

**REPUBLIC OF KENYA**



**PUBLIC SERVICE COMMISSION**

**A FRAMEWORK FOR THE  
IMPLEMENTATION OF VALUES AND PRINCIPLES  
IN ARTICLES 10 AND 232 OF THE CONSTITUTION  
IN THE PUBLIC SERVICE**

**September, 2015**

## VISION

To be the lead service commission in the provision, management and development of competent human resource in the public service.

## MISSION

To transform the public service to be dynamic, professional, efficient and effective for the realization of national development goals.

## CORE VALUES

- Integrity
- Professionalism
- Equity and Diversity
- Team Spirit
- Transparency and Accountability
- Creativity and
- Continual Improvement

## TABLE OF CONTENTS

ABBREVIATIONS AND ACRONYMS .....	iv
FOREWORD.....	v
PREFACE.....	viii
EXECUTIVE SUMMARY.....	xi
1.0 INTRODUCTION .....	1
1.1 The Values and Principles .....	1
2.0 INTERNATIONAL BEST PRACTICES.....	3
2.1 The Global Perspective.....	3
2.2 Human Development Index (HDI) Reports.....	4
2.4 Ease of Doing Business .....	4
3.0 SERVICE DELIVERY IMPROVEMENT STRATEGY .....	5
4.0 THE LEGAL, POLICY AND INSTITUTIONAL FRAMEWORK .....	6
4.1 International Conventions and Covenants.....	6
4.2 Legislations .....	6
4.3 Policy Framework.....	9
4.4 The Institutional Framework .....	10
4.5 Institutional Linkages.....	10
4.6 The Role of the Public Service Commission: .....	13
4.7 The Role of the Authorized Officer .....	14
4.8 Role of Public Officer .....	15
5.0 PROMOTION OF VALUES AND PRINCIPLES IN THE PUBLIC SERVICE .....	16
5.1 Unbundling and Unpackaging the Values and Principles .....	16
5.2 Strategies for the Promotion of Values and Principles.....	16
5.3 Mainstreaming Values and Principles .....	19
6.0 PRE-CONDITIONS FOR PROMOTION OF VALUES AND PRINCIPLES.....	20
6.1 High Standards of Professional Ethics.....	20
6.2 Efficient, Effective and Economic Use of Resources .....	20
6.3 Responsive, Prompt, Effective, Impartial and Equitable Provision of Services .....	20
6.4 Involvement of the People in the Process of Policy Making.....	21
6.5 Accountability for Administrative Acts .....	21
6.6 Transparency and Provision to the Public of Timely, Accurate Information	21
6.7 Fair Competition and Merit .....	22
6.8 Representation of Kenya's Diverse Communities .....	22
6.9 Affording Adequate and Equal Opportunities for Appointments, Training and Advancement at all Levels of the Public Service of Men and Women, Members of all Ethnic Groups and Persons with Disabilities. ....	23

7.0	MONITORING AND EVALUATION .....	25
7.1	Monitoring and Evaluation: .....	25
7.2	Modalities for Monitoring .....	25
7.3	Modalities for Evaluation.....	25
7.4	Evaluation Cycle.....	26
7.5	Setting the Performance Standards .....	26
7.6	Setting the Performance Indicators.....	26
7.7	Developing the Assessment Tools and Instruments .....	26
7.8	The State of the Public Service Report.....	26
8.0	PERFORMANCE STANDARDS AND INDICATORS .....	27
8.1	High Standards of Professional Ethics.....	27
8.2	Efficient, Effective and Economic Use of Resources .....	28
8.3	Responsive, Prompt, Effective, Impartial and Equitable Provision of Services .....	29
8.4	Involvement of the People in the Process of Policy Making.....	30
8.5	Accountability for Administrative Acts .....	31
8.6	Transparency and Provision to the Public of Timely, Accurate Information.....	32
8.7	Fair Competition and Merit .....	33
8.8	Representation of Kenya’s Diverse Communities .....	34
8.9	Affording Adequate and Equal Opportunities for Appointments, Training and Advancement at all Levels of the Public Service of Men and Women, Members of all Ethnic Groups and Persons with Disabilities. ....	35
9.0	REPORTING .....	38
9.1	Types of Reports .....	38
9.2	Reporting Timelines.....	39
9.3	Reporting Linkages .....	39
9.4	Reporting Templates .....	40
10.0	POLICY GUIDELINES ON DIVERSITY MANAGEMENT AND AFFIRMATIVE ACTION PROGRAMME.....	46
10.1	Fair Competition and Merit as a Basis for Appointments in the Public Service .....	46
10.2	Policy and Legislative Framework .....	48
10.3	National Values Policy .....	49
10.4	Public Service Values and Principles Policy .....	49
10.5	Minorities and Marginalized Groups.....	49
11.0	DIVERSITY MANAGEMENT ACTION PLAN.....	61
11.1	Affirmative Action Programme .....	62
12.0	VALUES AND PRINCIPLES EVALUATION CYCLE .....	72
13.0	VALUES AND PRINCIPLES AUDIT MATRIX .....	74
14.0	REPORTING TEMPLATE FOR THE VALUES AND PRINCIPLES EVALUATION SURVEY.....	75

## TABLES AND FIGURES

### Tables

Table 1:	Good Governance Indicators - 2014 .....	3
Table 2:	List of Marginalized Counties.....	50
Table 3:	Considering both Under/Over-Representation .....	54
Table 4:	Considering the Ideal Number in Service.....	55
Table 5:	Attaining Proportionality in 20 Years .....	56
Table 6:	Attaining Proportionality in 10 Years .....	58
Table 7:	Attaining Proportionality in 5 Years .....	59
Table 8:	Diversity Management Action Plan Template .....	61
Table 9:	Affirmative Action for Minorities and Ethnicities Template.....	62
Table 10:	Template for Distribution of Appointment Opportunities According to Gender proportions .....	63
Table 11:	Template for Distribution of Training Opportunities According to Gender Proportions .....	64
Table 12:	Template for Distribution of Advancement Opportunities According to Gender Proportions.....	65
Table 13:	Template for Distribution of Appointment Opportunities to Members of all Ethnic Groups .....	65
Table 14:	Template for Distribution of Training Opportunities to Members of all Ethnic Groups .....	67
Table 15:	Template for Distribution of Advancement Opportunities to Members of all Ethnic Groups .....	68
Table 16:	Template for Distribution of Appointment Opportunities to PWDs .....	69
Table 17:	Template for Distribution of Training Opportunities to PWDs .....	70
Table 18:	Template for Distribution of Advancement Opportunities According to PWDs .....	71
Table 19:	Values and Principles Evaluation Template .....	72
Table 20:	Template for Implementation of Values and Principles .....	72
Table 21:	Monitoring and Evaluation Template for Values and Principles .....	73
Table 22:	Template for Auditing Values and Principles .....	74

### Figures

Figure 1:	Public Participation Process Cycle.....	31
-----------	---	----

## ABBREVIATIONS AND ACRONYMS

CPI	Corruption Perception Index
CRA	Commission for Revenue Allocation
CSI	Customer Satisfaction Index
GAI	Governance Audit Index
GDP	Gross Domestic Product
HDI	Human Development Index
HRA	Human Resource Audit
IEC	Information, Education and Communication
KICD	Kenya Institute of Curriculum Development
KSG	Kenya School of Government
MDAs	Ministries, Departments and Agencies
M&E	Monitoring and Evaluation
NCIC	National Cohesion and Integration Commission
NVS	National Value Secretariat
PPAB	Public Procurement Authority Board
PPOA	Public Procurement Oversight Authority
PWDs	Persons Living with Disabilities
SAGAs	Semi-Autonomous Government Agencies
SMS	Short Message Services
TIA	Training Impact Assessment
TNA	Training Needs Assessment

## FOREWORD

The Constitution vests in the Commission the mandate to promote, evaluate and report to the President and Parliament the extent to which the Values and Principles mentioned in Articles 10 and 232 are complied with throughout the public service.

The objects of Independent Commissions are provided for in Article 249 of the Constitution and include securing of the observance of democratic values and principles. The primacy of these values and principles are underscored in Article 4(2) where the democratic values and principles are said to be foundational to the Republic of Kenya.

The duty placed on the Public Service Commission to oversee and report on the implementation of the Values and Principles throughout the public service is therefore an onerous task which calls for diligence, dedication and deep reflection to all those who have a duty to ensure that the values and principles are observed.

The Public Service Commission played a key role in the development of the policy and legislative framework for the implementation of the Values and Principles. Some of the legislations so far developed include the Leadership and Integrity Act, 2012 which is an enabling legislation for Chapter six of the Constitution on Leadership and Integrity. Article 80 of the chapter provides for the development of the leadership code for state officers and with the necessary modification its application to the rest of the public officers.

The Commission has developed a leadership and integrity code for members of the Commission and modified the code to apply to the rest of the public officers under its jurisdiction. Both the leadership and integrity codes are value smart and a robust implementation of the provisions in the code will assure a value laden public service.

The purpose of public service in most democratic and progressive societies the world over is to support a democratically elected government to execute its development agenda. This therefore means that a well performing public service ensures that the government of the day enjoys public trust and confidence through the manner in which it discharges its public services.

The hallmark of a well performing public service is in the quality of public services it offers. The values and principles in Article 10 are on national values and principles of governance and the ones in Article 232 are on public service values and principles.

The key objective for developing this implementation framework on the values and principles is to unpack and un-package the values and principles for ease of understanding and implementation in the public service. The framework targets both the promoters, evaluators and those called upon to observe the values in the service.

The place of values and principles as tools for performance management and improvement in the public service cannot be overstated. The thrust of this framework is on the public service values and principles. The values and principles have elements of the national values and principles embedded in them within the context of the public service. There are issues of equitable sharing of resources and opportunities, human rights, good

governance and sustainable development under the national values and principles of governance.

The emphasis in the values and principles of the public service is on performance through professionalism, efficiency, effectiveness and economic use of resources. Emphasis is also placed on the timeliness of service delivery, equity, impartiality and transparency. Matters of representativeness in the public service are dealt with through ensuring that all levels of the public service reflect the face of Kenya. This requires the observance of the two third gender principle, the proportionate representation of members of all ethnic groups and the meeting of the five percent standard for persons with disabilities.

This framework provides guidelines on the interpretation, applicable standards and performance indicator per value. The Commission has jurisdiction over a diverse public service ranging from ministries, state corporations, independent commissions and offices not excluded under the Constitution (Article 234(3) and agencies. This wide scope of responsibility requires that the Commission provides a non- prescriptive framework to the service to allow the institutions the latitude, flexibility and dynamism to innovate on their service provisions to citizens.

The values and principles are not entirely new in the established and some of the emerging democracies. There exist benchmark studies on how other jurisdictions across the world have implemented the values and principles in their public services with best results. The practices and experiences of some of the countries have been analyzed in this framework to correlate their successes with good governance using international best standards and benchmarks such as the global human development index, international Corruption Perception Index (CPI), ease of doing business index, and global competitiveness ratings and rankings. It would be instructive that Kenya is not doing very well on these fronts and yet these are the key global indicators on good governance.

There exist a vast body of knowledge which lends credence to the fact that countries do not develop by accident, they do not stumble on high Gross Domestic Products (GDPs) or better markets. A lot of work and thought goes into the making of a successful country. The building blocks of success include placing values and principles as the foundation of national development plans and making them a way of life.

These values and principles are intended to create a cultural revolution necessary for the take-off of Kenya's economy into the first world. A lot of effort has also been made to provide the guidelines for the evaluation process. While it is advisable for Ministries, Departments and Agencies (MDAs) to undertake their internal surveys on customer satisfaction, employee and work environment and corruption perception, the Commission intends to undertake its own survey targeting the citizens to buttress its evaluation process and provide a basis for determination of best performing organizations and individuals from the perspective of the service recipients. This will be done through service-wide customer, corruption perception, employee and work environment surveys targeting citizens as respondents.

The Commission will also provide a framework for norms and standards through institution of a service-wide citizen client service charter which will set minimum standards for service delivery across the MDAs. This client service charter will form the basis of governance audits which will be undertaken once a year alongside the other surveys. The



findings from the surveys and governance audits together with the quarterly, bi-annual and annual reports will provide the data necessary for the compilation of the state of the public service report to be submitted to the President and Parliament by December of every year. This framework also provides indicative reporting linkages by MDAs and areas of reporting.

Lastly I wish to acknowledge the excellent efforts of members of the Compliance and Quality Assurance Committee chaired by Commissioner Dr. Judith Bwonya and its secretariat team who made it possible for this framework to be completed.

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



**Prof. Margret Kobia, PhD, CBS**  
**Chairperson, Public Service Commission**

## PREFACE

Kenyans in their collective wisdom bestowed the responsibility of the function of promoting, evaluating and reporting to the President and Parliament the extent to which the values and principles have been complied with in the public service to the Public Service Commission. The Commission is also vested with the responsibility of administration of the Public Officer Ethics Act, 2003 in the public service.

In its endeavour to ensure the mandates given to it is delivered on a timely basis the Commission established a dedicated directorate which is tasked to promote, evaluate and report on the national and public service values in Articles 10 and 232 of the Constitution.

The Commission conducted a readiness assessment survey on the state of the public service in 2012/2013 and followed up with a baseline survey in 2013/2014 and 2014/2015. The surveys have enabled the Commission to map out what is required to fill the existing gaps in the implementation of values and principles.

The Constitution allows the Commission to delegate some of its functions to other persons or authorities to perform on its behalf. The Commission realized that it may not be practically feasible to establish a working presence in all the MDAs under its jurisdiction hence leveraged on the provision to delegate to Authorized Officers in ministries, state departments, state corporations and sister independent commissions and offices to assist in the promotion of these values and principles. The Commission undertakes compliance evaluation on the extent to which the public service under its jurisdiction has complied with this mandate.

Within the Compliance and Quality Assurance directorate are established divisions of human resource audit which undertakes compliance audits, monitoring and evaluation which undertakes evaluations on quarterly basis and coordinates the surveys and the division of governance and ethics which undertakes the promotion of values and principles and the administration of the Public Officer Ethics Act, 2003.

The legislative, policy and regulatory framework for discharging the mandate is in place and this framework on the implementation of values and principles provide the last nail towards ensuring that the rubber meets the road on the implementation front. The framework is elaborate on the performance standards, performance indicators, collaborative linkages, implementation strategies and reporting templates.

The Commission expects that the framework on implementation of values will assist officers tasked with the various roles to correctly interpret the values and principles and unbundle and unpackage what needs to be done. This should also assist those to whom responsibility is delegated to discharge the responsibility efficiently and effectively. The county public service boards are also encouraged to borrow from the established practices as they nurture their nascent public services.

Lastly, I wish to thank members of the secretariat from Compliance and Quality assurance directorate led by the Ag. Director Wesley Kipngetchi for the excellent technical support offered to the Compliance and Quality Assurance Committee in coming up with this framework.

A handwritten signature in black ink, appearing to read 'A. Otwala', with a long horizontal stroke extending to the right.

**Alice A. Otwala (Mrs.) CBS,  
Secretary/Chief Executive,  
Public Service Commission.**

## Members Compliance and Quality Assurance Committee

Commissioner Dr. Judith Bwonya, MBS	Chairperson
Commissioner Professor Michael Lokuruka, PhD, EBS	Member
Commissioner Patrick Gichohi, CBS	Member

### SECRETARIAT

Mr. Wesley Kipngetich	Ag. Director Compliance and Quality Assurance
Mrs. Mary Owele	Deputy Director/HRA
Mr. Gerishom Wangira	Deputy Director/M&E
Ms. Selina Iseme	Deputy Chief Commission Counsel
Ms. Rhama Hassan	Assistant Director Research and Policy
Mr. George Wafula	Ethics and Governance
Mrs. Elizabeth Mutisya	Ethics and Governance
Mrs. Florence Itunga	Secretary

## EXECUTIVE SUMMARY

The public service values have traditionally been practiced and enforced in the public service through the service regulations, force standing orders and the code of regulations up to May, 2003 when the Public Officer Ethics Act was enacted by the NARC government. It is on the same year 9th December 2003 when Kenya signed and ratified the United Nations Convention against Corruption joining the international community in the acknowledgement that corruption in its endemic form requires a concerted effort of the family of nations to defeat. The fight against corruption and the promotion of good governance has registered mixed successes and challenges.

The Constitution gave a boost to the legislative framework through the provisions of Leadership and Integrity in chapter 6 and the National Values and Principles of Governance in Article 10 and the Values and Principles of Public Service in Article 232.

Necessary enabling legislations and policies have been put in place to give impetus to the implementation process. This include the Leadership and Integrity Act, 2012, the Public Service Values and Principles Act, 2015, The National Values and Principles Policy Sessional Paper No. 8 of 2013 and the yet to be passed Draft Policy on Public Values and Principles Policy 2013. These policies and legislations do not operate alone but work in tandem with other legislations highlighted in this framework to ensure that there is a robust legal and policy framework to promote and enforce the values and principles.

Kenya is not alone in this fight to promote good governance. There are a number of countries the world over with very good track records in the promotion of good governance and for which Kenya can learn from. These include countries such as Singapore, Australia, Canada, New Zealand, Norway, and South Korea amongst many. A quick appraisal of these countries in terms of their performance against international best practices for 2014 indicated that they have done very well in such fronts such as the global human development index, the ease of doing business, corruption perception index and global competitiveness. These are just but a few areas against which the Kenya's standing are benchmarked. Kenya's performance is not very encouraging against these fronts and it is in light of the direct correlation between the performance against these parameters that the need to fast track and implement the constitutional principles become urgent business.

