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GOVERNMENT OF KENYA

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*Sessional Paper No. 2 of 1963/64*

**PROPOSALS BY THE GOVERNMENT OF KENYA  
FOR THE IMPLEMENTATION OF THE RECOM-  
MENDATIONS CONTAINED IN THE REPORT OF  
THE COMMISSION ON THE KENYA CIVIL SER-  
VICE, THE KENYA TEACHING SERVICE, THE  
EAST AFRICAN POSTS AND TELECOMMUNICA-  
TIONS ADMINISTRATION AND THE GENERAL  
FUND SERVICES OF THE EAST AFRICAN  
COMMON SERVICES ORGANIZATION**

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Two Shillings - 1964

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### **NOTE**

**The chapter headings and marginal references in this paper are to the chapters and paragraphs of the report of the Commission.**

## **Proposals by the Government of Kenya for the Implementation of the Recommendations contained in the Report of the Commission on the Kenya Civil Service, the Kenya Teaching Service, the East African Posts and Telecommunications Administration and the General Fund Services of the East African Common Services Organization**

The report of the Commission was published in August 1963 with the following note:—

“This report has been published on its receipt and has not yet been examined. It should be clearly understood, therefore, that the Kenya Government and the East African Common Services Organization are in no way committed either to the whole report or to any individual recommendations therein. The Administrations hope to deal with the Commission’s recommendations at a very early date.”

2. The Kenya Government wishes to record its appreciation and thanks to the Chairman and Members of the Commission for the careful consideration they have given to the complex problems involved in formulating their recommendations for salary structures and other conditions of service for the Kenya Civil Service and the proposed Unified Teachers’ Service.

3. In Chapter XXX of its report the Commission conveniently summarized its main recommendations. These recommendations have been the subject of discussions with representatives of the Central Whitley Council and the Joint Industrial Council. Wherever staff associations have disagreed with the Government’s proposals a note giving the staff view is included in this paper. The East African Common Services Organization which is affected by the recommendations, has also been consulted with a view to achieving as great a measure of uniformity as practicable on the implementation of the Commission’s report.

4. The Government accepts the recommendations of the Commission subject to the modifications set out in this paper.

### **Chapter IV—The Need for Uniformity in East Africa**

5. The Government agrees with the general principles enunciated in this chapter regarding the desirability of a degree of uniformity in salary levels and other terms of service in the territorial Governments and the East African Common Services Organization, but at the same time recognizes that for a variety of reasons this will not always be practicable. paras. 52-64.

### **Chapter VI—Grading**

6. (i) The Government accepts the Commission’s view that a simple and straightforward structure of gradings is essential and that the work necessary to achieve this objective should be undertaken as a matter of urgency. A review of gradings will be completed before the Commission’s recommendations are implemented. para. 75.

para. 76.

(ii) The Government also accepts that a permanent grading committee should be formed to deal with future grading problems. This committee will consist of the Director of Personnel (Chairman), the Deputy Permanent Secretary to the Treasury, and the Secretary, Public Service Commission. The Committee will have the power to co-opt and will make its recommendations to the Minister responsible for the Public Service.

### Chapter VIII—The Subordinate Service

paras. 90-116.

7. (i) The present salary scale for the Subordinate Service and the new scale recommended by the Commission are as follows:—

Segment	Present Scale		Scale Recommended by the Commission		Charge for rent when in occupation of Govt. quarters
	Sh. per month with free housing		Grade	Sh. per month	
IV	81 × 3/50—109		III	120 × 15—150	} Not exceeding Sh. 25
III	114 × 5—119 × 5/50 —141		II	170 × 20—210	
II	147/50 × 7—168/50		I	235 × 20—255 × 25—280	
I	178/50 × 10/50—189 × 11/50—212 × 12—236				

para. 111.

(ii) The Government accepts the Commission's recommendations for the shorter basic scales providing a higher level of pay but intends that the Subordinate Service should continue to be eligible for free housing or house allowance in lieu.

para. 119.

(iii) The Commission recognized the existence of allowances paid in addition to basic wages in certain areas and recommended that negotiations should be held between the Government and the staff association concerned with a view to fixing new rates of allowances. Discussions have been held with representatives of the Kenya Civil Servants' Union on this question, as a result of which the Government proposes to introduce the following minimum basic rates of pay for members of the Subordinate Service employed in the 13 scheduled areas.

	<i>Sh. per month</i>
The Nairobi Municipality as at the 23rd July 1963 ..	200
Mombasa Island .. .. .	200
Eldoret Municipality .. .. .	191
Kitale Municipality .. .. .	190
Kisumu Municipality .. .. .	190
Thika Municipality .. .. .	187
Nakuru Municipality .. .. .	186
The former Nanyuki Township .. .. .	185
The former Nyeri Township .. .. .	185
The former Kericho Township .. .. .	180
The former Machakos Township .. .. .	172
The former Naivasha Township .. .. .	170
The former Thomson's Falls Township .. .. .	166

(iv) As stated in paragraph 24 (iii) below, it is not proposed to accept the recommendation for the formation of a Provident Fund, and members of the Subordinate Service will therefore continue on their existing terms of service. However, the arrangements which now exist whereby a member of the Subordinate Service is regarded as permanent, although not pensionable, after twelve months service will be extended so that he is so regarded from the date of appointment. Retirement benefits for members of the Subordinate Service will continue to be granted in accordance with the terms of the Pensions Law.

### Chapter IX—The Unestablished Service

8. (i) The Commission's recommendation that there should be an Unestablished Service divided into two segments, £156 × £7 10s.—£201: £209 16s. × £8 16s.—£253 16s. (inclusive of a housing element) which would embrace all officers now serving on the E6-5 scales and others, has been examined in great detail by the Government. In recommending the creation of this service, the Commission was guided by the present terms of service in the Posts and Telecommunications Administration where such a service was introduced early in 1963, but noted that some of the duties in the Posts and Telecommunications Administration did not compare closely with those of their proposed counterparts in the service of the Kenya Government.

paras. 120-125.

