rank or otherwise subject to disciplinary action without due diligence.

4.5 Human Resource Policies and Procedures Manual for the Public Service

The manual containing the Public Service Regulations consists of five (5) parts which have twelve (12) sections as follows:

4.5.1 Governance Structure and Official Communication

This part comprises the institutional framework for human resource management and official communication.

4.5.2 Recruitment, Selection, Appointment and Transfers

This part addresses recruitment, selection, appointment, promotion and transfer matters in the public service.

4.5.3 Terms and Conditions of Service

The part covers salary and allowances, benefits, leave and work environment

4.5.4 Performance Management, Training and Development

This part addresses matters pertaining to strategic planning; performance contracting; staff performance appraisal; and management and coordination of training.

4.5.5 Code of Conduct, Disciplinary Control and Labour Relations

This addresses matters pertaining to conduct, integrity, discipline and labour relations in the public service

4.6 Performance Management

A Performance Management System (PMS) is a systematic process for getting better results from an organization, teams and individuals by managing performance within an agreed framework of planned goals, objectives and standards. A PMS is a set of tools, processes and actions that allows for maximization of the performance of employees and institutions.

PMS also provides employees with a clear understanding of job expectations; regular feedback about performance; advice and steps for improving performance; rewards for good performance; and sanctions for poor performance. The overall goal of a PMS is to measure employee performance and ultimately the achievement of intended results for the organization.

4.6.1 Strategic Planning

This is a planning process for achievement of overall long term goals of the Organization.

Authorized Officers shall coordinate development and review of strategic plans in their respective MDAs. The plans will be the basis for setting performance targets for the organization which shall be cascaded to the individual level.

4.6.2 Performance Contracting

Performance Contracting is a negotiated process in which MDAs set their performance targets based on their mandates, functions and strategic objectives. Performance contract should be anchored on national development goals. It is expected that this will be cascaded to all departments, sections, levels and cadres of employees. Performance Contracts is integrated with the Performance Appraisal System (PAS) and the Performance Rewards and Sanctions Framework.

4.6.3 Staff Performance Appraisal System

Staff Performance Appraisal System (SPAS) is predicated upon the principle of work planning, setting of agreed performance targets, feedback and reporting. It is linked to other human resource systems and processes including staff development, career progression, placement, rewards and sanctions.

4.7 Employee welfare

Every public servant is encouraged to become a member of an existing Savings and Credit Co-operative Society (SACCO) and welfare associations in MDAs.

4.8 Guidance, Counselling and HIV/AIDS Management

The current challenges in the workplace and family environment affects the performance and wellbeing of an employee. The Government has therefore introduced guidance and counseling in the Service.

Each MDAs is expected to establish a unit for provision of guidance and Counseling services in order to address the psychological needs of public servants during their entry, stay and exit from service. Professional Counselors are deployed to

State Departments to provide guidance and Counseling services to public servants.

An officer shall not be discriminated or stigmatized on the basis of HIV status. It is an offence for any person to discriminate another on the ground of actual, perceived or suspected HIV status in the work place. Policy guidelines have been developed to address HIV/AIDS challenges affecting Public Servants in the workplace.

4.9 Drugs and Substance Abuse

Addiction to drugs or substance will be treated like any other disease. An officer who is determined to deal with drug and substance abuse problem by seeking rehabilitation services will be referred by his State Department to a Government doctor for evaluation.

CHAPTER FIVE

PUBLIC FINANCE MANAGEMENT

5.0 Introduction

This chapter outlines the principles of Public Finance Management, role of key institutions in management of public finance, classification of Government expenditure, sources of Government revenue and procurement of goods and services.

Public Finance Management deals with the administration of public funds and is guided by the following documents among others:

- (i) The Constitution;
- (ii) Public Financial Management Act, 2012,
- (iii) The Public Procurement and Asset Disposal Act, 2015;
- (iv) The Public Procurement and Disposal Regulations, 2006;
- (v) Standard Bidding Documents; and
- (vi) Treasury Circulars (issued from time to time).

5.1 Principles of Public Finance

The following principles guide all aspects of public finance:

- (i) Openness and accountability, including public participation in financial matters;
- (ii) Promotion of an equitable society;

- (iii) Equitable sharing of the burdens and benefits of the use of resources and public borrowing between present and future generations;
- (iv) Prudent and responsible utilization of public funds; and
- (v) Responsible financial management and clear fiscal reporting.

