PUBLIC OFFICERS' INTEGRITY SURVEY 2007

Kenya Anti-Corruption Commission (KACC)

Directorate of Preventive Services

On the Frontline against Corruption

KENYA ANTI - CORRUPTION COMMISSION MISSION STATEMENT

OUR MANDATE

To combat corruption and economic crimes in Kenya through law enforcement, prevention and public education as stipulated in The Anti-Corruption and Economic Crimes Act, 2003.

OUR VISION

To be a world class institution fostering zero-tolerance to corruption in Kenya.

OUR MISSION

To combat corruption and economic crimes through law, enforcement, prevention and public education.

OUR CORE VALUES

Courage

Integrity

Teamwork

Professionalism

Fidelity to the law

Excellence in service

FOREWARD

The public sector reforms being pursued in Kenya focus on improving the performance of public institutions, enhancing service delivery and promoting transparency and accountability in the conduct of public affairs. Visible outcomes of such reform initiatives include among others the enactment of the Anti-Corruption and Economic Crimes Act 2003, the Public Officer Ethics Act 2003 and the Public Procurement and Disposal Act 2005. The introduction of Performance Contracts, Service Charters and the Rapid Results Initiative has led to improvement in public service delivery. Kenya received the 2007 UN Public Service Innovation Award for implementation of Performance Contracting.

Despite the Government's efforts in spearheading governance reforms, corruption levels within the public sector still remain high. National Corruption Perception Surveys conducted by KACC in 2005 and 2006 found that Kenyans who seek public services gave a bribe or "gift" in order to be served. The Surveys further found that in most cases, a service provider (i.e. public officer) asked for a bribe.

The Commission carried out the Public Officers' Integrity Survey so as to provide a comprehensive diagnosis of the extent, nature and causes of corruption within the public sector from the perspective of public officers themselves. The Survey provided an opportunity for the public to appreciate the challenges public officers face in the process of discharging their duties and responsibilities and service provision. The Survey findings will inform the design, development and implementation of new strategies and reform measures as well as deepen the ongoing reforms geared towards preventing corruption and economic crime and strengthening institutional governance in Kenya.

This Survey provides important information which will be useful in the fight against corruption and economic crime and improving governance of public institutions. First, the survey shows that a number of key government ministries and departments are perceived by the public officials as prone to corruption and poor service delivery. Secondly, the functional areas considered prone to corruption include human resource management, procurement and financial management. Thirdly and finally, bribery demands are prevalent in seeking promotions, training opportunities, during legal proceedings, land transfers, processing of passport and birth and death certificates. The Survey indicates that low pay,

greed/selfishness and the culture of gift giving are some of the leading causes of corruption among public officials.

The Survey findings point to the need to enhance the integrity and ethics of public officers and to deepen ongoing reforms intended to reduce corruption and improve governance and service delivery. The Survey results will be applied in mapping the strengths and weaknesses of the public sector and identifying potential pay-offs with reform interventions.

It is therefore my pleasure to present this Report on behalf of the Kenya Anti-Corruption Commission. I encourage all stakeholders and public officers in particular to read the Report and identify areas that we can jointly or individually pursue in the fight against corruption and economic crime and enhance governance of public institutions.

I thank all those who participated in any way in the Survey, particularly the public institutions, public officers and the Commission staff. The Commission worked very closely with the Directorate of Personnel Management, Public Sector Reform and Development Secretariat, Kenya National Bureau of Statistics, Teachers Service Commission and other relevant institutions in undertaking this Survey.

Justice Aaron Ringera
Director/Chief Executive
Kenya Anti-Corruption Commission

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CPCs	–	Corruption Prevention Committees
CSPRO	–	Census and Survey Processing System
ERSWEC	–	Economic Recovery Strategy for Wealth and Employment Creation
IAO	–	Integrity Assurance Officers
ICTs	–	Information Communication Technologies
KACC	–	Kenya Anti-Corruption Commission
KNBS	–	Kenya National Bureau of Statistics
Kshs	–	Kenya Shillings
KWS	–	Kenya Wildlife Services
MPND	–	Ministry of Planning and National Development
PSRD	–	Public Sector Reform and Development
RRI	–	Rapid Results Initiative
SNA	–	Systems of National Accounts
SPSS	–	Statistical Package for Social Scientists
TI	–	Transparency International
TSC	–	Teachers Service Commission

EXECUTIVE SUMMARY

The Kenya Anti-Corruption Commission undertook the Public Officers' Integrity Survey in March 2007 as an integral component of its prevention programmes. This is one of the Surveys that the Commission undertakes to generate requisite data necessary for guiding the formulation, prioritization and implementation of various anti-corruption programmes. Information generated by the Surveys is also used by the Government and other stakeholders to inform the implementation of various reforms aimed at enhancing good governance and improving service delivery.

The Survey was conducted with the overall goal of identifying measures needed to enhance the fight against corruption and economic crimes. The Survey targeted public officers drawn from the public sector as the respondents. The Survey's main objective was to establish the extent/level of corruption in the delivery of services within the public sector.

The main findings of the Survey are;

Corruption is still pervasive and public concern is high. Though on a declining trend, corruption is still rampant. The main findings in specific areas are as follows:

a) Understanding of corruption, its causes and common practices

The public officials largely understand corruption to mean giving and taking bribes and abuse of office while its main causes are seen to be poor remuneration in the public service, greed/selfishness, and the culture of gift-giving. The other identified causes included high cost of living, poor management practices in public organizations, poor law enforcement and punishment of corrupt officers, lack of effective motivation mechanism, job insecurity, poor economic policies such as privatization, lack of effective corruption reporting system, and lack of an independent and effective judiciary.

The common corrupt practices as established by this Survey include; Tribalism/ Nepotism/Favouritism, Bribery, Embezzlement of public funds, Extortion/fraud, and Absenteeism from duty during official working hours. Bribery demands or nepotism/tribalism/favouritism are mainly practiced internally when seeking promotion, deployment and training opportunities or externally when pursuing legal proceedings, land transfers, seeking birth and death certificates, securing an Identity Card, applying for a passport among others.

b) Levels of corruption and toppers of the list of the most corrupt

Corruption reduced significantly between 2003 and 2006 based mainly on public officers' personal experiences with corrupt practices and information from the media over the three year period. At the same time, toppers of the list of most corrupt institutions included the Ministry of Provincial Administration and Internal Security followed by the Ministries of Land and Settlement, Health, and Local Government among others. It is observed that almost the same institutions are also perceived to be the most corrupt by the public based on other surveys such as the annual National Corruption Perception Survey. Within institutions, finance and accounts department, technical services and procurement were found to be prone to corruption.

c) Corruption reporting and protection of whistleblowers

There is lack of an effective internal mechanism of reporting corruption within public institutions. Factors contributing to this state of affairs include lack of full time staff at the corruption reporting offices and lack of regular and adequate funds for the corruption reporting units. Furthermore, not all cases reported are acted on thus discouraging corruption reporting. Other reasons behind failure to report corruption were lack of protection for those who report the vice, the process of corruption reporting being too complex and long, lack of adequate evidence, and the general perception that reporting corruption amounts to betraying a colleague. Some public officers indicated that they didn't know where to report corruption while others did not know the reporting mechanism. Besides, there is no adequate system to protect the whistleblowers.

d) Public Sector Management Practices

While most management systems such human resource, financial, procurement, records and communication etc were found to be transparent, formal and are laid down in various regulatory instruments; there were serious capacity challenges and bureaucracy in the systems, observed duplications and overleaps and slow uptake of ICTs and its integration in management systems.

In procurement in particular, common malpractices included contractor monopolies, adjusting technical specifications in contracts, modification of terms of the contract and bribery to award a contract among others that led to lack of transparency and accountability in the procurement system. These could be reduced or eliminated through strict

enforcement of the Public Procurement and Disposal Act 2005, the Public Procurement and Disposal Regulations 2006, the Public Officer Ethics Act 2003, and the Anti-Corruption and Economic Crimes Act 2003.

e) Public Service delivery and reforms

Despite the fact that the service quality and accessibility rating was relatively high and that the services were perceived to have met customer expectations, complaints on account of poor service delivery were prevalent.

Key reforms that underpin anti-corruption, integrity, ethics and service delivery include performance contracting, establishment of Corruption Prevention Committees (CPCs), training of Integrity Assurance Officers (IAOs), installation of corruption reporting boxes, regular declaration of wealth by public officers and implementation of RRI. However, sustainability of the reforms measures should be addressed. The RRI in particular faces a number of challenges including financial constraints, lack of adequate facilities and staff constraints.

Arising from the findings of this Survey, the following recommendations should be considered by public sector institutions and the anti-corruption agencies, especially KACC so as to address identified problems in public sector management:

a) The ministry responsible for public service should, in collaboration with KACC and the government training institutes, mainstream anti-corruption, integrity and ethics training in the public service so as to enhance understanding of corruption, its causes and common practices among public officials through education and training based on among others the Public Service Integrity Programme (PSIP), the Anti-Corruption and Economic Crimes Act 2003 and the Public Officer Ethics Act 2003.

b) The ministry or office responsible for coordination of government should, in collaboration with KACC and other anti-corruption agencies, deal with the perennial toppers of the list of the most corrupt in the public sector through a combination of targeted measures including corruption prevention measures such as review of policies, systems and procedures to identify and seal corruption loopholes; education and awareness; investigation, prosecution and adjudication of corruption cases; and RRI etc

c) The ministry responsible for the Whistleblower Protection Bill in collaboration with the Attorney General and the anti-corruption agencies should lobby the relevant stakeholders mainly the Parliament to enact the Whistleblower Protection Bill to provide adequate mechanism for protecting whistleblower and encouraging corruption reporting. In public institutions, there is need to put in place effective internal mechanism of reporting corruption including creating and operationalising corruption prevention units and CPCs, simplifying processes of reporting through corruption reporting boxes, and anonymous reporting. KACC should also expand its outreach to the regions to facilitate easier access to report centers.

d) All chief executives and managers of public institutions should promote sound, transparent and accountable management systems and practices in public institutions through regular systems reviews, process re-engineering, computerisation, capacity development, and adopting open systems for communication, etc.

e) The Public Procurement Oversight Authority in collaboration with Ministry of Finance and line Ministries/Departments should address procurement malpractices through strict enforcement of the Public Procurement and Disposal Act 2005 and the Public Procurement and Disposal Regulations 2006; and modernisation and simplification of procurement processes through adoption of e-procurement.

f) The ministry responsible for public service in collaboration with all line ministries and departments should initiate and coordinate anti-corruption, governance and service delivery reforms in public institutions through deepening of performance contracting; mainstreaming corruption prevention strategies including establishment of Corruption Prevention Committees (CPCs), training of Integrity Assurance Officers (IAOs), installation of corruption reporting boxes; regular declaration of wealth by public officers; and implementation of RRI.

f) All public service institutions should address the sustainability challenge for RRI through institutionalisation of the RRI in their institutions; entrenching RRI into the management systems; and providing adequate capacity and funding for RRI initiatives.

1. BACKGROUND

1.1 Introduction

Corruption has remained one of the major international concerns of the past decade. Cutting across social, cultural and economic dimensions, corruption is universally perceived as the biggest human induced threat facing humanity at the moment. Currently, there is active debate among scholars on the exact ways in which corruption affects particular societies. However, international institutions promoting good governance reforms have, for example persistently argued that corruption and other unethical practices undermine democratic governance and stability. However, these conclusions seem to understate the impact of corruption when compared to other universally-held assumptions. Literature on mainstream economics, for instance, postulate that corruption attacks the foundation of democratic institutions by distorting the electoral processes, perverting the rule of law, and creating bureaucratic quagmires whose only reason for existence is soliciting for bribes.

The National Anti-Corruption Plan (KACC, 2006) acknowledges that corruption hinders economic development, disproportionately affects the poor and marginalized through excluding them from access to services, or reduces the funds available for direct investment in infrastructure. It affects services available to society and undermines efforts to achieve planned national targets. Corruption depresses an otherwise attractive climate for international investment and hampers social and economic development. Evidence from across the globe confirms that corruption has devastating economic consequences such as wasteful spending, bigger budgetary deficits, greater economic inequality, disinvestment as well as unorthodox trading practices, which negatively impact on economic growth, poverty alleviation efforts and human security. Economic development is stunted because foreign direct investment is discouraged and small businesses within the country often find it impossible to overcome the "start-up costs" required because of corruption.

Though corruption is a global problem, it is more prevalent in developing countries, principally because they have more opportunities for corrupt practices and fewer resources for fighting the menace. In post independent Kenya, corruption has been both a cause and consequence of the structural decay bequeathed by decades of rent-seeking behaviour. As a phenomenon, corruption has defied years of economic and political reforms, and has undermined efforts to improve the standards of living for Kenyans. Equally, it has hampered the establishment of democratic governance.

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The need to engineer sustained economic growth, reduce poverty and create employment demands the transformation of the Public Service to one that is more focused, efficient and increasingly responsive to the needs of those it serves. Since the 1990s, large amounts of public funds have been spent on the development of new legislation at the national level, the creation of national anti-corruption programmes and evolution of anti-corruption committees within government institutions. In 2002, the Government committed itself to undertake Public Service Reforms in order to support the implementation of the Economic Recovery Strategy for Wealth and Employment Creation (ERSWEC, 2003 - 2007) and the progressive attainment of the Millennium Development Goals. As part of these reforms, the Government is currently institutionalizing a focused approach for rapid reforms in the provision of better services within the entire Public Service under the theme "***Results for Kenyans***". These measures are aimed at strengthening governance and building capacities of institutions to fight corruption and improve the quality and efficiency of public services.

Even though the Government has spearheaded the implementation various reforms aimed at preventing corruption within the public sector, corruption levels still remain high. According to the National Corruption Perception Survey conducted by KACC in 2005 and 2006, 30.5 percent and 23.1 percent of Kenyans who seek public services respectively gave a bribe or "gift" in order to be served. The Surveys further found that in most cases, a service provider (i.e. public officer) initiated or asked for a bribe (72.0% in 2005 and 75.1% in 2006.) The findings confirmed that corruption was rampant in the public sector. Based on this findings, it was felt that a detailed and comprehensive diagnosis of the extent, nature and causes of corruption within the public sector be undertaken so as to form the basis for deepening the ongoing reforms for preventing corruption and strengthening institutional governance in Kenya.

It is against this background that the Commission undertook the Public Officers' Integrity Survey 2007. The Survey sought to provide empirical data and insights for strengthening anti-corruption programmes and the various ongoing institutional reform programmes aimed at improving public service delivery. The Survey provides indicators that could be useful in subsequent efforts to assess whether or not the incipient efforts going into the fight against corruption are bearing any tangible fruits. In addition, the Survey has established benchmarks for monitoring the effectiveness of the existing interventions carried out. This Survey provides an objective basis for formulating policies to improve governance and better combat corruption within the public sector.

1.2 Objectives of the Survey

The overall goal of the Survey was to identify measures to be implemented to enhance the fight against corruption and economic crime within the public sector. The main objective of the Survey was to establish the extent/level of corruption in the delivery of services within the public sector. The specific objectives of the Survey included:

(i)   Determine the status of corruption within the public service sector;

(ii)   identify attitudes, values and opinions of public officers on corruption;

(iii)   Establish the perceptions of public officers on corruption, performance and quality of services in the public sector;

(iv)   Examine public-sector management practices which promote and sustain corruption and corrupt practices;

(v)   Determine suitability and effectiveness of the ongoing public service reforms;

(vi)   Identify sections of the public sector that are at a greater risk of corruption;

(vii)   Assess the effectiveness of the accountability mechanisms that are in place; and

(viii) Propose measures based on the survey findings on the best ways of tackling corruption and ensuring effective and efficient public service delivery.

1.3 Organization of the Report

This Report is organized in six sections. While section one provides the background of the study, section two describes the methodology used in carrying out the Study. The Study findings are detailed in section three, four and five. The last section (six) gives the conclusions and recommendations based on the findings of the study. A brief description of the structure of Kenya's civil service as well as the demographic, social and economic characteristics of the survey respondents are provided as an appendix to the Report.

2. METHODOLOGY FOR THE STUDY

2.1 Introduction

The Survey largely relied on both secondary and primary data. The data, both quantitative and qualitative was collected using appropriate methods and tools. Secondary data was collected through a review of relevant literature. Primary data was collected through a standard questionnaire. Key informant interviews were held with identified respondents so as to enrich the primary data where necessary.

2.2 Research Design, Sampling Frame and Sample Size

The Study was designed as a sample survey. The dichotomy of Public Service as defined in the 1993 United Nations Systems of National Accounts (SNA 93) captured in the 2006 Economic Survey, was used to guide the formulation of the sampling frame for this survey. As presented in the 2006 Economic Survey, the Public Service is taken to constitute employees of Local Authorities, Parastatals, Teachers Service Commission (TSC) and the Mainstream Civil Service. The list of Public Service institutions (with information on the establishment, location and employees) formed the sampling frame for the survey.

A two-stage stratified sample design was used to select the sample. This involved selecting public officers and public institutions using a stratified sampling method. The selected institutions included Government Ministries, Departments and Agencies, State Corporations and Local Authorities. Records kept at the Directorate of Personnel Management (DPM) were then used to determine the number of employees to be interviewed for Government Ministries, Parastatals and Local Authorities.

A list of civil servants grouped into various job groups, A–D, E–G, H–K, L–M, P–Q, and R–T, was prepared as a sub-domain. The sub-domain for Parastatals and Public Commissions was classified as top management, medium management and lower cadre staff. Table 1 presents the sample distribution by the four strata using staff estimates from the National Economic Plan, 2006.

Table 1: Sample Allocation

Strata	Public Service Establishment		Sample Allocation	
	Number of Employees	Proportion (%)	Number	Proportion (%)
Civil Service	195,000	29.6	887	29.6
Local Authority	85,600	13.0	390	13.0
Parastatal	143,700	21.8	654	21.8
Teachers Service Commission	235,000	35.6	1,069	35.6
Total	**659,300**	**100.0**	**3,000**	**100.0**

The above sample was distributed in 36 districts spread across the country. Since this was a national survey, districts were stratified and selected based on similarities in the working environment per province. Nairobi Province accounted for 42 percent of the sample. The other Provincial Headquarters were allocated a sample equal to the number of Ministries in the main civil service. All other districts were allocated an equal sample. The above sample was then applied to classified job groups (Table 2).

Table 2: Grouping for Public Service employees

Public Service	Job Groups	Sample (%)
a) Mainstream civil service	Job Group A - H	60
	Job Group J - N	30
	Job Group P - V	10
b) Local Authorities and Parastatals	Top Management	10
	Middle Level Management	30
	Lower Cadre	60
c) Teachers Service Commission	Primary School Teachers	62
	Secondary School Teachers	38

2.3 Scope of the Study

The Public Service encompasses the Central Government, Local Authorities, the Teaching Service and Parastatals. Under the Central Government are the core Civil Service, the Judiciary, the State Law Office, the Parliamentary Service Commission, the Disciplined Forces and the Armed Forces. The Parastatals comprise Public Universities and State Corporations which are agencies and enterprises wholly owned by the state and state controlled enterprises where the Government has majority shares. The Survey was based on a representative sample of all public officers drawn from the entire public service. However, the survey excluded the disciplined forces including the Police, the Army, General Service Unit, Kenya Navy, Kenya Air Force and Administration police.

2.4 Research Instruments

A questionnaire was the main instrument used to collect data for this survey. A survey discussion guide was also used to facilitate discussions with selected key informants and focus group discussions (FGD). The research instrument captured key variables of interest which addressed the following broad areas:

- Characteristics of the organization / department;
- Factors encouraging corruption within the public sector;
- Effects of corruption on the efficiency and effectiveness of public service delivery;
- The nature of corrupt practices and transactions;
- Corruption levels and trends in Government departments/corporations; and
- The impact of government interventions on corruption and economic crime.

2.5 Data Collection

Data was collected in the month of February and March 2007. Data collection for the study was divided into five phases: pre-field work, pilot, sample design, questionnaire and triangulation phase. The pre-fieldwork phase characterized the initial stages where related studies were reviewed to identify gaps in literature, clarify/define concepts and parameters of the study and identify/consult key stakeholders. A pilot survey was undertaken at the Ministry of Planning and National Development (MPND) and National Hospital Insurance Fund (NHIF), first to test effectiveness of tools developed for the Survey. The pilot survey also helped to fine-tune operational aspects of the field survey.

2.6 Research Teams, Field Work and Training

Field work was conducted and supervised by Commission staff assisted by 20 Research Assistants (RAs) recruited for the purpose of the survey. A four-day training programme involving a comprehensive explanation of the concepts and contents of the questionnaire and modalities of conducting the survey was conducted for the survey team. The training session enabled participants to familiarize themselves with sampling methodology, sampled districts, field operations and interview techniques.

2.7 Data Processing and Analysis

Data processing involved data coding and entry using a prepared code sheet. The data entry process was undertaken using Census and Survey Processing System (CSPRO). The quality of data was checked and validated at every stage of data coding and entry. Further cleaning was conducted before data analysis commenced. Finally, the assembled data was subjected to a wide variety of analytical procedures using Statistical Package for the Social Sciences (SPSS) software.

3. STATUS AND TRENDS OF CORRUPTION

3.1 Introduction

This section covers the respondents' understanding of corruption, its causes and levels. It presents public institutions that are perceived as most corrupt, including ministries, state corporations and government agencies. The section presents and discusses corrupt practices within the public sector, corruption reporting, actions taken on reported cases, where corruption is reported, reasons for not reporting corruption and protection of whistleblowers. The section also looks at the effectiveness of stakeholder institutions in fighting corruption and details suggestions on how to address the problem of corruption and economic crime.

3.2 Understanding of Corruption

The term "corruption" is used as a shorthand reference to a wide range of illicit or illegal activities. Although there is no universal or comprehensive definition as to what constitutes corrupt behavior, the most prominent definitions share a common emphasis on the abuse of public power or position for personal advantage. According to the Anti-Corruption and Economic Crimes Act, 2003, "corruption" means (a) an offence under any of the provisions of sections 39 to 44, 46 and 47; (b) bribery; (c) fraud; (d) embezzlement or misappropriation of public funds; (e) abuse of office; (f) breach of trust; or (g) an offence involving dishonesty — in connection with any tax, rate or impost levied under any Act or under any written law relating to the elections of persons to public office. Thus, corruption can be defined as "the misuse of public office for private gain. This includes a public servant accepting or soliciting a bribe, or extorting as well as instances where no bribery occurs but such practices as nepotism, patronage, theft of state assets, and diversion of state revenues occur within public offices.

Analysis of the Survey findings reveals that respondents' understanding of corruption compare well with the definitions of corruption as provided in the Anti-corruption and Economic Crimes Act 2003. The respondents understand corruption to mean giving and taking bribes (42.2%), abuse of office (35.5%), illegal acquisition of public property (17.4%), misuse of public resources (8.8%), nepotism and negative tribalism (6.2%), obsession with personal gain (3.7%), fraud or extortion (2.8%) and absenteeism from duty during official working hours (1.7%).

3.3 Causes of Corruption

Figure 1 shows the causes of corruption enumerated by the respondents. Majority of the respondents (64.7%) cited poor remuneration as the leading cause of corruption followed by Greed or selfishness (44.6%), Culture of gift-giving (30.0%), high cost of living (20.4%), and poor management practices in public organizations (11.1%). Other causes cited include poor law enforcement and punishment of corrupt officers (7.6%), lack of effective incentive mechanism (6.0%), job insecurity (5.0%), poor economic policies (4.7%), lack of effective corruption reporting system (3.6%), and lack of independent effective judiciary (1.9%).