(ii) The Commission recommended that a Provident Fund should be created for members of this service. As stated in paragraph 24 (iii) below of this paper, the Government does not consider the time opportune to introduce a Provident Fund Scheme for the Subordinate Service and for the proposed Unestablished Service. Pensionable terms are already applicable to officers serving in the present E6-5 scales and acceptance of the proposal to create an Unestablished Service for this grade might result in future entrants to this service being appointed on temporary terms. The Government considers that this would be a retrograde step and therefore does not accept the Commission's recommendation for the creation of an Unestablished Service.

(iii) Suitable conversion tables will be constructed for serving E6-5 officers and appropriate designations such as Junior Clerical Officer or Junior Technical Officer will be assigned to them. Recruitment to those junior grades will be restricted to applicants who are in possession of a K.P.E. Certificate, and further promotion in the clerical or technical grades will be achieved by the passing of a restricted clerical examination organized by the Public Service Commission or the gaining of a recognized technical qualification, after a minimum period of service in the junior grades and subject to the existence of vacancies.

(iv) Entry to the junior clerical and technical grades will be open to officers of the Subordinate Service who are technically competent and who are recommended by their heads of department as suitable.

(v) The Government considers that by these means the general recommendations of the Commission regarding prospects for this section of the service will be achieved whilst the more favourable tenure of office will be preserved.

### Chapter X—The Clerical and Analogous Services

paras. 128-141.

9. (i) As stated in paragraph 8 (ii) of this paper, the Government does not accept the recommendation that an Unestablished Service should be formed consisting of officers serving in the present E6-5 scales, and it will therefore be necessary to retain an established clerical structure commencing at this level. The Government accepts the recommendations of the Commission regarding gradings and salary scales but proposes to extend them to include serving Clerks Grade III, E6-5. Future designations will be:—

(a) Junior Clerical Officer (£163 10s. × £7 10s.—£201 × £8 16s.—£227 8s.).

(b) Clerical Officer (£236 × £16—£364).

(c) Higher Clerical Officer (£380 × £20—£500).

(d) Senior Clerical Officer (£520 × £20—£620).

(ii) The Government accepts that entry to the Clerical Service should be by two methods, by direct entry or promotion, and considers that the Commission's recommendations regarding the qualifications for entry and progress should be varied as follows to conform to the general pattern set out for the Executive Service in paragraph 15 of this paper.

*Junior Clerical Officer*—(Present equivalent E6-5: £112 4s. to £193 4s.)  
£163 10s. to £227 8s.

10. This grade will normally be regarded as a promotion outlet for members of the Subordinate Service who attain the necessary educational standard and are able to pass a departmental examination. When direct recruitment is necessary in exceptional cases the minimum educational qualification will be a K.P.E. Certificate. There will be a common establishment for this grade and the Clerical Officer Grade.

(*Note.*—The Staff Side is of the opinion that, with the abolition of house allowance and an increase of rental deductions, the minimum of the scale should be £282.)

*Clerical Officer*—(Present equivalent E4-3: £201 to £394 4s.) £236 to £364.

11. (i) Direct entry to this grade will be by selection from successful candidates in an open clerical examination organized by the Public Service Commission. It is envisaged that schools will be used as examination centres and that students in the School Certificate final year will enter for the examination. The subjects of this examination will be at School Certificate level and will include English Language, arithmetic and general knowledge. Candidates for the examination who have left school will be required to produce evidence that they have studied to School Certificate level at school.

(ii) Serving Junior Clerical Officers will be eligible for promotion to Clerical Officer if they pass an examination organized by the Public Service Commission and are selected after interview. The subjects of the examination will include Government clerical procedures, English Language and arithmetic at School Certificate level.

(iii) The allocation of vacancies between the two methods of direct entry and promotion will be determined by the Public Service Commission.

*Higher Clerical Officer*—(Present equivalent E2-1: £416 8s. to £597) £380 to £500

12. The Government considers that there should be a fixed establishment in this grade of a percentage of the total clerical posts. Entry will be by promotion only and vacancies will be filled by the Public Service Commission by the promotion of Clerical Officers who have demonstrated their fitness for promotion.

(*Note*.—The Staff Side considers that officers who pass an examination for promotion to Higher Clerical Officer and cannot be promoted due to lack of vacancies in that grade should be granted two increments beyond the maximum of the Clerical Officer scale.)

*Senior Clerical Officer*—£520 to £620

13. Posts of Senior Clerical Officer will be few and related to the requirements of the service for posts of a minor supervisory nature below the level of the Executive Service. Promotion to these posts will normally be made by the Public Service Commission from the grade of Higher Clerical Officer.

#### Chapter XI—The Typing and Secretarial Service

14. (i) The Government accepts the Commission's recommendations that the typing and secretarial staff should form a separate cadre graded as follows, with distinct qualifications for entry and special promotion rules.

paras. 146-157.

	Qualifications	
	Minimum speeds in words per minute	
	Typing	Shorthand
<i>Copy Typists</i> —		
Grade III £236 × £16—£268 ..	30	—
Grade II £284 × £16—£316 ..	40	—
Grade I £332 × £16—£364 ..	50	—
<i>Shorthand Typists</i> —		
Grade III £380 × £20—£440 ..	30	80
Grade II £460 × £20—£520 ..	40	100
Grade I £540 × £20—£600 ..	40	100
<i>Personal Secretaries</i> —		
Grade II £620 × £20—£640 × £30— £820 .. .. .	50	120.
Grade I £850 × £30—£880 × £36— £1,060 .. .. .	50	120

(ii) There will be a common establishment regardless of grade for Copy Typists and Shorthand Typists and a separate fixed establishment for each of the two grades of Personal Secretary.

(iii) The Government generally accepts the Commission's recommendations on educational standards, but considers that a K.P.E. Certificate is normally not a sufficiently high educational qualification for Copy Typists and therefore proposes that recruits to this grade should preferably have had some education at secondary school level or should be required to pass a departmental test in English before appointment. The typing speeds recommended are accepted.

