



REPUBLIC OF KENYA



**PUBLIC SERVICE COMMISSION**

# **ANNUAL REPORT FOR THE FINANCIAL YEAR 2022-2023**

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**SEPTEMBER 2023**







REPUBLIC OF KENYA



PUBLIC SERVICE COMMISSION

## **ANNUAL REPORT FOR THE FINANCIAL YEAR 2022/2023**

Prepared and issued pursuant to Article 254 (1) of the Constitution of Kenya and Section 90 of the Public Service Commission Act, 2017

**SEPTEMBER 2023**

## **VISION**

A Citizen-Centric Public Service

## **MISSION**

To transform the Public Service for efficient and effective service delivery

## **CORE VALUES**

Citizen Focus

Professionalism

Innovation

Teamwork



# CONTENTS

Contents.....	iii
Tables .....	vii
Figures.....	viii
Acronyms.....	ix
Message From The Chairperson .....	xii
Preface.....	xiv
Acknowledgement.....	xvi
Composition Of The Commission .....	xvii
Executive Summary .....	xviii

## **CHAPTER 1: INTRODUCTION.....1**

1.1 Preamble.....	1
1.2 Legislative Foundations of the Annual Report.....	1
1.3 Mandate and Functions of the Commission.....	2
1.3.1 Constitutional and Statutory Mandate of the Commission.....	3
1.3.2 Scope of Mandate of the Commission .....	4
1.3.3 Constitutional and Statutory Mandate of the Commission Over State Corporations ...	4
1.3.4 Protection of Public Officers.....	5
1.4 Role of the Commission in National Development.....	6
1.5 Commission's Planned Targets for the Year 2022/2023 .....	6
1.6 Organization of the Report.....	7

## **CHAPTER 2 : TOWARDS PUBLIC SERVICE TRANSFORMATION.....8**

2.1 Introduction.....	8
2.2 The Role of the Commission in Public Service Transformation.....	8
2.2.1 Advisory to the Executive on Government Transition .....	9
2.2.2 Enabling policy and Legislation .....	10
2.2.3 Human Capital for Effective Public Institutions and Transformation.....	10
2.2.4 Leadership Capacity Development: A new Generation of Ethical Public Leaders.....	10
2.2.5 Performance Management and Service Delivery Transformation.....	12
2.2.6 Policy and Structural Reforms .....	12
2.2.7 Performance Excellence Tradition in the Public Service .....	13
2.3 Next Steps in Public Service Reforms for Transformation.....	13

<b>CHAPTER3:PERFORMANCE IN DELIVERY OF THE COMMISSION'S MANDATE.....</b>	<b>15</b>
3.1 Introduction.....	15
3.2 Establishment and Abolition of Offices in the Public Service.....	15
3.3 Appointment of Persons to Public Offices.....	17
3.3.1 Advertisements for Job Vacancies .....	17
3.3.2 Recruitment.....	18
3.4 Exercise of Disciplinary Control.....	25
3.4.1 Processing and Determination of Discipline Cases.....	26
3.4.2. Complaints Resolution .....	26
3.5 Litigation Cases .....	27
3.6 Exits from the Service.....	27
3.7 Promotion of Values and Principles of Governance in Public Service.....	29
3.7.1 Promotion of the values and principles.....	30
3.7.2 Evaluation and Reporting on Values and Principles.....	31
3.7.3 Monitoring and Evaluation of the Organization, Administration, and Personnel Practices of the Public Service.....	32
3.8 Investigation of the Organization, Administration and Personnel Practices of the Public Service .....	32
3.9 Efficiency and Effectiveness of the Public Service.....	33
3.9.1 Performance Management in the Public Service.....	33
3.9.2 Human Resource Management Strategies.....	35
3.9.3 Technical Support .....	37
3.10 Development of Human Resources.....	40
3.10.1 Skills Development in the Public Service .....	40
3.10.2 Public Service Promotional Examinations .....	40
3.10.3 Public Service Internship Programme (PSIP).....	41
3.10.4 Capacity Building for PSIP Mentors and Coaches.....	44
3.10.5 Digital Literacy Programme .....	46
3.10.6 Presidential Digital Talent Programme .....	46
3.10.7 Public Service Emerging Leaders Fellowship Programme .....	47
3.11. County Government Public Service Appeals .....	51
3.12 Promotion of Ethical Conduct in the Public Service.....	51
3.13 Stakeholder Relations .....	52



<b>CHAPTER 4 : INSTITUTIONAL CAPACITY OF THE COMMISSION.....</b>	<b>56</b>
4.1 Introduction.....	56
4.2 Human Resource Management and Development.....	56
4.2.1 Staffing.....	56
4.3 Skills Development.....	61
4.4 Performance Management.....	62
4.5 Terms and Conditions of Service.....	63
4.6 Collaboration, Cooperation and Partnership with Stakeholders, Regional and International Bodies.....	63
4.6.1 The World Bank.....	64
4.6.2 African Capacity Building Foundation.....	65
4.6.3 European Union.....	65
4.6.4 The Commonwealth.....	66
4.6.5 Mozilla Corporation.....	66
4.6.6 South Korea and Malaysia Cooperation.....	67
4.6.7 Other Resource Mobilization Initiatives.....	68
4.7 Office Space for Commission Staff.....	69
4.8 Research and Policy Analysis Activities.....	69
4.9 Information and Communication Technology.....	70
<b>CHAPTER 5 : FINANCIAL STATEMENTS FOR THE YEAR 2022/23.....</b>	<b>71</b>
5.1 Introduction.....	71
5.2 Approved Budget for 2022/23 Financial Year.....	71
5.3 Budget Utilization for FY 2022/2023.....	72
5.4 Budget Absorption Trend Analysis.....	73
5.6 Resource Mobilization.....	74
5.7 Unaudited Financial Statements for the Period Ended June 30, 2023.....	74
5.8 Proposals for Subsequent Budget Cycle.....	75
<b>CHAPTER 6: KEY ACHIEVEMENTS, LESSONS, CHALLENGES, AND RECOMMENDATIONS.....</b>	<b>76</b>
6.1 Introduction.....	76
6.2 Achievements.....	76
6.3 Challenges.....	77

6.4 Lessons .....	78
6.5 Recommendation .....	78
6.6 Way Forward for Emerging Issues .....	79



## TABLES

Table 3-1: Establishment and Abolition of Offices in the Public Service.....	16
Table 3-2: Appointments in State Departments by Gender.....	18
Table 3-3: Distribution of Nominees for Appointment to Constitutional Commissions and Other offices .....	20
Table 3-4: Positions Recommended in Public Universities .....	21
Table 3-5: Vice Chancellor Positions Interviewed in Various Universities .....	22
Table 3-6: Posts Shortlisted for Various Universities .....	22
Table 3-7: Promotions of Officers in State Departments.....	23
Table 3-8: Distribution of Discipline Cases by MDAs.....	26
Table 3-9: Status of Complaints Received by the Commission .....	27
Table 3-10: Exits in MDAs by Type .....	28
Table 3-11: Technical Support Provided to Public Institutions.....	37
Table 3-12: Social Media Feedback Analysis .....	53
Table 4-1: PSC Staff Designations and Grade Levels.....	56
Table 4-2: Staff Age Profile.....	57
Table 4-3: Officers Appointed at the Commission .....	58
Table 4-4: Officers on Secondment to the Commission.....	59
Table 4-5: Staff Seconded from Commission to Other Public Institutions.....	59
Table 4-6: Staff Exits at the Commission.....	60
Table 4-7: Officers Serving on Local Contract Terms .....	60
Table 4-8: Training, Workshops, Seminars and Conferences .....	61
Table 4-9: Performance of Targets by Budget Programmes .....	63
Table 5-1: Comparative Budget Allocation by Economic Classification for FYs 2021/2022 and 2022/2023 (Ksh Millions).....	72
Table 5-2: FY 2022/23 Expenditure Analysis (Ksh Millions).....	73
Table 5-3: Summary of Budget Performance 2020/21 to 2022/23 (KShs. Millions).....	73
Table 5-4: Budget Allocation compared to Requirement for FY 2023/2024 .....	75
Table 6-1: Roadmap on the Way Forward .....	80

## FIGURES

Figure 2-1: The Role of PSC in Public Service Transformation.....	9
Figure 2-2: Framework for Progression in Leadership Capacity Development.....	11
Figure 3-1: Appointments Representation by Gender .....	20
Figure 3-2: Promotions by Gender Representation .....	25



## ACRONYMS

AFD	Agence Française de Développement (AFD) (French Development Agency)
ABSA	Amalgamated Banks of South Africa Limited
ACBF	African Capacity Building Foundation
ADAK	Anti-Doping Agency Kenya
AIA	Appropriations in Aid
AG	Attorney General
SCAC	State Corporation Advisory Committee
ASALs	Arid and Semi-Arid Lands
BETA	Bottom-Up Economic Transformation Agenda
BPR	Business Process Re-engineering
C & QA	Compliance and Quality Assurance
CAJ	Commission on Administrative Justice
CAS	Chief Administrative Secretary
CCIO	Constitutional Commissions and Independent Offices
CEO	Chief Executive Officer
CFTC	Commonwealth Fund for Technical Cooperation
COFEK	Consumer Federation of Kenya
COVID-19	Coronavirus Disease
CSDC	Citizen Service Delivery Charter
DLP	Digital Literacy Programme
DVC	Deputy Vice Chancellor
EAC	East African Community
EACC	Ethics and Anti-Corruption Commission
E&MCS	Establishments and Managements Consultancy Services
ESS	Employee Satisfaction Survey
FY	Financial Year
GESDeK	Governance for Enabling Service Delivery and Public Investment in Kenya GoK Government of Kenya
GPA	Group Personal Accident
HRM&D	Human Resource Management and Development
ICT	Information Communication Technology
ICTA	Information Communication Technology Authority
IEC	Information Education Communication
IFMIS	Integrated Financial Management Information System
IPM	Integrated Performance Management
JOUST	Jaramogi Oginga Odinga University of Science and Technology
KATTI	Kenya Association of Technical Training Institutions
KeNIA	Kenya National Innovation Agency
KESAL	Kenya School of Adventure and Leadership
KFCB	Kenya Film Classification Board
KICC	Kenyatta International Convention Center
KIPPRA	Kenya Institute of Public Policy Research and Analysis
KLR	Kenya Law Report
KMC	Kenya Meat Commission

KNRA	Kenya Nuclear Regulatory Authority
KRA	Kenya Revenue Authority
KRAs	Key Result Areas
KIMC	Kenya Institute of Mass Communication
KUTRRH	Kenyatta University Teaching Referral & Research Hospital
KUCCPS	Kenya University & Colleges Central Placement Services
LAPSSET	Lamu Port, South Sudan, Ethiopia Transport Corridor
LCDA	LAPSET Corridor Development Authority
MCDA's	Ministries, Counties, State Departments and Agencies
MDAs	Ministries, State Departments and Agencies
MDIs	Management Development Institutes
MHRMAC	Ministerial Human Resource Advisory Committee
MTEF	Medium Term Expenditure Framework
NACADA	National Authority for the Campaign against Alcohol and Drug Abuse
NG-CDF	National Government Constituencies Development Fund
NIS	National Intelligence Service
NCRC	National Crime Research Centre
NLC	National Land Commission
NMS	Nairobi Metropolitan Service
NSSF	National Social Security Fund
NYS	National Youth Service
OAG	Office of the Attorney General
P&SDT	Performance and Service Delivery Transformation
PBB	Programme Based Budget
PAIR	Public Administration and International Relations
PDTP	Presidential Digital Talent Program
PDU	Presidential Delivery Unit
PE	Personnel Emoluments
PFMR	Public Finance Management Reform
PSASB	Public Sector Accounting Standards Board
PSC	Public Service Commission
PSEA	Public Service Excellence Award
PSELF	Public Service Emerging Leaders Fellowship
PSIP	Public Service Internship Programme
PSOYA	Public Servant of the Year Award
PSSS	Public Service Superannuation Scheme
PSs	Principal Secretaries
PWDs	Persons Living with Disabilities
RRIs	Rapid Results Initiatives
SACCO	Savings and Credit Co-operative Society
SASRA	Sacco Societies Regulatory Authority
SAGAs	Semi-Autonomous Government Agencies
SLAs	Service Level Agreements
SLDP	Strategic Leadership Development Programme
SMC	Senior Management Course
SO	Strategic objectives
SPAS	Staff Performance Appraisal System

SRC	Salaries and Remuneration Commission
TVET	Technical and Vocational Education and Training
USF	Universal Service Fund
VC	Vice Chancellor
VDI	Virtual Desktop Infrastructure
VDS	Vision Delivery Secretariat
VUCA	Volatile Uncertain Complex and Ambiguous



## MESSAGE FROM THE CHAIRPERSON



The Public Service Commission Annual Report for the Financial Year 2022/2023 covers a defining period of transition to a new administration following the 2022 general elections. Change of administration following a general election tests both the stability and the effectiveness of public service institutions. The Commission, in execution of its mandate, played a pivotal role in facilitating the new administration to navigate the imminent challenges as well as opportunities, which come with such transitions.

The Commission, while working closely with the institutions at the Center of Government, established fit-for-purpose organizations capable of translating the Government's transformation agenda into programmes and activities that address the country's development objectives and citizens' aspirations. The government has subsequently introduced a new development strategy, the *Bottom-up Economic Transformation Agenda (BETA)*, which seeks to deliver results for the citizens from a broad-based economic model.

Establishing new offices at the Center of Government and strengthening existing ones as a priority as the new government settled in, was strategic. These institutions directly support the President's Agenda to provide the required leadership to plan, coordinate, monitor, and communicate key priorities. They work directly with the Executive Office of the President to provide direction, coherence and to ensure the delivery of priorities and results for citizens. In addition, the Commission reviewed other existing institutions and structures and issued an advisory to the new administration. The advisories facilitated the incoming administration to quickly settle and function effectively by establishing formative systemic and structural enablers for a seamless transition from the outgoing to the incoming administration. This process aided the new administration to quickly identify and use the levers of public service to begin implementing its programmes without unnecessary delays.

The theme of this report *Towards Public Service Transformation* demonstrates the Commission's institutional commitment to a strong and effective public service. The theme is in sync with the Government's development agenda which focuses on transforming systems, methods and processes

in the Public Service. This calls for the strengthening of public service institutions and the enhancement of their policy development capacity to handle emerging administrative challenges. It also aligns with the transformative agenda in the Commission's Strategic Plan 2019 -2024, through the implementation of four key broad strategies namely: service delivery transformation; performance and productivity management; human resource management and development; and promotion of good governance, constitutionalism, and compliance with the rule of law.

Internally, the Commission undertook a midterm review of its Strategic Plan 2019-2024 and identified areas that needed attention. Some of these areas include systematic review of optimal human capital needs and review of MDA structures to accelerate on-boarding of critical personnel. These efforts are expected to provide requisite tools and strategies in human and institutional management to spur the country towards socio-economic growth and development. Additionally, the Commission is in the process of developing a public service human resource master plan to guide in the recruitment, development and management of the human resources. The publication of this report, therefore, presents an opportunity for the Commission to reflect on its performance, challenges and lessons learnt in the execution of its mandate during the first year of the current administration.

I am, therefore, pleased to present the 2022/2023 Annual Report to the President, Parliament and our public service audience as the basis of constructive feedback that informs improvements in the discharge of the mandate of the Commission.



**Amb. Anthony Muchiri, CBS**  
**Chairperson,**  
**Public Service Commission**



## PREFACE



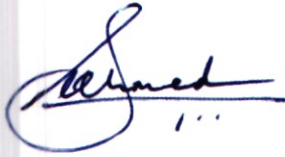
The 2022 /2023 Annual Report serves as an important internal appraisal tool and public engagement mechanism for the Commission. The report which is the fourth since the launch of the PSC Strategic plan in 2019, outlines the performance of the Commission on its operations, financial statements, achievements, challenges, and proposals on the way forward in the delivery of its mandate as spelt out in Articles 234, 155(3)(a), 158(2)(3) and (4), 171(2), 230(2)(b) and 236 of the Constitution.

The report highlights key strategic programmes undertaken by the Commission in the implementation of its mandate. The Commission recorded a number of achievements in the past year which were underpinned by the commitment to ensuring that service delivery responds to the needs and expectations of citizens. Key achievements during the year under review included: issuance of advisories on transition to new government; recruitment and deployment of high level personnel to State Departments; review of organizational structures and staff establishment; review of human resource instruments; establishment of public service leadership capacity development programme through the Public Service Emerging Leaders Fellowship Programme (PSELFP) ; expansion of the Public Service Internship Programme (PSIP); promotion of more than 10,000 public officers; and Promotion of values and principles of governance and public service.

Notwithstanding the concerted efforts at mitigating and coping with the constraints , the Commission still faced the following challenges: overlaps in scope of mandate in performance of functions brought about by different enabling legislations; understaffing due to budget and office space limitations; inadequate budgetary provisions and disruptions of activities caused by austerity measures. While these challenges are significant, so too are the opportunities. At a time of profound economic uncertainty, the Commission continues to reaffirm the criticality of strengthening mechanisms through partnerships and collaborations with regional and international organizations including continuous and deep engagement with top government leaders, peer to peer exchanges, county governments and development partners on service delivery and human and financial resource matters.



Ultimately, establishing a strong and effective public service to support the government's transformative agenda will rely on initiatives and commitment of Commission stakeholders.

A handwritten signature in blue ink, appearing to read 'Salma A. Ahmed', with a horizontal line underneath and a small flourish below the line.

**Amb. Salma A. Ahmed, MBS**

**Commissioner/Chair, Performance Management Committee  
Public Service Commission**

## ACKNOWLEDGEMENT



A lot of effort, dedication and commitment has gone into the preparation of this Annual Report 2022/2023. I therefore wish to take this opportunity to express sincere gratitude to the interdepartmental secretariat team under the oversight of Commissioners Amb. Salma Ahmed and Dr. Joyce Nyabuti. I acknowledge the guidance accorded to the team by the Commission under the leadership of the Chairperson Amb. Anthony Muchiri, that resulted in timely submission of the report to the President and Parliament as stipulated in the Constitution.

I wish to particularly recognize the concerted efforts and hard work that the secretariat task team headed by Dr. Sylvester Obong'o (Director, Performance and Service Delivery Transformation) put into this assignment, together with Mr. George Mukabi (Director, Board Management Services) and Mr. Browne Kutswa (Task Team Convenor and Deputy Director, Public Communications). Special recognition goes to Musa Cherogony (Deputy Director, Legal Services), Simon Mwangi (Deputy Director, PSIP), John Muriungi (Deputy Director, Establishment & Management Consultancy Services), Simiyu Njalale (Deputy Director, Finance), Daniel Oliech (Ag. Deputy Director, Performance Monitoring & Evaluation), Rahma Hassan (Assistant Director, Research & Policy Analysis), Phoebe Gor (Assistant Director, Performance Monitoring & Evaluation), Joseph Kenei (Assistant Director, Planning), Alex Koros (Assistant Director, Monitoring and Evaluation), Carol T. Wekesa (Assistant Director, Planning), Hannah Mwangi (Assistant Director, Recruitment and Selection), Melda Mboya (Principal Office Administrator, EMCS), Pauline Muriuki (Principal Public Communications Officer), Tom Muema (Senior Public Communication Officer) and Virginia Asievera (Intern, Public Communication). Their unwavering commitment and teamwork is duly acknowledged.

In addition, I acknowledge the contribution of Heads of Directorates and Sections for their invaluable support during various stages of the preparation of this report. Finally, I extend my appreciation to Commission staff who in one way or another worked towards the successful development and publication of this Annual Report for the Financial Year 2022/2023.

It is my conviction that with the publicization of this report, the Commission will achieve its intention of reporting to the President and Parliament; and the citizens at large on its operations and activities.

A handwritten signature in black ink, appearing to read 'S. Rotich', with a stylized flourish at the end.

**Dr. Simon K. Rotich, CBS**  
**Commission Secretary/CEO**  
**Public Service Commission**

# COMPOSITION OF THE COMMISSION



**AMB. ANTHONY M. MUCHIRI, CBS**  
Chairperson



**CPA CHARITY S. KISOTU, CBS**  
Vice Chairperson,



**DR. JOYCE K. NYABUTI, MBS**  
Commissioner



**DR. MARY C. MWIANDI, PHD, MBS**  
Commissioner



**DR. REUBEN K. CHIRCHIR, PHD, MBS**  
Commissioner



**AMB. PATRICK S. WAMOTO, EBS**  
Commissioner



**AMB. SALMA A. AHMED, MBS**  
Commissioner



**MR. ANDREW N. MURIUKI, MBS**  
Commissioner



**MS. JOAN A. OTIEMO, MBS**  
Commissioner



**DR. SIMON K. ROTICH, CBS**  
Commission Secretary/CEO



## EXECUTIVE SUMMARY

This Annual Report covers the period July 1, 2022 to June 30, 2023. It is submitted to the President and Parliament by the Public Service Commission as a statutory requirement under Article 254 (1) of the Constitution and Section 90 of the Public Service Commission Act, 2017. Its thematic focus *Towards Public Service Transformation* responds to the programs implemented by the commission during the period under review facilitated the government's transformative agenda through the establishment of strong, capable and effective public service organizations. The report is an accountability mechanism on how the Commission applied institutional means towards the attainment of targets, results and outcomes under corporate and directorate level work plans. Recommendations of the report form the basis for the Commission's institutional improvement strategy on how it delivers its mandate and executes its functions.