FIGURE 1: CAUSES OF CORRUPTION
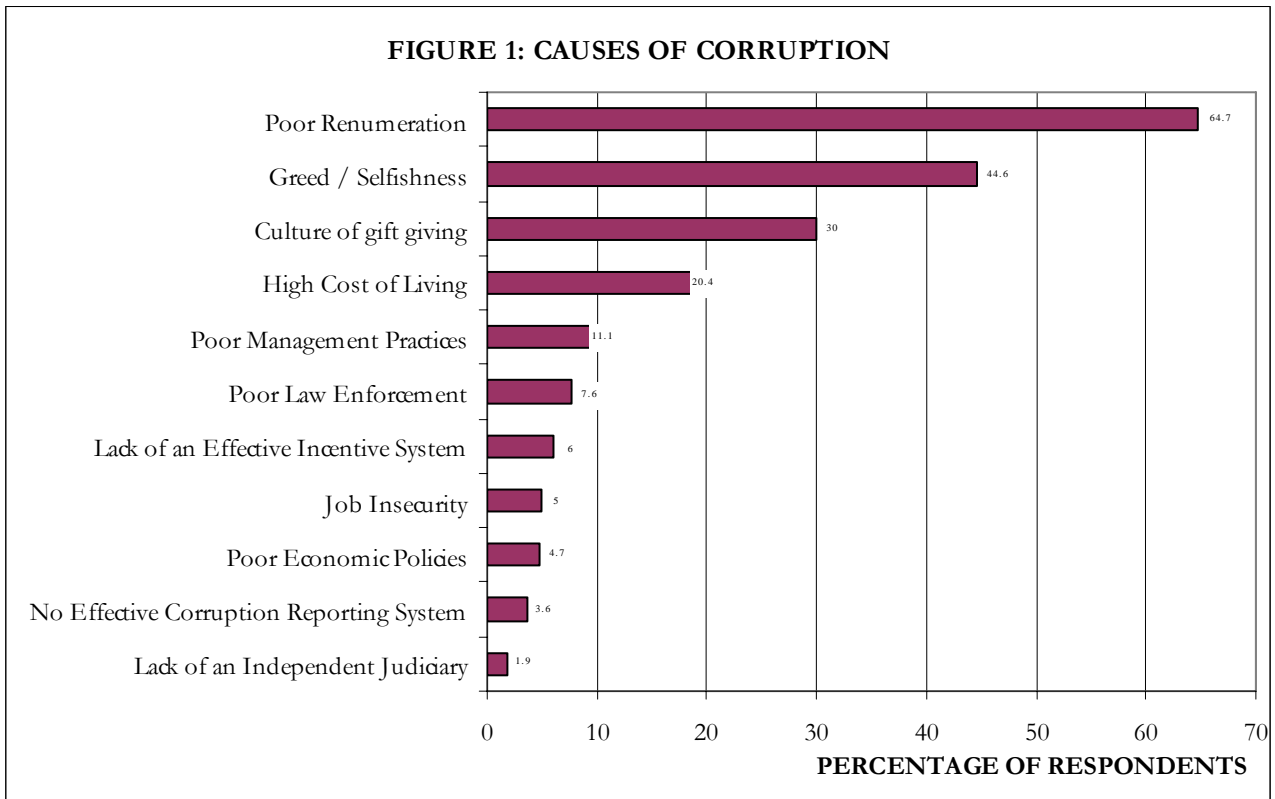
3.4 Level of Corruption

This Survey sought to determine the depth and extent of corruption in Kenya. The respondents were therefore asked to compare the levels of corruption in 2003 and 2006. In this respect, the findings show that corruption had reduced over the last three years (Figure 2). In 2003, a bigger proportion of the respondents (73.3 %) indicated that the level of corruption was "high" compared to 18.9 percent in 2006 who indicated that the level of corruption was "high".

FIGURE 2: LEVELS OF CORRUPTION IN KENYA
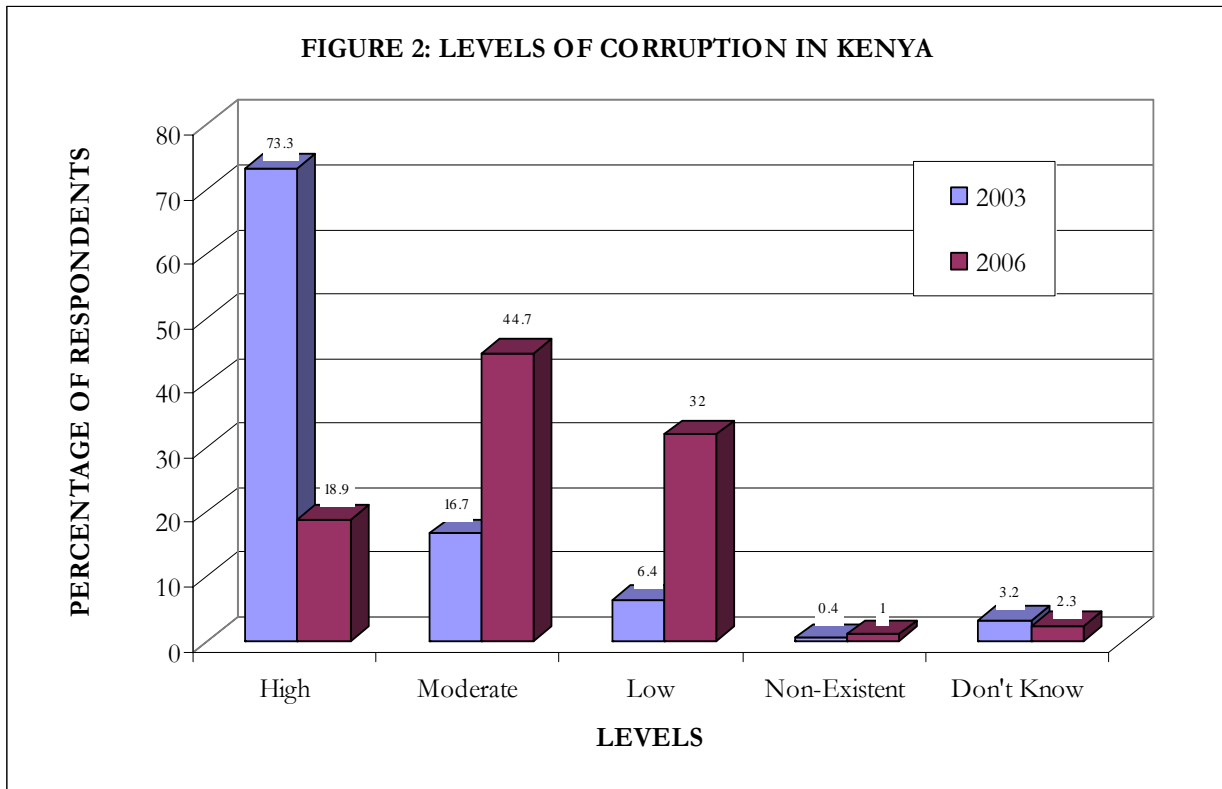
Further disaggregation of data by headquarters and field offices showed no significant difference (Table 3). As shown in the table, majority of the respondents from headquarter offices (72.5%) and district offices (73.8%) ranked the level of corruption as "high" in 2003. This was observed to decline to 17.5 percent and 19.9 percent respectively in 2006.

Table 3: Corruption Ratings (%)

Level of Corruption	2003						2006					
	Headquarter Offices		District Offices		Total		Headquarter Offices		District Offices		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
High	882	72.5	1328	73.8	2210	73.3	213	17.5	358	19.9	571	18.9
Moderate	207	17.0	297	16.5	504	16.7	549	45.1	797	44.3	1346	44.7
Low	80	6.6	114	6.3	194	6.4	404	33.2	588	32.7	992	32.9
Non-existent	6	0.5	5	0.3	11	0.4	181.5	1.5	11	0.6	29	1.0
Don't Know	41	3.4	55	3.1	96	3.2	32	2.6	44	2.4	76	2.5
Total	1216	100.0	1799	100.0	3015	100.0	1216	100.0	1798	100.0	3014	100.0

In ranking the levels of corruption as high, moderate, low, or non-existent, the respondents based their perception on how they get information about corruption. As shown in Figure 3 below, most respondents based their ranking of corruption levels on personal experience (73.9%), followed by information from the media (53.1%), relatives (35.2%), and places of work (20%). The other sources include KACC (5.7%) and politicians (2.5%).

FIGURE 3: SOURCE OF INFORMATION FOR RATING CORRUPTION

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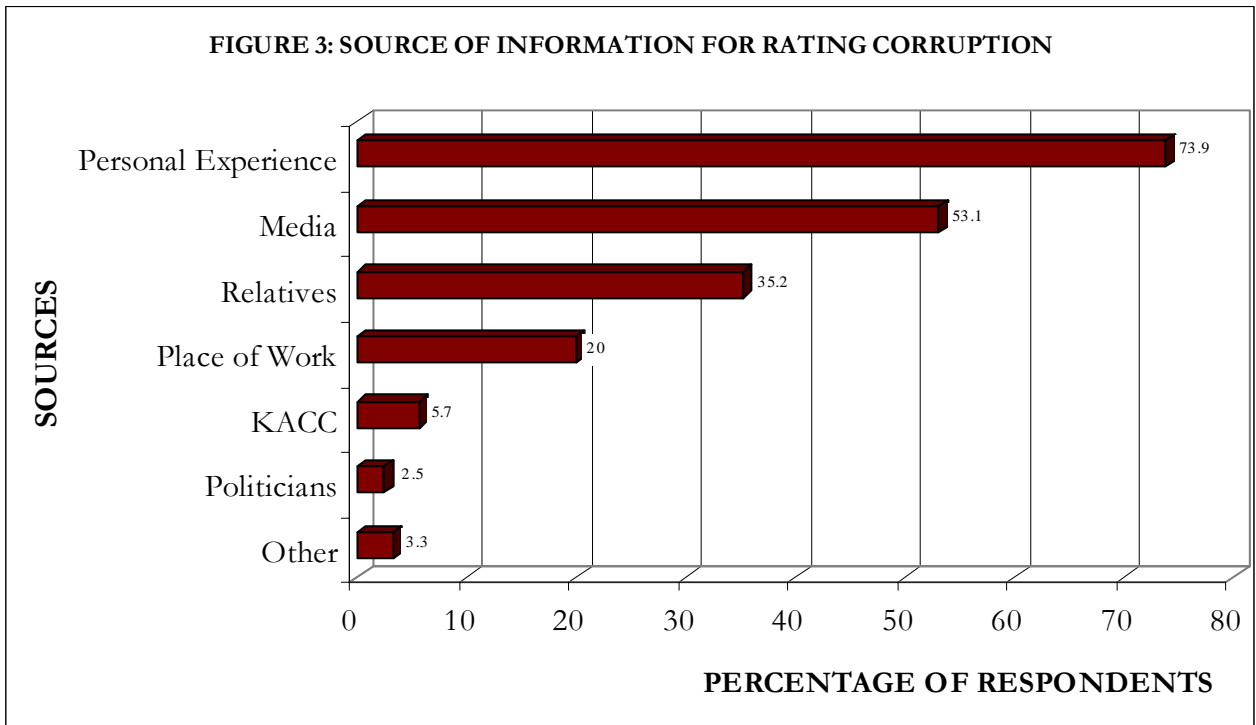
3.5 Levels of Corruption in the Public Sector

3.5.1 Government Ministries

In order to obtain more insights into the extent of corruption in the country, respondents were asked to indicate government ministries perceived as most corrupt. Figure 4 provides a complete listing of ministries where one was likely to encounter corrupt activities in a descending order. Majority of the respondents (59.0%) indicated that one was most likely to experience corrupt practices at the Ministry of Provincial Administration and Internal Security. This is followed by the Ministries of Land and Settlement (35.3%), Health (20.0%), Local Government (14.5%), Education (12.5%) and Immigration and Registration of Persons (11.9%) among others.

FIGURE 4: CORRUPT GOVERNMENT MINISTRIES
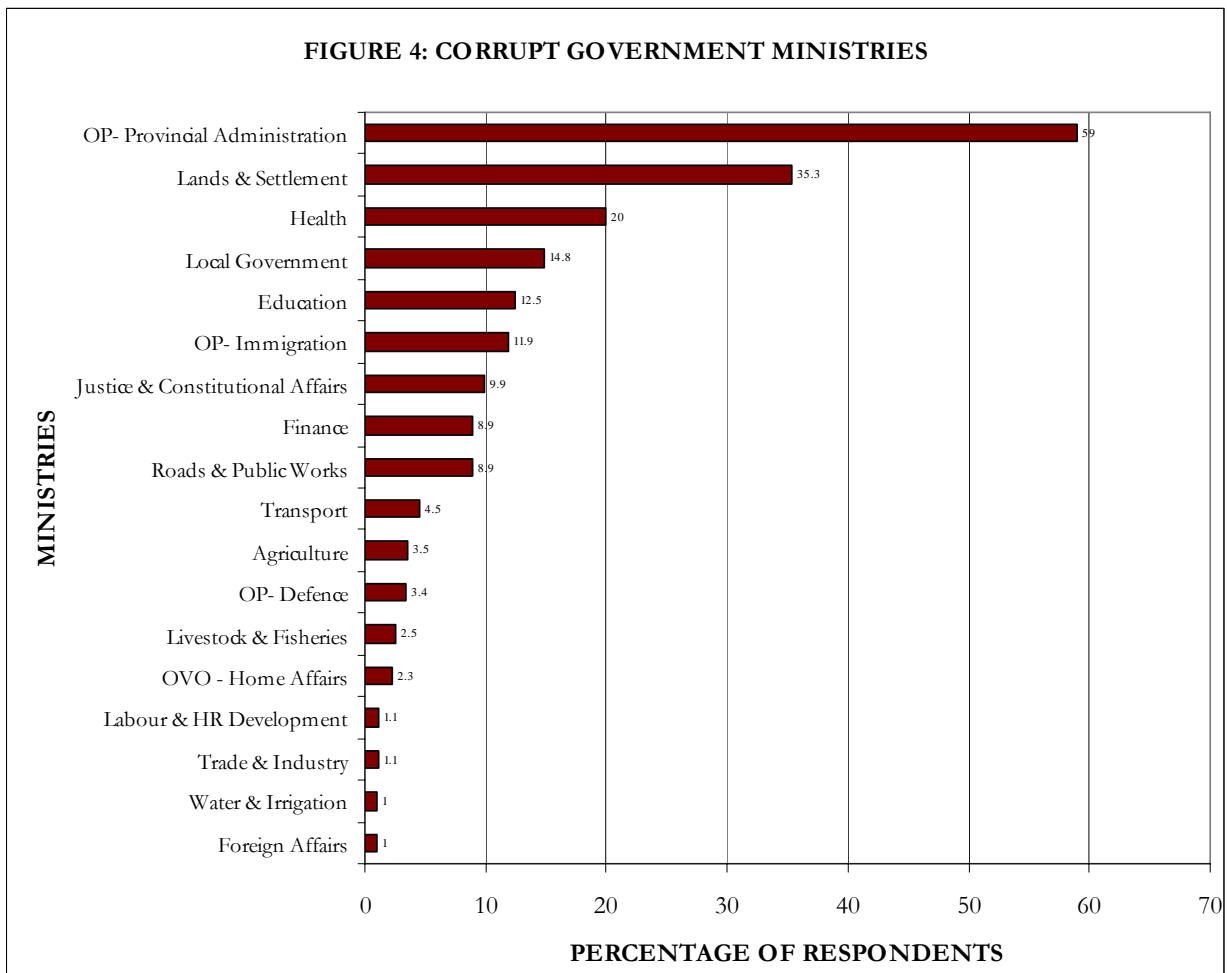
The Study further assessed the extent of improvement within ministries on service delivery. The Ministry of Education was cited by 27.0 percent of respondents as the most improved

public institution. This was followed by the Ministries of Health (15.8%), and Agriculture (12.9%). The other ministries perceived to have improved include Provincial Administration and Internal Security (6.5%), Finance (5.5%), Immigration and Registration of Persons (3.6%), Lands and Settlement (3.6%), Transport (3.5%), Local Government (3.4%) and Roads and Public Works (3.2%) in that order.

3.5.2 State Corporations and other Government Agencies

The Survey also sought to establish the State Corporations and other Government Agencies which were perceived as most corrupt. In a descending order, Kenya Power and Lighting Company (37.5%), Kenya Revenue Authority (33.4%), Kenya Ports Authority (18.0%) and Telkom Kenya Ltd (11.1%) among others were perceived by respondents as where one was most likely to experience some form of corruption (Figure 5).

FIGURE 5: CORRUPT PARASTATALS AND OTHER GOVERNMENT AGENCIES
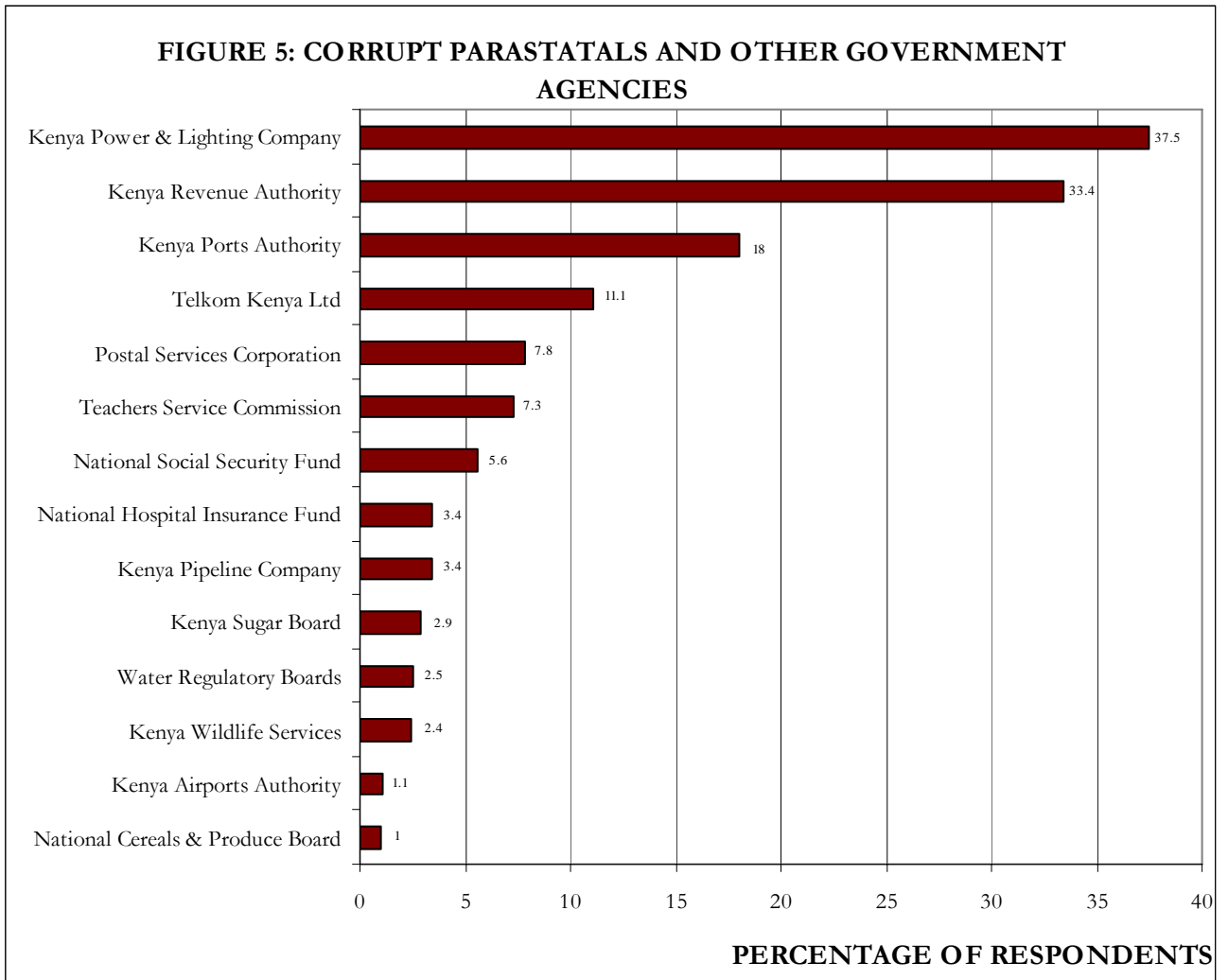
The State Corporations and Government Agencies were also assessed on account of improvement on service delivery. The findings of the Survey show that even though some public institutions were identified as corrupt, they had shown improvement in service delivery. These included Kenya Revenue Authority (25.2%), Kenya Power & Lighting Company (21.4%), Teacher Service Commission (10.3%), Postal Corporation of Kenya (7.8%), Telkom Kenya Ltd (7.3%), National Hospital Insurance Fund (6.2%), National Social Security Fund (5.7%), Kenya Ports Authority (4.3%), Kenya Pipeline Company (3.1%) and Kenya Wildlife Services (1.7%).

3.5.3 Functional departments and sections within Public Institutions

The Survey further sought to identify the functional departments and sections in government ministries and institutions that were perceived to be corrupt. The Finance and Accounts department was cited by 23.8 percent of the respondents as the most corrupt. Other departments included Technical Services (24.9%), Procurement and Supplies (19.4%), Administration (9.4%), and Registry (4.8%). Similarly, most sections that fell under these departments were also ranked high in cases of corruption. Key among them were supplies and stores (22.2%), staffing (17.0%), parking (12.5%), audit (11.1%), recruitment (10.1%), voucher processing (10.1%), registry (9.7%) and production (4.5%).

3.6 Corrupt Practices within the Public Sector

Table 4 summarizes responses on the various forms of corruption in both the entire public sector and the specific institutions where the respondents worked. From the findings, it was clear that Tribalism/Nepotism/Favouritism (43.0%) and Bribery (34.3%) were the common forms of corrupt practices in the public sector.

When asked to indicate which from of corrupt practice was prevalent in their respective institution, 43.0 percent of the respondents indicated Tribalism/Nepotism/Favouritism, 34.3 percent indicated bribery, 26.3 percent indicated embezzlement of public funds, 21.2 percent indicated extortion/fraud and 20.8 percent indicated absenteeism from duty during official working hours.

Table 4: Forms of Corruption within the Public Sector (% of Respondents)

	Public Sector				Respondent's Place of Work			
	Prevalent	Limited	Non-Existent	Don't Know	Prevalent	Limited	Non-Existent	Don't Know
Bribery	34.3	57.5	3.6	4.6	6.2	40.4	46.9	6.5
Embezzlement	26.3	56.2	6.5	11.0	6.4	34.9	47.7	11.1
Extortion/Fraud	21.2	56.6	8.8	13.5	4.4	32.5	52.0	11.0
Absenteeism	20.8	60.3	11.6	7.4	6.7	44.1	46.4	2.8
Tribalism/Nepotism/ Favoritism	43.0	42.6	8.7	5.7	16.8	33.3	46.2	3.7

Public officers were further asked to indicate their specific experiences of corruption in seeking services at public institutions. As shown in Figure 6, 26.1 percent of the respondents indicated that they had been confronted with circumstances demanding bribery when seeking promotion/deployment/attending courses. Other incidences cited were legal proceedings, land transfers, seeking birth and death certificates, securing an Identity Card, applying for a passport, seeking employment for a relative or friend, admission of a child to a school, payment of water bills, settling a tax claim, payment of electricity bill and clearing of goods from the Port.

FIGURE 6: CORRUPTION PRONE SERVICES
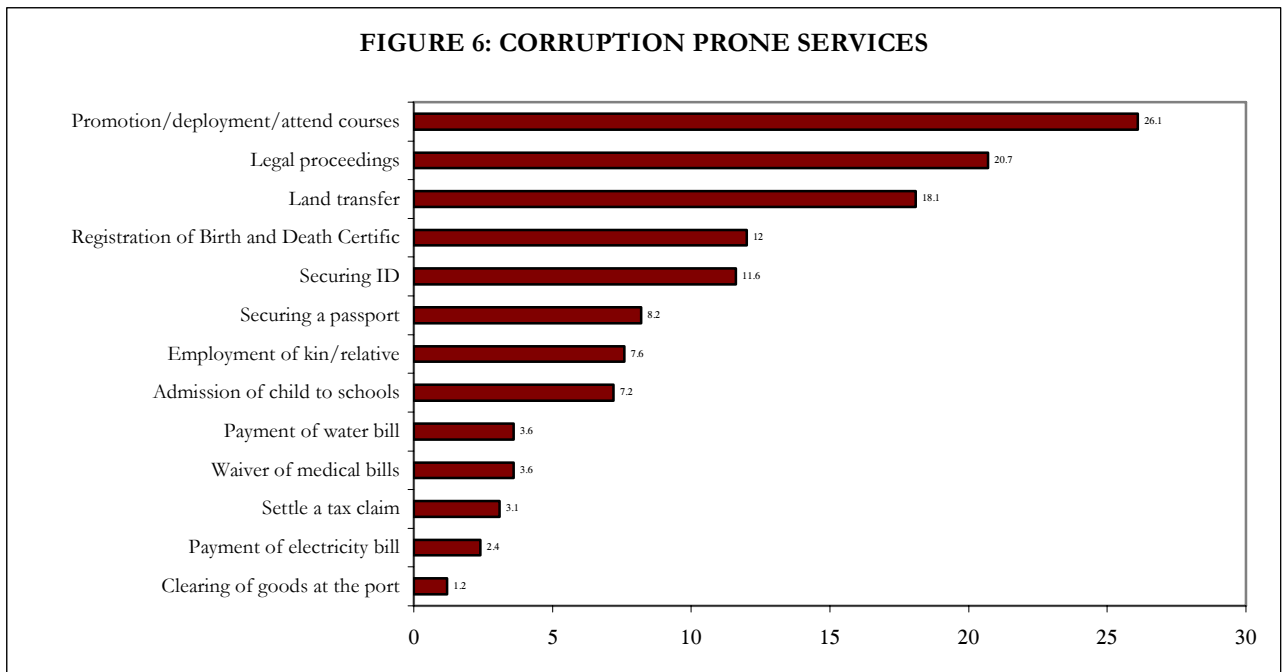
The Survey further sought to determine the initiators of bribery within the public service. Respondents were asked to state if they totally agree, agree, or do not agree with statements regarding initiators of bribery. As shown in Figure 7, 11.7 percent of the respondents totally

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agree while 42.3 percent just agree with the statement that *'a public official demand that a bribe must be paid'*. Majority of the respondents (53.1%) agree that '*a customer offers the bribe'* while 44.4 percent agree that *'both the customer and the public officers know how much is to be paid'*.