(iv) The Government generally accepts the recommended typing and shorthand speeds for the grades of Shorthand Typists and Personal Secretaries, but proposes to make the following minor amendments to the Commission's recommendations for these grades:—

*(a) Shorthand Typist Grade III*

Acceptance of the recommendation that direct entrants to this grade should possess a School Certificate or its equivalent would increase difficulties already being experienced in recruiting Shorthand Typists. The Government therefore proposes that entrants to this grade must possess evidence of a credit in English Language at School Certificate level, or must pass a departmental test in English at that level before appointment. Experience of secretarial work may be allowed as an alternative to the English requirement.

*(b) Shorthand Typist Grade II*

It is proposed to provide an avenue of promotion to Shorthand Typist Grade I from those in this grade who are outstanding and have served in it for at least three years.

*(c) Shorthand Typist Grade I*

This grade will normally be a promotion outlet from Shorthand Typist Grade II but in certain circumstances direct entry will be permitted to it. The shorthand and typing speeds for this grade will be as for Grade II.

para. 153.

(v) The Government is unable to accept the Commission's recommendations that Personal Secretaries Grade I should be allowed to enter the Executive Service as Executive Officer Grade II and thence go by promotion to Executive Officer Grade I. Such an arrangement would upset the proposed structure of the Executive Service and could cause discontent among those officers in the lower ranks who are required to progress on the basis of proved merit and ability in the Executive Service over a number of years.

para. 156.

(vi) Provision will be made for qualified serving officers in any branch to enter the Executive Service on being selected for the appointment by the Public Service Commission.

(vii) The Government agrees with the Commission that there should be a more sparing assignment of shorthand typist posts where duties may be covered by copy typists.

para. 157.

(viii) As stated in paragraph 31 (ii) of this paper the Government has accepted the Commission's recommendations on the pensionable employment of married women.



## Chapter XII—The Executive Service

para. 165.

15. (i) The Commission has recommended the creation of an Executive Service composed of the following grades:—

- Executive Officer Training Grade—£380 × £20—£420.
- Executive Officer Grade IV—£520 × £20—£640.
- Executive Officer Grade III—£670 × £30—£820.
- Executive Officer Grade II—£850 × £30—£880 × £36—£1060.
- Executive Officer Grade I—£1096 × £42—£1348.
- Chief Executive Officer—£1390 × 52—£1598.

(ii) The Government accepts the proposed organization for the Executive Service but does not consider that a Training Grade is necessary in view of the methods of entry which it is proposed to adopt. It is also proposed to designate the senior post Senior Executive Officer instead of Chief Executive Officer which will be reserved as a generic designation for persons occupying executive posts at the lower superscale level, e.g. Chief Accountants and Chief Personnel Officers.

(iii) Methods of entry and progress in the Executive Service will be as follows:—

paras. 163-164.

### *Qualification for Appointment*

- |   |  |
|---|--|
| <p>Executive Officer Grade IV<br/>—£520 to £640</p> | <p>(a) Promotion from the clerical grades by selection after passing a written examination including English Language and Arithmetic followed by an interview; or</p> <p>(b) Direct entry by open examination consisting of a written paper and interview. This examination will be confined to candidates with a School Certificate with five credits or a General Certificate of Education with five passes at Ordinary Level.</p> |
|---|--|

- |  |   |
|--|---|
| <p>Executive Officer Grade III<br/>—£670 to £820</p> <p>Executive Officer Grade II<br/>£850 to £1060</p> <p>Executive Officer Grade I<br/>—£1096 to £1348</p> <p>Senior Executive Officer<br/>—£1390 to £1598</p> <p>Chief Executive Officer<br/>—£1839 to £1989</p> | <p>} By selection by the Public Service Commission to specific vacancies as they occur.</p> |
|--|---|

## Chapter XIII—The Technical Service

16. (i) The Government broadly accepts the Commission's recommendations regarding the Technical Service.

paras. 173-181.

(ii) The question of qualifications for entry and progress in these grades will be examined in relation to the qualifications required for the various categories of posts in the service.

(iii) Within the grading exercises mentioned elsewhere the Government intends to form a Technical Service Advisory Board to assist the Grading Committee referred to in paragraph 6 (i) above in assessing the qualifications required.

#### Chapter XIV—The Professional and Administrative Service

para. 184.

17. (i) The present A scale is £798 to £1791. The Government shares the Commission's view that the A scale which it recommends—£804 to £1710, is generally adequate for professional and administrative officers and that issues of a minor nature can be resolved without interfering with the basic structure. The Government also accepts that reasonable professional and administrative standards should be set and that incremental credits should be granted for post-graduate or professional studies where these are required for particular posts. A review of qualifications required for posts is being undertaken and the problems of grading will be considered in the general grading exercise.

para. 186.

(ii) The Government does not accept the Commission's recommendation that the A scale should be segmented and that provision should be made for accelerated promotion within the scale. The long scale achieves flexibility and it is necessary in certain fields of employment to offer a scale that is a career in itself. Segmentation of the scale would cause difficulties in postings, and cases where an officer assumes higher responsibilities can be met by the payment of duty allowances if this is considered to be necessary.

#### Chapter XV—The Superscales

para. 198.

18. The Government does not accept the Commission's recommendations for superscale salaries and proposes to retain them at their present levels.

#### Chapter XVI

##### THE POLICE

para. 200.

19. (i) It is proposed to amend, as follows, the salary scales for the ranks of Chief Inspector and Assistant Superintendent with a view to overcoming the anomaly whereby persons promoted to the former rank may receive a higher salary than those promoted to the senior rank of Assistant Superintendent.

