

INTEGRITY STUDY

Teachers Service Commission

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ABBREVIATIONS

T.I.	Transparency International
T.I.-Kenya	Transparency International - Kenya
TSC	Teachers Service Commission
KBI	Kenya Bribery Index
PSC	Public Service Commission
GoK	Government of Kenya
MoEST	Ministry of Education, Science & Technology
PSRP	Public Sector Reform Programme
PSIP	Public Service Integrity Programme
Infotrak	Infotrak Research and Consulting
NARC	National Rainbow Coalition
KRA	Kenya Revenue Authority
ECK	Electoral Commission of Kenya
PSC	Public Service Commission
CCK	Communication Commission of Kenya
CoR	Code of Regulations
CS	Commission Secretary
DC	District Commissioner
DEO	District Education Officer
DEB	District Education Board
BoG	Board of Governors
DfID	United Kingdom Department for International Development
USAID	United States Agency for International Development
KACC	Kenya Anti--Corruption Commission



INTRODUCING T.I.-KENYA AND TSC

Transparency International – Kenya

Transparency International, founded in 1993, is the only global non-governmental, non-partisan and not-for-profit organisation devoted solely to curbing corruption. T.I. currently has 80 national chapters around the world with its International Secretariat based in Berlin. Transparency International does not investigate or expose individual cases of corruption. For more information on T.I., its national chapters and its work, please visit: www.transparency.org

Transparency International – Kenya is one such national chapter. Established in 1994 T.I-Kenya has lead Kenya's continuing fight against corruption through various advocacy, research and communication activities. For more information on T.I.-Kenya please go to www.tikenya.org

The Teachers Service Commission

The Teachers Service Commission (TSC) is an organisation charged with the responsibility of hiring and managing the teaching force in all public learning institutions (except public universities). Currently the Commission has about 235,000 teachers spread over 22,000 public learning institutions, making it, according to the TSC, the single largest employer south of the Sahara.

The TSC is established by the Teachers Service Act CAP 212 of the Laws of Kenya. It has 24 Commissioners inclusive of the Commission Chairperson and their Deputy who are appointed by the Minister of Education, Science and Technology. The Commission Secretary is the Chief Executive Officer and has five Senior Deputy Secretaries, who are in charge of the following departments: Administration, Finance, Staffing, Audit and Human Resource Management.

The TSC's vision is: "*Effective Service for Quality Teaching*" and its core functions are to: maintain a register of teachers, as well as recruit, employ, deploy, promote, discipline, remunerate and terminate the employment of said teachers. The TSC has Units in all of Kenya's 70+ education districts where it either has its own agents, or has delegated its duties to Provincial Directors of Education (PDEs), District Education Officers (DEOs), Municipal Education Officers (MEOs), Boards of Governors (BoGs) and Parent Teacher Associations (PTAs).

For more information on the TSC please go to www.tsc.go.ke



FOREWORD

As Kenya's single largest employer, the Teachers Service Commission is an important national institution. Corruption within its ranks therefore has national implications.

Not much research has been done on corruption in Kenya's education sector. Nevertheless TI-Kenya's annual Kenya Bribery Index has since 2002 featured the Teachers Service Commission. In 2005, the education sector featured prominently with four national education sector institutions being ranked in the KBI: The Teachers Service Commission, the Ministry of Education, Public Universities, Public Colleges and Public Schools.

With the endorsement of the achievement of universal primary education by 2015 as the second Millennium Development Goal at the 2000 Millennium Summit, the international community underscored the critical role of education as a global tool for development and growth. In most countries, including Kenya, education constitutes a considerable component of public expenditure; the corollary of which is to allow for expanded opportunities for corruption.

The negative impact of corruption on the potential for economic and socio-political development as a whole is comprehensive. The fight against corruption in the education sector is a clear priority as it not only impacts quality service delivery but undermines public confidence in education as a tool for the development of social equity. Insidiously, education itself as a valuable and core tool for imparting social values and effective long-term anti-corruption reform becomes compromised by graft. It is therefore critical that the recruitment of those that educate the future generations of the country is conducted within the parameters of absolute transparency and accountability.

The work presented in this report is therefore of great relevance, as it provides the Commission with valuable empirical data on actual and perceived levels of corruption in the TSC and concrete recommendations on how to improve anti-corruption measures within the organisation.

Mwalimu Mati
Executive Director
Transparency International - Kenya



EXECUTIVE SUMMARY

What?

The study investigates perceived and actual levels of corruption at the TSC, makes recommendations as how the TSC can better fight corruption and hopes to contribute to the understanding of the general nature of the phenomenon in Kenya and beyond, by shedding light on its manifestations in one aspect of the Kenyan education sector.

Why?

Corruption has a devastating effect on any country's education sector and presents an obstacle to development. Corruption is a problem faced by almost all public institutions in the developing world. On both counts Kenya and its Teachers Service Commission are no exceptions. After it was ranked as Kenya's 2nd most corrupt institution on T.I.-Kenya's KBI for 2005, the TSC requested T.I.-Kenya conduct this 'integrity study' as a tool to better understand and fight corruption at the TSC.

Who and How?

The research was undertaken by T.I.-Kenya and focussed on three areas: the teacher recruitment processes, manifestations and levels of perceived and actual corruption and the TSC's integrity division. The methods employed by this study are a nation-wide survey conducted, numerous key informant interviews as well as an in-depth document review.

Key Findings...

...are contained in the following six areas and are as follows:

1. *General observations* include the crucial importance of the following in the TSC's fight against corruption: (renewed) education, building partnerships with relevant stakeholders, changing perceptions of the Commission by developing a public relations/communications strategy, increased numbers of prosecutions of guilty individuals (made public), effective monitoring and evaluation mechanisms and the computerisation of systems.
2. *The Teacher Recruitment Processes* are exposed for their complexities, it is suggested that recent efforts to objectify selection are positive and recruitment drives may have a disproportionately negative impact on the TSC's image.
3. *The Education Reform Process* which is underway and incorporates the TSC is presented and recommendations are two-fold in nature: current education sector anti-corruption pledges and measures should be adhered to, and in future anti-corruption policies should be mainstreamed in all education sector actions and documents.

4. *Understanding, Perceptions and Involvement* – Corruption is almost unanimously agreed to exist at the TSC and involves many officials; as a phenomenon it is inadequately understood, with a bias against those TSC employees 'in the field', but it is felt that there have been less incidences in recent times.
5. *The Loci* – This study finds that at each level, officials are perceived to be corrupt, with senior and junior officials claiming the other is most guilty. The Staffing department is widely felt to be the biggest 'hot spot' for corruption.
6. *The Integrity Division* is found to have serious limitations, some institutional such as a lack of financial independence and a lack of resources, others of its own making. Expectations of it are high and it has not established a monopoly over the anti-corruption mandate within the TSC. It also suffers badly from its own corrupt elements.
7. *The PSIP* is adhered to by the TSC in theory, but in practice the required measures which are in place are weak and ineffectual. A basis to build upon is present though, and potential very useful draft anti-corruption policy should be finalised and made operational. Question marks loom as to whether the PSIP is in general a useful guide for public sector anti-corruption efforts.

Recommendations...

... are made on the basis of the conclusions drawn for each of the six areas of key-findings, suggesting wide-ranging ways in which T.I.-Kenya believes the TSC might remedy or at least decrease levels of perceived and actual corruption. If not acted upon, T.I.-Kenya fears that corruption will continue to adversely affect the TSC's functioning and public image.

T.I.-Kenya would like to reiterate its keen willingness to support the TSC by all means necessary in achieving the recommendations it makes in this study.



1 INTRODUCTION

1.1. The Background

In 2005 the Teachers' Service Commission (TSC) was ranked 2nd on Transparency International – Kenya's (T.I.-Kenya) annual Kenya Bribery Index (KBI)¹, sending shockwaves of alarm through the Kenyan education sector and the TSC in particular. As a result, discussions between T.I.-Kenya and the TSC intensified and led to a 'consultative meeting' on April 28th 2005 between the two parties. The meeting served as both an explanatory exercise, whereby TI-Kenya could explain its KBI and the reasons it believed to be behind the TSC poor performance, as well as an opportunity to further develop methods the TSC could employ to combat the levels of perceived and actual corruption. In taking these positive steps the TSC hoped to avoid a repeat of such performance on the KBI and limit the damage done to the Commission's image both within its own ranks and to the outside world. This 'integrity study', mooted at that meeting as a possible tool in helping to understand and subsequently fight corruption within the organisation, is the culmination of this earlier cooperation between T.I.-Kenya and the TSC.

It should also be noted that T.I.-Kenya and the TSC, following the enactment of the Public Officer Ethics Act (POEA) in 2003, had previously worked together with USAID and the former GoK Department of Governance and Ethics on a proposed project to computerise the wealth declaration exercise. The TSC and the PSC were identified to pilot the project which devised a computerised system to capture the wealth declaration forms. However due to a number of factors, most notably long delays, the project unfortunately did not ultimately go ahead. In September 2005 the GoK Ministry of Justice and Constitutional Affairs hosted a forum to look into the "Efficacy of the Wealth Declaration Exercise" in which the computerisation of systems was recommended by the TSC however this suggestion did not find its way into the formal recommendations and resolutions arising from the workshop.

1.2. The Objectives

The simple objective of this 'integrity study' was to arrive at a point where all concerned better understood the nature and manifestations of actual and perceived levels of corruption at the TSC. This, with a view to providing concrete recommendations which could form the basis for future institutional and policy changes at the TSC.

Following discussions with all involved, it became clear that in order to arrive at a better understanding of the TSC's relationship with corruption, T.I.-Kenya's research should focus on three areas in particular:

¹ The KBI is an in-depth research study which measures how a wide cross section of Kenyans perceives institutions, both public and private, in terms of corruption. The study has been conducted on an annual basis since 2002.

- 1) Exploring and explaining in detail the teacher recruitment processes
- 2) Understanding the levels of perceived and actual corruption at the Commission
- 3) Assessing the TSC's 'integrity division', the impact of its work, as well as its current strengths and weaknesses.

1.3. The Rationale

But why conduct an 'integrity study'? How will such an exercise make a meaningful contribution to the TSC's battle with its own possible corrupt elements? There are a number of compelling reasons why an 'integrity study' is of considerable mutual benefit for both parties concerned.

From the TSC's point of view this study represents a real opportunity to:

- better understand issues of corruption within its own ranks
- understand the scale and scope of the current situation as concerns corruption
- provide sound qualitative and quantitative data to underscore policy orientations
- actively prove it is making considerable efforts to understand and counter the problem of corruption – making good on various proclamations by its management that it is serious about combating the corruption and publicise the positive progress made
- use the concrete recommendations emanating from the report to inspire further in-house actions in fighting corruption
- make use of T.I.-Kenya's considerable experience and expertise in conducting such studies
- further strengthen the partnership which already exists between the two parties

Given T.I.-Kenya's *raison d'être* and mandate, all the above reasons also apply when thinking about what exactly T.I.-Kenya has to gain from this exercise. However, there are also a number of additional benefits which T.I.-Kenya stands to gain over and above the general reality that such a study might well prove an effective contribution to a government parastatal's fight against corruption.

The proposed study will also give T.I.-Kenya a chance to:

- Conduct research into Kenya's education sector – previous examples of which are very few in number, representing a gap in T.I.-Kenya's understanding in how corruption manifests itself in this sector
- Further the debate amongst Kenyans and development partners as to the nature, manifestations and ill-effects of corruption, as well as public service ethics in Kenya
- Recognise the centrality of effective education service delivery to development, economic growth and poverty alleviation and inform readers of an aspect of the nature and manifestations of corruption in the education sector
- Further its work along the line of its vision for the future of the organisation, which sees such studies and partnership with various institutions as becoming ever more central to T.I.-Kenya's focus
- Consolidate its 'integrity studies', which should become the first phase in a new programme of 'Structural Advocacy' that aims to build long-term, cooperative relationships with public institutions



2 METHODOLOGY

The study used three principal methods:

1. Structured questionnaires seeking quantitative and qualitative data conducted by a fieldwork research team
2. Key informant interviews conducted by T.I.-Kenya consultant and author of the study²
3. A document review, including legislation, GoK and TSC documents as well as other relevant education/corruption related publications

2.1. The Field Work

Face to face interviews were used to conduct the fieldwork. Given the size of the TSC and the scope of this study, Infotrak Research & Consulting (Infotrak) was chosen to conduct the fieldwork on behalf T.I.-Kenya. At the time of the study, T.I.-Kenya was conducting three studies including the TSC Integrity Study and Infotrak was chosen as one of three research companies for these three studies.

T.I.-Kenya chose Infotrak on account of the quality of their proposal, their relatively low costs and the fact that it had previous positive experience of working with its executive director.

Prior to the fieldwork, Infotrak piloted the research instruments in Nairobi. The fieldwork team of researchers was chosen by Infotrak, and trained by both T.I.-Kenya and the research firm. All interviewers had considerable experience in conducting interviews in the field and were fluent in English, Kiswahili and where possible the local language of the area in which they were operating. The researchers were given a one-day training course where they were briefed in detail on the study and the situations they might come across, familiarised themselves with the research instruments and were able to give their initial feedback and seek clarifications where needed.

Once the data was received from the field, it was coded, entered, controlled for and analysed using SPSS for Windows by Infotrak. The fieldwork and processing of data was carried out between January 23rd and February 14th 2006.

2.2. The Research Instruments

The research instruments/questionnaires³ were designed by T.I.-Kenya in close collaboration with Infotrak. Each instrument was tailored to the group of interviewees it was targeting. The research

² By 'key informant interviews' we mean that during the course of the study the author was regularly in touch with key informants on an informal basis, which proved a rich source of information. Key informants include the TSC's top management, members of the TSC's integrity division, donor education officers and other experts in the Kenyan education sector.

