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PUBLIC SERVICE COMMISSION

**DIVERSITY POLICY
FOR THE PUBLIC SERVICE**

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DEFINITION OF TERMS

Affirmative—includes any measure designed to overcome or ameliorate an inequity or the systemic denial or infringement of a right or fundamental freedom.

At all levels—refers to representation at the support, technical, middle management, senior management and policy levels.

Disability—includes any physical, sensory, mental, psychological or other impairment, condition or illness that has, or is perceived by significant sectors of the community to have, a substantial or long-term effect on an individual's ability to carry out ordinary day-to-day activities.

Discrimination—to accord different treatment to different persons solely or mainly as a result of different abilities and disabilities, gender, youth, minority and marginalized.

Diversity—means recognising and embracing the contribution of people with differences in background, experience and perspectives.

Equality—includes providing equal opportunities and enjoyment of all rights and fundamental freedoms to all irrespective of race, sex, pregnancy, marital status, health status, ethnic or social origin, color, age, disability, religion, conscience, belief, culture, dress, language or birth.

Ethnicity—refers to shared cultural practices, perspectives, language and distinctions that set apart one group of people from another.

Gender: The social roles attributed to being masculine or feminine.

Mainstreaming—it is the consistent integration of youth, persons with disabilities, minorities, marginalized and

gender in the design, implementation, monitoring and evaluation of policies, plans, programmes, activities and projects at all levels.

Marginalized community: as defined in Article 260 of the Constitution is—

- (a) a community that, because of its relatively small population or for any other reason, has been unable to fully participate in the integrated social and economic life of Kenya as a whole;
- (b) a traditional community that, out of a need or desire to preserve its unique culture and identity from assimilation, has remained outside the integrated social and economic life of Kenya as a whole;
- (c) an indigenous community that has retained and maintained a traditional lifestyle and livelihood based on a hunter or gatherer economy; or pastoral persons and communities, whether they are—
 - (i) nomadic; or
 - (ii) a settled community that, because of its relative geographic isolation, has experienced only marginal participation in the integrated social and economic life of Kenya as a whole.

Marginalized group—as defined in Article 260 of the Constitution is - a group of people who, because of laws or practices before, or after the effective date, were or are disadvantaged by discrimination on one or more of the grounds in Article 27 (4) of the Constitution.

Participation—refers to enrolment, retention, progression, performance and transition.

Proportionate representation—refers to representation of the community in the public service relative to their national population size.

Race—refers to groups of people who have differences and similarities in biological traits deemed by society to be socially significant.

Sex—Biological orientation of being male or female.

Youth—the collectivity of all individuals in the republic of Kenya who have attained age of 18 years and have not attained the age of 35 years.

ABBREVIATIONS

CEDAW	Convention of the Elimination on all Forms of Discrimination against Women
KNBS	Kenya National Bureau of Statistics
NCPWD	National Council for Persons with Disabilities
PSC	Public Service Commission
PWD	Persons with Disability
SCAC	State Corporations Advisory Committee
UNCPRD	United Nations Convention on the Rights of Persons with Disabilities

FOREWORD

The Public Service Commission (PSC) is mandated to, among others, promote and evaluate the extent to which the values in Articles 10 and 232 of the Constitution are complied with in the public service. Article 10 calls for respect of human rights, inclusion, social justice and protection of the vulnerable groups. Article 232 demands that the public service must be representative of the diverse Kenyan communities and that adequate and equal opportunity in appointment, training and advancement, at all levels of the public service to men and women, members of all ethnic communities and persons with disabilities.

In order to give effect to the constitutional requirements, the Public Service Commission found it necessary to develop a policy to manage diversity. The policy establishes strategies for attracting the diverse groups into the public service as well as measures aimed at creating an environment that is conducive and respects diversity.

Implementation of this policy requires that all human resource policies, procedures and practices be aligned to the principles of diversity as envisaged in the Constitution in order to remove any systemic barriers that may hinder achievement of a representative public service.

The achievement of the objectives and strategies outlined in this policy calls for concerted efforts by all public service organisations, agencies and other stakeholders. Authorized officers in ministries and State Departments and Chief Executive Officers of State Corporations and Agencies therefore have the responsibility of implementing the policy and where necessary customizing it to the specific needs of their organizations.

