

Devolution and Human  
Resources

Public Service Commission  
of Kenya

**Presented at the Devolution and Health Consultative Meeting  
Hilton Hotel  
Nairobi, Kenya**

24<sup>th</sup> October, 2012

# Public Service Commission of Kenya-An Overview

- Established under Article 234 of the constitution
- First established in 1954
- Also entrenched in 1963 constitution

# Highlight of Current Functions-Articles 10, 235

- Establish and abolish offices in the public service
- Appoint persons to hold or act in those offices
- Disciplinary control
- Promote values and principles of public service
- Investigate, monitor and evaluate organization and administration of personnel practices

# PSC in the new political dispensation

- Nominates persons to the judicial service commission and salaries and remuneration commission
- Recommending persons to be Principal Secretaries
- Hear and determine appeals in respect of County Government Public Service

# Key provisions that we need to pay attention to

## **Article 235**

- Counties will establish offices in its public service.
- It will appoint persons to hold or act in those offices

## **Article 236**

- Relating to the protection of public officers

## **County Governments Act Section 138**

- Relating to secondment of officers in the county once established

# What is the relationship between PSC and County Public Service Public Board?

- Secondment of officers to county government
- Working with Transitional authority on secondment, and setting of standards
- PSC will hear appeals from county governments

# Key Issues/Questions

- What happens to Counties that have more than  $\frac{1}{3}$  of one gender in the workforce? How do Counties attain the constitutional requirement on gender balance?
- The law requires public service to have regional and ethnic balance. How will Counties attain this?
- What will happen to officers who are seconded to County Governments who are rejected and taken back to the National Government?
- What will be done to ensure County Governments attract and retain qualified staff?

## Key Issues/Questions II

- What type of appeals will PSC be looking at, and from whom?
- Officers will be seconded to county government under same and terms and conditions. Terms cannot be altered to officers disadvantage



# Key take home messages

- Devolution will present new opportunities for Kenyans. At the same time;
- Personnel will need to be ready to be deployed where their services are most needed
- Not all answers are available at the moment
- PSC working collaboratively with transition authority on devolution

Thank You