This conceptual framework is designed to unbundle and unpackage the values and principles. It also provides strategies for promotion of the values and principles, institutional linkages, the standards and indicators for monitoring and evaluation and the reporting framework and templates. It is expected that the framework will clarify the issues around promotion of values, monitoring, evaluation and reporting.

The framework however is just but the beginning of the work on values and it must give birth to manuals, curricula and Information Education and Communication materials (IEC) and engage a multi-agency approach in the implementation process. The implementation of the values requires a committed and structured collaboration between the Commission and other actors to ensure that the implementation is not hampered by mandate conflicts.

The promotion, evaluation and reporting on the values and principles culminates in a report to the President and Parliament at the end of every year in respect of the just ended financial year. This gives highlights of measures taken, progress achieved and impediments to the realization of the values and principles. The values and principles are the glue that holds the Kenyan people together as a nation.

The framework has also provided possible policy thrusts in terms of addressing diversity issues and affirmative action programmes. This must be implemented progressively but in a time-bound manner. Various formulas around this have been proposed for consideration in the implementation process.

The framework, it must be pointed out, is a living document and is subject to review from time to time to benefit from the dynamic changes and innovations taking place in the public service.

## 1.0 INTRODUCTION

The Government has developed a strong and elaborate system of public administration entrusted to professionals who have the resources, means and responsibility to safeguard the public interests as their primary role. Broadly, the function of all public officers is to define and mobilize efforts to realize public policy results in the form of public goods and services.

In this particular sphere, public officers are agents of the Government and serve the collective interests of citizens. They set the agenda for development, propose new laws and regulations, design policy interventions and strategic directives, enforce law and order, and mediate and arbitrate among conflicting groups. Citizens are therefore, the bearers of rights, payers of taxes and beneficiaries of government programmes. Citizens are also users of public services and clients of public organizations.

Because of the special place of the Government and its relationship with citizens, public officers face challenges in satisfying the complex expectations of citizens out of the time, opportunities and resources available. Citizens are also active stakeholders who contribute to the success of Government policies. Therefore, this requires the active participation of citizens in ensuring that public officers and public institutions perform their functions and exercise their powers to the highest ethical standards possible prescribed in the Public Officer Ethics Act, 2003. These are important ethical elements that should be adhered to in order to promote decisions that are reasonable; honest, equitable, observe the rules of natural justice; are prudent and transparent in order to promote the highest standards of probity among public officers. These fundamental virtues of leadership should apply to all public officers.

The Constitution of Kenya, therefore, stipulates broad values and principles of the public service and directs that the same must be given effect through an enabling legislation. It is imperative to develop a framework for this purpose. This entails a clear vision of commitment to ethics and corresponding accountability by all public officers. Its objective should be to provide guidelines on the moral conduct of public officers in the public service. This policy therefore, proposes the minimum standards that each public officer should respect when they act in ways that affect the well-being of citizens.

### 1.1 The Values and Principles

This policy framework covers both the national values and principles in Article 10 and the values and principles of public service in Article 232 of the Constitution

#### 1.1.1 National Values and Principles of Governance

- (a) Patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people.
- (b) Human dignity, equity, social justice, inclusiveness, equality, human rights, nondiscrimination and protection of the marginalized.
- (c) Good governance, integrity, transparency and accountability.
- (d) Sustainable development.

### **1.1.2 Public Service Values and Principles of Governance**

- (a) High standards of professional ethics.
- (b) Efficient, effective and economic use of resources.
- (c) Responsive, prompt, effective, impartial and equitable provision of services.
- (d) Involvement of the people in the process of policy making.
- (e) Accountability for administrative acts.
- (f) Transparency and provision to the public of timely and accurate information.
- (g) Subject to paragraphs (h) and (i), fair competition and merit as the basis of appointments and promotions.
- (h) Representation of Kenya's diverse communities.
- (i) affording adequate and equal opportunities for appointment, training and advancement, at all levels of the public service, of—
  - (i) men and women;
  - (ii) the members of all ethnic groups; and
  - (iii) Persons with disabilities.

### **1.1.3 Scope of Application**

This policy framework applies to all staff:

- i. in ministries and departments;
- ii. of state corporations;
- iii. of Semi-Autonomous Government Agencies (SAGAS);
- iv. of Independent Commissions and Offices not excluded under Article 234(3) of the Constitution; and
- v. of statutory Commissions, Authorities and Committees under the National Government.



## 2.0 INTERNATIONAL BEST PRACTICES

### 2.1 The Global Perspective

There is evidence on the correlation between good governance and improvement in the quality of life of a people. There are four key parameters used to assess good governance globally and these include:-

- i. Human Development Index (HDI);
- ii. Ease of Doing Business;
- iii. Corruption Perception Index (HPI); and
- iv. Global Competitiveness.

Twelve countries were selected for assessment against the performance of Kenya in all the four areas. The assessment of where Kenya stands against the twelve countries is important in determining whether there is a correlation between good governance and good performance in the four areas. The aggregate performance is as presented in table 1 below.

Table 1: Good Governance Indicators - 2014

S/No	Economy	Population (million)	GDP \$B	GDP Per Capita	Ease of Doing Business Ranking (2014)	Corruption perception index ranking (2014)	Global human development index Ranking (2014)	Global Competitiveness	Aggregate Ranking
1	Singapore	5.41	379.7	71,474.89	1	7	9	2	5
2	Norway	5.04	315.46	62,858.01	6	5	1	11	6
3	New Zealand	4.51	143.46	32,360.23	2	2	7	17	7
4	Germany	82.73	3,375.18	41,966.42	14	12	6	5	9
5	Australia	23.34	960.65	42,278.3	10	11	2	22	11
6	Canada	35.18	1,410.61	40,588.04	16	10	8	15	12
7	South Korea	49.26	1,474.88	29,494.91	5	43	15	26	22
8	Mauritius	1.24	20.91	16,193.81	28	47	63	39	44
9	South Africa	52.78	626.71	11,988.79	43	67	118	56	71
10	Brazil	200.36	2,840.9	14,300.58	120	69	80	57	82
12	Kenya	44.35	91.06	2,108.93	136	145	147	115	136

Sources: World Bank (2014) Cost of Doing Business Index: Available at [www.doingbusiness.org/data](http://www.doingbusiness.org/data)  
World Economic Forum (2014) Global Competitiveness Report: Geneva, World Economic Forum.  
World Bank (2014) Human Development Indicators: Washington, DC  
Transparency International (2014) Corruption Perception Index: Berlin, Transparency International

## 2.2 Human Development Index (HDI) Reports

The HDI are the parameters used to assess the improvement in the quality of life of a people over time. The parameters for assessing HDI include: a long and healthy life, being knowledgeable and having a decent standard of living. The Human Development Index ranks countries from 0-1, where zero (0) indicating low HDI and 1 (one) indicating highest HDI. In the year 2014, out of the 195 countries assessed in the Global Human Development Indicator Survey, Kenya was ranked 147 with an HDI of 0.535. The best performing country in the year under review was Norway with an HDI of 0.944. The variance between the best performing country and Kenya is 0.409, almost half of the ideal requirement of the index.

Singapore was ranked number 9 with a HDI of 0.901 but was ranked number 1 in the ease of doing business.

## 2.3 Corruption Perception Index

This involves ranking of countries according to the extent to which corruption is believed to exist. Countries are ranked on the scale of 0-100, With Zero (0) representing high levels of corruption, and hundred (100) indicating low levels of corruption. In the year 2014, out of 174 countries surveyed, Kenya was ranked at 145 with a corruption perception index of 25 out of 100. The Country with the lowest corruption perception index was Denmark with a score of 92 out of 100, followed by New Zealand with a score of 91 out of 100.

Norway, which had the highest HDI, had a corruption perception index of 86 out of 100, and was ranked fifth in the survey.

## 2.4 Ease of Doing Business

Ease of doing business ranks countries from 1 to 189, with first place being the best. A high ranking of (1) means that the regulatory environment is conducive for business operations. The index averages the country's percentile rankings on 10 topics covered in the World Bank's Ease of Doing Business. The ranking on each topic is the simple average of the percentile rankings on its component indicators. In the year 2014, Kenya was ranked 136 out of 189 countries surveyed. Singapore was ranked first, closely followed by New Zealand.

Norway which had the highest HDI, was ranked 6th in the Ease of doing business survey.

## 2.5 Global Competitiveness

The Global Competitiveness Report 2014-2015 assessed the competitiveness of 144 countries, providing insight into the drivers of their productivity and prosperity. The Report series remains the most comprehensive assessment of national competitiveness worldwide.

Switzerland was ranked first in the global competitiveness index. Kenya was ranked number 115 out of 144 countries. Singapore again having done well in the HDI ranking and recorded low corruption perception index, was ranked 2nd on global competitiveness.

The promotion of values and principles in the Public Service are intended to enhance good governance in the public sector which in turn impacts on the quality of services delivered to the public thereby improving the people's quality of life.

### 3.0 SERVICE DELIVERY IMPROVEMENT STRATEGY

This is predicated on an organized government through:

- a) agreed national development plan;
- b) existence of MDAs functions aligned to the national development plan;
- c) existence of a strategic plan in all MDAs aligned to the national development plan;
- d) allocation of funds against organizational mandate;
- e) existence of vision, mission and core functions;
- f) existence of an organizational structure;
- g) existence of staff job descriptions;
- h) existence of optimal staffing levels;
- i) existence of human resource management plans;
- j) existence of human resource development plans;
- k) existence of organizational performance agreement;
- l) existence of staff performance agreements;
- m) linkage of budget to strategic plan;
- n) functional staff performance appraisal system;
- o) functional organizational performance appraisal system;
- p) accountability reporting framework to the citizens; and
- q) independent performance evaluation oversight.

## 4.0 THE LEGAL, POLICY AND INSTITUTIONAL FRAMEWORK

The legal framework on values and principles comprises of the Constitution, international treaties and conventions which the country is party to and legislations enacted by Parliament. This section highlights broadly the legislations that make provisions for values and principles and legislations that have specific provisions for specific values.

### 4.1 International Conventions and Covenants

The United Nations Conventions which form part of the laws of Kenya by virtue of Article 2(5) of the Constitution:

- i. United Nations Convention against Corruption;
- ii. Universal Declaration on Human Rights;
- iii. United Nations Convention on the Rights of Persons with Disabilities;
- iv. United Nations Convention on Elimination of All Forms of Discrimination against Women;
- v. International Covenant on Civil and Political Rights;
- vi. International Covenant on Economic Social and Cultural Rights; and
- vii. International Labour Organization Conventions.

### 4.2 Legislations

#### a) *High Standards of Professional Ethics*

The acknowledged professions are characterized by the existence of:

- i. An Act of Parliament;
- ii. established regulatory body;
- iii. registration of members; and
- iv. a code of practice.

The legislations that govern the professionals in the public service include:

- i. Engineer's Registration Act Cap. 530;
- ii. Medical Practitioners and Dentists Act Cap. 253;
- iii. The Architects and Quantity Surveyors Act Cap. 525;
- iv. The Physical Planning Act Cap. 286;
- v. Law Society of Kenya Act Cap. 18;
- vi. The Survey Act Cap. 299;
- vii. The Accountants Act Cap. 531;
- viii. Public Officer Ethics Act. Cap. 183;
- ix. Leadership and Integrity Act, 2012; and
- x. Public Service Values and Principles Act, 2015.

**b) *Efficient, Effective and Economic Use of Resources***

The legislations that govern efficiency, effectiveness and economic use of resources include:

- i. The Public Finance Management Act, 2012;
- ii. The Public Procurement and Disposal Act Cap 412(c);
- iii. Anti- Corruption and Economic Crimes Act Cap. 65;
- iv. Public officer Ethics Act, Cap. 183;
- v. Proceeds of Crime and Anti-Money Laundering Act. Cap 59(b);
- vi. The County Government Act, 2012;
- vii. Leadership and Integrity Act 2012;
- viii. Commission on Administrative Justice Act, 2012;
- ix. Kenya National Commission on Human Rights Act, 2011;
- x. National Cohesion and Integration Commission Act No. 12 of 2008;
- xi. National Gender and Equality Commission Act, 2011; and
- xii. Public Service Values and Principles Act, 2015.

**c) *Responsive, prompt, effective, impartial and equitable provision of services***

The legislations that govern prompt, effective, impartial and equitable provision of public services include:

- i. The Employment Act Cap. 226;
- ii. Public Service Commission Act, 2012;
- iii. Public Officer Ethics Act Cap. 183;
- iv. Leadership and Integrity Act, 2012;
- v. Public Finance Management Act. 2012;
- vi. Commission on Administrative Justice Act, 2012;
- vii. The County Government Act, 2012.
- viii. The Public Service Values and Principles Act, 2015.

**d) *Involvement of the People in the Process of Policy Making***

The legislations that govern involvement of the people in the process of policy making include:

- i. Public Finance Management Act. 2012;
- ii. Commission on Administrative Justice Act, 2012;
- iii. Kenya National Commission on Human Rights Act, 2011;
- iv. National Gender and Equality Commission Act, 2011; and
- v. The County Government Act, 2012.

**e) *Accountability for Administrative Acts***

The legislations that govern accountability for administrative acts include:

- i. Public Officer Ethics Act Cap. 183;
- ii. Commission on Administrative Justice Act No. 23 of 2011;
- iii. Fair Administrative Action Act, 2015;
- iv. Public Finance Management Act, 2012;
- v. Anti- Corruption and Economic Crimes Act Cap 65;
- vi. Proceeds of Crime and Anti-Money Laundering Act Cap. 59(b);
- vii. Public Procurement and Disposal Act Cap. 412(c);
- viii. The County Government Act, 2012; and
- ix. Public Service Values and Principles Act, 2015.

**f) *Transparency and Provision to the Public of Timely and Accurate Information***

The legislations that govern transparency and provision to the public of timely and accurate information include:

- i. The Official Secrets Act Cap. 187;
- ii. Commission on Administrative Justice Act 2011;
- iii. Public Officer Ethics Act Cap. 183;
- iv. Leadership and Integrity Act, 2012;
- v. Public Service Commission Act, 2012;
- vi. Public Archives and Documentation Service Act. Cap.19;
- vii. Records Disposal Act Cap. 14;
- viii. The County Government Act, 2012; and
- ix. Public Service Values and Principles Act, 2015.

**g) *Fair Competition and Merit***

The legislations that govern fair competition and merit include:

- i. The Employment Act Cap. 226;
- ii. Public Service Commission Act, 2012;
- iii. Public Officer Ethics Act Cap. 183;
- iv. Leadership and Integrity Act, 2012;
- v. National Cohesion and Integration Cap. No. 12 of 2008;
- vi. Commission on Administrative Justice Act, 2011;
- vii. The County Government Act,2012; and
- viii. Public Service Values and Principles Act, 2015.

**h) *Representation of Kenya's Diverse Communities.***

The legislations that govern representation of Kenya's diverse communities include:

- i. The Employment Act Cap. 226;

- ii. Public Service Commission Act, 2012;
- iii. Public Officer Ethics Act Cap. 183;
- iv. Leadership and Integrity Act, 2012;
- v. National Cohesion and Integration Act Cap. No. 12 of 2008;
- vi. Commission on Administrative Justice Act, 2011;
- vii. National Gender and Equality Commission Act, 2011;
- viii. Persons with Disabilities Act, 2003;
- ix. Kenya National Commission for Human Rights Act, 2011; and
- x. Public Service Values and Principles Act, 2015.

***i) Afford Adequate and Equal Opportunity in Appointments, Training and Advancement at all Levels of the Public Service***

The legislations that govern affording adequate and equal opportunity in appointments, training and advancement at all levels of the public service of men and women, members of all ethnic groups and persons with disabilities include:

- i. The Employment Act Cap. 226;
- ii. Public Service Commission Act, 2012;
- iii. Public Officer Ethics Act Cap. 183;
- iv. Leadership and Integrity Act, 2012;
- v. National Cohesion and Integration Act Cap. No. 12 of 2008;
- vi. Commission on Administrative Justice Act, 2011;
- vii. National Gender and Equality Commission Act, 2011;
- viii. Persons with Disabilities Act, 2003;
- ix. Kenya National Commission for Human Rights Act, 2011;
- x. County Government Act, 2012; and
- xi. The Public Service Values and Principles Act, 2015.

### **4.3 Policy Framework**

Policy is a guide to a course of action. The Public Service is guided by the Constitution, legislations, regulations, and codes of conduct, policies and guidelines. The other policies which guide the public service and which have a bearing on values and principles include:

- i. The National Values policy - Sessional Paper No. of 8 of 2013 on National Values and Principles of Governance;
- ii. Draft Public Service Values and Principles Policy;
- iii. The National Cohesion and Integration Policy;
- iv. Gender Policy 2000;
- v. Sessional Paper No. 10 of 2012 on The Kenya Vision 2030;
- vi. Sessional Paper No. 3 of 2014 on the National Policy and Action Plan on Human Rights;
- vii. National Disability Policy 2006;
- viii. Sessional Paper No. 6 of 1999 on Environment and Development;

- ix. Sessional Paper No. 1 of 2006 on Non- Governmental Organizations;
- x. Sessional Paper No. 10 of 1965 on African Socialism and Its Application to Planning in Kenya; and
- xi. The Diversity Management Policy 2015.