The State Departments and other public service organizations and agencies will be expected to monitor, evaluate and submit quarterly reports to the Public Service Commission.

It is expected that the implementation of the policy will not only foster a sense of belonging and achieve improved participation of all diverse groups in the public service, but also help build a cohesive society that contributes to the development of an integrated Kenyan society.

A handwritten signature in black ink, appearing to read 'Margaret Kobia', with a small dot at the end.

PROF. MARGARET KOBIA, PHD, CBS
CHAIRPERSON, PUBLIC SERVICE COMMISSION

CHAPTER ONE

INTRODUCTION

1.1 Background

Workplace diversity is a central issue in human resource management in any organization in the 21st Century. The call for workforce diversity has arisen in part from social movements which challenge traditional patterns of exclusions in most important institutions of society including work institutions and public employment. Organized societies have promoted change in legislation, social values and roles in the workplace. Civil rights, women's and persons with disabilities movements have to a large degree put pressure to broaden composition of the labour force. This has led to opening up of opportunities for groups which previously had been excluded from accessing societal resources and opportunities.

Progress has been made in terms of ensuring that groups previously marginalized gain employment in the public sector, but studies have shown that the said groups upon entering the service have encountered new challenges in career advancement. Issues of organizational justice and fairness have thus become important in public agencies.

When addressing workplace diversity, emphasis is often placed on groups of people who, for historical, cultural and systemic reasons, have been excluded from the workforce or face barriers or discrimination that limit their full participation in the labour market. Diversity initiatives commonly refer to the policies, programs and strategies designed to promote representative diversity within organizations. Achieving diversity however, is a double edged sword where increased diversity creates challenges

at both organizational and interpersonal levels. There is therefore need to have in place strategies of managing conflicts between the diverse groups of employees.

Kenya as a member of the international community has ratified treaties and conventions that call for inclusion of all members of society in all sectors including public sector appointments. However, in the old dispensation, there was no legislation or policy to give effect to some of these international treaties and conventions. This led to disproportionate representation in the public sector in terms of gender, ethnicity and persons with disabilities.

With regard to ethnic representation for example, it was noted by the National Cohesion and Integration Commission (NCIC) in a survey conducted in 2011 that inequalities in employment exist in the public sector. The survey established that:

Over 50 per cent of Kenya's ethnic groups are only marginally represented in the Civil Service — the country's largest employer. Only 20 out of over 40 listed Kenyan communities are statistically visible in the Civil Service. Some 23 communities have less than one per cent presence in the Civil Service.

With regards to gender, the Truth, Justice and Reconciliation Commission (TJRC) Report states that although Kenya has ratified many international human rights instruments and has enacted various domestic laws that promote the rights of women, the existence of structural and systemic discrimination against women prevented them from fully enjoying their rights.

For Persons with disabilities, prior to enactment of the Persons with Disabilities Act, 2003, there was no policy on

their appointments in the public sector. The Act requires that at least five percent (5%) of appointments in the public sector should comprise persons with disabilities. However, the numbers of persons with disabilities employed in the public sector has remained low. In a survey carried out by the Public Service Commission in 2014, it was established that for the institutions that fall under the commission's jurisdiction, the aggregate percentage is less than one per cent (1%).

The inequalities could be attributed to various factors including past laws, policies and practices which were discriminative. The Constitution of Kenya, 2010 addresses the past inequalities under Articles 10 and 232 on national values and principles of governance, and public service values and principles respectively. The said articles call for strong national identity; effective representation and leadership; equitable allocation of resources and opportunities; good governance; sustainable development; and protection of the marginalized and vulnerable groups.

Management in public service institutions should therefore strive at achieving a work force that is representative of all the citizens in terms of professional and academic merits, disability, gender, ethnicity, race, religion, minority and the youth. Public Service is required to promote diversity by reviewing its recruitment procedures, selection criteria, training opportunities, promotion criteria among other factors.