	<i>Scales recommended by the Commission</i>	<i>Proposed Scales</i>
Chief Inspector	£880 × £36—£1,096 × £42 —£1,180	£794 × £26—£820 × £30— £880 × £36—£1,096 × £42—£1,180
Assistant Superintendent	£760 × £30—£880 × £36 —£1,096 × £42—£1,222.	£820 × £30—£880 × £36— £1,096 × £42—£1,222

(ii) It is proposed to accept the recommendation for the abolition of English and Swahili literacy allowances for Constables, Corporals and Sergeants and to introduce salary scales for these ranks as shown in the third column below:—

para. 200b

	<i>Scales recommended by the Commission</i>	<i>Proposed Scales</i>
Constable ..	£108 × £3 3s—£148 19s	£139 10s × £3 3s—£193 1s
Corporal ..	£152 × £4 4s—£168 16s	£193 4s × £4 4s—£235 4s
Sergeant ..	£186 × £8—£226	£225 × £8—£305 *

(iii) Literacy examinations will not be held in future. A man who is at present in receipt of literacy allowance will convert from his present basic salary to the new scale under the appropriate conversion table and the allowance will then be added; the new scale will be entered at the total of those two figures if this is an exact point in the scale, otherwise it will be entered at the point immediately above.

(iv) The Government does not propose to accept the Commission's recommendation for changes in the rate of the fee payable to female searchers. G.S.U. Field Allowances will be maintained at their present levels.

(v) In future, recruits who have passed the Kenya Preliminary Examination will enter the Constable's scale at the £148 19s. point. Those who pass the examination after recruitment will be advanced to this figure with effect from the date on which it was held if they have not already reached it by incremental progress in the scale.

(vi) Only the following allowances will be retained:—

- (a) General allowances applicable to the Civil Service.
- (b) C.I.D. and Special Branch (up to the rank of Chief Inspector).
- (c) Drivers, Mechanics, Coxwains.
- (d) Wireless Operators (up to the rank of Sergeant).
- (e) Uniform.
- (f) Plain Clothes (not payable if the officer is already in receipt of C.I.D., Special Branch or Uniform Allowance).
- (g) Special Duty (payable to certain officers serving in Nairobi and Mombasa).
- (h) G.S.U.
- (i) Band.

#### THE PRISONS SERVICE

20. (i) The Government to amend the revised salary structure for the Prisons Service which is based on the salary scales recommended for the Police. It is proposed to amend the scales for the ranks of

para. 201.

\* The new rates have been announced in Personnel Circular No. 25 of the 15th April 1964.

Chief Officer Grade I and Assistant Superintendent of Prisons from £880-£1,180 to £794-£1,180 and from £760-£1,222 to £820-£1,222, respectively, for the same reason given in paragraph 19 (i) above regarding the ranks of Chief Inspector and Assistant Superintendent of Police.

(ii) It is proposed to abolish literacy allowances for the following ranks and to introduce new salary scales as shown in the third column below.

	<i>Scales recommended by the Commission</i>	<i>Proposed Scales</i>
(a) Warders . . . .	£108 × £3 3s—£139 10s	£139 10s × £3 3s—£177 6s
(b) Lance-Corporal . .	£123 15s × £3 3s—£148 19s	£155 5s × £3 3s—£193 1s
(c) Warder Clerk, Warder Artisan	£123 15s × £3 3s—£139 10s: £156 4s × £4 4s—£168 16s: £186 × £8—£226	£155 5s × £3 3s—£174 3s: £193 4s × £4 4s—£210: £225 × £8—£305
(d) Corporal Warder	£152 × £4 4s—£168 16s	£193 4s × £4 4s—£235 4s
(e) Sergeant Warder	£186 × £8—£226	£225 × £8—£305
(f) Chief Warder Grade II	£275 8s × £8 15s—£319 3s	£275 8s × £8 15s—£354 3s
(g) Chief Warder Grade I	£327 × £16—£407	£327 × £16—£439 *

(iii) Literacy examinations will not be held in future. A man who is at present in receipt of literacy allowance will convert from his present basic salary to the new scale under the appropriate conversion table and the allowance will then be added; the new scale will be entered at the total of those two figures if this is an exact point in the scale, otherwise it will be entered at the point immediately above.

(iv) In future, recruits who have passed the Kenya Preliminary examination will enter the Warder's scale at the £148 19s. point. Those who pass the examination after recruitment will be advanced to this figure with effect from the date on which it was held if they have not already reached it by incremental progress in the scale.

(v) Only the following allowances will be retained:—

- (a) General allowances applicable to the Civil Service.
- (b) Drivers, Mechanics.
- (c) Wireless Operators.
- (d) Uniform.
- (e) Trade allowances (payable to Warder Artisans).

\* The new scales have been announced in Personnel Circular No. 25 of the 15th April 1964.

(vi) The Government notes the Commission's remarks regarding the point of entry to the Prisons Service of holders of the School Certificate, but does not propose to alter the practice at this stage. The academic qualifications for entry into the uniformed services are only minor factors of the many qualities required before a candidate is accepted for training as a junior officer in either the Police or the Prisons Services. The possession of a School Certificate is simply an indication of the minimum educational standard which is acceptable at this time before an officer may be considered suitable for training. Applicants in possession of this minimum educational requirement are then selected for appointment. They are normally men of some maturity with a successful background in commerce or social work. Their initial appointments are followed by a lengthy period of formal training before they are finally appointed to junior officer rank. They are the potential senior officers of the localized service. The Commission appears to have formed the impression that a school-leaver holding a School Certificate may be considered for direct entry into the Prisons Service as a junior officer on this qualification alone, but this is far from being the case.

para. 202.

#### THE NURSING SERVICE

21. The Government proposes that the salary of the Matron-in-Chief should be £1,750 p.a. instead of £1,390 to £1,597 as recommended by the Commission, with adjustments for other grades of Matron, but that there should be no variation to the salary scales recommended for nursing staff.

paras. 203-206.

#### TRIBAL POLICE

22. The new scales recommended by the Commission are accepted by the Government.

para. 207.

