



PUBLIC SERVICE COMMISSION

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All Authorized Officers

**COMMENTS ON THE PROPOSED FRAMEWORK FOR INVESTIGATING,
MONITORING AND EVALUATION OF THE ORGANIZATION, ADMINISTRATION
AND PERSONNEL PRACTICES OF THE PUBLIC SERVICE**

The Public Service Commission is mandated to investigate, monitor, and evaluate the organization, administration and personnel practices of the Public Service in accordance with Article 234 (d).

The Commission has developed a draft framework towards the realization of the following objectives:

- (i) To ensure that public service institutions are complying with the Constitution, the PSC Act 2017, PSC Regulations, 2020 and Commission Policies;
- (ii) To provide uniformity in auditing, investigation, monitoring and evaluation of the Commission policies, regulations, guidelines and procedures in the areas of organization, administration and personnel practices; and
- (iii) To provide a standard M&E framework that informs implementations of the recommendations to the President and Parliament contained in the Commission's annual reports.

This is therefore to seek your input by 31st January, 2022 to facilitate the finalization of the attached Draft Framework (also available in the Commission's website).

Please bring the content of this circular to the attention of staff in your institution for their participation.

dm

**Dr. Simon K. Rotich, CBS
SECRETARY/CEO
PUBLIC SERVICE COMMISSION**

Encl.



REPUBLIC OF KENYA

**A FRAMEWORK FOR INVESTIGATING, MONITORING AND
EVALUATION OF THE ORGANIZATION, ADMINISTRATION AND
PERSONNEL PRACTICES OF THE PUBLIC SERVICE**

PUBLIC SERVICE COMMISSION

REVISED JANUARY, 2022

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EVALUATION OF THE ORGANIZATION, ADMINISTRATION AND
PERSONNEL PRACTICES OF THE PUBLIC SERVICE**

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FOREWORD

The Constitution, under Article 234(2)(d), vests in the Public Service Commission (PSC) the mandate to investigate, monitor and evaluate the organization, administration and personnel practices of the public service. The functions can best be carried out effectively using well-defined investigation, monitoring and evaluation framework. To guarantee greater efficiency in carrying out this mandate, the Commission has delegated some of its responsibilities under the decentralization of human resource management policy to Ministries, State Departments and Agencies (MDAs) as per Article 234(5). An Investigation, Monitoring, Evaluation and Reporting Framework is therefore necessary to support the oversight role of the Commission to ensure that its constitutional mandate is fully implemented and reported to the President and Parliament annually.

The key objective for developing this compliance framework is to ensure the Commission has a robust investigation, audit, and monitoring and evaluation mechanism to oversee the implementation of its mandate for improved service delivery to the Citizens. The framework is intended to guide all the Ministries, Government Departments and Agencies under the jurisdiction of the Commission (except the ones under Article 234(3) of the Constitution) to effectively perform their human resource mandate. An efficient and effective investigation, monitoring and evaluation tool for performance management and improvement in service delivery goes a long way in supporting the Commission's internal decision-making process.

This framework therefore is a guide in conducting investigation, monitoring and evaluation and audit of various processes undertaken with regard to the oversight and compliance role in order to achieve effective coordination and implementation of the Commission's mandate. The framework also provides indicative reporting linkages by MDAs and areas of reporting.

I wish to reiterate the importance of MDAs and other government institutions in aligning their mandate to be citizen-centric to ensure that citizens get value for their money. Lastly, I acknowledge the efforts of members of the Compliance and Quality Assurance Committee and its secretariat team who made it possible for this framework to be completed.

Chairperson, Public Service Commission

PREFACE

The Public Service is constantly undergoing re-engineering in order to meet expectations of the citizenry and to adapt to the ever-changing work environment. In order to understand the dynamics of contemporary public service, it is prudent that institutions mandated with overseeing the implementation of human resource policies be well equipped.

Article 234 (2) (d) of the Constitution mandates the Public Service Commission to investigate, monitor and evaluate the organization, administration and personnel practices of the public service. However, this exercise has focused more on personnel practices at the detriment of administration and organization practices.

Citizens are increasingly becoming aware of their rights to receive quality services from government. To meet this constitutional requirement, government institutions must inculcate the culture of good governance, accountability, transparency, effectiveness and efficiency in their service delivery. Oversighting these institutions is therefore essential in transforming the service to be efficient and effective for the economic development of the country.

The framework established herein comes at a time when the Commission, through implementation of the 2018-2023 Strategic Plan, has put in place measures and strategies aimed at improving service delivery. The goal is to ensure that services rendered by public service institutions are citizens centric as well as efficient and effective.

This framework has been developed as a point of reference and also to guide Commission and the MDAs in accomplishment of the investigation, monitoring and evaluation of the organization, administration and personnel practices of the public service.

The framework is subject to review from time to time as a result of the dynamic nature and emerging innovations in the public service.

Dr. Simon K. Rotich, CBS
Secretary, Chief Executive Officer

Definition of Terms

Terms	Definition
Compliance Framework	A guide into the PSC procedures while carrying out its oversight function
Compliance Audit	Process of establishing any material deviations from existing guidelines with regard to personnel, administrative and organization practices
Independent Offices	Offices established under Article 253 of the Constitution
Investigations	Detailed process of establishing specific facts of an omission or commission within human resource management function
M&E	Regular self-reporting process on various areas of human resource management and development
MDAs	Ministries, State Departments and Agencies
SAGAS	Semi-Autonomous Government Agencies
Statutory Commissions	Government Institutes established through statute and not included under the Constitution

EXECUTIVE SUMMARY

The Public Service Commission (PSC) is a constitutional Commission established under Article 234 of the Constitution. One of the functions of the Commission is to investigate, monitor and evaluate the organization, administration and personnel practices of the public service. To accomplish this, the Commission has developed a Compliance Framework to become a point of reference and a guide to the Commission and MDAs.

