



INFLUENCE OF BOARD DIVERSITY ON SERVICE DELIVERY IN CONSTITUTIONAL COMMISSIONS IN KENYA

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ABSTRACT

The purpose of the study was to establish the influence of board diversity on service delivery in constitutional commissions in Kenya. The theory was hinged to Stewardship Theory. The study adopted both descriptive research design, and used quantitative approach. The units of analysis were constitutional commissions while the unit of observation was 80 board members and 10 Chief Executive Officers of the Constitutional Commissions the data was analyzed using inferential statistics. Results revealed that board diversity had a positive and significant relationship with service delivery in the constitutional commissions in Kenya.

Keywords: Board Governance, Board Structure, Board Independence, E-governance, Service delivery

INTRODUCTION

Many democracies all over the world, including Kenya have adopted independent constitutional commissions as a system of governance to improve service delivery. Researchers have generally supported the position that board governance influences service delivery. Empirical evidence supports existence of a relationship between board governance and service delivery (Conforth, 2020; Solomon, 2020). However, existing research mostly focuses on developed or developing countries of Asia and Latin America (Namuhisa, 2020; Moursli, 2020; Hodginkson, *et al.*, 2017; Nyagilo & Njeru, 2020; Schalka & Sarfati, 2014; Kosec & Wantchenkon, 2020). The link between board governance and service delivery in the constitutional commissions' context of Sub-Saharan Africa is scarcely explored.

Board governance is deeply rooted in the political economy argument that it leads to better service delivery (Oslo, 2018). However, despite these theoretical underpinnings advocating for board governance, findings on the impact of board governance on service delivery in the public sector is mixed and inconclusive. One strand of the literature revealed that board governance leads to improved service delivery (Park, 2020; Solomon, 2020). In contrast, other studies found

that corporate governance negatively influenced service delivery (Moursli, 2020; Schalka & Sarfati, 2014; Kosec & Wantchenkon, 2020). These mixed conclusions created the need to carry out a study from a Kenyan context to establish the effect of board governance on service delivery in constitutional commissions of Kenya

STATEMENT OF THE PROBLEM

The constitution of Kenya (2010) established Constitutional commissions to improve efficiency in service delivery. The transition from a central to independent commissions in Kenya has not been smooth as several challenges related to service delivery, turf wars among leaders, corruption and strikes among others have threatened service delivery. Statistics from the 2017 Kenya Institute for Public Policy Research and Analysis (KIPPRA) report highlights constitutional commissions facing serious challenges in service delivery whereas a survey by Transparency international (TI) (2018) reported that 41% of Kenyans were dissatisfied with the constitutional commissions service delivery. An exploratory survey by Amnesty International (2018) on Kenyan constitutional commissions public service delivery performance, service delivery and constitutional commissions interaction indicates that 45 % of the respondents have negative comments, citing complaints in relation to efficient service delivery and customer care. An ACAL (2017) Citizens Satisfaction Survey commissioned by the GOK's Ministry of Devolution and Planning-Performance Contracting Division (PCD) to assess the extent to which citizens are satisfied with performance of the National Government and Constitutional commissions estimated that the overall Citizen Satisfaction Index (CSI) calculated through Principal Component Analysis (CPA) reveals a dissatisfaction level of with equity and dignity displayed by constitutional commissions in service delivery (66%), especially in their respective reception and offices (63%), and staff courtesy, professionalism, knowledge and competence (61%) in service delivery. In addition, it was reported that citizens indicated they were dissatisfied with the use of innovation and technology (53%) in delivery of public services, complaints handling and redress (57%) accessibility, location and convenience of service delivery stations or points, and state of public facilities (57%) in service delivery. A number of voids exist in the immature board e-governance literature, regarding its adoption strategy and implementation process to enhance service delivery exposing a wide gap that needs to be filled with research in this field