Data for the report were obtained through structured questionnaires completed by Commission directorates providing information on how targets outputs, and results were achieved. Analysis of trends is based on the administrative data compiled by directorates and functional units over the 2022/2023 FY.

The report is organized into six chapters. Chapter one presents an introduction to the report highlighting the preamble, the legal foundations of the report, the mandate of the Commission, new judicial interpretations expanding scope of mandate, a highlight of the Commission's contribution to national development, and its planned targets for the 2022/2023 financial year. In chapter two, the report situates this year's theme, *Towards Public Service Transformation*, within the Commission's work over the preceding twelve months that contributed to the government's public service transformation agenda. The chapter specifically outlines current strategies and planned programmes on reform and transformation. Chapter three gives insight into how the Commission delivered its mandate, outlining specific achievements in line with the targets set out in the 2022/2003 corporate work plan. In chapter four, the report outlines the enabling factors that anchor the Commission's capacity to deliver on its functions. Chapter five presents a review on how financial resources were applied to activities for results and the Commission's proposal for subsequent budget cycles. Chapter six outlines key lessons, challenges faced and recommendations

### TOWARDS PUBLIC SERVICE TRANSFORMATION

The Commission's mandate of establishing offices and confirming people into those offices among other functions, makes it a central player in realization of the government's transformative agenda. The Commission performed a number of critical functions to ensure continuity and establish a strong foundation for efficient and effective service delivery for the incoming government. Specifically, it undertook the following: prepared and issued a detailed advisory on government transition; developed enabling policy, legal and regulatory frameworks; designed organizational structures; recruited personnel including Principal Secretaries to lead key institutions; established the Public Service Emerging Leaders Fellowship (PSELF) Programme for a new generation of ethical public leaders; reinvigorated performance management for service delivery transformation; implemented capacity building for transformation; introduced new policy and structural reforms;



promoted a performance excellence tradition in the public service. Commission proposes the following, measures towards structural and systemic consolidation of public service reform and transformation agenda: Formative gap assessment; formalization of institutional framework for reforms and transformation; design of reform and transformation programmes; budgets for reforms and transformation; sector-wide technical capacity building for reform; reform leadership capacity; and new focus on behavioural public service.

## **PERFORMANCE IN DELIVERY OF THE COMMISSION'S MANDATE**

**Establishment and Abolition of Offices in the Public Service:**The Public Service Commission established and re-organized numerous offices in the Executive as guided in the Executive Order No. 1 of October 2022 and the Executive Order No. 1 of January 2023 and enabling legislation. The outcome of the process was the alignment of MDAs and State Corporation functions and processes with the national development goals and objectives. The main focus during the year under review was also to facilitate the transition from the fourth to fifth administration.

**Appointment of persons to public offices:**The total number of new officers appointed was 1,331 which comprised 694 (52%) males and 637 (48%) females. PWDs were 13, constituting 1% of officers recruited. The Commission recommended nominees for appointment to various Constitutional Commissions and other offices. Names of nominees were forwarded to appointing authorities for appointment. The Commission advertised, conducted interviews and recommended candidates for appointment to 7 vacant positions of Vice -Chancellor, Deputy Vice -Chancellor, Principal and Deputy Principal of 5 public universities. Names of interviewed candidates were forwarded to the respective University Councils for appointment in consultation with the Cabinet Secretary for Education.

**Exercise of Disciplinary Control:**The Commission received 319 cases and determined 180 cases from MDAs. The Commission also reviewed the Discipline Manual for the Public Service, and disseminated for use, sensitized 4 MDAs on disciplinary process for officers in the public service and issued an advisory on entitlement to terminal benefits. A total of 26 cases were heard and determined.

**Complaints Resolution:** The Commission on Administrative Justice (CAJ), also known as Office of the Ombudsman, receives petitions and complaints from the public on various issues. Those touching on public servants are forwarded to the Commission for resolution. In the review period, the Commission received a total of 88 cases on complaints, of the complaints received 16 of them were received from Commission on Administrative Justice (CAJ) while 72 cases were lodged directly to the Commission. Analysis reveals that out of the complaints processed, 34 cases were resolved while 54 cases were ongoing by the end of the review period, translating to 39% and 61% respectively.

**Litigation Cases:** Public servants also who are dissatisfied with the manner the Commission handles its internal processes, for instance, on disciplinary control, promotions, retirement, among other actions, have the right to seek redress in courts of law. The number of cases filed against the Commission were 99 while 42 judgments were delivered. Most of the cases emanated from the



exercise of disciplinary control, county appeals, establishment of offices and the exercise of the Commission's constitutional mandate.

**Exits from the Service:** Public servants exit service through resignation, termination, expiry of contract, dismissal, death, retirement under the '50 Year' Rule, attainment of mandatory retirement age, medical grounds and abolition/re-organization of office. During the period, 2,123 officers exited the service in 48 State Departments.

**Promotion of National and public service values and principles:** The Commission evaluated 477 MDAs out of a target of 525 MDAs on the status of compliance with values and principles from six sectors; namely Constitutional Commissions and Independent Offices, Ministries and Departments, State corporations and SAGAs, Statutory Commissions and Authorities, TVET institutions and Public Universities, and overall, the response rate was 91%. The evaluation focused on the extent to which public institutions mainstreamed the national values and principles of governance and the values and principles of public service that were grouped in seven thematic areas, namely: service delivery improvement; high standards of professional ethics; good governance, transparency and accountability; performance management; equitable allocation of opportunities and resources; public participation in policy-making; and efficiency, effectiveness and economic use of resources and sustainable development. Unlike previously, the Commission reached out to the citizens, as the primary consumers of public services, to provide feedback on their levels of satisfaction with the services offered by the public service. The overall compliance level improved by two percent to 42% from the previous financial year meaning that the public service has progressively improved on mainstreaming of values and principles in service delivery.

**Investigation of the organization, administration, and personnel practices of the public service:** Results under this function were attained through: (i) monitoring and evaluation of the organization, administration, and personnel practices of the public service; and (ii) investigation of the organization, administration and personnel practices of the public service.

**County government public service appeals:** The Constitution gives the Commission the function and powers of hearing and determining appeals from County Government Public Service under Article 234(2)(i). The PSC Act (2017) Section 85, 86, 87, 88, and 89 provides the mechanisms and processes used by the Commission to discharge this mandate. Further, the PSC (County Appeals Procedures) Regulations, 2022 provides step-by-step procedures for handling appeals. The Commission heard and determined 257 appeals out of the 418 new and pending cases from the previous Financial Year. The Commission also heard and determined 15 applications for review out of the 15 pending applications for review.

**Efficiency and effectiveness of the public service:** Commission interventions at improving overall public service efficiency and effectiveness included: conceptualization of integrating performance management in the public service; preparation of citizen service delivery charters; development of guidelines on service delivery standards; dissemination of guidelines on performance contracting. In its efficiency and effectiveness improvement endeavour, the Commission employed the following strategies: authentication of academic and professional certificates in the public service; retention of salary "personal to self" principle; nomination and



approval for government training; preparation and dissemination of the discipline manual for the public service; review of terms and conditions of service. Further, the Commission provided in-country technical support to MDAs and county governments and external technical support to peer institutions from the African Continent.

**Development of Human Resources:** Results under this function were attained through: Skills development in the public service; public service promotional examinations; Public Service Internship Programme (PSIP); capacity building for PSIP Mentors and Coaches; and the Digital Literacy Programme under the State Department for Early Learning and Basic Education; Presidential Digital Talent Programme; and Public Service Emerging Leaders Fellowship Programme.

**Stakeholder relations, advocacy , and Feedback Management:** The role of stakeholders is critical to the fulfillment of the Commission's mandate. Over the years, the Commission has continued to establish, maintain , and deepen mutual relations with its stakeholders and sought to satisfy their expectations in relation to its mandate. Key mechanisms for attaining results under this function included: the Africa Public Service Day Celebrations Exhibition and Symposia; Media relations and publicity; high-level consultation forums; and feedback management.

## **INSTITUTIONAL CAPACITY OF THE COMMISSIONS**

**Human Resource Management and Development:** As of June 30, 2023, the Commission had 244 officers constituting 60% of the authorized establishment of 412. Of the 244 staff, 48% were female and 52% were male. Persons with Disabilities (PWDs) constituted 3%. Out of 244 officers, 57 were aged 50 years and above, which accounts for 45% of the Commission's workforce. Staff between the ages of 40 and 49 made up 32%, while those below 40 years old constituted 23%. To enhance staffing levels, the Commission appointed a total of 14 officers across different cadres to replace vacant positions resulting from natural attrition and other forms of exit. In the review period, the Commission promoted two officers. Specifically, one officer was promoted from the position of Clerical Officer to Senior Clerical Officer, PSC Scale 3, while one officer was promoted from Support Staff to Senior Support Staff, PSC Scale 2.

**Skills Development :** Commissioners and Secretariat staff attended individual trainings, group seminars, workshops, and conferences to enhance their skills, knowledge, and competencies. Funding for these activities was sourced from the Commission's training budget and financial support from other agencies.

**Performance Management:** The Commission operationalized its performance management processes by preparing the Annual Work Plan. Corporate-level performance contracting commenced with the Commission Secretary signing the contract with the Board. Subsequently, Performance Contracts for the Financial Year were prepared for Directorates and the Commission Secretary. Performance Contracts were cascaded to officers in the directorates through the Staff Performance Appraisal System (SPAS). During the period, officers were assessed based on the targets set in the Financial Year 2021/22. These targets were derived from the Strategic Plan

2019/2024 and emerging service delivery priorities policy areas that back the Commission's transformational agenda of creating a public service that prioritizes the needs of its citizens.

**Terms and Conditions of Service:** During the review period, Commission efforts at enhancing its corporate-level terms and conditions included the following welfare programmes: processing and submission of 20% employer pension contribution and group life insurance for 236 officers to the PSC contributory pension scheme, amounting to Ksh 68 million; facilitated 11 officers to access mortgage loans under PSC Mortgage Scheme, totaling Ksh 46 million; paid annual membership subscriptions for 84 staff to various professional bodies, amounting to Ksh 359,044; renewed comprehensive in-patient and outpatient medical insurance for Commissioners and Secretariat staff with effect from October 2022 and February 2023 respectively, at a total cost of Ksh.70 million; renewed Group Personal Accident Insurance and Work Injury Benefits Act cover with effect from February 2023, at a cost of Ksh 11 Million; and provided Commissioners and Secretariat with additional working tools and equipment.

## **FINANCIAL STATEMENTS FOR THE 2022/23 FINANCIAL YEAR**

Allocation of Commission funds was guided by the 2022/23 Work plan which derives its activities and targeted outputs from the PSC Strategic Plan 2019/24. The Commission was allocated Ksh 2.48 billion broken down to Ksh 2.45 billion for Recurrent and Ksh 26.3 million for Development Estimates in the financial year 2022/23. This allocation translates to a budget increment of Ksh.87.29 million when compared to the FY 2021/22 allocation of Ksh 2.39billion. The recurrent budget allocation comprised 99 percent of overall Commission funding. Personal Emoluments (PE) budget of Ksh 1.77 billion constituted 71% of the total budget. The PE budget of Ksh 1.77 billion comprised Ksh 895 million for Commission staff and Ksh 922 million for the PSIP stipend. The allocation of Ksh456 million (18%) was earmarked for core Commission mandate programmes.

## **KEY ACHIEVEMENTS, LESSONS, CHALLENGES AND RECOMMENDATIONS**

**Key Achievements:** The Commission registered a number of achievements during the year under review; key among these were the effective facilitation of the transition to the new government through support with human resources and advisories on various service delivery areas; appointment of staff into various key positions in the public service including promotions to enhance service delivery; review of organizational structures and staff establishment and review of human resource instruments to support the transformative agenda; enhanced collaborations on key mandate areas with regional and international organizations including capacity building from county governments on service delivery and human resource matters; leadership management through the Public Service Emerging Leaders Program; and upgrade of PSIP system to manage the end-to-end journey of an intern from application to departure as well as mentorship of interns.

**Challenges:** Impediments and constraints to the effective attainment of the Commission's mandate during the 2022/2023 FY included: Weak performance management system in the public service leading to unsatisfactory service delivery to citizens; lack of a legal provision on enforcing the Commission's decisions related to county appeals; lack of uniform norms and standards in the management of the human resource in the public service; skills management gaps in the public service; and inadequate budgetary provisions and austerity measures.



approval for government training; preparation and dissemination of the discipline manual for the public service; review of terms and conditions of service. Further, the Commission provided in-country technical support to MDAs and county governments and external technical support to peer institutions from the African Continent.

**Development of Human Resources:** Results under this function were attained through: Skills development in the public service; public service promotional examinations; Public Service Internship Programme (PSIP); capacity building for PSIP Mentors and Coaches; and the Digital Literacy Programme under the State Department for Early Learning and Basic Education; Presidential Digital Talent Programme; and Public Service Emerging Leaders Fellowship Programme.

**Stakeholder relations, advocacy , and Feedback Management:** The role of stakeholders is critical to the fulfilment of the Commission's mandate. Over the years, the Commission has continued to establish, maintain , and deepen mutual relations with its stakeholders and sought to satisfy their expectations in relation to its mandate. Key mechanisms for attaining results under this function included: the Africa Public Service Day Celebrations Exhibition and Symposia; Media relations and publicity; high-level consultation forums; and feedback management.

## INSTITUTIONAL CAPACITY OF THE COMMISSIONS

**Human Resource Management and Development:** As of June 30, 2023, the Commission had 244 officers constituting 60% of the authorized establishment of 412. Of the 244 staff, 48% were female and 52% were male. Persons with Disabilities (PWDs) constituted 3%. Out of 244 officers, 57 were aged 50 years and above, which accounts for 45% of the Commission's workforce. Staff between the ages of 40 and 49 made up 32%, while those below 40 years old constituted 23%. To enhance staffing levels, the Commission appointed a total of 14 officers across different cadres to replace vacant positions resulting from natural attrition and other forms of exit. In the review period, the Commission promoted two officers. Specifically, one officer was promoted from the position of Clerical Officer to Senior Clerical Officer, PSC Scale 3, while one officer was promoted from Support Staff to Senior Support Staff, PSC Scale 2.

**Skills Development :** Commissioners and Secretariat staff attended individual trainings, group seminars, workshops, and conferences to enhance their skills, knowledge, and competencies. Funding for these activities was sourced from the Commission's training budget and financial support from other agencies.

**Performance Management:** The Commission operationalized its performance management processes by preparing the Annual Work Plan. Corporate-level performance contracting commenced with the Commission Secretary signing the contract with the Board. Subsequently, Performance Contracts for the Financial Year were prepared for Directorates and the Commission Secretary. Performance Contracts were cascaded to officers in the directorates through the Staff Performance Appraisal System (SPAS). During the period, officers were assessed based on the targets set in the Financial Year 2021/22. These targets were derived from the Strategic Plan



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**Recommendations:** Arising from findings and lessons drawn, the report makes the following recommendations towards improvement: Review of the performance management system for improved service delivery; strengthening the legal and policy framework for improved management of the human resource in the public service; development and implement of mentorship and volunteer programmes; strengthening of the internship programmes in the public service; engagement with the national treasury and parliament for enhanced budget; development and implementation of human resource management and development master plan; enhancing the promotion of national and public service values and principles and the adherence to ethical standards; and a new focus on business process re -engineering to enhance service delivery across the public service



### 1.1 Preamble

This Annual Report covers the period July 1, 2022 to June 30, 2023. It is submitted to the President and Parliament by the Public Service Commission as a statutory requirement under Article 254 (1) of the Constitution and Section 90 of the Public Service Commission Act, 2017. This year's report is significant in two ways. First, its thematic focus *Towards Public Service Transformation* responds to the programs implemented by the commission during the period under review which facilitated the government's transformative agenda through the establishment of strong, capable and effective public service organizations. Secondly, and more significantly, it covers the Commission's role and contribution in managing a smooth transition in the public service for the new Government, which came into office after the August 9 2022 General Elections. As a result, the report highlights key advisories, activities and policies issued by the Commission to ensure that public service delivery continued without disruptions during the transition.

Change of administration following a general election tests both the stability and the effectiveness of public service institutions. This 2022/2023 report covers extensively, what the Commission did to facilitate the new administration to navigate the imminent challenges, which come with changes in government. To the public service, the prospect of a new administration means potential changes in government machinery, practices and personnel, as well as policy orientation. The seamless transition that took place after the general elections therefore, speaks to among other things, the success and effectiveness of the measures the Commission put in place that ensured continuity in service delivery.

### 1.2 Legislative Foundations of the Annual Report

Public Service Commission Annual Report is anchored in Article 254 of the Constitution and Section 90 of the Public Service Commission Act, 2017. Specifically, Article 254. (1) provides that, as soon as practicable after the end of each financial year, each commission, and each holder of an independent office, shall submit a report to the President and to Parliament. Section 90 (1) of the PSC Act 2017 provides that the Commission shall, within three months after the closure of the financial year, prepare a report for submission to the President and Parliament. As elaborated in Section 90 (2), the Annual Report should contain:

- a) the financial statements of the Commission;



- b)* decisions, observations, findings, and recommendations with respect to any Constitutional or statutory function of the Commission;
- c)* findings of an audit, investigation, evaluation, monitoring, inquiry, research or visits undertaken by the Commission;
- d)* any information that is required by law to be reported on by the Commission;
- e)* issues the President or Parliament has, in writing, required the Commission to report upon;
- f)* impediments to the achievement of the objects and functions of the Commission under the Constitution, the PSC Act, or any written law; and
- g)* any other information relating to the Commission's functions that the Commission considers necessary.

Both Article 254 (3) of the Constitution and Section 91 of the Act require the Commission to publish and publicize the Annual Report submitted to the President and Parliament.

### **1.3 Mandate and Functions of the Commission**

The Public Service Commission is one of the Commissions established under Chapter 15 of the Constitution. The objectives of the Chapter 15 institutions are to protect the sovereignty of the people, secure the observance of democratic values and principles by all State organs and promote constitutionalism. The independence of these Commissions and Offices enshrined under the Constitution, provides that they are subject only to the Constitution and the law, and are not to be directed or controlled by any person or authority. Collectively, these Commissions and Independent Offices established under Chapter 15 are often referred to as the 4th Arm of Government. The whole structure of the Commissions and Independent Offices under Chapter 15 of the Constitution is therefore intended to ensure integrity, competence and freedom from interference from persons or offices with vested interests.

The Public Service Commission is established under Article 233 of the Constitution. It consists of a chairperson, a vice chairperson and seven other members appointed by the President with the approval of the National Assembly. The Commission's role in public service institutional development and management is central not only to the government of the day but to the nation as a whole. In view of its mandate, the Commission bears the responsibility for improving the capability of the public service to provide strategic and innovative policy advice that spur growth and meet citizen expectations.

### 1.3.1 Constitutional and Statutory Mandate of the Commission

The functions and powers of the Commission are set out in Article 234 of the Constitution and legislation as follows:

1. Subject to the Constitution and legislation: (i) Establish and abolish offices in the public service; and (ii) Appoint persons to hold or act in those offices, and to confirm appointments;
2. Exercise disciplinary control over and remove persons holding or acting in those offices;
3. Promote the values and principles referred to in Articles 10 and 232 throughout the public service;
4. Investigate, monitor and evaluate the organization, administration and personnel practices of the public service;
5. Ensure that the public service is efficient and effective;
6. Develop human resources in the public service;
7. Review and make recommendations to the national government in respect of conditions of service, code of conduct and qualifications of officers in the public service;
8. Evaluate and report to the President and Parliament on the extent to which the values and principles referred to in Articles 10 and 232 are complied with in the public service; and
9. Hear and determine appeals in respect of county governments' public service;

Further to Article 234, the Commission exercises powers and performs functions conferred under other Articles of the Constitution and national legislation, namely:

1. Nomination of persons to the Judicial Service Commission and Salaries Remuneration Commission under Articles 171(2) and 230(2){b} respectively;
2. Recommendation of persons to be appointed as Principal Secretaries under Article 155 (3) (a);
3. Receiving and processing petitions for the removal of the Director of Public Prosecutions and recommending the appointment of a tribunal to investigate the complaints under Article 158(2) (3) and (4);
4. Receiving petitions for the removal of the Registrar and Assistant Registrars of political parties in accordance with Section 37 of the Political Parties Act; and
5. Protection of public officers against victimization and discrimination while discharging their duties in accordance with Article 236 of the Constitution.
6. Recruitment and selection of Vice Chancellors, Deputy Vice Chancellors of Public Universities and Principals and Deputy Principals of Constituent Colleges, under the Universities Act, 2012 (No. 42 of 2012) section 35(1) (a)(v) as amended in the Statute Law (Miscellaneous Amendments) Act 2018.