³ See Appendices 1-4.

instruments are structured questionnaires with both quantitative and qualitative elements. It is important to note that many of the questions posed were targeting respondents' *perceptions of corruption*, which should not be immediately assumed to reflect *actual levels of corruption*.

2.3. The Definition

For the purposes of this study, we should take the definition of corruption to be "... *The abuse of entrusted power for private gain...*" This is the definition Transparency International uses in all its national chapters worldwide. It should be noted that interviewees were not asked for their own definition of corruption, nor were they given the above definition of corruption prior to conducting the interview. This lack of definitional clarity may cause some to question the reliability of the data – how can one measure perceptions of corruption when it is not at all clear what corruption is in the respondents' minds? However, after due consideration, it was felt that delving into definitional issues at the beginning of an interview on an already sensitive subject might throw respondents off. Moreover, the nature of the phenomenon of corruption is that it is something which is incredibly difficult to define, but quite easy to recognise, especially in a country such as Kenya, where corruption is widely understood, discussed and the concept has firmly embedded itself into the nation's psyche.

2.4. The Sample

The survey targeted the following five 'groups of respondents', all of which are in one way or another intimately linked with the workings of the TSC⁴:

- 1) Teachers
- 2) District Education Officers (DEOs)
- 3) TSC 'Integrity Division' Staff
- 4) TSC Commissioners
- 5) Stakeholders in the Education Sector

Table 1: Breakdown of the 373 Respondents Interviewed

Category of Respondent	Number	Share
Teachers	305	82%
DEOs	18	4.80%
Commissioners	18	4.80%
Key stakeholders	18	4.80%
Integrity Division Staff	14	3.70%
Total	373	100%

⁴These groups do not represent the full spectrum of the TSC's interaction. However, given the nature of their dealings and association with the TSC and the fact that a limit had to be decided, these five groups were thought to be able to provide the most useful insights.

Table 2: Gender Balance of DEOs and Teachers Interviewed

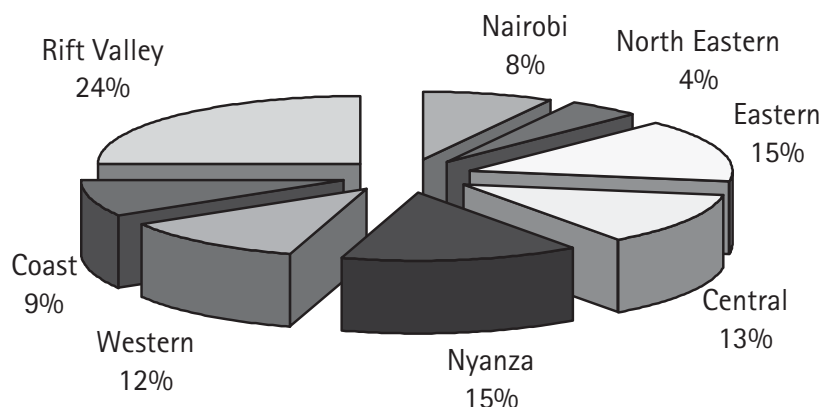
Gender	Number	Share
Male	169	52%
Female	154	48%
Total	323	100%

On account of their relationship with the TSC, their availability and their interest in partaking in this study, 9 education-related institutions were chosen as 'stakeholders'. In all 18 people ('stakeholders') from these Nairobi-based institutions were surveyed, all of whom were chosen at random within their organisations, the only proviso being that they interacted with the TSC.

Table 3: Breakdown of Stakeholders Interviewed

Stakeholders interviewed	Number
Kenya Institute of Special Education	2
Kenya Science Teachers College	2
Kenya Institute of Education	2
Higher Education Loan's Board	2
Ministry of Education Headquarters	3
Commission of Higher Education	2
Provincial Director of Education (NRB)	1
Kenya Technical Teachers Training College	2
Mwalimu Sacco	2
Total	18

In order to reflect and incorporate nationwide views and responses, interviews with DEOs and teachers were conducted in each of Kenya's 8 Provinces. The number of interviewees from each region was calculated and weighted respective to the population size of each Province based on the national census of 1999, which resulted in the following nationwide regional distribution:

Graph 1: Regional Distribution of Interviewees

Finally, all those interviewed were between the ages of 26 and 52, having been employed anywhere between 2 and 30 years. Over 88% of respondents had some kind of post-secondary school training or university degree.

2.5. The Structure

This study will first outline the context under which the TSC is currently addressing issues of corruption, taking into account the education reform process, exploring reasons for the Commission's 2004 ranking on the KBI, detailing the teacher recruitment processes and introducing the TSC's integrity division.

Following this contextualisation we delve into the key findings of the report, under the headings 'Understanding, Perceptions and Involvement', 'The Loci of Corruption', 'An Assessment of the Integrity Division', 'the TSC and the PSIP' and finally 'Visions of a less corrupt TSC'.

Each chapter in this study ends with a box outlining the 'key points' which emanate from the main body of the text.

From these sections we then draw our conclusions, to form a basis for our recommendations.



3 THE STATUS QUO

3.1. A Panorama of the Reform Process

The reform process of Kenya's education sector continues to be as long and arduous as it is complicated. Nevertheless, we shall here attempt to produce a brief panoramic overview of the political, institutional and legal factors that should be kept in mind when thinking about the current status, the impact on its bearing on the education sector's fight against corruption and the TSC's position within this context.

The education sector in Kenya has its origins in the Education Act of 1970, which was later revised in 1980. Significantly, no mention is made of the TSC in the Act.

The TSC came into being with the Teachers Service Commission Act (the TSC Act) in 1968 and its statutory provisions have not been revised since. Given the prevailing environment and the nominal focus on corruption at the time, it is not surprising that this act contains only traces of what we might call 'anti-corruption' clauses. However some early indications are present, for example, section 21 introduces the notion of 'offences' (but limits itself to matters arising from the fraudulent registration of teachers) as well as a punishment of "... a fine not exceeding five thousand shillings or to imprisonment for a term not exceeding six months, or to both..." Whether or not these provisions have ever been adhered to is of course another matter, but it is noteworthy that they were already present in 1968. The second thing of importance in this regard is that the TSC Act states that the TSC shall compile, publish and update a 'code of regulations' that shall apply to all teachers employed by the Commission. The latest version of this Code of Regulations (CoR) for Teachers, revised in 2005, is reflective of the 1968 Act in that:

- Specific references to corruption are negligible
- If they contain clauses which are corruption related, these are extremely vague⁵
- Any clauses that do touch on corruption are ambiguous, focus solely on teachers and exclude any mention of other officers employed by the TSC, such as its agents and staff at its headquarters in Nairobi.

It was thus not until 2003 and the passing of the POEA, which applies to all public sector employees, including teachers, that employees of the TSC were subject to a comprehensive anti-corruption legal framework.

⁵ The 2005 CoR goes a little further than the TSC Act in stating that a teacher may be removed from the register if found guilty of "infamous conduct in any professional respect", being engaged in "activities which... are prejudicial to peace, good order or good government in Kenya" or has "mismanaged/misappropriated public funds"

Furthermore, when the National Rainbow Coalition (NARC) government under President Kibaki assumed power in December 2002, it began to instigate the long-awaited and much-needed reforms in the public sector. The government's umbrella policy on public sector reform, which encompasses all of Kenya's many public institutions including the TSC, is the on-going Public Sector Reform Programme (PSRP). An integral part of this effort is the Public Service Integrity Programme (PSIP), which was introduced under President Moi's regime and rejuvenated by the President Kibaki's administration. It has the ambitious aim of restoring "responsibility, accountability, transparency, efficiency and responsiveness in [our] public servants"⁶. Finalised in May 2003, published in a manual and organised into modules, the PSIP is in essence a set of conceptual guidelines and principles designed to assist in an organisation's fight against corruption. It also makes a number of concrete recommendations, including the establishment of:

- A Corruption Risk Assessment;
- A Corruption Prevention Committee;
- A Code of Conduct.

In addition to this, the document attempts to describe the phenomenon of corruption and make suggestions on diverse issues such as organisational culture, ethical behaviour, personnel management, financial and materials management and project planning and management.

All in all, it is a relatively helpful and user-friendly document, to which all public institutions, inclusive of the TSC, are meant to abide in their struggle against institutional corruption. The PSIP is a yardstick against which every institution's fight against corruption can be measured and assessed. Although the PSIP is far from an ideal anti-corruption framework, it is nonetheless better than no policy at all, and represents the GoK's most concerted effort in bringing about public sector reform.

It should be noted that at the time of writing a 'Taskforce for the Review and Harmonisation of the Legal Framework for Education Training and Research' headed by Dr James Kamunge, comprised of a number of high-ranking education experts has been mandated by the government to investigate the entire education sector, particular its statutory provisions, and make recommendations for far-reaching reform. The Taskforce aims to present its report later in 2006 and we sincerely hope that it will contain strong recommendations as to the fight against corruption in this sector.

Furthermore, when considering reform within the education sector is undergoing, one should not neglect the Kenya Education Sector Support Programme (KESSP). KESSP is a 5 year sector wide development initiative which identifies 23 priority investment programmes grouped around 6 thematic areas and will operate from 2005-2010. This programme sits within a broader framework of relevant national policies, such as the Economic Recovery Strategy (ERS), Sessional Paper No 1 2005 on Education, Training and Research and Education For All (EFA) and aims to contribute

⁶ PSIP

to the attainment of the education-related Millennium Development Goals (MDGs)⁷. The TSC is incorporated within the programme under the sub-sector of teacher management. Though addressing issues of corruption is unfortunately never mentioned explicitly, many of the envisaged priority actions, including initiatives to reform the recruitment, deployment and promotion of teachers and officers; as well as remuneration and discipline should have a beneficial, further limiting effect on incidences of corruption, and the way in which some irregularities are dealt with.

Finally, as a result of the lessons learnt from the introduction of Free Primary Education in 2003, the MoEST has devised what it calls an 'Education Sector Governance and Accountability Action Plan'. It explicitly recognises the TSC being ranked 2nd on T.I.-Kenya's KBI for 2005 and admits that a contributing factor may be the fact that the TSC and MoEST have parallel databases of schools, but mismatched school codes. Contained in the document is a pledge to remedy this situation by "merge the two databases and to unify the school codes in the process"⁸. The MoEST goes on to commit to other useful policy changes in other areas such as the devising incentive structures to minimise misreporting at school level and increasing the level of information sharing between the Ministry and the TSC.

3.2. The 2nd Worst Offenders in Kenya or a Case of Mistaken Identity?

As we have already seen, the TSC was ranked 2nd in T.I.-Kenya's Bribery Index for 2005, essentially making them the second most corrupt institution in eyes of the Kenyan public. That is, second only to the Police, who year on year have never failed to secure first place in the ranking.

But how might we explain this extraordinarily poor performance especially as the TSC achieved a much better 19th place in 2004? And was this justified?

In 2004, which provided the data for the 2005 KBI, the TSC underwent a large scale nationwide teacher recruitment exercise⁹. Our thesis is that this, with all its many opportunities and instances for irregularities, is most likely what led the Kenyan public to perceive the TSC as being highly corrupt. First, the Commission is generally known to be 'responsible for the employment of teachers' but little is known about the intricacies of this process and multiplicity of actors that are involved. Furthermore, it is only really during these recruitment drives that Kenyans across the country, who are sampled for the KBI, come into contact with the TSC. It is thus safe to assume that it is the recruitment exercise which led to its poor KBI ranking and this is the reason why we focus on this function of the TSC and make relatively little mention of other functions, such as promotion, termination and so forth.

⁷ The MDGs are an internationally agreed set of goals through the United Nations which aim to promote poverty reduction, education, maternal health, gender equality, and aim at combating child mortality, AIDS and other diseases by 2015.

⁸ GoK MoEST Education Sector Governance and Accountability Action Plan

⁹ In 2004 the TSC recruited a total of 6,100 teachers (5,000 primary school teachers, 1,012 secondary school teachers and 50 teachers at technical institutions)

T.I.-Kenya has other examples of institutions which fare badly, or at least much worse than they otherwise would, on the KBI due to these types of very distinct events, in this case the teacher recruitment drive of 2004.¹⁰ Examples include the Department of Defense and the Police.¹¹

In discussions with the TSC top management, including the Commission Chairman and Secretary, perhaps unsurprisingly, it became very clear that they thought the second place to be grossly unfair and unrepresentative of their considerable efforts in fighting corruption within the TSC. However, our survey later demonstrated that 64% of teachers, 72% of stakeholders and 60% of Commissioners interviewed professed that the ranking was justified – but this apparent disagreement may be the result of the same fact.

The TSC's top management argue that although the Commission is involved in the incredibly complex teacher recruitment exercises in Kenya, it is by no means the only actor in these processes, and thus can not be solely responsible for the irregularities which occur and should not be the only institution whose reputation suffers as a result. From the numerous discussions with actors both within and external to the education, there appears to be a general ignorance throughout Kenya of the particulars of the teacher recruitment processes. It is very difficult to find anybody who can comprehensively clarify the process, the actors and their roles and the precise order of events.

Thus, the 64% of teachers, the 72% of stakeholders and 60% of Commissioners, which purport to believe the 2004 ranking to be fair, may be a direct consequence of this misunderstanding, which is at best a common misconception that the TSC is the sole actor involved in the recruiting of teachers, and at worst a near universal ignorance of the processes involved.

It is clear that these occasional teacher recruitment drives have a massive bearing on how corrupt the TSC is perceived by the *wananchi*¹², whether this is justified or not. Certainly, there is no doubt that these nationwide recruitment exercises present opportunities for potential wide-scale corruption and irregularities, and in turn negatively affect the reputation of the TSC. It is with this in mind, before delving into the 'key findings' of the actual report, that we lay bare the processes which are currently followed. However, as we shall later see, they are far from being the only loci of perceived and actual corruption within the TSC.

