



NATIONAL POLICE SERVICE COMMISSION

Vetting Process Frequently Asked Questions

Why Vetting?

Vetting is a constitutional requirement

Following the promulgation of the new Constitution, the entire legal framework for the police was redrafted, leading to the enactment of three distinct yet interrelated laws: the National Police Service Act, the National Police Service Commission Act, and the Independent Policing Oversight Authority Act. The NPS Act stipulates that *all members of the NPS need to undergo vetting to assess their suitability and competence and can only remain in the Service when they pass the vetting- Section 7(2) and (3)*. The section stipulates that the National Police Service Commission (NPSC) is the institution tasked to carry out the vetting.

What is Vetting?

Two meanings of vetting: Employment Vetting and Transitional Vetting

Employment Vetting is the vetting of nominees who are applying for a specific position.

Transitional Vetting applies to all staff within an institution, in order to identify those that are to be retained, i.e. those that pass the vetting and considered suitable and competent for police work.

WHAT ARE THE Vetting Objectives?

- I. Build confidence and trust in the National Police Service;
- II. Ensure that the Service complies with Chapter Six of the Constitution and the principles of public service as set out in Article 232 of the Constitution and in the Public Officer Ethics Act.

Who WILL BE vetted?

“All persons who were immediately before the commencement of [the NPS Act], officers or employees of the Kenya Police Force and the Administration Police Force, established under the Police Act Cap. 84 and the Administration Police Act Cap. 85 respectively, including officers working with the Criminal Investigations Department.” NPS Act Section 7(2).

WHAT PRINCIPLES GUIDE THE VETTING PROCESS?

- (a) All officers of the National Police Service shall undergo vetting, individually;
- (b) The vetting process shall be implemented consistently and the same procedural principles shall be applied in all cases;
- (c) Vetting shall be done in accordance with the values and principles set out in Articles 10, 27, 47, 50 and 232 of the Constitution;

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- (d) Vetting shall take into account the need to protect national security as defined in Article 238 of the Constitution of Kenya;
- (e) The Commission shall be guided by the principles and standards of impartiality, natural justice and international best practices;
- (f) The vetting process shall not be bound by strict rules of evidence and the proof applicable shall be that of a balance of probabilities;
- (g) Vetting shall be done in a transparent manner allowing for the person undergoing vetting to know and assess the information that has been used by the Commission to reach its decision

WILL THE VETTING BE PUBLIC OR PRIVATE?

The vetting process shall be open to the public provided that the Commission may decide to hold in camera proceedings in order to protect the right of privacy of any person in the vetting process or if it is in the interest of justice or national security.

An officer subject to vetting may apply for the proceedings to be held in camera on any of the grounds listed in the vetting regulations and the Commission shall determine whether to grant such application or not.

HOW WILL COMPETENCE AND SUITABILITY BE DETERMINED?

Competence and suitability of an officer shall be determined based on officer's record, conduct and performance in the present post and in any other previous position and may make observations as appropriate.

CAN AN OFFICER RETIRE VOLUNTARILY?

- An officer who is subject to vetting under these Regulations may decide to voluntarily retire from the Service before the officer is vetted and shall inform the Commission of such decision in writing.
- An officer who has voluntarily retired under sub-regulation (1) shall not subsequently be vetted.
- Where an officer has voluntarily retired, the Commission shall make retirement arrangements for such officer.

WHAT IS THE VETTING PROCESS

The Commission and every panel established under NPSC vetting regulations shall have all the powers necessary for the execution of its functions. These include:

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- Power to gather relevant information, including requisition of reports, records, documents or any information from any source, including governmental authorities, and to compel the production of such information as and when necessary;
- Interview any individual, group or members of organizations or institutions;
- Hold inquiries for the purposes of performing its functions under the Act or NPSC Vetting Regulations; and
- Conduct investigations to establish the veracity of information received.

In the performance of its functions, the Commission

- May inform itself in such manner as it thinks fit; and
- May receive on oath, written or oral statements.
- May make any orders for the purpose of preserving, inspecting, staying and preventing the wasting, damaging, alienation, sale, removal, or disposition of any property or evidence relating to any proceedings before it.

CAN THE COMMISSION CONSTITUTE VETTING PANELS?

- The Commission may constitute such number of panels and comprising such persons as the Commission shall determine.
- Where a panel in which there is no member of the Commission hears a matter, such panel shall make recommendations for decision by the Commission.
- The Commission may establish panels comprising such number of its members and co-opted persons, as it may deem necessary for the purpose of determining applications for review of vetting decision.