### 1.3.2 Scope of Mandate of the Commission

As provided for in Article 234 (3), the scope of the mandate of the Public Service Commission applies to all public bodies and persons holding office in the public service with the exception of the following offices:

- a) State offices
- b) An office of high commissioner, ambassador or other diplomatic or consular representatives of the republic
- c) An office subject to: (i) the Parliamentary Service Commission; (ii) The Judicial Service Commission; (iii) the Teachers Service Commission; (iv) the National Police Service Commission
- d) An office in the service of a County Government, except as contemplated in Article 234 (2) (i)

### 1.3.3 Constitutional and Statutory Mandate of the Commission Over State Corporations

Judicial interpretations play a big role in the way institutions execute their mandates especially with regard to scope. Functions and mandates as stated in the Constitution are, by design, not very detailed, leaving a lot of scope for interpretation which often lead to conflict among institutions. If such conflicts end up in courts of law, it gives judges the opportunity to interpret law to settle disputes arising from the interpretation of mandates between public bodies. Because of this role, judicial interpretation can and has helped to clarify the mandate of the Commission on areas that were previously contested and encroached upon by other institutions.

State Corporations and Public Universities are part of the public service and offices therein are public officers. The Public Service Commission is the entity that is constitutionally mandated to exercise oversight of the human resource functionality in the public service specifically over State Corporations and Public Universities. Further, the Commission has the sole constitutional and statutory mandate to establish and abolish offices within State Corporations and Public Universities. The following court decisions have reiterated and affirmed the Commission's mandate as outlined above:

1. Kenya Union of Domestic, Hotels, Education and Allied Workers (Kudhehia Workers) vs Salaries and Remuneration Commission [2014] eKLR:
2. Manyara Muchui Anthony -vs- Communications Authority of Kenya & 3 Others, [2022]eKLR:



3. Consumer Federation of Kenya (COFEK) -vs- National Social Security Fund Board of Trustees & 2 Others, [2022] eKLR, the Court of Appeal at Nairobi in Civil Appeal No. E638 of 2014: The Public Service Commission -vs- Katiba Institute & Others,
4. Nairobi ELRC JR No. E013 of 2022  
Republic vs Kenya Rural Roads Authority Ex - Parte Samson Nzivo Muthiani

Further the courts of competent jurisdictions have found and held that Section 5 (3) and 27 of the State Corporations Act are in conflict with Article 234 of the Constitution and the court in the Manyara Muchui case (cited above) made reform proposal that the Commission and Attorney General (AG) were to undertake including aligning the provisions of the State Corporation Act which was enacted in 1986 to Article 234 of the Constitution of Kenya 2010. The Commission forwarded its recommendations for amendment of the Act to the Attorney General and proposed the creation of a multi-agency task force to carry out the reforms.

In exercise of its powers and functions in the public service, specifically in State Corporations and Public Universities, the Commission guides the development of human resource policies, guidelines and instruments.

#### **1.3.4 Protection of Public Officers**

The public service plays an indispensable role in the development of the country. It not only serves as the backbone of the state in implementing strategies for economic growth, but also delivers primary services to the citizens. Given these crucial roles, the citizens expect the public service to demonstrate high standards of professionalism, neutrality and transparency in service delivery. To ensure adherence to these values and many others which guide the public service, it is crucial that a public servant is protected from victimization when they perform their duty properly, honestly and according to laid down regulations. Article 236 of the Constitution provides that, a public officer shall not be-

- (a) victimized or discriminated against for having performed the functions of office in accordance with the Constitution or any other law; or
- (b) dismissed, removed from office, demoted in rank or otherwise subjected to disciplinary action without due process of law.

This provision of the constitution is a fundamental pillar in the institutionalization of key values and principles of public service on professionalism and neutrality. Public servants exist to serve the government of the day regardless of its political inclinations. Protection of public servants helps to create the conditions for provision of free and frank advice and “speak truth to power”. The Commission offers protection both directly through receipt of petitions from public officers and

indirectly through its role in hearing appeals. If it is found that a public servant was victimized, the Commission can reverse such decisions. The appeals are captured under the discipline control section of this report.

#### **1.4 Role of the Commission in National Development**

Arising from the constitutional mandate, it is the responsibility of the Public Service Commission to facilitate the government to realize its transformation agenda and successful implementation of the development blueprint. The Government's reform agenda calls for a public service that is innovative and strategic in areas of service delivery. The public service is also expected to lead the country in taking advantage of the 4<sup>th</sup> industrial revolution by embracing information technology platforms as channels for delivering services. The Commission, therefore, in fulfillment of its mandate is expected to provide tools and strategies in human and institutional management that address the socio-economic development challenges and facilitate the achievement of the Bottom-Up Economic Transformation Agenda.

In addition to the Commission role in facilitating the government development agenda, the Commission prepared and presented an advisory on ten aspects of government transition. The advisories facilitated the incoming administration to quickly settle and function effectively by establishing formative systemic and structural enablers for a seamless transition from the outgoing to the incoming administration. They helped the new administration to rapidly identify and use the levers of public service to begin implementing its programmes without unnecessary delays.

#### **1.5 Commission's Planned Targets for the Year 2022/2023**

The Commission's targets for the 2022/23 Financial Year were derived from the Strategic Plan 2019-2024 and emerging policy areas prioritized for implementation through the Annual Work Plan. These targets were in line with the Commission's transformative agenda of a citizen-centric public service delivery approach and facilitating effective delivery of public services. These targets were carried out through four budget programs:

- i).* Human Resource Management and Development,
- ii).* Governance and National Values,
- iii).* Performance and Productivity Management, and
- iv).* General Administration, Planning, and Support Services.

This Annual Report focuses on the implementation of planned targets including funds spent and performance of the targets vis-a-vis the funds allocated. The Commission was allocated Ksh 2.48



billion to implement 235 targets during the review period. The Commission spent Ksh 2.4 billion translating to a budget absorption rate of 97% after implementing 183 targets.

While the performance over the period was generally good, the few targets that were not implemented or partially completed was due to inadequate budget allocation occasioned by the implementation of austerity measures.

## **1.6 Organization of the Report**

The report is structured in six chapters, with each chapter focusing on a specific area of delivery. Chapter One highlights the basis of the report, the Commission's legal and constitutional foundations, the transformation agenda and the planned activities for the year 2022/2023. Chapter Two presents the nexus between the Commission's transformation agenda and the activities undertaken in the reporting period. The Chapter also articulates the mechanisms through which the Commission's programmes and activities supported the government's transformation agenda under BETA.

Chapter Three is central to the manner in which the mandate of the Commission was delivered. The chapter focuses on the core constitutional and statutory functions of the Commission. Further, the Chapter covers other functions discharged arising from responsibilities assigned to the Commission, such as technical support to MDAs and new oversight areas in State Corporations. Chapter Four focuses on institutional capacity of the Commission. The Chapter establishes the level of institutional resources available for the discharge of the Commission's mandate including gaps. To ensure sustainability, the Commission must continuously review and build capacity to be able to discharge its mandate. The Chapter therefore, details the activities the Commission undertook to strengthen its role, tasks and functions with the limited resources that were allocated.

Chapter Five highlights the financial resources allocated to the Commission, budget utilization efficiency, funding gaps and proposals on future optimal funding. The Chapter provides an accountability mechanism on how institutional resources were applied in the discharge of core mandates and functions. The Chapter further gives details of the Commission's efforts at bridging the financial resource gaps through alternative resource mobilization.

Chapter Six presents key achievements, challenges, lessons learned, and recommendations for the future. Specifically, the recommendations present a basis for interventions towards improvements on how the Commission delivers on its mandates. On the way forward, the Chapter proposes priority interventions towards enhancement of institutional capacity, identifies actors and allocates timelines for implementation.

### 2.1 Introduction

The theme for this year's Annual Report, *Towards Public Service Transformation*, takes cognizance of the Commission's institutional and the government's transformation agenda. It comes at a critical phase as the Government marks its first year in office. In appreciation of the Government's Bottom Up Economic Transformation Agenda (BETA) the Commission reiterates its commitment to establishing strong, effective and capable public institutions as the basis of that envisaged transformation. This calls for leaders, managers, technical experts and front-line workers in the right jobs, with the right skills and at the right time.

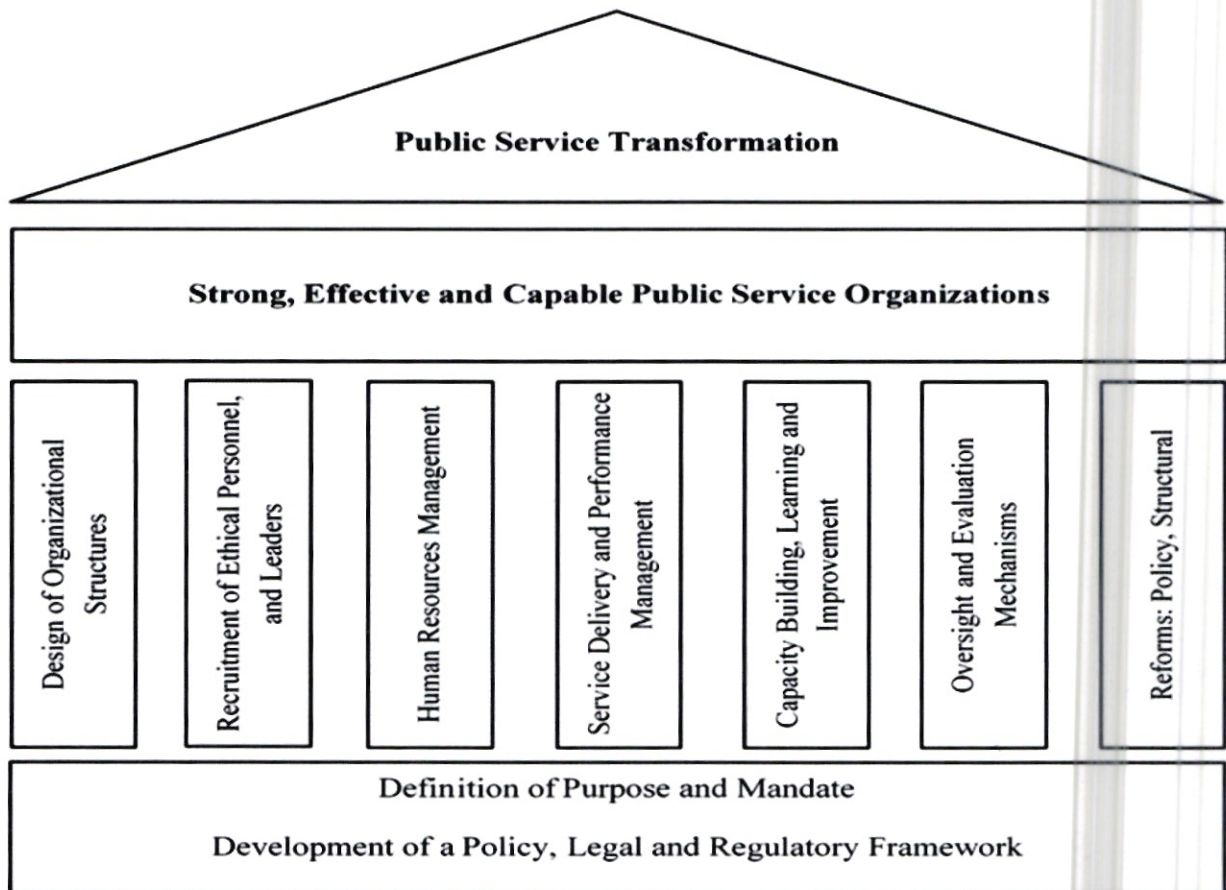
In its efforts to support the Government's transformation agenda, the Commission implemented programmes and activities aimed at: building a highly skilled, agile and responsive public sector workforce with appropriate roles for public servants and other service providers; development of strategic foresight mechanisms to anticipate and address changing workforce requirements; ensuring long-term institutional knowledge capacity and succession management; designing new human capital systems consistent with merit-system and inclusivity principles, including modernizing policies and practices for recruitment, retention, training, and development; and promoting career progression among public servants to rise from the entry point to the highest grade.

### 2.2 The Role of the Commission in Public Service Transformation

Central to the Commission's role in the realization of the government's transformative agenda, is its work in establishing strong, effective and capable public institutions as the foundation for efficient and effective service delivery by the new government. In the discharge of this role, the Commission undertook the following: issued a detailed advisory on government transition; developed enabling policy, legal and regulatory frameworks; designed organizational structures; and recruited personnel including Principal Secretaries to lead key institutions. In addition, the Commission issued policy guidelines on human Resources Management; Performance Management; and establishment of structures, among others. Figure 2 -1 illustrates the functional contribution of the Commission, the foundation on which the transformation is built.



**Figure 2-1: The Role of PSC in Public Service Transformation**



### 2.2.1 Advisory to the Executive on Government Transition

In the months leading to the 2022 general election, the Public Service Commission undertook a review of the performance management framework, functional effectiveness and capability of government institutions. This review formed the basis of an advisory to the new administration with the aim of facilitating a smooth transition.

The advisory focused on the following seven areas which called for reforming and transforming the way the public service works and delivers services to citizens: establishment of a fit-for-purpose structure of a new government, recruitment and selection of principal secretaries; review of delegation instrument and vesting of the role of authorized officer; high-level induction programme for cabinet secretaries and principal secretaries; devolution and inter-governmental relations and modalities for transition of staff from Nairobi Metropolitan Services; and the re-institutionalization and re-invigoration of performance management, reform and transformation in the public service.

The review and the subsequent advisory was significant because the public service is a major actor in the process of change of government and to ensure a smooth transition and success of the reforms envisaged by the incoming government, the public service had to be reinforced.

### **2.2.2 Enabling policy and Legislation**

Arising from the court judgements which have reaffirmed the Commission's mandate over state corporations, the Commission is undertaking a multi-sectoral mapping and review of the existing policy and regulatory terrain to inform and anchor planned public service transformation. Policy and legal instruments form the basis for norms, standards, values, principles and the institutional culture that drive the operations of public service organizations. The review of existing policies and legislative terrain in the wider public service is aimed at informing the formulation of new enabling policy and legal instruments or the review of existing ones to ensure that all institutions which are constitutionally under the Commission's jurisdiction are covered and served accordingly.

### **2.2.3 Human Capital for Effective Public Institutions and Transformation**

A critical element in ensuring effective public service institutions, transformation and continuity concerns not just institutional structures, but also the human resource. Having the right people in the right place, at the right time can ensure a smooth transition. Article 234 of the Constitution mandates the Public Service Commission to establish offices in the public service and appoint persons to such offices.

Working closely with the executive and ministries, the Commission recruited for the new government, top policy-level personnel to serve as Principal Secretaries, Chief Administrative Secretaries and top-level government advisors in different sectors of the economy. The ascension to office by the new administration raised the need for technical, auxiliary and personal staff for incoming state officers including Cabinet Secretaries, Principal Secretaries and other top officials at the centre of government. To regulate the number of auxiliary staff supporting the top officials, the Commission issued policy direction on limits on the number of technical and auxiliary support staff to which the new officials are entitled.

### **2.2.4 Leadership Capacity Development: A New Generation of Ethical Public Leaders**

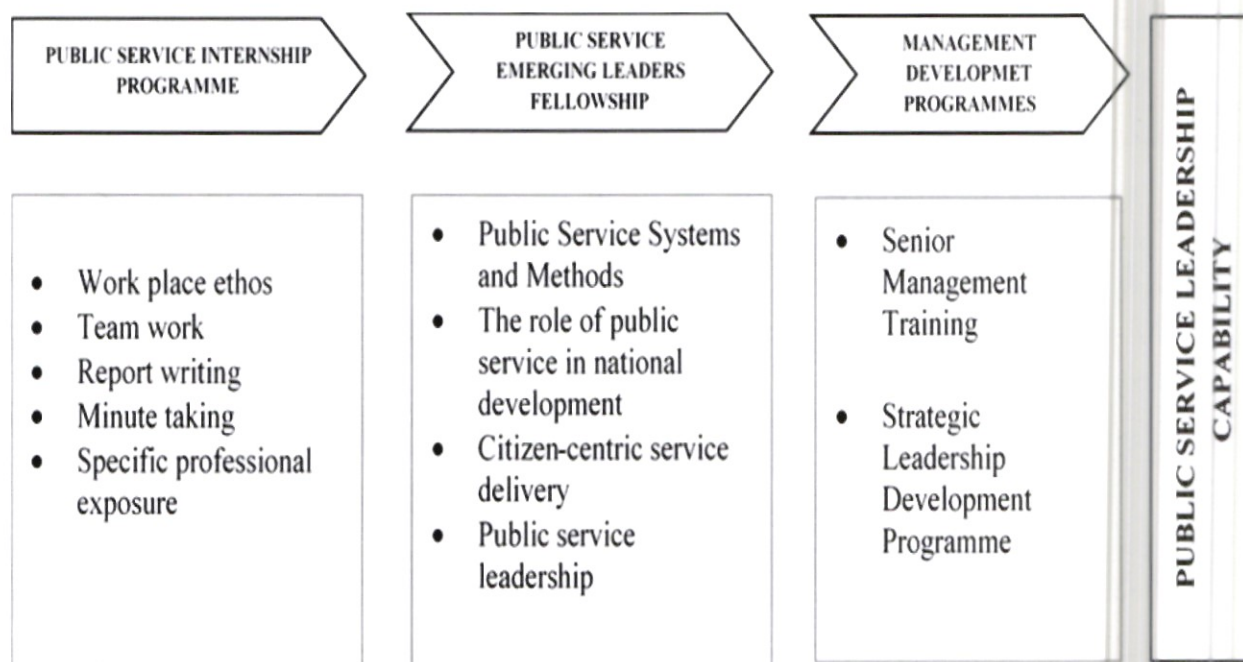
In recognition of the central role and value of leadership in driving public service reforms and transformation, the Commission, in collaboration with development partners, pioneered the Public Service Emerging Leaders Fellowship (PSELF) Programme. The primary objective of the



Programme is to build the next generation of public sector leaders capable of providing transformative solutions to pressing policy issues affecting the public service. It seeks to mold young public servants early in their careers into future leaders and instill values and principles of public service.

The program, currently in its second year, closes the gap in capacity building and ground public servants in strong citizen-centric ethos. Notwithstanding the level of technical capacity investments in the ability of personnel to effectively perform their roles and delivery on institutional functions, public organizations still require leaders that midwife change for improvement. The main reason for this is premised on the fact that leadership is located at the very apex of the strategic direction for any organization, including those in the public service. Existing capacity and skills development in the public service, including the Public Service Internship Programme (PSIP) as illustrated in Figure 2-2.

**Figure 2-2: Framework for Progression in Leadership Capacity Development**



To better serve their intended purpose, the Commission is currently working closely with the Kenya School of Government (KSG) and other public service Management Development Institutes (MDIs) with a view to reviewing the curriculum of existing induction programmes and management and leadership programmes. The next frontier in this strategy is service-wide institutionalization of an ethical public service culture and leadership capability development that is grounded on formal policy and enabling regulatory framework.

### **2.2.5 Performance Management and Service Delivery Transformation**

The Commission re-established the Performance Contracting Unit within the Office of the President under the Office of the Prime Cabinet Secretary. This was a significant milestone raising the profile and visibility of performance management in the public service as well as enhancing the performance culture.

To ensure institutionalization of performance management, the Commission is working closely with the Office of the Prime Cabinet Secretary to ensure that Public Service Commission (Performance Management Regulations) 2021 is fully implemented. To prepare for the 19<sup>th</sup> Cycle of Performance Contracting, the Commission reviewed the organizational structure for Performance Contracting Unit to ensure it was fit-for-purpose, worked closely with them to develop the Guidelines for 2023/24 Performance Contracts and developed tenders for recruitment of the Independent Negotiation and Evaluation Committee. The positions were subsequently advertised for filling.

### **2.2.6 Policy and Structural Reforms**

To ensure alignment to the Executive Order No. 1 of 2022, the Commission reviewed existing structures and created new ones to support delivery of the assigned in Services. Effective structures are a *sine qua non* for public sector organisations to deliver on their mandates and on government policies and priorities. Upon release of the Executive Order, the Commission reviewed and established functional structures with different levels of responsibilities, reporting lines and adequate communication and coordination mechanism to get things done and ensure delivery on their mandate. Depending on changes in government, whenever portfolios of ministries are altered the Commission must review the organization structures and ensure alignment to the changes made.

Consequently, structural reforms in the public sector, comprise measures that the Commission undertakes from time to time to align and realign service delivery architecture and the institutional and regulatory framework in which public organizations and public officers operate arising from changes in government or the environment. They are designed to ensure the public service is fit and better able to realize its performance potential in a sustainable way. In this endeavour, the Commission continues to work with public service organizations in participatory review of regulatory and oversight policies and their operational structures with a view to improving how institutions perform their functions.