3.3. The Teacher Recruitment Process Demystified

The most important thing to note is that the teacher recruitment process has in recent years moved from being supply- to demand driven, which is a positive move, if sound procedures and strong

¹⁰ N.B. The TSC conducted another teacher recruitment exercise in 2005, recruiting a total of 7,900 teachers (6,200 primary school teachers, 1,650 secondary school teachers and 50 teachers at technical institutions) The KBI for 2006 is at the time of writing yet to be released, so it is not known whether this recruitment drive was perceived to be just as riddled with irregularities.

¹¹ For more information please refer to the Kenya Bribery Indices for 2002-2005.

¹² *Wananchi* is the Kiswahili word for 'the people'

safeguards are put in place. Previously, every qualified teacher would be employed immediately upon graduation, leaving little incentive or even need for the process to be subverted in order to help one's chances of securing employment.

Now, there is a very limited number of teachers being employed as the GoK lacks the necessary funds, nevertheless the demand for employment has risen every year as more and more young people train and qualify as teachers. It is now not uncommon to find qualified teachers who have after more than 5 years have not yet succeeded in being officially employed.

In short, places are few, applicants are too many and people are desperate – a dangerous cocktail of circumstantial factors, making the teacher recruitment process an easy target for corrupt minded individuals to plan and conduct corrupt activities.

Additionally, the trend is to further devolve this process and entrust the districts with more of its administration, which reflects a wider trend towards devolution in all Government of Kenya public sector reforms. For better or worse, the wheels of devolution are in motion, but if this trend is not matched with a strengthening of the systems involved, then the handing over of power to a larger number of people multiplies the potential for corrupt activities, which in a devolved system will moreover be very difficult to monitor from the centre.

On the following pages we lay bare the teacher recruitment processes and a number of observations should be made:

- The recruitment processes for primary schools and post-primary institutions are different, with the TSC and its agents less involved in the latter as registration/application is done at the institution in question and not at the District Education Office¹³
- The TSC does not have a monopoly over these processes and a number of different actors, including DEOs, HTs, DCs and BoG are involved
- The processes are complex with a number of checks built in to minimise irregularities i.e. the so-called 'merit list' has to be approved by several parties, complaints are heard, the process can be terminated etc.
- Complaints received in the past point to the fact that most irregularities occur at the point of selection, which is done 'in the field' and in the case of the post-primary sector does not involve the TSC and its agents.
- The TSC has acknowledged the fact that these processes are prone to irregularities and in 2005 took to 'objectifying' its criteria for the selection of teachers. In the past highly subjective factors such as how smartly the candidate was dressed and how much he/she had contributed to the community would be taken into account. In 2005 however, the only two criteria which informed the selection panels' choices of teachers were the quality of candidates' academic

¹³ On the flow-Graphs the differences between the two recruitment processes for primary schools and the post-primary sector are highlighted for ease of recognition

qualifications and the date of graduation, with preference given to those who had graduated earlier and not yet been able to secure employment. The requisite documents had to be provided for both these criteria, making it a very difficult process to be subverted, given how many parties scrutinise and have to approve the choices made. Subsequently, there were far fewer reports of irregularities and complaints received. These recent changes are positive and make the processes much more objective.

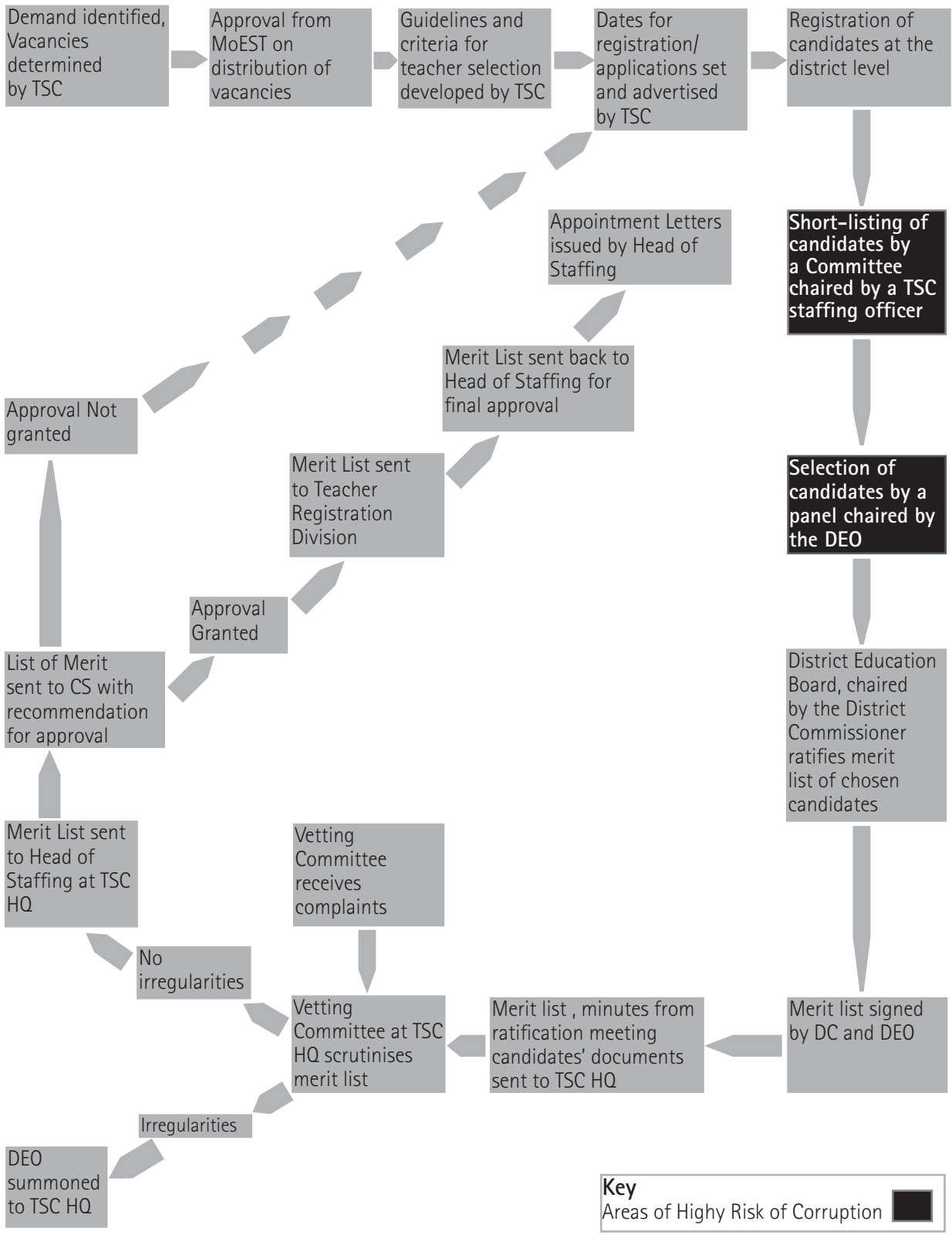
What then should we conclude about the teacher recruitment process vis-à-vis how it affects the TSC's public image as concerns corruption? Is it fair that the TSC's image is so negatively affected by these processes?

The effect these processes have on the TSC public image can be said to be at least disproportionate, because:

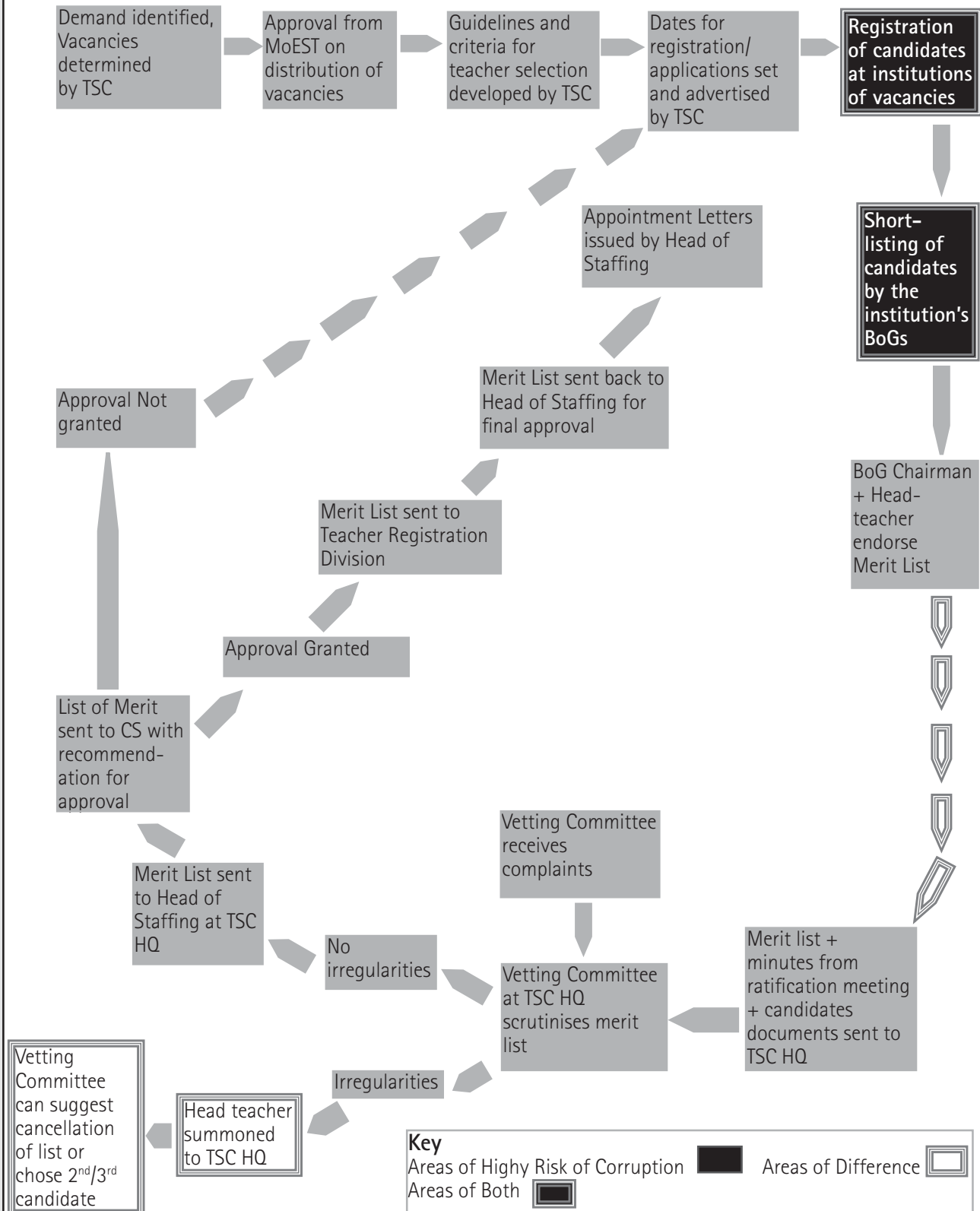
1. They are complex with many actors and a range of stakeholders involved, all with different roles, responsibilities and decision taking abilities
2. They have recently been vastly improved through the 'objectification' of teacher selection criteria
3. There are numerous checks built into the processes to minimise the potential for irregularities

We shall have to wait for T.I.-K's KBI for 2006 to see if the 'objectification' of teacher selection criteria has improved the way in which Kenyans perceive the TSC in terms of corruption, as compared to other institutions and whether our premise that it is the recruitment processes which adversely affect the Commission's popular image and reputation hold true.

Box 1: The Teacher Recruitment Process for Primary Schools



Box 2: The Teacher Recruitment Process for Post Primary Institutions



3.4. The Integrity Division

The TSC proudly boasts that it was the first institution to have established an integrity division, and has since advised other public institutions, including the Kenya Ports Authority (KPA) on the same. In setting up a division which is solely dedicated to the fight against corruption, the TSC has in a sense gone beyond its obligations under the PSIP. The division was established in September 2003 and its mission is:

"To establish standards of ethical conduct, maintain the integrity, dignity and nobility of the Commission and educational institutions for effective service delivery."

Headed by a Deputy Secretary, who is directly accountable to the Commission Secretary, the integrity division currently has a total staff of 19. In addition to generally spearheading the fight against corruption, the integrity division states its core functions as being:

- Developing and implementing a policy on corruption at the TSC
- Developing and implementing a review of the Code of Conduct and Ethics
- Conducting a corruption risk assessment
- Formulating a corruption prevention plan
- Coordinating the running of sub-corruption prevention committees
- Acting as the secretariat for the main corruption prevention committee
- Processing wealth declaration forms

We shall later assess the extent to which the TSC and the integrity division in particular are fulfilling its obligations under the PSIP.

The table below shows the 19 members of the integrity division by their designation, academic/professional qualifications and the training they have received from the Kenya Anti-Corruption Commission (KACC).

Table 4: Staff of the Integrity Division

Officers' Designation	Academic/Professional Qualifications	KACC Training and Year
Assistant Deputy Secretary	BA, PGDE, PGDHRM, M.Ed, PhD (ongoing)	Integrity Assurance Officer - 2002
Senior Principal Administrative Officer	B.Ed, M.Ed (ongoing), Cert in Counselling	Integrity Assurance Officer - 2005
Chief Administrative Officer	B.Ed, M.Ed (ongoing)	Integrity Assurance Officer - 2005
Chief Administrative Officer	B.Ed, M.Ed (ongoing)	Integrity Assurance Officer - 2004
Chief Administrative Officer	B.Ed	Trainer of Trainers - 2004

Chief Administrative Officer	Dip.Ed, B.Ed	N/A
Administrative Officer	A'Levels, CPA 1	N/A
Administrative Officer	O'Levels	N/A
Computer Operations Officer	KCSE, Dip.IT	N/A
Computer Operations Officer	KCSE, Dip.IT	N/A
Computer Operations Officer	BSc, PGD.Act	Integrity Assurance Officer - 2004
Assistant Human Resource Officer	KCE	N/A
Assistant Human Resource Officer	KACE	N/A
Senior Clerical Officer	KCE	Integrity Assurance Officer - 2004
Senior Clerical Officer	O'Levels, KATC I	N/A
Personal Secretary	KCSE, Secretarial Stage III	N/A
Shorthand Typist	KCSE, Secretarial Stage III	N/A
Subordinate Staff	KCSE	N/A
Subordinate Staff	KCSE	N/A

As the above table already shows, too few members of the integrity division have received training from the KACC, and some of those that have, in particular the Head of the Division, received it long ago and require re-training.



