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23/4/25

REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT - FOURTH SESSION - 2025
PUBLIC PETITIONS COMMITTEE

REPORT ON-

CONSIDERATION OF PUBLIC PETITION NO. 62 OF 2023 REGARDING STAGNATION OF
TEACHERS PROGRESSION IN PUBLIC SERVICE

APRIL, 2025

THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 23 APR 2025	DAY: <i>Wen</i>
TABLED BY:	<i>CHAIR, PUBLIC PETITIONS Comm</i>
CLERK-AT-THE-TABLE:	<i>P MUKIA</i>

Directorate of Legislative & Procedural Services
Clerk's Chambers
Main Parliament Buildings
NAIROBI

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LIST OF ACRONYMS

JE	Job Evaluation
KNUT	Kenya National Union of Teachers
KUPPET	Kenya Union of Post Primary Education Teachers
SRC	Salaries and Remuneration Commission
TPD	Teacher Professional Development
TSC	Teachers Service Commission

CHAIRPERSON'S FOREWORD

On behalf of the Public Petitions Committee and pursuant to the provisions of Standing Order 227, it is my pleasant privilege and honour to present to this House the Report of the Committee on its consideration of Public Petition No. 64 of 2023 regarding stagnation of teachers' progression in Public Service. The petition was conveyed to the House pursuant to the provisions of Standing Order No. 225 (2) (b) by the Honourable Speaker on behalf of all the affected teachers in the country.

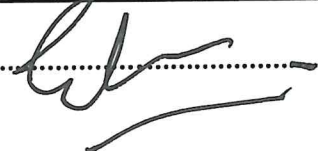
The Petitioner prayed that the National Assembly through the Public Petitions Committee engages the Teachers Service Commission with a view to among others address the crisis of teachers' stagnation and career progression in the public service.

The Committee observed that promotions in the teaching sector are done in two establishments namely, the common cadre, where teachers in both Primary and Secondary Schools were promoted automatically after serving in one grade for three (3) years and competitive promotions where vacancies were filled competitively subject to availability of vacancies and funds. The Committee recommends that the National Assembly considers appropriating funds in the Financial Year 2025/2026 for promotion of teachers and that TSC ensures sensitization of teachers on the career progression guidelines and the applicable appraisal tools.

The Committee appreciates the Offices of the Speaker and Clerk of the National Assembly for providing guidance and necessary technical support without which its work would not have been possible. The Chairperson expresses gratitude to the Committee Members for their devotion and commitment to duty during the consideration of the Petition.

On behalf of the Committee and pursuant to the provisions of Standing Order 199, I now wish to lay the Report on the Table of the House.

HON. ERNEST KIVAI OGESI KAGESI, M.P.
CHAIRPERSON, PUBLIC PETITIONS COMMITTEE

Date.......... 22, 04, 2025

PART ONE

1. PREFACE

1.1. Establishment and Mandate of the Committee

The Public Petitions Committee is established under the provisions of Standing Order 208A with the following terms of reference:

- a) considering all public petitions tabled in the House;
- b) making such recommendations as may be appropriate with respect to the prayers sought in the petitions;
- c) recommending whether the findings arising from consideration of a petition should be debated; and
- d) advising the House and reporting on all public petitions committed to it.

1.3. Committee Membership

The Public Petitions Committee was first constituted in October 2022 and reconstituted in March 2025 and comprises the following Members:

Chairperson

Hon. Ernest Kivai Ogesi Kagesi, M.P.
Vihiga Constituency
Amani National Congress (ANC)

Vice Chairperson

Hon. Janet Jepkemboi Sitienei, M.P.
Turbo Constituency
United Democratic Alliance (UDA)

Hon. Patrick Makau King'ola, M.P.
Mavoko Constituency
Wiper Democratic Movement-Kenya (WDM-K)

Hon. Nimrod Mbithuka Mbai, M.P.
Kitui East Constituency
United Democratic Alliance (UDA)

Hon. Joshua Chepyegon Kandie, M.P.
Baringo Central Constituency
United Democratic Alliance (UDA)

Hon. Beatrice Kadeveresia Elachi, CBS, M.P.
Dagoretti North Constituency
Orange Democratic Movement (ODM)

Hon. Maisori Marwa Kitayama, M.P.
Kuria East Constituency
United Democratic Alliance (UDA)

Hon. Edith Vethi Nyenze, M.P.
Kitui West Constituency
Wiper Democratic Movement-Kenya (WDM-K)

Hon. Bidu Mohamed Tubi, M.P.
Isiolo South
Jubilee Party (JP)