FIGURE 7: INITIATORS OF BRIBERY IN KENYA

□ Totally Agree ■ Agree □ Don't Agree □ Don't Know

Both Public Official & Service Seeker: 11.6 | 44.4 | 38.4 | 5.6

Service Seeker: 13.9 | 53.1 | 30.4 | 2.6

Public Official: 11.7 | 42.3 | 45.9 | 2.1

INITIATORS

0% 10% 20% 30% 40% 50% 60% 70% 80% 90% 100%

PERCENTAGE OF RESPONDENTS
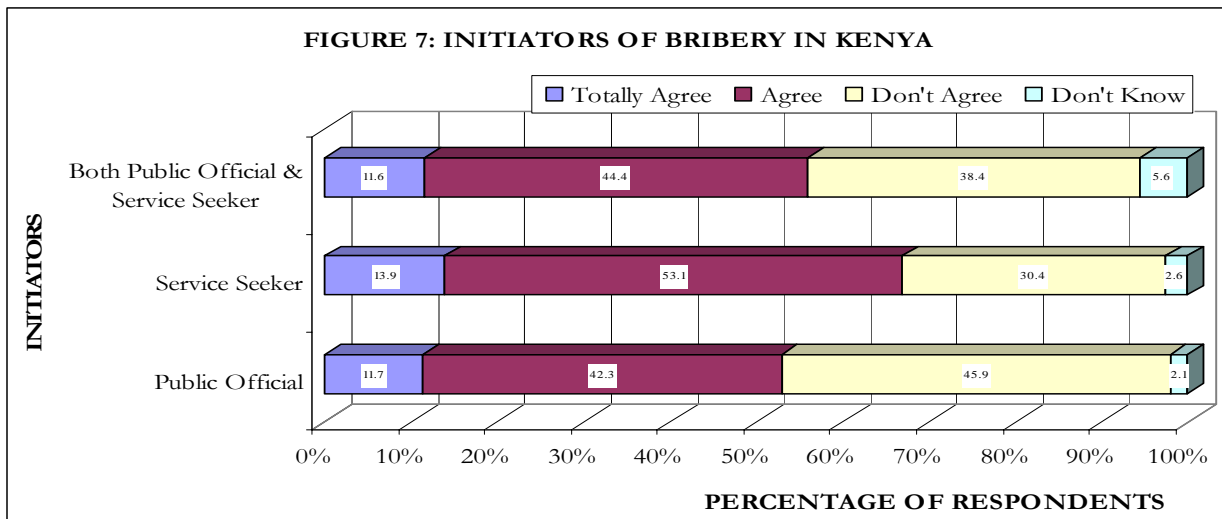
3.7 Reporting of Corruption Incidences

Most respondents (65.1%) indicated they knew the process to follow in reporting corruption. The rest (34.9%) indicated that they didn't know the process to follow. In terms of the effectiveness of the process of corruption reporting, 27.1 percent of the respondents agreed that the process of reporting corruption is very effective while the majority of the respondents (61.3%) indicated that there was lack of an effective internal mechanism of reporting corruption within public institutions. There was also lack of full time staff at the corruption reporting offices (73.5%) and regular and adequate funds for the corruption reporting units (73.1%). Furthermore, about 55 percent indicated that action was not taken within a reasonable period of time when the case was reported (Figure 8).

FIGURE 8: EFFECTIVENESS OF THE CORRUPTION REPORTING PROCESS
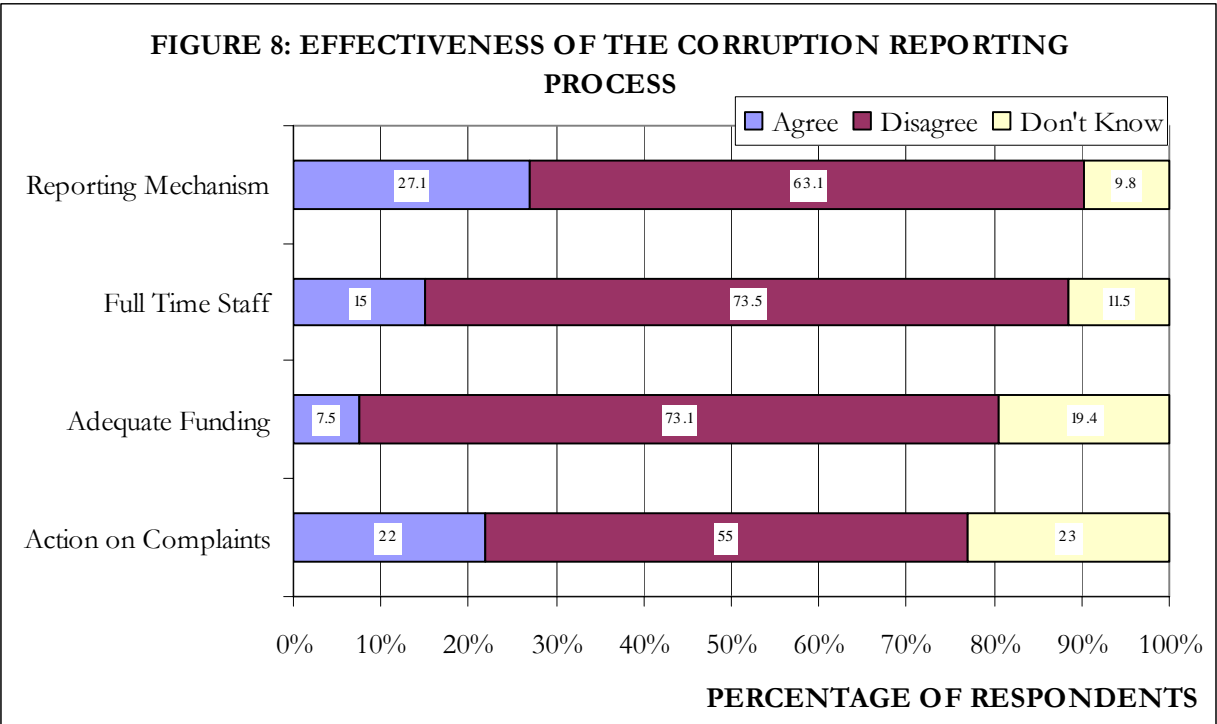
Figure 9 summarizes the number of corruption cases reported and acted upon within public institutions in 2005 and 2006. On average, 191 corruption cases per public institution were reported in 2006, out which 133 were subjected to disciplinary action and 84 cases taken to Court. This shows an improvement over 2005, when 117 cases were reported, 179 subjected to disciplinary action and 54 taken to Court.

FIGURE 9: ACTION TAKEN ON REPORTED CASES OF CORRUPTION
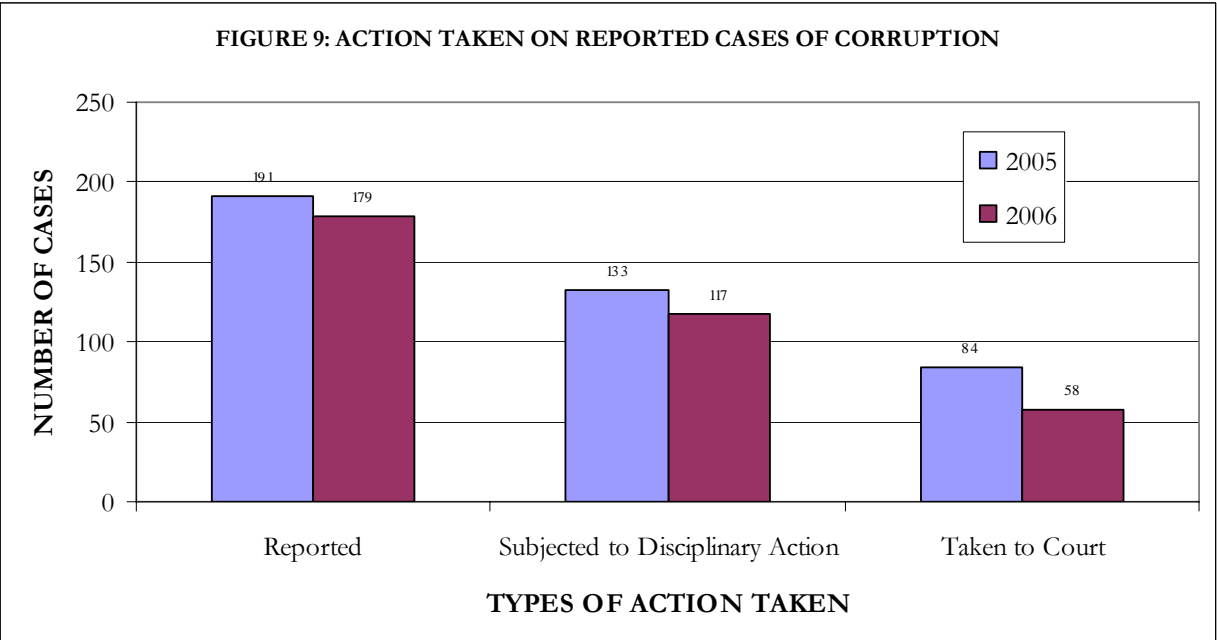
When further asked where officers in their institution report corruption, 42.1 percent of the respondents indicated that the officers report to their senior officers. This is followed by the police (15.6%) and KACC (15.5%) (Figure 10). The respondents indicated other modes of reporting as Corruption reporting boxes (10.4%), the Investigation Department (5.4%), Corruption Prevention Committees (5.3%), and Integrity Assurance Officers (4.8%).

FIGURE 10: CORRUPTION REPORTING CENTERS
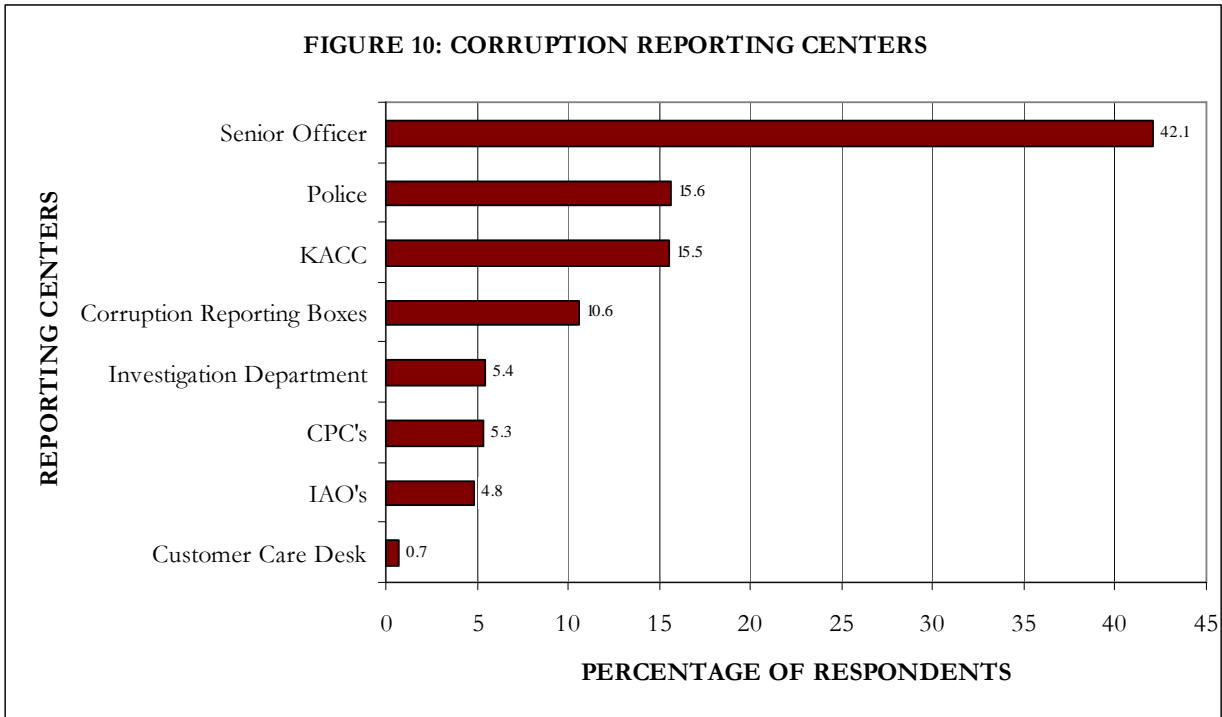
The Survey sought to establish the reasons for not reporting incidences of corruption by public officials. The findings show that the main reason given by public officers for not reporting incidences of corruption was lack of protection for those who report corruption. This view was expressed by 48.3 percent of the respondents (Figure 11). Other reasons cited were lack of action on reported cases, the process of corruption reporting being too complex and long, lack of adequate evidence, and the general perception that reporting corruption amounts to betraying a colleague. Some public officers indicated that they didn't know where to report corruption while others did not know the reporting mechanism.

FIGURE 11: REASONS FOR NOT REPORTING CORRUPTION CASES
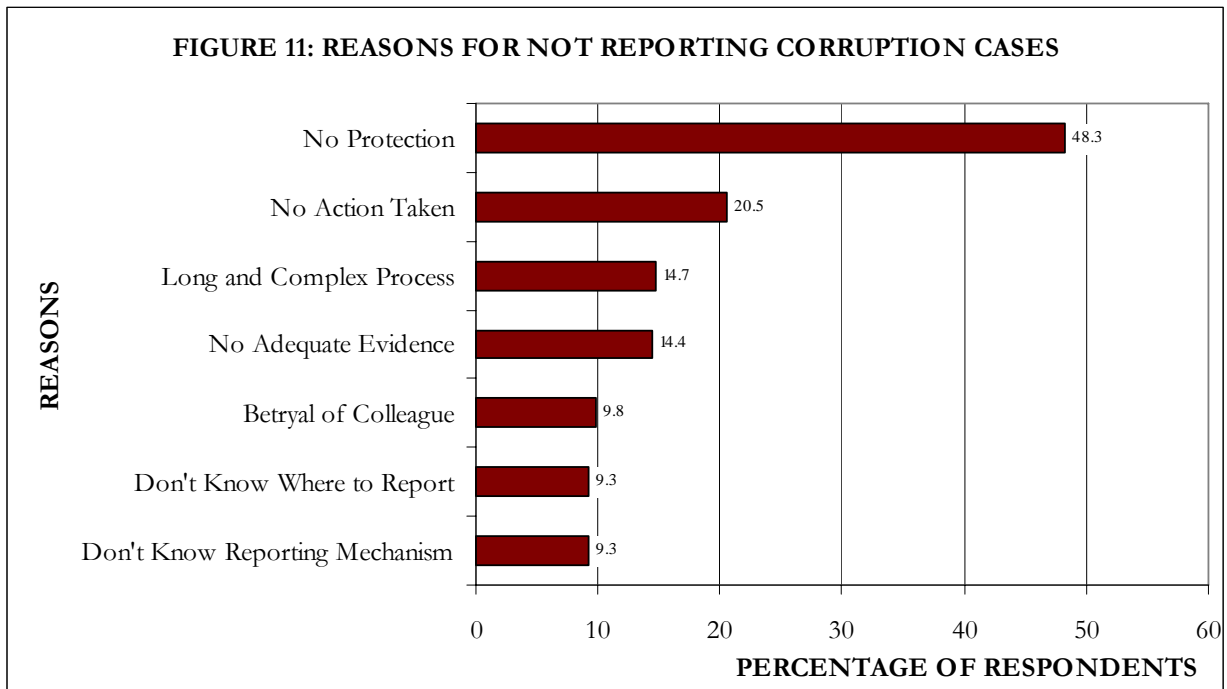
3.8 Attitudes and Beliefs about Corruption

Figure 12 provides an evaluation of perceptions on various actions related to corrupt practices based on whether the respondents strongly agreed, agreed, disagreed or were indifferent about such actions. An overwhelming majority of the respondents (95.1%) agreed that "*it is an offence for a public officer to abscond duty even when the work is done*". An almost similar number (85.6%) agreed that "*it is perfectly in order for a public officer to declare his/her wealth*". Some respondents (61.0%) also agreed that "*it is an offence to receive a gift from a member of the public for services rendered*". A majority of the respondents further disagreed with statements that a public officer should engage in business with their employer such as supply of goods and services (88.1%), or use his/her office and public resources entrusted to their care/custody to run personal errands (96.7%).

FIGURE 12: PUBLIC OFFICE ABUSES

TYPE OF ABUSE

- Disagree
- Indifferent
- Agree
- Strongly Agree

Abscond from Duty: 95.1 · 0.8 3.1 1
Receive Gifts: 61 · 7 · 23.3 · 8.7
Declare Wealth: 85.6 · 3.6 · 7 · 3.8
Supply Goods & Services: 88.1 · 2.8 · 6.2 · 2.9
Personal Errands: 96.7 · 1.1 0.8

0%   20%   40%   60%   80%   100%

PERCENTAGE OF RESPONDENTS
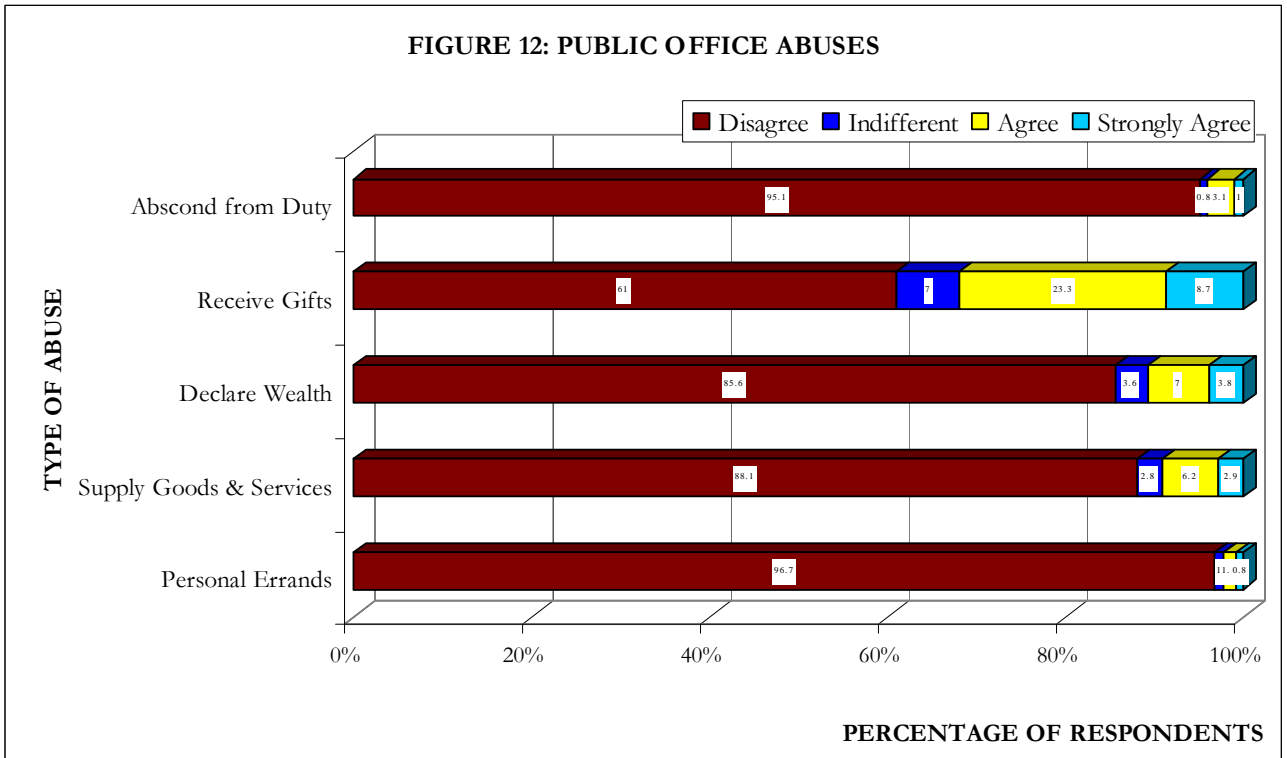
3.9 Protection of Whistle Blowers

At least 66.0 percent of the respondents indicated that whistleblowers are not accorded adequate protection while 16.0 percent of the respondents indicated that they did not know if whistleblowers were accorded adequate protection. Only 18.0 percent felt that whistle blowers were adequately protected.

3.10 Effectiveness of Stakeholders in the Fight against Corruption

When asked to rate how some selected stakeholders had helped in combating corruption in Kenya, respondents indicated that the media - Radio, Newspapers and Television - were either very effective (33.2%) or effective (47.8%). The Kenya National Commission on Human Rights, Development Partners, KACC, and Churches/Religious bodies were rated as either being very effective or effective in fighting corruption (Table 5). The organizations rated highly as not effective include the Police (70.9%), Parliament (67.8%) and Judiciary (62.0%).

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Table 5: Effectiveness of Stakeholders in the Fight against Corruption (%)

	Very Effective	Effective	Not Effective	Don't Know
Media	33.2	47.8	16.7	2.3
Kenya National Commission on Human Rights	14.0	52.1	28.4	5.5
Development Partners	13.4	51.1	26.7	8.8
Churches/religious bodies	12.6	51.3	31.6	4.6
Kenya Anti-Corruption Commission	11.4	55.6	29.7	3.7
National Anti-Corruption Campaign Steering Committee	6.8	43.7	32.7	16.9
Efficiency Monitoring Unit	6.0	34.9	31.3	27.8
Professional Associations	5.6	43.2	40.0	11.2
Ministry of Justice & Constitutional Affairs	4.9	40.1	47.7	7.4
Cabinet	3.6	34.7	54.8	6.9
Office of Attorney General	3.3	32.1	55.1	9.4
Judiciary	2.4	31.7	62.0	3.9
Parliament	2.2	26.0	67.8	4.0
Police	1.9	25.7	70.9	1.6

3.11 Strategic Leader in Fighting Corruption

When asked to state which institution should spearhead the fight against corruption, 50.2 percent of the respondents mentioned KACC followed by the Judiciary (13.6%), Parliament (8.4%) and the Executive (5.9%) among others (Figure 13).