#### **4.4 The Institutional Framework**

The envisaged institutional framework for the implementation of the values includes:

- i. The Presidency;
- ii. Parliament;
- iii. The Judiciary;
- iv. The Public Service Commission;
- v. Gender and Equality Commission;
- vi. Commission on Administrative justice;
- vii. The Auditor General;
- viii. The Controller of Budget;
- ix. Attorney General;
- x. The Director of Public Prosecutions;
- xi. Ethics and Anti- Corruption Commission;
- xii. The Ministries and Departments;
- xiii. Ministerial and Departmental Human Resource Management Committee;
- xiv. The Council of Governors;
- xv. The County Public Service Board Forum;
- xvi. National Council for Persons with Disabilities;
- xvii. National Cohesion and Integration Commission;
- xviii. The Kenya School of Government;
- xix. Kenya Institute of Curriculum Development;
- xx. The Commission for University Education; and
- xxi. The Media.

#### **4.5 Institutional Linkages**

##### **4.5.1 The Kenya School of Government (KSG)**

The Commission is mandated to develop human resource in the public service. The Commission does this in collaboration with the Kenya School of Government and overseeing the application of the training funds into areas which upscale the requisite qualifications, competencies and skills of public officers in the public service. The uptake of values in the public service can be accelerated through cadre appropriate instructional material at different levels of learning and training.

The Kenya School of Government is strategically placed to infuse and inculcate the values and principles at all levels of the public service since it's the premier training institution for the public service with the necessary capacity and outreach to do so. The Commission



may enter into a structured collaboration with the Kenya School of Government to offer courses on values, ethics and public service governance to public officers entering the service, those undergoing in-service training and those at senior management and strategic leadership levels.

#### **4.5.2 The Kenya Institute of Curriculum Development (KICD)**

The Commission is mandated to develop human resources in the public service while the Kenya Institute of Curriculum Development is mandated to develop curriculum for education institutions in the country. The National Values Policy, the Leadership and Integrity Act, 2012, The Public Service Values and Principles Act, 2015 and the draft Public Service Values and Principles Policy recognize that one way of accelerating the uptake of the constitutional values is to ensure that the values and principles are inculcated to learners in early childhood education, schools, colleges and universities. This requires an age appropriate curriculum. The Commission will enter into a structured engagement with the Kenya Institute of Curriculum Development to develop curriculum for values dissemination throughout the public service.

#### **4.5.3 The National Cohesion and Integration Commission (NCIC)**

The Commission is a statutory Commission responsible for fostering national cohesion and integration throughout the country.

#### **4.5.4 The National Values Secretariat (NVS)**

This is the secretariat established pursuant to the National Values Policy and is responsible for the preparation of the State of the Nation Address by the President. This is a key collaborating agency for which the Commission has established linkages through a liaison officer.

#### **4.5.5 The Performance Contracting Secretariat**

The secretariat is established and homed within the executive and is responsible for the performance contracting process in the MDAs. The values and principles targets may be uploaded onto the performance contracting platform through the secretariat.

#### **4.5.6 Professional Societies**

The Commission is mandated to promote high standards of professional ethics in the public service. The Public Officer Ethics Act, Cap 183 of the Laws of Kenya, the Leadership and Integrity Act 2012, and the Public Service Values and Principles Act, 2015 sets minimum standards of conduct for public officers. These standards are meant to set the bar in the performance of public duties by public officials. These standards are also meant to ensure professionalism take root in the public service. The Commission will ensure professionalism in the public service by including the standards in the code of conduct and ethics and in the citizen service delivery charter. The Commission will undertake governance audits against the compliance with those standards annually.

The public service is also staffed with members of professional bodies registered or licensed to practice by various professional societies established by law. These are what

are known as classical or acknowledged professionals. The acknowledged professions are characterized by:

- i. establishment through statute;
- ii. existence of regulatory board or council;
- iii. registered and licensed membership;
- iv. existence of a code of practice;
- v. subscription to a continuous learning and professional development; and
- vi. maintenance of good professional standing by members.

These professions include the Law Society of Kenya, the Kenya Dentists and Medical Practitioners Board, The Engineers Board of Kenya, the Architectural Society of Kenya, Institute of Certified Accountants of Kenya, The Kenya Society of Surveyors amongst others. It is important for the Public Service Commission to establish structured linkages with the umbrella association to facilitate provision of updated inventory of professionals in good conduct and an inventory of professionals undergoing disciplinary proceedings for professional misconduct and who may be serving in the public service. The Commission may also provide an inventory of professionals in the public service to the societies and those who may be undergoing disciplinary proceedings for misconduct. The Commission will work with the societies to ensure the professionals in public service are supported to undergo continuous professional development.

#### **4.5.7 Law Enforcement Agencies**

The Commission is mandated to promote, evaluate and report on the constitutional values and principles including respect for human rights, accountability, transparency, integrity and good governance. Other institutions vested with the responsibility of implementing and enforcing these values includes the Ethics and Anti-Corruption Commission, the Gender and Equality Commission, Commission on Administrative Justice, the Kenya Human Rights Commission, The Kenya Police Service, The Attorney General and The Director of Public Prosecutions. The Commission will establish a structured collaboration linkage with these key institutions to ensure that matters touching on values requiring law enforcement are dealt with and reported on a timely basis.

#### **4.5.8 Oversight Bodies**

The Commission is mandated to ensure that the public service is efficient and effective and in order to do this it is required to promote the values and principles of efficiency, effectiveness and economic use of resources. The other institutions which have a role in ensuring that the public service is efficient, effective and resources are utilized prudently include the Office of The Controller of Budget, The Auditor General, The Public Procurement Oversight Authority, Commission on Administrative Justice, Public Procurement Appeals Board, Inspectorate of State Corporations and the Performance Contracting Secretariat. Oversight reports from these agencies will immensely contribute to the report on the extent to which the values and principles are complied with in the public service. The Commission will therefore, establish a structured engagement with these bodies.

#### **4.5.9 The Private Sector**

A robust monitoring and evaluation system is necessary to ensure that the public officers are responsive, transparent and accountable for actions and decisions. The monitoring and evaluation framework which exists in the public service has largely been seen as a monologue amongst service providers. Most Government agencies commission surveys such as customer and employee satisfaction surveys which may not be entirely objective given the nature of client contractor relationship and the interests of the contractors to perpetuate their services beyond the contract at hand. It is therefore necessary to conduct the survey targeting the service recipient as a way of ensuring that the service delivery ratings correlate with the assessment by the service recipients. In the spirit of public private partnership, the Commission will establish a structured engagement with public private sector associations on the undertaking of service wide citizen satisfaction survey, employee and workplace environment surveys and corruption perception index survey. This will need to target the citizens who are the service recipients. Such organizations include Kenya Association of Private Sector Alliance, civil society, faith based organizations and association of professional societies.

#### **4.5.10 The Media**

The media is a powerful tool of socialization in society. The media shapes and fashions public opinion through the provision of wide outreach platform to individuals and organizations. The media platforms also host influential personalities who boast of a captive audience. This includes political leaders, religious leaders, prominent business people, artists, and also determine what gains currency and relevance on topical issues. The social media following has increasingly grown influential and now boasts of a large following which cannot be ignored as it has the capacity to prosecute and push its agenda without any formal forum. The media is one of the most critical institution in the promotion, evaluation and reporting of the values and principles. A robust corporate communication strategy will ensure that the values and principles agenda remain a prominent fixture in the media platform. The Commission will establish a structured engagement with the media and identify its value carriers and value drivers in terms of influential media personalities who can be engaged to advance the values in their programmes.

### **4.6 The Role of the Public Service Commission:**

The Public Service Commission shall:

- i. promote, undertake compliance evaluation and report on measures taken, progress achieved and impediments in the realization of the values and principles in the public service;
- ii. oversee the implementation of recommendations made by the presidency and parliament;
- iii. build institutional capacity both internal and external necessary for the promotion, compliance evaluation and reporting on the values and principles;
- iv. develop and disseminate policy framework for the implementation of the values and principles;
- v. include values and principles in the criteria for appointments, promotions and removals from the public service;

- vi. develop and disseminate the code of Conduct and Ethics for Public Officers;
- vii. set performance standards on values and principles;
- viii. set the performance indicators on values and principles;
- ix. establish institutional linkages for implementation of the values and principles;
- x. develop strategies for the promotion of values and principles;
- xi. develop a criteria for the evaluation of values and principles;
- xii. develop a reporting framework for the values and principles;
- xiii. establish recognition, reward, commendation and honors system for the outstanding embodiment of the values and principles;
- xiv. award best public service role models through a participatory process with commendations and honours such as 'mahadili bora' and 'mzalendo' award; and
- xv. host a national conference once a year to stimulate national dialogue on various thematic areas such as the 'place of values and principles in national development'.

#### **4.7 The Role of the Authorized Officer**

The 'Authorized Officer' is an officer to whom the Commission has delegated responsibility for the discharge of some of its functions. These are the executive heads of ministries and state departments. The discharge of human resource functions in the public service happen at two levels – the functions discharged directly by the Commission and the functions discharged under delegated authority. The Commission undertakes human resource audits to assure the proper discharge of human resource function under delegated authority. The responsibilities of the Authorized Officer in the promotion, evaluation and reporting on the implementation of values and principles include:

- i. dissemination and implementation of the values and principles policy framework;
- ii. establishment and facilitation of human resource management committee;
- iii. appointment and training of link person for the values and principles implementation;
- iv. inclusion of values and principles into the criteria for appointment, promotions and removal from the public service;
- v. identification of value carriers and value drivers in the organization;
- vi. mainstreaming of the performance standards on values and principles into the organizational business processes;
- vii. mainstreaming of the performance indicators on values and principles into the organizational business processes;
- viii. mainstreaming of the values into the client service delivery charter;
- ix. mainstreaming of the values into the strategic plan;
- x. mainstreaming of the values into the performance management system including performance appraisals;
- xi. mainstreaming of the Public Officer Code of Conduct and Ethics into the organizational business processes;
- xii. identifying and recommending staff through a participatory process for recognition, reward, commendation and honors for exemplifying the values and principles;

- xiii. reporting to the Commission on a quarterly, bi-annual and annual basis on the implementation of the values and principles including measures and activities on promotion of values and compliance evaluation; and
- xiv. participating in the national conference on values and principles of the public service.

#### **4.8 Role of Public Officer**

Every public officer shall be expected to:

- i. respect, uphold and promote the values and principles;
- ii. be a value carrier and value driver;
- iii. support, encourage and respect others who exemplify the values in their day to day work;
- iv. respect and abide by the Public Officer Code of Conduct and Ethics;
- v. respect and be guided by the citizen service delivery charter;
- vi. deliver on all the organizational/departmental/ individual performance targets;
- vii. maintain the high standards of decorum, civility and courtesy in the discharge of public duty;
- viii. act in a manner that does not bring self, organization and government into disrepute; and
- ix. report any violation of values and principles wherever and whenever detected.

## 5.0 PROMOTION OF VALUES AND PRINCIPLES IN THE PUBLIC SERVICE

There may be no single strategy to promote the values and principles. From the foregoing assessment of stakeholder base and institutional linkages it must be evident that promotion will be multi-sectoral and therefore multi-pronged. Fortunately there exists a vast body of best practices to learn from within the other sister commissions across the world. Some of the notable examples are drawn from Canada, New Zealand, Australia, Norway, Singapore, South Korea, Germany, South Africa, Mauritius, and Brazil. These countries were chosen based on various performance indicators which include global human development index, corruption perception index, ease of doing business index and global competitiveness index. All these performance indicators are compared to Kenya standing.

### 5.1 Unbundling and Unpackaging the Values and Principles

The values and principles to the uninitiated are abstract and confusing. The values and principles also apply to a diverse service in terms of cadres and organizational mandate. Attempts have been made to unbundle and unpackage the values in the various enabling legislations, codes and policies. From the practitioners point of view, it would be useful to attempt an unbundling and unpackaging of the values and principles for ease of understanding and implementation. This has been done through definition of the terms and the setting of the performance standards and indicators. The Commission has made policy decisions on the proposed formulas for apportioning proportionate ethnic representations, redressing the proportionate under-representation and over-representation; the formula for determining minorities and the marginalized; and the duration of the affirmative action programme.

### 5.2 Strategies for the Promotion of Values and Principles

#### *i. Promotional Manuals and Materials*

The vehicles through which the values will be infused, inculcated and mainstreamed into the service include, the citizen public service delivery charter, the values and principles dissemination manual, the values and principles policies, values and principles guidelines, flyers, brochures, posters, skits, digital video discs, T-shirts, caps, branded pens, calendars, caricatures, graffiti amongst others.

#### *ii. Public Service Entry Requirements*

The values and principles can be disseminated through different ways. This may have to start at public service entry level. The criteria for recruitment may need to include an assessment of whether the candidate is aware of the values and principles governing the conduct of officers in the public service. Testing the awareness on the values and principles from the onset as candidates enter service helps create the consciousness on the officers that there are standards of conduct to keep an eye on in the public service. Interview questions need to be formulated around the values and principles.

*iii. Terms and Conditions of Service*

Once officers are absorbed into service the terms of engagement should include a signed commitment to adhere to the public service values and principles. Making this part of the terms of engagement in service helps ensure that they become an integral part of the terms for separation should the values and principles not be adhered to.

*iv. Induction Programmes*

The induction programme should include a thorough sensitization on the values and principles and use of audience specific appropriate dissemination materials. Officers joining service should have clarity on why the values and how to observe them.

*v. In-service Training Programmes*

The in-service training curricula should have comprehensive instructional materials on values and principles and this should be made a mandatory unit in all in-service training including examinable courses.

*vi. Promotional Appointments*

Adherence to values and principles need to be made one of the criteria for promotions to higher posts. The public service rewards and sanctions system need to include best performers on the values front both from within the Commission itself and in the service.

*vii. Role-playing*

This involves depiction of real case scenarios in role playing for audiences that are intended to promote the desired societal values. The depictions could be on the adverse effects of corruption in the economy and how that affects individual citizens.

*viii. Case Studies Presentations*

This may be done in controlled environments such as workshops and seminars where real case studies are presented to participants on the positive and negative effects of good and bad governance.

*ix. Skits and Plays*

This may be used in forums such as end of year parties, state functions, public rallies, school and church functions, on Television, radio and in school music and drama festivals.

*x. Campaigns, Advertisement and Publications*

Campaigns may include such activities like shows and exhibitions, rallies, public speeches, newspaper supplements and infomercials, documentaries and talk-shows and interviews.

*xi. Caricatures*

These are illustrations and depictions of adverse effects non-adherence to values and principles have on organizations and the economy and how this affects individuals in society. The depictions are satirized to elicit amusement while conveying the desired moral message. This can be included in the values dissemination manual, brochures, calendars, posters and flyers.

#### *xii. Posters, Brochures and Flyers*

These materials are convenient conveyors of shortened version of the values messages and may be used to convey single or a cluster of values and may be distributed physically, online, as stickers for vehicles, and office notice boards and as part of IEC materials in workshops and seminars.

#### *xiii. Graffiti in Public Transport Buses and Matatus*

The Commission may consider leveraging on the recent Presidential permission for public transport vehicles such as *matatus* and buses to be painted with graffiti. This may require an engagement with the *matatu* owners association on the possibility of the *matatus* and buses being used as value carriers as this service permeates all sectors of society and particularly appeals to the youth. The Commission recommends for a structured engagement with the relevant associations for the use of the transport platform to accelerate the uptake of the values.

#### *xiv. Sports*

Kenya excels worldwide in various sporting activities. The sports can be an opportunity for the Commission to keep the values in the Kenyan psyche through identification of popular sports and those where Kenya excels internationally such as athletics, rugby and volleyball and using them as value carriers and the athletes as value drivers. The Commission will enter into a structured collaboration with the relevant sports associations on the use of the sports as a branding front for the values such as Athletics Kenya, the Kenya Rugby Association and the National Volley Ball Association.

#### *xv. Performing Arts, Drama and Music Festivals*

Performing artists are a strong influence in society and help shape public perceptions and opinions. This category includes writers, satirists, poets, comedians, actors and actresses, sculptors, painters, musicians, event organizers and radio and TV presenters. This is an important constituency in the promotion of values and principles. For the values and principles to be embedded into all aspects of society it is important that this constituency be sufficiently engaged on this cause. The Commission will engage the music society of Kenya, the ministry of education and prominent artists to include the values and principles in their activities. The Commission may also consider introducing a trophy to the national music and drama festivals and values themes to be contested every year in music compositions, poems, skits, plays and narratives.

#### *xvi. The Media*

The media in Kenya has a captive audience be it television, radio and newspapers. Most Kenyans are consumers of various media outlets whether they are listening to news, music, social gossips, salaams or participating in call ins on topical issues, or watching soap operas, talk-shows, comedies, movies or documentaries. Properly prepared promotional scripts on values will find ready listenership, viewers, and readers. The Commission will engage with the Media Owners Association on the subject of promotion of values even as part of their corporate social responsibility.

