

Governance and ethics in public service

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Quote.....



“We make a living by what
we get, but we make a life
by what we give!”

Winston Churchill

GREAT LEADERS DON'T
SET OUT TO BE A LEADER.
THEY SET OUT TO MAKE A
DIFFERENCE. IT'S NEVER
ABOUT THE ROLE – IT'S
ALWAYS ABOUT THE GOAL.

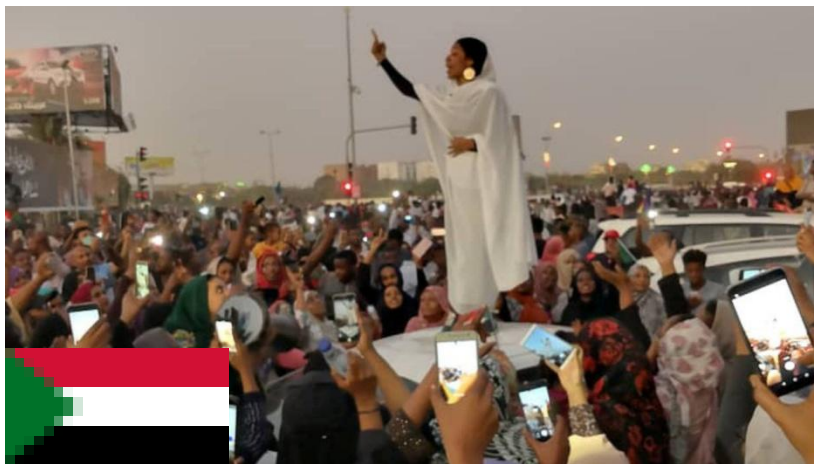
The quote is presented on a graphic with a textured, mottled background in shades of blue, green, and red. The text is arranged in six horizontal strips that look like pieces of torn paper, stacked vertically. The text is in a bold, sans-serif font.

Introduction



- ❑ In most countries today there are increasing expectations from ordinary citizens, business leaders and Civil Society that Governments will establish and deliver higher standards of ethicality and integrity in the Civil Service, agencies of government (Ministries & parastatals) and Government itself.
- ❑ In part this expectation is the result of better-focused media attention and public scrutiny, and increasing impatience by ordinary citizens and Civil Society, whose members want to see an end to the corrupt practices and systems of the past.

Recent global events



Public serviceis a call to serve people



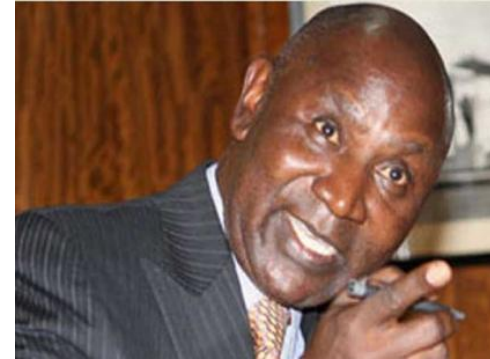
- ❑ Public service is a service rendered in the public interest. The public service is meant to be a morally upright and honourable profession.
- ❑ At many times, the role is that of a leader. To execute the job, certain powers conveyed. This power can truly make a difference in the lives of many. Accordingly, these powers must be safeguarded, managed carefully and not abused.

Is the Spirit of Public Service dead?



- ☐ National Youth Service (NYS)-Ksh9 billion
- ☐ National Cereals and Produce Board (NCPB) – Ksh1.9 Billion
- ☐ The Afya House scandal-Ksh 5 billion
- ☐ Mwea Irrigation and Galana Scheme scandal -Ksh7 billion.
- ☐ The Chickengate scandal-Ksh 59 million
- ☐ Over Ksh10 billion feared lost in new NHIF pay scandal - 2019
- ☐ DCI Summons 107 Companies Linked to the Mega-dams Scandal
- ☐ EACC grill Samburu governor over Ksh2 billion theft - 2019
- ☐ Kenya Power yet to locate files in bogus transformers case –2019
- ☐ Ksh14 billion KETRACO scandal – 2019
- ☐ Kenya's finance minister, top officials arrested for corruption
- ☐ The Waititu's sought over alleged graft in Sh588M road tenders.
- ☐ Waititu faces fresh charges over 'Kaa Sober' scheme that has gobbled up Sh1 billion

Reviving the true spirit of Public Service



Reviving the true spirit of Public Service...*the Multi-Agency Team*



The team, that was established in June 2018, includes:

- ☐ Ethics and Anti-Corruption Commission (EACC)
- ☐ Attorney General's (AG) office
- ☐ National Intelligence Service (NIS)
- ☐ Directorate of Criminal Investigations (DCI)
- ☐ Anti-Money Laundering Unit
- ☐ Asset Recovery Agency
- ☐ Banking Fraud Investigation Unit
- ☐ Financial Reporting Centre (FRC)
- ☐ Kenya Revenue Authority (KRA)
- ☐ Cyber-Crime Unit; and
- ☐ Anti-Counterfeit Agency.