### **2.2.7 Performance Excellence Tradition in the Public Service**

In 2017, Public Servant of the Year Award was reviewed to expand scope and renamed the Public Service Excellence Award (PSEA). In 2021, PSEA was entrenched through the Performance Regulations 2021. The Public Service Excellence Award Scheme seeks to entrench recognition for outstanding and exemplary performance by both individual employees and organizations. During the year under review, PSEA was reviewed and redesigned for online submission of nominations and evaluation by independent panels. The new model seeks to integrate performance excellence awards in the public service performance cycle. From a reform perspective, it is expected that recognition and reward for excellence elicits elevated morale and motivation among public and state offices, including the institutions where they serve, to strive for transformation that drives high performance.

### **2.3 Next Steps in Public Service Reforms for Transformation**

Notwithstanding the considerable efforts by the Public Service Commission at establishing enabling factors for public sector reforms and transformation, a lot more needs to be done in terms of cross-sectoral coordination. In view of the fragmentation of institutions intended to drive reforms and transformation in the public service, the Commission has identified the need for collaborative work with key actors in following areas in order to institutionalize and reinvigorate the public sector reform and transformation agenda.

**Formalization of institutional framework for reforms and transformation:** Without a formalized institutionalized framework, current and planned efforts on reforms and transformation will continue to face significant segmentation and silo effects that stand in the way of critical momentum for meaningful change in the way the public sector delivers results. Thus, the strategy is to have critical agencies at the centre of the government to work in collaboration; and establish a formal institutional framework that anchors, finances and implements planned reform programmes.

**Design of reform and transformation programmes:** Different sectors of the public service require varied sets of reforms as the basis of their transformation. In this regard, the Commission has, in the process of discharging its core mandate on service delivery, commenced an initiative aimed at a multi-sectoral approach to whole-of-government reforms. Examples of sectoral segmentation would include public service reforms, health sector reforms, judicial reforms, energy sector reforms, education sector reforms and devolution reforms, among others.

**Budgets for reforms and transformation:** Globally, and across sectors, reform and transformation efforts and investments cost money. The underlying economic case for reforms and transformation is the expectation that, ultimately, they should be self-financing. This implies that the resulting cost-savings and legacy economic benefits more than compensate for the costs of implementing them. Making reform programmes sub-sector specific will thus be an important starting point in targeting financing for efficiency and sustainability of gains.

**Sector-wide technical capacity building for reform :** Impactful reform programmes require critical masses of technical personnel capacity to pivot implementation. This calls for appropriate training programmes that foster a new behavioural and institutional orientation for reforms. Investments in training programmes can be one effective approach to pre-empting possible behavioural and systemic resistance to reforms.

**Reform leadership capacity:** Beyond the technical capacity for the institutionalization of reforms and transformation in public service organizations, the design of new programmes should specifically target the development of existing and new leadership capacity that will steer and champion transformation in sectors of the public service and their organizations.



## Chapter 3

# PERFORMANCE IN DELIVERY OF THE COMMISSION'S MANDATE

### 3.1 Introduction

The Public Service Commission, in the execution of its constitutional mandate, is dedicated to building a public service that strives for excellence. The Commission exercises its powers and performs its functions without fear, favor or prejudice. This is the fourth year of implementation the Strategic Plan period 2019 -2024 and the Commission continuous to pursue its transformative agenda to ensure it remains responsive to citizens' expectations in the context of a shrinking resource base and other emerging challenges. The mode of delivery of some of the services had to be adjusted in some cases to ensure that citizens continue to be served efficiently and effectively over the plan period. This chapter highlights the performance of the Commission in the delivery of its mandate in the financial year 2022/2023.

### 3.2 Establishment and Abolition of Offices in the Public Service

Establishment and abolition of offices in the Public Service is one the core mandates of the Commission. The function entails setting up of institutions in the Public Service in accordance with the mandates spelt out in respective legal and policy instruments. The Commission established and re-organized numerous offices in the Service as guided in the Executive Order No. 1 of October 2022 and the Executive Order No. 1 of January 2023 and enabling legislation. The outcome of the process was alignment of MDAs and State Corporations functions and processes with the national development goals and objectives. The process also facilitated transition from the fourth to the fifth administration.

Execution of this mandate, was guided by various legal instruments which include the Constitution of Kenya, Public Service Commission Act of 2017, Public Service Commission Regulations of 2020, Guidelines on Establishment and Abolitions Offices of 2016, Guidelines on Development/Review of Organization Structures of 2016, and the Guidelines on review of the Human Resource Instruments for State Corporations.

Establishment and abolition of offices aims at reorganization and creation of new structures for enhanced efficiency and effectiveness in delivery of goods and services to the citizens. Specifically,

the process focuses on: Aligning MDAs/Offices/State Corporations Organization Structures with their core mandates and objectives.; determination of optimal staffing levels; designing MDAs taking into account the scope of transfer of functions to devolved units; establishing appropriate staff ratios between the cadres in technical and shared services ; leveraging technology in service delivery. In the 2022/2023 Financial Year, the Commission reviewed and re -organized the structures and staff establishments in 24 institutions in which 9,281 posts were established as shown in Table 3-1.

**Table 3-1: Establishment and Abolition of Offices in the Public Service**

<i>MDA &amp; State Department</i>	<i>Name Office</i>	<i>No. of Posts</i>
Office of the President	Office of Chief of Staff and the Head of Public Service	463
	State House	1,206
	Office of Women's Rights Advisor	4
	Office of National Security Advisor	2
	Presidential Communication Service	72
	State House Spokesperson	20
	Economic Council	6
Office of the Deputy President	Executive Office of the Deputy President	124
	Communication	75
	Intergovernmental Budget and Economic Council	9
	International Development Partnerships and Coordination	17
	Coffee Sector Reforms Implementation Committee	21
	North Eastern Development Initiative	7
	Political Affairs Unit	11
	Advisory Services	45
	Coordination and Operations Unit	37
	Hospitality Unit	276
Office of the Prime Cabinet Secretary	Shared Services	69
	Office of the Prime Cabinet Secretary	30
	Government Delivery Services	81
	State Department for Performance and Delivery Management	153
	State Department for Parliamentary Affairs	95



<i>MDA &amp; State Department</i>	<i>Name Office</i>	<i>No. of Posts</i>
Ministries Department and State Departments	Ministry of Lands, Housing & Urban Development (Additional posts) State Department for ICT and the Digital Economy	197 470
State Corporation	National Social Security Fund (NSSF) Independent Policing Oversight Authority Athi Water Works Authority Anti-Doping Agency of Kenya National Syndemic Diseases Control Council National Irrigation Authority National Council for Population and Development Pyrethrum Processing Company of Kenya Kenya Revenue Authority (KRA) Kenya Meat Commission (KMC)	1,405 1,059 242 90 244 446 250 223 1,223 609
<b>Total</b>		<b>9,281</b>

### 3.3 Appointment of Persons to Public Offices

The Commission is mandated to appoint persons in public offices in line with the provisions of Article 234(2) (a) (ii) of the Constitution and Part V of the Public Service Commission Act, 2017.

Appointments were done through recruitment and selection into new positions, redesignations and promotions. The appointments were in line with the provisions of Article 232 (1) (g) (h) and (i) of the Constitution on fair competition and merit as the basis of appointments and promotions, representation of Kenya's diverse communities and affording adequate and equal opportunities for appointment and advancement at all levels in the public service.

#### 3.3.1 Advertisements for Job Vacancies

The Commission posted 42 advertisements for various vacant positions in at least one daily newspaper of nationwide coverage, and advertised entry-level posts in 15 selected National, vernacular, community and religious FM radio stations and other modes of communication as provided in the Public Service Commission Act, 2017. Advertisements were also sent to the National Council for Persons with Disabilities, Council of Governors, Regional Commissioners, and County

Commissioners to ensure that potential applicants in all parts of the country get information on available vacancies.

### 3.3.2 Recruitment

Recruitment and selection is a critical mandate of the Commission which aims at matching in-post numbers to the establishment. Ultimately, this is expected to lead to improvements in performance and productivity in the public service. Recruitment took the form of new appointments in MDAs; appointments in Constitutional Commissions; and appointments in Public Universities.

#### a) New Appointments in MDAs

The total number of new officers appointed was 2,281 which comprised 1,351 (59%) males and 930 (41%) females. PWDs were 13, constituting 1% of officers recruited as presented in Table 3-2 and Figure 3-1.

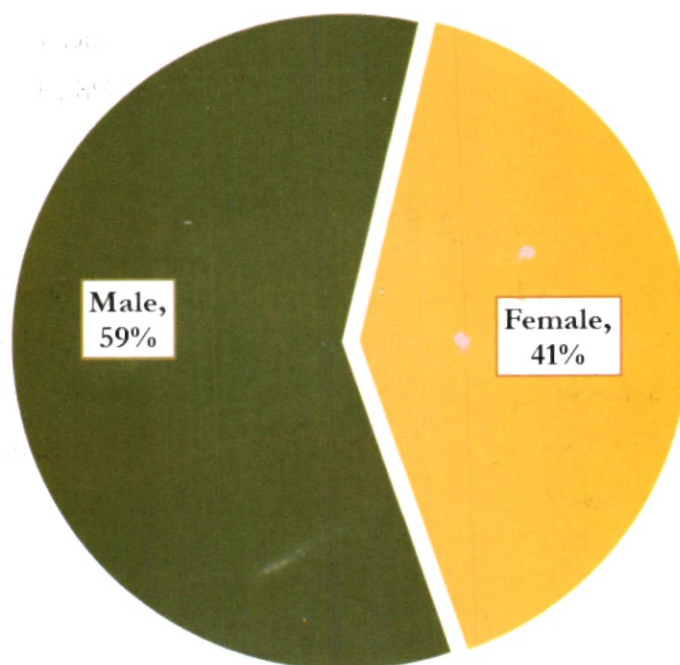
**Table 3-2: Appointments in State Departments by Gender**

<i>State Departments</i>	<i>Female</i>	<i>Male</i>	<i>Total</i>
ASALs	2	2	4
Attorney General	31	28	59
Blue Economy & Fisheries	16	26	42
Broadcasting	4	6	10
Cabinet Affairs	0	1	1
Cooperatives	2	2	4
Crop Development	2	3	5
Culture and Heritage	2	1	3
Devolution	2	2	4
Early Learning and Basic Education	4	1	5
Environment and Forestry	0	1	1
Foreign Affairs	15	12	27
Gender Affairs	1	3	4
Health	0	0	0
Housing and Urban Development	88	119	207
ICT and Innovation	9	18	27
Immigration	22	26	48
Immigration	0	5	5
Industrialization	2	2	4



<i>State Departments</i>	<i>Female</i>	<i>Male</i>	<i>Total</i>
Infrastructure	2	1	3
Interior	521	891	1412
Irrigation	1	1	2
Labour	113	117	230
Lands	1	0	1
Lands	17	13	30
Livestock	1	0	1
Livestock	1	3	4
National Treasury	3	3	6
Petroleum and Mining	8	9	17
Planning	11	17	28
Public Works	4	5	9
Sports	3	1	4
State House	2	4	6
State House	2	1	3
Tourism	5	1	6
Trade	2	4	6
Transport	1	0	1
University Education	14	12	26
Vocational and Technical Training	6	0	6
Water and Sanitation	6	9	15
Wildlife	2	1	3
Youth	2	0	2
<b>Total</b>	<b>930</b>	<b>1,351</b>	<b>2,281</b>

**Figure 3-1: Appointments Representation by Gender**



**b) Recommendations for Appointment to Constitutional Commissions and other Offices**

The Commission recommended nominees for appointment to various Constitutional Commissions and other offices as indicated in (Table 3 -3). The names of selected nominees were forwarded to the relevant authorities for consideration for appointment.

**Table 3- 3: Distribution of Nominees for Appointment to Constitutional Commissions and Other offices**

<i>Post Title</i>	<i>Institution</i>	<i>No. of Nominees Recommended</i>
Principal Secretary	State Departments	250
Chief Administrative Secretary	State Departments	112
Solicitor General	State Law Office	3
Chairperson	Ethics and Anti-Corruption Commission	3
Governor	Central Bank of Kenya	3
Deputy Governor	Central Bank of Kenya	3
Chairperson	Commission on Revenue Allocation	3



### c) Recommendation for Appointments to Public Universities

Section 35(1)(a) (v) of the Universities Act, 2012 amended through Statute Law (Miscellaneous Amendments) Act No. 18 of 2018, mandates the Public Service Commission to competitively recruit and nominate persons for appointment by the University Council to the positions of Vice Chancellor and Deputy Vice Chancellors of public universities; and Principals and Deputy Principals of Constituent Colleges.

### i). Recommendation for Appointment

The Commission advertised, conducted interviews and recommended candidates for appointment to seven vacant positions of Vice Chancellor, Deputy Vice Chancellor, Principal and Deputy Principal of five public universities. Names of interviewed candidates were forwarded to the respective University Councils for appointment in consultation with the Cabinet Secretary for Education as indicated in Table 3-4.

**Table 3-4: Positions Recommended in Public Universities**

<i>University</i>	<i>Post</i>	<i>Vacancies</i>
Chuka University	Vice Chancellor	1
Rongo University	DVC (Academic & Students Affairs)	1
	DVC (Administration, Finance & Planning)	1
Moi University	DVC (Administration, Planning & Strategy)	1
Mama Ngina University College	Principal	1
	Deputy Principal	1
Meru University of Science and Technology	DVC (Academics & Student Affairs)	1
<b>Total</b>		<b>7</b>

### ii) Positions Interviewed

The Commission advertised and conducted interviews for appointment of 13 candidates to the post of Vice Chancellor in 13 Public Universities as indicated in Table 3-5.

**Table 3-5: Vice Chancellor Positions Interviewed in Various Universities**

<i>Institution</i>	<i>Post</i>	<i>No. of Vacancies</i>
Karatina University	Vice Chancellor	1
Pwani University	Vice Chancellor	1
Kisii University	Vice-Chancellor	1
University of Eldoret	Vice-Chancellor	1
Machakos University	Vice-Chancellor	1
South Eastern Kenya University	Vice-Chancellor	1
The Technical University of Kenya	Vice-Chancellor	1
University of Kabianga	Vice-Chancellor	1
Alupe University	Vice-Chancellor	1
Tom Mboya University	Vice-Chancellor	1
Jaramogi Oginga Odinga University of Science and Technology	Vice-Chancellor	1
Tharaka University	Vice-Chancellor	1
Dedan Kimathi University of Technology	Vice-Chancellor	1
<b>Total</b>		<b>13</b>

**iii) Positions Shortlisted**

The Commission advertised and shortlisted for 18 vacant posts for 14 public universities for interviews and subsequent forwarding of names to the respective University Councils for appointment in consultation with the Cabinet Secretary for Education (Table 3-6).

**Table 3-6: Posts Shortlisted for Various Universities**

<i>Institution</i>	<i>Post</i>	<i>No. of Vacancies</i>
Karatina University	DVC (Academic, Research & Student Affairs)	1
	DVC (Planning, Finance and Administration)	1
Pwani University	DVC (Academic & Student Affairs)	1
	DVC (Research and Extension)	1
Kisii University	DVC (Administration, Planning and Finance)	1
University of Eldoret	DVC (Academic and Students Affairs)	1
Machakos University	DVC (Administration, Planning and Finance)	1
South Eastern Kenya University	DVC (Academic, Research and Innovation)	1
Tom Mboya University	DVC (Academic, Research and Students Affairs)	1
University of Kabianga	DVC (Administration, and Finance)	1



<i>Institution</i>	<i>Post</i>	<i>No. of Vacancies</i>
Alupe University	DVC (Academics, Research and Student Affairs)	1
	DVC (Administration, Finance and Development)	1
JOOUST	DVC (Academics, Student Affairs and Research)	1
Tharaka University	DVC (Academic, Research and Student Affairs)	1
Kenyatta University	DVC (Research, Innovation and Outreach)	1
JKUAT	DVC (Research, Production and Extension)	1
Laikipia University	DVC (Administration, Finance and Planning)	1
	DVC (Academic, Research and Student Affairs)	1
<b>Total</b>		<b>18</b>

### 3.2.3 Promotions

During the period, 10,051 Officers in State Departments were promoted to various positions in different cadres. Of these, 3,008 (30%) were female, 7,043 (70%) were male. Six PWDs were promoted over the period (Table 3-7).

**Table 3-7: Promotions of Officers in State Departments**

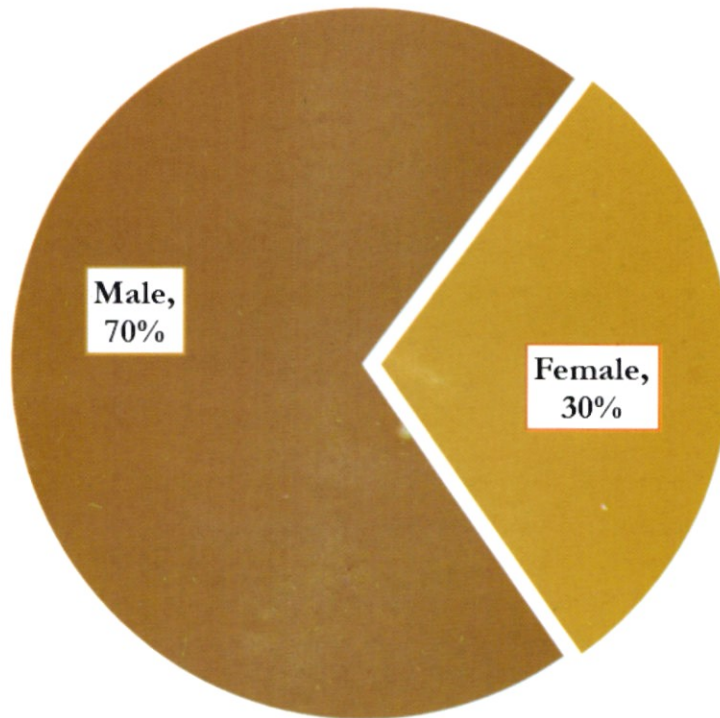
<i>State Departments</i>	<i>Female</i>	<i>Male</i>	<i>Total</i>
Basic Education	16	46	62
Blue Economy & Fisheries	2	4	6
Broadcasting	0	2	2
Crop development	1	2	3
Defence	70	67	137
Devolution	0	1	1
Economic Planning	24	44	68
Energy	6	9	15
Environment, Climate Change & Forestry	26	68	94
Foreign Affairs	11	4	15
Gender and Affirmative Action	3	3	6
Higher Education	2	1	3
Housing	68	70	138

<i>State Departments</i>	<i>Female</i>	<i>Male</i>	<i>Total</i>
Housing and Urban Development	2	4	6
ICT & Innovation	10	17	27
Immigration	8	8	16
Industry	2	4	6
Infrastructure	5	14	19
Interior & National Administration	20	29	49
Interior and National Administration	31	71	102
Labour	69	131	200
Lands	3	18	21
Livestock	5	8	13
Mining	1	3	4
National Treasury	9	17	26
Office of the Deputy President	2	0	2
Petroleum	8	59	67
Prisons	826	3,337	4,163
Public Service	4	5	9
Public Works	4	13	17
Regional Development	7	2	9
Roads	16	21	37
Shipping	2	1	3
Social Protection	35	51	86
Sports	3	1	4
State House	12	14	26
The National Treasury	0	1	1
Tourism	1	1	2
Trade	11	39	50
Transport	2	1	3
Treasury	72	128	200
Vocational and Technical Training	1,605	2,710	4,315
Water and Sanitation	2	9	11
Wildlife	2	4	6
Youth Affairs	0	1	1
<b>Total</b>	<b>3,008</b>	<b>7,043</b>	<b>10,051</b>



Out of the total promotions, 3,008 (30%) were female, 7,043 (70%) were male as shown on Figure 3-2

**Figure 3-2: Promotions by Gender Representation**



### 3.4 Exercise of Disciplinary Control

Discipline contributes to performance improvement and productivity, maintenance of high standards of integrity and upholding the dignity of the office to which public servants are appointed. Public officers are expected to maintain integrity and uphold the dignity of the office to which they are appointed. It is therefore imperative that every public officer adheres to the rules of conduct and ethics as laid out in the law. The ultimate objective of exercising disciplinary control in the service is to create a motivated and dedicated officer, who upholds proper work ethics for optimal service delivery. Disciplinary control in the public service is a function provided under Article 234(2) (b) of the Constitution. Every year the Commission receives and processes several discipline cases with varied outcomes.

### 3.4.1 Processing and Determination of Discipline Cases

The Commission received 319 cases from various MDAs; out of which 180 cases were determined as shown in Table 3-8.

