

TEACHERS SERVICE COMMISSION – KENYA

HISTORY OF THE TEACHERS SERVICE COMMISSION

The History of the Teachers Service Commission dates back to the colonial times when teachers were employed by different bodies namely:

- The Missionaries and the Government for primary school teachers.
- The African Teachers Service and the Government for both African and European Secondary school teachers.

The Kenya National Union of Teachers, established in 1957, an umbrella body of teachers found it unnecessary to have the decentralized system of handling teachers affairs. It therefore made it its priority to press for the employment of teachers by a central body which led to the establishment of the Teachers Service Commission (TSC) under an Act of Parliament (Cap 212) of the Laws of Kenya in 1967.

The Teachers Service Commission was mandated by the Act to:

- Establish and keep a Register of teachers.
- Establish and maintain a teachers service adequate to the needs of public schools in Kenya.
- Carry out the following:
 - (i) recruit, employ, assign, pay, promote, transfer and exercise powers conferred on the Commission by the Code of Regulations for teachers on all public school.
 - (ii) To delegate to any person, with consent of the Minister and subject to such conditions as he may impose, any of its powers.
 - (iii) To compile, publish, amend the Code of Regulations for teachers.
 - (iv) Not to Register unsuitable persons as teachers
 - (v) To keep under review standards of education, training, fitness to teach appropriate to persons entering the service and to supply teachers and render advice to the Minister.

Effectively the Commission is set up into various departments and divisions that carry out specific Functions to implement the mandate of the Commission as stipulated.

At its inception the Secretariat had a total number of 100 staff under one department who carried out consulting and coordinating services. It was during this time that formulation of policies were being laid down and subsequently the first draft of the Code of Regulations for teachers 1972 was drawn. It was latter brought to parliament and first published in 1976 and latter revised in 1986.

From the 100 members of staff with three Commissioners under the chairmanship of Mr. John Malinda who also doubled up as Director of Personnel Management the Commission has grown to a total number 2,020 staff members. under three major

departments namely Finance, Staffing and Human Resource Management Development and Administration.

Its management procedures have undergone tremendous changes to meet the dynamic challenges of the our economy this has been realized through the continuous staff development and expansion of services through the leadership of the then three Commissioners who's numbers have risen to the current twenty four with their Chairmanship as follows: Mr. John Malinda (01.07. 1967- 28.02.1969), Mr. Zakayo Mwangi (01.03.1969 - 01.03.1983), Mr. Sammy Soi (02.03.1983 - 30.11.1999) and currently Ibrahim Hussein.

Since its establishment there have been a number of Commission Secretaries who are the Chief Executives. They have ensured effective and efficient Management of the Secretariat. This position has been held by Mr. Muhoro (01.07.1967-30.04.1974), Mr. James Kamunge (01.05.1974 - 31.12.1977), Mr. Duncan Mwangi (01.01.1978- 31.10.1980), Mr. Lijembe (01.11.1980 - 13.05.1982), Mr. Jackson Kangali (14.05.1982 - 25.02.1998), Mr. Benjamin Sogomo (26.02.1998 - 31.01.2003), Mr James E.O.Ongwae, EBS, OGW (01.02.2004 - 30.06.2004) and currently Mr Gabriel K. Lengoiboni.

With its growth and expansion the Secretariat has been able to move from its initial offices occupying two floors of College House opposite the University of Nairobi to the Cooperative House situated at the Hailselasie Avenue. Its at this place that most of the expanding departments were housed until the devastating terrorist Bomb of August 1998 targeted at the American Embassy adjacent to Cooperative House forced the Commission out of the building. The Commission lost a number of staff and substantial documents after which they operated from the Jogoo and Bima House concurrently. To centralize its services the Commission moved to the current fourteen floors of the Magnificent Bazaar Plaza situated along Moi Avenue.

Teachers Service Commission transformed from merely serving as a staffing unit of the Ministry of Education to currently handling all that is stipulated in the mandate. It has strategically positioned itself at a competitive edge providing effective service for quality teaching to the largest workforce in the Civil Service totaling 243,000 serving teachers with a current wage bill of Kshs. 44.4 billion.

Initially up to about 1969, the process of salary payment was processed through the District Education Officers for the primary schools and the ones for the secondary schools were done at the Ministry of Education Headquarters. Due to the expanding demands of the teachers and growth of their numbers by 1972, centralization of the salary processing was vital hence all was brought under Teachers Service Commission.

Teachers Service Commission serves effectively all the 243,000 teachers who are geographically distributed all over the country serving in over 17,000 primary schools and 3,000 secondary schools and related tertiary institutions. To serve them all, the Commission has established units at the provincial and district levels as per the

recommendations of the National Committee on Educational Objectives and Policies of 1976.