4 KEY FINDINGS

4.1. Understanding, Perceptions and Involvement

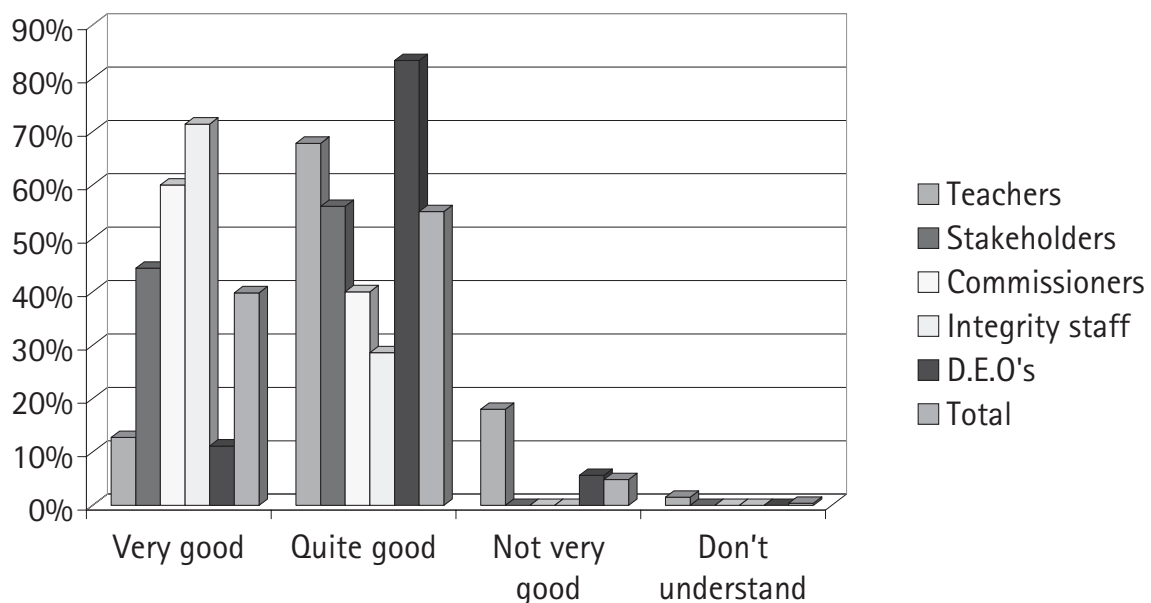
A number of questions we asked aimed to probe our target groups' understanding, perceptions and involvement in corruption at the TSC. The findings are nothing short of alarming.

Understanding

The graph below shows the responses to the question:

"How would you rate your understanding of corrupt acts and practices at the TSC?"

Graph 2: How would you rate your understanding of corrup acts and practices at the TSC?



As previously mentioned, no definition for corruption was sought from or given to our respondents on purpose. Instead we aimed to rely upon and test our interviewees' innate understanding of corruption. The above graph makes it very clear that there exists a considerable gap in the understanding of the phenomenon that is corruption amongst all relevant parties, but interestingly this increases when one introduces either of two factors.

First, it seems that the further corruption is from one's everyday occupational responsibilities, the less it is understood. Secondly, and related to the above, there appears to be a strong geographical dimension to the findings, namely, the further away one is in terms of distance from the TSC's headquarters in Nairobi, the less the phenomenon is grasped. The lessons are thus two-fold:

- Across the board there is a considerable level of ignorance as to the phenomenon of corruption
- The understanding of what constitutes corruption seems to be nestled deep in and high in the TSC's HQ tower of offices in Nairobi and does not permeate its employees in the field

Perception

What about the perception of corruption? We asked: *Do you ever hear or read about corruption at the TSC? If yes, how often do you hear or read about corruption in the TSC?*

There was almost unanimous agreement amongst our respondents that yes indeed, incidences of corruption at the TSC were heard and read about (teachers 94%, stakeholders 100%, Commissioners 70%, integrity staff 100%, DEOs 94%). This acknowledgment of corruption within the TSC was confirmed by a general consensus that T.I.-K's ranking of the Commission in its 2005 KBI was indeed fair.

Table 5: Do you believe the TSC ranking as the 2nd most corrupt on T.I.-Kenya's 2005?

Group	Yes	No
Teachers	64%	36%
Stakeholders	72%	28%
Commissioners	60%	40%
Integrity staff	71%	29%
D.E.O's	50%	50%
Total	63.4%	36.6%

We asked interviewees to compare the TSC to other similar government organs in terms of prevalence of corruption, in order to better contextualise the data set. Out of a possible six, the highest proportion of respondents' answers shows the TSC to be the third most corrupt public institution in their perception. It is third behind two of Kenya's longstanding, most notoriously corrupt institutions – the Police and the Kenya Revenue Authority, which is very similar to the findings of the KBI for 2005.

Table 6: How would you rank the following Government organs according to your perceptions of incidences of corruption?

Group	Ranking	Teachers	Stakeholders	Integrity Division	Commissioners	DEOs
Police	1st	90%	100%	100%	90%	83%
KRA	2nd	36%	56%	64%	70%	50%
TSC	3rd	31%	50%	50%	65%	33%
ECK	4th	26%	56%	43%	75%	28%
PSC	5th	32%	50%	50%	30%	22%
CCK	6th	43%	33%	37%	30%	35%

In terms of frequency however the signs seem to be a little more positive, with nearly all categories of respondents claiming they heard and read about corruption at the TSC less often than before.¹⁴

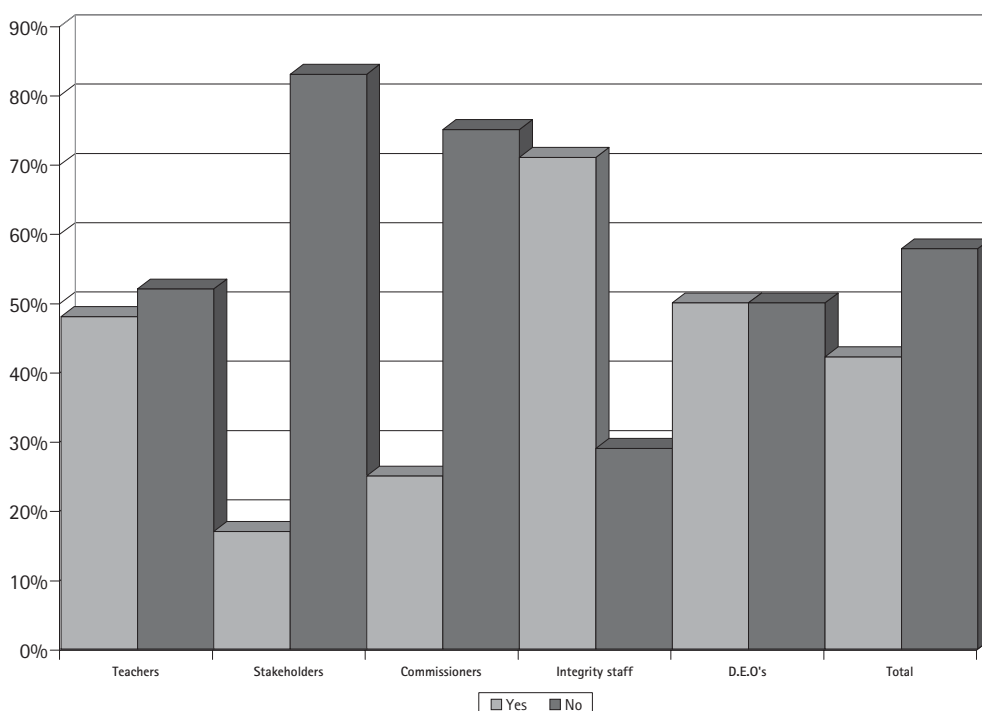
Table 7: How often do you read or hear about corruption in the TSC?

Group	More often than before	Less often than before	Same as before
Teachers	16%	58%	26%
Stakeholders	11%	39%	50%
Commissioners	None	100%	None
Integrity staff	21%	79%	None
D.E.Os	6%	82%	12%
Total	10.8%	71.6%	17.6%

Involvement

The next question posed was: *Have you personally witnessed or have knowledge of anyone who has been involved in acts or practices of corruption at the TSC?* Despite our repeated assurances of confidentiality, this question is of course very sensitive and prone to skewed answers. Nevertheless, the data seems to indicate that respondents took the opportunity to speak freely:

Graph 3: Have you personally witnessed or have knowledge of anyone who has been involved in acts or practices of corruption at the TSC?



¹⁴ N.B. No specific temporal point of reference was given for this question, though, in the context of other questions, it can be assumed that the respondents were referring to the turbulent times of 2004-5, when reports of corruption at the TSC and/or during the process of teacher recruitment would figure regularly.

Box 3: Understanding, Perceptions, and Involvement – Key Points

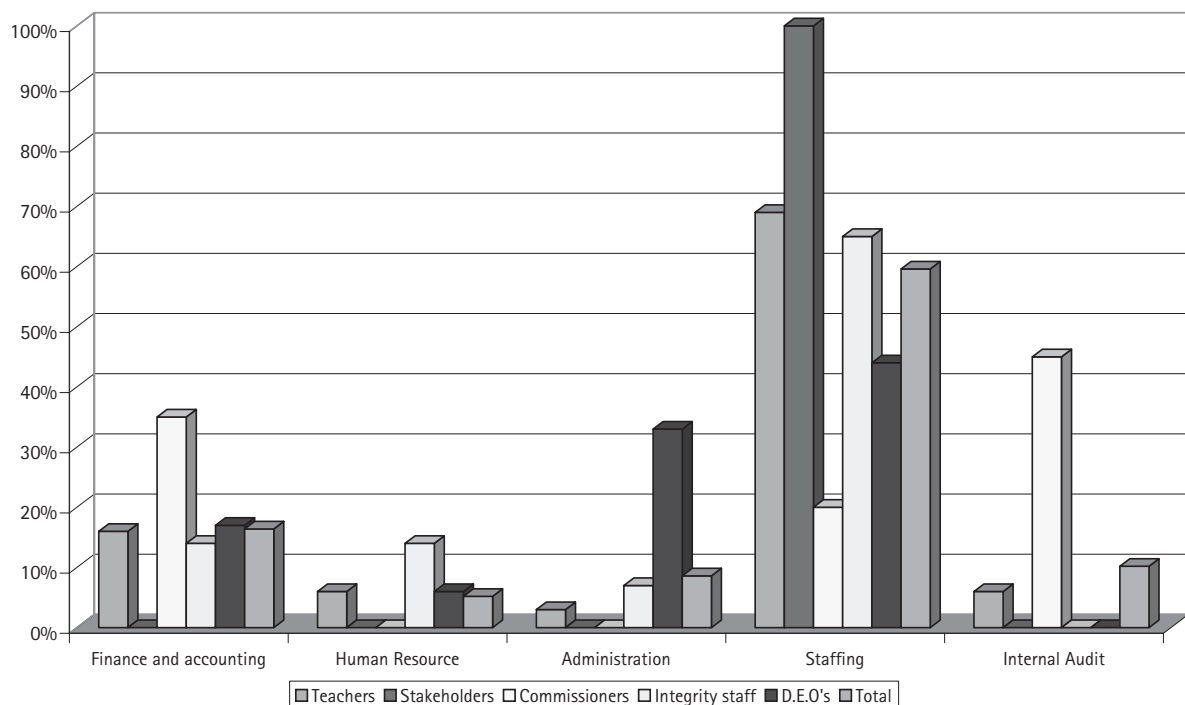
- There is a considerable lack of complete knowledge as to what constitutes corruption
- TSC agents in the field and teachers are particularly unaware of the meaning and nature of corruption
- A vast majority of respondents perceive corruption to exist at the TSC
- The TSC is considered the 3rd most corrupt government institution by our respondents
- Most believe they hear and read about corruption at the TSC less today

4.2. The Loci of Corruption

Having established that according to all those in question, corruption at the TSC exists and is a significant factor in its *modus operandi*, let us now delve a little deeper and attempt to ascertain where exactly within the TSC corruption may be located. Our questions were designed to pinpoint which divisions and what levels of officials were perceived to be most corrupt.