**Table 3-8: Distribution of Discipline Cases by MDAs**

<i>Ministry/ State Department</i>	<i>Received</i>	<i>Finalized</i>	<i>Pending</i>
The National Treasury	18	8	10
Ministry of Interior and National Administration	94	49	45
Prisons	108	64	44
Ministry of Information, Communication & Technology	2	0	2
Ministry of Health	37	26	11
Ministry of Defence	7	5	2
Ministry of Gender	4	3	1
Ministry of Labour	6	3	3
Ministry of Education	11	6	5
Devolution	1	0	1
State Corporation Advisory Committees	10	0	10
Ministry of Environment	7	3	4
State House	1	0	1
Ministry of Transport	2	2	0
Ministry of Water	2	2	0
Ministry of Lands & Physical Planning	2	2	0
Ministry of Mining	2	2	0
Nairobi Metropolitan Services	3	3	0
Ministry of East Africa Community	1	1	0
Ministry of Public Works	1	1	0
<b>Total</b>	<b>319</b>	<b>180</b>	<b>139</b>

In an effort to create awareness and streamline processing of discipline cases, the Commission reviewed and disseminated the Discipline Manual for the Public Service, for use by MDAs. In addition, the Commission sensitized four MDAs on disciplinary process as spelt out in the PSC Regulations 2020 for officers in the public service and issued an advisory on entitlement to terminal benefits. Further, the Commission heard and determined a total of twenty-six (26) cases in accordance with the Fair Administrative Action Act, 2015.

### 3.4.2. Complaints Resolution

The Commission received complaints on various human resource issues both directly from members of the public and the Commission for Administrative Justice (CAJ). A total 88 complaints were received, 16 from the CAJ and 72 directly from members of the public. Of the 88 cases received, 34



were resolved; while 54 cases were ongoing by the end of the review period, translating to 39% and 61% respectively (Table 3-9).

**Table 3-9: Status of Complaints Received by the Commission**

<i>Channel of complaint</i>	<i>No. Received</i>	<i>Resolved</i>	<i>Ongoing</i>
Commission on Administrative Justice (CAJ)	16	6 (38)	10 (62)
Lodged Directly with PSC	72	28 (39)	44 (61)
<b>Totals</b>	<b>88</b>	<b>34 (39)</b>	<b>54 (61)</b>

*Percent (%) in parenthesis*

### 3.5 Litigation Cases

Litigations arise when the general members of the public or public servants who are dissatisfied with the process the Commission used when exercising its Constitutional mandate, go seek redress in a court of law. During the 2022/2023 financial year, the number of cases filed against the Commission were 99, while 42 Judgments/Rulings were delivered. The cases emanated from the exercise of disciplinary control, county appeals, establishment of offices, and the exercise of the Commission's constitutional mandate.

### 3.6 Exits from the Service

Public servants exit the Service through resignation, termination, expiry of contract, dismissal, death, retirement under the '50 Year' Rule, attainment of mandatory retirement age, medical grounds and abolition/re-organization of office. During the period under review, 3,005 officers exited the service in 48 State Departments as shown in Table 3-10.

**Table 3-10: Exits in MDAs by Type**

<i>State Department</i>	<i>50 Year Rule</i>	<i>Age Grounds</i>	<i>Death</i>	<i>Transfer of Service</i>	<i>Dismissal</i>	<i>End of Contract</i>	<i>Resignation</i>	<i>Total</i>
ASALs	0	5	2	0	0	0	0	7
Attorney General and Department of Justice	2	45	0	0	0	0	0	47
Basic Education	0	183	0	0	0	0	0	183
Broadcasting and Telecommunications	0	6	1	0	0	0	0	7
Cabinet	0	15	1	0	0	0	0	16
Cooperatives	0	8	0	0	0	0	0	8
Correctional Services	0	20	0	0	0	0	0	20
Crop Development	4	86	8	0	0	0	0	98
Culture & Heritage	0	9	0	0	0	0	0	9
Defence	4	74	3	0	0	0	0	81
Devolution	4	7	0	0	0	0	0	11
EAC	0	5	0	0	0	0	0	5
Economic Planning	1	10	0	0	0	0	0	11
Energy	0	14	0	0	0	0	0	14
Environment	0	33	1	0	0	0	0	34
Fisheries, A&B Economy	0	42	4	0	0	0	0	46
Foreign Affairs	0	23	5	0	0	9	0	37
Gender Affairs	1	8	0	0	0	0	0	9
Higher Education	0	1	0	0	0	0	0	1
Housing	1	39	6	0	0	0	0	46
ICT	0	3	0	0	0	0	0	3
Immigration	1	33	12	0	0	0	1	47
Industrialization	0	9	2	0	0	0	0	11
Infrastructure	0	45	0	0	0	0	1	46
Irrigation	0	20	0	0	0	0	0	20
Kenya Prisons	50	156	84	6	132	1	8	437
Labour	1	35	2	0	0	7	3	48
Lands	1	47	7	1	0	0	0	56



*State Department*

	<i>50 Year Rule</i>	<i>Age Grounds</i>	<i>Death</i>	<i>Transfer of Service</i>	<i>Dismissal</i>	<i>End of Contract</i>	<i>Resignation</i>	<i>Total</i>
Livestock	1	270	11	0	1	0	0	283
Mining	0	1	0	0	0	0	0	1
National Treasury	2	106	2	0	0	0	0	110
Office of the Deputy President	0	5	1	0	0	0	0	6
Petroleum	0	19	4	0	0	0	0	23
Public Service	0	6	0	0	0	2	0	8
Public Works	0	125	11	0	0	0	0	136
Regional Development	0	14	0	0	0	0	0	14
Social Protection	0	52	6	16	0	0	3	77
Sports	3	8	0	0	0	0	0	11
State House	0	8	8	0	0	21	2	39
Trade	0	15	2	0	0	0	0	17
Transport	0	5	2	0	0	2	0	9
University Education	0	5	0	0	0	0	0	5
Vocational and Tech. Training	1	81	3	0	0	0	0	85
Water	1	41	0	0	0	0	0	42
Wildlife	0	3	0	0	0	0	0	3
Youth	0	6	0	0	0	0	0	6
Interior and Admin. Services	6	754	10	1	0	0	0	771
Shipping & Maritime	0	1	0	0	0	0	0	1
<b>Total</b>	<b>84</b>	<b>2,506</b>	<b>198</b>	<b>24</b>	<b>133</b>	<b>42</b>	<b>18</b>	<b>3,005</b>

### 3.7 Promotion of Values and Principles of Governance in Public Service

Article 234 (2)(c) mandates the Commission to promote the values and principles in Articles 10 and 232 of the Constitution throughout the public service. The national values and principles of governance in Article 10 bind all State organs, State officers, public officers and all persons whenever they apply or interpret the Constitution; enact, apply or interpret any law; or make or implement public policy decisions. Under Article 232, the Values and Principles of public service apply to public service in all state organs in both levels of government; and all state corporations. They aim at entrenching high standards of professionalism in the public service.

National Values and Principles of Governance provide the basis for judgement about what is important for a country to succeed in its development. They are key in promoting productivity and fostering unity, stability and national identity. Effective public management also requires that public service delivery is conducted within a framework guided by clear values and principles transformed into actions.

### **3.7.1 Promotion of the Values and Principles**

The Commission in collaboration with MDAs undertook the following activities towards the promotion of values and principles in the public service:

- (i)* Facilitated awareness creation and capacity building on values and principles that included sensitization of internal and external clients on the provisions of the legislation, policies, regulations and guidelines; as well as development and dissemination of Information, Education and Communication (IEC) materials;
- (ii)* Sensitized MDAs on Public Service Code of Conduct and Ethics 2016, leadership, and integrity; and coaching and mentorship;
- (iii)* Promoted efficiency, effectiveness and economic use of resources through automation of service delivery;
- (iv)* Promoted democracy and participation of the people including use of stakeholders' consultative forums and use of suggestion and complaint boxes;
- (v)* Promoted equitable allocation of opportunities and resources including customization of services and facilities for use by PWDs; recruitment of persons from the minority and marginalized groups in the service; and media campaigns targeting special groups;
- (vi)* Promoted good governance, transparency, and accountability including staff induction; development and implementation of grievance -handling procedures; implementation of quality assurance framework and quality assurance system;
- (vii)* Promoted corruption prevention mechanisms through corruption reporting boxes, corruption reporting lines, whistle-blower policy; integrity testing for staff; development and review of corruption prevention laws and policies; and staff commitment to the Public Service Code of Conduct and Ethics;
- (viii)* Facilitated mainstreaming of values and principles including publishing articles on values and principles in the Commission newsletters; and mainstreaming of values and principles in scoring criteria for use during recruitment and promotion interviews;



- (ix) Enhanced service delivery improvement in the public service through enhancement of Information and Communications Technology (ICT) and other innovations in service delivery; migration of business processes to e-government; utilization of social media platforms for service delivery; publishing and publicizing of client service charters; automation of public services; translation and transcription of documents; implementation of excellence and award schemes; and collaboration and partnerships with county governments; and
- (x) Undertook evaluation on compliance with constitutional requirements regarding annual reports on values and principles and general compliance with existing legislation, policies and regulations.



*President William Ruto addressing dignitaries and other guests during the Commissioning of Cobort V Interns and Launch of the 2021-2022 Values Report at KICC, Nairobi, on 31st March, 2023.*

### **3.7.2 Evaluation and Reporting on Values and Principles**

The Commission evaluated 477 MDAs out of a target of 525 MDAs on the status of compliance with Values and Principles from six sectors; namely Constitutional Commissions and Independent Offices, Ministries and Departments, State corporations and SAGAs, Statutory Commissions and Authorities, TVET institutions and Public Universities, and overall, the response rate was 91%. The evaluation focused on the extent to which public institutions mainstreamed the national values and principles of governance and the values and principles of public service that were grouped in seven thematic areas, namely: service delivery improvement; high standards of professional ethics;

good governance, transparency and accountability; performance management; equitable allocation of opportunities and resources; public participation in policy-making; and efficiency, effectiveness and economic use of resources and sustainable development. Unlike previously, the Commission reached out to the citizens, as the primary consumers of public services, to provide feedback on their levels of satisfaction with the services offered by the public service.

The overall compliance level of 42% was an improvement of 2% from the previous year. This points at the need for government-wide deepening of mainstreaming of the values and principles in service delivery. Thereafter, the report was submitted to the President and Parliament in December 2022 in compliance with Article 234(2)(h) and Section 64 of PSC Act 2017. The report findings were also disseminated to MDAs and appropriate guidelines provided for the implementation of the report recommendations.

#### **3.7.4 Monitoring and Evaluation of the Organization, Administration, and Personnel Practices of the Public Service**

The Monitoring and Evaluation (M&E) function evaluates the implementation of the delegated authority to ensure compliance with applicable legislation, policies and guidelines. The Commission undertook the following activities:

- a) Quarterly M&E in all State Departments that include recommendations on:
  - i). Implementation of an average of 96% of PSC and 78% MHRMAC decisions at the end of a reporting quarter.
  - ii). Confirmation in appointment of officers whose probationary service period of 6 months had lapsed within the reporting quarter.
- b) Annual compliance audits in all the State Departments to ascertain implementations of PSC decisions and the delegation instrument as per the laid down rules and regulations.
- c) Audited the recruitment process under delegated authority in State Departments to ensure compliance with the existing legislations and guidelines.
- d) Payroll audits in three State Departments to assess whether salary and allowances paid to employees as well as deductions recovered from their gross pay, payment exceptions, and tax exemptions are processed in compliance with the existing legal regulatory framework and other administrative guidelines

#### **3.8 Investigation of the Organization, Administration and Personnel Practices of the Public Service**



Article 234 (2) (d) mandates the Commission to investigate, monitor and evaluate the organization, administration and personnel practices of the public service. In line with this function, the Commission carried out investigations in various institutions in the Service. Further, the Commission in compliance with orders issued by the Employment and Labour Relations Court:

- a) Communication Authority of Kenya (CAK):
  - i) Reviewed, audited and made recommendations on the human resource policies and practices
  - ii) Undertook investigation of the organization and personnel practices
  - iii) Developed Human resource policies and guidelines
  - iv) Made a report to the court within 365 days
- b) Kenya Ports Authority (KPA):
  - i) PSC to audit the Human Resource Instruments and make recommendations that ensures efficiency and effectiveness for approval as appropriate
  - ii) Report to court within six months.
- c) Garissa County:
  - i) The Commission undertook an audit and verification exercise of the county's human resource management and recruitment by the CPSB
  - ii) Report to court by October 15, 2023

### **3.9 Efficiency and Effectiveness of the Public Service**

Article 234(2) (e) of the Constitution and Section 62 of the Public Service Commission Act, 2017, confers upon the Commission a critical oversight function of ensuring that the Public Service is effective and efficient. Pursuant to this Function, the Commission has: implemented various performance management approaches; worked in concert with other agencies of government to re-institutionalize capability and effectiveness of service delivery to ensure that organizations are fit for purpose and outcomes are desirable by citizens; offered technical support to agencies and developed human resource strategies that ensure that the Public Service is citizen-centric.

#### **3.9.1 Performance Management in the Public Service**

Performance Management in the public service is anchored in the Constitution of Kenya, under Article 234(e). The Commission developed and issued the Public Service Commission (Performance Management) Regulations, 2021, which provides a framework for citizen feedback on their needs;

identifying and implementing programs and services that will meet those needs; ensuring that policies, strategies, and services are aligned; supporting accountability, both within the organization and to the public; and encouraging citizens get involved in the government's decision-making processes. The Commission has adapted various performance management tools and is implementing legislation intended to improve service delivery, enhance accountability for results and clarify roles and responsibilities of agencies and individuals as follows:

**a) Integrating Performance Management in the Public Service**

The Commission developed a concept note on Integrating Performance Management in the Public Service. This is intended to solve the challenges of defragmentation in performance management disciplines, processes, systems, tools, people, organizational constructs, enabling technology and information flow. The need for integration has further been exacerbated by the inconsistencies between the relevant legislations and policies. Therefore, to accelerate the realization of the desired performance management outcome in public service, it is critical that an Integrated Performance Management (IPM) approach be implemented. This integration seeks to: Harmonize all performance management policies across the public service; Align current pieces of legislation and regulations anchoring performance management; Provide government wide framework for standardization of performance management measurements, evaluation and reporting; Establish an institutional framework and structure for the effective coordination of performance management function in the public service; and integrate performance management systems in the public service.

**b) Citizen Service Delivery Charter**

The Citizen Service Delivery Charter (CSDC) is a performance management tool that the Commission is in the process of finalizing its development. It is a response to the quest for delivering quality services to the citizens. The proposed CSDC will help reinvigorate the contract between citizens and the government as it will outline the services offered by the government, service standards that underpin those services and clarify the level of public services citizens can expect. It will also set out the commitment to provide timely and effective service to the citizens.

The Commission has reviewed institutional service charters from various public organizations to identify gaps and propose interventions for effective implementation. The review revealed lack of coherence, consistency and standardization in terms of lead time in service delivery and user charges. The CSDC will prescribe minimum service delivery standards which will be used as a yardstick to



determine citizen service delivery satisfaction levels. The Charter will act as an accountability tool that will contribute towards an efficient and effective Public Service.

#### **c) Guidelines on Service Delivery Standards**

The Commission developed draft guidelines on Service Delivery Standards aimed at infusing sector wide uniformity and consistency in the way public organizations deliver services to citizens and agencies. The guidelines will: Provide a mechanism for addressing the disconnect between citizen expectations and the quality of public services; Facilitate institutions to develop service delivery standards that meets the constitutional threshold; Provide a step-by-step procedure for the development of service delivery standards; Spur service-wide uptake of service delivery standards; Establish a regulatory compliance oversight mechanism for service delivery standards; and Outline a formal mechanism for designing and undertaking monitoring and evaluation and reporting on service delivery standards by public organizations.

#### **d) Guidelines on Performance Contracting**

The Commission in collaboration with the Office of the Prime Cabinet Secretary reviewed the guidelines on Performance Contracting for the year 2023/2024 (19th cycle). This is a Performance Management tool to guide development of Contracts by MDAs. The guidelines incorporate key aspects necessary in identification of performance indicators and targets within government priorities.

### **3.9.2 Human Resource Management Strategies**

The Commission continuously reviews and develops human resource policies, guidelines and instruments to ensure efficient and improved human resource management practices for efficient service delivery. The Commission developed and reviewed the following human resource management policies:

#### **a) Authentication of Academic and Professional Certificates**

- i).* The Commission issued a Circular to Authorized Officers and directed them to undertake an audit of academic and professional certificates of all officers appointed in the preceding ten years in Ministries, Departments and Agencies including State Corporations. The purpose of the exercise was to ascertain that certificates held by officers employed in these institutions were authentic and legally obtained. The institutions were also directed to continuously validate academic and professional certificates prior to appointments and

promotions and file the same through the Compliance and Quality Assurance quarterly (M&E) and Annual reports to the Commission.

- ii). The Commission also issued a Circular to Public and Private Universities, as well as Polytechnics and Technical Training Institutes to submit; lists of graduands in the last ten years for use in validating certificates; lists of graduands in the preceding academic year and provide access and credentials for online verification of prospective candidates academic and professional certifications.

#### **b) Retention of Salary “Personal to Self”**

Section 37 (4)(e) of the PSC Act 2017 stipulates that remuneration should reflect the salary and allowances appreciable to filling of vacancies. The Commission continued to receive requests for retention of higher salaries following appointment of officers to positions with lower remuneration than previously earned. To address the challenge of determining the requests in an objective and harmonious manner, the Commission issued a circular to guide and clarify circumstances under which requests for retention of salaries ‘personal to self’ would be granted.

#### **c) Nomination and Approval for Training**

The Commission issued a Circular on the requirements on nominations and approval of training. The circular provided guidelines on identification, nomination and sponsorship for training of public officers. The circular further clarified on use of certificates obtained through training without formal approval for training.

#### **d) Discipline Manual for the Public Service**

The Commission issued a revised guide on handling disciplinary cases in the public service. The review was necessitated by the need to incorporate the provision of the Public Service Commission Act 2017 and Public Service Commission Regulations 2020. The objective of the Manual is to guide and ensure consistency in the discharge of disciplinary control in the Service.

#### **e) Review of Terms and Conditions of Service**

Review of Terms and Conditions of Service entails initiation for review; receipt and analysis of requests in relation to existing terms and in compliance with applicable legislations and policies. During the year in review, the Commission undertook the following related activities:



- i). Initiated review of Remuneration and Benefits for the position of Chief Administrative Secretary to SRC;
- ii). Collaborated with SRC in undertaking a Job Evaluation exercise for the role of Chief Administrative Secretary (CAS) and the attendant remuneration structure; and
- iii). Contributed to the review of specific allowances in the service by the SRC.

### 3.9.3 Technical Support

The Commission provided technical support to agencies at both country and Continental levels on various Human Resource issues touching on its mandate. The main areas of support were on human resource management policies and procedures, organization design and development, career design, recruitment and selection, terms and conditions of service, performance management, values and principles of public service, among other areas. This support was undertaken through peer learning on mandate innovations, leveraging on technologies, round table discussions and on-site training. Technical support was provided to MDAs, County Governments and delegations within Africa as follows:

#### a) MDAs and County Governments

The Commission provided technical support to MDAs and County Governments on various Human Resource issues touching on their mandates. The main objective of these interventions is to ensure that counties and other public institutions have adequate capacity to manage their employees and institutions within uniform norms and standards, as envisaged applicable legislation. Table 3-11 provides a breakdown of institutions and the nature of technical support provided.

**Table 3-11: Technical Support Provided to Public Institutions**

<i>Support Provided</i>	<i>Institution/County</i>
Recruitment of Managing Director – August 2022	National Housing Corporation
Training of the Human Resource Advisory Committee – October 2022	Council of Legal Education
Recruitment of Director Biosafety Research and Compliance and the Deputy Director Human Resource & Administration – March 2023	National Biosafety Authority
Sensitizing members of the Governing Council on Resource Management and Development (NCRC) on conduct of Interviews and Selection process for Director/Chief Executive Officer – April 2023	National Crime Research Centre
Recruitment of Commission Secretary/Chief Executive	National Land Commission

<i>Support Provided</i>	<i>Institution/ County</i>
Officer – April 2023	
Members of Parliament Induction January 2023: Induction workshop	Select committee on National Cohesion and Equal Opportunity
Senate Committee Induction February 2023: induction and work planning retreat	Senate Standing Committee on Labour and Social Welfare
Technical Support in development of appraisal tools for Heads of Internal Units: March, 2023	Public Sector Accounting Standards Board (PSASB)
Technical Support in harmonization of staff salary: February, 2023	LAPSET Corridor Development Authority (LCDA)
Induction of the newly appointed MHRMAC members: March, 2023	the State Department for Interior
Sensitization of HRMAC members: March, 2023	Sacco Societies Regulatory Authority (SASRA)
Technical Support and guidance during shortlisting exercise and interviews for various positions: May, 2023	Office of the Data Protection Commissioner
Technical Support and guidance recruitment of staff for various positions: May, 2023	Kenya Nuclear Regulatory Authority (KNRA)
Technical Support in calculation and preparation of gratuity payment schedules for former and current staff of the public finance management reform (PFMR) secretariat	Public Finance Management Reform (PFMR) Secretariat
Technical support for members of the Board on development of organization structures and staff establishments	Tana River County Public Service Board
HR audit exercise for Mombasa County Government executive: December, 2022	Mombasa County Government
Technical advisories on: <ul style="list-style-type: none"> <li>• bonding of staff to competition authority of Kenya, PSC/ General/10/VIII (20): November, 2022 and;</li> <li>• transfer of Training Bond and Service</li> </ul>	Competition Authority of Kenya and Karatina University
• Training and Capacity Building for the Trans Nzoia County Public Service Board Members: July, 2022 at the Victoria Comfort Inn, Kisumu	Trans Nzoia County Public Service Board Members
• Induction of the Nairobi County Newly appointed CECs at Mombasa: November, 2022	Nairobi County
• Development of HR policies for Anti -Doping Agency (ADAK): October, 2022	Anti-Doping Agency (ADAK)
• Development of HR policies for Konza Technopolis Development Authority: October, 2022	Konza Technopolis Development Authority
Technical Support in Development and Review of HR Instruments	<ul style="list-style-type: none"> <li>• Geothermal Development Company</li> <li>• State Corporations Tribunal</li> <li>• Athi Water Works</li> <li>• Geothermal Development Company</li> <li>• Kenya Urban Roads Authority</li> <li>• Kenya Institute of Mass</li> </ul>



<i>Support Provided</i>	<i>Institution/County</i>
	<ul style="list-style-type: none"> <li>• Communication (KIMC)</li> <li>• Kenya Vision 2030</li> <li>• Konza Metropolis</li> <li>• Mathari Teaching and Referral Hospital</li> <li>• National Council for Persons with Disabilities</li> <li>• National Council for Population and Development</li> </ul>
• Performance Management; and Development of Strategic Plan	Kenya University & Colleges Central Placement Services (KUCCPS)
• Executive Recruitments	Kenya Tourism Board
• Performance Management	Nakuru County Executive

### **b) Peer Learning and Benchmarking**

The Commission hosted various delegations from other jurisdictions to exchange knowledge, unique perspectives and ideas in the delivery of its mandate. Discussions were held focusing on technical support on institutional capacity and service delivery effectiveness to In-country public bodies and Continental level Public Agencies. This was achieved through peer learning on mandate innovations and leveraging on technologies, round table discussions and on-site training.