The framework seeks to achieve the following objectives:

- i. To ensure that public service institutions are complying with the Constitution, the PSC Act 2017, PSC Regulations, 2020 and Commission Policies;
- ii. To provide uniformity in auditing, investigation, monitoring and evaluation of the Commission policies, regulations, guidelines and procedures in the areas of organization, administration and personnel practices; and
- iii. To provide a standard framework that informs the recommendations to the President and Parliament contained in the annual report on values of public service.

This framework covers introduction including rationale and purpose; legal and policy framework; the organization, administration and personnel practices of the public service; institutional arrangements for implementation of the framework; and process flows.

Organization of the public service entails establishment and abolition of offices with a view to improving efficiency and effectiveness in service delivery. Administration of the public service involves an understanding of the prevailing systems, processes and instruments for delivery of the public body's functions. Personnel practices focus on compliance with standards that relate to entry, conduct, retention and removal of public officers.

The operationalization of the framework will entail monitoring, evaluation, reporting, investigation and auditing of process flows.

This compliance framework shall enhance management of the organization, administration and personnel practices of the public service. It also provides greater understanding of roles undertaken by the Commission and MDAs. This will increase efficiency and effectiveness in public service management.

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CHAPTER ONE: INTRODUCTION

1.1 Background

Governments and organizations all over the world are faced with internal and external demands and pressures for improvement in public service management. Citizens and stakeholders expect good governance, accountability, transparency, effectiveness, greater development and delivery of tangible results from their governments. An effective public service is therefore a prerequisite and essential to achieving sustainable socio-economic development for the citizens.

The Constitution of Kenya under Article 234(2) provides for the mandate of Public Service Commission (PSC) which may also be delegated under Article 234(5). The Commission remains responsible for its mandate even where it has delegated its functions to another public body. Where the Commission exercises its delegation powers, it appoints authorized officers to oversee the specific areas in the Commission mandate and report accordingly on those functions. The Authorized Officers appointed by the Commission are expected to comply with the prevailing laws, policies and regulations and are subject to its oversight.

Article 234 (2) (d) of the Constitution mandates the Public Service Commission to (a) investigate (b) monitor and (c) evaluate the organization, administration and personnel practices of the public service among other functions. The Public Service Act 2017 and PSC Regulations, 2020 have expounded these three areas.

In unbundling its mandate of investigation, monitoring and evaluation, the Commission has developed various human resource policies, frameworks, guidelines and circulars to guide Ministries, Departments and Agencies. In conducting compliance audits, investigations, monitoring and evaluations the Commission seeks to ensure that its mandate is fully executed in all public service institutions. Further, under Article 234, the Commission is responsible for the promotion and evaluation of values and principles of public service in all

organizations under its mandate. It also oversees the individual financial disclosures by all public officers under the Public Officers Ethics Act.

This compliance framework takes into account the Commission mandate of oversight powers over State Corporations and Statutory Boards particularly in the areas of setting of norms and standards and ensuring efficiency and effectiveness of their services. The compliance process will therefore seek to establish the performance levels against set standards to enable the Commission take concrete measures or make necessary recommendations to ensure compliance.

The Commission has established internal structures to support and perform its oversight role in all areas where it does not directly control the execution of its mandate. The structures will enable the Commission in conducting of continuous adhoc compliance audits, investigations, regular monitoring and evaluation of administration, organization and personnel practices in the public service. Additionally, progress made in governance and financial disclosures by employees will be incorporated so as to strengthen the oversight role of the Commission in this area. Lastly, the framework will ensure monitoring of recommendations adopted in the yearly Public Service Compliance with the Values and Principles in Articles 10 and 232 of the Constitution report to the President and Parliament so as to form a basis for the next evaluation cycle.

1.2 Justification for the Framework

The framework seeks to consolidate the various processes undertaken with regard to the oversight and compliance roles to achieve effective co-ordination and implementation of the Commission mandate.

1.3 Statement of the Problem

The current role of compliance auditing, investigation and monitoring and evaluation has been limited to personnel practices leaving out administration and organization of the public service. Further, the Commission has previously focused on Ministries and Departments

leaving out other Public Agencies such as State Corporations and other Executive Agencies as defined in the Constitution, the PSC Act 2017 and PSC Regulations, 2020.

1.4 Rationale

The rationale for developing this framework is to establish the principles, parameters, processes, procedures, and standards for Investigation, Monitoring and Evaluation of the Organization, Administration and Personnel practices of the public service. In view of the Commission's overall mandate, the development of this framework and the review of the existing tools is deemed necessary to accommodate the increased institutional scope and other areas in organization and administration as contained in Article 234 (2) (d) of the Constitution. The framework therefore seeks to establish an elaborate basis to guide investigation, monitoring and evaluation of the organization, administration and personnel practices of the public service.

1.5 Purpose and Objective of the Framework

The purpose of this framework is to ensure that the Commission has a robust investigation, audit, monitoring and evaluation mechanisms to oversight implementation of its mandate in the entire of the Public Service as defined under Article 234.

Specific objectives:

- i. To ensure that public service institutions are complying with the Constitution, the PSC Act 2017, Existing Commission Regulations and Procedures;
- ii. To provide uniformity in auditing, investigation, monitoring and evaluation of the Commission policies, regulations, guidelines and procedures in the areas of organization, administration and personnel practices; and
- iii. To provide a standard framework that informs the recommendations to the President and Parliament contained in the annual report on values of public service.

1.6 Scope

This framework applies to: -

- i. Ministries and State Departments;
- ii. State Corporations;

- iii. Semi-Autonomous Government Agencies (SAGAS);
- iv. Independent Offices and Statutory Commissions; and
- v. Any other Office not excluded under Article 234(3) of the Constitution.

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CHAPTER TWO: LEGAL AND POLICY FRAMEWORK

2.1 Introduction

This section highlights legal and policy framework with regard to the investigation, monitoring and evaluation of the organization, administration and personnel practices in the public service.