#### *xvii. Public Service Week*

All public institutions are encouraged to participate in the public service week and showcase their innovations in service delivery fronts. This will serve as a point of



interaction between the public service and the citizens and is a useful forum for the service givers to learn from each other and to get feedback from the service recipients. Seminars, conferences, workshops and symposia may be organized as forums for values and principles dissemination. This may be organized by individual MDAs and the Commission.

### **5.3 Mainstreaming Values and Principles**

#### *i. Public Service Citizen Service Delivery Charter*

The values and principles may be mainstreamed through various avenues. The first port of call is the development and dissemination of service-wide citizen service delivery charter. This charter will have the minimum standards for service delivery applicable to the MDAs under the Public Service Commission. The individual MDAs are at liberty to customize them and better the standards depending on their capacities to live upto those standards.

#### *ii. Performance Management System*

The values and principles can also be mainstreamed through inclusion in the performance management systems and instruments. These include uploading them onto the performance contract platform, making them part of the scored areas in the performance management instruments like the staff appraisal form, organizational performance contract and individual performance appraisal agreements.

#### *iii. Public Service Honours and Awards*

The respect for the values and principles can also be made part of the criteria for determining the award of national honours and commendations. The Commission recommends the introduction of the 'mahadili mema' award, 'utumishi bora' award, 'uhadilifu' award, and 'uwajibikaji' award. At organizational level the Commission may also honour the best overall value carrier 'branding category' and the best overall value driver 'championing of the values.' All this may need to be qualified through public participation.

## **6.0 PRE-CONDITIONS FOR PROMOTION OF VALUES AND PRINCIPLES**

This section sets out measures that MDAs falling under the Commission’s jurisdiction will have to adopt for purposes of promoting the values and principles. For each principle minimum measures are set out.

### **6.1 High Standards of Professional Ethics**

*Pre-conditions for Performance*

- i. Maintain an updated inventory of professionals in good standing;
- ii. Support professionals in continuous professional development; and
- iii. Support the enforcement of penalties for breach of professional code of conduct/ practice and ethics.

### **6.2 Efficient, Effective and Economic Use of Resources**

*Pre-conditions for Performance*

- i. Upskilling;
- ii. Right placements;
- iii. Facilitation;
- iv. Motivation;
- v. Improvement in work environment;
- vi. Proper planning;
- vii. Periodic appraisals;
- viii. Review of structures, systems and processes;
- ix. Supervision;
- x. Envisioning;
- xi. Talent management and retention; and
- xii. Innovation.

### **6.3 Responsive, Prompt, Effective, Impartial and Equitable Provision of Services**

*Pre-conditions for Performance*

- i. Shared core values;
- ii. Institution of citizen service delivery charter;
- iii. Public participation;
- iv. Rights based approach to service delivery;
- v. Shared norms and standards;
- vi. Guidelines and manuals;
- vii. Automation of services;
- viii. Devolution and decentralization;
- ix. Timely communication of information; and
- x. Establishment of one – stop automated service delivery points.

## **6.4 Involvement of the People in the Process of Policy Making**

### *Pre-conditions for Performance*

- i. Develop guidelines on public participation;
- ii. Establish the objects of public participation;
- iii. Identify key stakeholders;
- iv. Develop public participation plan;
- v. Implement public participation process;
- vi. Provide feedback to the members of the public or stakeholders; and
- vii. Evaluate public participation.

## **6.5 Accountability for Administrative Acts**

### *Pre-conditions for Performance*

- i. Develop and implement a management accountability framework;
- ii. Develop and implement an integrated risk management framework;
- iii. Strategic plans;
- iv. Compliance with set budgetary ceilings;
- v. Institute performance agreements;
- vi. Prepare performance reports;
- vii. Compliance with statutory requirements; and
- viii. Compliance with client service charters.

## **6.6 Transparency and Provision to the Public of Timely, Accurate Information**

### *Pre-conditions for Performance*

- i. Develop a corporate communication strategy;
- ii. Compile and disseminate corporate annual report;
- iii. Establish an interactive corporate website;
- iv. Establish online helplines, emails, SMS, telephone and fax services;
- v. Develop and disseminate FAQs;
- vi. Publish and publicize newsletters, magazines, and brochures;
- vii. Participate in media talk shows;
- viii. Undertake corporate branding;
- ix. Engage in social media platform;
- x. Participate in the public service week; and
- xi. Establish one – stop automated service points and portal.

## 6.7 Fair Competition and Merit

Merit means the presence of minimum qualifications for the advertised vacancy, possession of requisite skills and competencies necessary for the effective performance of the advertised job and which are responsive and consistent with the operational requirements and needs of the organization.

### *Pre-conditions for Performance*

- i. Review of the application instruments to conform to constitutional standards and principles;
- ii. Indent to contain only minimum requirements necessary for the performance of the advertised job;
- iii. advertisement in accessible formats and media to the widest pool of potential applicants;
- iv. Allow sufficient time for applications from the far-flung areas of the country;
- v. Establish a register of applicants dis-aggregated in terms of gender, ethnicity and disability status;
- vi. Establish the recruitment and selection criteria that take into account the diversity of the Kenyan people;
- vii. Establish a representative recruitment and selection panel including the user department;
- viii. Maintain a register of shortlisted candidates reflective of the diversity of the Kenyan people in terms of gender, ethnicity and persons with disability;
- ix. Communicate to the shortlisted candidates the interview requirements allowing adequate lead time;
- x. Communicate to the unsuccessful candidates informing them of the outcomes of the shortlisting;
- xi. Establish a representative and competent interview panel including the user department;
- xii. Establish the interview schedule and criteria for scoring;
- xiii. Maintain an interview attendance register;
- xiv. Provide reasonable accommodation for persons with disabilities and candidates in special circumstances (breast-feeding mothers, expectant women, persons with medical conditions);
- xv. Use interview formats accessible to all candidates;
- xvi. Ensure that appointment decisions are consistent with the established recruitment and selection criteria at all stages of the process; and
- xvii. Ensure parity of treatment in awarding training opportunities.

## 6.8 Representation of Kenya's Diverse Communities

Kenya's diverse communities include members of different gender, members of different ethnic communities, members of different religious communities, vulnerable groups including the youth, persons with disabilities, orphans and those living in extreme poverty.

### *Pre-conditions for Performance*

- i. Develop diversity management policy;
- ii. Establish criteria for determining underrepresented communities;
- iii. Develop and implement affirmative action programmes; and
- iv. Undertake baseline surveys to establish representation levels of the diverse communities in the organization.

## **6.9 Affording Adequate and Equal Opportunities for Appointments, Training and Advancement at all Levels of the Public Service of Men and Women, Members of all Ethnic Groups and Persons with Disabilities.**

Adequate opportunities relate to proportionality of representation relative to the population in that category. Equal opportunity relates to parity of treatment amongst equals and includes the principle of treating equals equally and treating unequal unequally.

### **a) Appointments:**

#### *Pre-conditions for Performance*

- i. Establish the gender representation in the organization against the two third gender principle (one gender should not be more than two thirds in representation);
- ii. Establish the ethnic representation in the organization (proportionate representation of members of all ethnic communities relative to their national population size);
- iii. Establish the percentage of representation of persons with disabilities against the five percent constitutional requirement for appointments of persons with disabilities;
- iv. Maintain a record of applicants, shortlisted candidates, interviewed candidates and appointments dis-aggregated by gender, ethnicity and disability;
- v. Inform candidates of interview requirements to enable them prepare appropriately;
- vi. Develop and implement a time bound affirmative action strategy;
- vii. Develop a monitoring and evaluation framework with indicative reporting schedule (quarterly, bi-annual and annual); and
- viii. Publish and publicize reports of appointments made at all levels of the organization on a quarterly basis.

### **b) Training**

#### *Pre-conditions for Performance*

- i. Establish a training committee;
- ii. Identify organizational skills and competency needs;
- iii. Undertake skills and competency audits;
- iv. Undertake training needs analysis;
- v. Make training needs projections;
- vi. Prepare a training budget;
- vii. Establish criteria for allocating training opportunities for public officers at all levels of the organization;
- viii. Maintain a record of officers trained dis-aggregated by gender, ethnicity and disability;

- ix. Prepare quarterly, bi-annual and annual reports on the number of officers trained dis-aggregated by gender, ethnicity and disability status; and
- x. Undertake a training impact assessment.

**c) Promotions**

*Pre-conditions for Performance*

Conferment of an office and grade to which is attached a higher responsibility and salary than that earlier occupied by an officer normally preceded by a declaration of vacancy and interview.

- i. Establish clear career progression paths;
- ii. Establish the criteria for promotions at all levels of the organization;
- iii. Award training opportunities based on the established criteria;
- iv. Maintain a record of officers promoted at all levels of the organization dis-aggregated by gender, ethnicity and disability status; and
- v. Prepare, publish and publicize quarterly, bi-annual and annual reports.

## 7.0 MONITORING AND EVALUATION

Monitoring is the keeping of an eye on progress of implementation of a programme or project against set standards using established indicators. It entails the routine collection and analysis of information to track progress against the implementation of values and principles.

Evaluation is an assessment of the success or otherwise on the implementation of a programme or project against set goals or objectives. This entails a systematic and objective assessment of the implementation of the policy and programmes geared towards implementation of the values and principles.

### 7.1 Monitoring and Evaluation:

A monitoring and evaluation exercise is used to:

- i. establish baseline information;
- ii. determine performance standards;
- iii. set performance indicators;
- iv. assess the adequacy and effectiveness of legislative, institutional, policy and regulatory framework;
- v. examine the existence and effectiveness of structures, systems and processes that support the implementation of values and principles;
- vi. inform improvement of management accountability;
- vii. inform improvement of integrated risk management;
- viii. inform review of legislative, institutional and policy framework;
- ix. facilitate the taking of timely corrective action on anomalies; and
- x. facilitate the making of an informed report to the President and Parliament.

### 7.2 Modalities for Monitoring

- i. Inspections;
- ii. Investigations;
- iii. Ad-hoc audits;
- iv. Rapid Assessment Surveys;
- v. Complaints, compliments and suggestions; and
- vi. Media Reports.

### 7.3 Modalities for Evaluation

- i. Surveys;
- ii. Studies;
- iii. Human resource audits;
- iv. Oversight surveys;
- v. Oversight reports; and
- vi. Governance audits.

## **7.4 Evaluation Cycle**

- i. Output – Annual;
- ii. Outcome– Mid-term based every three years; and
- iii. Impact – every five years.

## **7.5 Setting the Performance Standards**

Against each of the public service values and principles are set performance standards. These standards may include measures that need to be put in place in order for the values and principles to be realized.

## **7.6 Setting the Performance Indicators**

Performance indicators are simply signposts that indicate that the implementation of a programme or project is on course. The indicators are measured in numbers, percentages or ratios and may include outputs, outcomes and impacts.

## **7.7 Developing the Assessment Tools and Instruments**

The monitoring and evaluation may include such activities as the undertaking of surveys, audits, inspections and investigations and studies. This may require development of appropriate instruments and tools and the setting of value smart performance standards and indicators.

## **7.8 The State of the Public Service Report**

The end result of implementation of values and principles is the values and principles report submitted to the President and Parliament by December of every successive financial year. This report is on measures taken, progress achieved and impediments on the realization of values and principles. The report on the state of public service in terms of compliance with the values and principles is a performance accountability report for the Public Service Commission. The building blocks for this report include, the governance audit findings on the citizen service delivery charter, the service-wide citizen service satisfaction survey report findings, the workplace and service-wide employee satisfaction survey findings and the service-wide corruption perception index survey findings. The report will also be informed by the reports from the other oversight institutions identified in the institutional linkages section.

The report will also build on the findings and recommendations of previous reports including the baseline survey reports of 2012/2013 and 2013/2014. The other report which will inform the state of the public service report is the human resource audit report on the risk areas in the discharge of the Commission mandate including implementation of the Commission delegated functions and decisions.



## 8.0 PERFORMANCE STANDARDS AND INDICATORS

### 8.1 High Standards of Professional Ethics

#### *A. Performance Standards*

a) For all public officers:

- i. compliance with the Public Officer Code of Conduct and Ethics;
- ii. public service etiquette;
- iii. financial probity;
- iv. confidentiality;
- v. disclosure of interest;
- vi. competence;
- vii. fidelity to the law; and
- viii. Integrity.

b) For public officers who are members of various professional bodies:

- i. membership registration;
- ii. issuance of membership practicing certificate/license;
- iii. continuous professional development; and
- iv. compliance with the code of practice.

#### *B. Performance Indicators*

In order to monitor the progress made on the realization of this value the MDAs are required to maintain information on:

- i. the baseline data or information;
- ii. number of professional bodies represented in the organization;
- iii. an updated inventory of members of professional bodies in the organization;
- iv. number of members of professional bodies in good standing;
- v. number of members of professional bodies supported to attend continuous professional development courses;
- vi. number of members of professional bodies with current practicing certificates/license;
- vii. number of members of professional bodies honored or awarded for outstanding performance;
- viii. number of members of professional bodies with complaints lodged against them;
- ix. number of members of professional bodies against whom disciplinary action was taken;
- x. number of members of professional bodies facing court cases;
- xi. number of members of professional bodies convicted for criminal and civil offences;
- xii. number of staff members charged with breach of the code of conduct;

- xiii. number of staff members under investigation by the Ethics and Anti-Corruption Commission; and
- xiv. number of officers charged in court over corruption or abuse of office cases.

## **8.2 Efficient, Effective and Economic Use of Resources**

This value requires public institutions to deploy the resources in the discharge of its core functions. Further institutions are required to use the least costly but effective options.

### *A. Performance Standards*

- i. The organizational mandate;
- ii. Core functions;
- iii. Vision;
- iv. Mission;
- v. Core values;
- vi. Strategic plan;
- vii. Organizational structure;
- viii. Human resource management plan;
- ix. Optimal staffing level;
- x. Documented business processes;
- xi. Automated one stop service delivery centers;
- xii. Annual performance targets;
- xiii. Performance agreements;
- xiv. Performance appraisals;
- xv. Compliance with set budgetary ceilings;
- xvi. Alignment of budget to planning;
- xvii. Budget absorption levels;
- xviii. Fiscal and debt sustainability;
- xix. Social sustainability;
- xx. Social protection funds programmes;
- xxi. Environmental sustainability;
- xxii. Adherence to 70:30 recurrent to development ratio;
- xxiii. Adherence to 60:40 operation and maintenance to personnel emolument ratio;
- xxiv. Adherence to procurement regulations;
- xxv. Adherence to public finance management regulations; and
- xxvi. Functional departmental audit committees.

### *B. Performance Indicators*

- i. Appreciation of organizational mandate;
- ii. Relevance of the vision, mission and core values to the mandate;
- iii. Relevance of the strategic plan to the organization's mandate;

- iv. Existence of organizational structure;
- v. Existence of human resource management plan;
- vi. Determined optimal staffing levels;
- vii. Existence of documented service delivery procedures;
- viii. Achievement of annual performance targets;
- ix. Number of staff appraised;
- x. Total annual budget against the 70:30 recurrent to development ratio;
- xi. Annual allocation and expenditure on development budget;
- xii. Annual allocation and expenditure on recurrent budget;
- xiii. Annual expenditure on operation and maintenance against personnel emoluments (60:40);
- xiv. Number of audit queries raised;
- xv. Clean financial statements;
- xvi. Number of appeals lodged to Public Procurement Oversight Authority (PPOA) and Public Procurement Authority Board (PPAB) against the organization's procurement decisions;
- xvii. Total amount of funds allocated to vulnerable groups i.e. cash transfers, bursaries, loans etc;
- xviii. Total number of beneficiaries of cash transfers, loans, bursaries targeting vulnerable groups;
- xix. Number of environmental impact assessments undertaken, approved, denied, reviewed and reversed;
- xx. List and number of business processes documented; and
- xxi. List and number of business processes automated.

### **8.3 Responsive, Prompt, Effective, Impartial and Equitable Provision of Services**

In order to realize this value the institutions may adopt the following measures:

#### *A. Performance Standards*

- i. Institute an organizational client service charter;
- ii. Institute a grievance handling procedure;
- iii. Simplify and document operational procedures;
- iv. Automate the documented service procedures;
- v. Undertake customer satisfaction surveys;
- vi. Undertake corruption perception index surveys;
- vii. Undertake governance audits;
- viii. Present organization information in accessible formats; and
- ix. Utilize varied communication outreach media.

### *B. Performance Indicators*

- i. Develop and implement a client service charter;
- ii. Develop and implement a grievance handling procedure;
- iii. Number of service delivery procedures documented;
- iv. Number of functional service delivery processes automated;
- v. Level of customer satisfaction index;
- vi. Corruption perception index;
- vii. Governance audit index;
- viii. Number of various communication media used;
- ix. Availability of braille and sign language services; and
- x. Availability of helplines, customer desks, hotlines, online services and interactive websites, fax and Short Message Services (SMS).