#### **i). In-Country Technical Support**

The Commission received delegations from various County Public Service Boards keen to learn and benchmark on best human resource management practices. The delegations were from Nakuru County Public Service Board and Garissa County Public Service Board.

#### **ii). Continental Technical Support**

At the continental level, the Commission provided technical support to agencies from within Africa. The delegations were from: The Transitional Technical Task Team of the *Federal Republic of Nigeria*, *Uganda* Public Service and *Malawi* Civil Service Commission. This considerable continental level interest confirms the confidence that the international community has in the Commission as a premier institution of excellence in the execution of its mandate.

### **3.10 Development of Human Resources**

Human Resource Development (HRD) is a crucial aspect of public service which is the development and nurturing of the skills, knowledge, and abilities of public servants to improve their performance and productivity. The mandate of developing human resources in the public service is provided for in Article 234 (2) (h) of the Constitution and operationalized through Section 56 of the Public Service Commission Act, 2017. Training and development programmes are designed to improve Human Resource Management practices which will enhance employee performance, boost productivity, reduce turnover and generally improve organizational culture. In the execution of this function, the Commission has formulated and implemented two major human resource development strategies namely: Skills Development in the Public Service and the Public Service Internship Programme (PSIP).

#### **3.10.1 Skills Development in the Public Service**

The Government continuously implements the strategy of improving skills, knowledge and attitude of public servants with the aim of upgrading competencies. This enhances productivity and ensures that public servants are well skilled and committed; their performance maximized and their potential fully developed through appropriate, comprehensive and adequate training. During the year, the Commission undertook the following:

#### **3.10.2 Public Service Promotional Examinations**

Promotional examinations in the Public Service for serving officers are designed to ensure that public servants advance in their respective cadres. The examinations test the candidates' grounding, knowledge and experience in matters relating to the philosophy, culture, organization and ethos guiding the operations and functions of Government. During the year the Commission administered the following examinations:

##### **i) Assistant Legal Metrology Examination**

The results of the three candidates who sat and passed the Assistant Legal Metrology Examination were released and gazetted in the official Kenya Gazette (Kenya Gazette Notice No. 8743), 2022.

##### **ii) Clerical Officers Proficiency Examination**

The proficiency examination is for Clerical Officers working in Ministries, Departments and Agencies who are at the entry level. In the year in review, 956 candidates registered for the



examination held in September 2022. Out of the total number of registered candidates 805 passed, 137 were referred, while 14 candidates did not show up for the examination.



*Clerical officers tackling proficiency examination in Nairobi Centre*

### **iii) Administrative Officers' Examination**

The Administrative Officers' examination is a requirement for career advancement of Administrative Officers within their cadre. A total of 650 candidates registered for the examination, out of whom 643 candidates sat, while 7 candidates were absent.

### **3.10.3 Public Service Internship Programme (PSIP)**

The Public Service Internship Programme (PSIP), is a key programme of the Public Service Commission conceptualized and rolled out in the year 2019. Under the programme, young graduates drawn from all the administrative wards in the country are recruited centrally by the Commission, and deployed as interns to Ministries, Departments and Agencies. The main objective of the programme is to enable the interns to acquire relevant skills, gainful work experience and enhance their competitive edge in search for jobs.

The year-long internship programme is guided by the Public Service Internship Policy and Guidelines, 2016; and other relevant workplace related legislations and regulations. The programme

is funded by the Government of Kenya through the National Treasury with an annual allocation of Ksh. 1 billion to cater for the interns' monthly stipend. The rate of stipend during the year in review was Ksh. 25,000 per month, subject to statutory deductions.

At the end of the reporting year, the programme has benefitted over 15,000 youths. In the 2022/2023 financial year, the Commission appointed 3,902 under cohort 5, from all the 290 constituencies in the country and deployed them to over two hundred and fifty (250) MDAs. The Commission organized and conducted an induction programme for the interns, after which they were commissioned to join the MDAs at a ceremony presided over by His Excellency the President, Dr. William Ruto, on 31st March, 2023.



*(R-L) President William Ruto, Deputy President Rigathi Gachagua, Prime Cabinet Secretary Musalia Mudavadi and the Cabinet Secretary Ministry of Public Service, Gender and Affirmative Action Aisha Jumwa following proceedings during the Commissioning of interns under the Public Service Internship Programme Cohort V and Launch of 2021-22 Values Report at KICC on 31<sup>st</sup> March, 2023*





*President William Ruto, Deputy President Rigathi Gachagua Prime Cabinet Secretary Musalia Mudavadi and the Cabinet Secretary Ministry of Public Service, Gender and Affirmative Action, PSC Chairperson, CEO, and Commissioners in a group photo during the launch of the values report at KICC on 31<sup>st</sup> March, 2023*



*PSC choir performs during the State function at the KICC COMESA grounds on 31 March 2023 during the Presidential launch of PublicService Internship Programme Cohort V and 2021-22 Report at KICC on 31<sup>st</sup> March, 2023*



### 3.10.4 Capacity Building for PSIP Mentors and Coaches

During internship, the interns are assigned mentors and coaches to ensure that they are appropriately guided to enable them to take responsibility for their own learning, self-management and development in order to work towards achieving their full potential. These mentors and coaches are drawn from the institutions that host the interns, and the Commission has a responsibility to equip them with the necessary skills, knowledge and attitude to embrace and guide the mentees. In the year under review, the Commission trained over 200 line managers from the MDAs on coaching and mentorship, as part of its capacity building strategy for deepening and institutionalizing the internship programme. The number of officers trained was in addition to 380 others trained in the previous financial year.

The programme has had a tangible impact on the youths who, resulting from the skills and the experience gained, are able to competitively secure formal employment both in private and public institutions. Others have gone into the national leadership space at fairly high levels. The programme also enables the public service to build on human resource capacity and utilize the talents, creativity and innovation brought by the youths into the service thus leading to efficient and effective service delivery to the public.



*PSC Chairman Amb. Anthony Muchiri addressing mentors during the opening of the second cohort of mentorship training at the Pride-Inn Hotel, Machakos county*





*PSC Vice Chairperson Charity Kisotu presents a certificate to one of the participants of the PSIP mentors and coaches training at the PrideInn Hotel, Machakos. Looking on is Deputy Director HRMD, PSIP, Simon Mwangi*



*Deputy Director, Human Resource Mgt & Development, PSIP, Mr. Simon Mwangi addressing participants during the Phase II Capacity Building for Mentors and Coaches in Ministries, Departments and Agencies at the Pride-Inn Hotel, Machakos County*





*Deputy Director Ethics & Governance, Mr Wesley Kipng'etich presents a paper on "Values, Ethics and policy framework on Mentoring and Coaching" at the Pride-Inn Hotel, Machakos County*

### **3.10.5 Digital Literacy Programme**

The Commission approved the recruitment of 1000 interns under Digital Literacy Programme (DLP) for the FY 2022/2023 in the State Department for Early Learning and Basic Education. The programme supports the Digital Learning Programme with an aim to align integration of ICT into teaching and learning for Grade One pupils in primary schools. The program provides internship to graduates with either diploma or degree qualification in Education (ICT) and ICT or ICT integration in Education, to support E-Learning and content development.

The programme has transformed teaching and learning through integrating technology in the learning environment, preparation of schemes of work, provision of class support and training of primary school teachers in use of digital literacy devices like the PSIP programme, the DLP has assisted in youth employment and empowerment, networking and exposure to the job market, as well as gaining skill the programme.

### **3.10.6 Presidential Digital Talent Programme**

The Presidential Digital Talent Program (PDTP) is designed to build and entrench ICT capacity within the Kenyan Government to ensure ICT effectiveness and efficiency in service delivery. The



Programme is implemented by ICT Authority on behalf of the Ministry of Information Communication Technology and provides internship to ICT graduates or Engineering for a period of one year.

The Programme is implemented through collaboration with the private sector under the Public Private Partnership (PPP), where the government teams up with the private sector to provide training and certification, on the job coaching and mentorship and in the development of innovations that are geared towards scaling up service delivery. Thus, the trainees are given opportunities in both the public and private sector, to practice ICT skills, learn to manage ICT related projects and gain experience. Over the years the program has had a tangible impact on several youths and in support for service delivery.

### **3.10.7 Public Service Emerging Leaders Fellowship Programme**

The Public Service Emerging Leaders Fellowship Programme (PSELF) of Kenya is an intergenerational effort to re-engage Kenya's youth in public service and administration, by driving ethical young talent into public service, to improve government delivery, citizen outcomes and influence long-term social policy and change. The programme brings together the converging missions of the Public Service Commission, Emerging Leaders Foundation - Africa and Emerging Public Leaders – Washington DC. The one-year fellowship programme for young professionals in the Kenya civil service is anchored on a merit-based recruitment process that trains and develops Kenya's most promising young civil servants for future leadership. The young leaders are assigned mentors and are connected with a Pan-African peer network and provided with ongoing support to grow their public service careers.

The First cohort of 51 Fellows under the PSELF programme graduated on 21st April 2023 after a year of rigorous training and practical work. The second Cohort of 65 PSELF fellows from 46 counties were competitively recruited in April, 2023.





*PSELF Cohort II fellows pause for a group photo during an excursion at Titi Ndogo check point of Mount Kenya*



*Prime Cabinet Secretary Musalia Mudavadi issuing Graduation Certificate to Ms Sharon Chepkirui during the First Graduation Ceremony of the Inaugural Cohort of the Public Service Emerging Leaders Fellowship (PSELF)- 9<sup>th</sup> June 2023, Safari Park Hotel, Nairobi*





*Graduands following proceedings during the First Graduation Ceremony of the Inaugural Cohort of the Public Service Emerging Leaders Fellowship (PSELF) - 9<sup>th</sup> June 2023, Safari Park Hotel, Nairobi*



*PSC CEO Dr Simon Rotich welcomes the Prime Cabinet Secretary as Vice Chairperson Charity Kisotu looks on during the First Graduation Ceremony of the Inaugural Cohort of the Public Service Emerging Leaders Fellowship (PSELF) - 9<sup>th</sup> June 2023, Safari Park Hotel, Nairobi*





*Commissioner Mary Mwiandi welcomes the Prime Cabinet Secretary as CEO Dr Simon Rotich looks on during the First Graduation Ceremony of the Inaugural Cohort of the Public Service Emerging Leaders Fellowship (PSELF) 9<sup>th</sup> June 2023, Safari Park Hotel, Nairobi*



*Director Performance Management and Service Delivery Transformation making a presentation during the final segment of PSELF at the Methodist Resort and Conference Centre, Nairobi from 14 November 2022*



### **3.11. County Government Public Service Appeals**

The Constitution under Article 234(2)(i) mandates the Commission to hear and determine appeals from County Government Public Service. The PSC Act (2017) Section 85, 86, 87, 88 and 89 provides the mechanisms and processes used by the Commission in the discharge of this mandate. Further, the PSC (County Appeals Procedures) Regulations, 2022 provides the procedures of handling the appeals. In the financial year under review, the Commission heard and determined 257 appeals out of the 418 new and pending cases from the previous financial year. In addition, the Commission heard and determined all the 15 applications for review received.

### **3.12 Promotion of Ethical Conduct in the Public Service**

The Public Officer Ethics Act (POEA), 2003 makes it a mandatory requirement for public officers to make financial disclosures of themselves, their spouse(s) and dependent children. The administration of wealth declarations is regulated under Legal Notice No. 53 of 8th April 2016 which provides for procedures for the declaration of income, assets and liabilities. Public officers are required to uphold the values of good governance, accountability, transparency and integrity

Public officers are also required to submit initial declarations within 30 days of an appointment, every two years from 1st November, of the declaration year and final declarations within 30 days of exiting the service. The declaration of income, assets and liabilities is an overt statement by a public official to be accountable for the management of public resources placed under their charge while in service. It is a tool which is used by agencies investigating corruption in instances where a public officer's net-worth is disproportionate to the earnings.

The Public Service Commission administrative procedures for declaration of income, assets and liabilities, requires that the Authorized Officer institute disciplinary action against officers who do not submit their declarations within the stipulated timelines. The current reporting period was not a biennial declaration period. However, there were 981 initial declarations, 506 final declarations and 33 declaration records were retrieved to various government investigation agents.

### 3.13 Stakeholder Relations

The role of stakeholders is critical to the fulfillment of the Commission's mandate. Over the years, the Commission has continued to establish, maintain and deepen mutual relations with its stakeholders and sought to satisfy their expectations in relation to its mandate.

The Public Service Commission's Strategic Plan 2019– 2024 and the Communication and Branding Strategy 2020 – 2024 outlines who the Commission's stakeholders are and indicates the significance of the relationship in the realization of the Commission's vision and mission.

In a bid to maintain mutual working relations with its broad stakeholder family, the Commission conducted sensitization workshops, advocacy and outreach activities, leading to increased awareness, visibility and buy-in for its programmes. The activities were carried out under various categories, namely exhibitions and symposia, media relations and publicity, sensitization workshops, benchmarking and peer learning, and feedback management.

#### **i). Africa Public Service Day Celebrations Exhibition and Symposia**

Exhibitions and symposia provided an opportunity for the Commission to interact with its stakeholders, showcase its programmes and receive direct feedback. The Commission participated in the Africa Public Service Day celebrations, a continental event observed in individual member countries in June every year. It brings together invited delegates and the public to attend a themed conference and exhibitions. The Commission sponsored two officers as part of the Kenya delegation that attended the continental celebrations in Victoria Falls City, Zimbabwe.

#### **ii). Media relations and publicity**

The Public Service Commission has a crucial role in ensuring transparency, fairness, and efficiency in public service hiring and human resource management. The Commission has also endeavored to ensure public awareness and continuous engagement with the stakeholders in the implementation of its mandate through different channels of communication including the mainstream media and social media platforms.

The fiscal year 2022/23 was a critical one for the Commission in regard, to transitioning the public service from the previous administration and aligning the public service to the transformation agenda of the new Kenya Kwanza Government. Through the media and other channels, the Commission ensured transparency in dealing with issues of high public interest



through clear and timely communication, as required under the Access to Information Act and the PSC Act, thereby fostering a stronger connection between the Commission and the public.

During this period, the Commission received considerable media attention with major print and electronic media outlets giving it prominence in their coverage. Out of the 108 media channels, coverage on digital platforms stood at 44%, television stations at 31% while print media were third with 26%. In summary, the Commission mandate and main activities were mostly covered by digital media platforms in the year 2022/23.

The notable Commission activities that attracted wide public interest and media coverage were the recruitment exercise for the Principal Secretaries; Recruitment of Chief Administrative Secretaries; Recruitment of interns under the Public Service Internship Programme (PSIP); Presidential Launch of the 2021-2022 Status of Compliance with the Values and Principles of Articles 10 and 232 of the Constitution and commissioning of the 5<sup>th</sup> Cohort of interns under the Public Service Internship Programme; and Inauguration of the Selection Panel for recruitment of candidates for appointment as Director of Public Prosecution.

### iii). Social Media

In today's era of digital communication, social media has emerged as a powerful tool for engagement with citizens and stakeholders. The Commission recognized this potential and intensified efforts on Facebook and Twitter, the two most popular social media platforms in Kenya. Primary focus was on providing timely and relevant content, publicizing career opportunities, and encouraging public feedback and participation. Consequently, there was a sharp rise of online platforms that published news stories relating to the Commission Mandate and the conversations that emerged thereto as demonstrated in Table 3-12.

**Table 3-12: Social Media Feedback Analysis**

<i>Issues Raised</i>	<i>Facebook</i>	<i>Twitter</i>	<i>Cumulative Total(FB + Twitter Comments)</i>	<i>Cumulative Total (%)</i>
Jobs/Application	2,142	673	2,815	20.0%
Internships	1,987	941	2,928	21.0%
Technical	1,354	479	1,851	13.0%
Others	4,764	1,796	6,560	<b>46.0%</b>

Commission-related social media content reached 7.2 million users across Twitter and Facebook with a total of 199 posts made on the two platforms. The posts attracted 14,145 comments and reactions, out of which 7,593 (54%) were from users expressing their dissatisfaction with the commission services. On the other hand, 6560 of the comments (46%) were general and they included compliments and issues unrelated to the posts. The major issues raised were in the following categories; Jobs/Applications: 2,815 (20%), Public Service Internship Programme 2,928 (21%), Technical Issues: 1,851 comments (13.0%).

#### **a) Facebook**

The Commission made a total of 106 posts on its Facebook Page, Public Service Commission of Kenya, during the year. With a cumulative reach of 507,518 users, a 15% increase compared to the previous financial year. In total, the posts attracted 10,247 comments/reactions.

#### **b) Twitter**

The PSC twitter account, @PSCKenya, stood out as the platform that reached out to a larger number of users compared to the Commission's Facebook page during the 2022/23 fiscal year. The twitter account reached 6.7 million users according to the Twitter Analytics report.

#### **c). Follower Growth**

The financial year closed with a total of 79,899 followers on Facebook and 60,058 followers on Twitter. This Follower base reflects a growing interest in the Commission's activities.

#### **iv. Feedback Management**

##### **a) Citizens Service Delivery Contact Centre**

The Commission Contact Centre receives feedback through a dedicated line 0204865000 and also by email [info@publicservice.go.ke](mailto:info@publicservice.go.ke) . During this period, 741 issues were received from the public. Out of the issues, 109 (15%) were complaints while 632 (85%) sought information or guidance.

The complaints were largely on the following issues: Appeals; Interviews; Jobs (Applications, Appointments, Deployment); Re-designations and Service Transfers; Promotions; Internship; Proficiency Examinations; Retirement; Technical Challenges; and follow up on unresolved issues that have taken beyond the 14 -day stipulated period in law. The Commission addressed 729 of the issues raised conclusively while 12 cases are in the process of being resolved.

#### **b. Newsletter**



The Commission publishes a periodic e -newsletter - PSC News, to enhance internal communication and information sharing. The newsletter is circulated to the PSC commission board and secretariat and other stakeholders. During the year, the Commission published and circulated seven editions of the e-newsletter.

# Chapter 4

# INSTITUTIONAL CAPACITY OF THE COMMISSION

## 4.1 Introduction

The Commission's capacity and capability is crucial for fulfilling its mandate and delivering services in the public service. The capacity impacts directly on its ability to deliver quality services promptly, and thus the need for a skilled and well-trained staff. By nurturing competent staff, the Commission can deliver high -quality services, ultimately enhancing its reputation and building trust among citizens. In line with the 3rd year of the Strategic Plan 2019 -2024, the Commission implemented various initiatives aimed at improving internal capacity to deliver on its mandate.

## 4.2 Human Resource Management and Development

The Commission strengthened its internal capacity through optimizing existing human resources, secondment of officers from other MDAs, recruitment, promotion and engagement of staff on local agreement terms in order to carry out its mandate effectively. Additionally, the Commission implemented various training and capacity building programs to ensure its staff are skilled and well trained in order to improve their performance and productivity

### 4.2.1 Staffing

As at 30<sup>th</sup> June, 2023, the Commission had an In -Post of 245 officers constituting 56% of the authorized establishment of 434. Of the 245 staff, 48% were female and 52% were male. Persons With Disabilities constituted 3%. The distribution of staff by designation, salary scale, and gender is shown in Table 4-1.