### Chapter XVIII—Housing

23. (i) The following table sets out the present rates of rents for officers occupying Government quarters, the rates recommended by the Commission and those proposed by the Government:—

para. 291.

<i>Category of Quarters</i>	<i>Present rates Sh. per month</i>	<i>Rates recommended by the Commission Sh. per month</i>	<i>Proposed rates Sh. per month (to be introduced over a five-year period)</i>
A .. ..	170	651	650 (£390 p.a.)
B .. ..	130	596	595 (£357 p.a.)
C .. ..	90	387	385 (£231 p.a.)
D .. ..	60	217	215 (£129 p.a.)
E .. ..	40	115	115 (£69 p.a.)
F .. ..	20	75	70 (£42 p.a.)
G .. ..	10	58	55 (£33 p.a.)
Subordinate Service ..	free	max. 25	free

(ii) The Government appreciates that the Commission's recommendations regarding the rental of Government quarters and the abolition of house allowance are probably the most controversial

aspects of the report. Successive commissions in Kenya and elsewhere have examined the problems and have recommended various means by which East African Governments and Administrations could progress to a more satisfactory relationship with their servants in the matter of housing. All have agreed that Governments should divest themselves of responsibility for housing and only the time and method of doing so have been open to doubt. With the advent of independence, the Africanization of the Civil Service, and the detailed examination made by the Commission of the type of Civil Service for which an independent Kenya can afford to pay, the Government considers that the time to make the change could not be more opportune and may not arise again.

(iii) The Commission's recommendations that responsibility for housing be limited is accepted and only the following categories of officers will continue to pay the existing subsidized rents or receive house allowance at the present rates—

- para. 290.
- (a) officers who are required to live on the spot in institutional housing, e.g. at police stations, prisons, schools, hospitals, including officers within this category who cannot be accommodated in such housing for reasons beyond their control;
  - (b) officers serving at remote stations where suitable private accommodation for renting is not available;
  - (c) officers who were in the Service before the 1st April 1963 and are eligible for overseas passages;
  - (d) officers appointed on or after the 1st April 1963 on a contract providing for overseas passages.

para. 290 (d).

(iv) The Government is faced with some difficulty in accepting the Commission's recommendation that serving officers who are promoted should be required to accept promotion without any entitlement to quarters or allowances in lieu thereof. The effect of this arrangement would appear to be complete stagnation within the Service as an examination shows that many officers would suffer a considerable reduction in total emoluments on promotion under such a procedure. It is difficult to equate this recommendation with the Commission's view expressed at paragraph 287 of the report that:—

“Whilst it will be difficult and indeed incorrect to take away the present privileges enjoyed by serving local officers without offering some definite financial or equivalent advantage, it is essential at least to peg the rate of total expenditure to its present level in the case of these officers, and to ensure that the savings which should materialize from the retirement of the expatriate officers are not lost.”

The Government proposes that the new rates of rents should be applied over a five-year period starting from the 1st April 1964, during which period rent will be deducted at a rate increasing annually, as shown in the table below, until by the sixth year the full revised rate will have been reached. Similarly, house allowance may be claimed up to and including the 31st March 1969, the amounts for which officers are eligible being assessed on the present basis, i.e. by taking into account the amount of rent they would be paying if occupying an appropriate Government quarter.

RATES OF RENTS IN SHILLINGS PER MONTH

Category of Quarters	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Up to and including 31-5-64	With effect from 1-6-64	1-4-64 --31-3-65	1-4-65 --31-3-66	1-4-66 --31-3-67	1-4-67 --31-3-68	1-4-68 --31-3-69	1-4-69 Onwards
A	130	170	217	304	391	478	564	650
B	100	130	183	266	349	431	513	595
C	70	90	123	176	229	281	333	385
D	50	60	78	106	134	161	188	215
E	35	40	49	63	76	89	102	115
F	20	20	29	38	46	54	62	70
G	10	10	18	26	34	41	48	55

(v) The Government expected that the recommendations of the Commission would affect in particular the arrangements for housing and house allowances, which could be expected to become considerably less generous. Treasury (Establishment) Circular No. 12 of the 21st March 1963, was issued whereby, from the 1st April 1963, local officers were promoted on a temporary basis only to posts on scales rising above £600 per year. Similarly, all new entrants to the Service from 1st April 1963, were advised that their salaries and conditions of service must be regarded as provisional pending the salaries review. Local officers so promoted or appointed will be subject to the new terms and conditions of service but they will not be required to refund any part of the emoluments they may properly have been paid up to the date of the implementation of the Commission's recommendations.

(vi) The Government's detailed proposals regarding housing privileges, which are subject to the exceptions referred to in subparagraph 23 (iii) above, are as follows:—

(a) *Officers who were in the Service before the 1st April 1963, and were eligible for housing privileges before that date, will continue to pay rent when occupying Government quarters at the rates set out in column (2) of the above table (and be eligible to claim house allowance accordingly) unless they elect for the new conditions of service or have been promoted on or after that date.*

They will continue to pay rent at those rates if they have been promoted during the period 1st April 1963 to the 31st March 1964 inclusive, to a post on a salary scale not rising above £600 a year.

If they have been promoted during the period 1st April 1963 to the 31st March 1964 inclusive, to a post on a scale rising above £600 a year, or are promoted after the latter date to any post irrespective of salary, they will be required to pay rent when occupying Government quarters (and eligible to claim house allowance accordingly) at the rates set out in columns (3) to (8) of the above table.

(b) *Officers who have entered the Service on first appointment on or after the 1st April 1963 or enter it in the future, and*

(c) *Officers who elect for the new conditions of service will be required to pay rent (and eligible to claim house allowance accordingly) at the rates set out in columns (3) to (8) of the above table.*

(vii) The existing rates of rent for Government furniture will remain in force.

para. 293.

(viii) Rents will not be charged to persons accommodated in purely temporary housing as defined in the Code of Regulations, and the existing practice of reducing the category of a house by one grade where it is considered to be sub-standard, either in construction or in amenities, will be continued.