## **8.4 Involvement of the People in the Process of Policy Making**

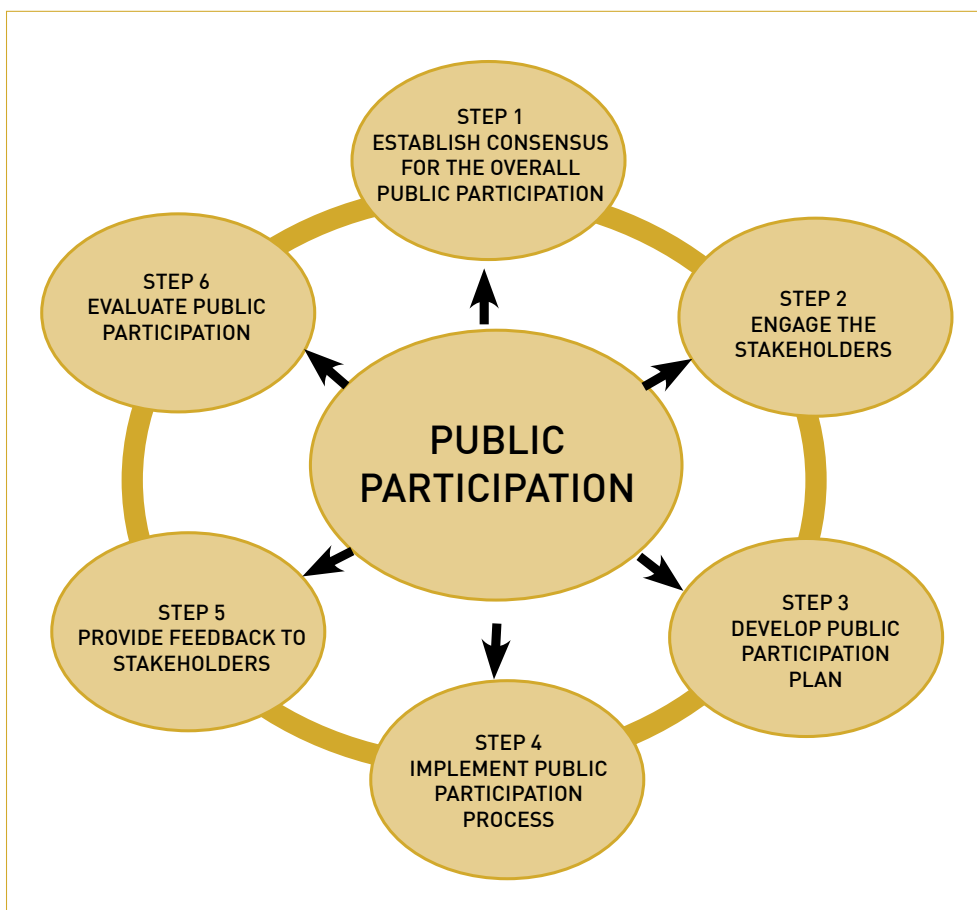
### *A. Performance Standards*

- i. Establish public participation guidelines;
- ii. Define the stakeholders;
- iii. Determine the structures necessary for public participation;
- iv. Determine levels of participation; and
- v. Provide timely information in accessible formats to the public and participants.

### *B. Performance Indicators*

- i. Existence of public participation guidelines;
- ii. Existence of an inventory of the stakeholders;
- iii. Existence of a structured system of public participation;
- iv. Records of public participation meetings or forums;
- v. Number of public policies developed;
- vi. Number of public participation meetings held; and
- vii. Number of participants dis-aggregated by organization, gender, ethnicity and disability status.

Figure 1: Public Participation Process Cycle



## 8.5 Accountability for Administrative Acts

This requires that public officers take responsibility for decisions they make and actions taken. To achieve this, the following measures may be adopted:

### A. Performance Standards

- i. Maintenance of records;
- ii. Signing of documents, correspondence, instructions and decision letters;
- iii. Documentation of decisions;
- iv. Maintenance of communication registers;
- v. Issuance of instructions in writing;
- vi. Public display of service charters and standards of service delivery;
- vii. Performance appraisals;
- viii. Documented grievance handling procedures;
- ix. Codes of conduct and ethics;

- x. Financial disclosures;
- xi. Maintenance of conflict of interest register;
- xii. Maintenance of gift register;
- xiii. Performance agreements;
- xiv. Trainings on good governance;
- xv. Corruption perception surveys;
- xvi. Customer satisfaction surveys;
- xvii. Governance audits;
- xviii. Maintenance of schedules of registrable interests; and
- xix. Documented disciplinary procedures.

#### *B. Performance Indicators*

- i. Existence of a service charter;
- ii. Existence of documented grievance handling procedures;
- iii. Existence of performance agreements;
- iv. Number of officers appraised;
- v. Number of officers trained in leadership and governance;
- vi. Compliance level with the Public Officer Ethics Act;
- vii. Corruption perception index;
- viii. Customer satisfaction index;
- ix. Governance audit index;
- x. Existence of gift registers;
- xi. Existence of declaration of conflict of interest registers;
- xii. Existence of schedule of registrable interests register;
- xiii. Number of disciplinary cases handled; and
- xiv. Number of officers punished for service misconduct.

## **8.6 Transparency and Provision to the Public of Timely, Accurate Information.**

Providing the public, who are the recipients of the services with timely and accurate information will facilitate meaningful public participation and also create an avenue for feedback on service delivery. This value may be realized through:

#### *A. Performance Standards*

- i. Develop and implement a corporate communication strategy;
- ii. Development of an Interactive website;
- iii. Prepare, publish and publicize annual reports and newsletters;
- iv. Development of Information Education and Communication materials – magazines, flyers, posters, brochures;
- v. Use of documentaries, infomercials, talk shows;
- vi. Shows, campaigns, exhibitions and advertisements;

- vii. Participation in Public Service day, week, month;
- viii. Automation of processes and service points;
- ix. Open plan offices;
- x. Publishing and publicizing of documents;
- xi. Peer review forums;
- xii. Training and sensitizations;
- xiii. Workshops, conferences, seminars and symposiums; and
- xiv. Interviews, briefs, supplements and meetings.

#### *B. Performance Indicators*

- i. Existence of a corporate communication strategy;
- ii. Existence and display of client service charters and core values;
- iii. Number of documents published;
- iv. Number of documents and publications uploaded in the website;
- v. Number of online services offered;
- vi. Number of reports published and publicized;
- vii. Existence of suggestion boxes and customer help desks;
- viii. Number of documentaries made;
- ix. Number of shows, campaign, advertisement and exhibitions held;
- x. Number of public complaints made;
- xi. Number of public complaints resolved;
- xii. Transparency international report ranking;
- xiii. Existence of frequently asked questions; and
- xiv. Existence of organization fact-file.

## **8.7 Fair Competition and Merit**

This value may be realized through:

#### *A. Performance Standards*

- i. Open advertisement of vacancies in accessible formats to all potential applicants;
- ii. Maintenance of recruitment and selection records from application to appointments;
- iii. Allowing of sufficient lead time to all applicants and shortlisted candidates;
- iv. Establishment of a competent and representative recruitment and selection panel;
- v. Setting of a recruitment and selection criteria that takes into account the diversity of the Kenya people;
- vi. Determination of the gender balance ratio;
- vii. Determination of proportionate representation of ethnic communities in the organization;
- viii. Determination of the percentage of persons with disabilities in the organization;
- ix. Determination of number of minorities and marginalized groups in the organization;
- x. Establishment of the interview schedule and objective scoring criteria;

- xi. Make necessary provisions for persons with special needs;
- xii. Use of interview formats responsive to all persons including those with special needs;
- xiii. Make timely communication of the interview outcomes to the interviewees;
- xiv. Prepare recruitment and selection reports and issue quarterly, bi-annual and annual returns;
- xv. Publish and publicize recruitment and selection outcomes;
- xvi. Make necessary appointments based on advertised minimum requirements;
- xvii. Ring-fencing of jobs for affirmative action placements;
- xviii. Setting up of management competency framework;
- xix. Establishment of career progression paths; and
- xx. Establishment of an assessment center for testing special needs cases.

#### *B. Performance Indicators*

- i. Existence of recruitment and selection policy;
- ii. Availability of recruitment and selection records;
- iii. Number of vacancies advertised;
- iv. Record of number of applicants;
- v. Number of shortlisted applicants dis-aggregated by gender, ethnicity and disability status;
- vi. Number of recruitment and selection reports published and publicized;
- vii. The number of men and women in the public service;
- viii. Proportionate representation of ethnic groups relative to their national population size;
- ix. Number of officers with disabilities against the five percent constitutional threshold;
- x. Number of minorities appointed relative to their national population size;
- xi. Number of marginalized communities relative to their national population size; and
- xii. Clear job descriptions.

## **8.8 Representation of Kenya's Diverse Communities**

This value may be realized through:

#### *A. Performance Standards*

- i. Implementation of the Diversity Management Policy;
- ii. Affirmative action programmes;
- iii. Inventory of members of different gender in the organization;
- iv. Inventory of members of different ethnic groups in the organization;
- v. Inventory of persons with disabilities in the organization; and
- vi. Inventory of minorities and marginalized groups in the organization.



## *B. Performance Indicators*

- i. Existence of Diversity Management Policy;
- ii. Existence of affirmative action programme;
- iii. Ratio of men to women in the organization;
- iv. Proportionate representation of ethnic groups relative to their national population size in the organization;
- v. Percentage of persons with disabilities in the organization; and
- vi. Proportional representation of minorities and marginalized groups in the organization.

## **8.9 Affording Adequate and Equal Opportunities for Appointments, Training and Advancement at all Levels of the Public Service of Men and Women, Members of all Ethnic Groups and Persons with Disabilities.**

This value may be realized through:

### **8.9.1 Appointments**

#### *A. Performance Standards*

- i. Maintenance of records of appointments in the organization dis-aggregated by gender, members of all ethnic groups and persons with disabilities;
- ii. Maintenance of records of persons appointed by minority and marginalization status;
- iii. Maintenance of records of applicants, shortlisted candidates, interviewed candidates and appointees dis-aggregated by gender, ethnicity and disability status;
- iv. Records of communication to the applicants and shortlisted candidates on the status of their applications and schedules of interviews and interview requirements;
- v. Number of officers on probationary appointment in the organization;
- vi. Number of officers due for confirmation and not confirmed;
- vii. Number of interns, volunteers and joint ventures staff in the organization;
- viii. A schedule of affirmative action programmes for minorities and marginalized groups;
- ix. Preparation and submission of quarterly, bi-annual and annual reports on recruitment and selection in the organization; and
- x. Publishing and publicizing of recruitment and selection reports.

#### *B. Performance Indicators*

- i. Existence of records of recruitment and selection process;
- ii. Proportionate representation of men to women against the two thirds gender principle;
- iii. The proportionate representation of ethnic groups relative to their national population size;
- iv. Percentage of persons with disabilities in the organization against the 5 percent constitutional requirement;

- v. Proportionate representation of minorities and marginalized groups relative to their national population size;
- vi. Proportionate representation in appointment of officers in the organization at the four levels (policy; senior management; technical; clerical and support) dis-aggregated by gender, ethnic groups and disability;
- vii. Existence of quarterly, bi-annual and annual reports; and
- viii. Evidence of registers and published reports.

## 8.9.2 Training

### *A. Performance Standards*

- i. Development and implementation of a training policy;
- ii. Establishment of organizational training committee;
- iii. Development of organizational key competency framework;
- iv. Undertaking of organizational skills and competency audits;
- v. Undertaking of training needs analysis;
- vi. Preparations of Training needs projection;
- vii. Preparation of an organizational training budget;
- viii. Establishment of a criteria for equitable allocation of training opportunities;
- ix. Preparation, publication and publicizing of training reports on a quarterly, bi-annual and annual basis; and
- x. Undertaking of Training Impact Assessment.

### *B. Performance Indicators*

- i. Existence of a training policy;
- ii. Existence of an organizational training committee;
- iii. Existence of organizational key competency framework;
- iv. Existence of skills and competency audit report;
- v. Training Needs Analysis report;
- vi. Approved training needs projections;
- vii. Total allocation of training budget;
- viii. Number of officers trained dis-aggregated by gender, ethnicity and disability status;
- ix. Proportionate representation in training of officers in the organization at the four levels (policy, senior management, technical and clerical and support) dis-aggregated by gender, ethnic groups and disability;
- x. Number of reports published and publicized; and
- xi. Training Impact Assessment reports.

### 8.9.3 Advancement

#### *A. Performance Standards*

- i. Development and implementation of policy on promotions;
- ii. Establishment of a committee responsible for promotions;
- iii. Establishment of clear career progression paths;
- iv. Establishment of performance appraisal system;
- v. Establishment of a criteria for equitable award of promotional opportunities;
- vi. Establishment of a skills and competency framework; and
- vii. Preparation, publication and publicizing of quarterly, bi-annual and annual promotion reports.

#### *B. Performance Indicators*

- i. Existence of a policy on promotions;
- ii. Existence of career progression paths;
- iii. Number of officers appraised;
- iv. Existence of a committee on promotions;
- v. Number of officers promoted dis-aggregated by gender, ethnicity and disability status;
- vi. Proportionate representation of officers promoted in the organization at the four levels (policy, senior management, technical, clerical and support) dis-aggregated by gender, ethnic groups and disability;
- vii. Existence of a skills and competency framework; and
- viii. Existence of published and publicized quarterly, bi-annual and annual reports.

## 9.0 REPORTING

Report – a record, account, statement, information on measures taken, progress achieved and impediments on the realization of the values and principles mentioned in Articles 10 and 232 of the Constitution.

**What is reported** –baseline measures taken to promote each of the values, progress made in the implementation of each of the values, the impediments faced in the implementation process and recommendations on resolution of challenges.

**Who reports** – all ministries, departments and agencies falling under the jurisdiction of the Public Service Commission, the chief executive officer or authorized officer will submit a quarterly, bi-annual and annual report to the Commission.

**Reporting linkages**- all ministries, department and agencies will make reports to the Commission on a quarterly, bi-annual and annual basis. The quarterly report will be submitted at the end of months of September, December, March and June. The bi-annual report will be submitted at the end of the month of December and the annual report at the end of the month of June. The period of reporting will be the financial year in question.

The Public Service Commission will undertake an oversight survey from the month of July, August and September in respect of the activities of the preceding financial year, the survey will target service recipients, and will focus on service delivery standards, the citizen service delivery charter, workplace and employee satisfaction, citizen service satisfaction, governance audits and corruption perception index. This oversight survey will be used for tempering the reports from MDAs.

The Commission will use the reports from MDAs and its oversight survey findings to prepare a state of the public service report to the President and Parliament submitted at the end of December every year in respect of the preceding financial year.

The report on the implementation of values and principles will be finalized and approved by the Commission by end of November of every successive financial year (of the year under review).

The finalized report will be submitted to the President and the Speaker of the National Assembly and Speaker of the Senate by 31st December of the successive year under review.

### 9.1 Types of Reports

#### a) Promotion of Values

- i. Measures taken to promote the values;
- ii. Progress achieved - both qualitative and quantitative;
- iii. Impediments to the realization of the values and principles; and
- iv. Recommendations.

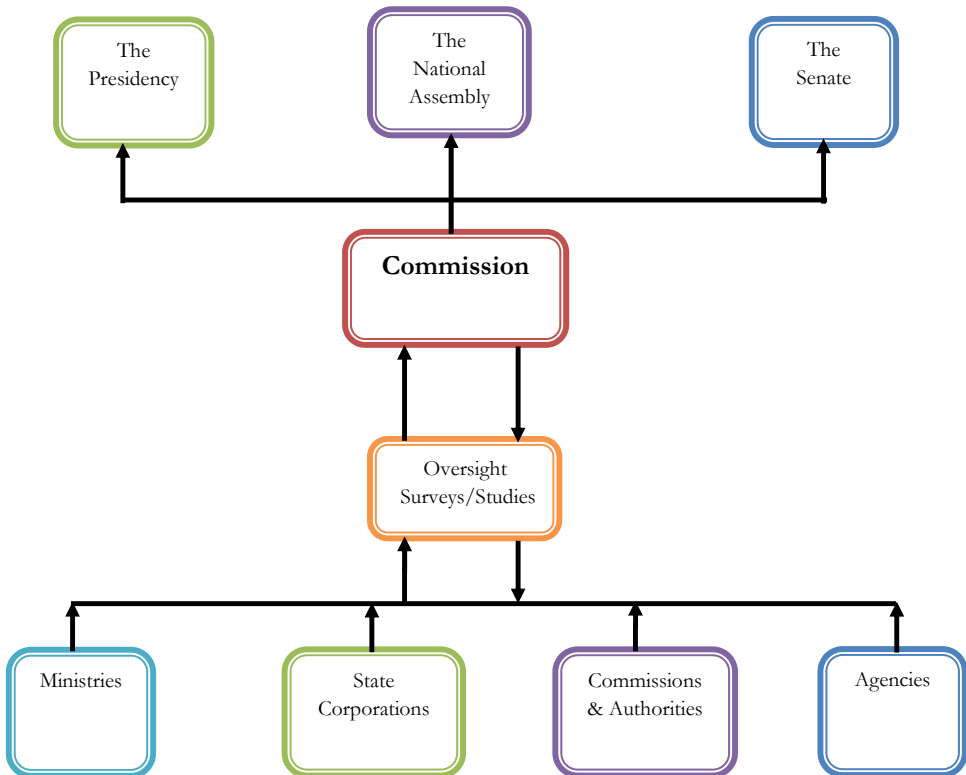
**b) Monitoring and Evaluation Reports**

- i. Inspection reports;
- ii. Investigation reports;
- iii. Baseline survey report;
- iv. Service-wide customer satisfaction survey report;
- v. Service-wide corruption perception survey report;
- vi. Service-wide governance audit report;
- vii. Service-wide employee and workplace satisfaction report;
- viii. Human Resource Audit Report; and
- ix. Oversight institutions reports.