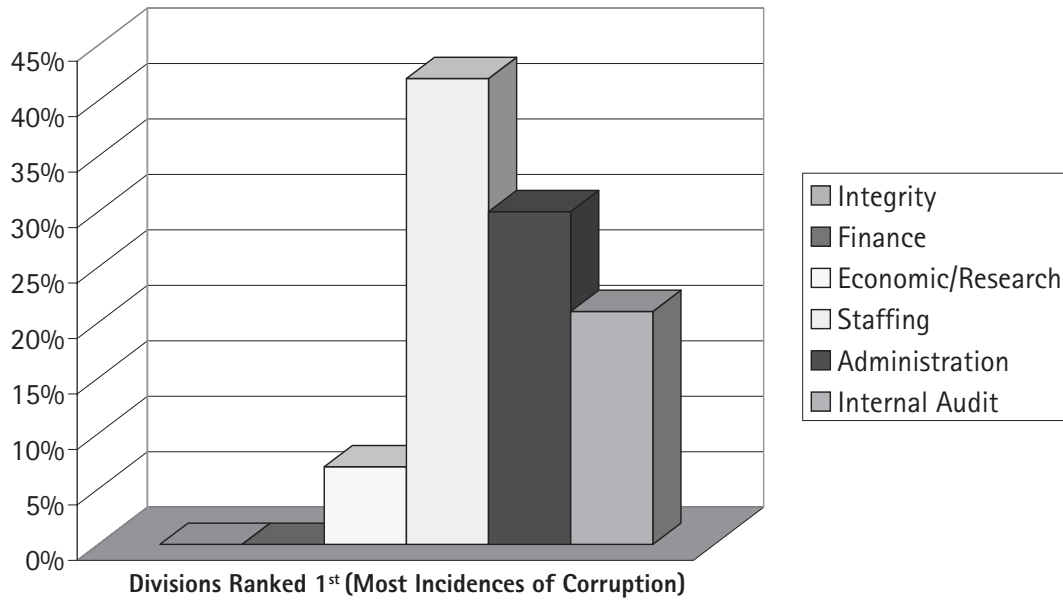
When simply asked, “Where according to you does corruption occur most in the TSC?” Our respondents limited themselves of their own accord to the five divisions/departments below:

Graph 4: Where according to you does corruption occur most in the TSC?



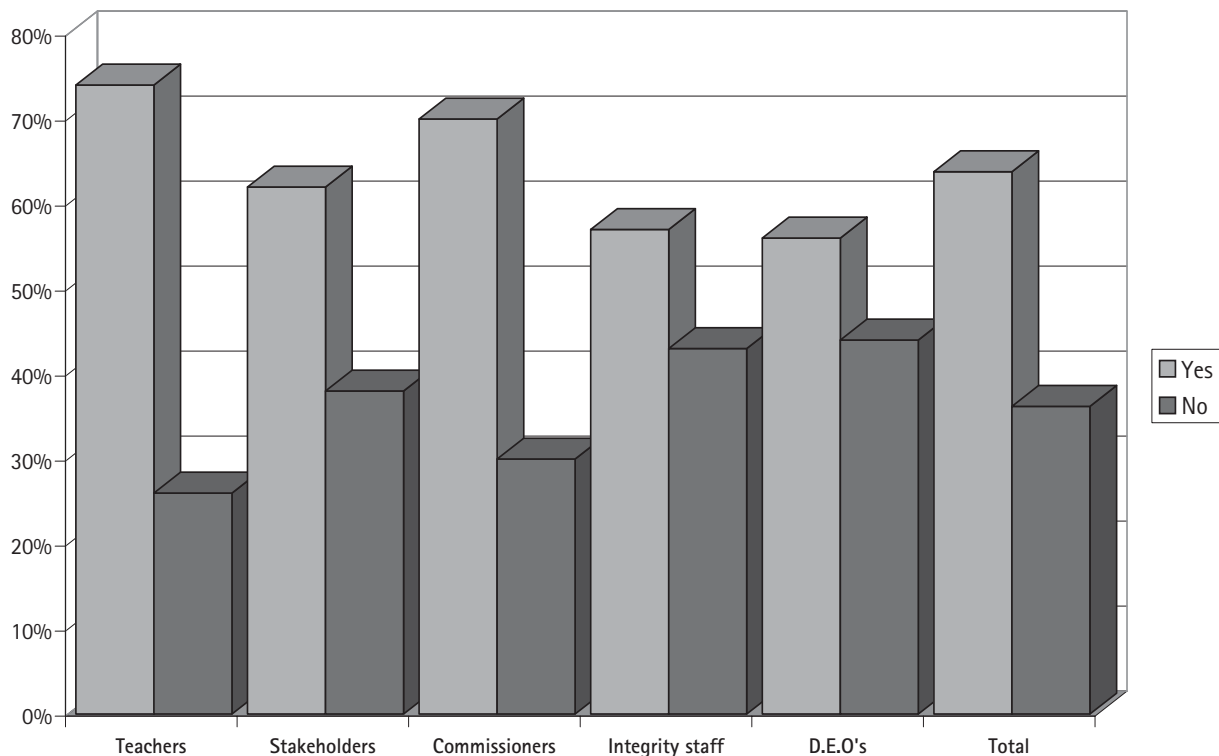
Later, when asked to rank six pre-selected divisions within the TSC, those divisions that were ranked as first, meaning the divisions that had the most incidences of perceived corruption, the responses were as follows:

Graph 5: Divisions which are perceived as having the most incidences of corruption



In attempting to establish which level of official within the TSC is perceived as most corrupt, an overwhelming majority of our interviewees believed that officials across the spectrum, regardless of their rank were involved in corrupt activities:

Graph 6: Do you think all officers regardless of their rank are involved in corruption?



The question: *In your opinion and/or experience, which level of officials do you believe to be most involved in corruption?* produced interesting if somewhat inconclusive answers. Perhaps unsurprisingly, those in positions of authority, namely Commissioners and DEOs, pointed the finger at their juniors, whilst teachers and other officials accused their superiors of being the prime offenders. Stakeholders and the staff of the integrity divisions, although arguably slightly more objective in their assessments, nevertheless sided with their junior colleagues, making it an awkward majority which believes that it is the TSC top management which has most to answer in charges of corruption. Interestingly, middle ranking officials, though they receive a consistently fair share of the vote, are not seen by any group as the most corrupt.¹⁵

Table 8: In your opinion and/or experience, which level of officials do you believe to be the most involved in corruption?

Group	Senior	Middle	Junior
Teachers	39%	35%	26%
Stakeholders	39%	33%	28%
Commissioners	25%	20%	55%
Integrity staff	57%	29%	14%
D.E.Os	29%	29%	14%
Total	37.8%	29.2%	33%

Box 4: The Loci of Corruption – Key Points

- Staffing is perceived as the most corrupt division
- Admin., Finance & Accounting and Internal Audit are also viewed negatively
- Senior officials believe junior officials to be most corrupt
- Junior officials believe senior officials to be most corrupt
- Stakeholders and the integrity division believe senior officials to be the main culprit
- Middle ranking officials are seen by none as most corrupt, but are nevertheless consistently seen as corrupt

4.3. An Assessment of the Integrity Division

The next set of questions in our survey were designed to assess the integrity division, its work and its current strengths and weaknesses. The following findings should be seen in the context that the integrity division is supposed to be the motor of the TSC's anti-corruption movement, its core mandate being the formulation and execution of anti-corruption policies, whatever they may be.

¹⁵ Though this might be a fair reflection of respondents' sentiments, it may also reflect a more general difficulty in defining and identifying what exactly a middle ranking official is.

The question: *“Do you receive briefings on anti-corruption policies from people within the TSC?”* originally inserted merely as an introductory ‘warm up’ question’ has instead produced some telling data:

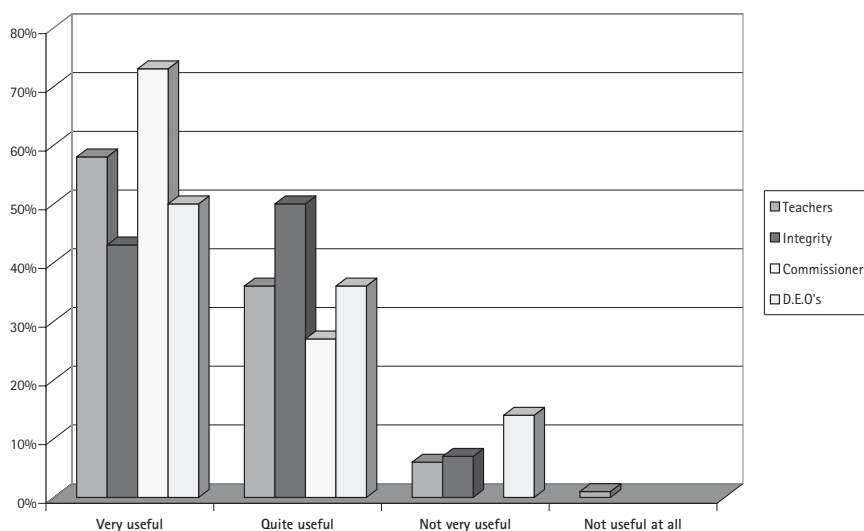
- Only 79% of the integrity division staff received briefings, which is worrying considering this is the heart of anti-corruption efforts at the TSC
- 64% of teachers did not receive any briefings, further compounding the apparent centre-periphery divide
- 45% of Commissioners said they did not receive anti-corruption briefings, which is again alarming, seeing as these officials are the TSC’s decision-makers, whose decisions should be based on current best practices

When asked who exactly provided these briefings, it is interesting to note that a plethora of responses were received. Although the integrity division was often mentioned, so too was the human resource department, the administration department, various heads of divisions, staff members of the union as well as the Ministry of Education.

This indicates that the integrity division has not yet claimed the monopoly over anti-corruption initiatives, or is at least not perceived as being the sole provider of anti-corruption briefings. This is potentially very problematic, as a bureaucracy the size of the TSC can not afford to have such widespread misconceptions as to who is the designated lead division in the fight against corruption within its ranks, and a division as young as the integrity division will find its efforts severely hampered if it does not enjoy full and unchallenged authority in employees’ perceptions.

Asked in turn if these briefings were ‘useful’, an overwhelming number of respondents that do eventually receive these anti-corruption briefings, whoever may or may not administer them, replied positively, though of course there may be ample room for improvement in all conceivable areas from content to distribution. This positive attitude is also reflective of a general desire for educative activities amongst teachers and officials and as we shall see later, figured heavily in our respondents’ visions for a less corrupt TSC.

Graph 7: How would you describe these briefings?



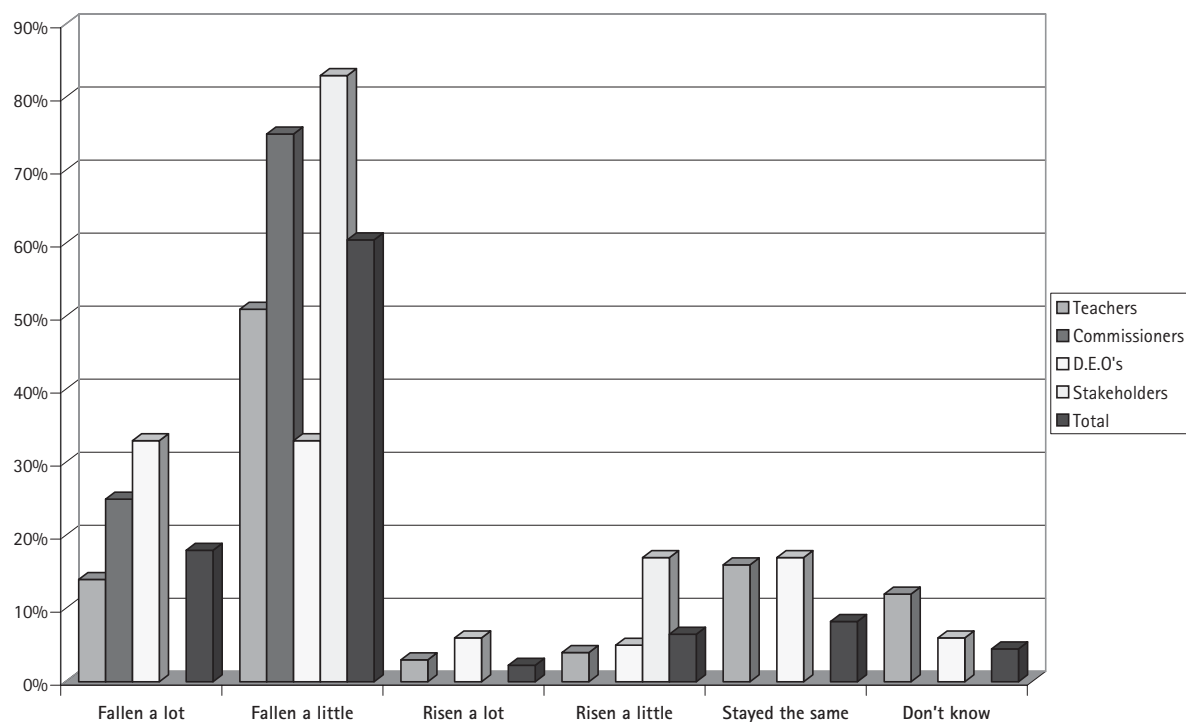
Focussing now particularly on the integrity division, we asked our interviewees if they believed it was fulfilling its mandate with success. The results were revealing.

Table 9: Is the Integrity Division successfully fulfilling its mandate?

Group	Very Successful	Quite Successful	Not Very Successful	Not Successful At All	Don't Know /Not Aware
Teachers	4%	40%	36%	7%	13%
Commissioners	0%	36%	64%	0%	0%
D.E.Os	6%	22%	61%	6%	5%
Stakeholders	0%	33%	67%	0%	0%
Total	2.5%	32.75%	57%	3.25%	4.5%

Although the above table paints a generally negative picture of the integrity division's performance, this data is better understood in combination with the next graph. Asked subsequently: *Since the integrity division began their work, do you believe levels of corruption in the TSC have...?* the replies were as follows:

Graph 8: Since the Integrity Division began its work, do you believe levels of corruption at the TSC have...?



The combination of these two sets of data tells us a number of things about the TSC's integrity division:

- Most respondents feel it has had some kind of impact in its work since its inception in September 2003, and this impact has been limited but beneficial
- Despite the above, the reason most interviewees feel it is not fulfilling its mandate successfully is because the expectations are incredibly high

In turn, we asked members of the integrity division what they believed to be the main obstacles in the division's ability to successfully fulfil its mandate, in other words what were the main obstacles in the effective execution of their jobs?

