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Constitutional Commissions converge in Meru to discuss public participation in governance

By Badi Khamis

The Forum of Chairpersons of Constitutional Commissions and holders of Independent Offices held its 7th annual conference in Meru County from 10th to 12th October 2018 to deliberate on effective ways to promote public participation in governance.

President Uhuru Kenyatta addressed the forum on its third day at Meru National Polytechnic.

In attendance were chairpersons, commissioners and senior officers from 16 Commissions and independent Offices. The forum provided a platform for constitutional offices to share knowledge, experiences and challenges encountered in the course of discharging their various mandates to the citizens. It also pursued ways of integrating and mainstreaming the marginalized groups in governance through public participation.

The members meet every year to review the status of resolutions agreed in the preceding conferences.

PSC chairperson Stephen Kirogo told the opening session of the forum that citizens expect excellent services from all constitutional commissions and independent offices. He reiterated the importance of a citizen-centric approach to solve their problems.



PSC Chairperson Stephen Kirogo addresses delegates during the 7th Annual Conference of Chairpersons of Constitutional Commissions and holders of Independent Offices at the Three Steers Hotel in Meru county on 10th October 2018

“Public Service is about ensuring that the people we serve get treatment when they are sick, and that there is also food security,” said Mr. Kirogo. On public participation in governance, Mr Kirogo, underscored the need to exploit and leverage on social media to reach as many people as possible.

The forum chairperson who is also the chairperson of the Teachers Service Commission Dr Lydia Nzomo challenged all the commissions and independent offices to sensitize the public on their respective mandates. “Interaction with the public is paramount if we are to get feedback on ways to improve our roles as Commissions and Independent Offices,” said Dr. Nzomo.

She expressed appreciation for the support rendered by partner commissions in ensuring the conference was a success as

she lobbied for establishment of a permanent secretariat to manage members’ logistics.

Public Service Commission was represented by Commissioners Lawrence Nyalle, Veronica Birgen, Catherine Omweno, Deputy Commission Secretary (Technical Services) Jane Chege, Chief Commission Counsel Jacqueline Manani, Assistant Director Compliance & Quality Assurance Francis Lemarkat and Assistant Director Human Resource Management & Development Ethel Bulili.

The commission also participated in the exhibition that was held on the sidelines of the conference.

CEOs discuss the ‘Big Four’

By Pauline Muriuki

The Kenya Utalii hotel hosted a dinner for CEOs of state agencies on 10th October 2018 to reflect on President Uhuru Kenyatta’s Big Four development agenda. The theme of the dinner was “Supporting implementation of the Big Four Development Agenda”.

In his welcoming remarks, the Chief Executive Officer of the Kenya Utalii College Mr Hashim Mohammed stated that the objective of the function was to pull together as CEOs to ensure that their institutions jointly drive and support the implementation of the Big Four Agenda.

The Public Service Commission Chief Executive Officer Dr Alice Otwala made a presentation on *“the Unique and Challenging Role of a CEO”*. Five of the challenges Dr Otwala emphasized are: the need to figure out what responsibilities to delegate; the ability to make big decisions and taking heavy risks; unpredictability of the CEO’s job; the need to keep tabs on the budget and spending; and the need to



PSC Chief Executive Dr Alice Otwala

earn the respect of the employees.

“As CEOs, we are always expected to provide resources, even in times of austerity to keep the organization running,” Dr Otwala said. She added, “We are normally therefore not only expected to control spending, but also to devise ingenious ways of raising funds for the organization to execute its vision. Not only is balancing this role a huge challenge, there are very few avenues for maneuvering out of financial constraints.”

The guest speaker was the acting General Manager of the Kenya Utalii Hotel, Ms Florence Njau. Other speakers were the Secretary of the State Corporations Advisory Committee Jane Mugambi and the Inspector

General of State Corporations Titus Muriithi.

Also present were the Director General of the National Council for Population and Development Dr. Josephine Mbae, the Director General of Kenya School of Government, Dr Ludeki Chweya, Sacco Societies Regulatory Authority CEO John Mwaka, Kenya Deposit Insurance Corporation CEO Mohamud Mohamud, Kenya National Qualification Authority Director General Dr Juma Mukhwana, Youth Enterprise Development Fund CEO Josiah Moriasi and the ICT Authority Ag CEO John Serгон.