5.2 Role of Key Institutions in Public Finance Management

5.3 Parliament

Parliament consists of the Senate and the National Assembly. Parliament approves Government's annual estimates and authorizes appropriation under section 99(1) of the Constitution. It also approves the expenditure of public funds before appropriation, through a vote on account.

5.3.1 National Assembly

- (i) determines the allocation of national revenue between the national and county governments;
- (ii) appropriates funds for expenditure by the national government and other national state organs; and
- (iii) exercises oversight over national revenue and its expenditure.

5.3.2 Senate

The Senate determines the allocation of national revenue among counties, and exercises oversight over national revenue allocated to the county governments.

Parliament exercises authority on government finances through the following Committees:

- (i) Public Investments Committee;
- (ii) Public Accounts Committee;
- (iii) Committees of Supplies, and Ways and Means;
- (iv) Estimates Committee;
- (v) National Assembly Budget Committee; and
- (vi) Senate Budget Committee

5.3.2.1 Parliamentary Budget Office

The parliamentary budget office provides professional services in respect of budget, finance, and economic information to the committees of parliament. It also fosters relationships with The National Treasury, county treasuries and other national and international organizations with an interest in budgetary and socio-economic matters.

5.4 County Assembly

The legislative authority of a county is vested in and exercised by its county assembly. A county assembly may make laws that are necessary for, or incidental to, the effective performance of the functions of the county government. Each County Government will prepare and adopt its own annual budget and Appropriation Bill. A County Government may borrow funds with the approval of its assembly and guarantee from the National Government.

5.5 The National Treasury

The responsibilities of the National Treasury include:

- (i) formulate, implement and monitor macro-economic policies involving expenditure and revenue;

- (ii) manage the level and composition of national public debt, national guarantees and other financial obligations of national government within the framework of Public Financial Management Act and develop a framework for sustainable debt control;
- (iii) formulate, evaluate and promote economic and financial policies that facilitate social and economic development in conjunction with other national government entities;
- (iv) mobilise domestic and external resources for financing national and county government budgetary requirements;
- (v) design and prescribe an efficient financial management system for the national and county governments to ensure transparent financial management and standard financial reporting as contemplated by Article 226 of the Constitution: Provided that the National Treasury shall prescribe regulations that ensure that operations of a system under this paragraph respect and promote the distinctiveness of the national and county levels of government;
- (vi) in consultation with the Accounting Standards Board, ensure that uniform accounting standards are applied by the national government and its entities;
- (vii) develop policy for the establishment, management, operation and winding up of public funds;
- (viii) within the framework of Public Financial Management Act and taking into consideration the recommendations of the Commission on Revenue

Allocation and the Intergovernmental Budget and Economic Council, prepare the legislative proposals on annual Division of Revenue and County Allocation of Revenue;

- (ix) strengthen financial and fiscal relations between the national government and county governments and encourage support for county governments in terms of Article 190(1) of the Constitution in performing their functions; and
- (x) assist county governments to develop their capacity for efficient, effective and transparent financial management in consultation with the Cabinet Secretary responsible for matters relating to intergovernmental relations.

5.6 Controller of Budget

The responsibility of the Controller of Budget is to:

- (i) oversee the implementation of the budgets of both the National and County Governments by authorizing withdrawal of all Public funds;
- (ii) Not approve any withdrawal from a public fund unless satisfied that the withdrawal is authorized by law; and
- (iii) Submit to each House of Parliament a report on the implementation of the budgets of the national and county governments.

5.7 Auditor-General

The responsibility of the Auditor-General is to:

- (i) within six months after the end of each financial year audit and report, in respect of that financial year on the

accounts of national and county governments, courts, commissions and independent offices established by the Constitution from public funds, the public debt and any other entity that is funded from public funds, the public debt and any other entity that legislation requires the Auditor General to Audit;

- (ii) audit and report on the accounts of any entity that is funded from public funds;
- (iii) confirm whether or not public money has been applied lawfully and in an effective way; and
- (iv) submit audit reports to parliament or the relevant County Assembly.

5.8 Commission on Revenue Allocation

The functions of the Commission are to:

- (i) make recommendations concerning the basis for the equitable sharing of revenue raised by the national government between the national and county governments and between county governments;
- (ii) make recommendations on other matters concerning the financing of and financial management by county governments; and
- (iii) submit recommendations to the Senate, the National Assembly, the National Executive, county assemblies and county executives.