FIGURE 13: STRATEGIC LEADER IN THE FIGHT AGAINST CORRUPTION

Institution	Percentage
KACC	50.2
Judiciary	13.6
Parliament	8.4
Executive	5.9
Police	3.5
KNCHR	3.3
MoJCA	2.9
Church	2.7
Religious Bodies	2.4
Office of the Attoney General	2.2
Ninistry of Education	1.8
Provincial Administration	1.3
Media	1

PERCENTAGE OF RESPONDENTS
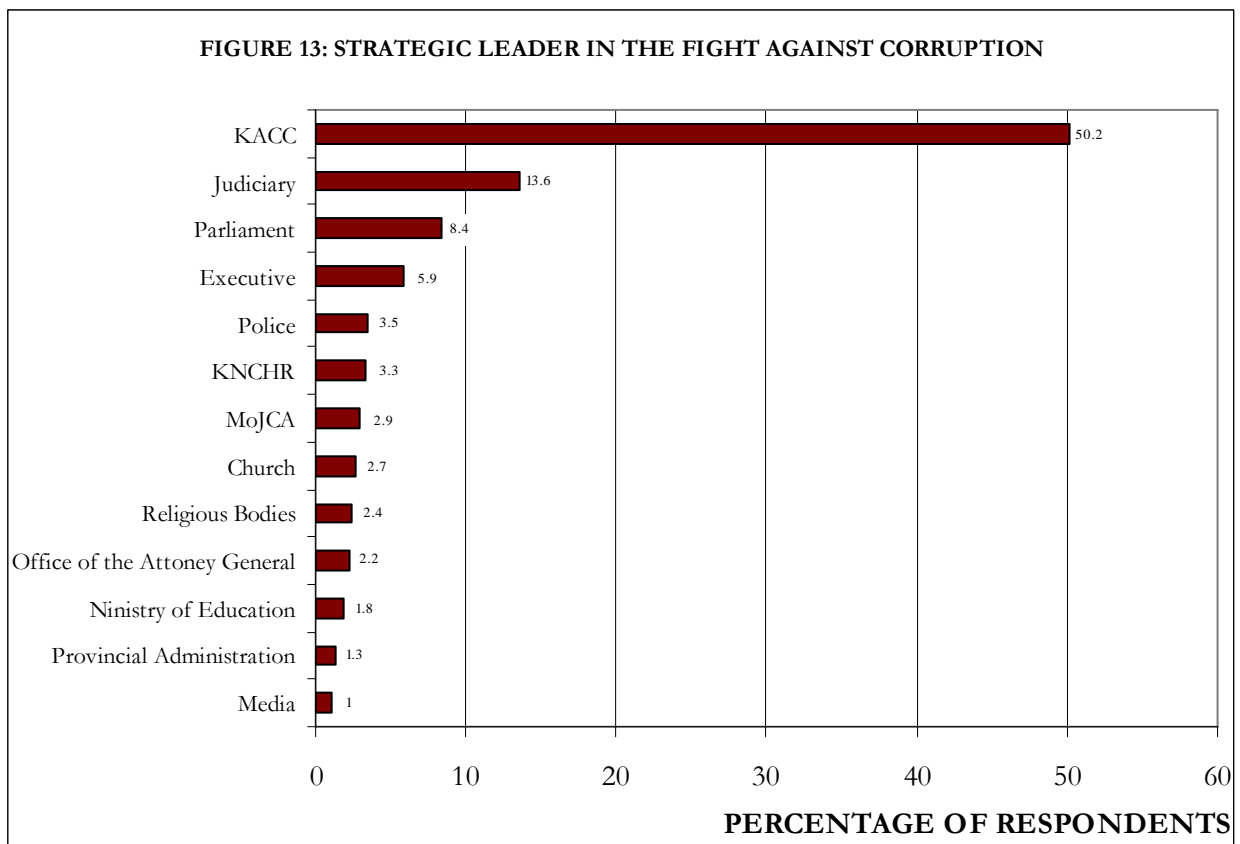
The key factors that influenced the respondents' choice of a strategic leader in the fight against corruption were legal mandate to fight corruption, mandate to enforce the law, accessibility of the institution and how well it related with other institutions (Figure 14). Others reasons included institutional independence, its institutional capacity to discharge the anti-corruption mandate, the level of goodwill the institution enjoys from the people and its responsibility for making laws on anti-corruption, integrity and ethics.

FIGURE 14: FACTORS INFLUENCING CHOICE OF STRATEGIC LEADER
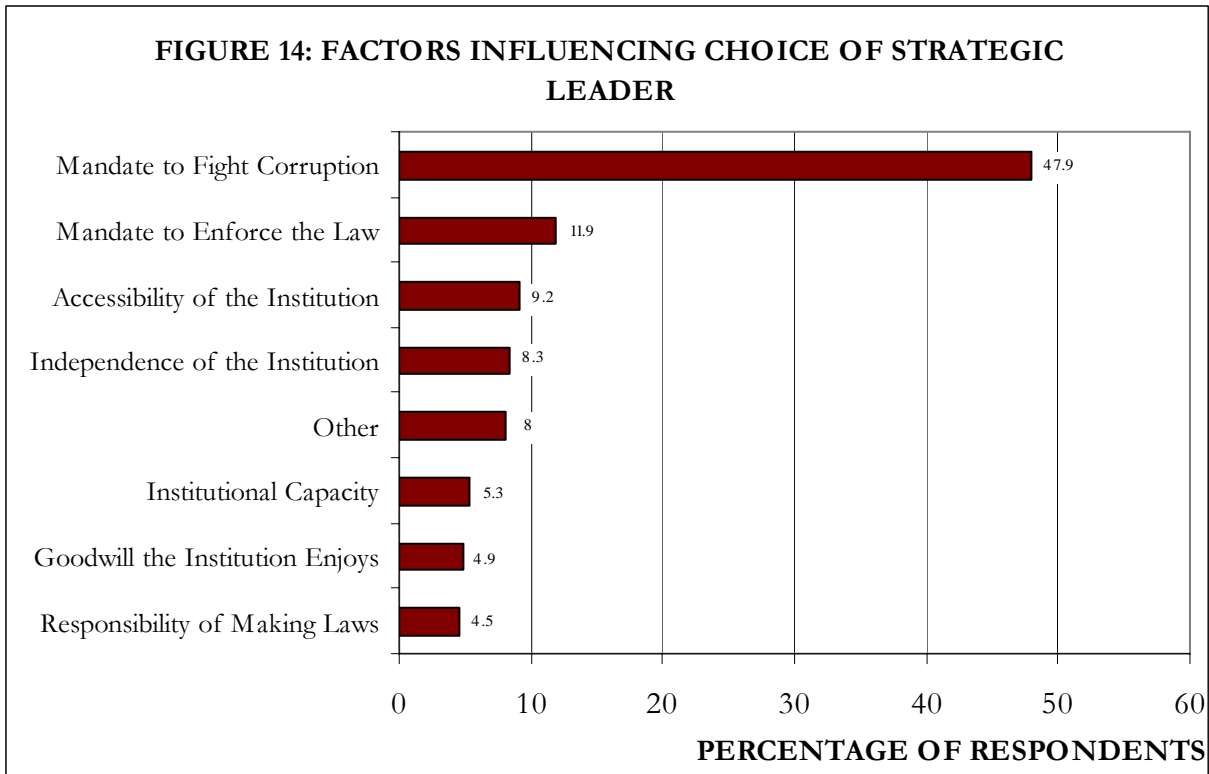
3.12 Suggestions on Ways to Fight Corruption

The Survey also sought suggestions from the respondents on how to enhance the fight against corruption in the country. Placed high on the list of suggestions made by the respondents was the need to create public awareness on corruption in terms of its forms, causes, effects and reporting mechanisms (47.4%). This was followed by the need to improve remuneration for public officers (38.7%), and enhance prosecution of corrupt public officers (28.0%). Also suggested were the need to empower anti-corruption agencies (8.3%), enhance corruption reporting mechanisms (6.5%), encourage professionalism (6.0%), ensure strict supervision of officers (5.8%), motivate staff (5.3%), encourage role modelling by leaders (5.0%), employ competent and qualified staff (4.4%), bar corrupt persons from holding a public office (3.8%), and protect whistleblowers among others.

4. PUBLIC SECTOR MANAGEMENT PRACTICES

4.1 Introduction

In order to objectively undertake an analysis of the causes and extent of corruption within the public sector, this Survey assessed the internal management practices of in public institutions. The respondents were particularly asked to comment on different management practices in their organizations. This section presents respondents views on various aspects of internal management including personnel management, financial management, procurement, and information and communication with a view to facilitate a clear indication of some of the key management malpractices found within the public sector.

4.2 Personnel Management

4.2.1 Human Resource Regulations

In the survey, public service employees were asked to express their opinion about human resource regulations being applied in terms of formality, clarity, transparency and consistency. Accordingly, the respondents indicated that the regulations were formal (78.8%), clear (69.8%) transparent (64.0%) and consistent (62.8%) (Figure 15). This confirms the fact that most public regulations on personnel management are well laid down and available to officers.

FIGURE 15:HUMAN RESOURCES MANAGEMENT REGULATIONS

PERCENTAGE OF RESPONDENTS
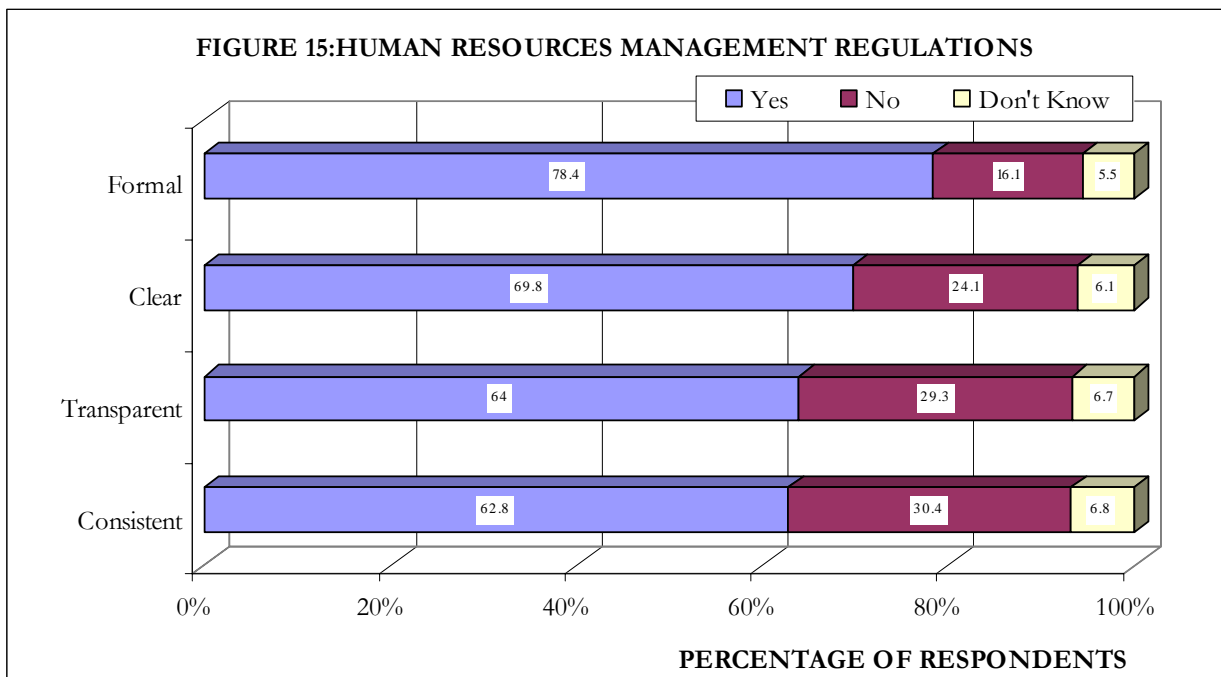
4.2.2 Recruitment

The respondents were asked to comment on the transparency of the recruitment process in their institutions. Figure 16 below shows the respondents' position on the transparency of the recruitment process within the public service. Overall, 41.2 percent said it was transparent while 30.9 percent indicated that it was not transparent. At least 17.8 percent of the respondents indicated that the process was very transparent while 10 percent said that they did not know if the process was transparent.

FIGURE 16: TRANSPARENCY IN THE RECRUITMENT PROCESS
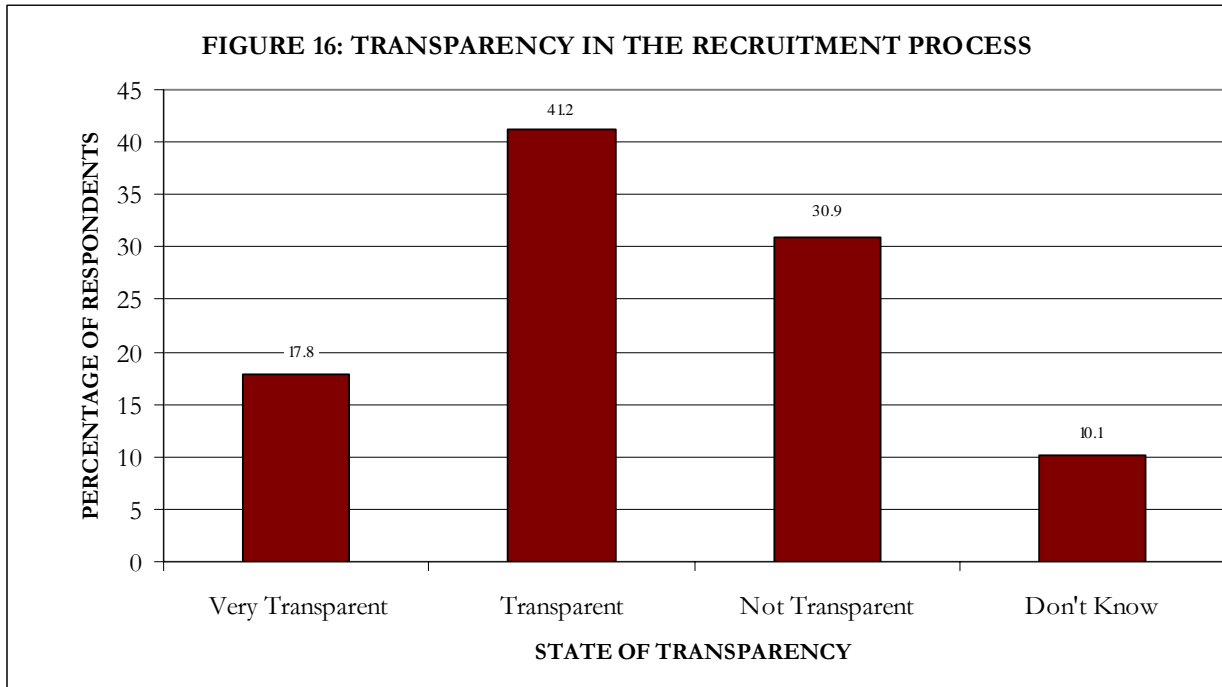
4.2.2.1 Source of Information on Vacant Positions in the Public Sector

Figure 17 presents the various ways through which the respondents learnt of vacancies within the public sector. Most of the respondents (40.3%) learnt about vacancies through advertisements in the media, especially from newspapers. Others learnt about the vacancies through direct application to the employer, through friends/relatives, through employee notification and through postings on the notice board of an organization as well as other sources including internet.

FIGURE 17: SOURCE OF INFORMATION ON VACANT POSITIONS
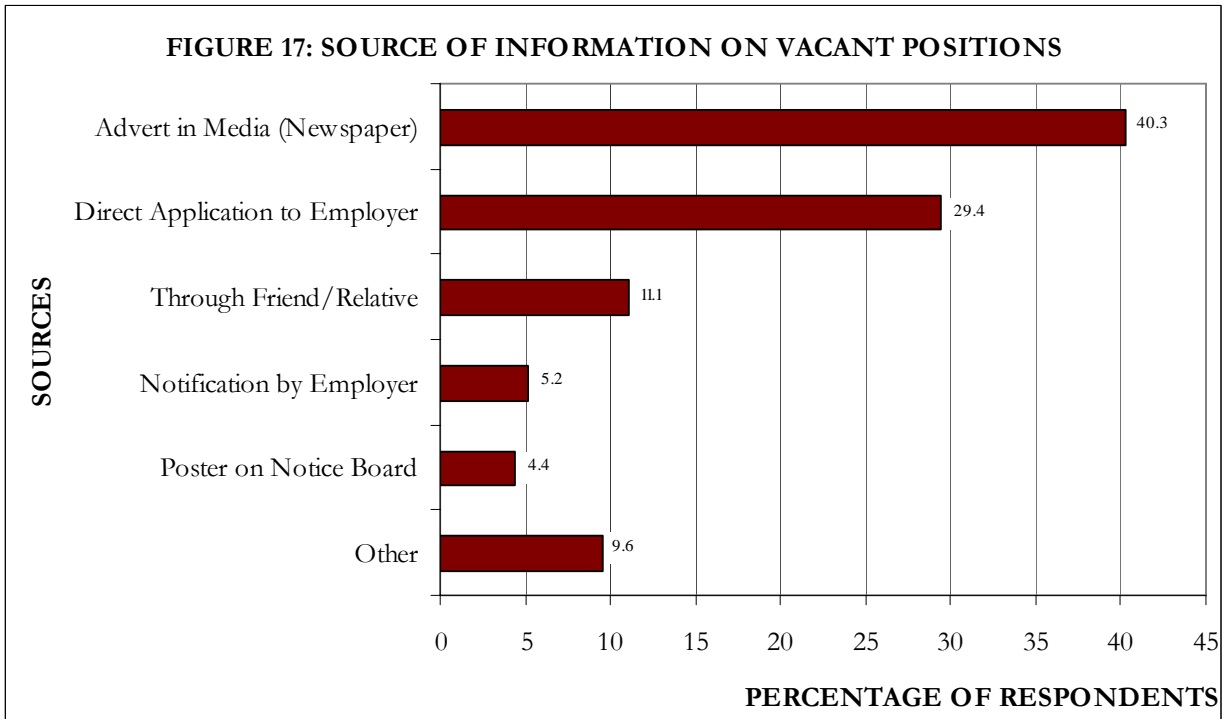
Further analysis by type of public institution revealed that direct application to the employer as source of vacancy information was more popular with TSC (34.8%) and Parastatals (30.1%) while advertisement in the media was a more popular source in the Central Government (49.6%) and Parastatals (41.0%). Using friends/relatives a source of vacancy information was more popular in local authorities (19.5%) and parastatals (13.8%). The internet remained the least used source of vacancy information across the board (Table 6).

Table 6: Source of Information about vacant positions in the public service (%)

Medium of Information	Central Government	Parastatal	TSC	Local Authority	Total
Direct application to employer	25.9	30.1	34.8	22.2	29.4
Advertisement in the media (Newspaper)	49.6	41.0	33.5	35.7	40.3
Poster or bulletin on the notice board	4.1	2.5	3.4	11.1	4.4
Personal notification from employee	3.7	7.7	4.3	6.7	5.2
Through a friend/colleague/relative	11.0	13.8	6.2	19.5	11.1
Through the internet	0.2	0.2	0.1	0.2	0.2
Other	5.5	4.8	17.7	4.7	9.4
Total	**100**	**100**	**100**	**100**	**100**

4.2.2.2 Entry level and subsequent appointments in the Public Service

The Survey sought to establish the level of entry into the public service by public officers during their first appointment. The results showed that 43 percent of the respondents

joined the public service as junior officers based on the prescribed level of entry in the schemes of service in the central government or based on the grading structure of the other institutions while 25.3 percent joined as professional staff (Figure 18). Others joined the public service as support staff (19.9%) or management staff (3.2%).

FIGURE 18: LEVELS OF APPOINTMENT TO THE PUBLIC SERVICE

ENTRY LEVELS	PERCENTAGE OF RESPONDENTS
Junior Officers	43
Professional Staff	25.3
Support Staff	19.9
Management	3.2
Other	8.6
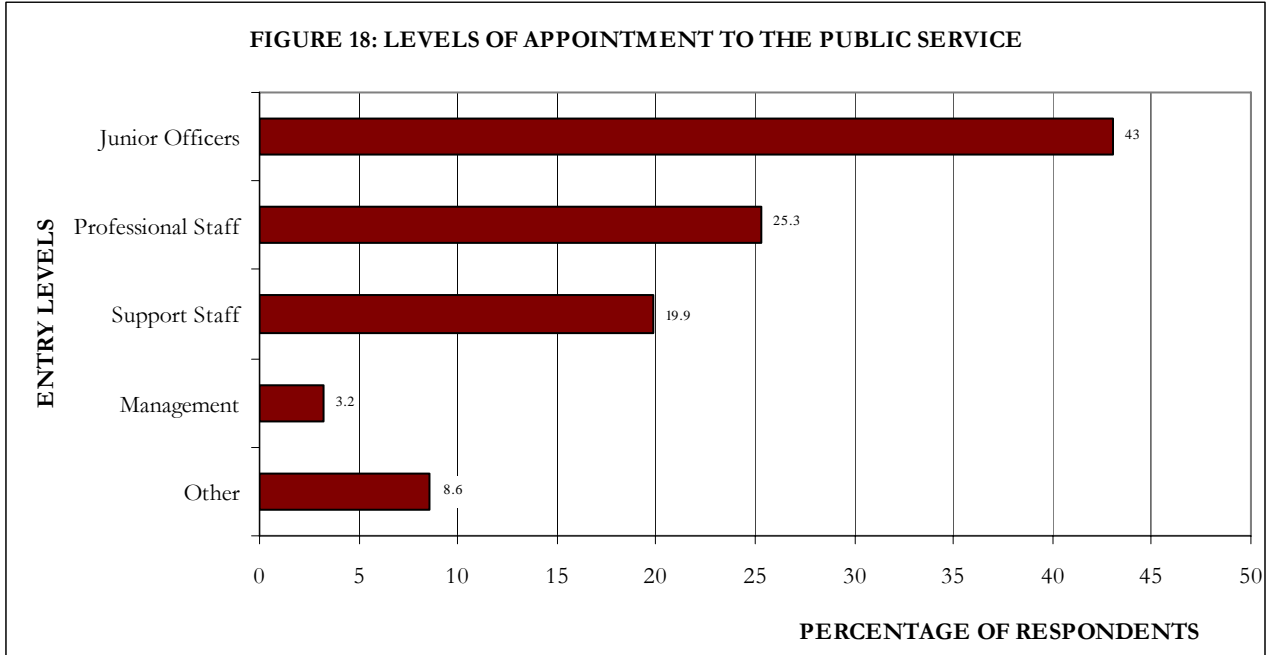
The Survey further sought to establish the manner in which the public officials were appointment in their current position. As presented in Figure 19, 46.7 percent of the respondents were appointed to their current position through interviews by Service Commissions (Public, Teachers, Judicial, etc), 24.4 percent were appointed through normal promotion, 17.4 through interviews by senior management and 6.3% by a recruitment firm.

FIGURE 19: APPOINTMENT OF PUBLIC SERVICE OFFICIALS
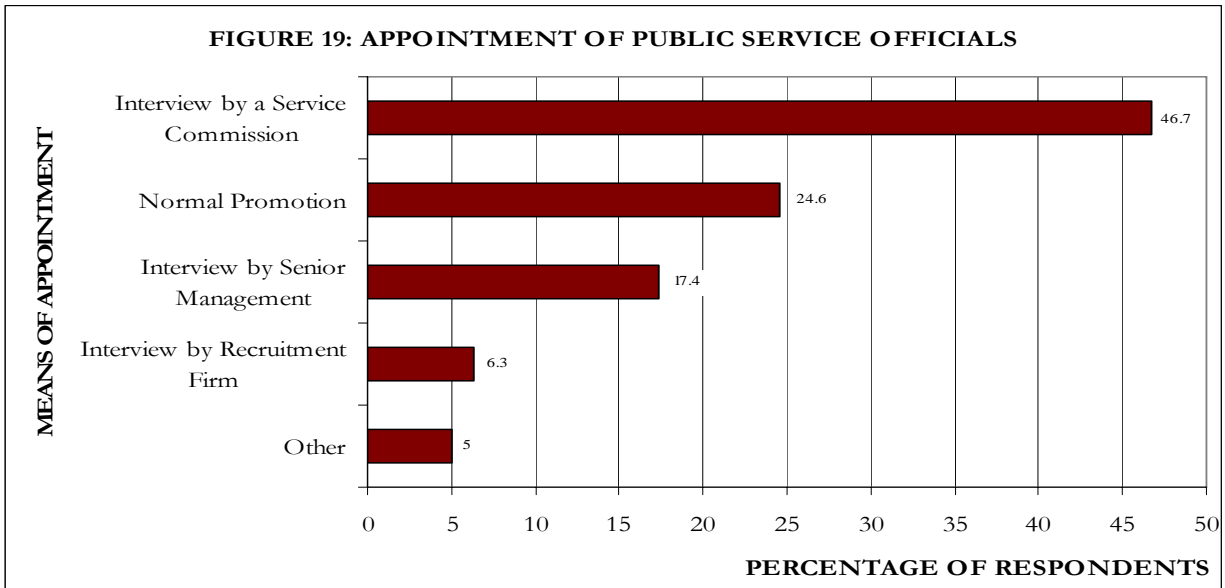
Further analysis by type of public institution revealed that the Central Government (57.2%) and TSC (62.1%) used their established Commissions to recruit staff while Parastatals preferred senior management interviews as way of recruiting or promoting their staff (36.3%). The local authorities used normal promotion (39.1%) as their preferred method of appointing staff to their current position. Overall, the leading method of appointing officers to their current grade across the public sector was normal promotion (24.6%) followed by interviews by senior management (17.4%) and interviews by relevant Service Commissions (11.7%) (Table 7).