1.2 Rationale

Article 232 of the Constitution provides that subject to representation of Kenya's diverse communities and affording adequate and equal opportunities to men, women, members of all ethnic groups and persons with disabilities, fair competition and merit are the basis of

appointment and promotion. Articles 27 (8), 54, 55 and 56 provide that members of appointive bodies shall not be more than two thirds of the same gender; at least five percent are persons with disabilities; and youth, minorities and marginalized groups be provided with special opportunities for access to employment.

Currently, there are about 700,000 persons serving in the public sector (KNBS 2015), who are from varied ethnic groups and races, persons with disabilities, the marginalized and minorities. A survey by the Public Service Commission in 2013–14 established that the constitutional requirements of two third (2/3) gender rule have not been fully met though some progress has been made. With regard to ethnic composition, different surveys conducted by PSC and the National Cohesion and Integration Commission have established that some communities are over represented while others are underrepresented especially people from marginalized areas. As regards Persons with Disabilities, the survey established that the total percentage of persons with disabilities employed is less than one per cent.

A Public Service workforce that respects the country's diversity will accord support, understanding and unity in diversity, leading to improved service delivery. Further, a service that values and capitalizes on employee's diversity will attract and retain productive employees. However, merely diversifying the workforce is not enough; there is need to ensure that diversity helps enhance organizational performance. Consequently the human resource practices and organizational structures need to change in order to accommodate and manage the diverse groups and views.

1.2 Objectives

1.2.1 General Objective

To build a Public Service that is inclusive and representative of the diversity of the Kenyan people for efficient and effective service delivery.

1.2.2 Specific Objectives

- (i) To provide strategies for ensuring an inclusive public service that takes care of the interests of diverse Kenyan communities including gender, ethnicity, youth, persons with disabilities, minority and marginalized groups.
- (ii) To provide mechanisms for institutionalization and mainstreaming of diversity management in the public service for efficient and effective service delivery.
- (iii) To provide for an effective monitoring and evaluation framework.

1.3 Scope

This Policy shall apply to the public service, except the public service institutions listed in Article 234 (3) of Constitution. However, these institutions are free to adopt the provisions of this policy.

1.4 Legal Framework

1.4.1 The Constitution of Kenya lays the foundation for ensuring that the public service is diverse. Article 232 expressly provides that the public service should be representative of the diverse Kenyan communities. Article 10 obligates public institutions to promote inclusiveness, non-discrimination and protection of the vulnerable and marginalized groups.

1.4.2 Articles 54 to 57 of the Constitution specify the groups of persons who qualify for special application of rights, namely; children, persons with disabilities, youth, minorities and marginalized groups and older members of society.

1.4.3 To ensure that the public service is representative, the Constitution calls for adoption of special measures including affirmative action in order to provide groups that were previously marginalized with special opportunities for employment. Article 27 4(d) outlaws discrimination on any ground while 27(6) obligates the state to take measures including affirmative action programmes and policies designed to redress any difficulties suffered by individuals or groups because of past discrimination.

1.4.4 Article 54(2) requires that five per cent (5%) of the appointments made in the public sector should comprise persons with disabilities. Article 55 calls on the state to take measures including affirmative action to ensure that the youth access employment. In addition, article 56(c) obligates the state to take affirmative action measures to ensure that the minorities and marginalized groups are provided with special opportunities for employment.

1.4.5 Prior to the promulgation of the Constitution, Parliament had already enacted some laws aimed at engendering diversity at the workplace. The Acts include: Persons with Disabilities Act 2003, Employment Act 2007, National Cohesion and Integration Act, 2008.

1.4.6 The Employment Act, 2007 demands that employers promote equal opportunity in order to eliminate discrimination in employment policies and practice. Direct or indirect discrimination with regards to recruitment, training, promotion, terms and conditions of service, and other matters arising out of employment is prohibited. The

Act clarifies that taking affirmative action measures consistent with promotion of equality or elimination of discrimination at the workplace is not discrimination. The National Cohesion and Integration Act, 2008 requires public institutions to ensure representation of the diverse Kenyan people in employment.

1.4.7 The National Gender and Equality Act, 2011 established the National Gender and Equality Commission whose functions include inter alia, promoting equality and freedom from discrimination and mainstreaming issues of gender, persons with disabilities and other marginalized groups in national development including development of affirmative action policies.

