



In Pursuit of Service Excellence



The Role of the Public Service Commission in Governance and Accountability:

Interventions, Achievements and Opportunities

Summary

This brief responds to a call by the Executive Office of the President to public sector organizations to document their contribution to governance and accountability; for dissemination during the inaugural State House Summit on these two core obligations of the government. It presents the functional, policy and operational contribution of the Public Service Commission to public sector governance and accountability. It examines the mandate of the Commission and summarises a synthesis of the specific interventions undertaken by the Commission in the furtherance of the governance and accountability functions and the results or impacts achieved so far. Taking cognisance of the challenges that the documented interventions have encountered, the brief concludes by anticipating opportunities for improvement.

Audience for this Brief

The Presidency, Citizens, Public and State Officers, Service Commissions, Ministries, Statutory Commissions, State Corporations, County Governments, Public Policy Formulators & Implementers; Development Partners in Governance and Accountability, Public Administration Research & Policy Organizations and Individual Researchers.

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Access

The print version of this brief is available at the PSC Resource Centre.

This brief is also available on the PSC website: www.publicservice.go.ke

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The Role of PSC in Governance

The Public Service Commission plays a major role in the area of public sector governance in accordance with Articles 10, 232, 234 of the Constitution and the PSC Act. This section documents the major functional and operational avenues through which the Commission has helped advance the governance function in the greater Public Service: (1) values and principles of governance and public service; (2) diversity and inclusivity; (3) training and development; (4) establishment of norms and standards; (5) morale and motivation; (6) organizational design and structure; (7) devolution; (8) fair administrative action; (9) delegation; and (10) empowerment of State Departments.

Interventions

In this section, the brief highlights the specific interventions that the Public Service Commission has undertaken or continues to implement that support the governance function in the public sector.

Values and principles of governance and public service: The mainstreaming of values and principles mentioned in Articles 10 and 232 of the Constitution has been supported by five interventions: the development of a framework for their implementation; a baseline survey on compliance; formulation of legislation on the values and principles and; training to counties on mainstreaming and compliance.

Diversity and inclusivity: The Commission has since anchored its efforts at creating a truly diverse and inclusive public service on a comprehensive diversity policy which it issued to the Service in July 2016. In furtherance of the inclusivity goal, PSC has, since 2013, implemented a proportionate recruitment formula for ethnic representation in new recruitments and promotions. To ensure access to information on job opportunities, the Commission continues to widely circulate advertisements on vacancies. Improved accessibility to job opportunities has been achieved through the Commission's online recruitment system.

Training and development: In efforts to address the skill requirements for the achievement of Kenya Vision 2030 development goals, the Commission has reviewed the human resource development policy. The policy is geared towards instilling a culture of lifelong learning and competencies for the achievement of government development priorities.

Norms and standards: In July 2016, the Commission issued new and revised policies, guidelines and manuals on human resource management and development and other functional areas in the Service.

Morale and motivation: In recognition of the value of motivated officers in a high performance environment, the Commission has instituted timely recruitment and promotion of public officers and reviewed the terms and conditions of service.

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In addition, in 2015, the Commission established the Public Servant of the Year Award (PSOYA). This scheme is aimed at recognition and awards to public officers for service excellence. Other key interventions for motivation include enhanced medical cover for civil servants and improved house and hardship allowance for public officers.

Public participation: The Commission has embraced stakeholder participation in its policy development and implementation process. In addition, the Commission has issued guidelines to the service on public participation in policy making.

Organizational design and structure: In the fulfilment of its function of making the public service both efficient and effective, PSC has developed two kinds of guidelines on: (1) the establishment and abolition of offices and; (2) organizational design.

Devolution: The Commission's contribution to the strengthening of devolution through county governments can be seen in its development and issuance of guidelines on management of county public service officers; undertaking capacity building for counties (Public Service Boards, HR directors, Chief Officers) and the recent establishment of Inter-agency committee on health workers HR matters.

Fair administrative action: The Commission's work in this area has been anchored on two instruments: a new policy on hearing and determination of appeals and; a reviewed discipline manual.

Empowerment of state departments: The Commission has redesigned the human resource management (HRM) function in the civil service to ensure effectiveness and efficiency in service delivery, enhance transparency and accountability and reduce bureaucracy.

Achievements

From the interventions highlighted, a number of achievements have been observed and documented. This section focuses on the specific ways in which these interventions by PSC have produced results under the governance functions of focus.

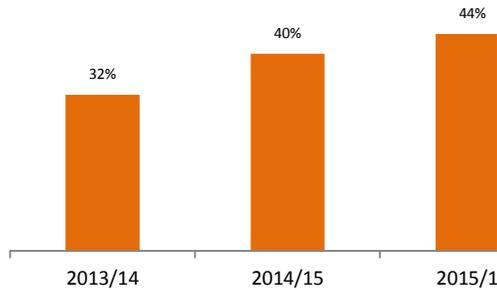
HRM standardization and alignment to the Constitution: Through the release of the new policies, guidelines and manuals, the Commission has succeeded in standardizing HR practices across all levels of the service. The revision of these re-issued instruments has also made it possible to mainstream values and principles of public service in HR practices. In addition, the revisions have been instrumental in the alignment of old HR practices to the constitution and legislation.