Hon. Bernrd Muriuki Nebart, M.P.
Mbeere South Constituency
Independent

Hon. John Bwire Okano, M.P.
Taveta Constituency
Wiper Democratic Movement-Kenya (WDM-K)

Hon. Peter Mbogho Shake, M.P.
Mwatate Constituency
Jubilee Party (JP)

Hon. Suzanne Ndunge Kiamba, M.P.
Makueni Constituency
Wiper Democratic Movement-Kenya (WDM-K)

Hon. Peter Irungu Kihungi, M.P.
Kangema Constituency
United Democratic Alliance (UDA)

Hon. Sloya Clement Logova, M.P.
Sabatia Constituency
United Democratic Alliance (UDA)

1.4. Committee Secretariat

The Public Petitions Committee was facilitated members of the secretariat:

Lead Clerk
Mr. Ahmed Kadhi
Principal Clerk Assistant II

Ms. Anne Shibuko
First Clerk Assistant

Ms. Miriam Modo
First Clerk Assistant

Mr. Willis Obiero
Clerk Assistant III

Ms. Isaac Nabiswa
Legal Counsel II

Ms. Patricia Gichane
Legal Counsel II

Ms. Nancy Akinyi
Research Officer III

Ms. Roselyne Njuki
Senior Serjeant-at-Arms

Mr. Paul Shana
Serjeant-at-Arms

Mr. Calvin Karungo
Media Relations Officer III

Mr. Peter Mutethia
Audio Officer

PART TWO

2. BACKGROUND OF THE PETITION

2.1. Introduction

1. Public Petition No. 62 of 2023 regarding stagnation of teachers' progression was presented to the House on 25th October, 2023, by the Honourable Speaker pursuant to the provisions of Standing Order 225(2)(b), on behalf of the affected teachers across the Country.
2. The petitioners aver that KUPPET is the largest and most influential professional association in Kenya given that it draws its members from teachers serving in secondary schools and teachers' training colleges across the country.
3. The petitioners decried the perennial stagnation of teachers that has led to situations where teachers remain in one job grade for more than five years, and in extreme cases, some teachers have not been promoted for fifteen years.
4. The petitioners fault the Teachers Service Commission (TSC) for failing and/or refusing to promote thousands of teachers despite the existence of unambiguous policies that provide for teachers' career progression.
5. The petitioners further decry the numerous unsuccessful engagements with the Teachers Service Commission (TSC) and have thus sought the urgent intervention of this House in resolving the ongoing teachers' promotions stagnation and career progression crisis.

2.2. Petitioner's Prayers

6. The Petitioners prayed that the National Assembly through the Public Petitions Committee engages the TSC with a view to among others address the crisis of teachers' stagnation and career progression in the public service.

PART THREE

3.0 STAKEHOLDERS' SUBMISSIONS ON THE PETITION

2.3. The Petitioner

On Wednesday, 25th September, 2024 and Tuesday, 26th November, 2024, the Petitioner, the Secretary General of the Kenya Union of Post Primary Education (KUPPET), Mr. Akelo Misor, appeared before the Committee and submitted as follows—

7. KUPPET was the largest and most influential professional association in the Country given that it draws its members from teachers serving secondary schools and teacher training colleges across the country.
8. There was a significant crisis of career stagnation within the teaching profession with a large number of teachers remaining without promotion for over five years and in extreme cases, some teachers have not been promoted for 15 years.
9. Although the Teachers Service Commission (TSC) made efforts to promote 51,000 teachers during the Financial Year 2023/2024, more than 130,000 teachers who meet or exceed the criteria for promotion remain unpromoted.
10. This stagnation highlights systemic failures in policies governing teacher promotions, including the Code of Regulations, Guidelines on Appointment and Deployment of Institutional Administrators, and the Career Progression Guidelines outlined in the 2016-2021 and 2021-2025 Collective Bargaining Agreements (CBAs).
11. In 2023, KUPPET conducted a survey that revealed a truly dire situation. By that time, more than 60,000 teachers had served in one job group for more than five years-which constitutes stagnation.
12. The findings of the research to the Departmental Committee on Education and Research saw Parliament appropriate a budget for promotions in 2023/2024 budget.
13. The Sh1 billion allocated enabled the Teachers Service Commission to promote 4,000 teachers who had stagnated in service. Together with common cadre and annual increments, the Commission promoted more than 50,000 teachers in the financial year 2023/2024. However, out of the qualified teachers who were shortlisted and interviewed, the TSC left out 130,000 teachers due to financial constraints.
14. The number of teachers who have stagnated in Service is approximate 180,000, from both secondary and primary schools.
15. The TSC sought a budget of Sh2.3 billion for promotions in 2024. Along with the annual increments, that would benefit another 50,000 teachers.