Table 7: Method of Appointment to the Public Service (%)

	Central Government	Parastatal	TSC	Local Authority	Total
Interview by a Commission (Public, Judicial, Teachers, etc)	57.2	18.7	62.1	30.6	11.7
Interview by Recruitment Firm/Committee	3.7	9.0	8.1	3.3	6.3
Interview by Senior Management	11.6	36.3	9.6	19.4	17.4
Normal promotion	22.7	29.4	17.1	39.1	24.6
Influence by friend/relative	0.9	1.9	0.7	2.0	1.2
As an executive appointment	1.3	1.4	1.4	1.8	1.4
Absorbed from the casuals	2.6	3.3	0.7	3.8	2.3
Other			0.2		0.1
Total	**100**	**100**	**100**	**100**	**100**

4.2.3 Terms, Conditions and Pay Structure in Service

The terms of service for public officers range from permanent employment to voluntary service. The Survey established that majority of the respondents (95.2%) were employed on

permanent terms. Other respondents were employed on contract (2.5%), temporary or casual terms (1.5%), and interns (0.3%).

The Survey sought to establish the pay structure of public officers across the service commissions, local authorities and parastatals. Table 8 shows the distribution of salary categories for basic and gross monthly pay.[1] The Survey shows variations of the public service pay across the public sector with the civil service (44.4%), TSC (39.2%) local authorities (31.3%), and parastatals (15.2%) having a basic monthly pay Kshs.15,000 and below. When the basic monthly is boosted with allowances such as housing allowance to translate into gross monthly pay then the proportion of officers in this category dropped significantly.

Further analysis shows that the proportion of public officers in the subsequent pay categories also dropped significantly for the service commissions, local authorities and parastatals. In fact, only parastatals had slightly over 10 percent of their officers in the salary category of Kshs. 75,001 and above whether for basic or gross monthly pay. Overall, most respondents (35.9%) were in the Kshs. 15,001 – 25,000 category of the basic monthly pay while 37.0 percent were in the Kshs. 25,001-50,000 category of gross monthly pay.

Table 8: Grouped Basic and Gross Monthly Salary of Public Officers (%)

Salary Category (Kshs)	Basic Monthly Salary					Gross Monthly Salary				
	Civil Service	Parastatal	TSC	LAs	Total	Civil Service	Parastatal	TSC	LAs	Total
< 15,000	44.4	15.2	39.2	31.3	34.5	21.5	4.8	10.9	13.4	13.1
15,001-25,000	29.2	24.0	48.2	37.9	35.9	35.6	15.5	37.5	31.7	31.3
25,000-50,000	21.0	30.3	12.4	29.1	21.1	30.7	26.8	47.3	41.6	37.0
50,001-75,000	2.4	15.3	0.1	1.5	4.3	6.7	21.4	3.9	9.4	9.3
75,001-100,000	2.3	6.2	0.1		2.1	2.1	11.8	0.3	3.0	3.7
100,001-150,000	0.6	4.2			1.1	3.0	10.1	0.1	0.5	3.2
> 150,001	0.1	4.8		0.2	1.1	0.4	9.6		0.5	2.3
Total	100	100	100	100	100	100	100	100	100	100

The respondents were further asked to rate their level of satisfaction with their terms and conditions of employment. Figure 20 compares the levels of satisfaction with the terms and conditions of service by type of public institution. On average, 70.6 percent of the respondents indicated that they were dissatisfied with their terms and conditions of employment. Only 26.5 percent said they were satisfied while only 2.9 percent indicated they were very satisfied. When asked to give reasons why they were satisfied or dissatisfied

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[1] Gross monthly pay constitutes basic pay plus renumerative allowances such as housing, medical, transport, etc. These allowances vary from the Central Government to the State Corporations and Statutory Bodies.

with the terms and conditions of work, 54.0 percent of the respondents said they were dissatisfied because of low pay, 28.6 percent cited poor scheme of service, 6.4 percent cited high cost of living while 0.9 percent talked of lack of a medical scheme. Those who were satisfied with the terms and conditions of work cited job security.

FIGURE 20: SATISFACTION WITH TERMS AND CONDITIONS OF WORK
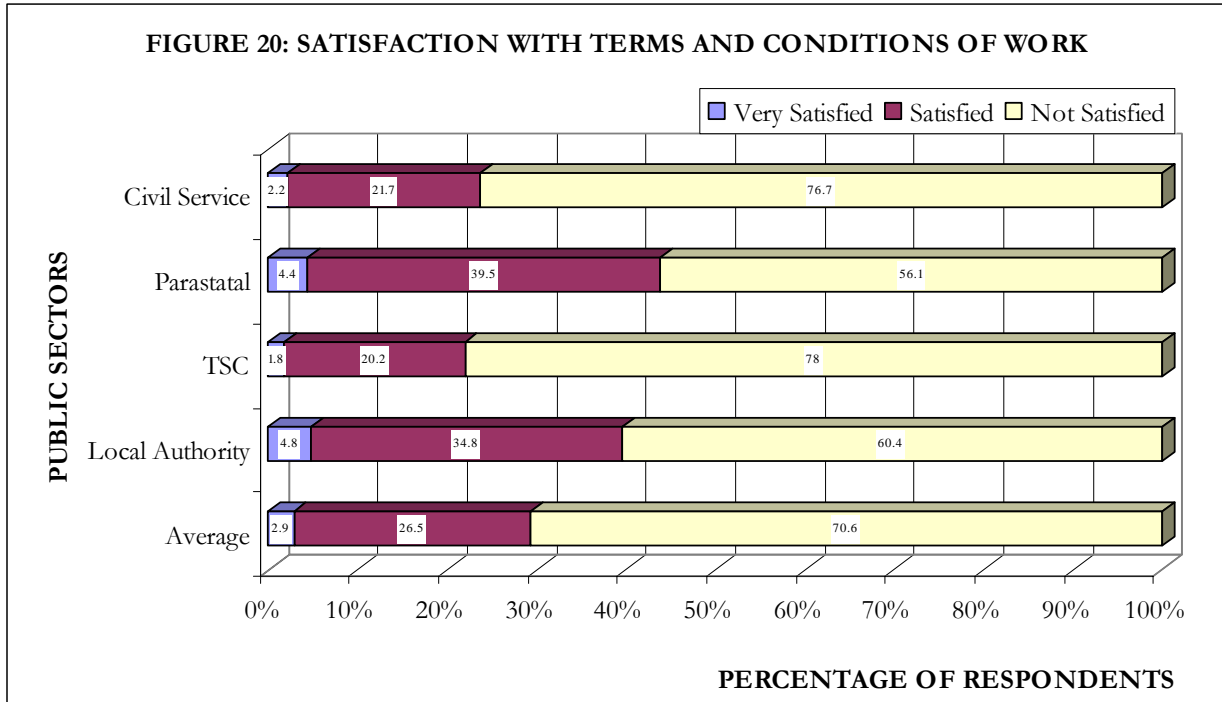
The Survey established that majority of the respondents (80.0%) expected to earn more in the private sector than in the public sector (Figure 21). Despite this expectation, respondents said they chose to work in the public sector because of job security (45.2%) and personal satisfaction (37.5%). The other reasons cited were limited opportunities outside the public service (12.0%), availability of learning and training opportunities (10.5%), a relatively good pay (7.9%), social status (4.3%), gaining experience for future work in the private sector (2.8%) and to develop networks (1.5%). Apparently, 28.7 percent of the respondents indicated that they did not have any explicit reason as to why they work in the public sector.

FIGURE 21: EXPECTED EARNINGS IN THE PRIVATE SECTOR
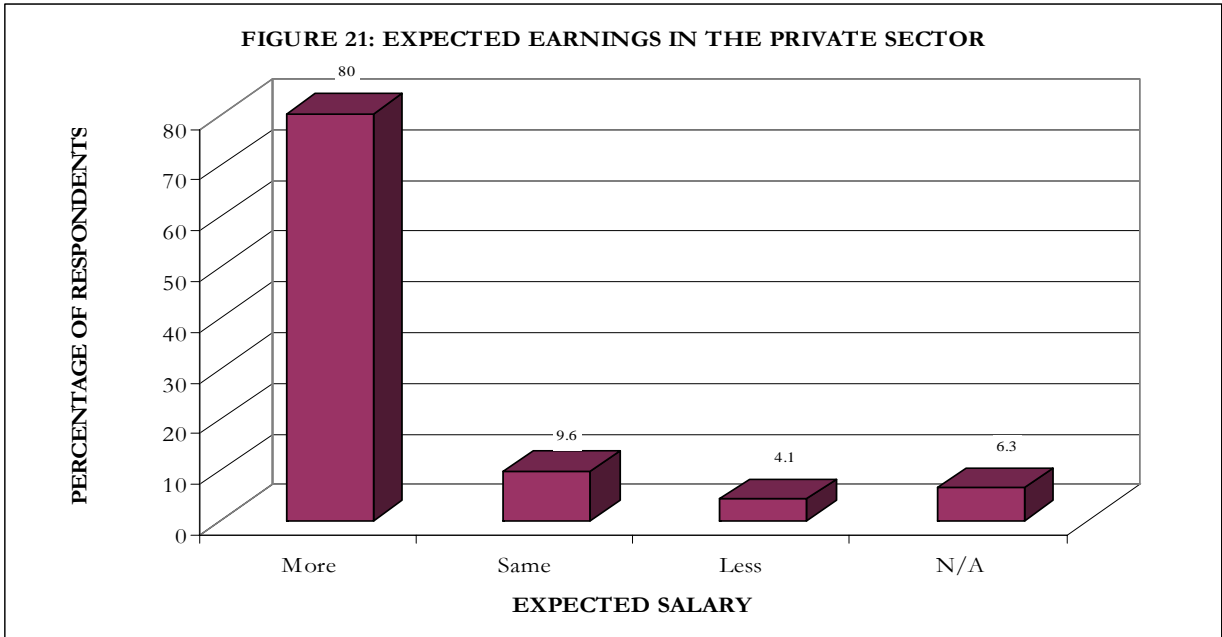
4.2.4 Timeliness of Paying Salary

In an attempt to identify any malpractices in salary payment, public officers were asked to indicate the number of times their salaries had been delayed over the past one year. Figure 22 shows that over 85.9 percent of public officers reported that they always received their salaries on time as compared to 14.1 percent who received their salaries later than the due date. Though late payment of salaries did not appear to be a serious problem within the public service, 38.4 percent of respondents working in the local authorities, 15.0 percent in Central government, 9.1 percent in TSC and 5.7 percent in parastatals indicated that they were affected by late payment of salary.

FIGURE 22: PAYMENT OF SALARY
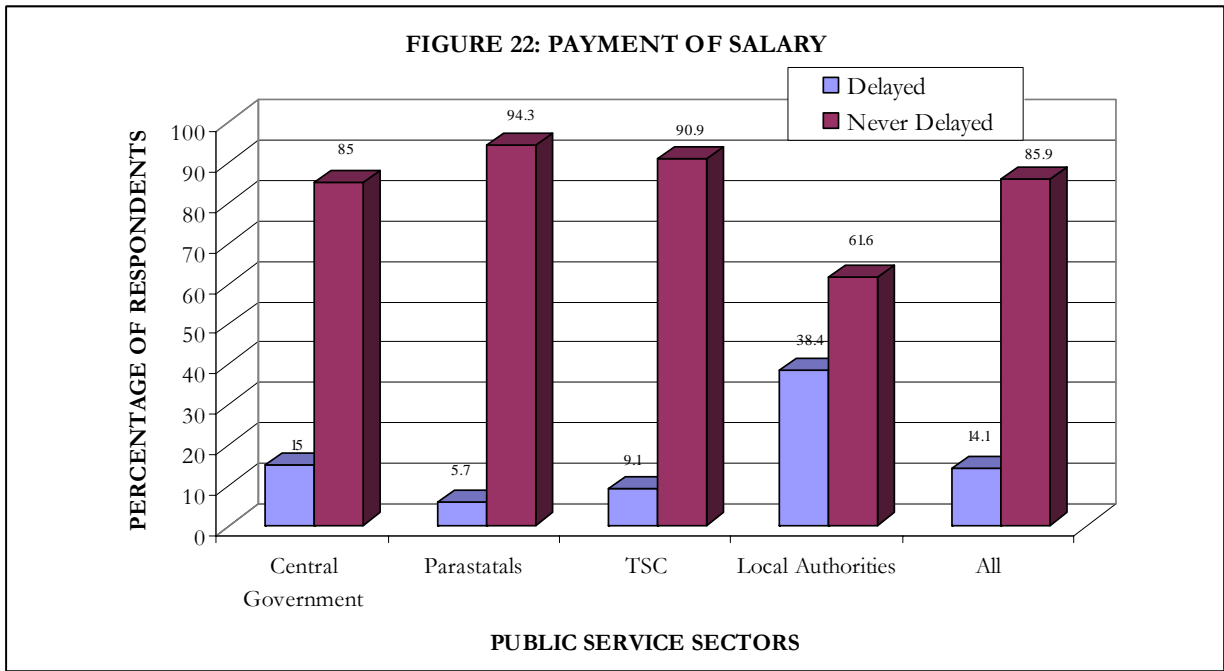
4.2.5 Engagement in Other Work Activities

The respondents were asked if they engage in other work activities to supplement their official pay. On average, 35 percent of the respondents indicated that they always engage in other work activities as opposed to 20.3 percent who never engage in other work activities (Figure 23). Cases where public officers were engaged in other work activities were more prevalent within the local authorities (43.7%). This was closely followed by the civil service (36.5%), TSC (32.5%) and parastatals (31.7%) in that order.

FIGURE 23: ENGAGEMENT IN OTHER ACTIVITIES BY PUBLIC OFFICERS
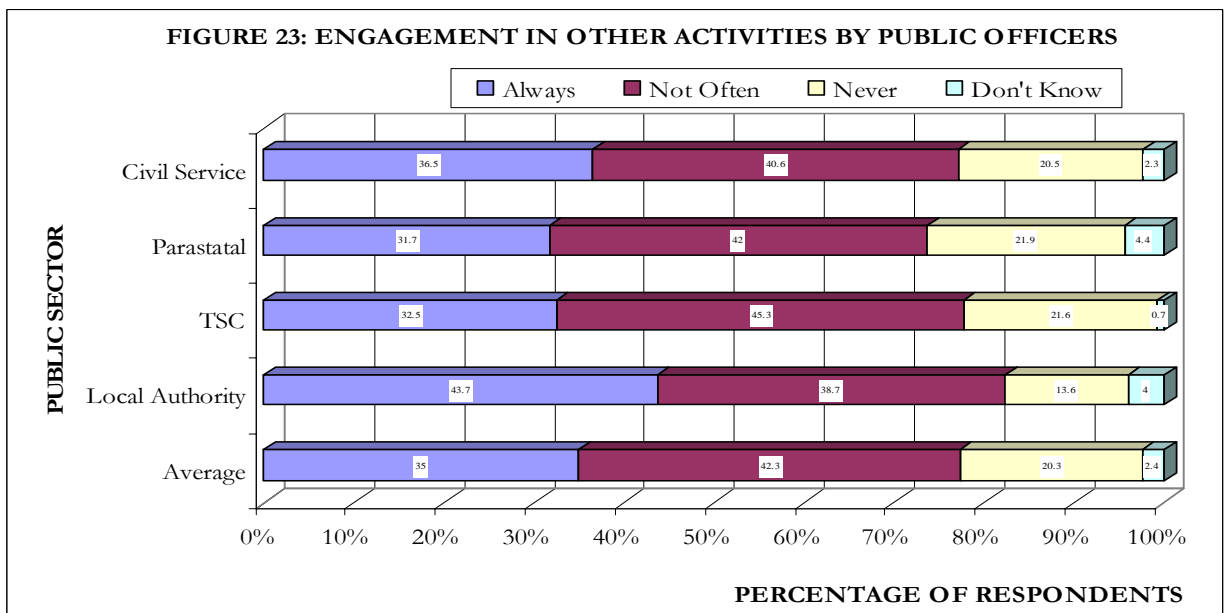
4.2.6 Training Activities

4.2.6 Training Activities

Public officers are encouraged to improve on their skills and acquire new ones so as to enhance the quality of service delivery. In this respect, the findings of the Survey indicate that over 68 percent of the public officers had participated in training activities organized by their institution as opposed to 31.3 percent who had not. State Corporations and the mainstream Civil Service did well when it came to training their staff as opposed to local authorities (Figure 24).

When asked to rate the fairness of the criteria used to nominate officers to attend training, 69.5 percent rated the criteria as fair, 12.6 percent as not fair, while 10.9 percent rated it as sometimes fair. However, 7.0 percent of the respondents did not know if there is any criterion in place. The respondents further indicated that the nominations were done by departments (65.4%) and were based on the job group (15.3%). In some cases, the selections were done on *ad hoc* basis as indicated by 8.2 percent of the respondents. Only 1.9 percent of the respondents indicated that nomination was done by the Training Committee.

FIGURE 24: PARTICIPATION IN TRAINING
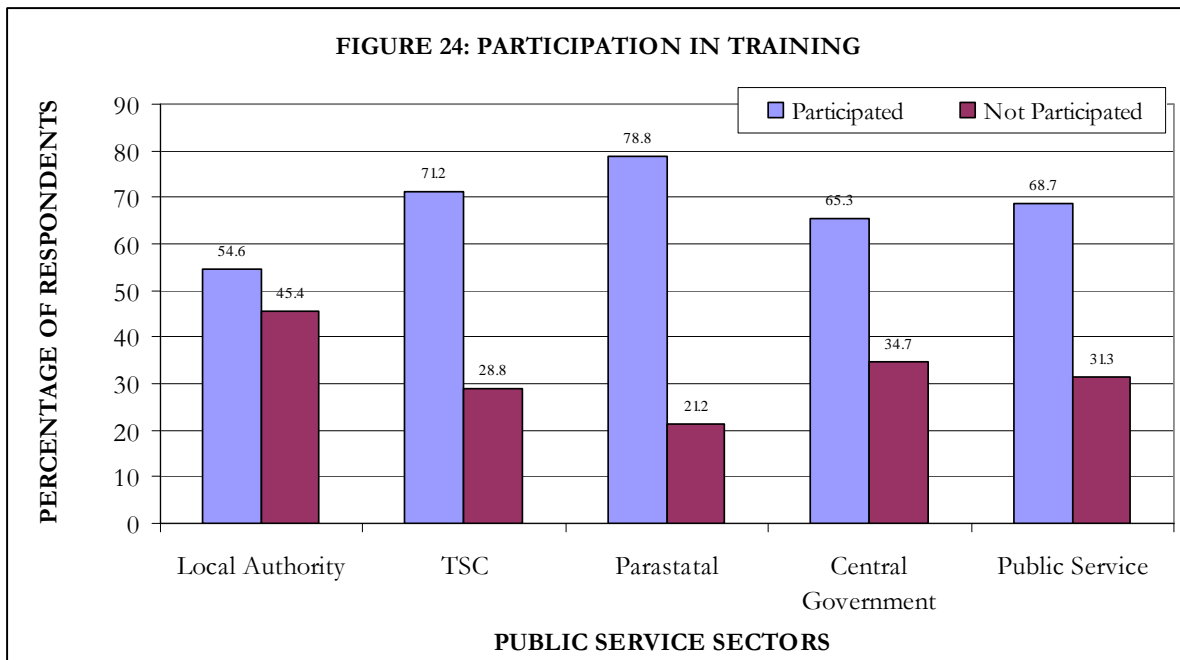
Besides the formal training, seminars are also held to create awareness on certain policies, programmes and activities that are being implemented in government institutions. Quite a small number of public officers seemed to have participated in or attended such seminars. The Survey found that only 17.7 percent of the respondents had attended such seminars. Those who had attended such seminars had done it once (36.9%), twice (20.1%) thrice (15.5%) four times (8.8%) or more than four times (18.8%).The Survey also established that

seminar attendance was departmental or job-group based (15.5%). While 6.9 percent of the respondents indicated that attendance was on *ad hoc* basis, only 3.7 percent indicated that there was a committee responsible for choosing officers to attend seminars.

Training workshops are convened to enhance employees' conceptual knowledge and, understanding and impart practical skills on such phenomena such as corruption so as to enable the officer carry out their duties more efficiently and effectively. Slightly over 45 percent of respondents had once attended the training workshops, 20.1 percent had twice attended twice, 13.3 percent had thrice attended, 6.1 percent had four times attended while 14.9 percent had attended them more than four times. By and large, the respondents indicated that the training workshops were department-based (65.7%), job group-based (19.3%), or organized on an *ad hoc*-basis (7.7%). Overall, 4.4 percent of the respondents indicated that there was a committee responsible for nominating officers to attend training workshops.

Other knowledge expansion programmes available to public officers include study tours and participation in conferences. On average, 2.4 percent of the respondents indicated having attended study tours. Majority of the respondents (68%) indicated that they had attended study tours only once, an identical 11.1 percent had attended study tours twice and thrice respectively, 5.6 percent had attended study tours four times while 4.2 percent have attended study tours more than four times. According to the respondents, nomination to attend study tours was department-based (60%), job group based (20%) while an identical 7.7 percent indicated that it was *ad hoc* and committee-based respectively.

In addition, conference attendance assist officers to up-date their knowledge and understanding on relevant topical issues. These are important for professional exposure and networking at national, regional or even international levels. The Survey found that only 1.9 percent of the respondents had attended such conferences, of which attendance was either once (48%), twice (20.7%), thrice (15.5%) or more than four times (12.1%).

4.2.7 Promotion of Staff

Promotion plays a critical role in staff development, motivation and enhancing performance. In the Survey, respondents were asked to state the factors that are considered when promoting staff in their institutions. The Survey revealed that academic qualification (42.3%) is more critical in determining staff to be promoted (Figure 25). This was followed by experience (32.2%) and work performance (30.2%). The Survey also revealed that some

promotions are based on merit (21%), while others were influenced by nepotism (16.5%), automatic based on service for a mandatory period (13.1%), openings in upper grades (8.5%), and illegal payments (3.5%).

FIGURE 25: FACTORS INFLUENCING PROMOTION WITHIN THE PUBLIC SERVICE
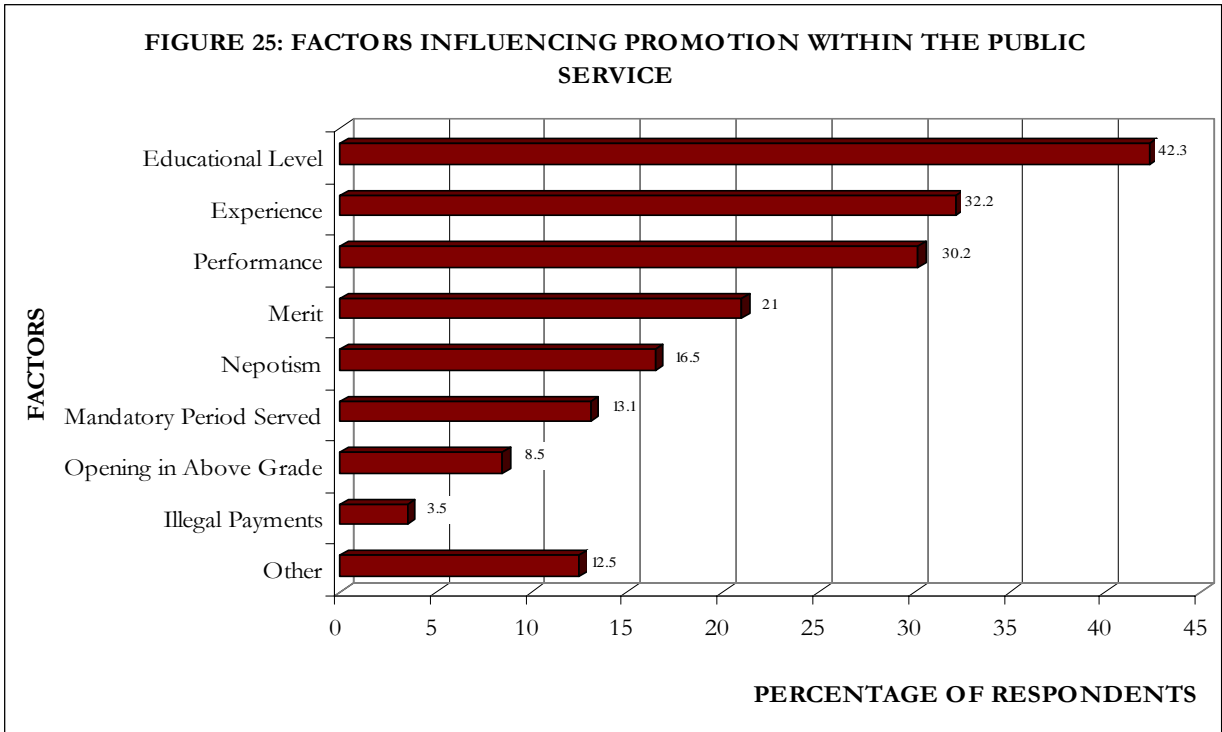
4.2.8 Performance Appraisal System

Performance appraisal systems are intended for the evaluation of staff ability to perform effectively and determine any skills and knowledge gaps of an officer so as to offer training, secure promotion or undertake corrective action. The assessment of the frequency of staff performance evaluation found that most respondents (62.0%) are appraised annually. However, 19.0 percent of the respondents, mainly support staff, reported that they have never been subjected to any performance evaluation (Figure 26).