#### Chapter XIX—Retirement and Similar Benefits

para. 301.

24. (i) *Retiring Age.*—The Commission recommended that the normal retiring age should be extended from 55 years to 60 years and the officer should have the right to retire voluntarily at the age of



55 instead of at 50 as at present. The Government appreciates the arguments which led the Commission to those conclusions but is of the opinion that, as officers are at present being promoted to senior posts at a comparatively early stage of their career—a process which will continue for some time due to the retirement of expatriate officers—a serious block in promotion might be caused by increasing the ages of normal and voluntary retirement. For that reason, the Government does not consider that the Commission's recommendation should be accepted and proposes that the normal retiring ages should remain as they are but that this question should be reviewed every two years in the light of experience.

(ii) The Government accepts the view of the Commission that the pension constant should remain at its present level of 1/600th of retiring emoluments for each month of service.

(iii) *Proposed Provident Fund Scheme.*—The Government regrets that it is unable to accept the Commission's recommendation for the institution of a Provident Fund that would apply to the Subordinate Service and to the proposed Unestablished Service. The creation of a Provident Fund Scheme for the 21,000 members of the Subordinate Service would create considerable difficulties and would impose additional financial and administrative burdens on the Government which it cannot at present afford to undertake. As stated in paragraph 8 (ii) of this Paper, the Government does not accept the recommendation that an Unestablished Service should be created to replace the existing E6-5 grades.

paras. 302-303.

(*Note.*—The Staff Side maintains that in order to provide some financial security for temporary employees in both the Clerical and Subordinate Services it is necessary to introduce a Provident Fund Scheme.)

(iv) Proposals for the introduction of a National Provident Fund are at present under consideration by the Government; if such a scheme is introduced all non-pensionable officers in the Government service would probably be required to contribute to it.

## Chapter XX—Leave

25. (i) The Government welcomes the proposals to rationalize leave arrangements. From past experience of administrative difficulties which have been out of all proportion to the simple process of granting an annual holiday to a public servant, the Government intends to modify certain recommendations of the Commission in the interests of simplification.

para. 304.

(ii) The present leave rates and those recommended by the Commission are as follows:—

<i>Present rates</i>	<i>Days p.a.</i>
Superscale Officers .. .. .	48
£1,026 per annum and over excluding superscale officers	42
£597 per annum and over but less than £1,026 per annum .. .. .	36
£394 4s. per annum and over but less than £597 per annum .. .. .	30

<i>Present rates</i>	<i>Days p.a.</i>
£112 4s. per annum and over, including members of the Subordinate Service, but less than £394 per annum .. .. .	26
Less than £112 4s. per annum including members of the Subordinate Service .. .. .	21
 <i>Rates recommended by the Commission</i> 	
Officers on the proposed salaries of £1,096 and over	42
Officers on the proposed salaries of £670 to £1,095 per annum .. .. .	36
Officers on the proposed salaries of £380 to £669 per annum .. .. .	30
Officers on the proposed salaries of £236 to £379 per annum .. .. .	24
Officers on the proposed salaries of less than £236 per annum .. .. .	18

para. 307.

(iii) The reasons which led the Government to vary the leave rates recommended by the Flemming Commission have not changed. The Government does not share the Commission's view that a general reduction in leave rates satisfies the requirements of a local service, and intends to retain the existing leave rates except that the maximum rate will be reduced to 42 days per annum for superscale officers.

para. 308.

(iv) The primary object for granting leave of absence, is that officers shall obtain rest and recuperation and so retain their efficiency in the service; if the need for rest and recuperation can be met by taking only part of that leave then the remainder is gratuitous and unnecessary. The Government therefore proposes that leave should be accumulable only up to a maximum of 60 days, and any backlog of accumulated leave will be liquidated over a four-year period commencing on the 1st April 1964, by officers taking some part of the accumulated leave each year in addition to their normal annual leave. Any balance in excess of 60 days outstanding at the end of the four-year period will be forfeited.

(Note.—The Staff Side consider that provision should be made for leave to be accumulated up to a total of 90 days.)

(v) Any officer who joins the service after the commencement of the calendar year will receive such proportion of leave for the first year as his length of service in that year relates to a complete year, provided that any period of service of three months' duration or less will not count for leave earning purposes.

(vi) It is envisaged that leave rosters will be prepared at the commencement of each year and, so far as the exigencies of the service permit, that officers will be allowed to take their annual leave in accordance with their individual wishes. The necessity for keeping complicated individual leave records will disappear as the outstanding balances of accumulated leave are eliminated.

(vii) Where due to unforeseen circumstances an officer is prevented from taking his leave in the calendar year, it will be reasonable to allow him to extend his period of eligibility into the first three months of the following year, but no longer. In exceptional cases also, where an officer wishes to take extended leave for a reasonable purpose in addition to rest and recuperation, the leave may be so arranged that it falls at the end of the three months' extension period and is immediately followed by leave for the following year. These arrangements will be applied only in exceptional cases where it serves the public interest.

para. 309.

(viii) The Commission's recommendations concerning Sabbatical Leave are acceptable to Government and will be implemented. An officer who is at present entitled to sabbatical leave, who is not a Kenya citizen and who has not taken up permanent residence in the country, will retain the right so long as he remains on his present conditions of service. An officer who opts for the new conditions of service or who comes onto them on promotion will forfeit the right to sabbatical leave. Any officer who forfeited the right to sabbatical leave in exchange for retirement passages under the arrangements announced in Personnel Circular No. 36 of the 10th September 1963, will retain his entitlement to retirement passages within the terms of that circular. Election for the new conditions of service will automatically cancel this entitlement.

paras. 310-312.

(ix) The Commission's views that the present system of leave travel assistance is too costly to operate and fraught with administrative complexities are shared by Government, and the opinion that within a service leave should be regarded as a mere absence from duty (the place where an officer spends his leave being his own concern and responsibility) is one which Government has held for some time.

paras. 313-317.

