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Devolution in Kenya: Strengthening Human Resources and Administrative Structures

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IDS/PB/2020/1

Introduction

The creation of county governments following Constitution of Kenya 2010 meant that the new units had to put in place systems to manage their human resources and other administrative functions for effective service delivery. This policy brief sheds light on some of the issues that counties should focus on so as to strengthen systems for human resources and administrative structures in their areas of jurisdiction.

Context

Evidence for the key issues identified in this brief emanate from the County Capacity Assessment (CCA), an initiative of the Agile and Harmonized Assistance for Devolved Institution (AHADI) Program. This is a governance program jointly funded by the United States Agency for International Development (USAID) and the Department for International Development (DFID). The assessments were conducted in 2016 (CCA1); 2017 (CCA2); 2018 (CCA3) and 2019 (CCA4). Under human resources and administrative structures, the focus is on four sub-indicators: *deployment and / or recruitment of human resources according to the devolved functions; adherence to counter-marginalization requirements in county public service recruitment; functionality of the County Public Service Board; and finally development of an organizational chart.* The goal is to find out whether policies, laws and administrative systems are in place to support human resource and administrative function of the county government.

Implications for Public Policy

Average County performance in human resources and administrative structures show marginal improvements between CCA1 and CCA4. However, the overall score does not capture major differences in the various sub-indicators (Figure 1). The counties performed poorly in *adhering to counter-marginalization requirements in recruitment in county public service.* On this sub-indicator, the score dropped from 62% in CCA1 to 51% in CCA4. Many counties have not domesticated the national guidelines to mainstream inclusion of minorities and marginalized groups in county public service. Further, some counties have failed to meet the legal threshold on employment of minorities and marginalized groups. Because of this gap, there is lack of ethnic diversity in public services in the counties, with the staff from the dominant community in the county being the majority of employees in some of the counties.

The score on whether *human resources are deployed and / or recruited according to devolved functions* rose from 68% in CCA1 to 82% in CCA2 and then fell to 73% in CCA3 before rising again in CCA4. This in-

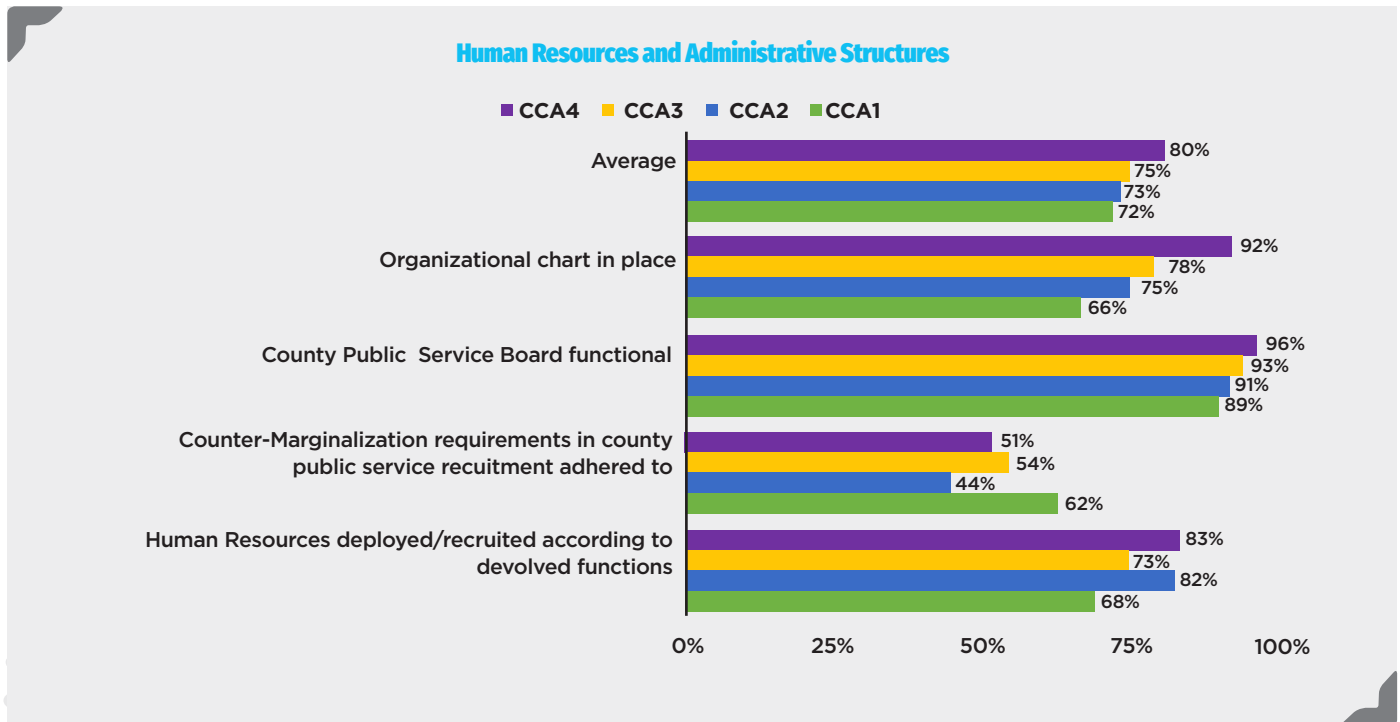
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consistent performance is attributed to disruptions occasioned by interference in the recruitment process by the elected leaders. It is also the result of a desire by the county executive to recruit new staff to deliver on their manifesto. Further, the performance score for the County Public Service Boards (CPSBs) functional improved marginally between CCA2 and CCA4. Across the counties, CPSBs are established and at varied levels of functionality. However, their functionality is constrained by lack of financial independence and continued interference

in the recruitment process by the county executives and Members of the County Assemblies. In many counties, CPSBs experience pressure by elected leaders to recruit friends and political supporters. Finally, in many counties, there has been restructuring of various units and county executive departments. This re-organization delayed the development of new organograms in some of the counties. However, counties have to contend with a bloated workforce especially in the lower cadre thus limiting opportunities for recruiting technical staff.

Figure 1: County Capacity on Human Resources and Administrative Structures



Recommendations

To strengthen human resources and administrative structures counties should:

- ➔ Develop policy guidelines to mainstream inclusion of minorities and marginalized communities in county public service.
- ➔ Harmonize schemes of service for staff hired under different arrangements.
- ➔ Think through critical human resources functions that are likely to be affected by transition and plan for them to reduce disruptions associated with elections.
- ➔ Strengthen the independence of the CPSB by ensuring financial autonomy
- ➔ Invest in automation of the human resources function.
- ➔ Address the issue of the high wage bill and bloated staffing.

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