The responses were numerous and varied, but a number of issues kept creeping up, giving us a candid snapshot of the *modus operandi* of the TSC's integrity division in early 2006. The recurring obstacles were:

1. A lack of financial independence

The integrity division does not have control over its own budget and it needs to have all its activities approved by the finance department. This seriously impedes the division in its functioning, and offers opportunity for undue external influence in what activities are or are not sanctioned.

2. A lack of resources

Members of the integrity division felt strongly about a lack of resources impeding their work: there is not enough office space, no computers and a general dearth of materials. In addition there is a lack of adequate training and re-training. Unrealistic deadlines and a feeling of generally being overworked were also common sentiments.

3. An improper climate

Many integrity division staff made mention of instances of improper employment and promotion *within* the division, informed by tribalism and not merit. Threats of transfers were common and the TSC's top management were seen to encourage and contribute to some forms of corruption. Documents and files would often conveniently go 'missing'. Moreover potential 'whistle blowers' did not feel they would be protected and were discouraged from coming forward.¹⁶

4. A lack of good will and support

Members of the integrity division felt they were 'victims of their profession' – viewed suspiciously by other TSC officials with a vested interest in the *status quo*. Worse still, the TSC's top management was deemed to be unsupportive and inaccessible.

¹⁶T.I.-Kenya believes that inadequate whistle blower protection is a global problem of great significance in Kenya's public and private sectors. Provisions in current draft legislation on the freedom of information are also unacceptable, and given the importance of the issue T.I.-Kenya is advocating for the drafting of a Bill exclusively devoted to the protection of whistle blowers.

Box 5: Corruption within the Integrity Division

During the course of this study and despite a high-level of cooperation among all officers of the division, T.I.-Kenya found evidence of numerous instances of managerial malpractice within the integrity division. These irregularities include instances of tribalism, non-transparent employment and deployment as well as blatant conflicts of interest. This is of course ironic, given the fact that it is supposedly the nexus of anti-corruption efforts at the TSC. In fact, information received by T.I.-Kenya as to some of officers' activities in this division further heightened T.I.-Kenya's interest in conducting this study. Despite having irrefutable evidence thereof, it is not in T.I.-Kenya's interest and it is against Transparency International's global policy to name the implicated individuals. Conversely however, we feel it our duty to bring attention to some of the difficulties T.I.-Kenya experienced in dealing with this division, as only their inclusion will we be presenting a complete picture, from which many lessons can and should be learnt. The experience of the TSC's integrity division clearly shows that in order for any public institution's fight against corruption to be effective and credible, the individuals mandated with that important task must be beyond doubt and reproach. Hypocrisy cripples the fight against corruption, as it relies heavily on a slow, gradual and fragile attempt to change perceptions and behaviour. Beyond various examples of corrupt behaviour, but no doubt fuelled by them, T.I.-Kenya found the integrity division to lack internal cohesion and a much needed team mentality, which constitutes a further stumbling block in this division successfully fulfilling its mandate.

Box 6: An Assessment of the Integrity Division – Key Points

- Anti-corruption briefings are in alarming short supply
- When present, the briefings are biased towards officials at the TSC's HQ
- Teachers and official's greatly appreciate briefings when received
- The integrity division has failed to claim the monopoly in the TSC's fight against corruption
- The integrity division is perceived as not fulfilling its mandate very successfully, despite views that corruption levels have fallen slightly since its inception – expectations of the division are extremely high
- A lack of financial independence, resources, good will and an improper climate constitute the division's biggest obstacles
- The division's management is seriously implicated in corruption, which impedes its work and damages its credibility
- The above should be taken with two caveats:
 1. The division was established in September 2003 and is thus relatively young and has had limited time to act
 2. The division is bogged down by the annual wealth declaration exercise (as will be discussed later)

4.4. The TSC and the PSIP

Having investigated how the integrity division and its outputs are perceived both from staff within the division and by teachers, DEOs, Commissioners and stakeholders, let us now remind ourselves what the TSC's obligations are under the PSIP and assess to what extent how successfully it is or is not fulfilling these¹⁷. As a reminder, the PSIP obliges public institutions to introduce the following:

1. A Corruption Risk Assessment;
2. A Corruption Prevention Committee;
3. A Code of Conduct.

Let us deal with each in turn:

A Corruption Risk Assessment

The TSC's integrity division has indeed conducted a Corruption Risk Assessment of sorts. A document exists in which a number of divisions within the TSC outline their 'issues raised' and the subsequent 'recommendations' which were suggested. For all intents and purposes, on the face of it, the exercise was conducted.

However, there are a number of serious issues surrounding the document:

- Only 9 divisions are contained within the presented document. The head of the integrity division assured us that other divisions had taken part in the exercise, but the findings were "strewn all over the Commission" and thus unavailable
- The information given by those divisions which took part is sparse and unconvincing
- The modalities of this exercise are unclear - when was it conducted, by whom? etc.
- No information was forthcoming on what happened upon completion of this exercise - what happened to the recommendations it contained?

The exercise might thus have been conducted, but it has serious short-comings which in effect render it less than credible.

A Corruption Prevention Committee

Again, on the surface the TSC appears to fulfil the requirements of the PSIP when it comes to forming Corruption Prevention Committees. A concept note exists detailing the role of departmental/divisional sub-corruption prevention committees, its membership and composition, the periodicity of its meetings as well as reporting procedures which ought to be followed.

However, as with the corruption risk assessment, a number of pivotal questions remain unanswered:

¹⁷Information for this section was accumulated through the author's key informant interviews with the management of the integrity division.

- There are no records of who belongs to these committees, how often they meet and what their discussions are – throwing doubt on their very existence in anything but name
- Even if in existence, their deliberations seem so inconsequential that in three months worth of in-depth research at the TSC, no officer deemed it necessary to mention their existence or work
- Even if these sub-committees do meet, the majority of respondents (67% of teachers, 56% of DEOs and 40% of Commissioners) were unaware of their existence, and if they did know they almost universally misunderstood their reason for being
- There is no overall corruption prevention committee which sits on top of these sub-committees, as prescribed by the PSIP

A Code of Conduct

The TSC's Code of Conduct and Ethics was introduced in August 2003. It is presented in a small booklet, which is concise, clear and user-friendly. Furthermore, the content is comprehensive, covering all manner of aspects of ethical behaviour from sexual relations with students, to the taking of illicit drugs and how to deal with gifts. In addition, this appears to be the first document which directly addresses both public officers who are registered teachers but also all other officers and employees of the TSC.

Although the TSC's Code of Conduct and Ethics represents a decent effort to introduce such a document, several things remain unclear however:

- To what extent is this Code used during disciplinary hearings, and if so, how strictly is enforced?
- How widely is it disseminated? It seemed to be widely available at the TSC headquarters, but it does not reliably reach schools and other education institutions across the country

The TSC and the integrity division in particular have thus made attempts to fulfil the three main requirements of the PSIP, but all actions which have been undertaken so far remain highly problematic. The Corruption Risk Assessment and the Corruption Prevention Committees are severely inadequate in their current form and whilst the Code of Conduct and Ethics is a more satisfactory document, issues as to its proper utilisation cast a shadow over it. The TSC thus fulfils its obligations in theory, but the substance and effectiveness of the measures in place is highly questionable and in need of serious attention. In other words, the PSIP, in its current form, does not work for the TSC, and this may also be more symptomatic of the PSIP's shortcomings, as well as the TSC's inability to fulfil its obligations.

Box 7: The PSIP 'Big 3' Does the TSC comply?

✓	X	Corruption Risk Assessment
✓	X	Corruption Prevention Committee
✓	X	Code of Conduct

Other Noteworthy Integrity Division Actions

However, before concluding this section and in order to reflect the reality of the integrity division's efforts on behalf of the TSC as a whole, we should take note of a further few noteworthy actions in the fight against corruption which go above and beyond the obligations of the PSIP:

1. A **Draft Corruption Prevention Policy** is currently being worked upon. Although not for circulation T.I.-Kenya has seen this 40page draft, dated November 2005 and would like to make the following few preliminary observations:

- The policy is comprehensive, clear and potentially very effective
- It is far-reaching – detailing inter alia goals, objectives, principles, in-depth policy guidelines, an implementation framework as well as information on its dissemination and how it is to be monitored and evaluated

T.I.-Kenya hopes that this draft will be finalised and implemented effectively as soon as possible.

2. **The Processing of Wealth Declaration Forms** is exclusively the responsibility of the integrity division. This is not the place to debate the merits of this flagship GoK policy, suffice to say that it has had a massive detrimental impact on the work of the TSC's integrity division:

- First, the annual collecting and processing of 235,000+ wealth declaration forms from all schools and other educational institutions across the country is a gargantuan, hugely labour-intensive task which occupies many of the division's officers for the whole year. This diverts valuable time and human resources away from the division's other potential activities.
- Second, no actual storage space has been provided for the received forms, which year on year amount to hundreds of big boxes. These boxes are subsequently stored in the division's few offices in what becomes a tragi-comic scene of towers of boxes and officers tip-toeing around them.
- Previous projects to computerise this system, which would make it much more efficient, transparent and user-friendly, have faltered.

In short, this annual exercise represents a huge drain on the division's already inadequate resources. Its computerisation is urgently needed.

3. In their promotional material, the integrity division outlines some of its own achievements. These are described in very vague terms, some of which are at best dubious, and if meant as a sum total of its work are simply insufficient, considering the division has now been in existence for nearly 3 years. The most significant of these 'achievements' include:

- Cleaning of the payroll by removing ghost workers as a consequence of the 2003 wealth declaration exercise
- Having officers involved in corrupt practices indicted
- Carrying out of an ongoing in-house sensitisation programme
- Sensitising head-teachers on corruption during the provincial head-teachers' conference

Box 8: The TSC and the PSIP – Key Points

- The PSIP is adhered to in theory but the substance of the measures involved is weak
- The Code of Conduct is the division's most impressive output and if used effectively represents a potentially strong tool
- A draft anti-corruption policy exists which is comprehensive, strong and could be the bedrock for the future of the TSC's battle with corruption
- The annual wealth declaration exercise in its current form shackles the division and seriously impedes its ability to execute its other functions
- Despite said limitations, the division's self-professed achievements are inadequate, given that it is staffed by 18 people and has been operating for nearly three years now

4.5. Visions of a less corrupt TSC

The final section of the survey asked respondents from each target group to suggest ways in which the integrity division and the TSC as a whole could and should improve its efforts in the fight against corruption within the Commission. In this section we actively encouraged our respondents to speak freely and go into the detail of their own visions of how the TSC and the integrity division could more effectively fight corruption.

We experienced a number of difficulties with this section, which may be indicative of problems faced by all such 'perception-seeking' social science research in East Africa today:

- Some interviewees took this more as an opportunity to off-load their own general and personal occupational grievances rather than tackle the question at hand.
- Other less informed and reflective respondents provided us with generalities such as 'fight corruption better' and the like or simply regurgitated policies which already exist
- Others again presented hypothetical solutions which bordered on the fantastic
- Some of the responses were a little difficult to decipher and lost somewhere in translation from thought to expression in the English language, despite the fact that all our researchers were briefed to use Kiswahili and the local language in question where needed and possible
- Despite the fact that the questions on the integrity division and the TSC generally were discrete, it is perhaps no surprise that there was a certain degree of repetition in the answers offered
- Many respondents seemed unwilling or unable to offer personal views and/or original ideas on how the Commission might better combat corruption

Nevertheless, despite these difficulties and disregarding the less useful responses, there were a few messages which came through loud and clear, time and time again, regardless of the target group in question. Instead of presenting the entire spectrum of responses, we shall here pick these common, repeated themes out as well as highlight those suggestions which were made less often but have a high potential to make be effective. Given the level of repetition we shall amalgamate the responses for the integrity division and the TSC in general.

The suggestions which were either of high potential value or which figured heavily in our data set are as follow:

Training/Education

The desire for more education on the nature and manifestations of corruption was universal, whether from members of the integrity division who felt they were not adequately equipped to effectively do their jobs, or DEOs, teachers and even Commissioners who believed they knew very little about the phenomenon and how it might affect them. There were repeated calls for (more) seminars, in-house training sessions, and provision of materials – education for those who have not yet received it, and regular re-education for those that have.

Partnerships

A strong recurring message was that the above training and education could be better achieved by partnering (closer) with third-party organisations such as the Kenya Anti-Corruption Commission, T.I.-K. and/or other relevant anti-corruption authorities.

Employment, Deployment and Promotion

Respondents felt that employment, deployment and promotion was not always done purely on merit, and other factors such as nepotism and tribalism often came into play. This seemed to be particularly pertinent to the integrity division – staff felt that qualification and suitability gave way to various forms of favouritism. Given that the integrity division was the only division which we were able to survey in entirety, this may be a bleak representation of many other divisions.

Impunity

A common perception was that the few cases of corruption which were detected and reported to a large extent went unpunished. Aside from inadequate systems to deal with corrupt cases, it was felt across the board that there was lack of will on the part of the management of the TSC and its various divisions to punish known perpetrators of corrupt acts.

I.T. Solutions

Many respondents felt that the complete lack of computerised systems at the TSC facilitated some acts of corruption, as for example it is not uncommon to find files have gone 'missing'. Although answers which call for a 'computerisation' of the TSC need to be taken with a pinch of salt (for who enjoys working without a computer in the 21st century?!), there is a lot of merit in the idea that a fully computer functional TSC would inject some much needed transparency and accountability in all manner or operations and transactions. Previous multi-stakeholder and donor supported efforts to computerise some aspects of the TSC's business, such as the annual processing of wealth declaration forms have unfortunately faltered.¹⁸ Moreover, commitments made under the 'Education Sector Governance and Accountability Action Plan' to fully synchronise existing MoEST-TSC databases and school codes should be kept.

¹⁸ c.f. page 10

Monitoring and Evaluation

Within the TSC it was felt that the anti-corruption policies which were in place and those which are being introduced were not monitored and evaluated. None of the many lessons learnt were being put into some kind of 'best practice' and thus the efforts which have been made in fighting corruption more often than not lost their full potential value.