5.9 Salaries and Remuneration Commission

The mandate of the Commission is to:

- (i) set and regularly review remuneration and benefits of state officers; and

- (ii) advise the national and county governments on the remuneration and benefits of all other public officers

5.10 Central Bank of Kenya

The Central Bank of Kenya (CBK) formulates monetary policy, promotes price stability and issues currency. The Central Bank of Kenya is Independent in the exercise of its functions.

5.11 Consolidated Fund

The Consolidated Fund is the fund into which all money raised or received by or on behalf of the National Government is paid except in cases where an Act of Parliament states otherwise.

5.12 Contingency Fund

The Contingency Fund is designed to meet expenditure for which no provision exists but which must be incurred in the public interest before it is possible to obtain provision through supplementary estimates.

5.13 Equalization Fund

The Equalization Fund receives one- half percent of the revenue collected by the National Government each year calculated on the basis of the most recent audited accounts of revenue received as approved by National Assembly. The fund seeks to address inequalities that may exist between counties and within marginalized areas and groups by funding basic services.

5.14 Revenue Funds for County Governments:

This is a revenue fund for each county government, into which all money raised or received by or on behalf of the county

government, except money reasonably excluded by an Act of Parliament is paid.

5.15 Classification of Government Expenditure

Government Expenditure is classified into:

- (i) Recurrent- This refers to finances needed to pay for the operating costs of running the services of the Government.
- (ii) Development -This refers to the finances needed for implementation of development programmes and projects.

5.16 Sources of Government Revenue

5.16.1 National Government

The main sources of National Government revenue are:

- (i) Taxes (Income Tax, Value Added Tax (V.A.T.), Customs and Excise Duties);
- (ii) Investment Revenue; and
- (iii) Loans, grants and donations.

5.16.2 County Governments

The sources of revenue for county governments are:

- (i) Property rates;
- (ii) Entertainment taxes; and
- (iii) Any other tax authorized by an Act of Parliament.

5.17 Accounting Officer

An Accounting Officer is responsible to the National Treasury for ensuring that:

- (i) No expenditure is made unless it is lawful, authorized, effective, efficient and economical;
- (ii) Proper financial and accounting records are kept;
- (iii) Any financial or accounting records kept in electronic format are adequately protected;
- (iv) Accounts for each financial year are prepared and submitted under the Public Audit Act, 2003 for audit by the Auditor General;
- (v) Adequate arrangements are made on management of liabilities;
- (vi) All contracts are complied with;
- (vii) All applicable procedures are followed in the acquisition and disposal of property and that adequate arrangements are made for the custody, safeguarding and maintenance of property; and
- (viii) Any concerns that s/he may note in his areas of jurisdiction are brought to the attention of the Cabinet Secretary responsible or to the National Treasury.

5.18 Authority to Incur Expenditure

Authority to Incur Expenditure (A.I.E) is the authority given to Accounting Officers by the Paymaster General to effect authorized payments.

5.19 Appropriations -in -Aid

Appropriations-in-Aid (A.I.A) are incidental receipts which could be in the form of fees charged or from the sale of old stores which an accounting officer is allowed to spend in addition to voted provisions.

5.20 Imprest

An imprest is a form of cash advance or a “float” which the Accounting Officer may authorize to be issued to officers who in the course of their duty are required to make payments which cannot be made through cash office or their Department. There are three types of imprests which include temporary (safari), standing, and special imprests.

5.21 Accountable Documents

There are certain documents which are referred to as “accountable documents” in the Government accounting system. They are used for authorizing the release and acceptance of funds, or for the ordering of goods and services. They include:

- (i) Local Purchase Orders (L.P.Os), Local Service Orders (L.S.Os);
- (ii) Authority to incur Expenditure (A.I.E);
- (iii) Cheques;
- (iv) Receipt books;
- (v) Imprest Warrant Form (F.O. 24);
- (vi) Payment Voucher Forms (F.Os 20, 21); and
- (vii) Receipt Voucher Form (F.O. 17, 50).

5.22 Procurement of Goods and Services

Procurement of goods and services in the Public Service involves public money being spent and it is therefore important that value for money is maximized. While price is important, other non-price factors such as quality, quantity, reliability, delivery time, on-going service and support are also critical. The ideal set of circumstances may be compromised if areas of

weakness in planning and supervision, specifications, marketing, tendering and evaluation are not properly taken into account. The Public Procurement and Assets Disposal Act, 2015 establishes procedures for procurement and disposal.

5.23 Disposal and Sale of Public Assets

Public service organizations may dispose of surplus or obsolete stores in accordance with Public Procurement and Assets Disposal Act.

