

PUBLIC POLICY AND ADMINISTRATION

Structure of Government: composition, appointment and functions

- National Government: legislature, Executive, judiciary
- Constitutional Commissions and independent offices
- Government owned entities
- County governments: county executive, County Assembly,
- County public service boards, urban and cities, county government entities, ward and village administration
- Relationship between national and county governments
- Role of the national and county governments in development.

Values and principles of public service

The values and principles of public service include the following (article 231)

high standards of professional ethics;

- i. efficient, effective and economic use of resources;
- ii. responsive, prompt, effective, impartial and equitable provision of services;
- iii. involvement of the people in the process of policy making;
- iv. accountability for administrative acts;
- v. transparency and provision to the public of timely, accurate information;
- vi. fair competition and merit as the basis of appointments and promotions taking into consideration the provisions on minority representation.
- vii. representation of Kenya's diverse communities; and
- viii. affording adequate and equal opportunities for appointment, training and advancement, at all levels of the public service

NB: The values and principles of public service apply to public service in all State organs in both levels of government and all State corporations.

Responsibilities of leadership

Authority assigned to a State officer is a public trust to be exercised in the prescribed manner and vests in the State officer the responsibility to serve the people, rather than the power to rule them.

- is consistent with the purposes and objects of this Constitution
- demonstrates respect for the people
- brings honour to the nation and dignity to the office
- promotes public confidence in the integrity of the office

The guiding principles of leadership and integrity

- a) selection on the basis of personal integrity, competence and suitability, or election in free and fair elections;
- b) objectivity and impartiality in decision making, and in ensuring that decisions are not influenced by nepotism, favouritism, other improper motives or corrupt practices;
- c) selfless service based solely on the public interest, demonstrated by—
 - i. (i) honesty in the execution of public duties; and
 - ii. (ii) the declaration of any personal interest that may conflict with public duties;
- d) accountability to the public for decisions and actions; and
- e) discipline and commitment in service to the people

DECENTRALIZATION AND DEVOLUTION

The Constitution of Kenya, 2010 creates a decentralized system of government wherein two of the three arms of government; namely the Legislature and the Executive are devolved to the 47 Political and Administrative Counties as provided for under Article 6 and specified in the First Schedule.

The primary objective of decentralization is to devolve power, resources and representation down to the local level. To this end, various laws have been enacted by Parliament to create strategies for the implementation framework and the adoption on which objectives of devolution can be achieved.

NATIONAL GOVERNMENT

Conduct of State officers.

A State officer shall behave, whether in public and official life, in private life, or in association with other persons, in a manner that avoids—

- (a) any conflict between personal interests and public or official duties;
- (b) compromising any public or official interest in favour of a personal interest; or
- (c) demeaning the office the officer holds

Restriction on activities of State officers¹

- A full-time State officer shall not participate in any other gainful employment.
- Any appointed State officer shall not hold office in a political party.
- A retired State officer who is receiving a pension from public funds shall not hold more than two concurrent remunerative positions as chairperson, director or employee of—
 - company owned or controlled by the State; or
 - State organ.
- A retired State officer shall not receive remuneration from public funds other than pension as contemplated by the constitution.

Establishment of Parliament

It is established under article 93 of the constitution consisting of the national assembly and the senate to perform functions as per the constitution.

Roles of the Parliament

- The legislative authority of the Republic is derived from the people and, at the national level, is vested in and exercised by Parliament.
- Parliament manifests the diversity of the nation, represents the will of the people, and exercises their sovereignty.
- Parliament may consider and pass amendments to this Constitution, and alter county boundaries as provided for in this Constitution.
- Parliament shall protect this Constitution and promote the democratic governance of the Republic.

¹ Article 77