Progress in inclusivity: The Commission's interventions at improving inclusivity across the serviced are already evident in improvements towards gender parity by achieving 44% percent female representation among officers in Job Groups "Q" and above in the Service (Fig. 1).



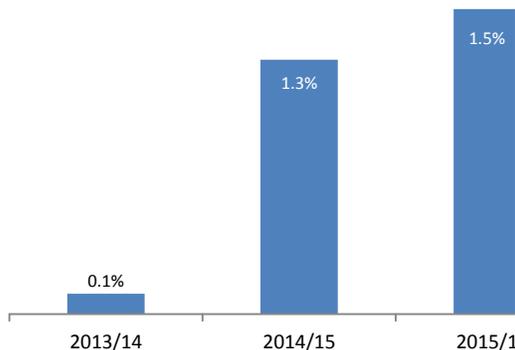
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Figure 1: Proportion of Females in JG “Q”+



Similarly, past and ongoing affirmative efforts have raised the inclusion of persons with disability to 1.5% of the Service over a period of three years; up from less than 1 percent. Diversity improvement efforts have also brought erstwhile invisible and marginalised groups into the Service to a level that shows progress in the attainment of “The Face of Kenya” in the service (Fig.2).

Figure 2: Proportion of PWDs in the Public Service



Morale and motivation improvements:

As part of its public service motivation programmes, the Commission developed and implemented the Inaugural Public Servant of the Year Awards (PSOYA) in 2015. The PSOYA recognition and reward scheme has since created a momentum for performance across the public service. This is evident in the overwhelming submissions of nominees for the second cycle of the Award in 2016. The PSOYA programme is guided by the recently issued Performance Rewards and Sanctions Framework for the public service.

County level adoption of values and principles of governance and public service:

Comprehensive training undertaken to the 47 county governments by the Commission targeting senior leadership at the levels of directors and above has resulted in the gradual adoption of these values and principles.

Efficiency gains in organizational structures:

Impacts of the Commission’s work in the organizational structures and design across the service are evident from the elimination of overlap and duplication, responsive service delivery systems and reviewed structures and staff establishment for MDAs.

Support to devolution:

The Commission’s work in supporting devolution is located advisory services to the County Public Services, timely hearing and determination of appeals and seamless transfer of 66,000 officers to counties and secondment of staff to the counties for technical support.

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Fairness in administrative acts: The Commission's work in improving fairness in administrative acts has seen the establishment of mechanisms for hearing appeals from counties, automation of discipline process and affording public officers fair hearing in the determination of cases and appeals.

Empowerment of Cabinet Secretaries: The revised delegation instruments have empowered CSs to manage the HR function. Another direct benefit of the delegation of the Commission's powers is a cut down on red tape or bureaucracy and timely decision making at ministry or state department levels.

Efficiency effects of HRM decentralization: Among other effects, the implementation of the HR decentralization policy has helped to significantly cut down on previous red tape and bureaucracy in responding to the HR needs of public officers in addition to eliciting increased accountability in the management of HR.

The Role of PSC in the Promotion of Accountability

Although largely implicit in the mandate of the Commission, a number of PSC's functions have accountability dimensions. This section outlines the interventions and achievements under the four main avenues through which the Commission's work has supported the public sector accountability goal:

(1) review of the performance management system; (2) wealth declarations; (3) compliance audit and evaluations and; (4) external reporting.

Interventions

Review of the performance management system: Performance management is the foremost accountability mechanism for the Public Service in terms of monitoring service delivery for results. The performance management function in the service had nearly ground to a halt over the last few years. To reposition this function, PSC has since reviewed the performance management systems for the entire Service.

Wealth declarations: In executing its role on the accountability of public officers, the Commission has administered the biennial declaration of Income, Asset and Liabilities between 2003 and 2015. Based on feedback, the Commission has revised procedures on the declaration of income, assets and liability and the public officers code of conduct and ethics.

Compliance audit and evaluation: The Commission has mounted compliance interventions at two levels: (1) evaluation on values and principles and compliance audit on personnel practices, organization structures and (2) administrative practices across MDAs.



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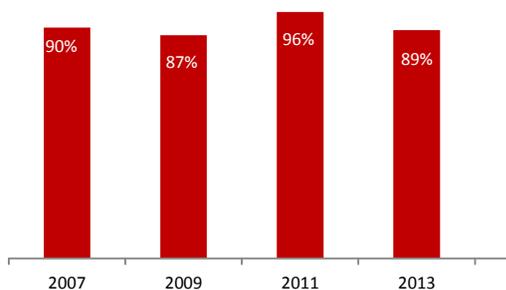
External reporting: Each financial year, the Commission prepares, to the President and Parliament, its own annual report and a report on the extent to which the Public Service has complied with the values and principles of governance and public service found in Articles 10 and 232 of the Constitution.