16. Unfortunately, Honourable Members, no money was provided for this budget line. In fact, out of this House, not many people seem to know how much money has been provided for employment of teachers, for JSS and other programmes including teachers' medical cover.
17. The education budget for 2024/2025 had been amended through the Appropriations, Act, the first supplementary budget and other circulars from the Treasury and the Ministry of Education. These many documents have left KUPPET and key stakeholders in the dark.
18. Efforts to address the matter with the Commission had been unsuccessful and the Petitioner prayed that the National Assembly through the Public Petitions Committee engages TSC with a view of urgently addressing the matter of stagnation of teachers.

2.4. The Kenya National Union of Teachers

On Wednesday, 25th September 2024, the Secretary General of the Kenya National Union of Teachers (KNUT), Mr. Collins Oyuu, accompanied by other Union Officials, appeared before the Committee and submitted as follows—

19. Kenya National Union of Teachers remains the largest, most formidable and exceedingly influential Professional Association in the country. Unlike other trade movements, the Union draws its members from Comprehensive schools (PP 1 to Grade 9) - this means from Pre-Primary, Primary schools and Junior Schools; including Senior Schools (Secondary Schools).
20. Stagnation of teachers in the teaching service, whereby teachers stayed in one Job Grade for several years has reached catastrophic levels.
21. Despite teachers having sat for promotional interviews and accordingly shortlisted for promotions, the TSC only promoted 36,000 teachers, while over 130,000 were not promoted. More than 15,000 teachers submitted their complaints to KNUT and among them were complaints from teachers who had stagnated for over 10 years in the same Job Group, yet they had less than 5 years to retire.
22. For instance, in 2023, 130,000 teachers successfully sat for promotional interviews and were shortlisted for various Job Grades, but for unexplained reasons, the Commission declined to effect the promotions. This was one of the many reasons that led KNUT to issue a Strike Notice on the 16th August 2024.
23. However, the Commission had since assured KNUT that teacher promotion was ongoing until all pending cases were fully addressed. In spite of the pledge by TSC that it would address all cases due for promotion, KNUT will continue to pursue the matter with the TSC to ensure all the affected teachers get their promotions.
24. Some teachers despite possessing the requisite qualifications, skills and the necessary experiences had not earned any promotion in over 15 years.

25. Privately, KNUT engaged education experts, economists, policy developers and specialists in Human Resource Management to establish what could be the bane for teachers stagnating in the same Job Grades for long periods. It was established that besides laxity by TSC to live to its commitment as provided for in Article 237(2) (d) of the Constitution of Kenya 2010; inadequate funding from the National Treasury to address salary/allowance increments and Career Progression Guidelines which were developed in 2018 by TSC was also an impediment to professional growth of teachers, and their promotions.
26. The Aims of Career Progression Guidelines for Teachers (2018) were to provide for Minimum requirements for selection, appointment, recruitment and promotion and a defined career structure that would attract, motivate and facilitate retention of competent teachers.
27. However, Career Progression Guidelines for Teachers (2018) had failed to among others;
 - (i) provide clearly defined job description for teachers;
 - (ii) provide clarity on teacher deployment and assignment of duties;
 - (iii) align work performance to career progression;
 - (iv) provide clear policy on the provision of minimum qualifications for career advancement and progression;
 - (v) offer professional development of teachers through Teacher Professional Development (TPD); and
 - (vi) provide mechanisms for its monitoring and evaluation

The Career Progression Guidelines have failed to address these areas.
The Career Progression Guidelines have failed to attract, motivate and facilitate retention of competent teachers. Teachers in the Public Service are only serving because they have no other options.
28. Based on the facts, and experiences, KNUT made a stand that Career Progression Guidelines should either be reviewed comprehensively or TSC reverts to the Schemes of Service for Teachers Common Cadre Establishment Promotion, and the Competitive Promotion as outlined in Regulations 73, 74, 75 and 76 of Part VI of the Code of Regulations for Teachers (2015).

2.5. Teachers Service Commission

On 28th November 2024, the Chief Executive Officer of the Teachers Service Commission, Dr. Nancy Macharia, CBS, appeared before the Committee and submitted as follows—

29. The Teachers Service Commission is established under **Article 237 (1)** of the Constitution with the overall mandate of teacher management and regulation of the teaching service as provided under **Article 237(2) and (3)** of the Constitution.
30. As a public organ, the Commission is bound by the National Values and Principles of Governance set out under Article 10 of the Constitution as well as the Values and Principles of Public Service set out under Article 232 of the Constitution.