A few studies have been carried out on constitutional commissions of Kenya. Drawing on empirical research conducted by Maina, Namusonge and Kabare (2016) on the role of Intrapersonal Traits in Service Delivery by Devolved Governments and the challenges of strategic plan implementation among Kenyan Constitutional Commissions. Koitie (2015) study focused on the effect of strategic change management practices and performance of Constitutional Commissions in Kenya. The findings of the study were that the constitutional commissions were undertaking strategic changes in order to align their strategies to the demands of the stakeholders and thereby matching the resources and activities of the organization to that environment. Further, Mwinzi and Kagiri (2018) study examined effect of performance appraisal methods on employee performance in Constitutional Commissions in Kenya, a case of Commission on Revenue Allocation of Kenya. Moreover, Wagana (2017) and Amuti (2017) studies are narrow and suffered from conceptual gaps since they only addressed merits and demerits of board governance and service delivery in the public sector in Kenya. The afore

mentioned empirical studies have yielded both conceptual, methodological and contextual gaps this study seeks to fill as it will focus on contribution of board governance on service delivery in constitutional commissions in Kenya. The trend informed the need to examine the relationship between board diversity and service delivery in constitutional commissions in Kenya.

RESEARCH HYPOTHESES

H₀₁: There is no significant relationship between board diversity and service delivery in constitutional commissions in Kenya.

LITERATURE REVIEW

The study was guided by the stewardship theory has its origin in the field of Sociology and Psychology as a development from the works of the earlier researchers. Contrary to the Agency theory, Stewardship theory holds that managers are stewards for the organization (Kabiru, Theuri, & Misiko, 2018). Further, it views the manager as one who protects the owner's wealth by maximizing it through performance, in which the steward (manager) simultaneously serving his or her own interests as well (Makori & Kinyua, 2019). This double – fold target is actualized through maximized profits since the management is part of the business and therefore they feel motivated with the success of the organization (Mabati, Onserio, Mutai, & Bii, 2020).

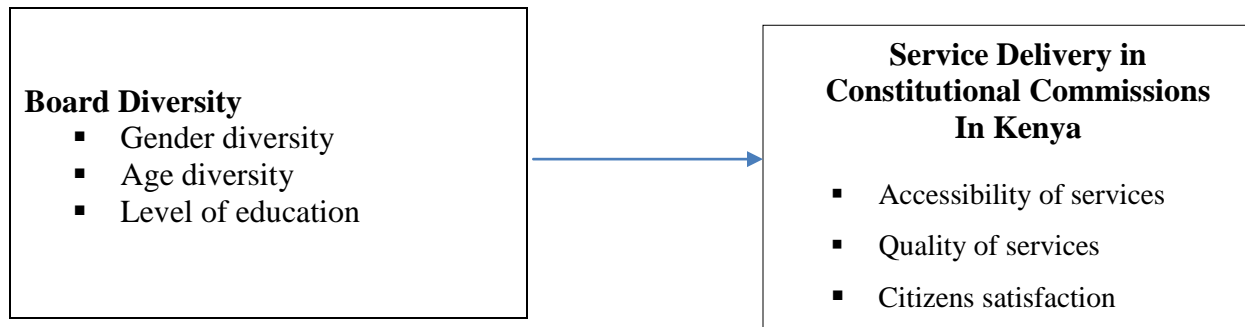
The stewardship theory holds that the agency costs such as monitoring and control are no longer necessary and that gives high value to the firm (Solomon, 2020). Unlike the Agency theory, Stewardship theory is anchored on the value of trust and not suspicions. Trust cultivates a healthy and worthy decision-making environment, sufficient in stimulating the achievement of organizational goals than conflict (Mok., Chan, & Wen, 2020). Stewardship theory hence supports the role of insider directors who possess crucial knowledge that ensures that managers make quality decisions that necessary in enhancing organization performance and progress.

Stewardship theory proposes that management rights among different parties who own the firm collectively (Minjire & Ogollah, 2017). The relationship between board independence to oversight management of constitutional commissions can enhance service delivery depends on the management of stewardship issues arising from the separation of power (Nyagilo & Njeru, 2020). The linkage between board independence and the service delivery of the constitutional commissions if any can be well explained by the stewardship theory (Maroa & Namusonge, 2019). Similarly, Muchai, Makokha and Namusonge (2018) explains that board independence provides incentives to monitor, but it also reduces the manager's initiative or incentive to acquire information. When discussing the effect of board independence on service delivery, (Kande, Namusonge and Mugambi (2017) argues that center of power may be more capable of monitoring and controlling the management, and thereby contributing to a better service delivery. Therefore, the current study adopted stewardship theory to expound on the association existing between the board diversity and service delivery in the constitutional commissions of Kenya.