5.24 Integrated Financial Management Information System (IFMIS)

IFMIS is an integrated system that enhances efficiency in planning, budgeting, procurement, expenditure management and reporting in both the National and County governments.

CHAPTER SIX

MONITORING AND EVALUATION OF INDUCTION PROGRAMMES

6.0 Introduction

This Chapter aims at guiding the process of monitoring and evaluating induction programme in the Public Service. Monitoring and Evaluation (M&E) of induction programmes and activities is essential to ensure successful induction of officers in the Public Service. Monitoring and Evaluation will ensure control and provide information needed for improvement and sustainability of induction programmes.

6.1 Monitoring and Evaluation

Monitoring is a continuous progress check to ascertain that the induction programmes are on course while evaluation is the process of periodically obtaining prompt feedback on achievements realized. Evaluation of public servants' induction activities assesses the commitment and accountability of both MDAs and inductees. Evaluation also establishes the extent to which the inductees and MDAs have benefited from induction programmes. These two activities are undertaken on the basis of set objectives and takes place before, during and after training.

6.2 Monitoring the Induction Process

The following methods may be used:

- a) Structured questionnaires.
- b) Discussion.
- c) Personal interview.
- d) Observation.

- e) Informal reactions.
- f) Daily reports.
- g) Staff meetings.
- h) Checklist.

6.3 Evaluation of Induction Training

The main purpose of evaluation is to establish whether the set objectives have been achieved and get to understand the outcomes of the training undertaken.

The following are some of the methods that can be applied:

- a) Structured questionnaires.
- b) Tests.
- c) Open forum for participants.
- d) Personal interviews of the participants.
- e) Reports of the discussions in the plenary.
- f) Observations.

6.4 Framework for Monitoring and Evaluation of Induction Programmes

The M&E framework is designed to ensure that a participatory approach in the implementation of induction programmes is adopted in the Public Service. Focus shall be on the following:

- (i) Definition of the main objectives and targets.
- (ii) Selection of indicators to measure the efficiency and effectiveness of induction activities.

- (iii) Identification of lessons learnt and the reapplication of best practices.
- (iv) The findings from M&E to form the basis for improvement of the induction programme and review of the Handbook.

6.5 Reporting

The respective Authorized Officers shall disseminate the M&E results to the Public Service Commission and stakeholders. This will help to standardize and improve the induction programmes. The inductee is expected to make a report after the induction programme as well as share the experiences from the programme.

REFERENCES AND FURTHER READING

The Constitution
The Public Service Commission Act 2017
The Pensions Act (Cap 189);
Employment Act, 2007(Cap 226)
Labour Relations Act, 2007
Labour Institutions Act, 2007
The Work Injury Benefits Act, 2007
The Occupational Safety and Health Act, 2007
Fair Administrative Action Act, 2015
Public Officer Ethics Act, 2003
Anti-corruption and Economic Crimes Act, 2003
Public Service (Values and Principles) Act, 2015
Widows and Children's Pension Scheme (Cap.195)
National Social Security Fund Act, 2013
National Hospital Insurance Fund Act (Cap 255)
The Persons With disabilities Act No. 15, 2003
Leadership and Integrity Act, 2012
Human Resource Policies and Procedures Manual for the Public Service May, 2016
Human Resource Development Policy for the Public Service June, 2015
Discipline Manual for the Public Service May, 2016
Diversity Policy for the Public Service May, 2016
Internship Policy and Guidelines for the Public Service May, 2016
Framework for the Development and Review of Terms and Conditions of Service in the Public Service May, 2016

Performance Rewards and Sanctions Framework for the Public Service May, 2016

Guidelines on Staff Appraisal System (SPAS) in the Public Service May, 2016

Guidelines on Declaration of Income, Assets and Liabilities May, 2009

Delegation of Public Service Commission Human Resource Functions to the Cabinet Secretary August, 2015

Government circulars issued from time to time

Government Office Manual

Public Financial Management Act, 2012,

The public Procurement and Asset Disposal Act, 2015

The Public Procurement and Disposal Regulations, 2006

The Public Procurement and Disposal (Amendment) Regulations, 2013

Standard Bidding Documents

Treasury Circulars (issued from time to time)

County Government Act, 2012

Government Office Manual

Handbook on Governing Responsibility in Kenya, 2005

Intergovernmental Relations Act, 2012

Office of the Attorney General Act, 2012

Public Service Commission's Code of Conduct and Ethics (2004)

Sourcebook on Public Service Integrity Programme

www.publicservice.go.ke