1.4.8 The Public Officer Ethics Act, 2003 seeks to create an environment that nurtures respect for diversity. It requires a public officer to discharge his or her duties in a professional manner and to treat the public and fellow public officers with courtesy and respect. The Public Service (Values and Principles) Act, 2015 gives effect to Article 232 of the Constitution. The Act allows public institutions, for purposes of ensuring representation of men and women, persons with disabilities and members of all ethnic communities, not to unduly rely on merit in making appointments.

CHAPTER TWO

STRATEGIES AND MECHANISMS FOR PROMOTING DIVERSITY IN THE PUBLIC SERVICE

2.1 Introduction

Managing Diversity is aimed at creating and sustaining an environment where everyone can contribute fully and achieve his or her full potential. Employees are happier and more productive if they are appreciated and included, not assimilated and tolerated. The principle of managing diversity is therefore about adopting and fostering it in the workplace, and using that diversity to improve public service and other institutional outcomes.

Therefore, there is need for public institutions to take deliberate strategies and measures in order to create conducive work environment that embraces diversity.

2.2 General Policy Statement

Every public service institution shall foster, cultivate and preserve a culture of respect for diversity by embracing and encouraging an inclusive workforce in terms of age, color, minority and marginalized, disability, ethnicity, family or marital status, gender, language, physical and mental ability, race, religion, socio-economic status, and other characteristics that make its human resource unique.

2.2.1 Youth Diversity

The public service comprises of employees of varying age groups. The Constitution provides for equal opportunity for all in public service employment including the youth.

(i) Policy Statement

Every public service institution shall ensure representation of the youth at the work place.

(ii) Strategies

Every public service institution shall:

- (a) Establish attachment and mentorship programmes to offer college and university students opportunity to serve in public service organizations during their study periods.
- (b) Implement the public service internship policy.
- (c) Implement the public service Human Resource Development policy.
- (d) Take affirmative action measures to ensure representation of the youth at all levels of the institution.
- (e) Improve the work environment by putting in place infrastructure and facilities to maximize productivity of youthful employees.
- (f) Afford opportunities for appointment, training and promotion of youthful employees to facilitate career progression.
- (g) Develop and implement a succession management plan to attract, retain and progressively engage the youth at the workplace.
- (h) Deploy policies and practices to facilitate diversity in terms of age, skills, knowledge, experiences and leadership attributes.
- (i) Implement recruitment and selection policies and processes that are fair and equitable.

- (j) Develop exit management programmes that address the youth on entry and mobility.

2.2.2 Persons with Disabilities

(i) Policy Statement

Every public service institution shall adopt measures aimed at facilitating the realization of the constitutional principles of ensuring an inclusive public service and that at least five per cent (5%) of appointments in the public sector shall comprise persons with disabilities. Where a public service institution has not met the requirement, the institution shall take such measures, including adopting affirmative action programmes, to ensure progressive realization within five (5) years after coming into force of this policy.

(ii) Strategies

- (a) Every public service institution shall:
- (b) 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 with the National Council for Persons with Disabilities (NCPWD).
- (c) Adopt shortlisting criteria that do not in any way disadvantage candidates with disabilities either directly or indirectly.
- (d) Provide reasonable accommodation for candidates with disabilities to attend and participate effectively in the interview process including use of assistive and support devices such as sign language interpreter, braille, presence of personal aide or service animal.

- (e) Shortlist adequate numbers of persons with disabilities to progressively achieve the principle that at least five per cent (5%) of appointments in the public sector shall comprise persons with disabilities.
- (f) Take affirmative action measures to ensure representation of persons with disabilities which may include ring-fencing jobs for priority employment and promotion.
- (g) Induct every interview and selection panel on disability etiquette to be sensitive on issues of disabilities while conducting interviews.
- (h) Make accessible premises and information to all persons.
- (i) Conduct orientation and induction programmes for persons with disabilities and provide them with information essential for performance of their jobs.
- (j) Procure goods, services and works that observe and uphold the principle of universal design and reasonable accommodation in the work environment.
- (k) Sensitize employees on disability etiquette.
- (l) Afford persons with disabilities with special opportunities for attachment and internship.