Conceptual Model and Hypothesis

Conceptual framework can be defined as a set of broad ideas and principles taken from relevant

fields of inquiry and used to structure a subsequent presentation (Myers, 2013). The current study hypothesizes that board diversity linearly and directly influences service delivery of constitutional commissions in Kenya. The independent variable is board diversity. The dependent variable is service delivery in the constitutional commissions of Kenya. Service delivery is conceptualized as accessibility of services, efficiency of services, quality of services and citizen satisfaction (complements and complaints) in to the services in the constitutional commissions. In Kenya.



Independent Variables

Dependent Variable

Empirical Review

Board diversity refers to differences between board members and has been categorized between demographic dimensions and cognitive dimensions (Manyaga, Muturi & Oluoch, 2020). In today's business corporations, employees and top management not only are becoming increasingly diverse in terms of gender, age, and nationality, but also in terms of tenure, experience, educational background and socioeconomic status (Nyagilo & Njeru, 2020). A number of studies have examined the effect of general minority representation, without distinguishing between gender and ethnic minority, on quantifiable firm performance measures (Waweru, Mangena, & Riro, 2019). The concern over diversity on boards suggests that diversity would affect the dynamics of groups, improving the decision-making process (Sánchez-Teba, Benítez-Márquez, & Porrás-Alcalá, 2021) which hypothesize that greater demographic diversity (measured by the representation of women and ethnic minorities) among the board members increases organizational performance.

However, study results by Nyagilo and Njeru (2020) equally was inconsistent to prove the relevance of diversity among the board members with regard to financial performance, even though ethnic diversity was found to have significant impact on performance. Padilla-Angulo, (2019) study the impact of board diversity on strategic change, where board diversity is measured from a stakeholder perspective, found out significant differences in the way directors influence restructuring decisions depending on their stakeholder status. Results indicate the importance of including measures of board reflecting diversity of interests in board research to improve service delivery. Diversity within the members of top management team may bring potential costs to the organization, such as interpersonal conflicts and communication problems (Omware, Atheru, & Jagongo, 2020). Theoretically, there are a number of arguments in favor of diversity of board members (Rana & Mwangi, 2017). For instance, Ozdemir (2020) is of the view that diversity provides positive performance benefits to organizations.

Moreover, Quereshi (2020) argues that all over the world, women hold relatively few highly visible decision-making positions even though the female board membership is currently increasing. A study conclusion by Manyaga, Muturi and Oluoch (2020) recommends that the governments should implement regulations to increase female participation in senior management. Rasul and Rogger (2021) study highlights a potentially positive side of ethnic diversity in public sector organizations, in the context of Sub-Saharan Africa. Setati, Zhuwao, Ngirande and Ndlovu (2019) study examined the relationship between workforce diversity and performance of public sector organizations within the context of South Africa. The study findings indicated that workforce diversity affected performance of public sector organizations. Consistent with the current drive for gender balance within corporations in many developed and emerging countries, the Kenyan government is emphasize on a form ative action as a way to increase women representation at all levels requiring companies to establish policies for, and increase reporting on, board diversity. Even though Manyaga, Muturi and Oluoch (2020) argue that a large number of empirical CG-studies consider board diversity as an indicator of success for the international corporate practice, the current study therefore focuses on the constitutional commissions as an emerging market with the intention of assessing the extent to which the management of these organizations are diverse, and their effect on service delivery. Ileri and Guyo (2018) study on the influence of the County Public Service Board (CPSB), on the Devolved Human Resources Governance in Kenya, established that County Public Service Boards in Kenya had not developed an effective mechanisms to improve diversity to enforce the human resource governance in the Kenya especially on selection, appointment, promotion and dismissal of county employees and further subject to other guidelines provided in Chapter Six of the Constitution on leadership and integrity, Principles of public service and Article 232 which emphasizes competence qualifications for employment. All appointments are done in an atmosphere of public participation, equality, non-discrimination, gender equality, inclusivity in the letter and spirit of the Constitution. The study recommended that there is need to improve diversity to enhance service delivery in the county governments in Kenya.