**9.2 Reporting Timelines**

- i. Monthly
- ii. Quarterly
- iii. Bi-annually
- iv. Annually
- v. Ad-hoc

**9.3 Reporting Linkages**



## 9.4 Reporting Templates

### 9.4.1 High Standards of Professional Ethics

*Quantitative data*

S/No.	Performance Indicator	Numbers
1	Number of professional bodies represented in the organization	
2	Number of professionals in the organization	
3	Number of professionals in good standing	
4	Number of professionals supported to attend continuous professional development	
5	Number of professionals with current practicing certificate/ license	
6	Number of professionals honoured for outstanding performance	
7	Number of professionals with complaints lodged against them	
8	Numbers of professionals disciplined	
9	Number of professionals with court cases	

### 9.4.2 Efficient, Effective and Economic Use of Resources

*a) Qualitative Narrative*

- i. Organizational mandate;
- ii. Core functions;
- iii. Vision;
- iv. Mission;
- v. Core values;
- vi. Strategic plan;
- vii. Organizational structure;
- viii. Human resource management plans; and
- ix. Existence of documented service delivery procedures.

*b) Quantitative Data*

S/No.	Performance Indicator	Total No. / Allocation	No. Achieved
1	Optimal staffing levels		
2	Number of annual performance targets achieved		
3	Number of staff appraised		
4	Total annual budget		
5	Annual allocation on development		
6	Annual allocation on recurrent		

S/No.	Performance Indicator	Total No. / Allocation	No. Achieved
7	Annual expenditure on development		
8	Annual expenditure on recurrent		
9	Annual expenditure on Operations and Maintenance (O&M)		
10	Annual expenditure on personal emoluments		
11	Number of audit queries raised		
12	Number of qualified opinions		
13	Number of appeals lodged to PPOA and PPAB		
13	Number of business processes documented		
14	Number of business service processes automated		
15	Number of performance targets achieved		

### 9.4.3 Responsive, Prompt, Effective, Impartial and Equitable Provision of Services

#### a) Qualitative Narrative

- i. Availability of a client service charter;
- ii. Availability of Braille and sign language services; and
- iii. Availability of front office services.

#### b) Quantitative Data

S/No.	Performance Indicator	Number/Index
1	Number of service delivery procedures documented	
2	Number of functional service delivery processes automated	
3	Level of Customer Satisfaction Index	
4	Corruption Perception Index level	
5	Governance Audit Index	
6	Number of various communication media used	

### 9.4.4 Involvement of People in the Process of Policy Making

#### a) Qualitative Narrative

- i. Existence of Public participation guidelines;
- ii. Existence of an inventory of stakeholders;
- iii. Existence of systems and structures for public participation; and
- iv. Records of public participation meetings or programs.

*b) Quantitative Data*

S/No.	Performance Indicator	Number			
1	Number of public policies developed				
2	Number of public participation meetings held				
3	Number of participants disaggregated by organization, gender, ethnicity and disability status	Organization	Gender	Ethnicity	Disability

### 9.4.5 Accountability for Administrative Acts

*a) Qualitative Narrative*

- i. Existence of a service charter;
- ii. Existence of documented grievance handling procedures;
- iii. Existence of performance agreements;
- iv. Existence of a gift register;
- v. Existence of declaration of conflict of interest register; and
- vi. Existence of schedule of registrable interests.

*b) Quantitative Data*

S/No.	Performance Indicator	Number /%/Index
1	Number of officers appraised	
2	Number of officers trained in leadership and governance	
3	Customer Satisfaction Index	
4	Corruption Perception Index	
5	Governance Audit Index	
6	Compliance level with POEA, Cap 183	
7	Number of officers punished for service misconduct	
8	Number of gifts declared	
9	Number of conflicts of interests recorded	

### 9.4.6 Transparency and Provision to the Public of Timely and Accurate Information

*a) Qualitative Narrative*

- i. Existence of corporate communications strategy;
- ii. Existence of displayed client service charter and core values; and
- iii. Existence of front office services.



*b) Quantitative Data*

S/No.	Performance Indicator	Number/Ranking
1	Number of documents published	
2	Number of documents and publications uploaded on the website	
3	Number of online services offered	
4	Number of reports published and publicized	
5	Number of documentaries made	
6	Number of shows, campaigns, advertisements and exhibitions made	
7	Number of public complaints made/lodged	
8	Number of public complaints resolved	
9	Transparency international ranking	

### **9.4.7 Fair Competition and Merit as a Basis for Appointments in the Public Service**

*a) Qualitative Narrative*

- i. Existence of recruitment and selection policy;
- ii. Availability of recruitment and selection records; and
- iii. Clear job requirements.

*b) Quantitative Data*

S/No.	Performance Indicator	Number
1	Number of vacancies advertised	
2	Number of applicants	
3	Number of shortlisted applicants dis-aggregated by gender, ethnicity and disability status	
4	Number of recruitment and selection reports published and publicized	
5	Number of men and women in the public service	
6	Proportionate representation of ethnic groups relative to their national population size	
7	Number of officers with disabilities against the 5 % constitutional threshold	
8	Number of minorities appointed relative to their national populations size	
9	Number of marginalized communities relative to their national population size	

### 9.4.8 Representation of Kenya’s Diverse Communities

*a) Qualitative Narrative*

- i. Existence of diversity management policy; and
- ii. Existence of affirmative action programme.

*b) Quantitative Data*

S/No.	Performance Indicator	Ratio/%
1	Ratio of men to women in the organization	
2	Proportionate representation of ethnic groups relative to their national population size	
3	Percentage of persons with disability in the organization	
4	Proportionate representation of minorities and marginalized groups in the organization	

### 9.4.9 Affording Adequate and Equal Opportunities in Appointment, Training and Advancement at all Levels of the Public Service for Men and Women, Members of all Ethnic Groups and Persons With Disabilities

#### A. Appointments

*a) Qualitative Narrative*

- i. Existence of records of recruitment and selection process; and
- ii. Existence of quarterly, bi-annual and annual reports.

*b) Quantitative Data*

S/No.	Performance Indicators	Ratio/%
1	Proportionate representation of men to women against the two thirds gender principle	
2	The proportionate representation of ethnic groups relative to their national population size	
3	Percentage of persons with disability in the organization against the 5% Constitutional requirement	
4	Proportionate representation in appointment of officers in the organization at the four levels (policy, senior management, technical and clerical/support) dis-aggregated by gender, ethnic groups and disability	

#### B. Training

*a) Qualitative Narrative*

- i. Existence of a training policy;
- ii. Existence of an organization training committee;
- iii. Existence of organizational key competency framework;

- iv. Existence of skills and competency audit report;
- v. Training needs analysis report;
- vi. Training Needs Projections; and
- vii. Training Impact Assessment report.

*b) Quantitative Data*

S/No.	Performance Indicators	Number/ Ratio
1	Total allocation of training budget	
2	Number of officers trained dis-aggregated by gender, ethnicity and disability status	
3	Proportionate representation in training of officers in the organization at the four levels (policy, senior management, technical and clerical and support) dis-aggregated by gender, ethnic groups and disability	
4	Numbers of reports published and publicized	

**C. Advancement**

*a) Qualitative Narrative*

- i. Existence of a policy on promotions;
- ii. Existence of career progression paths;
- iii. Existence of committee on promotions;
- iv. Existence of skills and competency framework; and
- v. Existence of published and publicized quarterly, bi-annually and annual reports.

*b) Quantitative Data*

S/No.	Performance Indicators	Number/Ratio
1	Total number of officers promoted	
2	Number of officers appraised	
3	Number of officers promoted dis-aggregated by gender, ethnicity and disability status	
4	Proportionate representation of officers promoted in the organization at the four levels dis-aggregated by gender, ethnic groups and disability	

## 10.0 POLICY GUIDELINES ON DIVERSITY MANAGEMENT AND AFFIRMATIVE ACTION PROGRAMME

It is recommended that MDAs use the following policy guidelines in order to facilitate ease of implementation of the values and principles.

### 10.1 Fair Competition and Merit as a Basis for Appointments in the Public Service

Fair competition relates to the timely accessibility to employment opportunities to all persons and includes open and transparent advertisement of vacancies.

Merit relates to the possession of requisite qualifications, competencies and skills necessary for the performance of the advertised job and includes:

- a) merit at entry level - requires the person seeking appointment to possess requisite qualifications, knowledge, skills and/or competencies necessary for the performance of the advertised job; and
- b) merit for serving officers - requires possession of requisite qualifications, knowledge, skills, competencies, and demonstrable performance milestones necessary for the performance of the advertised job.

#### A. Diverse Communities

These are the minorities, marginalized groups and communities.

#### B. Determination of 'adequate and equal opportunities in appointments, training and advancement'

Adequate and equal opportunities in respect to:

- a) men and women refers to the adherence of two third gender principle;
- b) members of all ethnic groups proportionate allocation of opportunities relative to the national population size of the ethnic group; and
- c) compliance with the five percent requirement for persons with disabilities.

#### C. Determination of 'all levels of the public service'

This can be classified into the six categories as follows:

- a) JG 'A-D' – support staff without post-secondary education qualifications;
- b) JG 'E-H' – technical staff with Certificates/Diploma/higher National Diploma;
- c) JG 'J-M' – Technical staff with Bachelor's degrees qualifications/post-qualifications;
- d) JG 'N-Q' – Middle Management;
- e) JG 'R-T' – Senior Management; and
- f) JG 'U- and above' – Chief Executives /policy level.

#### **D. Proportionate Representation of Members of all Ethnic Communities**

This is the proportionate representation of members of all ethnic groups relative to their national population size. The proposed redress mechanisms may include:

- a) establishment of the ratio of representation of each of the twenty two ethnic communities relative to their national population size;
- b) determination of gross under-representation and over-representation ratio plus or minus the median variance;
- c) determination of the ranges of variance in terms of gross, moderate and normal;
- d) the determination of affirmative action measures redressing the over-representation and under-representation as follows:
  - i. Gross over-representation or under-representation with a variance of plus 3% or minus 3 %,
  - ii. moderate over-representation or under-representation with a variance of plus 2% or minus 2%,
  - iii. normal over-representation or under-representation with a variance of plus 1% or minus 1%,
- e) the determination of the period for affirmative action to be used by the Commission for the progressive application of affirmative action programmes to redress the ethnic imbalances in the public service;
- f) the Constitution has given twenty years for the application of affirmative action for redressing issues of marginalized communities and groups; and
- g) marginalized communities are those resident in the fourteen counties identified by the Commission for Revenue Allocation to benefit from the equalization fund.

#### **E. Determination of the Formula for the Definition of Minorities**

Minorities – ethnic communities whose population size is less than a third of an average size of an ethnic community (the total population, 40 million divided by the number of ethnic groups, 42, multiplied by a third)

40 million Kenyans divide by 42 ethnic groups = 952,381 (average population of an ethnic community)

A third of 952,381 (average number of ethnic group) = 238,098 (minority)

The average number of the Kenyan ethnic population against the 42 ethnic communities is 952,381 a third of which is 238,098. Any ethnic community boasting less than 238,000 persons can therefore be considered an ethnic minority.

It does not follow however that every ethnic community which is less than 238, 000 in number is necessarily under-represented or over-represented. Each of the communities will need to be considered in terms of its actual proportionate representation. The communities with less than 238,000 members for this purpose of determining minorities may be considered ethnic minorities.

## **F. Constitutional Interpretation (Article 260)**

Marginalized group means a group of people who, because of laws or practices before, on, or after the effective date of the Constitution, were or are disadvantaged by discrimination on one or more of the grounds in Article 27 (4). The grounds for discrimination include: race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth.

Marginalized community means:

- 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
- d) pastoral persons and communities, whether they are nomadic or settled, that, because of relative geographic isolation, have experienced only marginal participation in the integrated social and economic life of Kenya as a whole.

## **10.2 Policy and Legislative Framework**

The state is required to put in place affirmative action programmes to ensure that minorities and marginalized groups are provided with special opportunities for access to employment (Article 56 of the Constitution).

Section 10(1) and (2) of the Public Service Values and Principles Act, 2015 provides that:

- 1) The public service, a public institution or an authorized officer shall ensure that public officers are appointed and promoted on the basis of fair competition and merit.
- 2) Despite subsection 1, the public service may appoint or promote public officers without undue reliance on fair competition or merit if-
  - a) a community in Kenya is not adequately represented in appointments to or promotions in the public service or in a public institution;
  - b) the balance of gender in the public service or in a public institution is biased towards one gender;
  - c) an ethnic group is disproportionately represented in the public service or in a public institution; or
  - d) persons with disabilities are not adequately represented in the public service or in a public institution.

### **10.3 National Values Policy**

The national values policy provides that:

- a) equitable allocation of resources and opportunities will be achieved by ensuring adequate and equal opportunities for appointment, training and advancement, at all levels of the public service, including national and county levels, for
  - (i) men and women;
  - (ii) the members of all ethnic groups; and
  - (iii) persons with disabilities;
- b) equitable allocation of resources and opportunities will be achieved by promoting and inculcating values of respect for human rights and human dignity, equity, social justice, equality and equal opportunities, inclusiveness, non-discrimination and protection of the marginalized. These may be realized in the public service through equitable allocation of employment opportunities; and
- c) some of the measures to be taken include enhanced poverty alleviation programmes, promotion of equitable distribution of resources and opportunities, and the initiation and implementation of affirmative action for marginalized groups through provision of equitable employment opportunities. This will mean public resources shall be distributed equitably as far as is practicable geographically taking into account diversity, population and poverty index.

### **10.4 Public Service Values and Principles Policy**

This policy provides that all public institutions shall:

- i. apply affirmative action in the in-service training for persons with disabilities, marginalized communities and minorities to enable them compete on an equal basis with others;
- ii. ensure that all public officers are provided with adequate training opportunities for career advancement in the public service especially if it is used as a criterion for promotion;
- iii. conduct a baseline survey and subsequent annual surveys to establish both the level and status of representation in the public service as compared to the general population in key areas including disability status, race, ethnicity and religion;
- iv. develop and implement a diversity management policy, including strategies for affirmative action, to redress diversity gaps in the public service within five years of coming into force of the diversity management policy which provides for modalities for application of affirmative action programme; and
- v. establish the proportionate representation gaps against the ideal representation ratio per ethnic community and apply affirmative action measures to redress the gaps.

### **10.5 Minorities and Marginalized Groups**

The Constitution has established five different categories of minorities and marginalized groups. These are minorities and marginalized groups based on:

- a) population size;
- b) the need to preserve unique cultural identity;
- c) hunter and gatherer economy;
- d) pastoral communities whether nomadic or settled; and
- e) past discriminative laws, policies or practices.

The Commission for Revenue Allocation (CRA) 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; TaitaTaveta; Isiolo; and Lamu.

The indigenous communities in these areas are:

*Table 2: List of Marginalized Counties*

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

**A. Determination of minorities and marginalized groups based on population size**

These include: 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 and Kenya Americans.

**B. Determination of minorities and marginalized communities based on preservation of unique cultural identity:**

These include: Maasai; Turkana; Samburu; ElMolo; Boni; Ogiek; Dorobo and Pokot



**C. Determination of the minority and marginalized groups based on hunter gatherer economy:**

These include: Dorobo; ogiek and Boni.

**D. Determination minority and marginalized groups based on pastoralist way of life**

These include: Maasai; Turkana; Samburu; Pokot; Somali; Orma; Borana; Gabra and Rendile.

**E. Determination of minority and marginalized groups based on the criteria of those disadvantaged by past laws, policies and practices**

These are Groups resident in the former designated northern frontier district comprising of present day: Turkana; Marsabit; Somali; Garissa; Isiolo and Samburu.

**F. Determination of minority and marginalized groups based on discrimination on the basis of any one or more of the grounds listed in Article 27 (4) of the Constitution**

The grounds include: race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth.

### **10.5.1 Proposed Percentage Consideration during Recruitment/ Appointment by Ethnicity**

This analysis presents four scenarios for consideration during recruitment/appointment. The proposed percentages, under each scenario, have been arrived at taking into consideration the current situation in the civil service, in terms of ethnic representation, and are based on data contained in the 2013/14 compliance with Values and Principles survey report of December 2014.

A comparison of the ethnic percentage representation in the service and population proportions indicates that, out of the 38 ethnic groups whose data is available, 18 of them are under-represented, with the Somali, Turkana, Luhya and Samburu as the most under-represented, in that order. The global over-representation, which is also the under-representation, is 14.49 percent.

As a result, scenario 1 preserves the 14.49 percent (equivalent) of all positions to cushion the under-represented. These posts are shared according to the magnitude of under-representation, while the remaining 85.51 percent is shared proportionately among all ethnic groups (under-represented and over-represented), yielding the percentages indicated as (%) Proposed in Table 3. As evident from the scenario results, the over-represented ethnicities have a proposed percentage which is less than their population proportion and vice versa. However, the period before attaining proportionality is varied; for example, it will take Turkana and Samburu 39.8 years and 77.1 years to attain proportionality, respectively.