WHEN and where will the COMMISSION Sit?

- The Commission and a panel may sit at such times and place, as the Commission or the panel, as the case may be, shall determine.

WHAT DOCUMENT DOES AN OFFICER NEED TO SUBMIT?

- 1) A self-assessment form as prescribed by the Commission;
- 2) The officer's national identity card
- 3) The officer's certificate of appointment;
- 4) Academic certificates;
- 5) A duly completed declaration of income, assets and liabilities;
- 6) Bank statements for the last two years of all bank accounts (personal and business) that the officer, his spouse(s) and dependents under the age of 18 maintain;
- 7) A certificate of tax compliance; and
- 8) Any other or such document that the Commission shall deem fit and necessary for the furtherance of the vetting process.

WHAT ARE THE VETTING STANDARDS?

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In vetting an officer the Commission shall consider, assess and determine the suitability and competence of the officer. In determining the suitability and competence of an officer, consider the following:

- a. Whether the officer meets the constitutional or other criteria required by law for recruitment and appointment of an officer;
- b. The past record of an officer including conduct, discipline and diligence;
- c. The integrity and financial probity of the officer; and
- d. The human rights record of the officer.

WHAT HAPPENS IF AN OFFICER FAILS TO PARTICIPATE?

Where an officer willfully refuses to submit to the vetting process by failing to appear before the Commission for that purpose or by failing to obey an order of the Commission in respect to the vetting process with the result that the vetting process becomes compromised or impaired, the Commission shall treat such officer as having failed the vetting process and shall remove the officer from the Service.

NATIONAL POLICE SERVICE COMMISSION

VETTING QUESTIONNAIRE FOR MEMBERS OF THE NATIONAL POLICE SERVICE

SECTION 1A: PERSONAL INFORMATION

| | |
|---------------------------------|--|
| Surname | |
| Other Names | |
| Id Number | |
| DATE OF BIRTH (Dd/Mm/Year) | |
| Tribe | |
| County Of Birth | |
| Personal Number (Employment) | |
| Force Number | |
| Gender | |
| Date Of Entry In Police Service | |
| Mobile Telephone Number | |
| Work Telephone Number | |
| Home Postal Address | |
| Physical Address | |
| Current Police Station | |
| Current Unit | |

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| | |
|------------------|--|
| Years Of Service | |
|------------------|--|

SECTION 1B: DETAILS OF SPOUSE

| | |
|----------------------------|--|
| Surname | |
| Other Names | |
| Permanent Address | |
| Date of Birth (dd/mm/year) | |
| Residential Address | |
| Telephone Number | |
| Email Address (if any) | |

SECTION 2: ENTRY QUALIFICATIONS

Fill in your academic and professional qualifications

| Name of Institution | Course Taken | Year of Completion | Qualification Attained |
|------------------------|--------------|--------------------|------------------------|
| Primary School | | | |
| Secondary School | | | |
| High School (advanced) | | | |
| Diploma | | | |
| Higher Diploma | | | |
| University Degree | | | |
| Other | | | |
| | | | |

SECTION 3. PROFESSIONAL QUALIFICATIONS

| | Name of Police Training College | Year of Pass Out | Rank | Designation |
|----|---------------------------------|------------------|------|-------------|
| 1. | | | | |
| 2. | | | | |
| 3. | | | | |
| 4. | | | | |
| 5. | | | | |
| 6. | | | | |

Briefly describe other areas of specialization including the number of years

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| | Area of Specialization | Years in the Area |
|----|------------------------|-------------------|
| 1. | | |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |

SECTION 4. PROFESSIONAL EXPERIENCE

Indicate your history of postings starting with the most recent

| | Name of Station | Period Served | Rank | Designation |
|-----|-----------------|---------------|------|-------------|
| 1. | | | | |
| 2. | | | | |
| 3. | | | | |
| 4. | | | | |
| 5. | | | | |
| 6. | | | | |
| 7. | | | | |
| 8. | | | | |
| 9. | | | | |
| 10. | | | | |
| 11. | | | | |
| 12. | | | | |
| 13. | | | | |
| 14. | | | | |
| 15. | | | | |

SECTION 5: PROFESSIONAL CONDUCT AND INTERGRITY

1. Explain examples when you have been exceptionally involved in community service and what were the achievements (attach documentation).
.....
.....
.....
2. Explain any circumstances when your name has been mentioned positively or otherwise in any State report (attach relevant documentation).
.....
.....
.....
3. State any commendation that you have received as a result of carrying out your duties (attach relevant documentation).
.....
.....
.....
4. Explain any exceptional circumstances when you had to disobey an official order from a superior officer
.....
.....
.....
5. List instances in which you have received a disciplinary or warning letter. What were the reasons (attach relevant documentation)?
.....
.....
.....
6. To the best of your knowledge, is there any pending proceeding against you in a court of law or tribunal? YES ☐ NO ☐

If yes, briefly describe the case and attach relevant documentation to that effect
.....
.....
.....
7. Have you ever been alleged to be associated with illegal groupings, cartels, banned societies and political parties? YES ☐ NO ☐

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If yes, how do you respond to the allegations? Describe the organization and attach relevant documentation

.....
.....
.....