(x) The Commission's proposal that a travel assistance grant shall be paid to every entitled officer once in every twelve-month period on his incremental date is not accepted as it is in conflict with the principles expressed by the Commission. The proposed allowances are so small as to be of negligible importance in relation to the officer's annual salary, yet present a large annual bill to Government which it will be extremely difficult to meet. Government's intention to retain existing leave compensates for its inability to accept this concession. Government does not propose to give any assistance towards leave travel.

para. 318.

(Note.—The Staff Side strongly object to the abolition of existing leave travel assistance arrangements and consider that an officer should receive a travel warrant entitling him and his family to travel once in two years to any destination in Kenya.)

## Chapter XXI—Medical Benefits

26. (i) The Commission's recommendations that existing medical benefits should be retained and discrimination in standard of attendance based on race should be removed are accepted in principle by the Government, as is the recommendation that the system of consultative appointment now applicable to some senior officers should be extended.

paras. 320-327.

(ii) The Commission gave careful consideration to the possibility of incorporating medical benefits into personal emoluments, thereby making a public servant responsible for his own medical requirements. The Commission concluded that the medical benefits accruing to the public servant should not exceed those available to the general public but that this was not the time to effect any changes in procedure, as the burden of any change at the present stage of the country's development would fall mainly on the lower grade of public servant. The Government shares this view but, in accepting the recommendations of the Commission with regard to the continuation of existing medical benefits, reserves the right to withdraw the benefits from its servants should a future national scheme for health insurance provide facilities for the general public in which public servants might reasonably be expected to share.

(iii) In accepting the recommendation of the Commission, it has not been possible yet to determine the extent to which the system of consultative appointment may be extended as an estimate of additional cost is necessary. However, the Government intends to extend the system so far as financial provision permits.

#### Chapter XXII—Acting and Duty Allowances

paras. 328-333.

27. (i) The Government accepts the Commission's recommendation that no major variations should be made to existing arrangements for the payment of acting and duty allowances and proposes that:—

- (a) Acting allowance shall continue to be paid under existing arrangements.
- (b) Duty allowance may be paid where an officer assumes duties of a separate and distinct nature in addition to his own duties; the amount of the allowance to be determined by the Director of Personnel.
- (c) Duty allowance may be paid where an officer takes over partial responsibility for a higher post or is required to assume higher responsibility for a period; the amount of the allowance to be determined by the Director of Personnel.
- (d) Acting and duty allowances may be paid where the duties are assumed at or above the executive level.
- (e) Acting allowances shall not be paid if the period of acting duty does not exceed 30 days.

para. 329 (b).

(ii) The exception regarding allowances payable to uniformed ranks of the Police is extended to include uniformed ranks of the Prisons Service. The fact that similar conditions applied previously to the Prisons Service was not brought to the notice of the Commission.

#### Chapter XXIII—Consolidation of Allowances in Salary

paras. 334-339.

28. (i) The Government accepts in principle the Commission's view that the salary of a civil servant should normally constitute the full remuneration for the performance of duties attached to his post and in other sections of this paper, that view has been reflected by decisions to consolidate or abolish certain allowances by adjustments in salary scales.

(ii) The Government accepts that housing, local leave travel expenses and "home to office" mileage allowance should be considered as personal responsibilities of an officer which are automatically part of salary. The Government's views on house allowance are dealt with in paragraph 23 of this paper.

(iii) Allowances which are paid for the out of pocket expenses of an officer as a result of travelling on Government business will be retained.

#### Chapter XXIV—Weekly Payment of Wages

29. (i) The Government accepts the Commission's recommendation that there shall be discussions with appropriate trade unions and staff associations to consider the basis upon which twice monthly pay can be introduced.

paras. 340-348

(ii) The Government accepts that, whatever arrangements may be agreed, there should be no change in the period of notice to which staff have been entitled.

#### Chapter XXV—Temporary Employees

30. (i) It has always been the Government's policy to fill vacancies in the permanent and pensionable establishment by candidates who are eligible for appointment on permanent and pensionable terms and Government accepts the Commission's recommendations that at all levels the aim should be to cover work as far as possible by permanent and pensionable staff. As stated in paragraph 24 (iii) of this paper it is not proposed to introduce a Provident Fund Scheme for the Subordinate Service.

paras. 349-352.

(ii) The Government has also accepted that the bar on the extension of permanent and pensionable terms to married women should be removed; this is dealt with more fully below.

(iii) In considering the question of age as a bar to permanent and pensionable employment, the Government has always had to take account of the fact that it must be necessary for an officer to be able to complete a minimum period of service required to earn a pension, before the age on which he must be compulsorily retired, otherwise his service cannot be regarded as having earned a pension within the requirements of the Pensions Law. This is the only bar to pensionable appointment which the Government imposes solely on the grounds of age and it is necessary to do so in the officer's interest.

(iv) The Government accepts that an officer serving on temporary terms should receive the same pay and conditions as those on permanent and pensionable terms, subject to certain unavoidable limitations.

#### Chapter XXVI—Employment of Women

31. (i) The principle that women should receive equal pay for work of equal value and should have equal opportunities with men for advancement in the service has long been accepted and implemented by the Government. Effective steps will continue to be taken to increase the number of local women employed in the Service.

paras. 353-358.

(ii) The Government accepts the Commission's recommendations that in a local service women should be allowed to remain on permanent and pensionable terms after marriage and to enter the service, although married, on permanent and pensionable terms; or to serve on non-pensionable terms if they do not wish to take pensionable employment.

(iii) The Government intends, therefore, that with effect from the date of implementation of the Commission's recommendations:—

(a) local married women who are Kenya citizens and already in the Service, or those entering the service thereafter, may be appointed on permanent and pensionable terms, provided that—

(1) they are serving in, or are appointed to, a pensionable post and,

(2) they accept the new conditions of service;

(b) married women who are permanent and pensionable officers will be eligible for pensions and gratuities as provided by the Pensions Law. Whenever a woman becomes eligible for the payment of a marriage gratuity she may elect to continue in service on pensionable terms and not receive a marriage gratuity. Should she later retire in circumstances under which she is not eligible for a pension, she may receive the gratuity which she would have been paid had she resigned on marriage;

(c) up to three months unpaid maternity leave may be granted to a married woman.