2.2.3 Gender Diversity

The PSC baseline survey 2013–14 indicates that the ratio of men to women in the public service stood at 70:30 with the ratio of women reducing to 23 per cent at policy making levels. The constitution provides for the principle that not more than two-thirds ($\frac{2}{3}$) of members of appointive positions shall be of the same gender.

(i) Policy Statement

Every public service institution shall implement the principle that not more than two-thirds ($\frac{2}{3}$) of its employees shall be of the same gender at all levels; ensure that gender issues are mainstreamed at the workplace and take appropriate measures including affirmative action to ensure gender equality; and uphold, observe and protect the right of women to health and safety in working conditions, including the safeguarding of the function of reproduction.

(ii) Strategies

Every public service institution shall:

- (a) Within one year of coming into force of this policy, determine its gender balance ratios; establish the extent of the imbalance and put in place time bound affirmative action programmes to ensure that the ratio of men to women progressively achieve the principle that not more than two-thirds ($\frac{2}{3}$) of its employees shall be of the same gender at all levels.
- (b) Prohibit imposition of sanctions or dismissal on the grounds of pregnancy, maternity/paternity leave or marital status and observe the requirement of maternity and paternity leave with pay.
- (c) Treat all employees including women equally with regard to pay, benefits, transfers, training, education, and social programs.
- (d) Within three (3) years of coming into force of this policy, take necessary measures to provide supporting social services to enable parents to combine family obligations with work

responsibilities, in particular through establishment and development of baby-care facilities.

- (e) Provide protection to women during pregnancy in types of work proved to be harmful to their status.

2.2.4 Ethnic Diversity

The Kenya Public Service comprises of employees from diverse ethnic communities and groups. There are 42 ethnic groups, a variety of races, marginalized and minorities groups and communities (KNBS 2009). All these diverse groups contribute positively to the economic, political, social and cultural development of the country.

(i) Policy Statement

Every public service institution shall ensure fair and equitable representation of the diverse Kenyan ethnic communities and groups including minorities and marginalized groups, proportionate to their national population size.

(ii) Strategies

Every public service institution shall:

- (a) Take affirmative action measures to ensure proportionate representation of members of unrepresented and under-represented ethnic communities, minorities and marginalized groups.
- (b) Advertise available job vacancies in a manner that will reach the diverse ethnic groups including using established Government channels, television, radio and the internet.
- (c) Adopt a shortlisting criterion that does not in any way disadvantage the diverse communities and groups.

- (d) Create conducive work environment that accommodates diverse groups through the use of official languages at the work place.
- (e) create awareness on the need for work place diversity.

2.3 Mechanisms for Institutionalizing Diversity in the Public Service

To institutionalize diversity in the public service, the following mechanisms shall be implemented:

2.3.1 Leadership and Management Commitment

Public service institutions leadership and management shall champion diversity by infusing it into all organizational processes and integrating into core values of the organization. They shall communicate the organization vision, provide visibility and commit time and resources in regard to diversity. Diversity will be both a top priority and a personal responsibility for the managers.

2.3.2 Employee Involvement

Employee involvement is critical for the success in managing diversity which shall be achieved through inspired workforce operating in an environment based on mutual trust, respect, openness, empowerment, teamwork, innovation, risk taking, integrity, and encouraging and valuing diversity.

2.3.3 Diversity as Part of an Organization's Strategic Plan

Public service institutions shall ensure development of diversity strategy and plans that are aligned with the organization's Strategic Plan. Successful diversity planning

shall be aligned with and provide support for strategic organization objectives and operational decisions.

2.3.4 Diversity Linked to Performance

A more diverse and inclusive work environment yields greater productivity and helps improve both individual and organizational performance. Diversity shall be mainstreamed in public service institutions performance management systems and its instruments developed in a format accessible to all groups.

2.3.5 Promotion and Career Development

Public service institutions shall focus on the talents and experiences of employees when making decisions on promotions and career development. Every public institution shall take deliberate steps to ensure that all groups of public officers are afforded equal opportunity in terms of skills, competencies and experiences to advance their careers. Where, for instance a role has been undertaken mainly by one of the identified groups in this policy, efforts shall be made to encourage other groups to develop their competencies and apply.