8. To the best of your knowledge has any public complaint been received about your professional conduct? If so how do you respond to this? (Attach relevant documentation)

.....
.....
.....

SECTION 7. Financial Probity

1. Have you ever declared a gift or any other donation in your official capacity? *If yes, please explain the circumstances*

.....
.....
.....

2. Have you participated in other gainful employment? YES ☐ NO ☐ *If yes, which one and attach relevant documentation*

.....
.....
.....

3. Do you maintain a bank account outside Kenya? YES ☐ NO ☐ *If yes, which one and attach relevant documentation (e.g Partnership deed, Business Registration)*

.....
.....
.....

4. To the best of your knowledge, has any proceeding been brought against you before a Court of law or Tribunal for involvement in any form of corruption? YES ☐ NO ☐

If yes, please explain the circumstances

.....
.....

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Please attach the following

- 1. Completed Income, Assets and Liabilities Declaration Form (please see attached)**
- 2. Bank statements for all accounts (personal and business, if any) for the last two years held by you, your spouse(s) and dependents below the age of 18**
- 3. Tax Clearance Certificate**

DECLARATION OF TRUTH

I..... on this day/...../..... declare that the information provided is true, correct and complete to the best of my knowledge, information and belief. I understand that a failure to provide correct information can be used against me in the vetting process, where it is discovered that such information was indeed within my knowledge. I am aware that providing false information may result in my removal from the National Police Service. I am acquainted with section 25 of the NPSC Act stating:

Any person who–

- a. in connection with an application, by himself or herself for employment, nomination or recommendation for appointment, confirmation in appointment, promotion, deployment or transfer in the Service; or*
- b. in connection with any matter upon which it is the duty of the Commission to require information or evidence, or into which it is the duty of the Commission to inquire, willfully gives to the Commission any information which is false or misleading in any material particular, commits an offence and shall on conviction be liable to a fine not exceeding two hundred thousand Shillings or to imprisonment for a term not exceeding two years or to both.*

Declaration

[] I intend to undergo the vetting.

[] I choose not to undergo vetting. I understand this will result in my removal from National Police Service.

Name

Date

Place

Signature

NATIONAL POLICE SERVICE COMMISSION
FORM FOR SUBMITTING INFORMATION ABOUT OR COMPLAINTS AGAINST OFFICERS OF THE
NATIONAL POLICE SERVICE
(To be completed by Members of the Public and Police Officers, Groups and Organizations)

SECTION 1: CONTACT DETAILS

| | |
|---------------------|--|
| SURNAME | |
| OTHER NAMES | |
| ID NUMBER | |
| POSTAL ADDRESS | |
| PHYSICAL ADDRESS | |
| TELEPHONE NUMBER | |
| EMAIL ADDRESS | |
| COUNTY OF RESIDENCE | |

Should your identity provided above remain confidential ☐ Yes ☐ No

SECTION 2. DETAILS OF OFFICER YOUR INFORMATION IS ABOUT

| | |
|--------------------------------|--|
| SURNAME | |
| OTHER NAMES | |
| NICKNAME | |
| POSTAL ADDRESS | |
| FORCE NUMBER (if known) | |
| DUTY STATION (current) | |
| DUTY STATION (previous) | |
| RANK | |
| MOBILE PHONE NUMBER (if known) | |

THE COMPLAINT(S)

- 1) Description of Complain: Provide details of the circumstances, location and Time

(Attach additional information)

- 2) Are you making this complaint on behalf of someone else, or for yourself?

Self ☐

Someone Else ☐

If someone else, who?

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3) Were you involved in the case you are complaining about:

☐ as a suspect

☐ as a witness

☐ as a victim

Otherwise, please specify

.....

4) Have you formally filed a complaint? ☐ Yes ☐ No

If Yes, Where:

☐ with police

☐ With DPP

☐ With IPOA

☐ with one of the independent commissions (specify)

Other

5) If you have already filed a complaint, please give details and copies of relevant correspondence.