Scenario 2 considers the total current posts occupied by the 38 ethnic groups and apportsions, to each ethnic group, the ideal number based on the population proportion. The rate of increase or decrease from the current position to the ideal in the next five (5) years is determined and presented in Table 4. From the result, over-represented ethnic groups have a percentage reduction indicated against them and an addition for

the under-represented. In this case, vacancies and exits should be shared according to the proposed percentages.

Scenarios 3, 4 and 5 considers the current percent representation in the service for each ethnic group and assuming equal annual growth, determines the rate of growth required to attain zero difference between ethnic population proportion and ethnic percent in service for each. In each case, the analysis used the Investment Rate of Return (IRR) formula. Stepwise, the population proportion for each ethnic group was divided by the respective number of years (in this case 20, 10 and 5) and assumed the result to be the annual growth, while the first year, year zero, assumed the current percent in the service value. This information was fitted into the formula yielding the results presented in Tables 5, 6 and 7 respectively.

### **Points to Note**

1. This analysis does not take into consideration the rate of exit from the service for each ethnic group. Hence, it assumes that the current proportions in service will be there in the next 20, 10 and 5 years for scenario's 3, 4 and 5. If available, the analysis would net-out the exits and re-work the percentages based on the net population proportions for scenario's 3, 4 and 5;
2. The average number of vacancies and exits annually needs to be determined for meaningful apportioning;
3. The annual monitoring and evaluation report shows that the two thirds gender principle is adhered to; and
4. The service, further, has 0.56 percent of staff as PWDs. Hence, to realize the 5 percent stipulated in the Constitution in the next five years, 54.8 percent of all vacancies should go towards PWDs. Again, the average number of vacancies need to be established.

Ag. Acc. C. G. A.  
Ma.  
J. M. Acc. D. H. W. G.

# KENYA NATIONAL BUREAU OF STATISTICS



P.O. BOX 30266  
00100 Nairobi GPO, Kenya  
Telephone: Nairobi 3317586/8, 3317612  
3317622, 3317623, 3317651  
Fax: 254-020-3315977  
Email: [directorgeneral@knbs.or.ke](mailto:directorgeneral@knbs.or.ke)  
Website: [www.knbs.or.ke](http://www.knbs.or.ke)

Reference No. KNBS 51/16

30<sup>th</sup> September, 2015

Secretary/ CEO  
Public Service Commission  
P.O. Box 30095-00100  
NAIROBI



(Att: Simon Rotich)

## RE: CRITERIA FOR THE DETERMINATION OF MINORITY ETHNIC GROUP

I refer to your letter Ref. PSC/HRA/SEC/DCS/II/36 dated 11<sup>th</sup> September, 2015 in which you sought advice on the criteria this office can recommend in determining the minority communities based on the population numbers.

The best way to determine the number of the minority communities would be to list and cover them during the National Population and Housing Census. Such an undertaking provides information on the actual population numbers at a specific time, where they live and their age-sex distribution. Otherwise, the formula suggested in your letter is agreeable and can be used until the next census in 2019 is conducted.

The last census that was conducted in 2009 had 45 as the number of main ethnic communities in the country. As per the 2009 census, population of the ethnic communities at the national level is as provided below.

COMMUNITY	POPULATION. 2009
DASENACH	12,530
GABRA	89,515
GALLA	8,146
GOSHA	21,864
KONSO	1,758
WAAT	6,900
GALJEEL	7,553

I hope the information will be helpful as we prepare for the next census.

Zachary Mwangi  
DIRECTOR GENERAL

## Scenario I: Considering both Under and Over-Representation

Table 3: Considering both Under/Over-Representation

S/No.	Ethnicity	Number	Percent in Service	Population Proportion	% Proposed
1	Ajuran	1	0.005	0.005	0.004
2	Bajun	24	0.12	0.12	0.104
3	Basuba	140	0.148	0.36	0.555
4	Boran	600	0.636	0.042	0.036
5	Burji	41	0.043	0.06	0.072
6	Degodia	9	0.04	-	-
7	Dorobo	26	0.028	0.09	0.149
8	Elmolo	899	0.953	0.01	0.009
9	Embu	1780	1.888	0.85	0.738
10	Gabra	136	0.144	0.23	0.298
11	Gureeh	18	0.09	-	-
12	Kalenjin	12082	12.814	11.24	9.756
13	Kamba	10321	10.946	10.19	8.844
14	Kenya Arab	146	0.155	0.11	0.095
15	Kenyan Asian	25	0.027	0.12	0.211
16	Kikuyu	21567	22.874	17.33	15.042
17	Kisii	6652	7.055	5.77	5.008
18	Kuria	207	0.22	0.68	1.117
19	Luhya	11487	12.183	13.97	14.173
20	Luo	9995	10.601	10.58	9.183
21	Maasai	1563	1.658	2.2	2.531
22	Mbeere	271	0.287	0.44	0.557
23	Meru	3,815	4.046	4.34	4.104
24	Miji_Kenda	5823	6.176	5.15	4.470
25	Murulle	2	0.01	-	-
26	Njemps	181	0.192	0.09	0.078
27	Ogaden	9	0.04	-	-
28	Orma	135	0.143	0.17	0.178
29	Other Kenyan	16	0.08	1.74	3.413
30	Rendille	109	0.116	0.16	0.189
31	Samburu	295	0.313	0.62	0.890
32	Somali	1751	1.857	6.25	10.459
33	Swahili	448	0.475	0.29	0.252

S/No.	Ethnicity	Number	Percent in Service	Population Proportion	% Proposed
34	Taita	1375	1.458	0.72	0.625
35	Taveta	476	0.505	0.05	0.043
36	Teso	345	0.366	0.89	1.373
37	Tharaka	191	0.203	0.46	0.694
38	Turkana	384	0.407	2.59	4.750

### Scenario II: Considering Ideal Number in Service

This scenario considers the ideal number in the service

Table 4: Considering the Ideal Number in Service

S/No.	Ethnicity	Number	Ideal No.	Percent in Service	Population Proportion	% Proposed
1	Ajuran	1	5	0.005	0.005	12.38
2	Bajun	24	114	0.12	0.12	12.38
3	Basuba	140	343	0.148	0.36	6.63
4	Boran	600	40	0.636	0.042	-14.11
5	Burji	41	57	0.043	0.06	2.33
6	Degodia	9	0	0.04	-	-
7	Dorobo	26	86	0.028	0.09	9.11
8	Elmolo	899	10	0.953	0.01	-20.16
9	Embu	1780	811	1.888	0.85	-4.92
10	Gabra	136	219	0.144	0.23	3.39
11	Gureeh	18	0	0.09	-	-
12	Kalenjin	12082	10718	12.814	11.24	-0.80
13	Kamba	10321	9717	10.946	10.19	-0.40
14	Kenya Arab	146	105	0.155	0.11	-2.16
15	Kenyan Asian	25	114	0.027	0.12	12.00
16	Kikuyu	21567	16525	22.874	17.33	-1.75
17	Kisii	6652	5502	7.055	5.77	-1.26
18	Kuria	207	648	0.22	0.68	8.66
19	Luhya	11487	13321	12.183	13.97	1.02
20	Luo	9995	10089	10.601	10.58	0.06
21	Maasai	1563	2098	1.658	2.2	2.05
22	Mbeere	271	420	0.287	0.44	3.08
23	Meru	3,815	4138	4.046	4.34	0.55
24	Miji_Kenda	5823	4911	6.176	5.15	-1.13

S/No.	Ethnicity	Number	Ideal No.	Percent in Service	Population Proportion	% Proposed
25	Murulle	2	0	0.01	-	-
26	Njemps	181	86	0.192	0.09	-4.68
27	Ogaden	9	0	0.04	-	-
28	Orma	135	162	0.143	0.17	1.26
29	Other Kenyan	16	1659	0.08	1.74	51.66
30	Rendille	109	153	0.116	0.16	2.35
31	Samburu	295	591	0.313	0.62	5.04
32	Somali	1751	5960	1.857	6.25	9.37
33	Swahili	448	277	0.475	0.29	-3.11
34	Taita	1375	687	1.458	0.72	-4.38
35	Taveta	476	48	0.505	0.05	-12.45
36	Teso	345	849	0.366	0.89	6.66
37	Tharaka	191	439	0.203	0.46	6.11
38	Turkana	384	2470	0.407	2.59	15.23

### Scenario III: Attaining Proportionality in 20 Years

To attain proportionality in the next 20 years, the following are the proposed percentages

Table 5: Attaining Proportionality in 20 Years

S/No.	Ethnicity	Number	Percent in Service	Population Proportion	% Proposed
1	Ajuran	1	0.005	0.005	0.005
2	Bajun	24	0.12	0.12	0.118
3	Basuba	140	0.148	0.36	0.393
4	Boran	600	0.636	0.042	0.034
5	Burji	41	0.043	0.06	0.061
6	Degodia	9	0.04	-	-
7	Dorobo	26	0.028	0.09	0.102
8	Elmolo	899	0.953	0.01	-
9	Embu	1780	1.888	0.85	0.783
10	Gabra	136	0.144	0.23	0.238
11	Gureeh	18	0.09	-	-
12	Kalenjin	12082	12.814	11.24	10.958
13	Kamba	10321	10.946	10.19	9.989

S/No.	Ethnicity	Number	Percent in Service	Population Proportion	% Proposed
14	Kenya Arab	146	0.155	0.11	0.105
15	Kenyan Asian	25	0.027	0.12	0.144
16	Kikuyu	21567	22.874	17.33	16.674
17	Kisii	6652	7.055	5.77	5.589
18	Kuria	207	0.22	0.68	0.768
19	Luhya	11487	12.183	13.97	13.972
20	Luo	9995	10.601	10.58	10.439
21	Maasai	1563	1.658	2.2	2.233
22	Mbeere	271	0.287	0.44	0.454
23	Meru	3,815	4.046	4.34	4.312
24	MijiKenda	5823	6.176	5.15	4.998
25	Murulle	2	0.01	-	-
26	Njemps	181	0.192	0.09	0.083
27	Ogaden	9	0.04	-	-
28	Orma	135	0.143	0.17	0.171
29	Other Kenyan	16	0.08	1.74	3.585
30	Rendille	109	0.116	0.16	0.163
31	Samburu	295	0.313	0.62	0.659
32	Somali	1751	1.857	6.25	7.152
33	Swahili	448	0.475	0.29	0.274
34	Taita	1375	1.458	0.72	0.668
35	Taveta	476	0.505	0.05	0.041
36	Teso	345	0.366	0.89	0.971
37	Tharaka	191	0.203	0.46	0.497
38	Turkana	384	0.407	2.59	3.366

### Scenario IV: Attaining Proportionality in 10 Years

To attain proportionality in the next 10 years, the following are the proposed percentages

Table 6: Attaining Proportionality in 10 Years

S/No.	Ethnicity	Number	Percent in Service	Population Proportion	% Proposed
1	Ajuran	1	0.005	0.005	0.0045
2	Bajun	24	0.12	0.12	0.115
3	Basuba	140	0.148	0.36	0.414
4	Boran	600	0.636	0.042	0.027
5	Burji	41	0.043	0.06	0.061
6	Degodia	9	0.04	-	-
7	Dorobo	26	0.028	0.09	0.111
8	Elmolo	899	0.953	0.01	-
9	Embu	1780	1.888	0.85	0.711
10	Gabra	136	0.144	0.23	0.241
11	Gureeh	18	0.09	-	-
12	Kalenjin	12082	12.814	11.24	10.479
13	Kamba	10321	10.946	10.19	9.601
14	Kenya Arab	146	0.155	0.11	0.099
15	Kenyan Asian	25	0.027	0.12	0.164
16	Kikuyu	21567	22.874	17.33	15.754
17	Kisii	6652	7.055	5.77	5.314
18	Kuria	207	0.22	0.68	0.833
19	Luhya	11487	12.183	13.97	13.675
20	Luo	9995	10.601	10.58	10.094
21	Maasai	1563	1.658	2.2	2.215
22	Mbeere	271	0.287	0.44	0.456
23	Meru	3,815	4.046	4.34	4.196
24	MijiKenda	5823	6.176	5.15	4.759
25	Murulle	2	0.01	-	-
26	Njemps	181	0.192	0.09	0.075
27	Ogaden	9	0.04	-	-
28	Orma	135	0.143	0.17	0.168
29	Other Kenyan	16	0.08	1.74	5.272
30	Rendille	109	0.116	0.16	0.162
31	Samburu	295	0.313	0.62	0.679



S/No.	Ethnicity	Number	Percent in Service	Population Proportion	% Proposed
32	Somali	1751	1.857	6.25	7.842
33	Swahili	448	0.475	0.29	0.254
34	Taita	1375	1.458	0.72	0.611
35	Taveta	476	0.505	0.05	0.034
36	Teso	345	0.366	0.89	1.024
37	Tharaka	191	0.203	0.46	0.520
38	Turkana	384	0.407	2.59	4.033

### Scenario V: Attaining Proportionality in 5 Years

To attain proportionality in the next 5 years, the following are the proposed percentages

Table 7: Attaining Proportionality in 5 Years

S/No.	Ethnicity	Number	Percent in Service	Population Proportion	% Proposed
1	Ajuran	1	0.005	0.005	0.004
2	Bajun	24	0.12	0.12	0.107
3	Basuba	140	0.148	0.36	0.449
4	Boran	600	0.636	0.042	0.018
5	Burji	41	0.043	0.06	0.060
6	Degodia	9	0.04	-	-
7	Dorobo	26	0.028	0.09	0.127
8	Elmolo	899	0.953	0.01	-
9	Embu	1780	1.888	0.85	0.595
10	Gabra	136	0.144	0.23	0.243
11	Gureeh	18	0.09	-	-
12	Kalenjin	12082	12.814	11.24	9.637
13	Kamba	10321	10.946	10.19	8.908
14	Kenya Arab	146	0.155	0.11	0.088
15	Kenyan Asian	25	0.027	0.12	0.198
16	Kikuyu	21567	22.874	17.33	14.180
17	Kisii	6652	7.055	5.77	4.837
18	Kuria	207	0.22	0.68	0.943
19	Luhya	11487	12.183	13.97	13.098
20	Luo	9995	10.601	10.58	9.464
21	Maasai	1563	1.658	2.2	2.171
22	Mbeere	271	0.287	0.44	0.458

S/No.	Ethnicity	Number	Percent in Service	Population Proportion	% Proposed
23	Meru	3,815	4.046	4.34	3.978
24	Miji_Kenda	5823	6.176	5.15	4.344
25	Murulle	2	0.01	-	-
26	Njemps	181	0.192	0.09	0.064
27	Ogaden	9	0.04	-	-
28	Orma	135	0.143	0.17	0.161
29	Other Kenyan	16	0.08	1.74	8.331
30	Rendille	109	0.116	0.16	0.160
31	Samburu	295	0.313	0.62	0.711
32	Somali	1751	1.857	6.25	9.014
33	Swahili	448	0.475	0.29	0.222
34	Taita	1375	1.458	0.72	0.517
35	Taveta	476	0.505	0.05	0.024
36	Teso	345	0.366	0.89	1.110
37	Tharaka	191	0.203	0.46	0.557
38	Turkana	384	0.407	2.59	5.218

## 11.0 DIVERSITY MANAGEMENT ACTION PLAN

Table 8: Diversity Management Action Plan Template

Value/ principle		Baseline information/ data Variance	Recommended Action	Timelines
Representation of Kenya's diverse communities	Minorities	Over-representation		
		Under-representation		
	Marginalized groups			
	Gender			
	Ethnic groups			
Adequate and equal opportunities in appointments at all levels of the public service	Disability			
		Minorities		
		Marginalized groups		
		Gender		
		Ethnic groups		
Adequate and equal opportunities in training at all levels of the public service	Persons with Disability			
		Minorities		
		Marginalized groups		
		Gender		
		Ethnic groups		
Adequate and equal opportunities in promotions at all levels of the public service	Persons with Disability			
		Minorities		
		Marginalized groups		
		Gender		
		Ethnic groups		

## 11.1 Affirmative Action Programme

### 11.1.1 Minorities and Ethnicities

Minorities are a third of an average Kenyan ethnic community determined through dividing the total population of Kenya by the 42 ethnic communities and getting a third of the average number. Hence  $40,000,000 / 42 = 957,000/4 = 238,000$  (the ethnic minority).

Table 9: Affirmative Action for Minorities and Ethnicities Template

Minorities	Proportion-ate representation	Variance (+ or -)	*Rating (acceptable, moderate, gross)	Recommend-ed redress	Timelines

#### **\*+ or - 3 = gross deviation**

This category is considered gross over-representation or under-representation where the remedial action is immediate and radical. In the case of over-representation the recruitment of new appointments in the service are frozen at the proportionate level until the deviation is brought down to -1 considered normal. In case of under-representation the appointments should be enhanced for that category until the deviation level is +1.

#### **\*+ or - 2 = moderate deviation**

This category is considered moderate over-representation or under-representation where the remedial action is medium term. In the case of over-representation the recruitment of new appointments in the service are frozen at the proportionate level until the deviation is brought down to -1 considered normal. In case of under-representation the appointments should be enhanced for that category until the deviation level is +1 or -1.

#### **\*+ or - 1 = acceptable deviation**

This category is considered normal over-representation or under-representation where the remedial action will be tempered by natural attrition. In the case of under-representation the recruitment of new appointments in the service are allowed to fluctuate around the plus and minus until it levels out.