2.2 Legal Framework

This framework is anchored on the legal provisions as stipulated in the Constitution, international treaties and conventions which the Country is party to, legislations and regulations.

2.2.1 The Constitutional Provisions

The Constitution establishes Public Service Commission and provides for its mandate under Article 234 besides functions derived from Article 10 and 232.

2.2.2 International Treaties and Conventions

The framework recognizes the International Treaties and Conventions that form part of the laws of Kenya by virtue of Article 2 (5)(6) of the Constitution where the Rights of Persons with Disabilities and Elimination of All Forms of Discrimination Against Women have been spelt out.

2.2.3 Legislations

While conducting Investigations, Monitoring & Evaluation the following legislations among others shall be observed:

- (i) Public Service Commission (Performance Management) Regulations - 2021
- (ii) PSC Act, 2017;
- (iii) Public Officer Ethics Act. Cap. 183;
- (iv) Leadership and Integrity Act, 2012;
- (v) Employment Act, 2007;

- (vi) Public Service (Values and Principles) Act, 2015;
- (vii) Fair Administrative Action Act, 2015;
- (viii) Public Archives and Documentation Service Act. Cap.19;
- (ix) Records Disposal Act Cap. 14;
- (x) Persons with Disabilities Act, 2003; and
- (xi) PSC regulations, 2020.

2.2 Policy Framework

This framework shall be guided by the regulations, codes of conduct, policies and guidelines.

The following policies among others shall guide:

- a) Delegation instrument of July, 2018;
- b) Internship Policy,2016;
- c) Human Resource Management and Development Policy;
- d) Gender Policy,2000; and
- e) The Diversity Management Policy 2015.

CHAPTER THREE: THE ORGANIZATION, ADMINISTRATION AND PERSONNEL PRACTICES OF THE PUBLIC SERVICE

3.0 Introduction

This chapter outlines the factors that shall be considered in investigation, monitoring and evaluation of the organization, administration and personnel practices in the public service.

3.1 Unbundling the Organization, Administration and Personnel Practices

Attempts have been made to unbundle organization, administration and personnel practices in light of Section 57(2), 58(1) and 59, of the of PSC Act, 2017. Definition of the factors that need to be considered in each thematic area (organization, administration and personnel practices) shall enable ease of understanding and implementation of the compliance framework.

Organization of the public service entails establishment and abolition of offices with a view to improving efficiency and effectiveness in service delivery. This is achieved by ensuring that structures are aligned to the priority areas, and also ensuring that existing policies lead to efficient and effective delivery of public services. Compliance will be ensured through conducting organizational reviews, workload analysis, understanding of job descriptions and job specifications. Currently this area is not being fully covered under the functions of the Commission.

Administration of the public service entails an understanding of the prevailing systems, processes and instruments for delivery of the public body's functions. It also includes co-ordination of measures towards delivery of the core functions; reporting systems including supervisory, accountability and appraisal functions; financial implications in the delivery of the functions and powers of the Commission in the public body. Compliance will ensure review of organizational structures and plans to establish whether they are; aligned to the

mandate; similar activities fall under one functional area; there is link between the Executive Order, strategic plan, performance contracting and work plans.

Personnel practices will entail an understanding and review of all terms and conditions of service guiding on human resource management and development from recruitment to exit in the public service. Specifically, the focus is compliance with standards and practices that relate to entry, conduct, retention and removal of public officers. Human resource policies guiding management disciplinary control, recruitment, training, career progression will inform the compliance and oversight roles of the Commission.

In investigating, monitoring and evaluating the focus is on the effectiveness and efficiency of systems in the public service and adherence to established procedures/regulations in the delivery of the public bodies' functions.

3.2 Levels of Application

Investigation, monitoring and evaluation under this compliance framework may include such activities as adhoc audits, investigation of complaints, scrutiny of documents, studies, surveys, payroll audit, review of personnel records, inquiries, visits to the public body, interviews and among others.

3.2.1 Organization

Investigation, monitoring and evaluation of the organization entails the functions of the National Government as set out in the Constitution, functions of the public body, priorities of national sustainable development and the policies of the government of the day. Details relating to organization are as indicated in Table 1:

Table 1: Organization of the Government

S/No	Factors	Unpacking/unbundling	Objectives	Tasks	Approaches
1.	The functions of the National Government as set out in the Constitution.	Process of establishing and abolishing offices in the public service	To ensure the establishment and abolition of offices improves efficiency and effectiveness in service delivery	Conducting of the organizational reviews, workload analysis and job descriptions and jobs specifications	<ul style="list-style-type: none"> • Evaluation • Investigation • Compliance audit
2.	The functions of the public body.	<p>Organization of public service will entail:</p> <p>(a) establishment of any public body including a state department;</p> <p>(b) amalgamation of any public bodies including state departments;</p> <p>(c) addition to or subtraction from a department or division, directorate, unit, section or other organizational arrangement;</p>	Ensure the establishment and abolition of department or division, directorate, unit, section or other organizational arrangement improves efficiency and effectiveness	Conducting of the organizational reviews, workload analysis and job descriptions	<ul style="list-style-type: none"> • Evaluation • Investigation • Compliance audit

S/No	Factors	Unpacking/unbundling	Objectives	Tasks	Approaches
		<p>(d)naming or renaming of any public body, department or division, directorate, unit, section or other organizational arrangement; or</p> <p>(e)abolition of any public body, department or division, directorate, unit, section or other organizational arrangement.</p> <p>Enabling Acts, Executive Order, Legal Notices, policies, regulations and guidelines</p>	in service delivery		
3.	The priorities of national sustainable development	Aligning organizational structures to the priorities of national sustainable development with regard to the existing policies, MTP plans, Vision 2030 and Big Four	Ensure structures are aligned to the priority areas	Conducting of the organizational reviews, workload analysis and job descriptions	<ul style="list-style-type: none"> • Evaluation • Investigation • Compliance audit
4.	The priorities of	Organization of the public service to be in line with	Ensure structures are	Conducting of the	<ul style="list-style-type: none"> • Evaluation • Investigation