FIGURE 26: PERFORMANCE EVALUATION WITHIN THE PUBLIC SECTOR
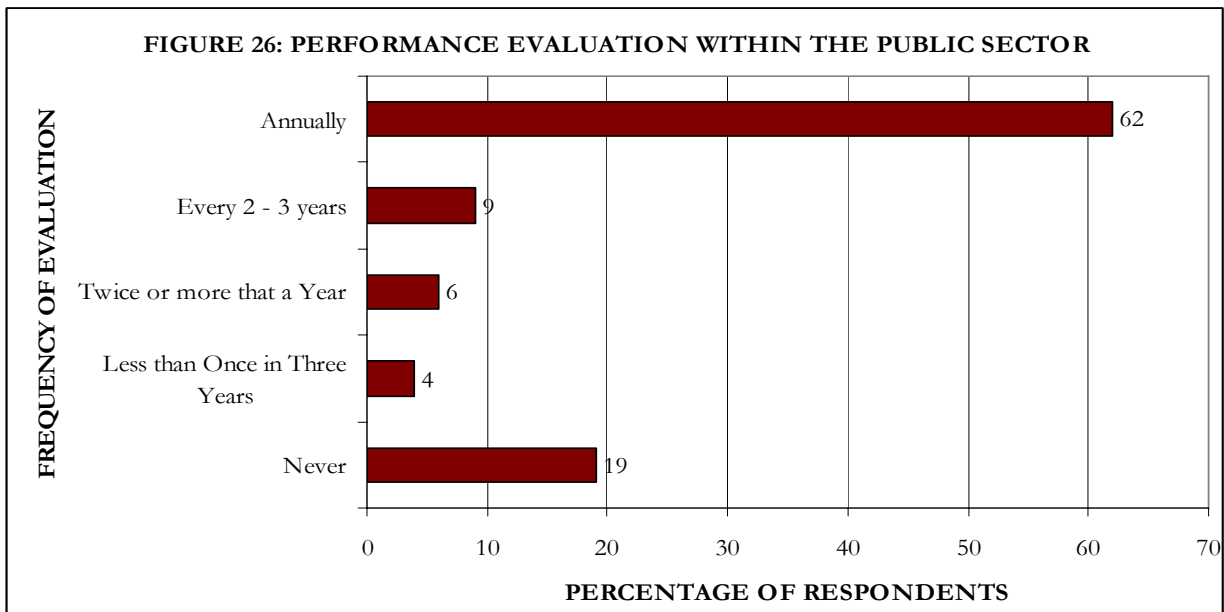
The Survey also sought to establish the transparency of the appraisal system. At least 41.8 percent of the respondents rated the appraisal system in all public institutions as transparent as opposed to 24.3 percent who rated them as not transparent (Figure 27). While 19.2 percent of public officers reported that the appraisal system rated very transparent, 14.7 percent did not know if it was transparent or not.

Going by the categories of public institutions, the appraisal system was rated to be very transparent in parastatals (23.8%), civil service (21.5%), TSC (18.8%) and local authorities (8.3%). This is over and above those who rated the appraisal system as transparent in parastatals (40.0%), civil service (45.0%), TSC (41.3%) and local authorities (38.3%). The good rating of the appraisal system notwithstanding, only a very small number of respondents (11.3%) indicated that their organizations rewarded staff for excellent achievement, while majority (80.5%) pointed out that staff rewards are non-existent.

FIGURE 27: TRANSPARENCY IN THE APPRAISAL SYSTEM
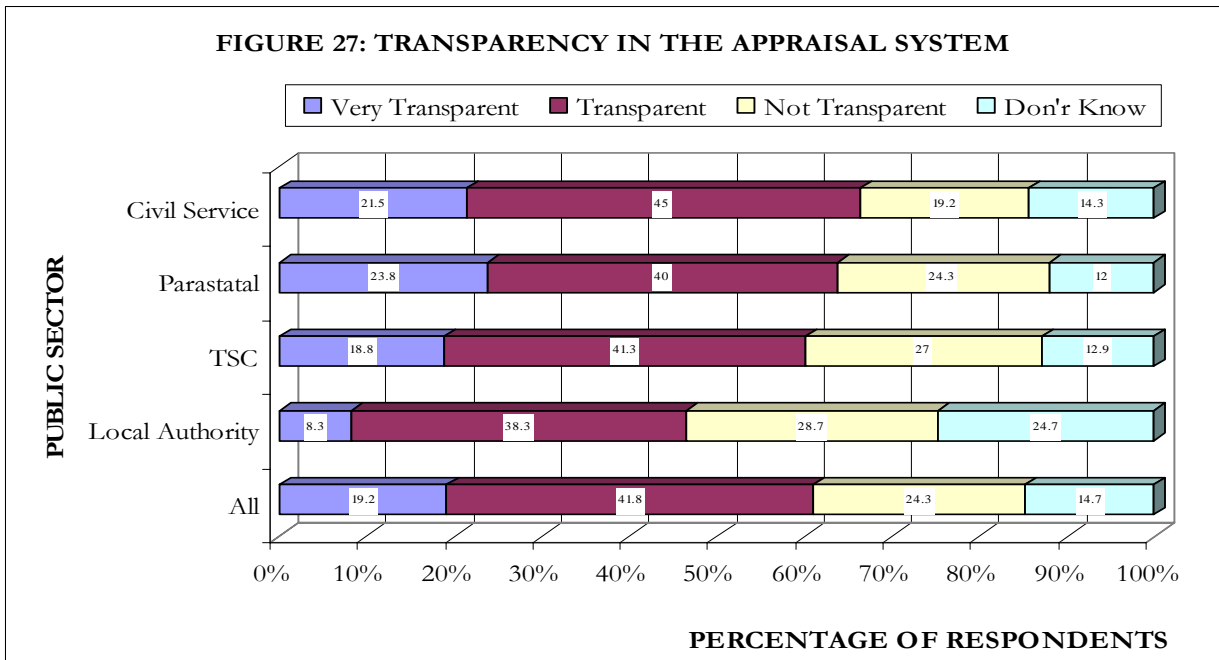
4.2.9 The Disciplinary Process

Disciplinary actions are corrective measures aimed at bringing behaviour change in observing the laid down rules and regulations.[2] The Survey sought to establish if the disciplinary process in the public sector was transparent or if public officers were being sanctioned for reasons other than discipline. When asked how transparent disciplinary systems were in their institutions, 51.3 percent indicated that the disciplinary process was transparent as opposed to 18.3 percent who thought the process was not transparent. While 21.1 percent indicated that the disciplinary process was very transparent, 9.2 percent did not know whether the process was transparent or not (Figure 28). The lack of transparency was slightly higher among local authorities. While 39.0 percent reported that sanctions were applied as corrective measures, about 40.0 percent said the reasons for the sanctions were not in relation to any disciplinary case.

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[2] The procedure for processing cases of discipline is stipulated in the provisions of the Service Commissions Act, Cap 185 of Laws of Kenya. These procedures are also well amplified by the Code of Regulations.

FIGURE 28: APPLICATION OF DISCIPLINARY ACTION
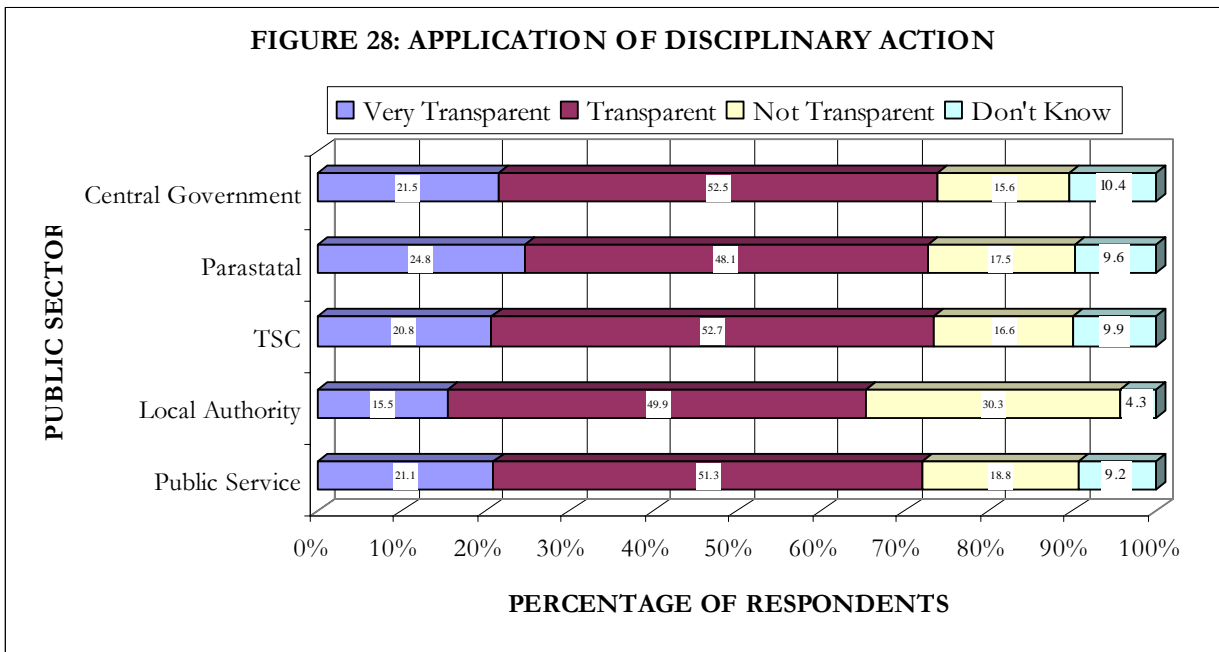
4.2.10 Suggestions for improving Personnel Management

When asked to suggest ways to improve personnel management within the public sector, 42.9 percent indicated continuous training and skills development; better pay (21.9%); transparency (21.2%); promotions based on merit (18.3%); better working conditions (12.7%); employment of adequate staff (11.5%); staff appraisal system in place (7.2%); enhancement of team work (5.2%); improved communication (5%); rightful placement of staff (4.7%); regular and continuous supervision (3.7%); eradication of tribalism and favouritism (3.5%); and a proper disciplinary process in place (1.3%).

4.3 Financial Management

4.3.1 Financial Regulations

Responding to the question on transparency, consistency and clarity of financial decisions, respondents indicated that financial management decisions were formal (78.4%), clear (71.0%), transparent (66.6%) and consistent (66.0%) (Figure 29).

FIGURE 29: NATURE OF FINANCIAL REGULATIONS

Legend: ■ Yes ■ No □ Don't Know

Category	Yes	No	Don't Know
Formal	78.4	10.3	11.3
Clear	71	16.2	12.8
Transparent	66.6	20.1	13.3
Consistent	66	20	14

PERCENTAGE OF RESPONDENTS
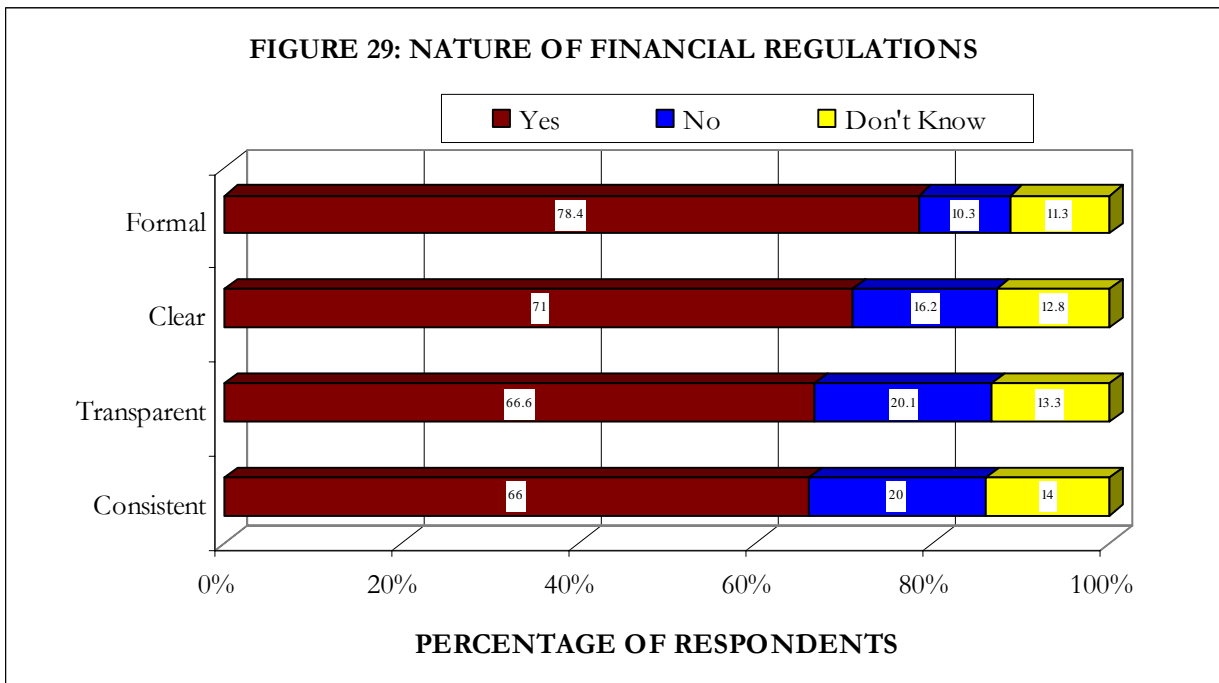
4.3.2 Budget Preparation and Execution

Table 9 indicates the responses to questions on budget decision-making, especially on the amount of funds allocated to services, programmes and projects as well as the groups that manage such funds. There was clear verdict that budget decisions were made in a transparent manner with 34.1 percent of the respondents strongly agreeing while 38.6 percent agreeing. Only 15.3 percent of the respondents disagreed with the statement while 12.0 of the respondents were indifferent about it.

With regard to auditing, respondents strongly agreed that the budgets of their organizations were subjected not only to regular internal audits (32.2%) but also to external audits by professional auditors (34.0%). Only a small number of public officers reported that their budgets were never subjected to internal audits (12.6%) or external audits (7.4%).

Table 9: Budget Decision-Making in your Institution (%)

	Strongly Agree	Agree	Indifferent	Disagree
Done transparently	34.1	38.6	12.0	15.3
Subjected to regular audits by the internal control unit	32.2	43.2	12.0	12.6
Subjected to regular external audits by professional Auditor	34.0	46.4	12.1	7.4
Based on purely technical criteria defined in writing	30.9	43.6	16.5	8.9
Planned with consideration given to institutional priorities	30.3	44.7	14.4	10.6
Based on consultative process	29.3	42.2	13.6	15.0
Strictly used for purposes for which they have been earmarked	28.7	42.1	15.0	14.2
Based on influential connections within and outside the institution	8.6	18.4	18.3	54.7

Table 9 further shows that about a third of the respondents strongly agreed that the budget preparation process is consultative (29.3%) and takes into consideration planned institutional priorities (30.3%). Almost a similar proportion of the respondents (28.7%) strongly agreed that the budgeted funds are strictly used for purposes for which they have been earmarked. Majority (54.7%) of the respondents disagreed with the statement that budget decision making in their respective institution was based on influential connections within and outside the institution while 18.3 % were indifferent about that statement.

4.3.3 Financial Records Management
Table 10 below summarizes responses to questions on financial record management. Majority of the respondents strongly agreed (36.8%) or agreed (47.3%) that hard copies of records of different transactions were kept for use during audit. Interestingly, 36.9 percent of the respondents disagreed that their organizations do not divulge financial information to the public. Only 27.7 percent agreed and 19.9 percent strongly agreed that their respective institutions divulge their financial reports to the general public.

On the other hand, a number of respondents strongly agreed (25.8%), agreed (48.5%) or disagreed (8.3%) that operational processes were integrated in order to achieve efficiency in financial management. Similarly, respondents strongly agreed (22.8%), agreed (39.9%) or disagreed (23.8%) that third-party payments made by the institution followed the order in which the invoice was received. Overall, 38.3 percent strongly agreed and 43.5 percent agreed that the budget is an effective tool for planning and executing plans and strategies of the institution.

Table 10: Evaluation of Financial Management Practices (%)

	Strongly Agree	Agree	Indifferent	Disagree
Hard copy records for different transactions are kept for use during audit	36.8	47.3	11.5	4.4
The institution divulges its financial reports to the general public	19.9	27.7	15.4	36.9
The operating processes are integrated in order to achieve efficiency in financial management	25.8	48.5	17.4	8.3
Third party payments made by the institution follow the order in which the invoice was received	22.8	39.9	23.8	13.5
The budget is an effective tool for planning and executing plans and strategies of the institution	38.3	43.5	11.6	6.5

4.3.4 Budget Execution

The respondents were asked to indicate the factors leading to variations between actual and budget estimates in their institutions. Poor planning (31.9%) and economic circumstances (28.3%) were cited as the major causes of budget variations (Figure 30). Other factors cited as the cause of budget variations included unplanned activities carried out by the institution, authorized variations, institutional failure, natural disasters, and corruption. However, 7.5 percent of the respondents, especially support staff did not know the cause of the variations.

FIGURE 30: FACTORS INFLUENCING BUDGET VARIATION
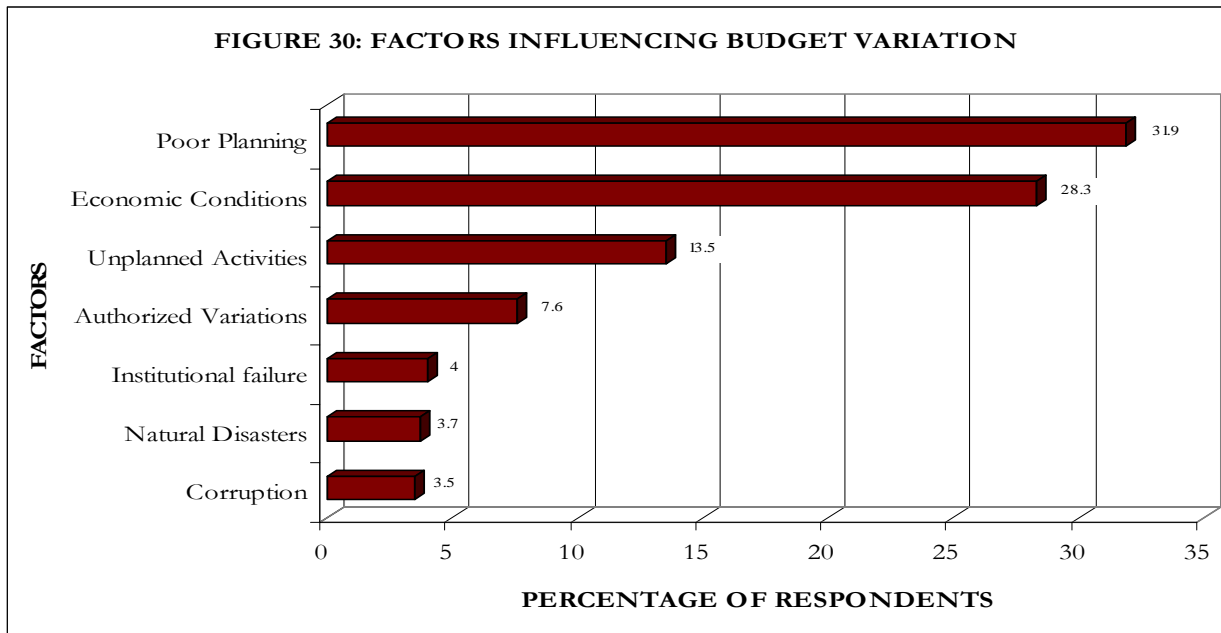
4.3.5 Suggestions to Improve Financial Management

Majority of the respondents (73.8%) suggested strict financial management regulations

followed by regular external auditing (30.2%) as a means of improving the monitoring and control of budgetary resources in their institutions. The other suggestions made by the respondents included integration of departments (25.2%), ensuring proper planning and budgeting (18.9%), training of staff on financial management (13.7%), regular review of the budget (5.2%), proper utilization of resources (4.8%), computerization of the financial management systems (2.8%), timely disbursement of budget resources (2.3%) and proper record keeping (1.5%).

4.4 Procurement Management

4.4.1 Procurement Decisions

Responding to the question on the transparency, consistency and clarity of procurement management decisions, respondents indicated that procurement management decisions were formal (75.8%), clear (67.8%), transparent (62.8%) and consistent (63.7%) (Figure 31). A sizeable number of respondents indicated that procurement decisions were not formal (18.9%), not clear (16.3%), not transparent (20.4%) or not consistent (9.7%). A near similar number could not comment on this subject for lack of knowledge on matters related to procurement.

FIGURE 31: PROCUREMENT MANAGEMENT DECISIONS

	Yes	No	Don't Know
Formal	63.7	18.9	17.3
Transparent	62.8	20.4	16.8
Clear	67.8	16.3	15.9
Consistent	75.8	9.7	14.4

PERCENTAGE OF RESPONDENTS
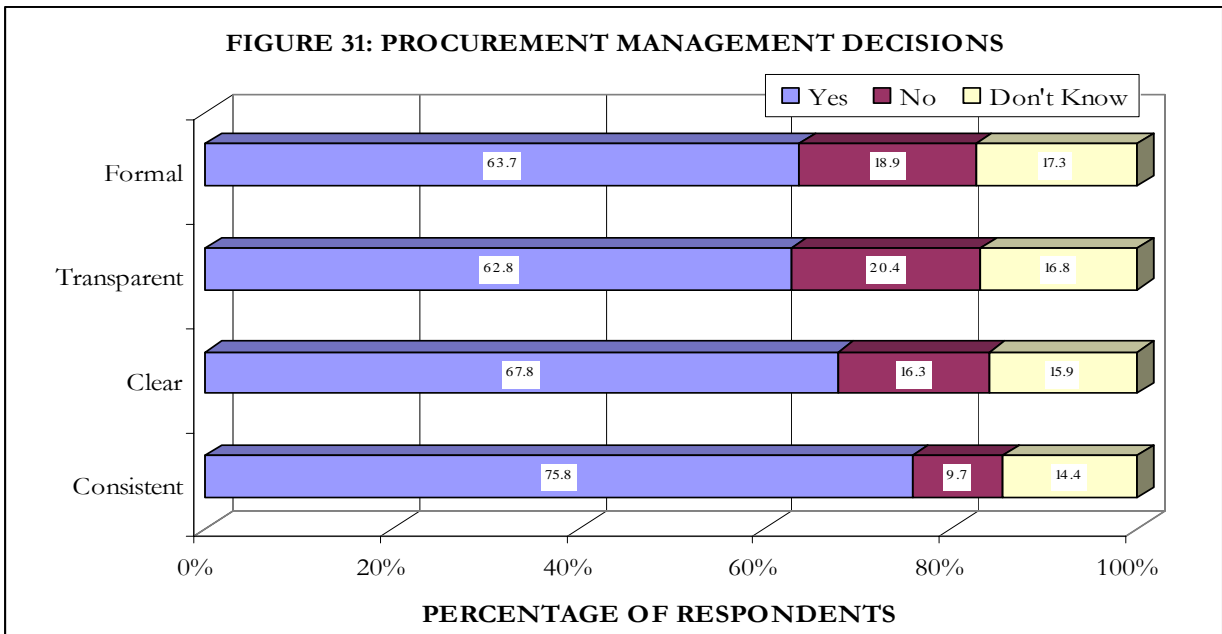
4.4.2 Procurement Practices

The Survey also sought to evaluate the integrity of the procurement process. At least 39 percent of the respondents disagreed, while 30.1 percent strongly agreed and 16.3 percent just agreed with the statement "*it is possible to influence the procurement process in your*

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organization" (Figure 32). When asked to state whether they strongly agreed, agreed or disagreed with the statement that the "*procurement process in their organizations is done in close consultation with the accounting officers, controlling officers and department managers*", 24.4 percent strongly agreed while and 47.1 percent agreed. Only 13.1 percent disagreed with the statement. In regard to "*adherence to procurement regulations*", 25.0 percent strongly agreed and 41.5 percent agreed that their institution followed the procurement regulations to the letter. Only 13.5 percent of the respondents disagreed with that statement.