(iv) The Government will not consider devising any other special arrangements specifically for married women to take account of the movements of their husbands or their children. A married woman who is pensionable will be regarded in all other respects as an ordinary officer in the service.

(v) Whenever local married women are employed in posts to which pensionable terms are not assigned for men, they will serve on similar terms.

#### **Chapter XXVII—The Teaching Service**

32. The Government proposes that the recommendations of the Commission as modified in this paper, should be applied to those employees of the Ministry of Education who are civil servants. The Government's proposals regarding the Teaching Service as a whole are set out in Sessional Paper No. 4 of 1963/64, which to some extent, also affect civil servants who are employees of the Ministry of Education.

#### **Chapter XXIX—Application of Recommendations**

para. 424 (c).

33. (i) By Treasury (Establishment) Circular No. 12 of the 21st March 1963, Government advised all new entrants to the public service from the 1st April 1963, that their salaries, salary scales and

conditions of service must be regarded as provisional pending the decision of Government on the recommendations of the Commission. In particular they were advised that arrangements for housing and house allowances could be expected to become considerably less generous.

(ii) Serving local officers were also advised that any promotion to a post on a scale rising above £600 a year would be regarded as temporary promotion until Government had decided upon new salaries and conditions of service for the posts to which they had been promoted.

(iii) All officers who entered the service from the 1st April 1963, will be required to accept the new conditions of service. They will not be required to refund any part of salary or emoluments which they may properly have been paid from that date to the date of implementation of the recommendations.

(iv) Officers who have been temporarily promoted to posts on a scale over £600 a year will receive an offer of substantive promotion effective from the date of temporary promotion but on the new conditions from the date of implementation. They may accept the offer or revert to their pre-promotion status. They likewise will not be required to refund any part of salary or emoluments which they may properly have been paid in their temporary promotion posts.

(v) The new scales are recommended by the Commission on the basis that it is necessary to raise the general salary level of the majority of the staff who are serving in the lower scales and that there is justification at the higher levels for some contraction. In working to its terms of reference, the Commission has paid due regard to the level of wages and salaries in both Tanganyika and Uganda and has also endeavoured to create a structure which will provide an officer with a salary which is full and adequate remuneration for the duties he performs, at the same time providing him with sufficient income on which to live at the level commensurate with his status. The Commission has also recommended modifications in leave rates, travel allowances and non-reimbursable allowances in the light of what it considers appropriate to services manned by local people.

para. 416.

para. 414.

(vi) Government accepts the salary scales proposed by the Commission subject to amendments set out in this paper, the necessity of regrading certain posts, and the desirability of grading administrative and professional posts on the A scale and above. It is intended to complete this regrading so that it can be effected concurrently with the implementation of the salaries revision.

#### FINANCIAL IMPLICATIONS

34. (i) It is not possible to present a simple financial picture of the effect of implementing the proposals contained in this paper. Nor for that matter is it possible to provide more than a reasonable guide to the probable sums which would be expended or received in rents. It is, however, possible to indicate to within reasonable limits the financial implications of an immediate translation of the Civil Service from its present salary scales to those proposed.

paras. 417-423.

(ii) It is estimated that after conversion to the new scales the increase in personal emoluments expenditure would approximate to £1,535,000 per annum. This increase in expenditure would be offset by changes in two items:—

- (a) income from rents, and
- (b) expenditure on house allowances.

It is not considered practicable to convert the present Service to the proposed terms of service immediately, and a transition period of five years has been accepted by the Staff Side which means that the benefit of the proposals will be delayed. The cost of this delay will be reduced by the retirement of expatriate officers, but whilst it may be possible to calculate the direct financial implications of this factor it is impossible except in very broad terms to assess the cost or savings arising from the filling of the vacancies by local officers who may or may not occupy Government quarters. It is further considered that any attempt at a precise calculation could, and no doubt would be upset by the creation of temporary supernumerary posts, re-engagement on contract terms of expatriate specialist staff and the filling of posts whilst substantive holders are on retirement leave. Nevertheless, it is clear that after five years the present income from rents should increase by approximately £598,000 and the present annual expenditure of £700,000 on house allowances should be reduced by £661,000 to £39,000. Bearing in mind that the increased expenditure will be immediate, whilst the increase in revenue will build up slowly, it is estimated that there would be the following sort of progression:—

<i>Year</i>	<i>Increase in expenditure</i>	<i>Increased income from rents plus decreased expenditure on house allowance</i>	<i>Net cost</i>
	£	£	£
1 ..	1,535,000	231,000	1,304,000
2 ..	1,535,000	431,000	1,104,000
3 ..	1,535,000	631,000	904,000
4 ..	1,535,000	831,000	704,000
5 ..	1,535,000	1,131,000	404,000
6 ..	1,535,000	1,259,000	276,000

(iii) Whilst it is not possible as yet to determine what proportions of the immediate increase in cost or of the eventual saving will fall to Central Government and to the Regions, it is thought likely that they will be fairly evenly divided. If this be so, there will be an increase in expenditure for Central Government in the financial year 1964/65 of some £652,000.

(iv) It must be borne in mind that no account has as yet been taken of the cost of leave pay and passages, expenditure which is coincidental and unrelated to the implementation of the recommendations in this report, and the effect of increasing salary scales for teachers who are not civil servants.



## DATE OF IMPLEMENTATION

35. The Government proposes that the recommendations of the Commission, as modified in this paper, should be implemented with effect from the 1st April 1964, and not the 1st January 1964, as recommended by the Commission.

(*Note.*—The Staff Side considers that the recommendations should take effect retroactively from a date not later than the 1st January 1964.)