



**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF THE CHIEF OF STAFF AND HEAD OF THE PUBLIC SERVICE**

**SECOND ANNUAL REGULATORY AUTHORITIES AND
AGENCIES (RAAs) CONFERENCE**

MONDAY, 28TH – WEDNESDAY, 30TH APRIL, 2025

UNIVERSITY OF ELDORET, MAIN CAMPUS

THEME:

**THE URGENT FORTIFICATION OF THE RESPONSIVENESS BY
REGULATORS TO THE CAMPAIGN ON THE REVITALISATION AND
RE-ENERGISATION OF REGULATORY AUTHORITIES AND AGENCIES**

'Strengthening Regulators; Enhancing Compliance'

1. About the Second Annual Regulatory Authorities and Agencies (RAAs) Conference

The 2nd Annual RAAs Conference, themed “**The Urgent Fortification of the Responsiveness by Regulators to the Campaign on the Revitalisation and Re-energisation of Regulatory Authorities and Agencies,**” with the by-line being, *Strengthening Regulators; Enhancing Compliance*’. The Conference will be held from **Monday, 28th to Wednesday, 30th April 2025** at the **University of Eldoret, Main Campus, Uasin Gishu County**.

This year’s Conference will serve as a high-level forum for RAAs to reflect on their performance since the **Inaugural Conference of April 2024**, and to share practical experiences, lessons learnt, and emerging best practices in regulatory governance. In line with the Campaign on the Revitalisation and Re-energisation of Regulatory Authorities and Agencies, the sessions will focus on how RAAs are translating their mandates into tangible service delivery outcomes for Kenyans **qualitatively, quantitatively and timeously**.

1.1 The Inaugural RAAs Conference

The inaugural Regulatory Authorities and Agencies Conference, held on **11 – 12 April 2024** outlined the Administration’s expectations clearly, and reinforced the performance standards expected of RAAs in order to achieve optimal performance in the execution of their mandates. In addition, the Conference headlined the urgency for actions required of RAAs as key agents of the change envisioned under the Bottom-Up Economic Transformation Agenda (BETA).

During this Inaugural Conference, the Chief of Staff and Head of Public Service made several directives, key among which was for RAAs to: get back to real work; make recommendation for amendments where the law creates challenges; synergize to avoid overlaps; prioritize preventive strategies; manage corruption risks; build capacity of the technical compliance officers; review organizational structures, utilize the limited resources effectively and leverage on technology to implement their mandate.

1.2 What are Regulatory Authorities and Agencies

Regulatory Authorities and Agencies (RAAs) essentially set norms and standards and superintend the implementing agencies and members of the public relevant to their mandate, to ensure adherence to the norms, standards and behaviour expected.

The mandate of regulators extends beyond mere enforcement; it encompasses the delicate balance between **ensuring compliance with established norms, standards, and expected behaviors**, and **fostering an environment conducive to individuals and entities that they superintend, to thrive and flourishing**.

1.3 Features of the Revitalisation and Re-Energisation of Regulatory Authorities and Agencies Campaign

The Revitalisation and Re-energisation of Regulatory Authorities and Agencies Campaign is now two (2) years old. Historically, Regulatory Authorities and Agencies have not received the attention required as a distinct group and thus have missed out on the special support needed for them to undertake their unique and critical roles as enablers of achieving the Kenya all citizens desire.

The Campaign on the Revitalisation and Re-energisation of Regulatory Authorities and Agencies has its genesis in the commissioning of a **fact-finding self-assessment survey** initiated on 27 July 2023 by the Chief of Staff and Head of the Public Service (COS&HOPS). The focus of the survey was to establish the extent of performance by RAAs with respect to the achievement of their core regulatory mandates.

Following the administration of the survey and an analysis of the returns from the RAAs, a key finding was made on the imperatives that affect the performance of RAAs. Further, the results of the survey provided an evidence base for the steps required to ensure optimal performance of RAAs in the delivery of their core mandates. With these findings, there was an expectation of improved performance on the part of RAAs with the concomitant improvement in the **quality and quantity** of service delivery to Kenyans, and in a **timeous** manner.

The Revitalisation and Re-energisation of RAAs in order to perform at optimal and robust levels is key to His Excellency the President's agenda to ensure premier service delivery to all Kenyans regardless of where they live and work. For this reason, RAAs are key to the achievement of the President's agenda given their mandate to set and enforce norms and standards to ensure premier service delivery to Kenyans in a **qualitative, quantitative and timeously**. Evidently, the RAAs, through their various enforcement mechanisms and sanctions, play an important role in moulding the behaviour of the public, to that required to ensure the successful attainment and maintenance of the set norms and standards.

The Campaign was initiated to strengthen the role and capacity of RAAs and particularly to:

- i. Address the inertia in the performance of mandates by regulatory authorities and agencies thereby affecting the **quality, quantity** and **timeous-ness** of service delivery;
- ii. Ensure that all the RAAs focus their efforts at delivering on their respective mandates **visibly**;
- iii. Rollout of an accountability and **performance improvement mechanism** for RAAs;
- iv. Enhance Monitoring, Evaluation and Reporting; and
- v. Assess the impact of the campaign on service delivery to Kenyans.