2.3.6 Training and Capacity Building

Public service institutions shall focus on the developmental needs of both the individual and the organization. All training materials shall be in a language and images that reflect the diversity of the employees and clients. Every effort should be made to accommodate specific training needs of employees with disability and other under-represented groups.

2.3.7 Monitoring, Evaluation and Reporting

Public service institutions shall carry out audits periodically to establish levels of compliance with the

various standards and guidelines on diversity. The monitoring and evaluation reports shall be submitted to the Public Service Commission annually for record and reporting to parliament. Every public institution shall conduct a baseline survey to determine the percentage of persons with disabilities employed in the institution.

2.3.8 Communication and Awareness

Public service institutions shall take steps to ensure that the strategy for mainstreaming diversity in the workplace is communicated to all members of staff in a language which can be easily understood including using modern technology, braille, kenyan sign language, large prints and other modes of communication.

2.3.9 Review of HR Regulations, Policies, Rules and Practices

Every public institution shall review all policies, rules, regulations and practices on HR to ensure that they do not contain elements of discrimination against any group. The institution shall evaluate the effectiveness of its workplace strategy for mainstreaming diversity and make improvements where necessary.

CHAPTER THREE

INSTITUTIONAL FRAMEWORK

3.1 Introduction

The overall responsibility of implementing this policy lies with the Public Service Commission which may delegate to Authorized Officers and other State Agencies. The commission will collaborate with other public service institutions, including, National Gender and Equality Commission, National Cohesion and Integration Commission, Kenya National Human Rights Commission and Directorate of National Cohesion and National Values.

The roles of the different actors are as outlined below:

3.2 Public Service Commission

The PSC is responsible for:

- (i) Promoting respect for diversity in the public service;
- (ii) Aligning all human resource policies, procedures and practices to comply with the diversity policy;
- (iii) Monitoring, evaluating and reporting on the implementation of the policy in the Public Service to the President and Parliament;
- (iv) Implementing public service regulations, policies, systems and practice that are responsive to the needs of the diverse groups;
- (v) Reviewing the Diversity Policy; and
- (vi) Establishing structured linkages with commissions, authorities and independent offices.

3.3 Ministry Responsible for Public Service

The Ministry for Public Service is responsible for:

- (i) Providing technical support to Ministries, Departments and Agencies in implementation of the Diversity Policy;
- (ii) Co-ordinating the implementation of the Diversity Policy in Ministries, Departments and Agencies; and
- (iii) Preparing and forwarding periodic reports on implementation of the Diversity Policy to the PSC;
- (iv) Mainstreaming Diversity Policy in performance contracting.

3.4 Authorized Officers

Authorized Officers are responsible for:

- (i) Implementing PSC decisions on diversity;
- (ii) Mainstreaming the Diversity Policy in all human resource policies, procedures and practices;
- (iii) Promoting respect for diversity in the business processes of the institution;
- (iv) Applying progressively the principle that at least five per cent (5%) of appointments in the public service comprise persons with disabilities; and
- (v) Applying the principle that not more than two-thirds (2/3) of employees are of the same gender at all levels;
- (vi) Applying progressively the principle that all ethnic communities are represented based on the population ratios.

3.5 State Corporations Advisory Committee (SCAC)

State Corporations Advisory Committee is responsible for:

- (i) Mainstreaming the Diversity Policy in all human

resource policies, procedures and practices in state corporations;

- (ii) Promoting respect for diversity in the business processes in all state corporations;
- (iii) Preparing and forwarding periodic reports on implementation of the Diversity Policy in state corporations to the PSC;
- (iv) Applying progressively the principle that at least five per cent (5%) of appointments in state corporations comprise persons with disabilities; and
- (v) Applying the principle that not more than two-thirds (2/3) of employees are of the same gender at all levels in state corporations.
- (vi) Applying progressively the principle that all ethnic communities are represented based on the population ratios.

3.6 National Council for Persons With Disability

The National Council for Persons with Disability is responsible for:

- (i) Providing inventory on persons with disabilities;
- (ii) Collecting, collating and disseminating information to the members on vacancies available in the public service;
- (iii) Sensitization of public institutions on mainstreaming disability issues in the public service.