S/No	Factors	Unpacking/unbundling	Objectives	Tasks	Approaches
	national sustainable development	the policies of the government of the day	aligned to the priority areas	organizational reviews, workload analysis and job descriptions	<ul style="list-style-type: none"> Compliance audit

3.2.2 Administration

Administration of policies, resources, systems and procedures and the provision of professional advisory services in the public service shall be investigated, monitored and evaluated to achieve integrity, efficiency, effectiveness, and uniformity to improve service delivery. Focus shall be on prevailing systems, processes and instruments for delivery of the public body's functions, co-ordination of measures towards delivery of the core functions, reporting systems including supervisory, accountability and appraisal functions, financial implications in the delivery of the functions and powers of the Commission in the public body as indicated in the Table 2:

Table 2: Administration

S/N	Factors	Unpacking/unbundling	Objective	Tasks	Approach
1.	Prevailing systems, processes and instruments for delivery	Prevailing systems are the related procedures and activities currently used in the public service which are	The effectiveness and efficiency of systems, processes, and	Review processes in the existing systems to identify: <ul style="list-style-type: none"> Systemic bottlenecks 	Audit Evaluation

S/N o	Factors	Unpacking/unbundling	Objective	Tasks	Approach
	of the public body's functions	either automated or automated	instruments in the public service	<ul style="list-style-type: none"> • Accuracy and completeness of outputs • Possible areas for re-engineering • Automation areas • Collaboration with other government agencies • Citizen satisfaction survey 	
2.	Co-ordination of measures towards delivery of the core functions	These are Interventions/ management strategies put in place to ensure that the activities geared towards delivery of the core functions are well coordinated	Ensure Efficient effective and seamless delivery of the core functions of the Public body.	Review of Organizational structures and plans to establish; <ul style="list-style-type: none"> • Align the Coordination measures; with organizational mandate • Consolidate activities with similar objectives 	Evaluation

S/N	Factors	Unpacking/unbundling	Objective	Tasks	Approach
				<p>under one functional area</p> <ul style="list-style-type: none"> • Linkages and relationship among various functional areas as: Executive Order, Strategic Plan, Performance Contracting, Organization Structure, Policies, Job Description and Work Plans 	
3.	Reporting systems including supervisory, accountability and appraisal functions	These Relate to reporting systems/structures within an organization which ensures that proper management of authority and responsibility, unit of command, unity of direction and	To ensure harmonization of reporting systems and structures in a manner that delivers the core functions	<p>Review of reporting systems/structures to:</p> <ul style="list-style-type: none"> • ensure proper management of authority responsibilities unit of command, unity of direction 	Compliance Audits Evaluations

S/N	Factors	Unpacking/unbundling	Objective	Tasks	Approach
		centralization of authority		and centralization of authority	
4.	Financial implications in the delivery of the functions and powers of the Commission in the public body	Being aware of the financial implication the implementation of the Commission decisions, directives, recommendations, policies and guidelines has in the Public Service	The overall concern is to establish and document the financial implications of all policies and directives issued directly to the service by the Commission	Analyzing each Commission's <ul style="list-style-type: none"> • Policy decision, • Directive, • Recommendation, • Guideline, to establish its financial implication in the Public Service	Studies/policy evaluation

3.2.3 Personnel Practices

Personnel practices shall be investigated, monitored and evaluated with emphasis on the standards, norms and practices applicable to entry, conduct, retention and removal of a public officer to ensure fairness, integrity and uniformity. Focus shall be on:

- (a) Personnel records management;
- (b) Human resource planning and management;
- (c) Succession planning and talent management;
- (d) Advertisement of vacancies, recruitment and selection procedures and criteria;
- (e) Appointment, promotion, re-designation and related processes;
- (f) Job and occupational classification and banding;
- (g) Remuneration and other conditions of service;
- (h) Salary and payroll administration;

- (i) Job assignments;
- (j) Working environment;
- (k) Qualifications attached to a public office;
- (l) Training and development;
- (m) Employee performance management systems;
- (n) Deployment and secondment;
- (o) Disciplinary control;
- (p) Removal from service;
- (q) Grievance management;
- (r) Management of cases of ill health; and
- (s) Staff welfare.

The above factors have been unbundled for ease of understanding and implementation of the framework as indicated in Table 3:

Table 3: Personnel Practices

S/No	Factors	Unpacking/unbundling	objective	Tasks	Approach
1.	Personnel records management	Align to policies and guidelines	Ensure ease of access, reference, retrieval and accuracy of records		Evaluation Compliance audit
2.	Human resource planning and management	Align HRP and management with core functions of the organization and emerging trends	Ensure required skills are available.	Audit human resource planning and management	Evaluation Compliance Audit Investigation

S/No	Factors	Unpacking/unbundling	objective	Tasks	Approach
				Evaluate implementation of human resource management policies	
3.	Succession planning and talent management	aligning skills requirements and competences to the needs of the organization	address succession gaps and nature talent	Audit succession planning and talent management	Evaluation Compliance Audit Investigation
4.	Advertisement of vacancies, recruitment and selection procedures and criteria	aligning the processes with Constitution, law and guidelines	Ensure recruitment is aligned with the constitution, PSC act, 2017 laws and regulations	Audit recruitment	Evaluation Audit Investigation
5.	Appointment, promotion, re-designation and related processes	aligning the processes with guidelines	Ensure that constitutional provisions, laws and regulations are complied with.	audit appointment, promotions, re-designation in the service	Evaluation compliance Audit