31. To operationalize the mandate of the Commission, the Parliament enacted the Teachers Service Commission Act and the Code of Regulations for Teachers (CORT). The two legislations provide for powers and procedures within the functions of the Commission. Notably, section 11 of the Act requires the Commission to among others, formulate policies to achieve its mandate.
32. Pursuant to the provisions of Article 237 (2) (d) of the Constitution, the Commission has the mandate to promote teachers under its employment.
33. In discharging this mandate to promote teachers, the Commission observes the values and principles of public service under Article 232 of the Constitution. To this end the Commission has endeavored to apply the principle of fair competition and merit, integrity, transparency and accountability, equity, fairness and impartiality, inclusiveness, non-discrimination and gender equity in the selection and appointment process.
34. Further, the promotion of teachers in public service is premised on CORT, Career Progression Guidelines (CPG) for teachers and the Policy on Selection and Appointment of Institutional Administrators.
35. Specifically, Regulation 73 of the CORT provides for general guidelines in promotion of teachers including: merit and ability as reflected in the teacher's work, performance and results; seniority and experience as set out in the scheme of service; existence of a vacancy; and academic and professional qualifications.
36. On the other hand, the Career Progression Guidelines (CPG) and the policy on Selection and Appointment of Institutional Administrators outlines the skills and competencies necessary for advancement in the profession by providing for minimum requirements for selection, appointment and promotion of teachers at different grades.
37. To this end, all promotion vacancies are filled competitively with the objective to recognize or reward effort, align teachers for succession management/career progression and to motivate employees to perform better in their duties and responsibilities with the aim of improving quality teaching and learning.
38. Promotions in the teaching sector are done under two limbs as follows—

(i) Common Cadre Promotions

Promotions under the common cadre is considered based on the following categories: -

- a) *Primary school teachers*: Primary school teachers employed with a **P1 qualification** and are placed in **grade B5**. Upon completion of three years of satisfactory service they are automatically promoted to **grade C1** in the common cadre establishment.
- b) *Secondary school teachers*: Secondary school teachers who are employed with a **Diploma qualification** are placed in **grade C1**. Upon completion of

three years of satisfactory service they are automatically promoted to **grade C2** in the common cadre establishment. Additionally, for Secondary school teachers who are employed with a **degree qualification**, they are placed in **grade C2**. Upon completion of three years of satisfactory service they are automatically promoted to **grade C3** in the common cadre establishment.

39. Accordingly, the Commission has promoted a total of **168,389** teachers on common cadre promotions since 2017 as illustrated in Table 1 below as of November 2024.

No	FINANCIAL YEAR	NUMBER OF TEACHERS PROMOTED			
		B5-C1	C1-C2	C2-C3	Total
1	2017/18	147	540	3,954	4,641
2	2018/19	39	633	4,092	4,764
3	2019/20	2	472	2,693	3,167
4	2020/21	80,844	951	7,412	89,207
5	2021/22	15,663	1,360	11,653	28,676
6	2022/23	8,145	1,111	9,664	18,920
7	2023/24	8,971	600	9,443	19,014
Total		113,811	5,667	48,911	168,389

Table 1. Common Cadre Promotions

(ii) Competitive Promotions

40. Promotions from the common cadre establishments are competitively filled with the objective to promote national values, fairness, non-discrimination, and equity. The promotions are premised on inter alia availability of funds and existence of vacancies in authorized establishments.

41. Promotion of institutional administrators is guided by the Policy on Appointment and Deployment of Institutional Administrators. The policy provides for clear career progression structures to ensure systematic progression, growth and professional development for all teachers. It outlines the experience, academic and professional requirements necessary for appointment and deployment of institutional administrators and further sets the process for career advancement and succession management in institutions.

42. A teacher must meet all the requirements set out in the Policy on Appointment and Deployment of Institutional Administrators to qualify for appointment as an administrator. Additionally, the teachers must show interest by applying when the Commission advertises for the said posts.

43. A summary of teachers promoted in the financial years 2019/2020 to 2023/2024 is as shown in Table 2 below.

S/NO	YEAR	COMPETITIVE
1.	2019/2020	4,006
2.	2020/2021	16,032
3.	2021/2022	2,630
4.	2022/2023	14,730
5.	2023/2024	36,504

Table 2. Summary on Competitive Promotions of Teachers

44. Pursuant to the implementation of the 2017-2021 CBA and the Career Progression Guidelines, all teachers were promoted in 2017 and thereafter automatically promoted after 3 years for common cadre promotions.
45. Accordingly, it is not true that teachers have stagnated for 15 years. While we admit that some teachers may have stayed in one job group more than three years, the delay in promotion is majorly caused by budget constraints to undertake competitive promotions.
46. Further, the Commission has severally engaged KUPPET on issue of promotions with the most resent engagement being on 9th to 12th April on a workshop in Naivasha where the Commission extensively elaborated to the union the challenges causing delay in promotion of teachers.