RESEARCH METHODOLOGY

The target population for the study was all the constitutional commissions in Kenya as established in Constitution of Kenya (2010). The target population was the 202 (CEOs, Head of departments and Board members) in the constitutional commissions. The study adopted a census with respect of unit of observation and therefore ruled out application of any specific sampling technique. The study used a census since the population of 202 is small which less than 250 and the study aimed to reach all the respondents. The census approach is justified since according to Kinai and Were (2017) data gathered using census contributes towards gathering of unbiased data representing all individuals' opinions on a study problem (Kihara, Bwisa, & Kihoro, 2016). The study collected views from the respondents because they are involved in implementation of all aspects of board governance in the constitutional commissions and are seen to be information rich for the purpose of this study. From the piloted responses, using Statistical Package for Social Scientists (SPSS) version 21, Cronbach Alpha coefficient was calculated on the study variables to determine construct reliability. Mathematically, if there are p sub-items used, Cronbach Alpha coefficient (α) is calculated thus:

$$\alpha = \frac{p}{p-1} \left(\frac{S_t^2 - \sum S_i^2}{S_t^2} \right),$$

where S_t^2 is the variance of the scores for the summation of the individual sub-items and $\sum S_i^2$ is the sum of the variance of individual items. The Alpha coefficient can take any value from zero (shows that no internal consistency) to one (complete internal consistency) and in this case, as Larsson (2015) advice, the Cronbach Alpha coefficient of the sub – items was expected to yield an acceptable minimum coefficient value of 0.7. Items failing to satisfy this condition were dropped from the scale. This helped check the suitability and clarity of the questions of the instrument designed, relevance and comprehension of the information being sought, the language being used, logic and content validity of the instruments from the responses given.

RESULTS AND DISCUSSION

The study results in indicate that relationship between board diversity and service delivery was significant and positively correlated $\{(r(BD, SD; 186) = 0.658; p < 0.05)\}$. This means that any positive change in board diversity led to increased service delivery in the constitutional commissions in Kenya.). In today's business corporations, employees and top management not only are becoming increasingly diverse in terms of gender, age, and nationality, but also in terms of tenure, experience, educational background and socioeconomic status (Nyagilo & Njeru, 2020). A number of studies have examined the effect of general minority representation, without distinguishing between gender and ethnic minority, on quantifiable service delivery measures (Waweru, Mangena, & Riro, 2019). The concern over diversity on boards suggests that diversity would affect the dynamics of groups, improving the decision-making process (Sánchez-Teba, Benítez-Márquez, & Porrás-Alcalá, 2021) which hypothesize that greater demographic diversity (measured by the representation of women and ethnic minorities) among the board members increases organizational service delivery

Table 1: Correlation Matrix for Board Diversity and Service Delivery

		BD	SD
Board Diversity	Pearson Correlation	.1*	
	Sig.(2-tailed)		
	N		
Service Delivery	Pearson Correlation	.555**	.1*
	Sig.(2-tailed)	.000	
	N	186	

*. Correlation is only significant at the 0.05 level (2-tailed)
SD = Service Delivery, BD = Board Diversity

CONCLUSION AND RECOMMENDATIONS

The study findings confirm that there is a statistically significant relationship between board diversity and service delivery in the constitutional commissions in Kenya. It was possible to infer that the relationship between board diversity and p service delivery in the constitutional commissions in Kenya is positive and significant. The study concluded that board diversity was statistically significant in explaining service delivery in the constitutional commissions in Kenya. It was also concluded that board diversity is being adequately practiced in the constitutional commissions in Kenya. From the finding of the study results indicate that board diversity age, gender, level of education and nationality diversity had a positive effect on service delivery in the constitutional commissions. Education diversity has a positive effect on service delivery in the constitutional commissions. On the other hand, gender diversity has positive effect on service delivery in the constitutional commissions, so if the constitutional commissions increase the number of females in the board of directors, service delivery in the constitutional commissions will improve. The board needs to consist of well-educated and experienced professionals since they are actively involved in modelling the decisions of service delivery in the constitutional commissions. The board diversity will enhance productivity, creativity, and innovation on service delivery

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