FIGURE 32: PROCUREMENT PRACTICES

	Strongly Agree	Agree	Not Sure	Disagree
Process is Influenced	14.6	30.1	16.3	39
Done in Close Consultation	24.3	47.1	15.5	13.1
Follow Procurement Regulation	25	41.5	20	13.5

PERCENTAGE OF RESPONDENTS
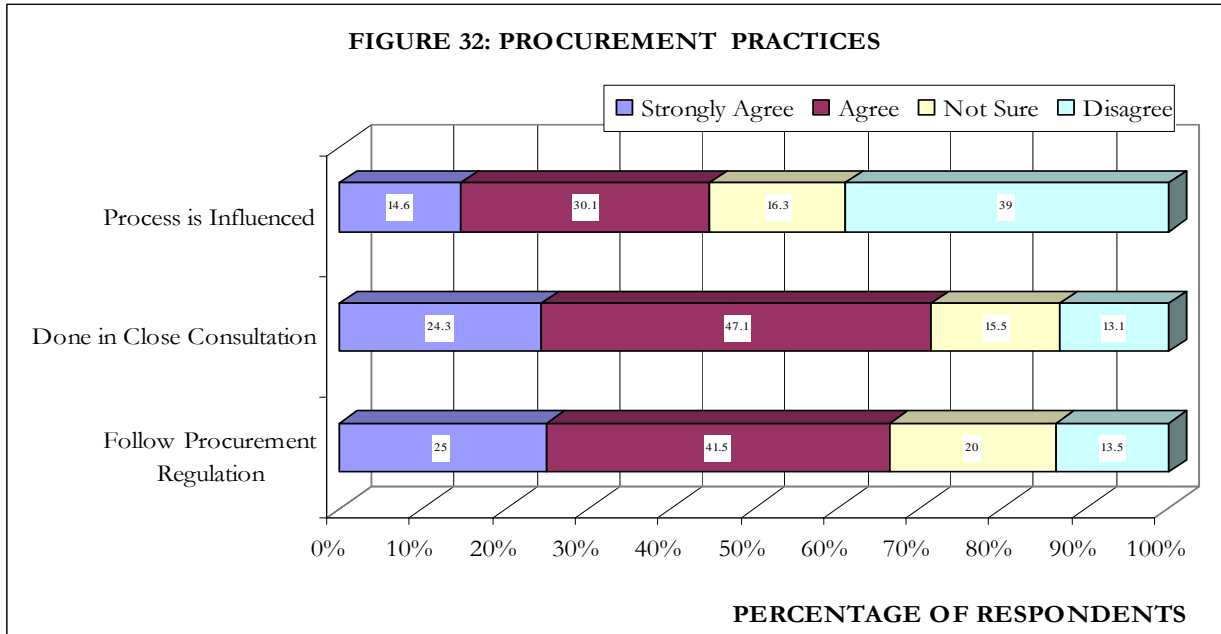
4.4.3 Procurement Planning

Figure 33 summarizes responses of the respondents on various aspects of procurement planning. Overall, 73.7 percent of the respondents agreed that their institutions did not have procurement plans. When asked to state whether procurement plans were drawn based on institutional priorities, 25.0 percent strongly agreed (and another 47.0 percent agreed) that the procurement plans were based on institutional priorities as opposed to 10.4 percent who thought otherwise. With regard to funds being used for purposes for which they were earmarked, 25.0 percent of the respondents strongly agreed (and another 44.0 percent agreed) with the statement.

FIGURE 33: EVALUATION OF THE PROCUREMENT PLAN

Legend: Strongly Agree | Agree | Not Sure | Disagree

Category	Strongly Agree	Agree	Not Sure	Disagree
Done Transparently	25	40	18	17
Based on Technical Criteria	25	44	20	11
Based on Influential Connections	10	22	22	46
Based on Institutional Priorities	25	47	18	10
Funds used for earmarked purposes	25	44	19	12

PERCENTAGE OF RESPONDENTS

4.4.4 Procurement Malpractices

The Survey established that a number of common procurement malpractices occur in most public organizations. As presented in Figure 34, a sizeable number of respondents confirmed that different procurement malpractices existed in their institutions. These included contractor monopolies, adjusting technical specifications in contracts, modification of terms of the contract and bribery to award a contract among others.

FIGURE 34: COMMON PROCUREMENT MALPRACTICES

| | Strongly Agree | Agree | Not Sure | Disagree |

PROCUREMENT MALPRACTICE

- Adjusting Technical Specifications: 5.4 | 13.4 | 26.3 | 54.9
- Contractor Monopolies: 7.4 | 16.5 | 22.5 | 53.5
- Contracting with Fictitious Companies: 2.6 | 7.4 | 23.9 | 66.1
- Receiving orders fron Non-Existent Companies: 2.5 | 7.7 | 24.3 | 65.4
- Modification of Terms of the Contract: 3.9 | 11.8 | 27.1 | 57.1
- Bribe offered to influence Award of Contract: 4.7 | 10.3 | 26.2 | 58.8
- Informal Agreements with Suppliers/Contractors: 4.5 | 11.5 | 27.6 | 56.4

PERCENTAGE OF RESPONDENTS

4.4.5 Suggestions to Improve the Procurement Processes

In the Survey, respondents were also asked to make suggestions for improving transparency and accountability of the procurement process. A significant number of respondents (68.1%) thought that adherence to regulations contained in the Public Procurement and Disposal Act 2005 and the Public Procurement and Disposal Regulations 2006 would ensure transparency and accountability in public institutions. Other measures suggested included integration of all departments in the planning process (18.6%), training of staff (9.2%), shortening the procurement process (8%), enhancing supervision (7.4%), recruitment of competent and qualified staff (6.1%), creating harmony in the departments (2.2%) and computerization (2.2%).

4.5 Information Management and Communication

4.5.1 Forms of Records Management in Public Organizations

A good records management system is critical in stemming loopholes in corrupt practices. Both manual and computerized systems are used within the public sector (Figure 35). At least 61.0 percent of the respondents indicated they use both manual and computerized forms of record management followed by 36.0 percent who are wholly manual. Only 3.0 percent of the respondents said that records management systems in their respective institutions were wholly computerised.

FIGURE 35: RECORDS MANAGEMENT
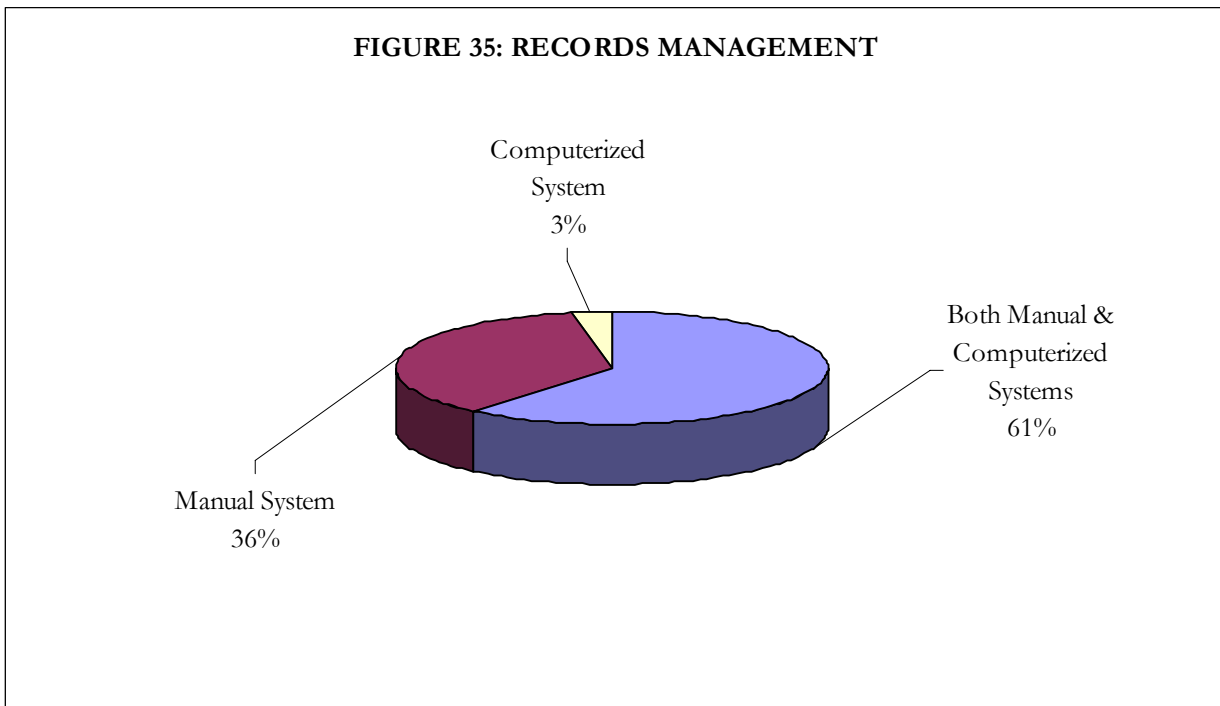
4.5.2 Information Management and Communication Regulations

Public officers were asked to evaluate the formality, simplicity and efficiency of information management and communication regulations. Figure 36 shows the ratings on information management and communication within public institutions. There was clear agreement on the formality, simplicity and efficiency of the information management and communications systems. Those who strongly agreed or agreed that the systems were formal were 37.2 percent 49.8% percent of the respondents respectively. A near similar number of respondents strongly agreed (34.5%) or agreed (51.1%) that communication was simple. Another sizeable number of respondents strongly agreed (29.0%) or agreed (49.3%) that there were no excessive administrative steps in the communication process. Lastly respondents strongly agreed (32.1%) or agreed (51.5%) that communication was based on laid down institutional rules.

FIGURE 36: RATING OF INFORMATION MANAGEMENT AND COMMUNICATION REGULATIONS
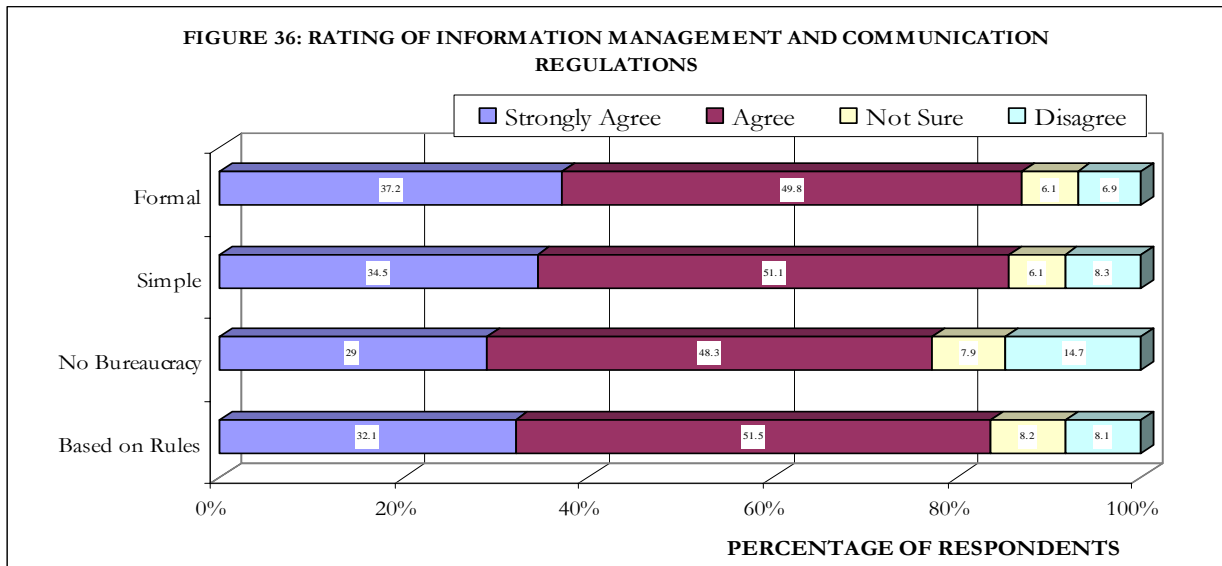
4.5.3 Communication Practices in Public Organizations

On communication practices, the respondents strongly agreed (33.6%) or agreed (49.0%) that channels of communication within their respective institutions are well defined (Table 11). A near similar proportion of respondents indicated that information passed on is accurate and sufficient. Besides, a number of respondents strongly agreed (24.2%) or agreed (47.7%) that the information is provided in a timely and efficient manner. While 33.4 percent of the respondents disagreed that managers in their institutions always took into account opinions of their subordinates when making decisions, 35.5 percent agreed while 20.3 percent strongly agreed.

Table 11: Communication Practices in Public Organizations (%)

	Strongly Agree	Agree	Indifferent	Disagree
Channels of communication are well defined	33.6	49.0	3.6	13.9
Information is accurate and sufficient	27.4	50.7	7.0	14.8
Information is provided in a timely & efficient manner	24.2	47.7	7.9	20.3
When managers take decisions, they always take into consideration the opinions of their subordinates	20.3	35.5	10.9	33.4

4.5.4 Suggestions for Improving Information Management and Communication

When asked to suggest how best to improve information management and communication within their institution, 43.3 percent indicated that an information management system should be put in place leveraging the opportunities presented by ICTs through e-government and other channels, 29.5 percent wanted enhanced consultations before decisions are made, 24.2 percent wanted staff trained on effective communication, 14.1 percent want well defined channels of communication, 10.5 percent want formalized

communication practices while 4.6 percent want time wastage minimized. Some public officers also suggested development and implementation of a communication policy (3.9%), encouraging professionalism (3.1%) and establishment of a Communications Department within public organizations (2.3%).

5. PUBLIC SERVICE DELIVERY

5.1 Introduction

This section addresses issue of public service delivery – quality and efficiency, reforms being implemented including RRI and anti-corruption, integrity and ethics, improvements in service delivery among public institutions and measures to improve service delivery.

5.2 Quality of Public Services

Responding to the quality, accessibility and customer expectation of public service, most respondents strongly agreed (34.7%) or agreed (53.7%) that services offered by the public sector was of high quality (Figure 37). A near similar number of respondents strongly agreed (34.2%) or agreed (57.3%) that services are accessible (i.e., in terms of cost and distance). However, a slightly less number of respondents strongly agreed (26.7%) or agreed (53.2%) that the services meet customer expectation.

FIGURE 37: QUALITY OF PUBLIC SERVICES OFFERED
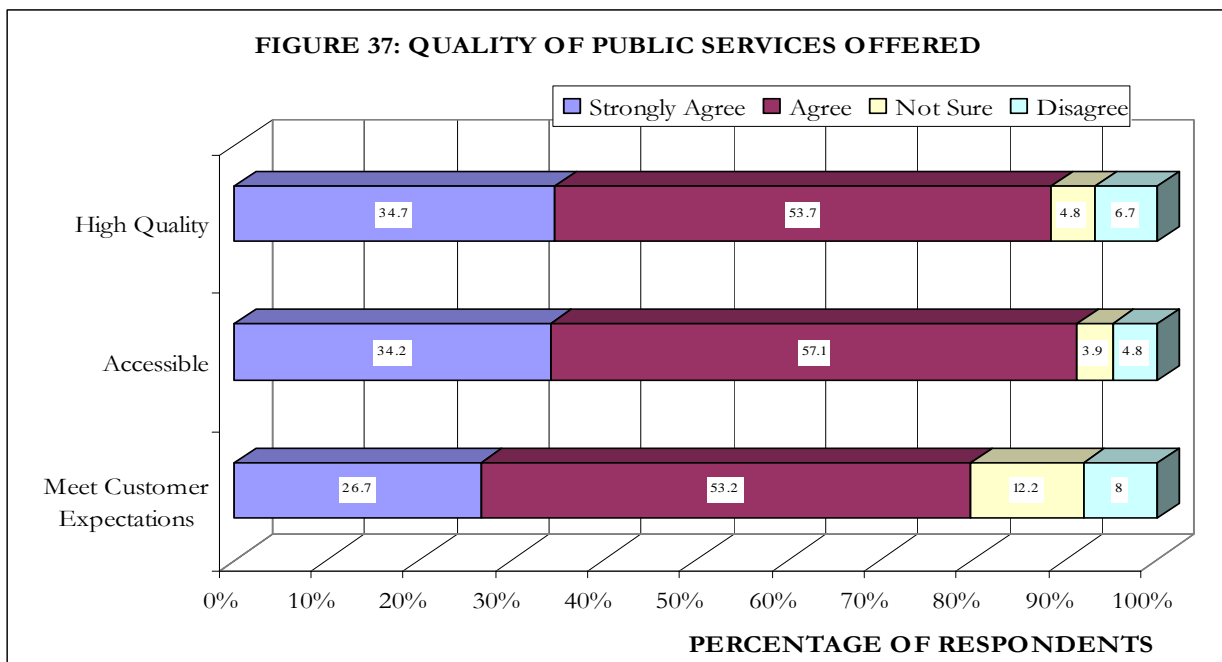
5.3 Public Complaints on Service Delivery

Majority of the respondents (68.2%) indicated that they received complaints from members of the public regarding service delivery as compared to 31.3 percent who indicated otherwise. The major complaints raised related to poor service delivery (59.4%), general delays in either service delivery or payment (22.8%), and high user fees for services sought

(9.9%) (Figure 37). Other complaints cited by a smaller number of respondents related to poor communication within the institution, corruption practices, harassment by the police, poor garbage collection, inadequate facilities, double allotment of plots and lack of drugs.

FIGURE 38: NATURE OF COMPLAINTS
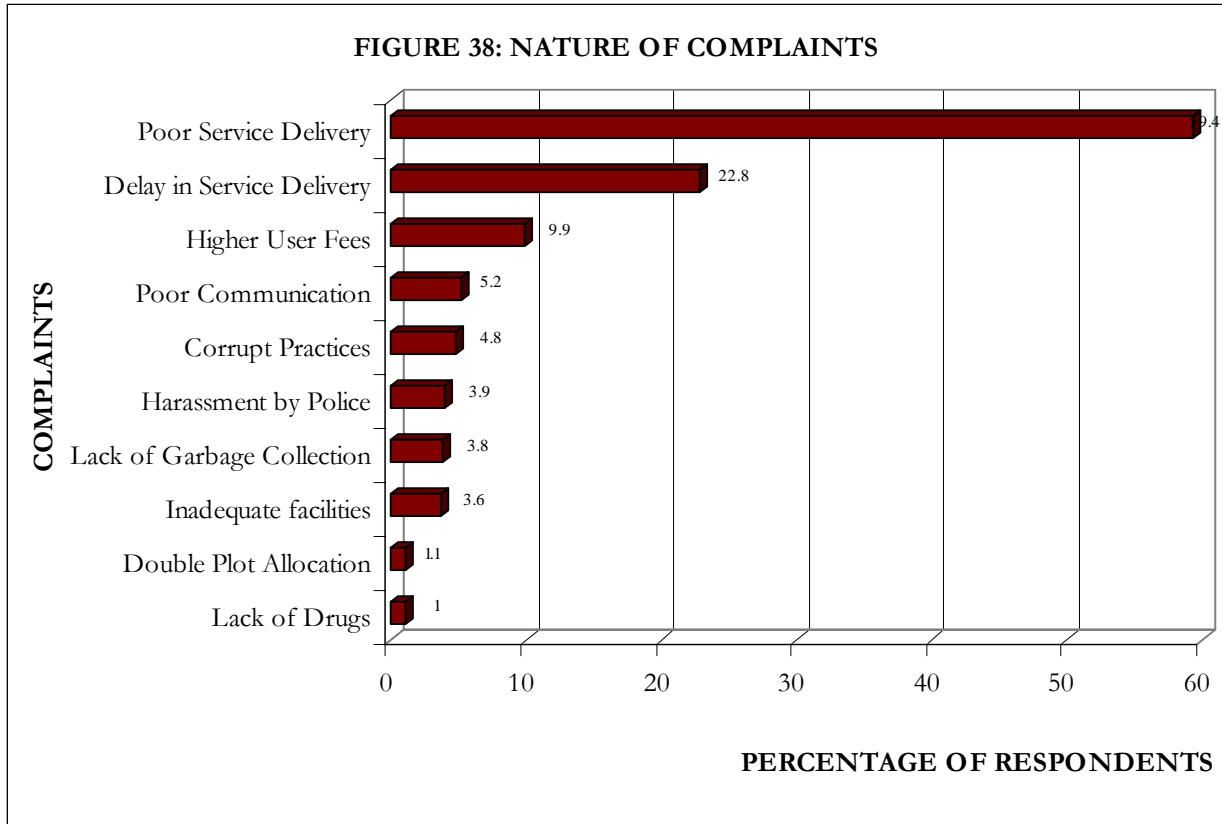
The Survey established that public institutions dealt differently with the public complaints received. The respondents indicated that most of the complaints were addressed immediately (36.5%), investigated and acted upon (27.3%) or a schedule to address the complaints developed (19.1%). Besides, staffs were sensitized on better service delivery (9.5%). Some of the respondents indicated that they justified the levy of user fees to the public (7.2%), strived to improve their systems and procedures (4.5%) or disciplined the affected officers (1.2%). It is important to note that 2.1 percent of the respondents indicated that no action was taken.

5.4 Public Officers Values and Ethics

Table 12 summarizes response on public officer's values in relation to execution of their duties. A significant proportion of respondents strongly agreed (26.3%) or agreed (49.4%) that they clearly understood the objectives and strategies of their institution while a good

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number of respondents (15.7%) indicated that they did not understand the objectives and strategies of their institution.

A near similar proportion of the respondents strongly agreed (25.0%) or agreed (48.3%) that they serve the public without prejudice or discrimination. In the discharge of their duties, 23.0 percent and 49.8 percent of the respondents strongly agreed or agreed respectively that they maintain a high degree of professionalism. However, more than a half of the respondents (55.9%) disagreed that incentives are given to all officers so as to improve the quality of services offered. Only 9.1 percent and 24.5 percent of the respondents strongly agreed or agreed respectively that there are incentives given to all officers to perform better.

Table 12: Public Officers' Professional Ethics (%)

	Strongly Agree	Agree	Indifferent	Disagree
They have a clear understanding of the Institution's objectives and strategies	26.3	49.4	8.7	15.7
They serve the public without prejudice or discrimination	25.0	48.3	11.6	15.1
There are incentives to all officers to improve the quality of services offered	9.1	24.5	10.5	55.9
They maintain a high degree of professionalism in discharge of their duties	23.0	49.8	10.4	16.8

5.5 Most Efficient Public Institutions

The respondents were asked to assess the performance of public institutions, including their own, in regard to service delivery. Figure 39 indicates the respondents' assessment of performance of public institutions. The Ministry of Education was ranked the most efficient (29.7%). This was closely followed by the Ministry of Health (25.6%), Kenya Revenue Authority (15.4%), Ministry of Agriculture (11.6%) and Kenya Power and Lighting Company (11.3%) among others. On average, public institutions that offer social and infrastructure services received the most favorable ratings. Not surprisingly, these highly ranked institutions are the ones that are perceived to have improved in fighting corruption.

FIGURE 39: PERFORMANCE OF PUBLIC INSTITUTIONS

Public Institution	Percentage of Respondents
Ministry of Education	29.7
Ministry of Health	25.6
Kenya Revenue Authority	15.4
Ministry of Agriculture	11.6
Kenya Power & Lighting Company	11.3
Teachers Service Commission	8.9
Ministry of Provincial Admn & Internal Security	8.5
National Hospital Insurance Fund	5.7
Ministry of Immigration	5.5
Telkom Kenya	4.6
Ministry of Finance	3.5
National Social Security Fund	3.3
The Police	3.2
City Council of Nairobi	2.8
Ministry of Transport	2.4
Ministry of Roads & Public Works	2.2
Ministry of water & Irrigation	2.1
Ministry of Livestock & Fisheries	2
Ministry of Local Government	2
Kenya Airports Authority	1.8
Ministry of Information & Communication	1.7
Central Bank of Kenya	1.7
Ministry of Tourism & Wildlife	1.6
Kenya Pipeline Company	1.6
Ministry of Foreign Affairs	1.5
Ministry of Home Affairs	1.5
Ministry of E.Africa & Regional Cooperation	1.4
Ministry of Lands & Settlements	1.4
The Judiciary	1.4
Water Regulatory Boards	1.2
Kenya Ports Authority	1.1
Ministry of Labour	1
Ministry of Defence	1
KENGEN	1

PUBLIC INSTITUTIONS

PERCENTAGE OF RESPONDENTS

5.6 Awareness of Public Service Reforms

Public officers were asked to indicate their levels of awareness of public sector reforms being implemented by the Government as well as their respective institutions. A significant number of respondents (54.6%) were aware of some reforms being implemented as opposed to 45.4 percent who indicated that they do not know any reforms being implemented.