**Table 4-1: PSC Staff Designations and Grade Levels**

Designation	Salary Scale	Number	Gender Proportions			
			Male	%	Female	%
CEO	10	1	1	100.0	0	0.0
Deputy Commission Secretary	9	2	1	52.0	1	48.0
Director	8	9	7	78	2	22.0



Designation	Salary Scale	Number	Gender Proportions			
			Male	%	Female	%
Deputy Director	7	21	17	81.0	4	19.0
Assistant Director	6	69	32	46.0	37	54.0
Principal Officer	5	57	21	37.0	36	63.0
Senior Officer	4	47	28	60.0	19	40.0
Assistant Officer	3	26	15	58.0	11	42.0
Division Assistant Officer 1	2	13	6	46.0	7	54.0
<b>Total</b>		<b>245</b>	<b>128</b>	<b>52.0</b>	<b>117</b>	<b>48.0</b>

#### a) Staff Age Distribution and Gender Profile

The age distribution of the Commission staff indicates that 109 officers were aged 50 years and above, accounting for 44% of the Commission's workforce. Staff between the ages of 40 and 49 made up 33%, while those below 40 years old constituted 23%. In terms of gender distribution, male officers accounted for 128 (53%), while female officers made up 117(47%). The distribution of staff by age and gender is presented in Table 4-2.

**Table 4-2: Staff Age Profile**

Age Group	Gender Proportions				Age Group Total	% of Total
	Male	%	Female	%		
55 and above	31	60.0	21	40.0	52	21.0
50-54	26	47.0	31	53.0	57	23.0
45-49	18	50.0	18	50.0	36	15.0
40-44	24	56.0	19	44.0	43	18.0
35-39	16	55.0	13	45.0	29	12.0
30-34	8	44.0	10	56.0	18	7.0
Below 29	5	50.0	5	50.0	10	4.0
<b>Total</b>	<b>128</b>	<b>52.5</b>	<b>117</b>	<b>47.5</b>	<b>245</b>	<b>100.0</b>

### b) Appointments

To enhance staffing levels, the Commission appointed a total of 14 officers across different cadres to fill vacant positions resulting from natural attrition and other forms of exit. The details of those appointed at the Commission are presented in Table 4-3.

**Table 4-3: Officers Appointed at the Commission**

<i>Designation</i>	<i>Salary Scale</i>	<i>No. of Officers</i>	<i>Gender</i>	
			<i>Female</i>	<i>Male</i>
Assistant Director, HR Audit	PSC 6	1	0	1
Assistant Director, EMCS	PSC 6	1	1	0
Assistant Director, HRM	PSC 6	6	3	3
Assistant Director, M&E	PSC 6	1	1	0
Principal Accountant	PSC 5	1	0	1
Principal HRM Officer	PSC 5	2	1	1
Principal Internal Auditor	PSC 5	1	0	1
Senior Driver	PSC 4	1	0	1
<b>Total</b>		<b>14</b>	<b>6</b>	<b>8</b>

### c) Promotions

To address succession gaps and motivate staff, the Commission promoted two officers. Specifically, one officer was promoted from the position of Clerical Officer to Senior Clerical Officer, PSC Scale 3, while one officer was promoted from Support Staff to Senior Support Staff, PSC Scale 2.

### d) Secondment

In the public service, two types of secondments can occur. An organization can either send its staff out or receive from other public organizations. When they receive, this can be termed as inward secondment and when they send it can be termed as outward secondment. Through staff secondment, employees have the opportunity to temporarily work in different institutions in the public service. This allows officers to gain new skills, broaden their perspectives, develop a deeper understanding of different areas of work and provide them with valuable learning experiences.

***Inward secondment:*** In the review period, the Commission received eight officers from MDAs under this arrangement as indicated in Table 4-4.



**Table 4-4: Officers on Secondment to the Commission**

PSC Scale	Designation	MDA Seconded From	No. of Officers	Gender	
				Female	Male
PSC 3	Senior Clerical Officer - Records	State Department for Interior	1	0	1
		Judicial Service Commission	1	1	0
PSC 4	Senior Management Analysts	Labour & Skills Development	1	0	1
		State Department for Public Service	2	1	1
		State House	1	1	0
PSC 5	Principal Competency Officer	Kenya School of Government	1	1	0
		State Department for Trade and Enterprise Development	1	0	1
PSC 6	Personal Assistant to Chairperson	Ministry of Foreign Affairs	1	0	1
<b>Total</b>			<b>9</b>	<b>4</b>	<b>5</b>

**Outward secondment:** During the period, three (3) Commission staff were on secondment in other public organizations as indicated in Table 4-5.

**Table 4-5: Staff Seconded from Commission to Other Public Institutions**

Salary Scale	Designation	MDA Seconded to	No. of Officers	Gender	
				Female	Male
PSC 7	Deputy Director, Finance	Judicial Service Commission	1	1	0
PSC 6	Assistant Director, ICT	National Police Service Commission	1	0	1
PSC 2	Senior Clerical Officer	National Government Constituency Development Fund	1	0	1
<b>Total</b>			<b>3</b>	<b>1</b>	<b>2</b>

#### e) Exit from the Commission

Exit from the service can occur through retirement, resignation, contract termination, abolition of office, government reorganization, death and dismissal. In the review period, eight officers exited the Commission as shown in Table 4-6.

**Table 4- 6:Staff Exits at the Commission**

Reason for Exit	Salary Scale	Gender		No. of Officers
		Female	Male	
Mandatory retirement age	PSC 4	1	1	2
Termination of secondment	PSC 4	1	0	1
	PSC 7	0	1	1
Transfer of service	PSC 6	0	1	1
Death	PSC 4	1	1	2
	PSC 5	1	0	1
<b>Total</b>		<b>4</b>	<b>4</b>	<b>8</b>

#### f) Staff on Local Agreement Terms

The Commission leverages the skills and knowledge of officers serving under Local Agreement Terms to enhance internal capacity, improve efficiency, and accomplish specific objectives. In the review period, the Commission engaged 8 officers under local agreement terms, as outlined in Table 4-7.

**Table 4-7: Officers Serving on Local Contract Terms**

Designation	Salary Scale	No. of Officers	Female	Male
DCS, Corporate Services	PSC 9	1	0	1
DCS, Technical Services	PSC 9	1	1	0
Director, R&S	PSC 8	1	0	1
Director, Finance, Planning & Resource Mobilization	PSC 8	1	0	1
Deputy Director ICT	PSC 7	1	0	1
Principal Executive Secretary	PSC 6	1	1	0
Senior Accountant	PSC 4	1	0	1
Driver	PSC 1	1	0	1
<b>Total</b>		<b>8</b>	<b>2</b>	<b>6</b>



### 4.3 Skills Development

Commissioners and Secretariat staff attended individual trainings, group seminars, workshops, and conferences to enhance their skills, knowledge, and competencies. Funding for these activities was sourced from the Commission's training budget and financial support from other agencies. Table 4-8 presents training activities attended by officers in the review period.

**Table 4-8: Training, Workshops, Seminars and Conferences**

Course Description	Sponsor	No. of Officers Trained	Gender		Total Cost (Ksh)
			Female	Male	
Association of government librarians' workshop.	PSC	2	1	1	253,600
Digitization and ISO training	PSC	3	2	1	420,420
Fire Marshalls Training	PSC	10	3	7	350,000
HR Conference	PSC	5	5	0	989,000
ICPAK Conference	PSC	13	3	10	3,362,200
ICT Conference	PSC	2	0	2	379,000
Induction course for Administrative officers	State Department for Interior	2	2	0	14,000
	PSC	1	0	1	7,000
Induction Course for newly appointed officers	PSC	18	10	8	751,444
Protective security training	PSC	14	8	6	750,000
Senior Management Course	PSC	1	0	1	437,000
Sensitization Programme on UHR system for payroll managers	State Department for Public Service	2	2	0	0
Human Rights Education Program for Sustainable and Inclusive Community	KOICA	4	1	3	0
Personal Branding Course	PSC	2	1	1	0
Annual Records and Archives Management Conference	PSC	3	2	1	0
<b>Total</b>		<b>82</b>	<b>40</b>	<b>42</b>	<b>7,713,664</b>

#### 4.4 Performance Management

The Commission operationalized its performance management processes by preparing the FY 2022/23 Annual Work Plan. Corporate level performance contracting commenced with the Commission Secretary signing the contract with the Board. Subsequently, Performance Contracts for the Financial Year were prepared for Directorates and the Commission Secretary. Performance Contracts were cascaded to officers in the Directorates through the Staff Performance Appraisal System (SPAS). Officers were assessed based on the set targets derived from the Strategic Plan 2019-2024 and emerging service delivery priorities policy areas that back the Commission's transformative agenda of creating a public service that prioritizes the needs of its citizens.

*Performance Targets:* The Commission's annual targets were derived from the Strategic Plan 2019-2024 and emerging policy areas prioritized for implementation through the Annual Work Plan. The targets were in line with the Commission's transformative agenda of a citizen-centric public service delivery approach and facilitating effective delivery of public services. The targets were carried out through four budget programs:

- i). Human Resource Management and Development,
- ii). Governance and National Values,
- iii). Performance and Productivity Management, and
- iv). General Administration, Planning, and Support Services

An analysis of the performance targets shows that out of the 235 activities planned for implementation, 183 targets were implemented at different levels, while 52 targets were not implemented. Specifically, 38 targets were implemented. Under the Budget Programmes of: Human Resource Management and Development, 10 targets were fully implemented, 6 ongoing while 5 were not implemented; Governance and National Values, 27 targets were fully implemented, 8 ongoing while 12 were not implemented; Performance and Productivity Management 3 targets were fully implemented, 3 ongoing while 1 was not implemented; and General Administration, Planning, and Support Services 88 targets were fully implemented, 38 ongoing while 34 were not implemented. Table 4.9 below outlines performance of targets by budget programmes.



**Table 4-9: Performance of Targets by Budget Programmes**

<i>Budget Programme</i>	<i>Total No. of Targets</i>	<i>Fully Achieved</i>	<i>On-going</i>	<i>Not Implemented</i>
General Administration, Planning and Support Services	160	88	38	34
Governance and National Values	47	27	8	12
Human Resource Management and Development	21	10	6	5
Performance and Productivity Management	7	3	3	1
<b>Total</b>	<b>235</b>	<b>128</b>	<b>55</b>	<b>52</b>

#### 4.5 Terms and Conditions of Service

The Commission implemented the following welfare programmes:

- i)* Processed and submitted 20% employer pension contribution and group life insurance for 236 officers to the PSC contributory pension scheme, amounting to Ksh 68 million;
- ii)* Facilitated 11 officers to access mortgage loans under PSC Mortgage Scheme, totaling Ksh 46 million;
- iii)* Paid annual membership subscriptions for 84 staff to various professional bodies, amounting to Ksh. 359,044;
- iv)* Renewed comprehensive in -patient and outpatient medical insurance for Commissioners and Secretariat staff with effect from October 2022 and February 2023 respectively, at a total cost of Kshs.70 million;
- v)* Renewed Group Personal Accident Insurance and Work Injury Benefits Act cover with effect from February 2023, at a cost of Kshs.11 Million; and
- vi)* Provided Commissioners and Secretariat with additional working tools and equipment.

#### 4.6 Collaboration, Cooperation and Partnership with Stakeholders, Regional and International Bodies

The Commission engaged with various institutions for support, build more innovative solutions and share best practices. The institutional network has enabled the Commission to build new partnerships and foster existing ones in its quest to deliver on its mandate. During the year under review, the Commission sought to collaborate and partner with various agencies through holding of consultative meetings and submission of funding proposals highlighted below:

#### 4.6.1 The World Bank

**a. Governance for Enabling Service Delivery and Public Investment in Kenya (GESDEK) Programme**

Governance for Enabling Service Delivery and Public Investment in Kenya (GESDEK) is a Programme-for-Results (PforR) co-financed by the Government of Kenya, World Bank and French Development Agency (AFD). The objective of the programme is to ensure a public financial system that promotes transparency, accountability, equity, fiscal discipline and efficiency in the management of public resources for improved service delivery and economic development. The Resources are coordinated by the National Treasury through the Public Finance Management Reforms (PFMR) Secretariat.

The Commission received financial support to the tune of Kshs.18.9 million in FY 2022/23 through the GESDEK Programme in addition to GOK budget support. This supported priority Commission activities including Development of a Standardized Citizen Service Delivery Charter, Development of the Human Resource Master plan and Integration of Performance Management in the Public Service.

**b. Kenya Integrated Devolution and Urban Support Programme**

The World Bank in collaboration with the GOK is in preparation stages of the Kenya Integrated Devolution and Urban Support Programme. The program design once completed seeks to achieve results in four areas: Strengthened institutions for urban service delivery; Inclusive and resilient planning of urban areas; Inclusive and resilient urban infrastructure & services; and Improved private sector engagement. The Commission will be expected to establish and build capacity urban institutions to deliver improved Infrastructure and services in participating counties in Kenya.

**c. Kenya County Governance and Performance Programme**

The World Bank is designing the Kenya County Governance and Performance Programme (CGPP) which seeks to strengthen devolved institutions for improved service delivery. The objective of the program is to support Ministries, Departments and Agencies (MDAs) and County Governments (CGs) in the implementation of key reform initiatives that will facilitate achievement of key results of the Program. The Commission will be expected to implement KRA 2, which includes; Intergovernmental Coordination, Institutional Performance, and Human Resource Management for Service Delivery: Establishing County intergovernmental forums; conducting county HR and skills audits to inform workforce planning; customizing human resource policies; automating processes for recruitment; reviewing organization



structures; and implementing the county integrated performance management framework. This KRA will also support institutionalization of environmental and social safeguards functions; leadership, and governance training for senior county officials; and TA, and capacity building.

#### 4.6.2 African Capacity Building Foundation

The Commission held a consultative meeting with African Capacity Building Foundation (ACBF) on 14<sup>th</sup> December 2022 to discuss potential areas of collaboration through building capacity to Enhance Leadership and Governance in Public Financial Management (ELG –PFM). The project is to be implemented in five African countries, namely Kenya, Ghana, Nigeria, Senegal and Zimbabwe. In addition, the Commission’s Funding Proposal, which was under review by ACBF was discussed.

#### 4.6.3 European Union

The Commission held a meeting with the European Union (EU) in November 2022 to explore possible technical support modalities within the existing EU Multi -Annual Indicative Programme, Kenya 2021 -2027. The EU committed to support the Commission on two fronts through the Technical Assistance and Information Exchange Instrument (TAIEX) of the European Commission designed for partner countries and territories for International Partnerships (INTPA) and Twinning. The Commission submitted a TAIEX proposal for support through an Expert Mission and is expected that it will be implemented in the Financial Year 2023/2024.



*PSC's Finance, Planning and Resource Mobilization Director Njoroge Maina (right) explains a point to the EU team John Mungeri and Alexandre Boron, left and second left respectively.*

#### **4.6.4 The Commonwealth**

With the support of the Commonwealth Fund for Technical Cooperation (CFTC), the Commission benefitted from a Leadership Development Training Programme for the Commission Board. The training was held at Sarova Woodlands Hotel in Nakuru from 27<sup>th</sup> to 30<sup>th</sup> June 2023. The objectives of the programme were to enable the Commissioners to: Reflect on leadership, understand how to lead so as to enhance people's performance and support them to navigate through shocks, change and disruption; Help build broader strategic mindset, improve innovation and performance, and ensure resilience and sustainability; Take a holistic approach to ethical values and to institutionalize integrity in the management and decision-making in the public service; and Strengthen all aspects of corporate governance.

In addition, the Commission engaged the Commonwealth for further technical assistance in offering a similar leadership development programme to the 65 fellows under Cohort 2 of the Public Service Emerging Leaders Fellowship (PSELF) programme. Other areas of technical assistance under consideration by the Commonwealth include an exchange programme arrangement, and a learning development programme for the Commission Board in the UK.

#### **4.6.5 Mozilla Corporation**

During the reporting period, the Commission held several meetings with Mozilla Corporation to explore areas of collaboration and partnership. One of the areas of collaboration was the Mozilla Africa Mradi Innovation Week held from 26<sup>th</sup> to 27<sup>th</sup> June 2023. The two parties developed a draft MOU that will anchor the partnership between the two institutions towards the following:

Collaboratively co-create to optimize and promote the use of Mozilla's Firefox mobile Browser for E-Citizen services; Collaboratively develop and adopt digital training and competency on privacy and security e.g., lean data framework, data governance, and cybersecurity; Collaborate/co -create on automation of the wealth declaration process; Co -create on the Commission's online interview process, and Capacity building of the Commission's ICT team on Mozilla open-source products, and any other technological innovations that would improve the Commission's public service delivery.

In addition, Mozilla Corporation agreed to support the Commission in the development of a new website. This project is ongoing and is expected to be completed and commissioned during the first six months of 2023/24 financial year.



#### 4.6.6 South Korea and Malaysia Cooperation

The Commission undertook study visits to South Korea and Malaysia to explore opportunities for collaboration and networking with relevant institutions and identify processes in public service management which can be adopted in the Kenyan context. During this Mission, the Commission sought to establish cooperation with various institutes in public sector leadership development and education, training, academic research and public sector human resource development. It was proposed that the Commission undertake a closer and more detailed study of the recruitment system and Malaysian New Performance Management System with a view to adapting and implementing a similar system in Kenya. It was also proposed that the Commission finalize and sign MOUs with relevant institutions which is critical in ensuring that the Commission benefits from the abundant resources and the rich experience of the two countries.



*Commissioners Dr. Joyce Nyabuti and Amb. Salma Ahmed with Kenya's Ambassador to Republic of South Korea Mwinzi Mwendu (centre) in her office in Seoul when they paid her a courtesy call during the Commission's benchmarking tour on public sector management and performance improvement initiatives*





*PSC Commissioners Amb. Salma Ahmed and Dr Joyce Nyabuti (3rd and 4th from right respectively) together with senior PSC secretari at staff pose for a photo with officials from the Department for Public Service Management, Putrajaya, Malaysia*

#### 4.6.7 Other Resource Mobilization Initiatives

- a) **Konza Technopolis Development Authority:** The Commission held a meeting with Konza Technopolis Development Authority to explore areas of partnership and cooperation. Following the meeting the Authority donated 2 Idea Hubs for Video Conferencing Solutions, and 50 Virtual Desktop Infrastructure (VDI) personal computers for the ICT training center as part of the Jitume Programme.
- b) **Communication Authority:** The Commission submitted a Funding Proposal to the Ministry of Information, Communication and Digital Economy for support through the Universal Service Fund (USF) which is managed by the Communications Authority.
- c) **The Government of Singapore:** The Commission met a delegation from Singapore on 4<sup>th</sup> April 2023 during which possible areas of partnership and cooperation were explored. The Commission identified appropriate programmes offered by the Singapore Cooperation Programme for the commissioners and staff. The programmes include Innovations in Governance and Strategic Leadership and Public Governance. The programme is scheduled to commence in FY 2023/2024.





*Left- PSC Chairperson Amb. Anthony Muchiri exchanging business cards with the Deputy Secretary, Asia-Pacific, Mr. NG Teck Hean at the Commission House, Nairobi*

#### **4.7 Office Space for Commission Staff**

Construction of additional office space on the fifth floor of the Old Commission Building was completed during the year in order to address the shortage of office accommodation. This has partially helped to decongest the existing offices and provide working space for new staff. The new office floor has 16 adequately furnished offices that are occupied by 30 officers providing three service categories namely administration, EMCS, PM&SDT, and the Citizens Service Delivery Contact Centre. More office space is still required to accommodate new officers considering the expanded mandate of the Commission that now includes recruitment for universities top management and also TVET institutions.

#### **4.8 Research and Policy Analysis Activities**

During the reporting period the following activities were conducted:

- a) Research Policy and Strategy was developed to guide research activities at the Commission. The policy guides and defines research standards and procedures for collecting, retaining,

securing, and sharing research data at the Commission for the purposes of service improvement.

- b) Employee Satisfaction Survey (ESS) was conducted so as to gauge the effectiveness of the interventions on staff satisfaction levels.
- c) Conducted phase II evaluation of the three human resource policies namely; Decentralization of Human Resource Functions, May 2014; Human Resource Planning and Succession Management Strategy for the Public Service, May 2017; and Performance Rewards & Sanctions Framework for the Public Service, May 2016. The review documented the process of key policy areas in human resource management, and provided recommendations. It broadly identified challenges, limitations and successes encountered in the implementation of the policies.
- d) conducted a citizen satisfaction survey with the aim of assessing the level of citizen satisfaction with service delivery.
- e) Developed a Stakeholder matrix which mapped out key institutions that could support the Commission's research initiatives. It provides opportunities to institutions to leverage other players in delivering on their mandate. The mapping and identification of institutions has enabled the unit to have a list of partners to engage with whenever need for consultations arise.

#### **4.9 Information and Communication Technology**

The Commission undertook various interventions to improve the internal business processes and service delivery efficiency through ICT integration. Specifically, the following activities were accomplished:

- a) Enhancement of network, system and data security.
- b) Improved in-house platforms performance and integration of processes.
- c) Digitization of archived records and information.
- d) Operationalization of a digital learning platform.
- e) Upgrade of PSIP management system.
- f) Upgrade of recruitment and selection system.



