

TEACHERS SERVICE COMMISSION (TSC), KENYA.



A PRESENTATION DURING THE VIRTUAL WORKSHOP ON
THE ESTABLISHMENT OF THE TEACHING COUNCIL OF
UGANDA.

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SUMMARY

- ❑ Overview of Kenyan Education Sector .
- ❑ Establishment of the TSC Kenya
- ❑ Membership of the Commission
- ❑ TSC Legal Framework
- ❑ Functions of the TSC

AN OVERVIEW ON THE KENYAN EDUCATION SECTOR

- Under the Social Pillar of the Kenya Vision 2030 blueprint, that aims to transform the country into a middle income economy, providing quality life to its citizenry,
- The Education sector aims to provide globally competitive quality education, training, STEM and research.
- To be realized through provision of quality teaching and learning, leading to improved learning outcomes

CONT's

- The MOE, is responsible for development of national policies and programmes that ensure Kenyans access quality and affordable school education at all levels.
- The Teachers Service Commission (TSC), was established under Article 237 of the Constitution of Kenya 2010, with the mandate to regulate and manage the Teaching Service.
- Currently the TSC manages a teaching service of 332,792 teachers deployed in 31,826 public Basic educational institutions.

MEMBERSHIP OF THE COMMISSION

- The Commission consists of a Chairperson and eight other members appointed competitively.
- The President through a gazette notice declares a vacancy and constitutes a selection panel for purpose of selecting suitable candidates for appointment as Chair/Member
- The Chair and Member of the Commission serve on fulltime basis for non-renewable term of six years.

SECRETARIAT AND STAFF OF THE COMMISSION.

- The TSC Act 212, provides for a secretariat of the Commission, headed by the Commission Secretary
- The Secretariat appointed provides the professional, technical and administrative services in implementation of the Commissions mandate under Article, 237 of the Constitution.

TSC LEGAL FRAMEWORK

- ❑ The TSC is a Constitutional Commission established under Article 237 of the *Constitution of Kenya*, to regulate the teaching profession in the country and as an employer of teachers for the Basic Education Institutions.
- ❑ The TSC Act, 212 operationalized the Mandate and provided for development of professional regulations and career progression guidelines for teachers and secretariat staff.
- ❑ The TSC is therefore both a regulator and an employer.

THE FUNCTIONS OF TEACHERS SERVICE COMMISSION - KENYA

The TSC is mandated to perform the following functions: -

- Register trained teachers;
- Recruit and employ registered teachers;
- Assign teachers employed by the Commission for service in public school or institution;

THE FUNCTIONS OF TEACHERS SERVICE COMMISSION – KENYA Cont's

- Promote and transfer teachers;
- Exercise disciplinary control over teachers;
- Terminate employment of teachers;
- Review the standards of education and training of persons entering the teaching service;
- Review the demand for and supply of teachers; and
- Advise the national government on matters relating to the teaching profession.

FUNCTIONS, Conts.

- ❑ In additions to the functions set out under Article,237, the TSC Act 212, provides that the Commission shall:-
 - ❑Formulate Policies to achieve its mandate.
 - ❑Provide strategic direction, leadership and oversight to the secretariat.
 - ❑Ensure teachers comply with the teaching standards prescribed from time to time
 - ❑Manage the payroll of teachers in its employment

FUNCTIONS Conts,

- ❑ Facilitate Career Progression and professional development for teachers in the teaching service including the appointment of head teachers and principals.
- ❑ Monitor the conduct and performance of teachers in the teaching service
- ❑ Do all such others things as may be necessary for the effective discharge of its functions and the exercise of its powers.

PROFESSIONAL REGULATIONS AND POLICIES.

- The TSC in carry out its functions, has a Constitutional mandate to implement **Constitutionalism** as regards to the **safety and wellbeing of learners** in learning environment.
- The TSC Act, under Section 4 provides that *in performance of its functions and exercise of its powers, the Commission must at all times take into account the best interest of the learner within the learning environment.*
- Therefore recruitments, developments, deployment, management, and supports for teachers will largely influence learning outcomes, and safety of learner in schools.

- ❑ Teachers are required to maintain a professional relationship while interacting with learners.
- ❑ As a regulator and employer of teachers, the TSC has put in place regulations to enforce compliance to the teaching standards prescribed, by all registered teachers.
- ❑ Developed policies and circulars to guide and promote teacher performance, professional development, conduct and integrity.

TSC REGULATORY FRAMEWORK

- ❑ The Constitution established the Commission as autonomous, only answerable to the law and Parliament.
- ❑ The Commission developed the *Code of Regulation for Teachers, 2015 (CORT)* and the *Code of Conduct and Ethics 2015 (COCE)*.
- ❑ The CORT provides among others, for professional standards expected of a teacher and establishes mechanisms for effecting disciplinary action for non-compliance
- ❑ The COCE is to regulate professional conduct of registered teachers to observe a professional code, and guides teachers on expected conduct and relationship with learners.

TSC REGULATORY FUNCTIONS

- Pursuant to Article 237, (2) the following functions are regulatory and aims at professionalizing the teaching service and promote teacher performance, conduct and integrity.
- 1. Teacher Registration
- 2. Teacher Appraisal and Development (TPAD)
- 3. Teacher Professional Development (TPD)
- 4. Teacher Disciplinary Control

TEACHER REGISTRATION.