1.4 The Key Actors in the Revitalisation and Re-energisation of RAAs Campaign

For the Campaign to succeed, there must be alignment and singularity of purpose among the leadership and institutional structures at the various levels backed by concerted action. Thus, the following leaders and institutional structures are involved in the nurturing and empowerment of the Campaign towards achieving the optimal performance of all RAAs:

1 Office of the Chief of Staff and Head of the Public Service.

COS&HOPS, being the Administrative Head of the Executive Office of the President provides overall leadership and oversight over the Government's intent to ensure premier service delivery to all Kenyans qualitatively, quantitatively and timeously.

To assist in the performance of his above mandate, COS&HOPS has established the Department of Audit, Legal and Regulatory Compliance (ALRC) in his Office

to focus ardently on the Campaign to Revitalise and Re-energise Regulatory Authorities and Agencies because of the importance of its success in the achievement of premier service delivery to all Kenyans qualitatively, quantitatively and timeously. The Director, Regulatory Compliance within ALRC is responsible for tracking and monitoring the milestones and progress of the implementation of the framework behind the Campaign;



38 Principal Secretaries (PS) and 1 Principal Administrative Secretary (PAS) each heading a State Department/Unit that has RAAs under their ward as outlined in the Executive Order No. 2 of 2023. As the Accounting Officers of the State Departments and Units, the PSs and PAS have the responsibility of oversight on the accountability of RAAs under their ward with regard to their performance and achievement of regulatory mandates;



39 Standing Committees (SCs) on the Revitalization and Re-energization of RAAs in each State Department whose members are appointed by the PSs/PAS and chaired by a senior officer designated by the respective Principal Secretary.

The Office of the Chief of Staff and Head of the Public Service, *vide* Circular Ref No. OP/CAB 6/1 dated 15 November 2023 issued a directive to PSs to appoint Standing Committees for the **urgent** Revitalisation and Re-Energisation of RAAs under their ward to enhance the visibility of the execution of the mandate as keepers and enforcers of norms and standards.

The SCs are integral in maintaining active contact with the RAAs under the ward of the State Department both on a one-on-one basis with individual RAAs, or corporately bringing together all the RAAs under their ward thus promoting peer benchmarking and learning. Through regular contact with the RAAs, the SCs are able to assess and analyse the performance of RAAs, and thereafter offer meaningful advice about ways of improvement aimed at optimizing the achievement of the core mandates of RAAs.

Terms of Reference for the Standing Committees

- a. To be the vanguards of the Revitalisation and Re-energisation of the RAAs campaign under their respective State Department;
- b. Review, understand and internalise the Reports from the RAAs and the essence of the questions that were asked in the **Self-Assessment Tool**;
- c. Undertake a **similar review** of the Self-Assessment Tool with the leadership of each RAA under their ward;
- d. **Assess the effectiveness** of the regulatory tools and methods deployed by each of the regulators under their State Departments to ensure adherence to the norms and standards they set out and superintend over;
- e. Assess the instances of **administrative action** taken by each of the RAAs against non-compliance institutions and persons they superintend;
- f. **Address the challenges expressed** by each of the RAAs that hinder their optimal and visible execution of their mandate;
- g. **Escalate any challenge/reasons** for where their Office is unable to proffer a solution and for which they require assistance from the Office of COS&HOPS;
- h. Take any **further steps and interventions** from your Office to enhance the visibility of each of the RAAs under your State Department as key

agents of the change outlined in the Kenya Kwanza Bottom-Up Economic Transformation Agenda;

- i. Ensure that each RAA undertakes a **rapid assessment** of all factors on the ground and in the existing regulatory framework that are likely to affect negatively and even ominously, the lives, livelihoods, property, business and quality of goods and services delivered to Kenyans;
- j. Ensure that each RAA under your State Department take **immediate corrective, preventive and sustainable action to ameliorate the negative consequences**;
- k. Submit a report to the Head of Public Service capturing all the above.



129 RAAs (State Corporations and the Semi-Autonomous Government Agencies (SAGAs) falling under the 38 State Departments) each headed by a Chief Executive Officer who is answerable to their respective Principal Secretary.

The leadership within the State Corporations and SAGAs comprises of the Chair of the Board, Board Committees, the entire Board, or their equivalent; the Chief Executive Officer; the Corporation Secretary or their equivalent; and the Head of Internal Audit. This team must inevitably pool together their collective strengths, knowledge and skills to lead the secretariat headed by the Chief Executive Officer towards the smooth achievement of the regulatory mandate of the respective public entity.