The Big Four agenda focuses on manufacturing, affordable healthcare, food security and housing.

“As CEOs we are always expected to provide resources, even in times of austerity to keep the organization running,” - Dr Alice Otwala

PSC chairperson pays courtesy calls to CSs

By Joan Machayo

Public Service Commission Chairperson Stephen Kirogo reached out to four ministries to discuss human resource issues affecting the ministries.

Mr Kirogo was accompanied by fellow commissioners and CEO Dr Alice Otwala during the courtesy calls held between 2nd and 12th October 2018.

At the Ministry of Public Service, Youth and Gender Affairs, the CS Prof. Margaret Kobia tabled a proposal on succession management which is to be jointly implemented by the Ministry and PSC.

The CS Ministry of Health Cecily Kariuki highlighted the challenges encountered in health facilities in the counties. Ms. Kariuki said that most of the facilities are operating far below the required capacity. She requested the PSC to intervene and address the capacity gaps experienced in the ministry. The CS also wanted the PSC to fast track the ongoing recruitment of health personnel for the ministry



PSC CEO Dr Alice Otwala and Chairperson Mr Stephen Kirogo, with the CS Ministry of Education Amb Amina Mohamed (centre) and senior officers from the Ministry of Education during a courtesy visit to the Ministry at Jogoo House.

of health. She said the ministry had identified pilot counties for achievement of Universal Health Coverage under the Big Four Agenda. She said her ministry has identified Othaya County Hospital as a center of excellence and will be taken over by the national government as a Level Six health facility.

At the Ministry of Education, the CS Amb. Amina Mohamed stated that the Ministry was ready to carry out national examinations to be held in October and November. On Technical and Vocational Education Trainers (TVET), the CS confirmed that the ministry has finalized their

transfer from the Teachers Service Commission to PSC, noting that 3700 trainers will be moved. She informed PSC that the ministry is also putting in place relevant structures for operationalizing the state department for post-training and skills development.

The other ministry visited by the Commission was the Ministry of Environment where the Vice chairperson Amb. Peter Ole Nkuraiya accompanied by senior secretariat staff deliberated on matters of mutual concern.

PSC stand at Nairobi show attracts crowds



Ms Damaris Onsongo, Principal ICT Officer (left) and Ms Charity Odhiambo, Senior HRM Officer attend to a client at the PSC Stand during the ASK Show at Jamhuri Park grounds

By Pauline Muriuki and Badi Khamis

The much anticipated Nairobi International Trade Fair kicked off at the Jamhuri Park grounds from 1st to 7th October 2018. PSC participated in the Show

whose theme was “Promoting Innovation and Technology in Agriculture and Trade.”

A team of exhibitors from the Commission used the

opportunity to showcase the Commission’s programs and sensitize visitors on the mandate of the Commission, policy documents, values and principles of public service. They also got feedback on various issues touching on its performance and expectations. The PSC exhibitors engaged stakeholders at different levels - a great percentage of whom were public servants who raised issues to do with recruitment and selection. They generally sought to know how PSC ensured transparency and fairness in the recruitment process. Most of the clients were satisfied with the explanation given after they understood the criteria used to ensure fairness in the processes.

Among the visitors were primary and secondary school students from Machakos and Makueni counties. They were eager to learn about the functions of the Commission and how one can secure employment in the public service on completion of their education.

PSC showcased its programs, established networks with stakeholders and received feedback that will contribute towards enhanced service delivery.

Syllabus for Administrative Officers’ exams set for review

By Nelson Njue

A review of the Administrative Officers’ (AOs) curriculum and examination syllabus has begun in earnest. Public Service Commission in conjunction with the Ministry of Interior and Coordination of National Government, Kenya School of Government and Kenya Institute of Curriculum Development has embarked on the exercise with the appointment of a working team comprising officials from the three institutions.

The first step in the review process is the Training Needs Assessment (TNA). This will identify both the existing and potential deficiencies in AOs performance, evaluate the current state of the curriculum for AOs which was last reviewed in 2007 and point out areas that require review; and establish

competency gaps and key problems in the operation of AOs regarding competences/skills, curriculum content gaps, and weaknesses in the way the exam is managed and administered.

The TNA exercise will bring out the weaknesses of the AOs examination syllabus currently in use and address the identified weaknesses through updated syllabus content, training modes and examinations management.