PART FOUR

4.0 COMMITTEE OBSERVATIONS

Upon hearing from the Petitioner and other stakeholders, the Committee observed that—

47. Promotions in the teaching sector are done in two establishments namely, the Common Cadre, where teachers in both Primary and Secondary Schools were promoted automatically after serving in one grade for three (3) years and competitive promotions where vacancies were filled competitively subject to availability of vacancies and funds.
48. The TSC had promoted a total of 168,389 teachers on the Common Cadre Establishment between FY2012/2018 and 2023/2024 while 73,902 teachers were promoted on the competitive basis in the FY 2019/2020.
49. All teachers were promoted in 2017 and thereafter, automatically promoted after 3 years for common cadre promotions in line with the provisions of the 2017-2021 CBA and Career Progression Guidelines of 2018.
50. There was no annual budget dedicated for teacher promotions by the National Treasury occasioning stagnation of teachers in one cadre for a long time as the last allocation was done ten (10) years ago.
51. Before the last allocation ten years ago, TSC had proposed for an annual budget of 2 Billion to promote about 400,000 teachers and only 1 Billion was disbursed which was insufficient.
52. There was inadequate budget towards promotion of teachers hence an impediment in the promotion of teachers leading to stagnation yet TSC relies on the budgetary provisions appropriated by the National Assembly for purposes of promotion of teachers.

PART FIVE

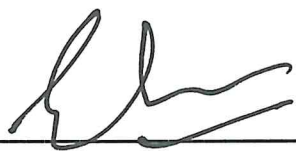
5.0 COMMITTEE RECOMMENDATIONS

53. Pursuant to the provisions of Standing Order 227, the Committee responds to the petitions as follows—

- (i) On the prayer that the Committee engages the TSC with a view to address the crisis of teachers' stagnation and career progression in the public service, the Committee recommends that the National Assembly considers appropriating funds in the Financial Year 2025/2026 for promotion of teachers; and
- (ii) The Committee also recommends that the TSC ensures sensitization of teachers on the career progression guidelines and the applicable appraisal tools.

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 23 APR 2025	
DAY: Wed	
TABLED BY:	CHAIRPERSON, PUBLIC PETITIONS Comm
CLERK-AT THE-TABLE:	P Mulwa

Signed: _____



Date: _____

22nd April 2025.

HON. ERNEST KIVAI OGESI KAGESI, M.P.
CHAIRPERSON, PUBLIC PETITIONS COMMITTEE



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT - FOURTH SESSION - 2025
PUBLIC PETITIONS COMMITTEE

ADOPTION SCHEDULE
OF THE REPORT ON CONSIDERATION OF PUBLIC PETITION NO. 62 OF 2023
REGARDING STAGNATION OF TEACHERS PROGRESSION IN PUBLIC SERVICE

DATE.....11-04-2025.....

We, the undersigned Honourable Members of the Public Petitions Committee, do hereby affix our signatures to this Report on the consideration of regarding **Stagnation of Teachers Progression in Public Service** confirm our approval and confirm its accuracy, validity and authenticity:

NO.	NAME	DESIGNATION	SIGNATURE
1.	Hon. Ernest Ogesi Kivai Kagesi, M.P.	Chairperson	
2.	Hon. Janet Jepkemboi Sitienei, CBS, M.P.	Vice Chairperson	
3.	Hon. Patrick Makau King'ola, M.P.	Member	
4.	Hon. Nimrod Mbithuka Mbai, M.P.	Member	
5.	Hon. Joshua Chepyegon Kandie, M.P.	Member	
6.	Hon. Beatrice Kadeveresia Elachi, CBS, M.P.	Member	
7.	Hon. Maisori Marwa Kitayama, M.P.	Member	
8.	Hon. Edith Vethi Nyenze, M.P.	Member	
9.	Hon. Bidu Mohamed Tubi, M.P.	Member	
10.	Hon. (Eng.) Bernard Muriuki Nebart, M.P.	Member	
11.	Hon. Peter Mbogho Shake, M.P.	Member	
12.	Hon. Suzanne Ndunge Kiamba, M.P.	Member	
13.	Hon. John Bwire Okano, M.P.	Member	
14.	Hon. Peter Irungu Kihungi, M.P.	Member	
15.	Hon. Sloya Clement Logova, M.P.	Member	