### 5.1 Introduction

Allocation of Commission funds was guided by its 2022/23 Corporate Work plan which derives its activities and targeted outputs from the PSC Strategic Plan 2019 –24. The financial statement serves a critical accountability purpose in outlining how the Commission applied its institutional means to programmes and activities, establishes the overall efficiency in budget utilization, and makes proposals for the subsequent budget cycles.

### 5.2 Approved Budget for 2022/23 Financial Year

The Commission was allocated Ksh. 2.48 billion broken down to Ksh 2.45 billion for Recurrent and Ksh 26.3 million for Development Estimates in the 2022/23 financial year. This allocation translates to a budget increment of Ksh.87.29 million when compared to the FY 2021/22 allocation of Ksh.2.39billion. The Recurrent budget allocation constituted 99 per cent of overall Commission funding. Personnel Emoluments (PE) budget of Ksh.1.77 billion constituted 71% of the total budget comprising Ksh.895 million for Commission staff and Ksh 922 million for PSIP stipend. The remaining allocation of Ksh.456 million (18%) was earmarked for core Commission mandate programmes. The Commission Development budget of Ksh 26.3 million (1%) was entirely allocated to construction of additional offices on the rooftop, 5th floor, of the old Commission building to address inadequate office accommodation. Instances of negative growth in budget estimates are a result of budget cuts under austerities measures which explains the Commission's need for improvements to budget allocation. The FYs 2021/2022 and 2022/2023 comparative budget allocations are presented in Table 5-1.

Table 5-1: Comparative Budget Allocation by Economic Classification for FYs 2021/2022 and 2022/2023 (Ksh Millions)

Budget Item	Approved Estimates FY 2021/2022	Baseline Estimates FY 2022/2023	Variance/Growth
<b>GROSS RECURRENT</b>	<b>2,372.17</b>	<b>2452.46</b>	<b>80.29</b>
AIA	-1.00	-18.00	-17.00
<b>Net Recurrent</b>	<b>2,371.17</b>	<b>2434.46</b>	<b>63.29</b>
<b>Compensation to Employees (PE):</b>	<b>1,809.70</b>	<b>1,770.56</b>	<b>-39.15</b>
PSC Secretariat (Including Pension & Gratuity)	809.70	894.66	84.96
PSIP (Interns stipend)	1,000.00	922.12	-77.88
<b>Non-Discretionary Expenditure</b>	<b>189.11</b>	<b>179.39</b>	<b>-9.72</b>
a) Utilities (Electricity & Water)	9.85	11.15	1.30
b) Communication (Telephone, Airtime, Leased Lines & Courier)	34.20	34.20	0.00
c) Rent (Bruce House)	10.15	10.15	0.00
d) Insurance (Medical & GPA)	76.31	111.59	35.28
e) Contracted Guards & Cleaning Services	10.60	10.30	-0.30
f) Car Loan and Mortgage	48.00	2.00	-46.00
<b>Core Mandate Programmes</b>	<b>373.36</b>	<b>456.29</b>	<b>82.93</b>
<b>GROSS DEVELOPMENT</b>	<b>19.30</b>	<b>26.30</b>	<b>7.00</b>
<b>Total Recurrent and Development</b>	<b>2,391.47</b>	<b>2,478.76</b>	<b>87.29</b>

### 5.3 Budget Utilization for FY 2022/2023

At the start of the financial year, the Commission was allocated Ksh 2.58 billion to fund 235 planned activities in the Annual Work Plan. However, due to budget realignment, the budget was revised downwards by Ksh 103.38 million to Ksh 2.478 billion. This budget reduction adversely affected the implementation of 107 planned activities, of which 52 were not implemented.

From the revised approved budget of Ksh 2.478 billion, the Commission's actual expenditure for the period was Ksh 2.402 billion, translating to 97% absorption rate. The gross recurrent expenditure was Ksh 2.452 billion, while the actual recurrent expenditure was Ksh 2.381 billion, accounting for 97% of the allocated funds. The allocation for development expenditure was Ksh 26.30 million, while the actual expenditure was Ksh 20.3 million, accounting for 77% of the total approved funds. Table 5-2 presents a detailed analysis of the expenditure.



**Table 5-2: FY 2022/23 Expenditure Analysis (Ksh Millions)**

<i>Budget Item</i>	<i>Printed Estimates</i>	<i>Supplementary Estimates</i>	<i>Approved Estimates</i>	<i>Total Payments</i>	<i>Balance</i>	<i>Absorption Rate</i>
<b>GROSS RECURRENT</b>	<b>2,555.84</b>	<b>-103.38</b>	<b>2,452.46</b>	<b>2,381.81</b>	<b>70.65</b>	<b>97%</b>
A-I-A	-1.00	-17.00	-18.00	-14.49	-3.51	80%
<b>Net Recurrent</b>	<b>2,554.84</b>	<b>-120.38</b>	<b>2,434.46</b>	<b>2,367.32</b>	<b>67.14</b>	<b>97%</b>
<b>Compensation to Employees (PE):</b>	<b>1,868.06</b>	<b>-51.28</b>	<b>1,816.79</b>	<b>1,807.14</b>	<b>9.64</b>	<b>99%</b>
PSC Secretariat (Including Pension & Gratuity)	868.06	26.60	894.66	894.09	0.58	100%
PSIP (Interns stipend)	1,000.00	-77.88	922.12	913.06	9.06	99%
<b>Non-Discretionary Expenditure</b>	<b>197.94</b>	<b>-18.55</b>	<b>179.39</b>	<b>172.99</b>	<b>6.40</b>	<b>96%</b>
a) Utilities (Electricity & Water)	11.15	0.00	11.15	9.76	1.39	88%
b) Communication (Telephone, Airtime, Leased Lines & Courier)	37.75	-3.55	34.20	32.48	1.72	95%
c) Rent (Bruce House)	10.15	0.00	10.15	9.64	0.51	95%
d) Insurance (Medical & GPA)	84.59	27.00	111.59	108.92	2.67	98%
e) Contracted Guards & Cleaning Services	10.30	0.00	10.30	10.19	0.11	99%
f) Car Loan and Mortgage	44.00	-42.00	2.00	2.00	-	100%
<b>Core Mandate Programmes</b>	<b>489.84</b>	<b>-33.55</b>	<b>456.29</b>	<b>401.68</b>	<b>54.61</b>	<b>88%</b>
<b>GROSS DEVELOPMENT</b>	<b>26.30</b>	<b>0.00</b>	<b>26.30</b>	<b>20.38</b>	<b>5.92</b>	<b>77%</b>
<b>Total Recurrent and Development</b>	<b>2,582.14</b>	<b>-103.38</b>	<b>2,478.76</b>	<b>2,402.19</b>	<b>76.57</b>	<b>97%</b>

#### 5.4 Budget Absorption Trend Analysis

The Commission's total recurrent and development budget absorption rates for Financial Years 2020/2021; 2021/22 and 2022/23 were 98%; 96% and 97% respectively. The absorption trend over the years demonstrates timely implementation of planned programmes. However, the under absorption for development budget in FY 2022/23 was largely due to lack of exchequer provision. The comparative budget performance for the Medium Term (2020/21 to 2022/23) by economic classification is presented in Table 5-3.

**Table 5-3: Summary of Budget Performance 2020/21 to 2022/23 (KShs. Millions)**

<b>Item</b>	<i>Approved Allocations</i>			<i>Actual Expenditures</i>			<i>Absorption %</i>		
	<i>2020/21</i>	<i>2021/22</i>	<i>2022/23</i>	<i>2020/21</i>	<i>2021/22</i>	<i>2022/23</i>	<i>2020/21</i>	<i>2021/22</i>	<i>2022/23</i>
<b>RECURRENT</b>	KSh.	KSh.	KSh.	KSh.	KSh.	KShs.	KShs	KShs	
Compensation of Employees	1,660.7	727.81	1,809.26	1,622.5	1,712.20	1,799.84	97.7	99.10	99.48
Use of Goods and Services	442.9	504.12	616.51	440.6	438.36	559.18	99.5	86.95	90.67
Social Benefits	71.3	81.89	7.52	71.3	80.85	7.14	100	98.73	94.95
Other Recurrent	1.8	57.76	19.16	1.8	56.20	10.29	100	96.31	53.68

Item	Approved Allocations			Actual Expenditures			Absorption %		
	2020/21	2021/22	2022/23	2020/21	2021/22	2022/23	2020/21	2021/22	2022/23
Net Recurrent	2,176.7	2,371.17	2,452.45	2,136.2	2,287.61	2,376.45	98.1	96.44	96.89
<b>DEVELOPMENT</b>									
Acquisition of Non-Financial Assets	19.3	19.3	26.3	19.3	6.49	20.38.	100	33.6	77.49
Development	19.3	19.3	26.3	19.3	6.49	20.38	100	33.6	77.49
<b>TOTAL</b>	<b>2,196.0</b>	<b>2,391.47</b>	<b>2,478.75</b>	<b>2,155.5</b>	<b>2,294.10</b>	<b>2,396.83</b>	<b>98.2</b>	<b>96.3</b>	<b>96.69</b>

## 5.6 Resource Mobilization

The Commission continues to mobilize support to increase its resources by engaging the National Treasury, National Assembly, through the resource bidding initiative at Sector Working Group and development partners. The Commission enhanced implementation of its activities through the following support initiatives:

- i). The World Bank -supported Programme to strengthen Governance for Enabling Service Delivery and Public Investment in Kenya (GESDeK) allocated the Commission Ksh 18.91 million.
- ii). Konza Technopolis Development Authority donated 2 Idea Hubs for Video Conferencing Solutions, and 50 Desktop computers for the ICT training center as part of the *Jitume Programme*.
- iii). The National Treasury granted the Commission an AIE of Ksh 38m, while ABSA bank contributed Ksh. 6m to defray the costs incurred during the commissioning of Cohort 5 of the PSIP interns and Cohort 2 under the PSELF by H.E. the President on March 31, 2023.
- iv). The Commonwealth Fund for Technical Cooperation (CFTC) mounted a four -day Leadership Development Training Programme for the Commission Board.

## 5.7 Unaudited Financial Statements for the Period Ended June 30, 2023

The Commission's financial statements for the fiscal year ending June 30, 2023, will be submitted to the Auditor General by September 30, 2023. This is in accordance with Section 81(3) of the Public Financial Management Act, 2012, and Section 90(2)(a) of the Public Service Commission Act, 2017.



## 5.8 Proposals for Subsequent Budget Cycle

Implementation of the Constitutional and legislative mandate of the Commission requires commensurate funding to fully discharge these responsibilities. During the period under review, the Commission undertook a mid-term review of its Strategic Plan (2019 -2024) to align it with prevailing realities focus ing on transformation of public service and creation of a citizen-centric service orientation. However, implementation of the Strategic Plan has been constrained by inadequate funding.

Consequently, the Commission continues to engage the National Treasury, National Assembly and the Sector Working Group to bridge the funding gap. In addition, the Commission will also pursue various funding opportunities through engagement with development partners on collaboration, financial and technical support. As presented in Table 5-4, the Commission's budget allocation for the FY 2023/2024 was Ksh 3.72 billion against a resource requirement of Ksh 4.42 billion which represents a 16% budget deficit.

**Table 5-4: Budget Allocation compared to Requirement for FY 2023/2024 (Ksh Million)**

<i>Description</i>	<i>Requirement</i>	<i>Allocation</i>	<i>Allocation (%)</i>	<i>Surplus/ (Deficit)</i>
<b>Recurrent (Gross)</b>	<b>4,379.43</b>	<b>3,675.50</b>	<b>84</b>	<b>-703.93</b>
AIA	13.00	15.00	115	2.00
<b>Recurrent (Net)</b>	<b>4,366.43</b>	<b>3,660.50</b>	<b>84</b>	<b>-705.93</b>
Compensation to Employees *	2,846.99	2,947.26	104	100.27
Other Recurrent	1,532.45	713.24	47	-819.21
<b>Development</b>	<b>45.3</b>	<b>45.3</b>	<b>100</b>	<b>0.00</b>
<b>Total</b>	<b>4,424.74</b>	<b>3,720.80</b>	<b>84</b>	<b>-703.94</b>

*\*The PSIP (Interns Stipend) Additional Allocation of Ksh. 1 Billion was more than the Commission's Initial Funding request*

### 6.1 Introduction

The Commission made remarkable achievements in the discharge of its mandate during the year under a fairly constrained resource environment. Despite the resource challenges, the Commission played its role effectively in midwifing the transition to a new administration in line with its constitutional mandate and ensuring an uninterrupted delivery of services to the citizens.

Making the public service more efficient and effective and able to cope with emerging challenges remains a key priority. As demonstrated under the activities reported, the Commission's transformation agenda seeks to address impediments to service delivery and make appropriate adjustments to respond to the changing environment including recruitment and retention of talent. It is expected to support modernization of the public service that requires employees to deliver services through the most efficient and effective means to meet citizens expectations.

### 6.2 Achievements

For the year 2022/2023, the overarching achievements of the Commission were in regard to managing transition in the executive arm of government. Ensuring a smooth transition and continuity in service delivery in the public services was paramount both to the incoming administration and to the citizens. Key achievements attained during the period covered by this year's report include:

- a) Issued advisories on transition to the new government, covering key areas of public service management including organizational structures, human resource and transition of staff in the top-level offices to facilitate seamless transition
- b) Successfully undertook the recruitment process for top level public service offices. These included Principal Secretaries, Chief Administrative Secretaries, Vice Chancellors and Principals of various universities and constituent colleges, Governor and Deputy Governor of the Central Bank of Kenya and Chairperson EACC.
- c) Provided technical support to other Constitutional Commissions and Independent Offices. The support included provision of secretariat services to selection panels for recruitment of



a commissioner of the National Police Service Commission, Director of Public Prosecutions and Chairperson Commission on Revenue Allocation.

- d) Recruited 2,281 officers in various Ministries/State Departments comprising of 1,351 (59%) males and 930 (41%) females. 13 PWDs were also considered constituting 1%.
- e) Promoted 10,051 Officers in Ministries/State Departments into various positions in different cadres. Of these, 3,008 (30%) were female, 7,043 (70%) were male and six PWDs.
- f) Reviewed and re-organized structures and staff establishment in 24 institutions in which 9281 posts were established to enhance efficiency and effectiveness in delivery of goods and services
- g) Recruited 3,902 under PSIP and deployment to 250 institutions, the highest since the inception of the Program
- b) In addition to 380 mentors and coaches trained in the previous year, the Commission has trained 200 more in the period under review.
- i) PSELF graduated 51 fellows and recruited the second cohort of 65 from 46 counties.
- j) Hearing and determination of 257 appeals from County Government Public Services.

### 6.3 Challenges

In spite of these significant achievements, the Commission still faces a number of challenges which hamper its smooth operations. These include:

**Encroachment of the Commission mandate** Notwithstanding the constitutional mandate of the Commission, due to the expansion in public service institutions, there are overlaps in the performance of functions to the extent that some institutions are encroaching on the Mandate of the Commission. This is often caused by the existence of different instruments that can be used to assign organizations mandate and functions. These instruments include; the Constitution, Acts of Parliament and the Executive Order.

**Financial Constraints** : The mandate and functions of the Commission require a significant increase in budget support way above the current allocations.

**Human Resource Constraints** : human play a key role in determining the extent to which an institution can deliver on its mandate.

**Limited Office Space**: Similarly, due to the limited office space, the Commission has not been able to recruit optimum level of staffing requirement.

**Diversity and inclusion limitations:** Low response by PWDs, minority and marginalized groups to advertisements for vacancies in the public service declared by the Commission undermines the Commission's efforts to reach the required threshold for inclusivity.

**Non-compliance with values and principles of governance and public service:** Notwithstanding the Commission concerted efforts in the promotion of the values and principles across the public service, a non-compliance index of 58% was registered during the period under review.

## 6.4 Lessons

From the findings detailed in the report, the following lessons were drawn:

**Resources for functions:** Adequate financial and human resources remain critical to performance. Substantial additional financial resources will therefore be necessary to enable the Commission deliver on its expanding mandate that includes regulatory oversight over State Corporations.

**Need for whole-of-government approach:** Owing to the interlinkages in the discharge of roles and functions of different public institutions, a whole-of-government model is important to ensuring all parts of the system function optimally.

**Incremental approach to reform and transformation:** Whereas public sector reforms and transformation programmes are ultimately self-financing, the significant amount of public resources required for their initial implementation call for their objective prioritization, sequencing and phasing.

**Relevance of harmonized institutions and enabling instruments to mandate delineation:** The national landscape for enabling instruments that define functions of public institutions remains fragmented. This has caused mandate conflicts that have at times led to litigation.

## 6.5 Recommendation

**Mandate conflict resolution:** With regard to overlapping mandates, the Commission proposes to use existing mechanisms more robustly for consultations and work closely with the institutions at the Centre of Government in a whole of government approach. This will help clarify which institutions hold primary mandates and how functions are delivered.



**Financial resource mobilization:** The Commission is cognizant of the shrinking public sector resource base within an environment of increasing demands. Whereas the Commission will continue to lobby for more resource allocation by the National Assembly, it is intensifying its resource mobilization activities beyond the government. The Commission is currently at various stages of discussions with development partners with a view to seeking their support.

**Enhancement of Commission human resource capacity:**Effective delivery of the Commission mandate calls for onboarding of additional personnel in the technical directorates. This will help bridge the current gap of 44 percent.

**New approaches to diversity and inclusivity:** The Commission's efforts to achieve inclusivity of PWDs in new appointments in the public service will require concerted efforts to encourage them to apply for the available opportunities. The Commission will conduct sustained awareness and sensitization campaigns to reach out to qualified PWDs through the public media, social media, public barazas and other arms of government including at the county level.

**Deepening of mainstreaming and enforcement of values and principles:**Enforcement of the recommendations on promotion of national and public service values and principles remains one of the major challenges for the Commission owing to low or no funding to undertake the exercise across the public service as well as the absence of mechanisms for enforcement of recommendations. More resources and a new enabling policy and statutory legislation is required to ensure full compliance.

## 6.6 Way Forward for Emerging Issues

The Commission's role in the establishment of strong, efficient and effective public institutions is central to national development. In this regard, PSC remains committed to the fulfilment of this role and the discharge of its mandate as enshrined in the Constitution to ensure efficient and effective citizen-centric service delivery. The Commission's effort at addressing some of its major constraints call for working closely with core public sector actors towards solving challenges with financial resources and overall institutional capacity for delivery. Table 6-1 outlines some of the key emerging issues, proposes interventions and allocates responsibilities and timelines for action.

**Table 6- 1:Roadmap on the Way Forward**

<i>Emerging Issue</i>	<i>Proposed Way Forward</i>	<i>Lead Actor/s</i>	<i>Timelines for Action</i>
<b>1. Inadequate Legal provisions to enforce Commission’s decisions, advisories and guidelines</b>	1.1 Miscellaneous amendment to the PSC Act and Regulations to strengthen enforcement for compliance	<i>Chair PSC, Attorney General</i>	<i>December 30, 2023</i>
	1.2 Review of PSC Act and Regulations to explicitly provide for full scope of mandate		<i>April 30, 2024</i>
	1.3 Fast-tracking the enactment of the Public Service Human Resource Management Bill which will provide the management mechanism for human resource in the entire public service similar to the PFM Act		<i>December 30,2023</i>
<b>2. Encroachment of Commissions Constitutional mandate by other public bodies</b>	2.1 PSC to work with relevant sector actors to set up a sector working group that is responsible for review of mandate disputes that arise in the public service, from time -to-time, and arbitrating on amicable resolutions.	<i>Office of DP, Office of PCS, CS Public Service, Head of Public Service, Attorney General, Chair PSC</i>  Agenda Initiator: <i>Chair PSC</i>	<i>December 30, 2023</i>
	2.2 Inter-Agency forum should have requisite technical, legal and		



<i>Emerging Issue</i>	<i>Proposed Way Forward</i>	<i>Lead Actor/s</i>	<i>Timelines for Action</i>
	administrative anchoring to ensure compliance.		
<b>3. Inadequate internal human resource capacity</b>	<p>3.1 Commission Board has established a special committee responsible for undertaking a review of the PSC organizational structure</p> <p>3.2 Internal stakeholder participation in review and development of a new optimal and functional structure</p>	<i>Chair PSC, Chair of Internal Restructuring Committee, CEO PSC</i>	<i>October 30, 2023</i>
<b>4. Inadequate funding of Commission activities</b>	<p>4.1 Undertake a rapid audit of its actual scope of mandate and workload levels for directorates.</p> <p>4.2 Restructure the Commission Secretariat to a fit-for-mandate organization.</p> <p>4.3 Engage the relevant Committees of Parliament on budget allocation scaling to match Commission functions. In line with the principle of resources following functions.</p>	<i>Chair PSC, CEO PSC, Chairs of Parliamentary Committees on Labour, Budget and Appropriation, Finance and National Planning, Administration and Internal Security, The National Treasury</i>	<i>December 30, 2023</i>