3.7 Individual Public Officers

Individual Public officers are responsible for:

- (i) Observing respect for diversity in all their undertakings;

- (ii) Reporting cases of discrimination in the work place;
- (iii) Providing timely information required in the evaluation of the implementation of this policy.

CHAPTER FOUR

MONITORING, EVALUATION AND REPORTING

4.1 Introduction

Implementation of this policy will be monitored, evaluated and reported on periodically to assess achievement of the objectives. Data will be obtained from reports submitted by ministries, departments and agencies (MDAs), field visits and surveys. The monitoring and evaluation will require commitment of all the implementing institutions as provided for through the established institutional framework. MDAs will submit reports on quarterly basis or as requested by PSC which will release an annual evaluation report on the implementation of this policy.

4.2 Monitoring, Evaluation and Reporting Framework

The monitoring, evaluation and reporting framework indicated in Table 1 will enable the Public Service Commission, ministries, departments and agencies implement the policy within the stipulated timelines so that diversity is achieved in the public service. The framework sets out the policy issues, recommended strategies, implementation timelines, performance indicators and performance outputs.

4.3 Review of the Policy

This policy shall be reviewed every three (3) years or as need arises in order to address emerging issues.

MONITORING, EVALUATION AND REPORTING FRAMEWORK

Table 1 — Sample Monitoring, Evaluation and Reporting Framework After First Year of Implementation

S. No.	Policy Issue	Recommended Strategy	Performance Indicator	Performance Output
1.	Promote diversity of youth at the work place.	Implementation of attachment and internship policy	Number of attachees and interns placed in public institutions	Percentage of attachees and interns successfully trained on the job
		Representation of youth at all levels of the institution	Number of youths represented at various levels in the institution	Percentage increment of youths represented at various levels in the institution
		Management development program	Management development program plan in place	Number of employees trained under the program
2.	Attainment of at least five per cent of	Recruitment and selection	Number of applications received, shortlisted and	Percentage of persons with disabilities appointed

S. No.	Policy Issue	Recommended Strategy	Performance Indicator	Performance Output
	persons with disabilities in the public service		appointed from the target group	
		Adoption of the principle of universal design and reasonable accommodation	Number of goods and services procured that are of universal design Number of officers provided with reasonable accommodation Progressive improvement of the work environment	100% compliance with the provisions of Persons With Disabilities Act, 2003
		Sensitization on disability etiquette	Number of channels for making the complains Orientation; induction programmes	Percentage reduction of complains from persons with disability
3.	Two-thirds	Establish gaps in	Baseline	Percentage decrease of

S. No.	Policy Issue	Recommended Strategy	Performance Indicator	Performance Output
	$(\frac{2}{3})$ gender principle	gender representation	survey report	gender imbalance
		Recruitment and selection	Recruitment and selection that meets the $\frac{2}{3}$ gender principle	$\frac{2}{3}$ Gender ratio attained
		Establishment of day-care facilities for children below three years	Existence of day-care facilities	Improved work life balance
4.	Representation of Kenya's diverse groups, the marginalized, minorities and ethnic communities	Affirmative action programmes on diverse groups, the marginalized, minorities and ethnic communities	Percentage increase in diverse groups, the marginalized, minorities and ethnic communities in the public service	Proportion of minority and marginalized groups and ethnic communities in the service
		Sensitization on workplace diversity	Number of sensitization forums mounted on workplace diversity	Reduction of complains in the workplace

APPENDIX I

Determination of Minorities and the Marginalized Groups and Communities

1. The Commission for Revenue Allocation has determined marginalized counties in the policy on the criteria for identifying marginalized areas and sharing of the equalization Fund. The fourteen counties identified as marginalized are — Turkana; Mandera; Wajir; Marsabit; Samburu; West Pokot; Tana River; Narok; Kwale; Garissa; Kilifi; Taita Taveta; Isiolo; Lamu

The indigenous communities in these areas are:

S/No.	COUNTY	ETHNIC GROUPS
1.	Turkana	Turkana and El Molo
2.	Mandera	Somalis
3.	Wajir	Somalis
4.	Marsabit	Borana, Rendile
5.	Samburu	Samburu
6.	West Pokot	Pokot
7.	Tana River	Orma, Pokomo, Gala, Gosha, Konso
8.	Narok	Maasai
9.	Kwale	Digo, Duruma, Dahalo, Jibana and Kambe
10.	Garisa	Somalis
11.	Kilifi	Giriama, Rabai, Ribe, Kauma, Chonyis
12.	Taita Taveta	Taitas and Tavetas
13.	Isolo	Gabra Boranas, Somalis
14.	Lamu	Boni, Bajuni, Amu

2. Determination of minorities and marginalized groups based on population size (insert formula)—Basuba; Walwana; Mbeere; Nubi; Tavetas; Tharakas; Ilchamus; Borana; Burji; Dasenache; El Molo; Gabra; Galla; Gosha; Konso; Orma; Rendile; Sakuye; Waata; Galjeel; Kenyan Arabs; Kenyan Asians; Kenyan Europeans; Kenya Americans.

3. Determination of minorities and marginalized communities based on preservation of unique cultural identity:- Maasais, Turkanas, Samburus, El Molos, Bonis, Ogieks, Dorobos, Pokots.

4. Determination of the minority and marginalised groups based on hunter gatherer economy:- Dorobos, Ogieks, Boni.

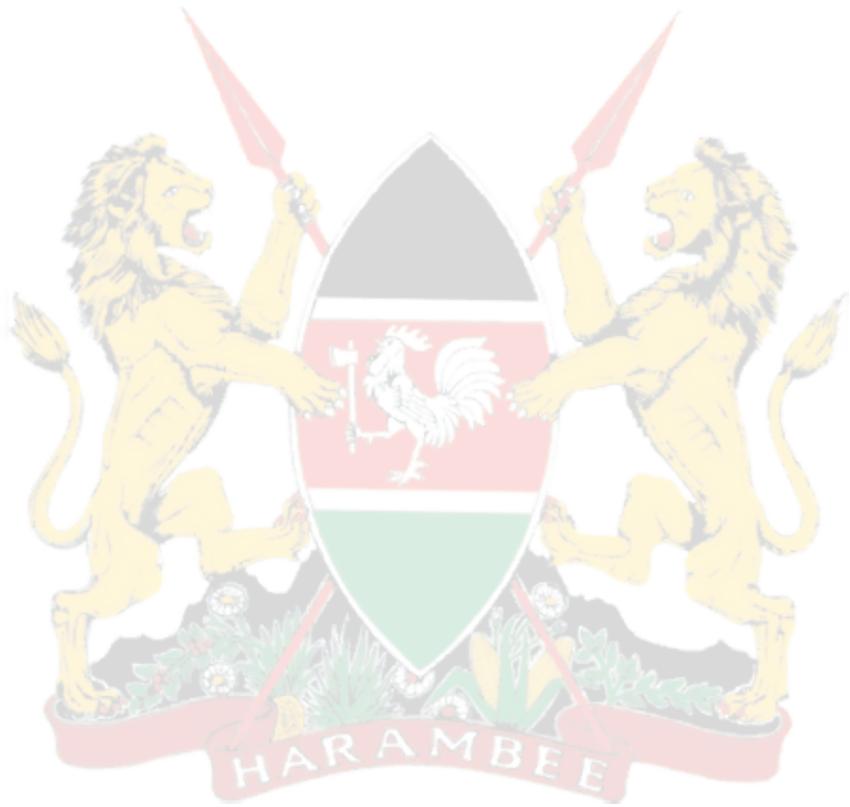
5. Determination of minority and marginalised groups based on pastoralist way of life.

Maasais, Turkanas, Samburus, Pokots, Somalis, Ormas Boranas Gabras, Rendile, Burji.

6. Determination of minority and marginalised groups based on the criteria of those disadvantaged by past laws, policies and practices. These are Groups resident in the former designated northern frontier districts comprising of present day.

Turkana, Marsabit, Wajir, Mandera, Garissa, Isiolo and Samburu counties.

7. Determination minority and marginalised groups based on discrimination on the basis of any one or more of the grounds listed in article 27 (4) and which includes race, sex, pregnancy, marital status health status, ethnic or social origin, colour, age, disability religion, conscience, belief, culture, dress, language or birth.



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