Remuneration and Motivation

A large proportion of interviewees drew attention to the fact that inadequate remuneration was a likely contributing factor to incidences of corruption. Again, for obvious reasons these responses should be taken with a healthy dose of critical distance. Nevertheless a great wealth of international data supports the now almost universally accepted notion that poor pay amongst public servants, around the globe though especially in developing countries, causes many to supplement their inadequate earnings with the proceeds of bribes.¹⁹ The fact that the teacher management chapter of the KESSP mentions as a priority area the remuneration of officials lends credibility to the fact that this may indeed be a relevant factor when considering the possible causes for corruption in the education sector in Kenya. However, it should be noted that teachers are relatively well remunerated in Kenya, compared to other countries in the region and similar professions.

Moreover, our respondents went further than merely complaining about insufficient pay as a contributing factor and mentioned the related though not entirely synonymous problem of low staff morale. Pay may have something to do with this, but the picture is probably much more complex with any of a great number of factors contributing to this, some of which will be generally applicable and others of which will be entirely dependant on each individual case.

¹⁹ See for example Lindbeck (1998), who work attributed the low levels of corruption experienced in Nordic countries to the fact that public sector employees enjoyed relatively high wages. However, Tanzi and other authors for various reasons dispute this seeming truism as being over simplistic and question whether or not simply raising public sector would have a beneficial impact on the levels of corruption.



CONCLUSIONS

This study has brought a great number of issues to the fore, some of which were anticipated but many of which were not. We shall use the structure of the sub-chapters above to draw out our conclusions:

The Teacher Recruitment Processes

- The processes are complex with a plethora of players involved
- Given the very limited supply of, and extreme demand for teaching jobs, the processes are under considerable strain and could become high-risk area for potential corruption
- A number of strong checks have been built into the processes
- Laudable and seemingly effective efforts have been made to 'objectify' the selection criteria for which candidates will be employed as teachers
- The trend to further devolve these processes presents a potential for increased incidences of corruption and weaker oversight if it is not accompanied with measures to further strengthen the systems in place
- Although widespread irregularities have occurred in the past, recent reforms should minimise these and lessen the negative impact these processes have had on the TSC image as concerns corruption

The Education Reform Process

- Much of the early legislation and regulations which still serve as the legal and operational basis of the TSC have no or at best vague anti-corruption provisions, and if present are directed at teachers
- The TSC derives its anti-corruption policies from recently enacted legislation and guidelines, most notably the POEA and PSIP
- The KESSP currently underway unfortunately makes no explicit mention of anti-corruption issues, but its provisions if applied effectively, should indirectly contribute to strengthening the TSC's governance and limiting the space and opportunity for corruption
- The commitments made under the Education Sector Governance and Accountability Action Plan which are relevant to the TSC are very useful
- A high-level Taskforce mandated with making sweeping recommendations for the entire education sector is currently working on its report, which will have potentially very beneficial consequences for the TSC

Understanding, Perceptions and Involvement

- Corruption at the TSC exists, involves an alarming number of officials and has serious negative implications for the Commission's public image

- The understanding of corruption among TSC employees, particularly teachers and officials in the field is worryingly below par
- Nevertheless, perceptions of corruption have decreased recently, signalling a possible improvement and a basis to build upon

The Loci of Corruption

- Staffing is by far the area which is perceived as being the most corrupt
- All levels of officials – senior, middle ranking and junior are seen as corrupt
- Senior and junior officials view one another most suspiciously
- Senior officials are seen by stakeholders as the most corrupt

The Integrity Division

- The division is not seen as the only provider of anti-corruption policies
- Expectations of the division are incredibly high and do not correlate to its current achievements and capabilities
- Briefings and other corruption related educational materials are highly sought-after, but the supply is currently insufficient and biased in favour of officials in Nairobi
- A lack of financial independence, resources, good will and a generally difficult climate constitute what the division considers to be its biggest obstacles
- The annual wealth declaration exercise is a hugely wasteful drain on the division's human and other resources
- Corruption within the division's own ranks impedes its work and damages its credibility
- Too few of the division's officers have received anti-corruption training from the KACC and the division's management in need of re-training

The TSC and the PSIP

- The PSIP is adhered to in theory, but in practice the tools in place are weak
- A basis for further improvements is in place
- A potentially very useful and comprehensive anti-corruption policy is being drafted
- There is a wider issue at play here – is it the TSC which fails the PSIP, or is it the PSIP and its provision which fail public institutions as an inadequate referential guide?

Visions of a less corrupt TSC

- Education on issues of corruption is highly sought after by all
- (More) support from other relevant organisations is seen as crucial
- Recruitment, but also deployment and promotion are identified as 'hot-spots' for potential corruption
- Punishment and prosecution of guilty parties is viewed as wholly inadequate
- The 'computerisation' of the entire TSC and its functions could be of tremendous benefit, making systems more efficient, transparent and user-friendly
- The monitoring and evaluating of policies is either poor or non-existent
- Remuneration and motivation are possible contributing factors



RECOMMENDATIONS

As a result of the above conclusions, T.I.-Kenya makes the following recommendations.

General

Before we delve into recommendations in specific fields, there are a number of issues which ran like a thread throughout the study, cropping up with whomever we spoke to. The following themes should be mainstreamed into any future actions in the fight against corruption:

- Education, education, education! All in question felt ill-equipped in their understanding of the nature, manifestations and consequences of corruption at the TSC. Knowledge and understanding are prerequisites for influencing perceptions and achieving behaviour change and subsequently the education of teachers and officials should be a focus of future efforts.
- Cooperation with relevant anti-corruption bodies such as the KACC and T.I.-Kenya has to be stepped up. The TSC and the integrity division in particular would greatly benefit from the expertise these institutions can provide and in turn these external bodies are willing and able to assist. In short no harm and only much good can come from a closer working partnership between the TSC and other actors in the fight against corruption.
- It seems that some of the positive measures which the TSC has undertaken are either not fully understood or not known about at all. Throughout our research it has become clear that the TSC and integrity division needs to better market and publicise its actions – celebrate the positives and openly admit to, rather than shy away from the negatives. Perceptions and behaviour will change much more quickly if all information channels are used to their fullest potential. The development of a public relations and media strategy would be hugely beneficial in improving the Commission's image.
- Punishment and prosecution of perpetrators is insufficient and, if forthcoming, insufficiently publicised.
- Systems for monitoring and evaluating existing anti-corruption policies are inadequate or non-existent. Special attention should be paid to include strong M&E systems for all future anti-corruption policy actions.
- The computerisation of all the TSC's systems is highly desirable – this cause should be given renewed attention and impetus; and previous donor supported efforts to computerise aspects of its functions, for example the annual wealth declaration exercise, should be resurrected as soon as possible.

The Teacher Recruitment Processes

- Continue to exclusively use 'objective' criteria for teacher selection
- Search for additional such criteria

- Publicise the processes through nationwide media to highlight their complexity, the in-built checks and the diverse actors involved
- Conduct a corruption risk assessment of the processes which takes into account likely reforms given the trend towards further devolution
- Act decisively on any reported irregularities in future recruitment drives, punish those involved and publicise actions widely, in-house and externally

The Education Reform Process

- Advocate for the insertion of anti-corruption related reforms for TSC in the taskforce's recommendations
- Ensure actions and policy reforms under KESSP are implemented
- Ensure all commitments made under the Education Sector Governance and Accountability Action Plan which are relevant to the TSC are implemented
- Advocate for mainstreaming of anti-corruption provisions in all future education sector programmes and initiatives

Understanding, Perceptions and Involvement

- Education, education, education!
- Conduct a comprehensive review of current corruption-education practices in consultation with relevant external anti-corruption bodies, which should include briefings, materials etc.
- Urgently enact all recommendations from this review
- Ensure all future policies and education activities also involve teachers and TSC officials in the field
- Instead of quietly dismissing perpetrators instigate a 'name and shame policy' which is to be widely and openly publicised within the TSC and to the public
- Publicise this study, its findings as well as all future actions and policy changes

The Loci of Corruption

- Conduct a comprehensive audit and review of the staffing department
- Publicise and urgently act upon all findings of the said audit
- In consultation with relevant external anti-corruption bodies, conduct research and produce report on how best to fight perceived and actual levels in the staffing department, taking issue with *inter alia* current recruitment, deployment and promotion practices
- Investigate and introduce possible measures on how to bridge the apparent 'suspicion divide' between junior and senior officials

The Integrity Division

- Reiterate by all means possible that the integrity division should be the sole driving force of anti-corruption policies
- Either refine expectations of the division or give it the necessary support to have a chance of fulfilling those high expectations

- Review the division's current policy on and actual content of anti-corruption briefings and subsequently boost its capacity and requirement to conduct these within Nairobi, but importantly also in the field
- Enable the division to more successfully fulfil its mandate by giving it financial independence, increased resources and more support from within and above
- Investigate ways in which the annual declaration exercise would impact less on the division's work such as giving another division responsibility for it, outsourcing work etc.
- Advocate for sweeping reform of wealth declaration exercise, which would see public officials having to declare wealth when asked to rather than as a rule every year
- Given the levels of corruption, remove all the division's officers and conduct a transparent recruitment process based on merit, independence and experience of fighting corruption – in effect disband and reconstitute the integrity division
- Ensure more officers are (re-)trained by the KACC, in particular the management of the division

The TSC and the PSIP

- Ensure much stricter adherence to all the requirements laid out in the PSIP, that is to say: conduct a comprehensive internal corruption risk assessment and let it inform and inspire future policy changes, monitor and evaluate the meetings and work of sub-corruption prevention committees, introduce an over-arching corruption prevention committee, further strengthen and disseminate widely (including in the field) the Code of Conduct and Ethics
- In consultation with relevant external anti-corruption bodies, urgently finalise the existing draft anti-corruption policy, publicise it widely within and without the Commission and make it the foundation for all future anti-corruption efforts
- Create opportunity to discuss the merits the PSIP in its current form with the KACC and fully take part in any 'lesson learnt/best practice' exercise which might arise

A Final Word...

T.I.-Kenya would very much like the production of this study to be the beginning of a long-term, cooperative and productive relationship between itself and the TSC.

It is T.I.-Kenya's hope that the TSC will become one of Kenya's first institutions to be incorporated in its 'Structural Advocacy Programme', which is currently in the final design stages. This programme would see the two institutions enter into a partnership characterised by a continual dialogue, with T.I.-Kenya assisting in achieving the recommendations it sets out and using them as a yardstick in assessing the progress made by the TSC in follow-up reports in intervals of 1 and 3 years after the publication of this study.

T.I.-Kenya would thus like to hereby reiterate its verbal offer to the TSC's top management of a long-term, cooperative and productive partnership characterised by continual dialogue, in which both parties strive to the best of their abilities to achieve the recommendations agreed and set out in this study and thereby begin to decrease the levels of perceived and actual corruption within the TSC.



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APPENDICES: SAMPLE RESEARCH INSTRUMENTS

Appendix 1: TSC Integrity Division Staff

"Hello. My name is from Transparency International. We are at the moment conducting a study in this area and we will be grateful if you could answer a few questions for us. The information we get from you today shall only be used as aggregate points in analysis and not as individual responses, there are no right or wrong answers so please feel free to share your opinion with us.

Identification

Province		District	Date
1. Nairobi	4. Rift valley		
2. Coast	5. Central		
3. Nyanza	6. Eastern		
7. North Eastern	8. Western		

Gender	Age	Nationality	Employment period (years)
1. Male		1. Kenyan	
2. Female		2. Non Kenyan	

Education level	Job title	Previous occupation
1. No formal education		
2. Completed primary		
3. Some High School		
4. Completed High School		
5. Tertiary		
6. University		

QN	Question	Category	Code
1	How would you rate your understanding of corrupt acts and practices in the TSC?	Very good Quite good Not very good Not good at all Don't understand	1 2 3 4 5
2	Do you ever hear or read about corruption at the TSC?	Yes No	1 2
3	If yes, how often do you hear or read about corruption in the TSC?	More often than before Less often than before About the same as before	1 2 3
4	Have you personally witnessed or have knowledge of anyone who has been involved in acts or practices of corruption at the TSC?	Yes No	1 2

5. If yes, what exactly have you witnessed or experienced that you consider as a corrupt practice or act?

Witnessed	Experienced	Frequency of the act/practice
a)		
b)		
c)		
d)		
e)		

6	In your opinion and using the scale provided, how would you rate the current level of corruption at the TSC?	Very corrupt Quite corrupt Not very corrupt Not corrupt at all	1 2 3 4																												
7	Do you believe the TSC ranking as second most corrupt on T.I.-Kenya's 2005 Bribery Index was fair?	Yes No	1 2																												
8	Where, according to you does corruption occur most in the TSC?																														
9	Using a scale of 1-6, where one is most corrupt and 6 is least corrupt, how would you rank the following government organs according to your perception of incidences of corruption?	<table border="1"> <thead> <tr> <th>Organ</th> <th>Rank</th> </tr> </thead> <tbody> <tr> <td>Teachers Service Commission</td> <td></td> </tr> <tr> <td>Electoral Commission of Kenya</td> <td></td> </tr> <tr> <td>Communications Council of Kenya</td> <td></td> </tr> <tr> <td>Parliamentary Select Committees</td> <td></td> </tr> <tr> <td>Kenya Revenue Authority</td> <td></td> </tr> <tr> <td>Police</td> <td></td> </tr> </tbody> </table>	Organ	Rank	Teachers Service Commission		Electoral Commission of Kenya		Communications Council of Kenya		Parliamentary Select Committees		Kenya Revenue Authority		Police																
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Integrity		Stores and procurement																													
11	Among the departments above, which 3 do you think have the most incidences of corruption by order of most to least?	1 2 3																													
12	Which 3 do you think have the least incidences from bottom to third last?	1 2 3																													
13	In your opinion and/or experience, which level of officials do you believe to be most involved in corruption?	Senior officers Middle ranking officers Junior officers	1 2 3																												
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17	If yes, how often are you briefed? (Record response)																														

18	Who does the actual briefing on anti-corruption policies? (Record)		
19	How would you describe these briefings?	Very useful Quite useful Not very useful Not useful at all	1 2 3 4

Integrity division

20	Do you believe the Integrity Division is currently fulfilling its mandate with success?	Yes No	1 2
21	What do you feel are the main obstacles to the successful functioning of this division?	1 2 3 4 5 6	
22	What steps need to be taken to combat corruption more effectively across the TSC?	1 2 3 4 5	
23	Are you aware of any corrupt practices within this division?	Yes No	1 2
24	If yes, what practices can you say that you have witnessed?	1 2 3 4	
25	What steps need to be taken to eliminate corruption from within the division?	1 2 3 4 5	

Appendix 2: Commissioners

"Hello. My name is from Transparency International. We are at the moment conducting a study in this area and we will be grateful if you could answer a few questions for us. The information we get from you today shall only be used as aggregate points in analysis and not as individual responses, there are no right or wrong answers so please feel free to share your opinion with us.