This entails;-

- Registration of qualified teachers.
- Issuance of a Certificate of Registration to every teacher who is registered
- Renewal of teaching certificate after every five years
- Keeping and maintaining the Register of teachers
- Making the Register of teachers a public document.
- Reinstating deregistered teachers in the Register after an application and determination by Commission's discipline panel.

TEACHER REGISTRATION CONTS

- ❑ To remove from the register and publish in a gazette notice the name of a teacher who has:
 - ❑ Died or
 - ❑ Through a disciplinary process found guilty of;-Obtaining registration fraudulently ,convicted of sexual offences against learners ,convicted of criminal activities

IMPORTANCE OF TEACHER REGISTRATION

Teacher registration is critical for the following reasons:-

1. To keep and maintain the register of teachers in compliance to the laws of Kenya.
2. To ensure that only trained and qualified persons enter the teaching service.
3. To inform training institutions on the market demands
4. To ensure that only registered teachers are engaged to provide teaching service even by the private institutions or BOMs in Public schools.
6. To have database of trained teacher

TEACHER PERFORMANCE APPRAISAL & DEVELOPMENT(TPAD)

- The TSC Act and the CORT provides for monitoring the conduct and performance of teachers in the teaching service.
- The Commission has put in place an open online tool for performance appraisal for teachers in its employment.
- Also developed school based teacher support programmes .
- The **overall purpose** of the appraisal system is to provide teachers opportunity to improve on their competencies.

STANDARDS ASSESSMENT/ PROFESSIONAL SUPPORT

This entails:-

- Ensuring teachers comply with teaching standards prescribed by preparing, using and maintaining working tools which include but not limited to:
- Schemes of work ,Lesson plans, Records of work ,Learners' progress records etc.

TEACHER PROFESSIONAL DEVELOPMENT (TPD)

- ❑ The TPD modules are aimed at improving teachers pedagogical skills, management skills and learner outcomes.
- ❑ Informs teacher career progression and renewal of teaching license.
- ❑ It is structured into six (6) sequential levels that enable a teacher to undertake TPD programme at different times during his/her entire teaching career that spans 25 to 30 years.

TEACHER DISCIPLINARY CONTROL .

- **The Constitution of Kenya** – under Article 237 (2)(e) mandates the Commission to **exercise disciplinary control over teachers.**
- **Article 53** of the Constitution, safeguards the rights of Children which include protection, and safety against inhuman treatment and punishment;
- **The TSC Act (212)** - Sections 33 and 34 address ‘Discipline of Registered Teachers’ and ‘Disciplinary Actions’ that can be taken against teachers found guilty of professional misconduct, respectively;

THE DISCIPLINE PROCEDURES

The key components of the discipline procedure include:

- ❑1. Reporting of the allegation – school level
- ❑2. Investigation – County/ school level
- ❑3. Interdiction – County(Primary schools / school level(Post primary Institutions)
- ❑4. Hearing of the discipline case-Headquarters and County
- ❑5. Decision - Headquarters and County
- ❑6. Validation/ Ratification – the Board at Headquarters
- ❑7. Review - Board at Headquarters

DISCIPLINARY DECISIONS.

- ❑ A warning,
- ❑ Suspension,
- ❑ Dismissal
- ❑ Dismissal and Removal from the Register of Teachers.

DECENTRALIZED TEACHER MANAGEMENT FUNCTIONS

- ❑ The Commission decentralized management of some of its functions to the county and institutional levels.
- ❑ The County Directors implement TPAD, TPD, Deployment, recruitment and selection, discipline.
- ❑ and BOMs who are appointed as Agents, handle recruitment and discipline for post primary institutions as per the guidelines provided.
- ❑ Possible through strengthening capacity of staff at the Regional and the county levels.
- ❑ Also the BOMs and Heads of institution are capacity build on management of discipline and recruitment process.

TSC STAKEHOLDERS

The stakeholders include among others:-

- The National Treasury
- The MOE and Related Agencies
- The Board Of Management (BOM)
- Teacher Unions- (Two In number)
- Heads Associations (professional)
- Religious Organisations ..(Sponsor of some schools)

RELATIONSHIP WITH THE TEACHER UNIONS.

- ❑ There exist a Collective Bargaining Agreement(CBA) with the two teachers' Unions.
- ❑ Currently we have a CBA running for four years(2017-2021) with the next cycle negotiations on going,
- ❑ The salary negotiations are guided by the Job Evaluation (JE) Reports by the Salaries and Remuneration Commission(SRC)
- ❑ The CBA addressed the perennial teacher strikes, leading to harmony and stability in the teaching service.

CONCLUSION

- On behalf of the CEO, we are happy to have been invited to share our story and to walk with our sister country.
- We also cherish, our relationship with the MOE- Uganda, which spans many years back, when Uganda gave us many teachers for our secondary schools.
- The TSC also appreciates the support we have received from our Partners and in particular UNESCO Regional Office and UNESCO IICBA, in particular in the development of the TPD Policy framework and Modules.
- Finally this meeting is therefore of benefit to all of us, as it is an opportunity to share learning experiences .

TSC-KENYA & MOE- UGANDA



ASANTE SANA

Thank you very much!



END

THANK YOU