Achievements

Re-establishment of the performance management system: In the realization of the pivotal role of the performance management, the Commission has since re-established the performance management system (PMS) for implementation across the service. The system leverages on ICT that makes it simpler and efficient.

High Levels of compliance in wealth declarations: On average, compliance levels in wealth declaration have risen to 90% (Fig.3). The Commission also keeps a large database on wealth declarations by public officers for use in due diligence during vetting and recruitment. The database is also used by other state agencies in investigations.

Figure 3: Wealth Declaration Compliance Levels, 2007-2015



Improved risk and grievance management: The continuous audit work by the Commission in ministries and state departments and agencies (MDAs) has helped in enhancing mapping of risks and their management. In addition, the audits have revealed underlying grievances thus their better management and resolution.

Reports to the President and Parliament: Since the enactment of the new Constitution, the Commission has had 5 cycles of reporting for its own annual report and 3 cycles of reporting on compliance with values and principles of governance and public service.

Opportunities for Improvement

While noting the milestones registered by the Commission in the promotion of good governance and accountability in the public service, enormous potential for improvement still exists. The specific areas for improvement are highlighted in this section.

Governance

Harmonization of terms and conditions of service: Even as the Commission continues to implement the new HRM instruments, gaps still persist in the harmonization of terms and conditions of service. It is expected that the current job evaluation process, being spearheaded by the Salaries and Remuneration Commission, will establish an objective basis for this harmonization.

*In Pursuit of Service Excellence***Closing the inclusivity gap:**

Notwithstanding the progress made, more efforts towards the ideals of diversity and inclusivity in the service should be concentrated on: (1) attaining proportionate representation of all ethnic communities in the public service; (2) attaining 5% representation of PWDs in the service and; (3) the establishment of a comprehensive affirmative action framework for persons with disability (PWDs).

Enhancement of motivation in the service:

Improvements in public service motivation can be attained through: the provision of mortgage, car loans and other financial facilities; adoption of a sector-wide policy on equal pay for equal work and; service-wide adoption of a superannuation scheme / contributory pension scheme. These interventions will certainly require budget prioritization for their sustainable financing.

Sector-wide measurement of impacts of the implementation values and principles:

There is need to transition from the sensitization and capacity building phase to the actual measurement of impacts of the adoption and mainstreaming of these values in the delivery of public services across all service Commissions and County governments. Strategies for the establishment of an impact measurement framework include: the development of a citizens service charter; establishment of a citizen satisfaction index and; a public service representativeness index.

Design and structural optimization in MDAs:

Renewed efforts are necessary to achieve real optimization of staffing in MDAs and Service efficiency improvements through automation and digitization of functions and processes.

Welfare improvements in devolved units:

Welfare systems for public officers in devolved systems remain underdeveloped. Improvements in this area should include the establishment of a pension scheme for counties and the finalization of transfer of service to counties for public officers who have moved to this level.

Efficiency improvements in administrative action:

Digitization of the disciplinary and appeals process for MDAs and counties and the strengthening of HR records management system are expected to be instrumental in making the delivery of administrative justice more efficient.

Mechanism for compliance enforcement:

The delegation process can be better managed through the strengthening of policy compliance in MDAs.

Continuous review of HRM policies:

The HRM decentralization policy and other related instruments should be subjected to continuous review for improvement. Such reviews can only be based on objective stakeholder feedback.



Accountability

Informed Citizenry: Heightened citizen awareness on their rights and the obligations of Public Service agencies and their inquisitiveness in the demand for quality services help establish the need for continuous recalibration of service delivery standards.

A productivity culture: For meaningful improvements in the performance of the public service, sector-wide efforts should be concentrated on the establishment of a public service productivity culture/ system and the institutionalization of rewards and sanctions.

Better application of wealth declaration data: Public agencies should improve their levels of collaboration in information sharing in the vetting of nominees, investigation and prosecution of corruption cases. Other undertakings to help improve the utility of the wealth declaration process include: lifestyle audits for public officers; management of conflict of interest; promotion of accountability and transparency in the management of public resources and automation of financial disclosures.

Scaling of e-government platforms: For efficiency improvements, the service delivery interface between the government and the citizenry would require the documentation of business processes, automation and migration to the e-citizen platform.

Enforcement of recommendations: Beyond the periodic audits and evaluations on compliance, there is need for the establishment of mechanisms for the enforcement of recommendations for compliance by MDAs.

Conclusion

In recognition of the sheer size and diversity of the greater Public Service, the Commission remains committed to working collaboratively with other Service Commissions and State Agencies. PSC believes that such an approach is critical to the attainment of the twin goals of good governance and accountability in the Public Service in a way that supports the attainment of Kenya's development aspirations.

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