1.5 Key sessions at the 2nd Annual RAAs Conference will include:

- i. Analysis and discussion of the **Bi-Annual Reports** submitted by RAAs;
- ii. Deep dives into **board and leadership alignment, translation of legal mandates into actionadble guidelines** and **deployment of radical regulatory powers**;
- iii. Showcasing of innovations and best practices in **engagement with implementing agencies and the public**;
- iv. Presentations by Standing Committees on their work supporting RAAs within State Departments; and
- v. Engagement with **complementary institutions** to explore cross-cutting support strategies.

The Conference will also highlight the **performance of RAAs** based on a comprehensive analysis of Bi-annual Reports received in **October 2024**, and **March 2025**. Analytical reports from the **Standing Committees for the Revitalisation and Re-energisation of RAAs**, housed within respective State Departments, will inform key discussion points.

The vibrant exchanges anticipated between all the participants to the Conference is expected to elevate the performance of the RAAs and in turn elevate the quality of service delivery to Kenyans.

1.6 Expectations from the 2nd Annual RAAs Conference

The Office of the Chief of Staff and Head of the Public Service (COS&HOPS) expects the 2nd Annual RAAs Conference to serve as a dynamic platform for strengthening the regulatory ecosystem across government.

Specifically, the Conference is expected to;

- a. Provide a **comprehensive review of RAA performance**, based on the analysis of Bi-annual Reports and presentations from the leadership of RAAs.
- b. Promote **cross-sectoral learning** through shared experiences, emerging best practices, and lessons from innovative regulatory interventions;
- c. Foster **collaboration and alignment** between Boards, Chief Executive Officers, internal oversight offices, and other institutional actors within RAAs;
- d. Highlight successful strategies in the **translation of legal mandates into actionable tools** such as codes, guidelines, and instructions;
- e. Showcase effective methods of **stakeholder engagement and public communication**, including the role of digital technology in enhancing outreach and compliance; and
- f. Highlight **innovative and creative ways** that RAAs have used to rally their stakeholders in order to achieve their regulatory mandates.

1.7 Rallying Call to all Participants

The 2nd Annual RAAs Conference reaffirms Kenya's National commitment to the Revitalisation and Re-energisation of Regulatory Authorities and Agencies. Beyond being a routine review and exercise, it is a forward-looking engagement designed to foster greater impact, agility, and public value in the work of RAAs.

Participants are encouraged to engage with intention, share candidly, and take forward actionable insights that enhance service delivery, reinforce institutional integrity, and strengthen public trust. The momentum built by this Campaign must

carry forward beyond the Conference - with each Regulatory Authority and Agency taking ownership to ensure their contributions serve as catalysts for development, innovation, and national progress.

Moving forward, the implementation of insights and resolutions from this Conference will be monitored through structured follow-up mechanisms, including performance reviews, feedback loops, and reporting through the Bi-annual Reporting Framework. The journey to re-energise Kenya's regulatory landscape is continuous - and every stakeholder must remain steadfast in translating ambition into measurable results for all Kenyans.

2. Submission of Bi-Annual Reports by RAAs and Standing Committees as a Means for Tracking and Monitoring the Progress of Respective RAAs towards the Achievement of their Core Regulatory Mandates

To sustain the momentum of the Campaign and continuous improvement, the Chief of Staff and Head of Public Service *vide* Circular Ref No. OP/CAB 6/1 dated **27 May 2024** directed that each of the RAAs do submit two progress reports to their Standing Committees within specified dates during the year and capturing their progress on a number of parameters including:

- i. Their governance structure;
- ii. What tool(s), both local and external, guide the regulator in the execution of its mandate;
- iii. What regulatory powers/authority the regulator is endowed with from its constitutive document;
- iv. How the regulator engages its implementing agencies and the public in order to secure their understanding of its regulatory mandate and their compliance thereof;

- v. The extent to which the regulator deployed the regulatory power(s)/authority available to it in the execution of its mandate;
- vi. The practical impact of the execution of the regulatory mandate of the regulator on the public and the country generally; and
- vii. Any changes in trends and patterns discerned over the period in question.

An analysis of the responses from the Bi-Annual Reports have provided an evidence base for the Office of COS&HOPS to work together with PS; Standing Committees; and all other relevant stakeholders to ensure optimal performance by RAAs in the execution of their core mandates. This is in line with the Government's prioritization of its responsiveness to the needs of the public in a transparent and accountable manner.

3. The Annual Regulatory Authorities and Agencies Conference as a Site for Benchmarking and Peer Learning of RAAs

The Inaugural RAAs Conference posted positive feedback from the stakeholders because of the opportunity it provided for the RAAs to meet for the first time as a distinct category of public entities to share and exchange their unique experiences. Indeed, the Conference provided a robust platform for learning, constructive criticism and knowledge growth based on the various presentations on topical issues and lively question and answer plenaries. Participants in the Conference had ample opportunity to interact with their peers and leaders in person. It was thus found prudent to extend the benefits experienced during the inaugural conference by making it annual and hence the 2nd Annual Conference for Regulatory Authorities and Agencies.