



UNIVERSITY OF EMBU

PUBLIC SERVICE VALUES & PRINCIPLES ACT NO. 1A2015

PUBLIC SERVICE Values & Principles Act No. 1A 2015

This is an Act of Parliament that gives effect to the provisions of Article 232 of the Constitution regarding the values and principles of public service.

Objectives of the Act

The objectives of this Act are to provide for:

- a). A general code on the values and principles of public service.
- b). Public participation in the promotion of the values and principles of, and policy making by, the public service.
- c). Reporting on the status of the promotion of values and principles of public service.

Application of the Act

This Act applies to the public service in: State organs in the National and County Governments and all state corporations.

VALUES AND PRINCIPLES OF THE PUBLIC SERVICE

1. High standards of professional ethics

- i). Every public officer shall maintain high standards of professional ethics.
- ii). For the purposes of sub-section (i), a public officer maintains high standards of professional ethics if that public officer:
 - a). Is honest.
 - b). Displays high standards of integrity in that officer's dealings.
 - c). Is transparent when executing that officer's functions.
 - d). Can account for that officer's actions.
 - e). Is respectful towards others.
 - f). Is objective.
 - g). Is patriotic.
 - h). Observes the rule of law.
- iii). Despite the provisions of this section, a professional in the public service shall:
 - a). Comply with the provisions of the relevant professional association regarding registration and continuing professional development;
 - b). Be bound by the code of ethics of the relevant professional association; and
 - c). Undergo such disciplinary action of the relevant professional association for any act of professional misconduct in addition to undergoing any disciplinary action of the public service for such act of professional misconduct.
- iv). Where necessary, the public service, a public institution or an authorised officer may require a professional association to inform the public service, public institution or authorised officer whether or not a professional in the public service has committed an act of professional misconduct.

2. Efficient, effective and economic use of resources

- i). A public officer shall use public resources in an efficient, effective and economic manner.
- ii). For the purposes of subsection (i), a public officer fails to use public

resources in an efficient, effective and economic manner if, in the process of their usage:

- a). The public officer has used the public resources in a manner that is not prudent;
- b). There is unreasonable loss;
- c). There is deliberate destruction; or
- d). The effect is to reduce the effectiveness of the public service.

3. Responsive, prompt, effective, impartial and equitable provision of services

- i). The public service shall ensure that public services are provided:
 - a). Promptly;
 - b). Effectively;
 - c). Impartially; and
 - d). Equitably.
- ii). The provision of public services is not prompt where there is unreasonable delay.
- iii). For the purposes of this section, "unreasonable delay" includes failure by a public officer to provide a public service within the period that may be provided for in the service charter of the public institution in which he or she is serving.
- iv). The provision of public services is ineffective if:
 - a). There is unreasonable loss;
 - b). Public complaints against a public officer are made regarding the provision of public services; or
 - c). Public grievances against a public institution are made regarding the quality of its services; and a public officer is found culpable

of the loss, or the complaint or grievance against the officer is found valid, upon complaint pursuant to section 13 of this Act.

- v). The provision of public services is not impartial or equitable if:
 - a). A public officer discriminates against a person or a community during the provision of public services; or
 - b). A public officer refuses or fails to give accurate information during provision of public services.
- vi). Every public institution shall:
 - a). Develop standards for the responsive, prompt, effective, impartial and equitable provision of services;
 - b). Facilitate the introduction of modern and innovative procedures, technologies and systems for the delivery of its services;
 - c). Simplify its procedures and ease formalities related to access and delivery of its services;
 - d). Ensure the adaptability of public services to the needs of the public;
 - e). Ensure that its services are delivered closer to the users of the services; and
 - f). Develop mechanisms for monitoring and evaluating the effectiveness of public service delivery.

4. Transparency and provision to the public of timely accurate information

- i). A public officer shall not:
 - A). give information that the public officer knows or ought to know to be inaccurate; or
 - b). Unduly delay the provision of any

information where required to provide that information.

- ii). The public service, a public institution or, where permitted, an authorised officer shall develop guidelines for the provision to the public of timely and accurate information, and the promotion of transparency and accountability.
- iii). For the purposes of this section, “undue delay” includes a failure by a public officer to provide information within the time required in accordance with the guidelines of the public institution in which he or she serves.

5. Accountability for administrative acts

- i). Every public officer shall be accountable for his or her administrative acts.
- ii). The public service, a public institution or an authorised officer shall ensure the accountability of a public officer by:
 - a). Keeping an accurate record of administrative acts of public servants in each public institution;
 - b). Requiring every public officer to maintain an accurate record of their administrative acts;
 - c). Maintaining a record of relevant documents prepared by a public officer; and
 - d). Establishing a mechanism to address complaints arising out of the administrative acts of a public officer.

6. Fair competition and merit as the basis of appointments and promotions

- i). The public service, a public institution or an authorised officer shall ensure that public officers shall ensure that public officers are appointed and

promoted on basis of fair competition and merit.

- ii). Despite subsection (i), the public service may appoint or promote public officers without undue reliance on fair competition or merit if:
 - a). A community in Kenya is not adequately represented in appointments to or promotions in the public service or in a public institution;
 - b). The balance of gender in the public service or in a public institution is biased towards one gender;
 - c). An ethnic group is disproportionately represented in the public service or in a public institution; or
 - d). Persons with disabilities are not adequately represented in the public service or in a public institution.
- iii). Each public institution or each authorised officer shall develop a system for the provision of relevant information that promotes fairness and merit in appointments and promotions.



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