Services provided by the Commission since its inception has seen the teachers contributing a lot to the growth of our country's social, economic and political dimensions. Over time most have contributed largely in shaping the country's education and its future growth.

FUNCTIONS OF THE COMMISSION

The Act mandated the Commission to carry out the following functions:

- Register Teachers.
- Recruit and Employ Teachers.
- Assign Teachers
- Remunerate Teachers
- Promote Teachers
- Transfer Teachers
- Discipline Teachers
- Delegation of Functions.
- To Compile, Publish, Amend the Code of Regulations for Teachers
- To keep under review standards of education, training, fitness to teach appropriate to persons entering the service.

Registration of Teachers

Its required that the Commission registers all teachers, as provided in the Act stating that: "Any person who, not being a registered teacher, or a person exempted under section 22 of the Act, teaches or assists in teaching in any school" or "any person who suffers or permits or employs to teach in any school a person not being a Registered teacher or a person exempted by the Minister shall be guilty of an offence"

All qualified teachers must be registered by TSC. It is an offence for any teacher to teach without being registered.

Recruitment and Employment of Teachers

The mandate provides for the Commission to recruit and employ teachers which has been the case where TSC posted registered teachers from Public Primary School Teacher Training Colleges to Public Primary Schools through the District Education Officers and registered teachers from Diploma Colleges and State Universities to public secondary schools and technical institutions, until 1997. Since then the recruitment and employment of teachers is demand driven.

However, to ensure that schools have the required teachers the Commission has decentralized the recruitment of teachers. The posts are advertised by TSC in specific schools for secondary teachers and specific districts for primary school teachers. The recruitment process has changed over time and varies depending on whether one is applying to a primary institution or post primary institution.

Assign and Transfer Teachers

The Commission is mandated to assign and transfer teachers. The teachers are posted after study leave or after determination of disciplinary cases to the primary schools, Secondary and Tertiary institutions. In addition the Commission is mandated to transfers teachers from one station to the other, subject to availability of vacancies and replacements.

Renumerate Teachers

The Act mandates Teachers Service Commission to pay teachers salaries and all the related remunerations, subsequently the Commission prepares all the teachers emoluments which currently stands at a wage bill of 44.4 billion per annum.

Promotions of Teachers.

The Act mandates Teachers Service Commission to promote teachers, the Commission carries out promotions for all categories of teachers except for grades between P4 and ATS IV whose promotions on merit are carried out by the Director of Education.

Discipline

Termination of employment is one of the functions that encompasses discipline of the teacher. The Code of Regulation for teachers requires that: " Where it comes to the knowledge of an Agent of the Commission and is alleged that a registered teacher should be removed from the register because he/she is an unsuitable person to be a teacher on the grounds that the Agent shall ..."

The Commission agents investigates cases of teachers disciplinary cases especially before interdiction provide the Commission with all information and documents pertaining to the case which leads to interdiction. Disciplinary cases are heard at the TSC headquarters except those that require witnesses who can not travel to Nairobi. In cases of major offences tabulated in the Code, the Commission may, as a result of the proceedings determine that the teacher's name is removed from the Register, warned, suspended or demoted and if the teacher is found not guilty of the allegations made against him/her the interdiction is revoked. In cases of minor offences under regulations 71, the Commission may determine that the teacher be dismissed, suspended, demoted or be issued with a serious warning.

Delegation of Functions to Field Officers.

Delegation of functions to field officers is a function that the Commission has delegated to its agents in all the Provinces and Districts across the country who are the Provincial Directors of Education (P.D.E), the District and Municipal Education Officers (DEO/MEO) and the Board of Governors in schools.

The functions delegated to the field officers/ T.S.C. Units include:

- Assignment of Duties - Transferring teachers from one school to another within their area of jurisdiction.
- Promotions: The PDE's interview applicants for promotion to GATI, JOB GROUP 'L' for deployment as Heads of Department. MEO's and DEO's interview teachers for appointment as heads and Deputy Heads of Primary Schools, from which reports are forwarded to the Commission

Compile, Publish, Amend the Code of regulations

It is the mandate of the Commission to compile, publish and amend the code of regulations for teachers with the approval of the Minister of Education, the Commission has over time:

- Compiled and Published a code of regulations for all the teachers employed by the Commission. The code was first published in 1976 and subsequently revised in 1996 and 2002.
- Enforced a code of conduct of teachers for better learning environment in the country.

Keep under review standards of education, training and fitness to teach appropriate to persons entering the service and to supply teachers.

The Commission plays the administrative role in the education sector, monitoring the status of teaching and learning, implementing appropriate curriculum and checking the distribution of teachers across learning institutions, in this respect:

- The Commission keeps under review the standards of education, training and fitness to teach appropriate to persons entering the teachers service, and the supply of teachers,
- Render advice to the Minister from time to time on various aforesaid matters and on such other matters as may be referred to it by the Minister.