### 11.1.2 Marginalized Groups and Communities

This category is as defined under Article 260 of the Constitution on marginalized groups and marginalized communities. The Commission for Revenue Allocation has also determined the 14 marginalized counties to benefit from the equalization fund for the twenty year period.

### 11.1.3 Gender

#### a) Appointments

The Constitution requires a two thirds gender balance in appointive and elective positions. Where there was an historical imbalance, the two third gender balance is to be attained progressively. The progressive attainment of the balance however needs to be time-bound.

Article 232(1) (i) provides for the affording of adequate and equal opportunities in appointments of men and women at all levels of the public service. The levels of the public service are:

JG 'A-D'	– support staff without post-secondary education qualifications
JG 'E-H'	– technical staff with Certificates/Diploma/higher National Diploma
JG 'J-M'	– Technical staff with Bachelor's degrees qualifications/post-qualifications
JG 'N-Q'	– Middle Management
JG 'R-T'	– Senior Management
JG 'U- and above'	– Chief Executives / policy level

*Table 10: Template for Distribution of Appointment Opportunities According to Gender proportions*

Ministry/ depart- ment/ Agency	Levels in the public service	Propor- tionate appoint- ment of men to women	Variance (+ or – , of a third principle )		*Rating (accept- able, moderate, gross)	Recom- mended Redress	Timelines
			Men	Women			
Public Service Commis- sion	JG 'A' – 'D'						
	JG 'E' – 'H'						
	JG 'J' – 'M'						
	JG 'N' – 'Q'						
	JG 'R' – 'T'						
	JG 'U' and above						

**b) Training**

The Public Service Commission is mandated to develop human resource in the public service

Article 232(1)(i) of the Constitution on values and principles of the public service requires the affording of adequate and equal opportunities for training of men and women at all levels of the public service.

This requires proportionate allocation of training opportunities at all levels relative to the gender representation in the organization.

*Table 11: Template for Distribution of Training Opportunities According to Gender Proportions*

Ministry/ depart- ment/ Agency	Levels in the public service	proportionate allocation of training op- portunities	Variance (+ or -)		*Rating (acceptable, moderate and gross)	Recom- mended redress	Time- lines
			Men	Women			
Public Service Commis- sion	JG 'A' – 'D'						
	JG 'E' – 'H'						
	JG 'J' – 'M'						
	JG 'N' – 'Q'						
	JG 'R' – 'T'						
	JG 'U' and above						

**c) Advancement**

This refers to the conferment of a grade, salary and benefits higher than the one previously held by an officer normally preceded by an interview.

Article 232 (1)(i) of the Constitution provide for the affording of adequate and equal opportunities for advancement (promotion) of men and women at all levels of the public service.

Table 12: Template for Distribution of Advancement Opportunities According to Gender Proportions

Ministry/department/Agency	Levels of the public service	Proportionate appointments by gender	Variance (+ or -, of a third principle)		*Rating (acceptable, moderate and gross)	Recommended redress	Time-lines
			Men	Women			
Public Service Commission	JG 'A' – 'D'						
	JG 'E' – 'H'						
	JG 'J' – 'M'						
	JG 'N' – 'Q'						
	JG 'R' – 'T'						
	JG 'U' and above						

### 11.1.4 Members of all Ethnic Groups

#### a) Appointments

Article 232 (1)(i) provides for the affording of adequate and equal opportunities in appointments of members of all ethnic groups at all levels of the public service. This requires proportionate allocation of appointment opportunities relative to the national population size.

Table 13: Template for Distribution of Appointment Opportunities to Members of all Ethnic Groups

Ministry/department/Agency	Levels of the public service	Ethnic groups	Proportionate representation of ethnicity	Variance (+ or -)	*Rating (acceptable, moderate and gross)	Recommended redress	Time-lines
Public Service Commission	Entry level	1 kikuyu					
		2.kalenjin					
		3.luhya					
		4.luo etc					
	JG 'A' – 'D'	1 kikuyu					
		2.kalenjin					
		3.luhya					
	JG 'E' – 'H'	1 kikuyu					
		2.kalenjin					
		3.luhya					
		4.luo etc					

Ministry/ depart- ment/ Agency	Levels of the public service	Ethnic groups	Propor- tionate repre- sentation of ethnicity	Variance (+ or -)	*Rating (accept- able, moder- ate and gross)	Recom- mended redress	Time- lines
	JG 'J' – 'M'	1.kikuyu					
		2.kalenjin					
		3.luhya					
		4.luo etc					
	JG 'N' – 'Q'	1.kikuyu					
		2.kalenjin					
		3.luhya					
		4.luo etc					
	JG 'R' – 'T'	1.kikuyu					
		2.kalenjin					
		3.luhya					
		4.luo etc					
	JG 'U' and above	1.kikuyu					
		2.kalenjin					
		3.luhya					
		4.luo etc					

## b) Training

Article 232 (1)(i) provides for the affording of adequate and equal opportunities for training of members of all ethnic groups at all levels of the public service. This requires proportionate allocation of training opportunities relative to the organizational/national population size.



Table 14: Template for Distribution of Training Opportunities to Members of all Ethnic Groups

Ministry/ department/ Agency	Levels of the public service	Ethnic groups	Proportionate allocation of training opportunities	Variance (+ or -)	*Rating (acceptable, moderate and gross)	Recommended redress	Time-lines
Public Service Commission	Entry level	1.kikuyu					
		2.kalenjin					
		3.luhya					
		4.luo etc					
	JG 'A' – 'D'	1.kikuyu					
		2.kalenjin					
		3.luhya					
		4.luo etc					
	JG 'E' – 'H'	1.kikuyu					
		2.kalenjin					
		3.luhya					
		4.luo etc					
	JG 'J' – 'M'	1.kikuyu					
		2.kalenjin					
		3.luhya					
		4.luo etc					
	JG 'N' – 'Q'	1.kikuyu					
		2.kalenjin					
		3.luhya					
		4.luo etc					
	JG 'R' – 'T'	1.kikuyu					
		2.kalenjin					
		3.luhya					
		4.luo etc					
	JG 'U' and above	1.kikuyu					
		2.kalenjin					
		3.luhya					
		4.luo etc					

**c) Advancement**

Article 232 (1)(i) provides for the affording of adequate and equal opportunities for advancement of members of all ethnic groups at all levels of the public service. This requires proportionate allocation of promotional opportunities relative to the organizational/ national population size.

*Table 15: Template for Distribution of Advancement Opportunities to Members of all Ethnic Groups*

Ministry/ department/ Agency	Levels of the public service	Ethnic groups	Proportionate allocation of promotional opportunities	Variance + or -	*Rating (acceptable, moderate and gross)	Recommended redress	Time-lines
Public Service Commission	Entry level	1.kikuyu					
		2.kalenjin					
		3.luhya					
		4.luo etc					
	JG 'A' – 'D'	1.kikuyu					
		2.kalenjin					
		3.luhya					
		4.luo etc					
	JG 'E' – 'H'	1.kikuyu					
		2.kalenjin					
		3.luhya					
		4.luo etc					
	JG 'J' – 'M'	1.kikuyu					
		2.kalenjin					
		3.luhya					
		4.luo etc					
	JG 'N' – 'Q'	1.kikuyu					
		2.kalenjin					
		3.luhya					
		4.luo etc					
	JG 'R' – 'T'	1.kikuyu					
		2.kalenjin					
		3.luhya					
		4.luo etc					
	JG 'U' and above	1.kikuyu					
		2.kalenjin					
		3.luhya					
		4.luo etc					

### 11.1.5 Persons with Disability (PWDs)

#### a) Appointments

Article 232 (1)(i) provides for the affording of adequate and equal opportunities for appointment of persons with disabilities at all levels of the public service against the five percent minimum. This requires proportionate allocation of five percent (5%) opportunities in appointments.

*Table 16: Template for Distribution of Appointment Opportunities to PWDs*

Ministry/department/Agency	Levels of the public service	Persons with disability	Proportionate allocation of appointment opportunities against the 5%	Variance (+ or -)	*Rating (acceptable, moderate, gross)	Recommended redress	Time-lines
Public Service Commission	ENTRY LEVEL						
	JG 'A' – 'D'						
	JG 'E' – 'H'						
	JG 'J' – 'M'						
	JG 'N' – 'Q'						
	JG 'R' – 'T'						
	JG 'U' and above						

**b) Training**

Article 232 (1)(i) provides for the affording of adequate and equal opportunities for training of persons with disabilities at all levels of the public service against the five percent minimum. This requires proportionate allocation of five percent (5%) training opportunities.

*Table 17: Template for Distribution of Training Opportunities to PWDs*

Ministry/ depart- ment/ Agency	Levels of the public service	Persons with dis- ability	Proportion- ate allocation of training opportunities against the 5% requirement	Variance (+ or -)	*Rating (accept- able, moderate, gross)	Recom- mended redress	Time- lines
Public Service Commis- sion	ENTRY LEVEL						
	JG 'A' – 'D'						
	JG 'E' – 'H'						
	JG 'J' – 'M'						
	JG 'N' – 'Q'						
	JG 'R' – 'T'						
	JG 'U' and above						

**c) Advancement**

Article 232 (1)(i) provides for the affording of adequate and equal opportunities for advancement of persons with disabilities at all levels of the public service against the five percent minimum requirement. This requires proportionate allocation of five percent (5%) promotional opportunities.

*Table 18: Template for Distribution of Advancement Opportunities According to PWDs*

Ministry/ depart- ment/ Agency	Levels of the public service	Persons with dis- ability	Proportion- ate al- location of promotional opportunities against the 5%	Variance (+ or -)	*Rating (accept- able, moderate, gross)	Recom- mended redress	Time- lines
Public Service Commis- sion	ENTRY LEVEL						
	JG 'A' – 'D'						
	JG 'E' – 'H'						
	JG 'J' – 'M'						
	JG 'N' – 'Q'						
	JG 'R' – 'T'						

## 12.0 VALUES AND PRINCIPLES EVALUATION CYCLE

### 12.1 Values and Principles Evaluation Template

Table 19: Values and Principles Evaluation Template

S/No.	Thematic Areas	Output (Annual) KPI - index	Outcome (3 Years)	Impact (From 5 Years)
1.	High standards of professional ethics			
2.	Devolution and sharing of power			
3.	Good governance			
4.	Diversity management			
5.	Economic use of resources and sustainable development			
6.	Equitable allocation of opportunities			
7.	Accountability for administrative acts			
8.	Improvement in service delivery			
9.	Performance management			
10.	Public participation in policy making			

### 12.2 Values and Principles Implementation Matrix

Table 20: Template for Implementation of Values and Principles

Thematic areas	Baseline Information 2013/2014	Compliance Index 2014/2015	Recommended Compliance Index 2015/2016
High Standards of Professional Ethics			
Devolution and Sharing of Power			
Good governance			
Diversity Management			
Economic use of Resources and Sustainable Development			
Equitable Allocation of Opportunities			
Accountability for Administrative Acts			
Improvement in Service Delivery			
Performance Management			
Public participation in Policy Making			

## 12.3 Values and principles monitoring and evaluation matrix

Table 21: Monitoring and Evaluation Template for Values and Principles

Thematic areas	Baseline Information 2013 /2014	Performance Index 2014 /2015	Performance Index Target 2015/2016	Trend Analysis			
				1st Quarter	2nd quarter	3rd quarter	4th quarter
High Standards of Professional Ethics							
Devolution and Sharing of Power							
Good governance							
Diversity Management							
Economic use of Resources and Sustainable Development							
Equitable Allocation of Opportunities							
Accountability for Administrative Acts							
Improvement in Service Delivery							
Performance Management							
Public participation in Policy Making							

## 13.0 VALUES AND PRINCIPLES AUDIT MATRIX

NAME OF ORGANISATION.....

YEAR OF AUDIT.....

*Table 22: Template for Auditing Values and Principles*

Thematic Areas	Baseline Information 2013/2014	Compliance Level 2014/2015	Performance Index 2014/2015	Recommended Performance Index 2015/2016
High Standards of Professional Ethics				
Devolution and Sharing of Power				
Good governance				
Diversity Management				
Economic use of Resources and Sustainable Development				
Equitable Allocation of Opportunities				
Accountability for Administrative Acts				
Improvement in Service Delivery				
Performance Management				
Public participation in Policy Making				
Aggregate Performance Index				



## 14.0 REPORTING TEMPLATE FOR THE VALUES AND PRINCIPLES EVALUATION SURVEY

**COVER PAGE TITLE:** STATE OF THE PUBLIC SERVICE SURVEY REPORT

**INNER COVER** - VISION, MISSION, MANDATE, CORE FUNCTIONS, CORE VALUES

### TABLE OF CONTENTS

#### PRELIMINARIES

- i. FOREWORD BY COMMISSION CHAIRPERSON
- ii. PREFACE BY COMMISSION SECRETARY
- iii. EXECUTIVE SUMMARY
- iv. TABLES AND CHARTS
- v. ACRONYMS
1. INTRODUCTION – THE PUBLIC SERVICE COMMISSION
  - 1.1. Establishment
  - 1.2. Mandate
  - 1.3. Core Functions
  - 1.4. Vision
  - 1.5. Mission
  - 1.6. Core Values
2. COMPLIANCE EVALUATION SURVEY
  - 2.1. Commissioning Of Survey
  - 2.2. Rationale
  - 2.3. Scope Of Survey
  - 2.4. Limitations
  - 2.5. Methodology
  - 2.6. Thematic Areas
  - 2.7. Performance Standards

2.8. Performance Indicators

### 3. COMPLIANCE EVALUATION FINDINGS

#### 3.1. THEMATIC AREA 1 - HIGH STANDARDS OF PROFESSIONAL ETHICS

3.1.1. Measures Taken

3.1.2. Performance Standards

3.1.3. Performance Indicators

3.1.4. Analysis of Findings

3.1.5. Progress Achieved

3.1.6. Recommendations

3.1.7. Conclusion

#### 3.2. THEMATIC AREA 2 - DEVOLUTION AND SHARING OF POWER

3.2.1. Measures Taken

3.2.2. Performance Standards

3.2.3. Performance Indicators

3.2.4. Analysis of Findings

3.2.5. Progress Achieved

3.2.6. Recommendations

3.2.7. Conclusion

#### 3.3. THEMATIC AREA 3 - GOOD GOVERNANCE

3.3.1. Measures Taken

3.3.2. Performance Standards

3.3.3. Performance Indicators

3.3.4. Analysis of Findings

3.3.5. Progress Achieved

3.3.6. Recommendations

3.3.7. Conclusion

#### 3.4. THEMATIC AREA 4 - DIVERSITY MANAGEMENT

3.4.1. Measures Taken

3.4.2. Performance Standards

3.4.3. Performance Indicators

3.4.4. Analysis of Findings

3.4.5. Progress Achieved

3.4.6. Recommendations

3.4.7. Conclusion

#### 3.5. THEMATIC AREA 5 - ECONOMIC USE OF RESOURCES AND SUSTAINABLE DEVELOPMENT

3.5.1. Measures Taken

3.5.2. Performance Standards

3.5.3. Performance Indicators

3.5.4. Analysis of Findings

3.5.5. Progress Achieved

3.5.6. Recommendations

3.5.7. Conclusion

#### 3.6. THEMATIC AREA 6 - EQUITABLE ALLOCATION OF OPPORTUNITIES

3.6.1. Measures Taken

3.6.2. Performance Standards

3.6.3. Performance Indicators

3.6.4. Analysis of Findings

3.6.5. Progress Achieved

3.6.6. Recommendations

3.6.7. Conclusion

### 3.7. THEMATIC AREA 7 - ACCOUNTABILITY FOR ADMINISTRATIVE ACTS

3.7.1. Measures Taken

3.7.2. Performance Standards

3.7.3. Performance Indicators

3.7.4. Analysis of Findings

3.7.5. Progress Achieved

3.7.6. Recommendations

3.7.7. Conclusion

### 3.8. THEMATIC AREA 8 - IMPROVEMENT IN SERVICE DELIVERY

3.8.1. Measures Taken

3.8.2. Performance Standards

3.8.3. Performance Indicators

3.8.4. Analysis of Findings

3.8.5. Progress Achieved

3.8.6. Recommendations

3.8.7. Conclusion

### 3.9. THEMATIC AREA 9 - PERFORMANCE MANAGEMENT

3.9.1. Measures Taken

3.9.2. Performance Standards

3.9.3. Performance Indicators

3.9.4. Analysis of Findings

3.9.5. Progress Achieved

3.9.6. Recommendations

3.9.7. Conclusion

### 3.10. THEMATIC AREA 10 - PUBLIC PARTICIPATION IN POLICY MAKING

3.10.1. Measures Taken

3.10.2. Performance Standards

3.10.3. Performance Indicators

3.10.4. Analysis of Findings

3.10.5. Progress Achieved

3.10.6. Recommendations

3.10.7. Conclusion

4. RECOMMENDATIONS

5. CONCLUSIONS

APPENDICES







**PUBLIC SERVICE COMMISSION**

P.O. Box 30095, 00100, Nairobi, Kenya

Harambee Avenue, Nairobi, Kenya

Telephone: +254 (020) 2223901-5, 2227471-5

Fax: +254 (020) 2214791

Mobile: +254-724-253807, +254-735-800282