S/No	Factors	Unpacking/unbundling	objective	Tasks	Approach
6.	Job and occupational classification and grading	Aligning job classification and grading with existing career guidelines	Ensure parity in classification of job titles in the organization structures and salary ranges.	Audit the jobs' occupational classification, grading organization and structures.	Evaluation compliance Audit
7.	Remuneration and other conditions of service	Remuneration and other conditions of service.	Ensure payment and remuneration is in accordance with the laid down regulations and other circulars.	Audit remuneration and other conditions of service	Evaluation Audit Investigation
8.	Salary and payroll administration	Align payment to guidelines.	Ensure salary is fairly administered in the payroll.	Audit payroll administration	Evaluation Audit Investigation
9.	Job assignments	Assigning jobs according to qualifications	Job assignments to be in line with officer's skills.	Audit job assignments and qualifications	Evaluation Audit Investigation

S/No	Factors	Unpacking/unbundling	objective	Tasks	Approach
10.	Working environment	Aligning with the Constitution, laws, Policies and guidelines	Ensure work environment is conducive	Audit working environment	Evaluation compliance Audit
11.	Qualifications attached to a public office	Align placement with qualifications (Career guidelines)	Ensure qualification are considered during place	Audit placement	Evaluation compliance Audit
12.	Training and development	Aligning training Needs with employment needs.	Ensure training and development comply with TNA and training policy	Audit	Evaluation compliance Audit
13.	Employee performance management systems	Aligning employees' performance with performance management policy.	Ensure is in tandem with work plan, set targets and performance management policy.	Audit employees' performance against the work plans, set targets and performance management policy.	Evaluation compliance Audit
14.	Deployment and secondment	Align deployment and secondment with employee qualifications, specialization and capabilities.	Ensure deployment and secondment confirms	Audit, secondment and deployment	Evaluation compliance Audit

S/No	Factors	Unpacking/unbundling	objective	Tasks	Approach
			down procedures		
15.	Disciplinary control	Align discipline processes with the Constitution, laws and regulations.	ensure the cases handled in conformity with service regulations and fair administrative action act		Evaluation compliance Audit
16.	Removal from service	Comply with laid down rules and regulations.	Ensure compliance with the processes of removal from service	Audit removal from office	Evaluation compliance Audit
17.	Grievance management	Align grievance management with investigation manual.	Ensure procedures in investigation manual are followed during handling grievances.	Audit complaints	Evaluation compliance Audit

S/No	Factors	Unpacking/unbundling	objective	Tasks	Approach
18.	Management of cases of ill health	Align management of ill-health cases with the laid down regulations.	Ensure laid down regulations are followed in the management cases of ill health.	Audit cases of ill health	Evaluation compliance Audit
19.	Staff welfare	Organization`s provide conducive working environment	Ensure benefits provision of conducive working environment	Audit the existing working environment	Monitoring Evaluation compliance Audit

3.3 Guiding Principles

Guiding principles are the measures that will be adopted for purposes of conducting Audits, Investigations, Monitoring and Evaluation under the Commission compliance framework.

- (i) Usefulness
- (ii) Timeliness
- (iii) Credibility
- (iv) Focused
- (v) Sensitive
- (vi) Objectivity
- (vii) Fairness
- (viii) High standards of Professionalism ethics
- (ix) Efficient, effective and economic use of resources

3.4 Reporting Formats

The framework includes tools that will enable data collection for Investigation, Monitoring and Evaluation of the parameters based on the indicators identified. (**Annexures**)

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CHAPTER FOUR: INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION OF THE FRAMEWORK

4.1 Introduction

Institutional arrangement is vital in identifying various stakeholders and setting out roles and responsibilities in the implementation of the framework. The success of this framework is therefore dependent on the collaborative efforts of all stakeholders.

4.2 Institutional framework

The following actors have been assigned responsibilities as illustrated in Table 4:

Table 4: Institutional framework

Institution	Responsibility
Public Service Commission:	<p>The overall responsibility of implementing this frame work lies with the Public Service Commission and shall be implemented as follows:</p> <ul style="list-style-type: none">• The Commission Board shall consider approve the various reports set out in this Framework.• The Committee responsible for Compliance and Quality Assurance shall present to the Board.• The Commission Secretary shall resource the functions and communicate to the Authorized Officers; and• The Department responsible for Investigations, Audit, Monitoring and Evaluation shall coordinate implementation of the framework and reporting.• The Commission may delegate certain functions of its mandate

Institution	Responsibility
	<ul style="list-style-type: none"> The Department responsible for Investigations, Audit, Monitoring and Evaluation shall upon receipt data from Ministries/State Departments in the prescribed format analyze the data and prepare a report to the Committee responsible for Compliance and Quality Assurance. The Committee shall review the report and make recommendations to the PSC Board through a board paper. <p>The board receives the report on quarterly, annual or on a needs basis and may review, refine or adopt the committee recommendation. The board decisions shall be communicated by the Commission Secretary for implementation by the appropriate authority.</p>
Ministries/State Departments	<p>The Authorized Officers shall be responsible for executing delegated functions and implementation of other PSC decisions in the Ministry/State Department.</p> <p>The Authorized Officer is expected to provide accurate and timely information vide reports in the prescribed formats. The head of human resource department being the focal point.</p> <p>The Ministries/State Departments shall continuously collect data for compilation of their quarterly return and submit by 10th day of the subsequent month after the end of each quarter in the financial year. The Ministries/State Departments use the approved to capture and compile the data. The Ministries/State Departments through their authorized officers submit the quarterly M&E report to the Commission.</p>

Institution	Responsibility
State Corporations	The Authorized Officers will facilitate provision of information as required and implement the decisions of the Commission. The State Corporations shall continuously collect data for compilation of their quarterly return and submit by 10th day of the subsequent month after the end of each quarter in the financial year.
Universities and Constituent Colleges	The Authorized Officers will facilitate provision of information as required and implement the decisions of the Commission.
Independent Offices and Statutory Commissions	(and any other Office not excluded under Article 234(3) of the Constitution) The Authorized Officers will facilitate provision of information as required and implement the decisions of the Commission.
Ministry Responsible for Public Service	The State Department for Public Service Management shall provide access or data domiciled in various automated systems on HR management such as Government Human Resource Information System (GHRIS) and Integrated Personnel Payroll Data Base (IPPD).