The review process kicked off in August 2018. The working team was led by the Director for Administration - State Department for Interior, Mr Peter Mbugi. TNA instruments were developed and administered to the Administrative Officers through Regional Administrative Offices; dully completed evaluation instruments received back, and focus groups discussions held to collect their views on the AOs

curriculum and Examination Syllabus. The views collected have greatly informed the review process and provided the primary information in addressing the gaps in the current curriculum. Following the successful administration of the TNA instruments, a six days’ workshop through the facilitation of the Ministry of Interior and Coordination of National Government as the sponsoring agency was held from 1st to 6th October, 2018 at Machakos University.

PSC was represented by Deputy Commission Secretary (Technical Services) Jane Chege and acting director HRM&D Joan Machayo among others. A draft report was prepared and will be subjected to the internal stakeholders for guidance and value addition. The report highlights the gaps in the current syllabus, and makes suggestions on remedial actions.

Embracing ADR mechanisms to evade litigation costs

By Christine Baari

Alternative Dispute Resolution (ADR) mechanisms are many and varied and apply differently to different types of disputes. Worldwide, ADR is the current 'buzz' word in the corridors of justice as it has been deemed the way to go in resolution of disputes as opposed to the old adage "let us meet in court". The different mechanisms have been recognized by law as legal ways of settling disputes and such settlements can be adopted as binding decisions of a court.

In the last two years, the judiciary, aware of the case backlog in the Kenyan courts has implemented court annexed resolution of disputes through ADR mainly mediation, as a way of unlogging the seemingly overburdened legal system.

Article 252(1) (b) of the Constitution, allows the Commission to apply Conciliation, Mediation and Negotiation in dispute resolution. The Commission in an effort to foster the spirit of the Constitution, developed and issued to the service guidelines on Mediation, Conciliation and Negotiation, as alternative forms of dispute resolutions.

The guidelines were to enable the Commission conduct conciliations, mediation or negotiation of employment disputes in a structured manner and afford parties an opportunity to create solutions that are

uniquely designed to address employment disputes and arrive at voluntary, purposeful and mutually acceptable agreements that are beneficial to disputing parties.

The growth in common law, constitutional and statutory protection against unfair dismissal, coupled with a generally aware employee, has resulted in an explosion of employment related litigation, both before the Employment and Labour Relations' court and the Constitutional and Human Rights division of the High court, challenging employer decisions. In the last financial year alone, 40 new cases were filed against the Commission, excluding over 300 others that were pending from previous years. These cases arose from decisions of the Ministerial Human Resource Committees (MHRAC) on discipline matters, Commission decisions on appeal and review as well as those arising from public interest litigation.

Other than the court cases which are usually a last ditch resort by employees to address what they deem unfairness at the work place, day to day discipline cases are matters that could be amicably resolved through the use of ADR under the existing guidelines.

The judgments and rulings delivered by courts in the recent past (where Commission was a party), point to the need to take ADR more seriously due to the significant costs imposed on the

Commission, Ministries and departments, and the general costs of legal fees borne by employees while pursuing these cases.

The costs aside, litigation has overtime proved to be generally unsatisfying and lengthy leading to emotional distress on the

"Embracing the use of ADR will enable the Commission and by extension Ministries and Departments, in the spirit of efficiency and effectiveness in the service, create work places that are more collaborative, team oriented, less confrontational...." — Christine Baari

affected employees.

Embracing the use of ADR will enable the Commission and by extension Ministries and Departments, in the spirit of efficiency and effectiveness in the service, create work places that are more collaborative, team oriented, less confrontational and save on the high costs of litigation.

Ms Christine Baari is an Assistant Director, Legal Services in the Public Service Commission

Demystifying the gym – *with Kenneth Muchira*

Now that the culture of ‘hitting the gym’ is finally catching up in Kenya, it is important that the key stakeholders in the health and fitness industry do whatever they can in support of this cause. As fitness instructors, the least we can do is shed some light on important issues concerning exercises. This will be a good chance to bust some of the myths that have become notoriously pervasive on matters gym.

I will gain muscles like men when I go to the gym

Ladies, this one is for you. When you see some of us walking around, muscles protruding from every part of the body, please know that it takes years to get there. You do not just walk in to a gym today and wake up with muscles tomorrow. Secondly, people have different reasons for going to the gym and different exercise regimes yield different results. A good instructor will be able to guide into exercises that will help you lose weight, gain weight, build muscle or gain more flexibility. It all depends on the client’s preferences.