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Education level	Job title	Previous occupation
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4. Completed High School		
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6. University		

QN	Question	Category	Code
1	How would you rate your understanding of corrupt acts and practices in the TSC?	Very good Quite good Not very good Not good at all Don't understand	1 2 3 4 5
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3	If yes, how often do you hear or read about corruption in the TSC?	More often than before Less often than before About the same as before	1 2 3
4	Have you personally witnessed or been involved in acts or practices of corruption at the TSC?	Yes No	1 2

5. If yes, what exactly have you witnessed or been involved in that you consider as a corrupt practice or act?

Witnessed	Experienced	Frequency
a)		
b)		
c)		
d)		
e)		

6	In your opinion and using the scale provided, how would you rate the current level of corruption at the TSC?	Very corrupt Quite corrupt Not very corrupt Not corrupt at all	1 2 3 4
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7	Do you believe the TSC ranking as second most corrupt on T.I.-Kenya's 2005 Bribery Index was fair?	Yes No	1 2
8	Where, according to you does corruption occur most in the TSC?		
9	Using a scale of 1-6, where one is most corrupt and 6 is least corrupt, how would you rank the following government organs according to your perception of incidences of corruption?	Organ	Rank
		Teachers Service Commission	
		Electoral Commission of Kenya	
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		Kenya Revenue Authority	
	Police		
10	Using a scale of 1-12, where one is most corrupt and 12 is least corrupt, how would you rank the following departments according to your perception of incidences of corruption?	Department	Rank
		Personnel	
		Training	
		Staffing	
		Records	
		Salaries	
		Department	Rank
		Audit	
		Registry	
		Secretariat	
		Records	
		Pensions	
		Stores and procurement	
11	Among the departments above, which 3 do you think have the most incidences of corruption by order of most to least?	1 2 3	
12	Which 3 do you think have the least incidences from bottom to third last?	1 2 3	
13	In your opinion and/or experience, which level of officials do you believe to be most involved in corruption?	Senior officers Middle ranking officers Junior officers	1 2 3
14	Do you think all the officers regardless of their ranks are involved in corruption?	Yes No	1 2
15	If yes, using a scale of 1-3 where 1 is most corrupt and 3 is least corrupt, how would you rank them from the most corrupt to the least corrupt?	Rank	Officer category
		1	
		2	
		3	
16	Do you ever get briefings on anti-corruption policies from people within the organization?	Yes No	1 2
17	If yes, how often are you briefed? (Record response)		
18	Who does the actual briefing on anti-corruption policies? (Record)		
19	How would you describe these briefings?	Very useful	1

		Quite useful	2
		Not very useful	3
		Not useful at all	4

Integrity division

20	In their work, do you believe the Integrity Division is?	Very successful Quite successful Not very successful Not successful at all	1 2 3 4
21	Since they began their work, do you believe the levels of corruption in the TSC have?	Fallen a lot Fallen a little Risen a lot Risen a little Stayed the same	1 2 3 4 5
22	How do you believe the integrity could improve their work?	1 2 3 4 5	
23	Have you seen or been given any material by the Integrity Division?	Yes No	1 2
24	If yes, which particular materials have you seen or been given?	1 2 3 4 5	
25	Have you heard of the Corruption Prevention Committees at the TSC??	Yes No	1 2
26	If yes, what do you believe their responsibilities to be?	1 2 3 4 5	
27	Have you or do you personally contribute to the fight against corruption within the TSC in any way?	Yes No	1 2
28	If yes, in what ways have you or do you contribute to the fight against corruption?	1 2 3 4	
29	Please describe your vision for how the TSC should combat perceived and actual levels of corruption within its ranks in the coming years?	1 2 3 4 5 6	

Appendix 3: D.E.O.s and Teachers

"Hello. My name is from Transparency International .We are at the moment conducting a study in this area and we will be grateful if you could answer a few questions for us.The information we get from you today shall only be used as aggregate points in analysis and not as individual responses, there are no right or wrong answers so please feel free to share your opinion with us.

Identification

Province		District	Date
1. Nairobi	4. Rift valley		
2. Coast	5. Central		
3. Nyanza	6. Eastern		
7. North Eastern	8. Western		

Gender	Age	Nationality	Employment period (years)
1. Male		1. Kenyan	
2. Female	<input type="text"/>	2. Non Kenyan	

Education level	Job title	Previous occupation
1. No formal education		
2. Completed primary		
3. Some High School		
4. Completed High School		
5. Tertiary		
6. University		

QN	Question	Category	Code
1	How would you rate your understanding of corrupt acts and practices in the TSC?	Very good Quite good Not very good Not good at all Don't understand	1 2 3 4 5
2	Do you ever hear or read about corruption in the TSC?	Yes No	1 2
3	If yes, how often do you hear or read about corruption in the TSC?	More often than before Less often than before About the same as before	1 2 3
4	Have you personally witnessed or have knowledge of anyone who has been involved in acts or practices of corruption at the TSC?	Yes No	1 2

5. If yes, what exactly have you witnessed or been involved in that you consider as a corrupt practice or act?

Witnessed	Experienced	Frequency
a)		
b)		
c)		
d)		
e)		

6	In your opinion and using the scale provided, how would you rate the current level of corruption at the TSC?	Very corrupt Quite corrupt Not very corrupt Not corrupt at all	1 2 3 4
---	--------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------	------------------

7	Do you believe the TSC ranking as second most corrupt on T.I.-Kenya's 2005 Bribery Index was fair?	Yes No	1 2		
8	Where, according to you does corruption occur most in the TSC?				
9	Using a scale of 1-12, where one is most corrupt and 12 is least corrupt, how would you rank the following departments according to your perception of incidences of corruption?	Department	Rank	Department	Rank
		Personnel		Audit	
		Training		Registry	
		Staffing		Secretariat	
		Records		Records	
		Salaries		Pensions	
		Integrity		Stores and procurement	
10	Among the departments above, which 3 do you think have the most incidences of corruption by order of most to least?	1 2 3			
11	Which 3 do you think have the least incidences from bottom to third last?	1 2 3			
12	In your opinion and/or experience, which level of officials do you believe to be most involved in corruption?	Senior officers Middle ranking officers Junior officers	1 2 3		
13	Do you think all the officers regardless of their ranks are involved in corruption?	Yes No	1 2		
14	If yes, using a scale of 1-3 where 1 is most corrupt and 3 is least corrupt, how would you rank them from the most corrupt to the least corrupt?	Rank	Officer category		
		1			
		2			
		3			
15	Do you ever get briefings on anti-corruption policies from people within the organization?	Yes No	1 2		
16	If yes, how often are you briefed? (Record response)				
17	Who does the actual briefing on anti-corruption policies? (Record)				
18	How would you describe these briefings?	Very useful Quite useful Not very useful Not useful at all	1 2 3 4		

Integrity division

19	Are you aware that the TSC has an Integrity Division?	Yes No	1 2
20	If yes, have you ever come into contact with them?	Yes No	1 2
21	What do you believe their work entails?	1 2 3 4	

22	How would you rate their work? Do you believe they are...?	Very successful Quite successful Not very successful Not successful at all	1 2 3 4
23	Since they began their work, do you believe levels of corruption in the TSC have...?	Fallen a lot Fallen a little Risen a lot Risen a little Stayed the same	1 2 3 4 5
24	How do you believe the Integrity Division could improve its work?	1 2 3 4 5	
25	Have you seen or been given any materials by the Integrity Division in relation to their work?	Yes No	1 2
26	If yes, which materials in particular have you either seen or been given?	1 2 3	
27	Are you aware that the TSC has a Code of Conduct and Ethics?	Yes No	1 2
28	If yes, do you have access to or own a copy?	Yes No	1 2
29	Have you heard of the Corruption Prevention Committee at the TSC	Yes No	1 2
30	If yes, what do you believe their responsibilities to be?	1 2 3 4	

Appendix 4: Key Stakeholders in the Education Sector

"Hello. My name is from Transparency International .We are at the moment conducting a study in this area and we will be grateful if you could answer a few questions for us. The information we get from you today will be kept completely confidential and only be used as aggregate points in analysis and not as individual responses, there are no right or wrong answers so please feel free to share your opinion with us.

Identification

Province	District	Date
Nairobi (All based at the headquarter)		

Gender	Age	Nationality	Employment period (years)
1. Male		1. Kenyan	
2. Female		2. Non Kenyan	

Education level	Job title	Previous occupation
1. No formal education		
2. Completed primary		
3. Some High School		
4. Completed High School		
5. Tertiary		
6. University		

QN	Question	Category	Code														
1	Which agencies, organizations or departments do you deal with in your day to day activities?	1 2 3 4 5 6															
2	How would you rate the success of your dealings and interactions?	Very successful Quite successful Not successful at all	1 2 3														
3	In your work, how often do you deal with the TSC?	Daily Weekly At least once a month A few times a year Once a year	1 2 3 4 5														
4	What is the nature of your dealings with the TSC?	1 2 3 4															
5	Do you have knowledge or have witnessed/experienced any sort of corruption in your dealings with the TSC?	Yes No	1 2														
6	Using a scale of 1-6, where one is most corrupt and 6 is least corrupt, how would you rank the following government organs according to your perception of incidences of corruption?	<table border="1"> <thead> <tr> <th>Organ</th> <th>Rank</th> </tr> </thead> <tbody> <tr> <td>Teachers Service Commission</td> <td></td> </tr> <tr> <td>Electoral Commission of Kenya</td> <td></td> </tr> <tr> <td>Communications Council of Kenya</td> <td></td> </tr> <tr> <td>Parliamentary Select Committees</td> <td></td> </tr> <tr> <td>Kenya Revenue Authority</td> <td></td> </tr> <tr> <td>Police</td> <td></td> </tr> </tbody> </table>	Organ	Rank	Teachers Service Commission		Electoral Commission of Kenya		Communications Council of Kenya		Parliamentary Select Committees		Kenya Revenue Authority		Police		
Organ	Rank																
Teachers Service Commission																	
Electoral Commission of Kenya																	
Communications Council of Kenya																	
Parliamentary Select Committees																	
Kenya Revenue Authority																	
Police																	

7	Do you hear or read about corruption at the TSC?	Yes No	1 2
8	If yes, how often do you hear or read about corruption at the TSC?	More often than before Less often than before About the same as before	1 2 3

9	Do you believe the TSC is?	Very corrupt Quite corrupt Not very corrupt Not corrupt at all	1 2 3 4								
10	Do you believe the TSC ranking as second most corrupt on T.I.-Kenya's 2005 Bribery Index was fair?	Yes No	1 2								
11	Where, according to you does corruption occur most in the TSC?										
12	In your opinion and or experience, which three departments within the TSC do you believe to be the most corrupt?	1 2 3									
13	In your opinion and/or experience, which level of officials do you believe to be the most involved in corruption?	Senior officers Middle ranking officers Junior officers	1 2 3 .								
14	Do you think all the officers regardless of their ranks are involved in corruption?	Yes No	1 2								
15	If yes, using a scale of 1-3 where 1 is most corrupt and 3 is least corrupt, how would you rank them from the most corrupt to the least corrupt?	<table border="1"> <thead> <tr> <th>Rank</th> <th>Officer category</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> </tr> <tr> <td>2</td> <td></td> </tr> <tr> <td>3</td> <td></td> </tr> </tbody> </table>	Rank	Officer category	1		2		3		
Rank	Officer category										
1											
2											
3											

Integrity division

16	As a key stakeholder in the education sector , have you or has your organization ever been involved in anti-corruption initiatives with the TSC	Yes No	1 2
17	If yes, what initiatives have you or your organization been involved in?	1 2 3 4	
18	Are you aware that TSC has an Integrity Division?	Yes No	1 2
19	If yes, have you come into contact with them?	Yes No	1 2
20	What do you believe their work to be?	1 2 3	
21	How would you rate their work? Do you believe they are...?	Very successful Quite successful Not very successful Not successful at all	1 2 3 4
22	Since they began their work, do you believe levels of corruption in the TSC have...?	Fallen a lot Fallen a little Risen a lot Risen a little Stayed the same	1 2 3 4 5
23	How do you believe the Integrity Division could improve their work?	1 2 3 4	

24	Does your organization have a similar department or division?	Yes No	1 2
25	Are you aware that the TSC has a Code of Conduct and Ethics?	Yes No	1 2
26	Have you heard of the Corruption Prevention Committee at the TSC	Yes No	1 2
27	If yes, what do you believe their responsibilities to be?	1 2 3 4	
28	In your opinion, what do you think should be done to curb corruption at the TSC?	1 2 3 4 5	