4.3 Capacity Building

The capacity development needed to implement this framework may fall into two areas; firstly, there are Human Resource Management Officers in each of the qualifying institution that need to regularly or periodically collect and manage quality sets of data on employees. The second set consists of officers that use the human resource records within the ministries/agencies to analyze the human resource records. Such officers may require skills needed for human resource audit reviews and investigative skills.

4.4 Financing the Framework

Initiatives to build the first set of skills should be integrated into each of the institution's overall skills development strategy/training plan. Training of staff modalities may include in-house customized courses on-the-job training and mentoring.

The second level of skills may require the Commission to facilitate targeted courses on Payroll audit, investigations and undertaking effective M&E in human resource management. The second level may involve staff of the Commission and the oversight Committee of the Board for the Compliance and Quality Assurance function.

4.5 Review of the Institutional Arrangements

The Institutional Arrangement under this framework may be reviewed by the Commission from time to time so as to ensure compliance with the changing laws, policies, regulations and procedures.

CHAPTER 5: PROCESS FLOWS IN THE COMPLIANCE FRAMEWORK

5.0 Introduction

The main objective of the process flows is to standardize and optimize processes to better understand how compliance audits and investigations, monitoring, evaluation and reporting is conducted in the public service.

5.1 Monitoring, Evaluation and Reporting Framework

Monitoring is routine process of collecting and recording information in order to track progress towards expected results. The Commission has developed procedures of conducting M&E as part of its effort in implementing Article 234 (2)(d). One of the areas that the Commission has not been very strong in is undertaking policy evaluations. Evaluation is useful as part of compliance given that it establishes the effects and impact of decisions undertaken over a period of time.

Evaluation can take the form of studies or surveys and can be conducted internally or externally so as to ensure objectivity of the findings. When undertaken policy evaluation internally, it is good practice to ensure it is not done as part of implementation process but rather as a parallel activity for objectivity.

The Commission has designed the monitoring, evaluation and reporting of the organization, administration and personnel practices under this framework as provided in the following sections below.

5.1.1 Monitoring Process

The Compliance and Quality Assurance (CQA) Directorate will undertake the monitoring, evaluation and reporting of various policies, regulations and guidelines on behalf of the Commission on a quarterly basis. To accomplish its task, CQA directorate will be guided by the Compliance and Quality Assurance Committee. The Commission Board will determine the operational design, scope, and nature of the exercise and finally make decisions on

recommendations submitted by the CQA Committee. CQA directorate will fulfil this mandate by undertaking the following:

- a) Monitor the implementation of the delegated human resource management functions;
- b) Monitor the board decisions and give feedback on levels of compliance;
- c) Monitor the implementation of the Values Report submitted to the President and Parliament;
- d) Monitor the various Commission policies issued to the public service including the extent of adoption in the state corporations;
- e) Monitor financial disclosures under wealth declarations in the public service ; and
- f) Reporting to the board through the CQA Committee.

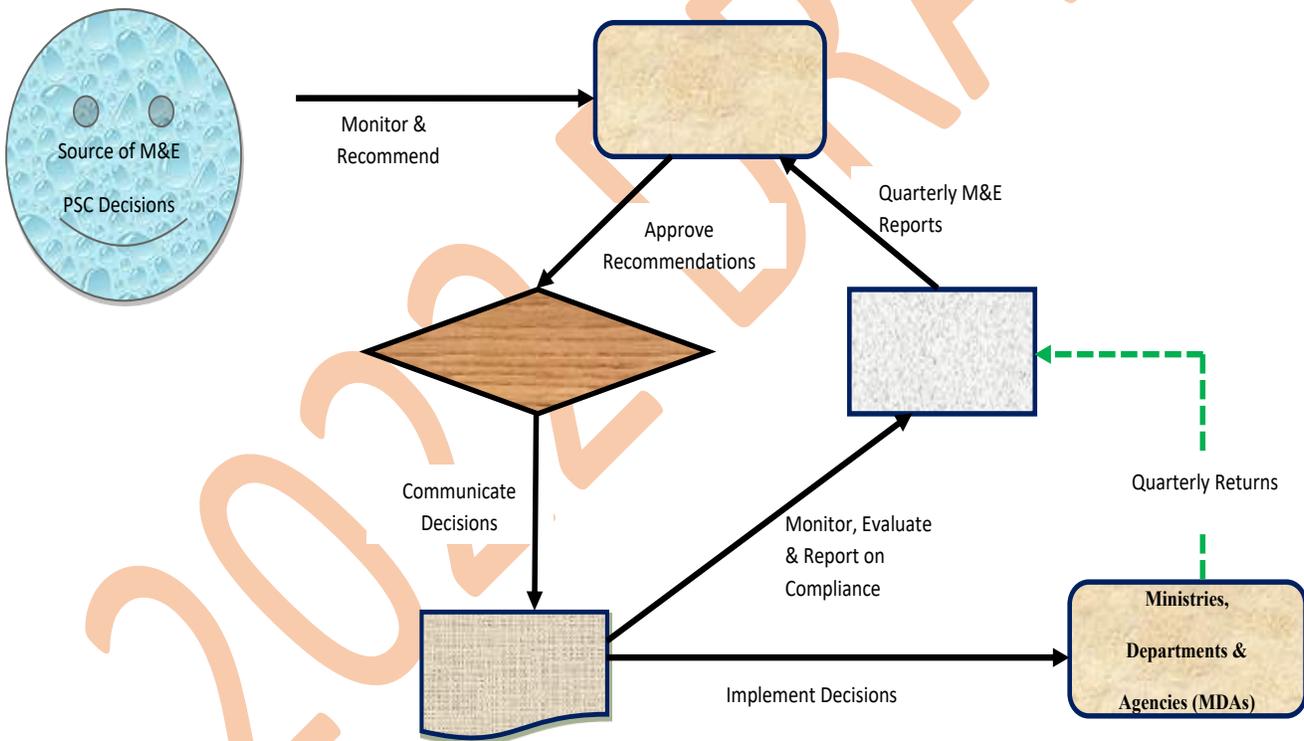


Figure 1: M&E Process

5.1.2 Evaluation

Evaluation will be an assessment conducted systematically and impartially on various policies issued by the Commission with regard to specific operational area or institutional

performance. It will seek to analyze the level of achievement of both expected and unexpected results by examining the results chain, processes, contextual factors and causality using appropriate criteria such as relevance, effectiveness, efficiency, impact and sustainability. The intention of evaluation will be to provide credible and useful information, in view of determining the worth or significance of the undertaking, incorporating lessons learned into decision-making and enhancing the overall quality of the Institute's programming and operations.