Legal and regulatory framework in Public Service



- ☐ The Constitution of Kenya
- ☐ The United Nations Convention Against Corruption
- ☐ The Ethics and Anti corruption Commission Act, 2011
- ☐ Leadership And Integrity Act, 2012
- ☐ The Bribery Act, 2016
- ☐ The Public Officer Ethics Act, 2003
- ☐ The Anti-Corruption and Economic Crimes Act, 2003
- ☐ The Public Finance Management Act, 2012
- ☐ Witness Protection Act, 2006
- ☐ The Proceeds of Crime and Anti-Money Laundering Amendment Act, 2017
- ☐ The African Union Convention on Preventing and Combating Corruption
- ☐ Public Procurement Regulations, 2006
- ☐ The Public Procurement And Disposal Act, 2015

<https://www.eacc.go.ke/downloads/legislation/>

Background.... *Public service values*



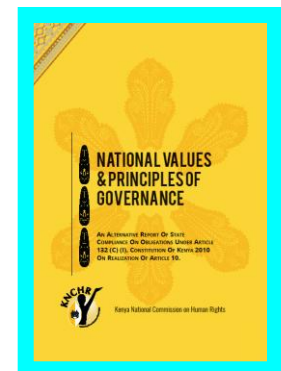
- ❑ These were traditionally practiced and enforced in the public service through the service regulations, force standing orders and the code of regulations.
- ❑ In May 2003, the Public Officer Ethics Act was enacted by the NARC government. In the same year December 2003 Kenya signed and ratified the UN Convention against Corruption joining the international community in the acknowledgement that corruption in its endemic form requires a concerted effort of the family of nations to defeat.

Background....Promulgation of the Constitution 2010



The Constitution gave a boost to the legislative framework through the provisions of:

- ❑ Leadership and Integrity in chapter 6; and
- ❑ The National Values and Principles of Governance in Article 10 and the Values and Principles of Public Service in Article 232.



Background.... *enabling legislations and policies*



Enabling legislations and policies have been put in place to give impetus to the implementation process. This include: the Leadership and Integrity Act, 2012; the Public Service Values and Principles Act, 2015; The National Values and Principles Policy Sessional Paper No. 8 of 2013 and the yet to be passed Draft Policy on Public Values and Principles Policy 2013.

These policies and legislations do not operate alone but work in tandem with other legislations to ensure that there is a robust legal and policy framework to promote and enforce the values and principles.

Values and Principles of Public Service



Public Service (Values and Principles) Act, 2015.

5. High standards of professional ethics.
6. Efficient, effective and economic use of resources.
7. Responsive, prompt, effective, impartial and equitable provision of services.
8. Transparency and provision to the public of timely, accurate information.
9. Accountability for administrative acts.
10. Fair competition and merit as the basis of appointments and promotions.

REMAIN FIRM AND COMMITTED TO THE CALL

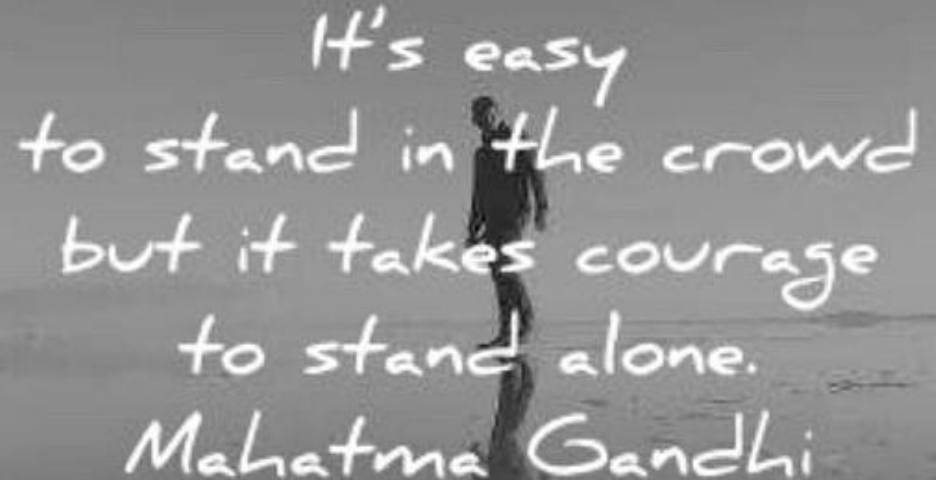


Uriah proved to be a better man
drunk than David was sober.

Johnny Hunt

“If you want to live a
happy life and fulfilling
life, tie it to a goal, not
to people or things.”

Albert Einstein

A black and white photograph of a person standing alone on a beach, looking out at the ocean. The person is silhouetted against the bright background of the sea and sky. Overlaid on the image is a quote in a white, handwritten-style font.

It's easy
to stand in the crowd
but it takes courage
to stand alone.
Mahatma Gandhi

Interactive Session