I don’t have the time

You will be surprised to learn that a mere thirty minutes could be all the time you need for a single session. In fact, research informs that one should spend 45 minutes in the gym or one hour



Mr Kenneth Muchira (second left) with PSC staff during a training session in the PSC gymnasium

maximum. It is encouraging that many P.S.C staff members have been able to realize this and are now spending their lunch hours in the gym. Some senior members including commissioners, visit the gym the moment they get a few free minutes late mornings, late afternoon hours or even way after their working hours. This should be an inspiration to the rest of us. Remember, we never have time, we create it!

Too old to start

It is never too late to start caring about your body. Of course the earlier you start the better, but still that does not shut any one out of the gym.

There is a popular mantra among fitness trainers that says ‘*there is something for everyone in the gym*’. Regardless of your age, weight or gender, fitness instructors will always have something that suits you in the gym.

So let’s get off our couches and go make our bodies stronger and healthier in the gym. After all, your body is the only place that you have to live in, why not take good care of it?

Kenneth Muchira is a fitness instructor at the Public service commission gymnasium

PICTORIAL: PSC AT THE NAIROBI INTERNATIONAL TRADE FAIR



Left: Assistant Director Legal Services Christine Baari (second right) briefs ASK judges on the Commission's role in promoting national cohesion. On the right is Assistant Director C&QA Francis Lemarkat



Above: Assistant Director Research Ms Rahma Hassan (right) shows policy documents to a client at the ASK show



Left: Chief HRMO, Alice Chepng'etich responds to a client's enquiries



Above: Assistant Director HRM Ethel Bulili explains the policy development process to a client.



Left: Principal ICT officer Damaris Onsongo and Senior HRMO Charity Odhiambo explain the recruitment and selection process to a client

Below: PSC Exhibitors pose for a photo with pupils from Kikongoni Primary School in Machakos county



Right: Assistant Director HRM Fidelis Macharia explains the policy implementation process to clients



Above: (L-R) Senior Office Administrator Alice Nyamao and Communication intern Dorange Ousa explain the Commission's mandate to a public officer visiting the PSC stand

PSC IN PICTURES



L-R Deputy Commission Secretary Technical Services Ms Jane Chege, Chief Commission Counsel Ms Jacqueline Manani and Commissioner Veronica Birgen during a break at the 7th Annual Conference of Chairpersons of Constitutional Commissions and holders of Independent Offices at the Three Steers Hotel in Meru county



The PSC team of exhibitors pose for a photo with Commissioner Lawrence Nyalle who visited the stand at the Jamhuri Park grounds



PSC Chairperson Stephen Kirogo (left), Commissioner Veronica Birgen and TSC CEO Dr Nancy Macharia during the 7th Annual Conference of Chairpersons of Constitutional Commissions and holders of Independent Offices at the Three Steers Hotel in Meru county



R-L: PSC Commissioners Catherine Omweno, Prof Michael Lokuruka, Lawrence Nyalle, Titus Ndambuki, Chairperson Mr Stephen Kirogo (centre) and CEO Dr Alice Otwala (extreme left) pose for a photo with SRC commissioners in the Commission Boardroom during a courtesy call on PSC

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Vision

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

Mission

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

Core Values

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

Public Service Commission departments

- Recruitment and Selection
- Human Resource Management & Development
- Establishment and Management Consultancy Services
- Board Management Services
- Compliance and Quality Assurance
- Finance and Planning
- Corporate Services
- Legal Services

Commissioners

Stephen Kirogo, CBS	-	Chairperson
Amb. Peter ole Nkuraiya, CBS	-	Vice Chairperson
Patrick Gichohi, CBS	-	Commissioner
Titus Ndambuki, CBS	-	Commissioner
Dr Judith Bwonya, MBS	-	Commissioner
Catherine Omweno, MBS	-	Commissioner
Veronica Birgen, MBS	-	Commissioner
Lawrence Nyalle, MBS	-	Commissioner
Prof. Michael Lokuruka, EBS	-	Commissioner

Secretary/Chief Executive

Dr. Alice A. Otwala, (Mrs) CBS