Evaluation will be performed at different times and address different elements of the results chain; from assessing needs or determining baseline conditions at project conception to evaluating the impacts of a project's contribution to development goals. Between these two points evaluations may include formative or other types of process-related assessments, evaluations of outputs, and/or summative evaluations focusing on different levels of outcomes.

5.1.3 M&E Reporting

The reports of regular monitoring shall help to guide the period evaluation with critical gaps and weakness identified in the former stage informing the scope of the latter.

5.2 Compliance Audit and Investigations

5.2.1 Compliance Audit

Audit is an assessment of management controls and compliance with administrative rules, regulations and policies. The Compliance audit checks the extent to which public bodies conform to the service standards including the Constitution of Kenya 2010, existing laws, relevant regulations and Commission's guidelines and instructions. Compliance audit may involve but not limited to the following areas:

- (i) Performance Management: Secondment, Succession Management, Establishment, Discipline, Training, MHRMAC Decisions, Payroll management, Staff Bio-data, Recommendations of previous audit, Re-designations, PSC Decisions, Staff appraisal and Records management;

- (ii) Good Governance: Promotions, Public Participation, Staff composition, Declaration of income, assets and liabilities and Representation of PWDs and
- (iii) Conditions of Service: Acting Appointment, Special Duty Allowance, Recruitment / appointment, Exits from the Service, Contract appointments, Confirmation in appointment, Responsibility Allowance, Schemes of Service, Leave Management, Work Environment and Casual Employment)

5.2.2 Compliance Audit Process Flows

The Commission spells out the objectives, scope of compliance and the audit program. The CEO/Secretary will then inform the Authorized officers of the intended Compliance audit and the time frame.

After visit to organizations to collect data, examine available documentation and verify supporting documentation, a compliance auditor will prepare a draft report. A second stage of validating the draft findings with each organization is used to clear any areas and affirm the findings before finalizing the audit report. The final compliance report is approved by the Commission after thorough scrutiny before implementation of the findings.

Communication of PSC audit findings are prepared and released to the authorized officers by the CEO/Secretary while the Compliance Audit Directorate will conduct regular reviews through monitoring and evaluation to ensure action is taken to address the areas of concern.

Figure 2 summarizes the Compliance audit process.