.....

6) If not, please specify why you have not yet raised this complaint.

.....

7) Has the complaint been dealt with? If so, what do you think of the findings?

.....

.....

.....

Are there any other people who can support your complaint? Please give their names, and contact details.

a)

b)

c)

SECTION 3. COMMENDATION

Do you have any commendation for the Police Officer e.g. service to the public, courtesy, courage etc.? Please provide details of the Commendation:

.....

DECLARATION

I declare that the facts in this statement are true to the best of my knowledge, belief and information.

I am acquainted with section 25 of the NPSC Act stating:

Any person who—

- a. in connection with an application, by himself or herself for employment, nomination or recommendation for appointment, confirmation in appointment, promotion, deployment or transfer in the Service; or*
- b. in connection with any matter upon which it is the duty of the Commission to require information or evidence, or into which it is the duty of the Commission to inquire,*

willfully gives to the Commission any information which is false or misleading in any material particular, commits an offence and shall on conviction be liable to a fine not exceeding two hundred thousand or to imprisonment for a term not exceeding two years or to both.

Name -----
Date -----
Place -----
Signature -----

THIS FORM SHOULD BE RETURNED TO
THE CHAIRPERSON
NATIONAL POLICE SERVICE COMMISSION
OR

Email info@npsc.go.ke



NATIONAL POLICE SERVICE COMMISSION

Declaration of Income, Assets & Liabilities (The Public Officer Ethics Act, 2003)

1. Name of the Public Officer:

(Surname)

(First Name)

(Other Names)

2. Birth Information:

a. Date of Birth:

b. Place of Birth:

3. Marital Status:

■

■

4. Address:

a. Postal Address:

■

b. Physical Address:

5. Employment Information:

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a. Employment No. : _____

b. Designation: _____

■ c. Name of Employer: _____

■ d. Nature of Employment (Permanent, temporary, contract, etc)

6. Name of Spouse or Spouses:

(i) _____
(Surname) (First Name) (Other Names)

(ii) _____
(Surname) (First Name) (Other Names)

(iii) _____
(Surname) (First Name) (Other Names)

(iv) _____
(Surname) (First Name) (Other Names)

(v) _____
(Surname) (First Name) (Other Names)

(Attach additional list if necessary and state the names of your spouse(s) as appropriate)

7. Name of dependent children under the age of 18 years

(i). _____

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| | (Surname) | (First Name) | (Other Names) |
|-------|-----------|--------------|---------------|
| (ii) | <hr/> | | |
| | (Surname) | (First Name) | (Other Names) |
| (iii) | <hr/> | | |
| | (Surname) | (First Name) | (Other Names) |
| (iv) | <hr/> | | |
| | (Surname) | (First Name) | (Other Names) |
| (v) | <hr/> | | |
| | (Surname) | (First Name) | (Other Names) |
| (vi) | <hr/> | | |
| | (Surname) | (First Name) | (Other Names) |
| (vii) | <hr/> | | |
| | (Surname) | (First Name) | (Other Names) |

8. Financial Statement for

(A separate statement is required for the officer and each spouse and dependent child under the age of 18 years. Additional sheets should be added as required)

a. Statement Date

b. Income, including emoluments, for period from:

 to

- *(Including, but not limited to, salary and emoluments and income from investments. The period is from the previous statement date to the current statement date. For an initial declaration, the period is the year ending on the statement date.)*

| Description | Approximate Amount |
|-------------|--------------------|
| | |
| | |
| | |
| | |
| | |
| | |

c. Assets (as of the statement date)

(Including, but not limited to, land, buildings, vehicles, investments and financial obligations owed to the person for whom the statement is made.)

| Description (include location of asset where applicable) | Approximate Amount |
|---|--------------------|
| | |
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d. Liabilities (as of the statement date)

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(State all particulars of your liabilities as at the statement date and attach a separate sheet of the liabilities of your spouse(s) and dependent children under the age of 18 years prepared in a similar way)

| Description | Approximate Amount |
|-------------|--------------------|
| | |
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| | |
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| | |

9. Other information that may be useful or relevant:

(State any useful or relevant information relating the financial declaration including useful explanations)

I solemnly declare that the information I have given in this declaration is, to the best of my knowledge, true and complete.

Signature of officer: _____

Date: _____

Witness:

Signature: _____

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Name: _____

Address: _____

(The witness is any willing adult of sound mind. Do not use a child as a witness. The witness need not be your supervisor or a colleague at work. The witness should see you affixing your signature i.e. to witness the signing).