In assessing deeper the levels of awareness of reforms, the reforms being implemented were grouped into two broad categories – corruption related reforms and public service delivery reforms (Figure 40). Considering the anti-corruption reforms, performance contracting and establishment of Corruption Prevention Committees (CPCs) recorded consistently high levels of awareness in the entire public service. Other reform measures targeted at curbing corruption included training of Integrity Assurance Officers (IAOs), installation of corruption reporting boxes, regular declaration of wealth by public officers and implementation of RRI.

FIGURE 40: AWARENESS OF PUBLIC SECTOR REFORMS

Reform	Percentage
Performance Contracting	54
Establishment of CPC	41
Training of IAOs	27.3
Installation of Corruption Reporting Boxes	26.8
Regular Declaration of Wealth	16.7
Implementation of RRI	14.6
Trained and Competent Staff	11.8
Better Economic Mangement	6.6
Performance Appraisal System	5.2
Better Communication	4.8
Staff Retrenchment	4.7
Recruitment of more Staff	3
Installation of Surveillance Cameras	2.4

PERCENTAGE OF RESPONDENTS
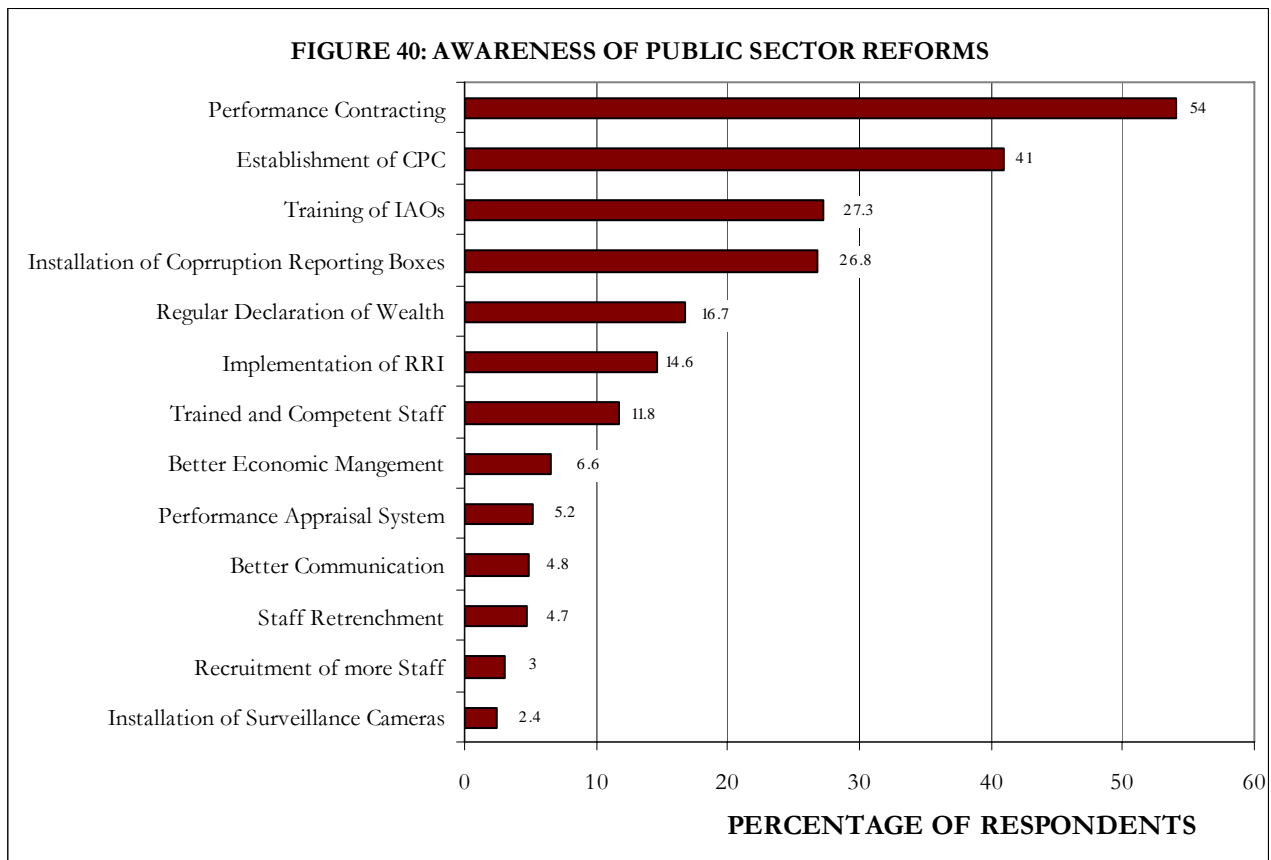
5.7 Measures to Improve Performance of Public Institutions

Respondents expressed broad support for public sector reforms aimed at improving service delivery (Table 13). Majority of the respondents indicated that better trained and competent staff (68.1%), improving the work conditions (65.8%), having a better communication system (64.3%), establishment of adequate pay for public officers (61.5%), and introduction of performance-based personnel management (61.4%) are important measures for improving public service delivery. Other reform measures that were rated to be very effective included increasing budgetary allocations to public organizations, having better

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legal framework, decentralizing service delivery, implementing Public Service Integrity Program, regular declaration of wealth by public officers, and privatizing public enterprises.

Table 13: Assessment of Public Sector Reforms

	Very Effective	Effective	Not Effective	Don't Know	Count
Establishing adequate pay for public employees	61.5	34.1	3.8	0.6	2976
More budgetary resources	59.8	34.8	4.3	1.1	2984
Better trained and competent staff	68.1	28.9	2.3	0.6	2983
Reduction in government workforce combined with higher salary	17.9	25.5	51.4	5.2	2975
More and better equipment	65.8	31.3	2.4	0.5	2980
Better communication	64.3	33.7	1.7	0.3	2977
Better legal framework	55.4	38.5	3.8	2.3	2966
Performance-based personnel management system	61.4	32.9	4.5	1.1	2977
Decentralization of service delivery	52.4	36.6	8.2	2.7	2961
Privatization of public enterprises	29.7	35.8	28.2	6.3	2971
Regular declaration of wealth by public officers	31.1	36.8	29.3	2.9	2971
Public Service Integrity Program	43.1	41.9	4.3	10.7	2948

The respondents were asked to suggest ways for improving implementation of public sector reform programmes. Their suggestions included the need for strict adherence to reform regulations (16.5%), facilitation with equipment and other materials (16.1%), staff motivation (14.3%), more funding (14.1%), involvement of all staff in decision making (11.0%), monitoring and evaluation of the implementations (10.2%). Other suggestions, although cited in smaller proportions were promotion of collective responsibility (9.7%), modernization of the operational system (3.6%), decentralization of service delivery (3.0%) and allowing more time for implementation (3.0%).

5.8 Rapid Results Initiative

When asked if their respective institutions were implementing RRI, 36.9 percent of the respondents indicated that their institutions were involved in the implementation of RRI as opposed to 45.7 percent who stated that their institutions were not implementing RRI. A further 17.4 percent of the respondents were not even aware of RRI (Figure 41). Training of IAOs (31.8%), installation of corruption reporting boxes (25.0%), establishment of CPCs (25.0%), and carrying out of Corruption Risk Assessment (19.4%) were identified as key measures that were supportive to the RRI process. Other RRI reforms targeted at improving service delivery included preparation of a strategic plan (27.3%), shortening

period for service delivery (21.9%), introduction of service charter (21.0%), improving the working environment (21.2%), introduction of a customer care desk (14.8%) and equipping offices with new facilities (13.4%).

FIGURE 41: AWARENESS OF RRI
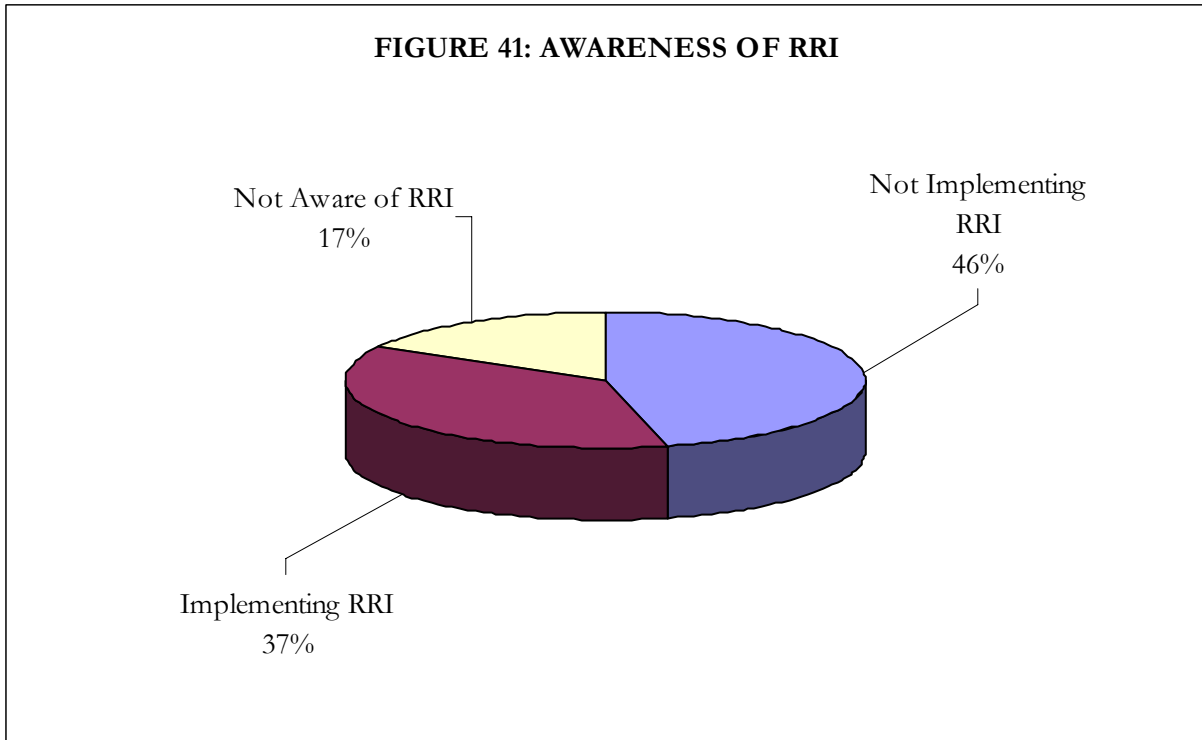
Implementation of RRI was expected to lead to improved or faster delivery of services (81.7%), enhanced productivity of officers (21.2%), improved public confidence in the institution (15.8%), improved image of the institution (9.5%), cost-saving in key service delivery areas (4.7%) and reduced bureaucracy within an institution (2.4%).

5.9 Challenges faced in Implementing RRI

In the Survey, it was established that the RRI process was faced with a number of challenges. The key challenge reported in implementing the RRI was its sustainability. The respondents needed RRI to be institutionalized into the public service as a way of providing services and improving systems. It was further noted that financial constraints (33.0%), lack of adequate facilities (25.5%) and staff constraints (13.9%) often hinder implementation of RRI. Other challenges identified in the Survey included communication barriers (10.1%), lack of cooperation and collaboration among institutions (9.9%) and limited commitment from senior managers (7.2%).

5.10 Suggestions to Improve Public Service Delivery

Respondents were asked to indicate measures that should be put in place to enhance public service delivery. Training and re-training (33.3%), adequate facilitation in terms of equipment and materials (26.4%), improved remuneration of public officers (19.6%) and employment of competent and qualified staff (18.4%) were important in ensuring better service delivery. Other measures cited by respondents in smaller proportions include observing professionalism, holding regular consultations with stakeholders, having clearly defined job descriptions, introducing merit-based award schemes, ensuring proper supervision of staff (6.5%), decentralizing public service operations, encouraging team work, introduction of service charters, conducting staff needs assessments to establish gaps and intervention mechanisms, proper time management, prudent utilization of scarce resources, sensitizing the public on their rights, and eradicating nepotism and negative tribalism.

6.0 CONCLUSIONS AND RECOMMENDATIONS

6.1 Conclusions

The Public Officers' Integrity Survey 2007 shows that corruption is still pervasive and public concern is high. Though on a declining trend, corruption is still rampant. The main conclusions are drawn in specific areas as follows:

a) Understanding of corruption, its causes and common practices

The public officials largely understand corruption to mean giving and taking bribes and abuse of office while its main causes are seen to be poor remuneration in the public service, greed/selfishness, and the culture of gift-giving. The other identified causes included high cost of living, poor management practices in public organizations, poor law enforcement and punishment of corrupt officers, lack of effective motivation mechanism, job insecurity, poor economic policies such as privatization, lack of effective corruption reporting system, and lack of an independent and effective judiciary.

The common corrupt practices as established by this survey include; Tribalism/Nepotism/Favouritism, Bribery, Embezzlement of public funds, Extortion/fraud, and Absenteeism from duty during official working hours. Bribery demands or nepotism/tribalism/favouritism are mainly practiced internally when seeking promotion, deployment and training opportunities or externally when pursuing legal proceedings, land transfers, seeking birth and death certificates, securing an Identity Card, and applying for a passport among others.

b) Levels of corruption and toppers of the list of the most corrupt

Corruption reduced significantly between 2003 and 2006 based mainly on public officers' personal experiences with corrupt practices and information from the media over the three year period. At the same time, toppers of the list of most corrupt institutions included the Ministry of Provincial Administration and Internal Security followed by the Ministries of Land and Settlement, Health, and Local Government among others. It is observed that almost the same institutions are also perceived to be the most corrupt by the public based on other surveys such as the annual National Corruption Perception Survey. Within institutions, finance and accounts department, technical services and procurement were

found to be prone to corruption.

c) Corruption reporting and protection of whistleblowers

There is lack of an effective internal mechanism of reporting corruption within public institutions. Factors contributing to this state of affairs include lack of full time staff at the corruption reporting offices and lack of regular and adequate funds for the corruption reporting units. Furthermore, not all cases reported are acted on thus discouraging corruption reporting. Other reasons behind failure to report corruption were lack of protection for those who report the vice, the process of corruption reporting being too complex and long, lack of adequate evidence, and the general perception that reporting corruption amounts to betraying a colleague. Some public officers indicated that they didn't know where to report corruption while others did not know the reporting mechanism. Besides, there is no adequate system to protect the whistleblowers.

d) Public Sector Management Practices

While most management systems such human resource, financial, procurement, records and communication etc were found to be transparent, formal and are laid down in various regulatory instruments; there were serious capacity challenges and bureaucracy in the systems, observed duplications and overleaps and slow uptake of ICTs and its integration in management systems.

In procurement in particular, common malpractices included contractor monopolies, adjusting technical specifications in contracts, modification of terms of the contract and bribery to award a contract among others that led lack of transparency and accountability in the procurement system. These could be reduced or eliminated through strict enforcement of the Public Procurement and Disposal Act 2005, the Public Procurement and Disposal Regulations 2006, the Public Officer Ethics Act 2003, and the Anti-Corruption and Economic Crimes Act 2003.

e) Public Service delivery and reforms

Despite the fact that the service quality and accessibility rating was relatively high and that the services were perceived to have met customer expectations, complaints on account of poor service delivery were prevalent.

Key reforms that underpin anti-corruption, integrity, ethics and service delivery include performance contracting, establishment of Corruption Prevention Committees (CPCs), training of Integrity Assurance Officers (IAOs), installation of corruption reporting boxes, regular declaration of wealth by public officers and implementation of RRI. However, sustainability of the reforms measures should be addressed. The RRI in particular faces a number of challenges including financial constraints, lack of adequate facilities and staff constraints.

6.2 Recommendations

Arising from the findings and conclusions of this Survey, the following recommendations should be considered by public sector institutions and the anti-corruption agencies, especially KACC so as to address identified problems in public sector management:

a) The ministry responsible for public service in collaboration with KACC and the government training institutes should mainstream anti-corruption, integrity and ethics training in the public service so as to enhance understanding of corruption, its causes and common practices among public officials through education and training based on among others the Public Service Integrity Programme (PSIP), the Anti-Corruption and Economy Crimes Act and the Public Officer Ethics Act 2003.

b) The ministry or office responsible for coordination of government in collaboration with KACC and other anti-corruption agencies should deal with the perennial toppers of the list of the most corrupt in the public sector through a combination of targeted measures including corruption prevention measures such as review of policies, systems and procedures to identify and seal corruption loopholes; education and awareness; investigation, prosecution and adjudication of corruption cases; and RRI etc

c) The ministry responsible for the Whistleblower Protection Bill in collaboration with the Attorney General and the anti-corruption agencies should lobby the relevant stakeholders mainly the Parliament to enact the Whistleblower Protection Bill to provide adequate mechanism for protecting whistleblower and encouraging corruption reporting. In public institutions, there is need to put in place effective internal mechanism of reporting corruption including creating and operationalising corruption prevention units and CPCs, simplifying processes of reporting through corruption reporting boxes, and anonymous

reporting. KACC should also expand its outreach to the regions to facilitate easier access to report centers.

d) All chief executives and managers of public institutions should promote sound, transparent and accountable management systems and practices in public institutions through regular systems reviews, process re-engineering, computerisation, capacity development, and adopting open systems for communication, etc.

e) The Public Procurement Oversight Authority in collaboration with Ministry of Finance and line Ministries/Departments should address procurement malpractices through strict enforcement of the Public Procurement and Disposal Act 2005 and the Public Procurement and Disposal Regulation 2006; and modernisation and simplification of procurement processes through adoption of e-procurement.

f) The ministry responsible for public service in collaboration with all line ministries and departments should initiate and coordinate anti-corruption, governance and service delivery reforms in public institutions through deepening of performance contracting; mainstreaming corruption prevention strategies including establishment of Corruption Prevention Committees (CPCs), training of Integrity Assurance Officers (IAOs), installation of corruption reporting boxes; regular declaration of wealth by public officers; and implementation of RRI.

f) All public service institutions should address the sustainability challenge for RRI through institutionalisation of the RRI in their institutions; entrenching RRI into the management systems; and providing adequate capacity and funding for RRI initiatives.

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APPENDICES

## Appendix I: Structure of the Public Service in Kenya

In Kenya, the Public Service comprises of the civil service, teaching and public university services, local government authorities, the disciplined services (excluding the military), state corporations, public institutions and Service Commissions whose salaries are funded from the Government exchequer. The structure of the civil service in Kenya is characterized by a high degree of centralization, legalism and dependence on rules and regulations. The structure is dominated by administrative cadres other than the professional and technical personnel in the central policy decision-making process. For the effective execution of its functions, the Government is divided into three (3) arms: (i) the Executive; (ii) the Legislature; and (iii) the Judiciary.

The Government and its employees are bound by law. Adherence to the rule of law and to the ethos of the Civil Service is the cardinal principle that public servants vigorously guard and observe. Government is required to provide strategic direction in public affairs and to manage such affairs through the formulation of public policies. Broadly, the core functions of Government are:

- Promotion and protection of the Kenyan statehood and nationhood;
- Promotion and maintenance of security, rule of law and the protection of freedom and democracy;
- Creation of an enabling environment and regulatory framework to support sustainable socio-economic development;
- Promotion and maintenance of a sound monetary and fiscal policy to facilitate the collection of revenue and secure the good value for money in public expenditure;
- Protection, conservation and management of the environment, as well as the natural and human resources;
- Planning, implementation and maintenance of physical infrastructure in order to support development;
- Provision and facilitation of basic needs including education and health; and
- Creation of opportunities to harness the potential of all Kenyans.
- Development and management of a people-friendly, patriotic and professional public service;

- Development and maintenance of a foreign policy which broadly covers the projection, promotion and protection of Kenya's national interests abroad;

The public service grew rapidly from 60,300 civil servants in 1963 to 274,000 in the early 1990s. This rapid growth led to a bloated civil service and unsustainable wage bill. To reverse this trend, the government started reducing the number of workers in lower cadres through a voluntary early retirement scheme and redundancy by abolition of office. According to government records, there are 118,433 workers in the core civil service, 69,199 in the disciplined forces and 3,036 in the Judiciary (Figure 1). Others are in the Teachers Service Commission and public universities (15,122), local authorities (40,063), Parliamentary Service Commission (438) and State Corporation (86,879).

FIGURE 1: STAFFING LEVELS OF THE PUBLIC SERVICE
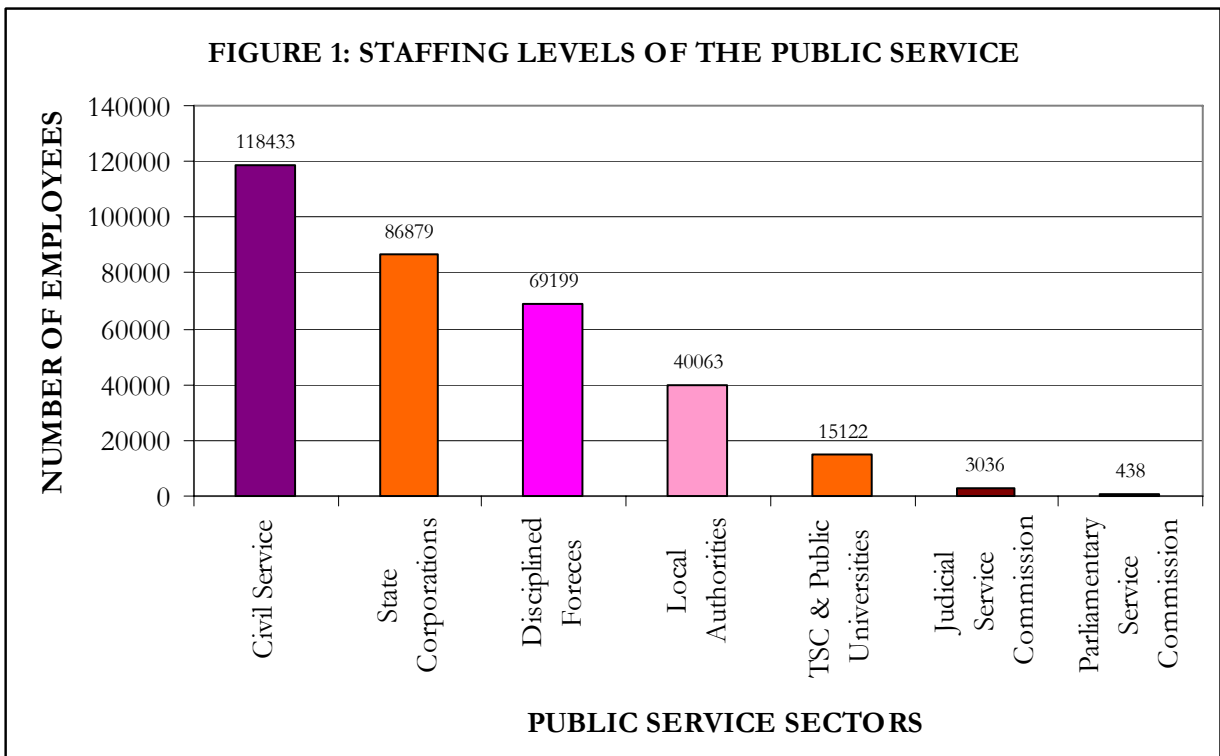
Appendix II: Characteristics of Respondents

1. Gender

	Number	Percentage
Male	1794	59.7
Female	1209	40.3
Total	**3003**	**100.0**

2. Age bracket

	Number	Percentage
Below 20 years	15	0.5
Between 21-30 years	221	7.3
Between 31-40 years	1164	38.4
Between 41-50 years	1276	42.1
Between 51-55 years	350	11.5
Above 55 years	8	0.3
Total	**3034**	**100.0**

3. Religion

	Number	Percentage
Christian	2832	93.5
Muslim	188	6.2
Hindu	1	0
Other	7	0.2
Total	**3028**	**100.0**

4. Marital Status

	Number	Percentage
Single	287	9.5
Married	2655	87.5
Widowed	75	2.5
Divorced/separated	18	0.6
Total	**3035**	**100.0**

5. Highest level of education

	Number	Percentage
Primary	62	2.0
Secondary	724	23.9
Diploma/Certificate	1143	37.7
Undergraduate Degree	826	27.2
Master's Degree	251	8.3
Doctorate Degree	13	0.4
Other	16	0.5
Total	**3035**	**100.0**