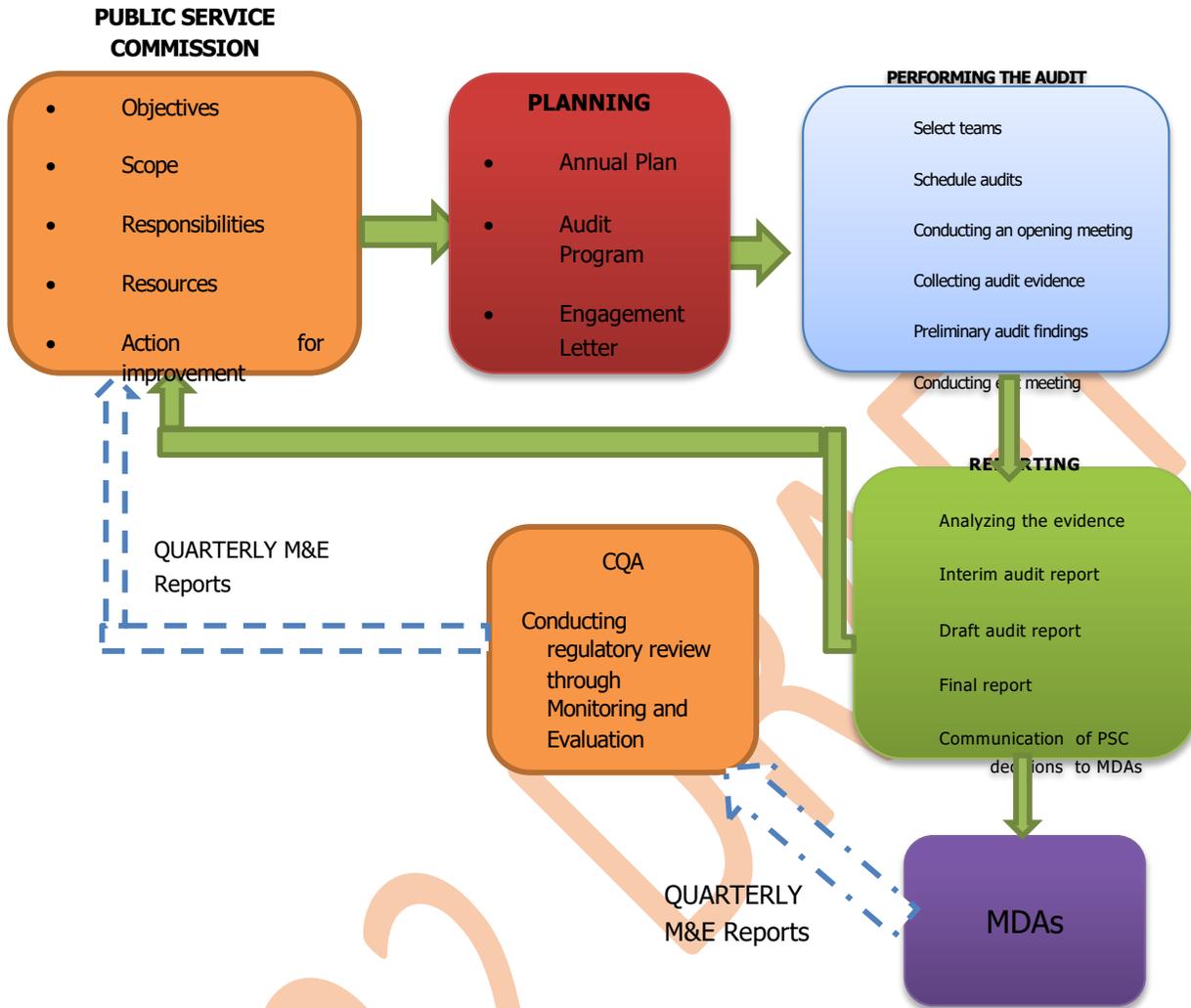


Figure 2: Compliance audit process

5.3 Investigation

Investigation is an examination or enquiry into irregularities or wrongdoing usually on operational issues. The Commission has developed an investigation manual for the complaints arising from stakeholders. The manual provides the procedures to be observed when handling complaints and reporting to the Commission of the findings.

Upon receipt of complaints from MDAs, anonymous and other sources, the Commission will form an investigation team to gather sufficient and reliable material facts to enable the issue

to be properly addressed. The team will collect all documentary evidence and exhibits to support the case.

The team shall analyze the collected material evidence to confirm their completeness and accuracy. An investigation report will then be prepared and forwarded to the C &QA committee which will present the same to the Board for decision making.

The MDAs shall finalize cases under their purview through their respective committees. In the event such decisions/cases require intervention of PSC, a report shall be forwarded within seven days of determination to the Secretary/CEO for decision.

PSC shall monitor and evaluate the implementation of its decisions resulting from an investigation

Figure 3 summarizes the investigation process.

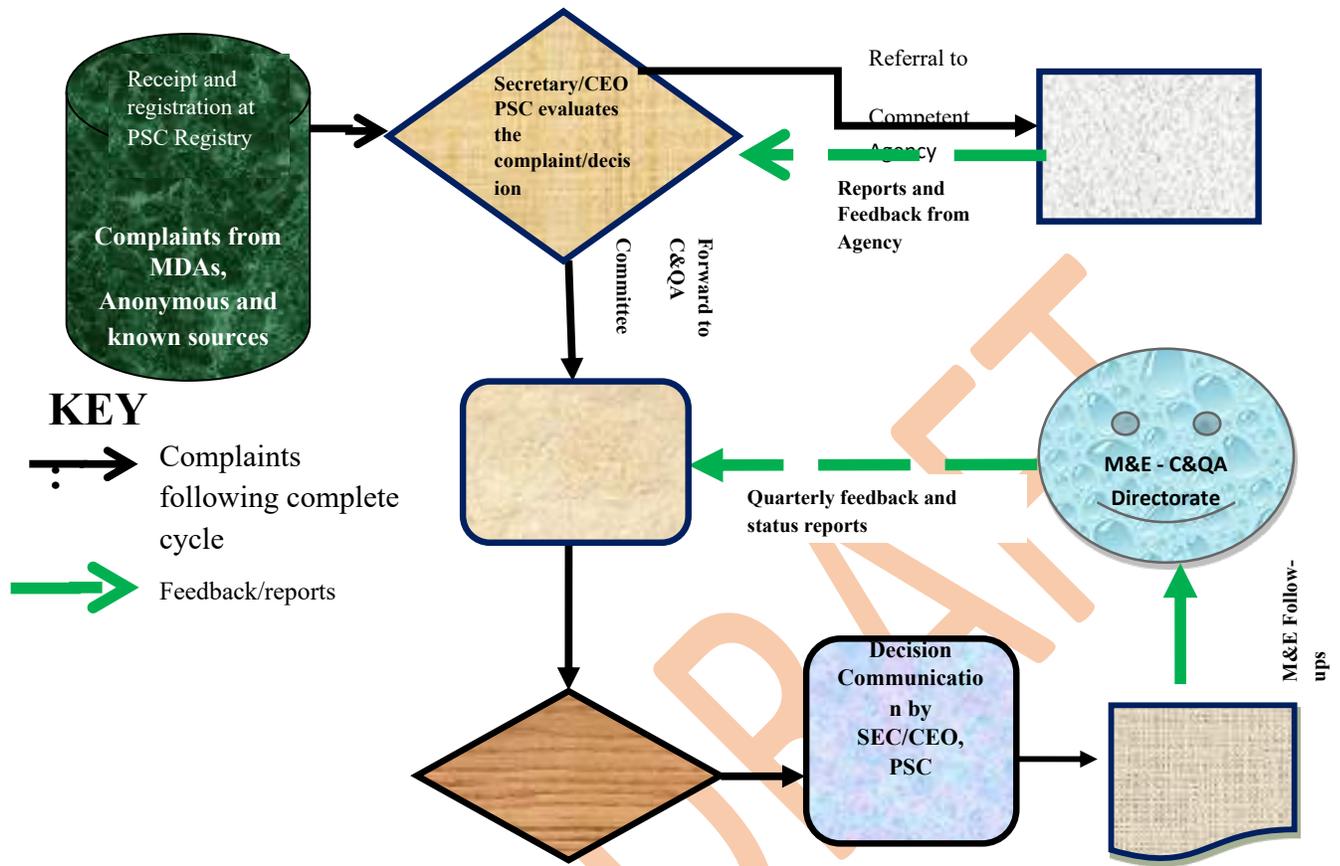


Figure 3: Investigation process

5.4 Compliance Reporting

Under each of the monitoring, evaluation, investigation and compliance audit processes a report will be the output. The reports will facilitate implementation of corrective actions on any deviations reported from the standards and norms contained in Commission policies, guidelines and procedures. Feedback to the implementation of the same within the Commission allows for continuous learning and improvement of the Public Service.