

**CORPORATE GOVERNANCE PRACTICES AND PERFORMANCE OF
INDEPENDENT CONSTITUTIONAL COMMISSIONS IN NAIROBI CITY
COUNTY, KENYA**

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JUNE, 2025

DECLARATION

This research project is my original work and it has not been presented to any other institution.

Signature.....

Date.....

JAMES GITHU

C156/CTY/PT/20052/2022

Supervisor Declaration

This is my confirmation as the supervisor to confirm the project was done by the student under my supervision.

Signature.....

Date.....

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DEDICATION

I dedicate this work to my dear parents, whose unwavering love, support, and encouragement have been the foundation of my journey. Your sacrifices, guidance, and belief in my potential have inspired me to pursue my dreams and strive for excellence.

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TABLE OF CONTENTS

DECLARATION	ii
DEDICATION	iii
ACKNOWLEDGEMENT	iv
TABLE OF CONTENTS	v
LIST OF TABLES	viii
LIST OF FIGURES	viii
OPERATIONAL DEFINITION OF TERMS	x
ABBREVIATIONS AND ACRONYMS	xi
ABSTRACT	xii
CHAPTER ONE: INTRODUCTION	1
1.1 Background of the Study	1
1.1.1 Corporate Governance	3
1.1.2 Organizational Performance	9
1.1.3 Independent Constitutional Commissions	13
1.2 Statement of the Problem	14
1.2 Objectives of Study	15
1.3 Research Questions	16
1.4 Justification and Significance of the study	16
1.5 Scope of the Study	17
1.6 Limitation of the Study	17
1.7 Organization of the Project	18
CHAPTER TWO: REVIEW OF RELATED LITERATURE	19
2.1 Introduction	19
2.2 Empirical Literature	19
2.2.1 Accountability Practices and Organizational Performance	19
2.2.2 Transparency Practices and Organizational Performance	21
2.2.3 Board Diversity and Organizational Performance	23
2.2.4 Risk Management Practice and Organizational Performance	25
2.3 Theoretical Framework	29
2.3.1 Agency Theory	30
2.3.2 Stakeholder Theory	31
2.3.3 Stewardship Theory	32

2.4 Conceptual Framework -----	34
CHAPTER THREE: RESEARCH METHODOLOGY-----	35
3.1 Introduction -----	35
3.2 Research Design -----	35
3.3 Description of the Study Variables-----	36
3.4 Study Locale -----	36
3.5 Target Population-----	36
3.6 Sampling Size and Sampling Procedure-----	37
3.7 Data Collection Instruments -----	39
3.8 Validity and Reliability of Data Collection Instrument -----	39
3.8.1 Validity of Data Collection Instrument-----	39
3.8.2 Reliability of Data Collection Instrument -----	40
3.9 Data Collection Procedure -----	41
3.10 Data Analysis and Presentation -----	41
3.11 Ethical Considerations-----	42
CHAPTER FOUR-----	43
RESEARCH FINDINGS AND DISCUSSIONS -----	43
4.1 Introduction-----	43
4.2 Response Rate-----	43
4.3 Reliability Results-----	44
4.3 Demographic Information -----	45
4.3.1 Gender of the Respondents-----	45
4.3.2 Respondents Employment Status-----	46
4.3.2 Level of Education -----	48
4.3.3 Working Experience -----	50
4.4 Descriptive Statistics -----	51
4.4.1 Accountability Practices and Organizational Performance -----	51
4.4.2 Transparency Practices and Organizational Performance-----	55
4.4.3 Board Diversity and Organizational Performance -----	59
4.4.4 Risk Management Practices and Organizational Performance -----	63
4.4.5 Organizational Performance of Independent Constitutional Commissions	67
4.5 Inferential Statistics -----	71
4.5.1 Model Summary -----	71

4.5.2 ANOVA -----	73
4.5.3 Regression Coefficients-----	74
CHAPTER FIVE -----	78
SUMMARY, CONCLUSIONS AND RECOMMENDATIONS-----	78
5.1 Introduction -----	78
5.2 Summary of the Study Findings-----	78
5.2.1 Accountability Practices -----	78
5.2.2 Transparency Practices -----	78
5.2.3 Board Diversity -----	79
5.2.4 Risk Management Practices-----	79
5.3 Conclusion-----	79
5.4 Recommendations for Policy and Practices-----	81
5.5 Recommendations for Further Studies-----	82
REFERENCES -----	83
APPENDICES -----	91
Appendix I: Letter of Introduction-----	91
Appendix II: Questionnaire-----	92
Appendix III: List of Independent Commissions in Nairobi County, Kenya -----	98
Appendix IV: Research Approval Letter -----	99
Appendix V: Research Authorization Letter -----	100
Appendix VI: Research Permit (NACOSTI)-----	101

LIST OF TABLES

Table 2.1 Summary of Empirical Literature -----	27
Table 3.1 Target Population -----	37
Table 3.2 Sample Size-----	38
Table 4.1 Response Rate-----	44
Table 4.2 Reliability Tests Results -----	44
Table 4.3 Gender Distribution of the Respondents-----	45
Table 4.4 Respondents Employment Status of the Respondents -----	46
Table 4.5 Level of Education of Respondents -----	49
Table 4.6 Working Experience-----	50
Table 4.7 Descriptive Statistics on Accountability Practices -----	52
Table 4.8 Descriptive Statistics for Transparency Practices -----	56
Table 4.9 Descriptive Statistics on Board Diversity -----	59
Table 4.11 Descriptive statistics on Organizational Performance of Independent Constitutional Commissions -----	67
Table 4.12 Model Summary-----	72
Table 4.14 Regression Coefficients -----	74

LIST OF FIGURES

Figure 2.1 Conceptual Framework	35
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OPERATIONAL DEFINITION OF TERMS

Accountability Practices	Means that the administrators and public servants must adhere to the financial reporting standards and independent auditing when performing their duties.
Board Responsibility	The framework that structures the board and how it operates
Corporate Governance	The process and structure of rules associated with management of an organization to direct and manage organization affairs to improve performance and corporate accounting with the aim of maximizing share interests.
Corporate Governance Practices	It entails structure of rules and processes that are associated with management of an organization. It constitutes practices such as accountability, transparency, equity and responsiveness.
Organizational Performance	Is the capacity of an organization to meet the optimal goal and objectives with the aim of satisfying their customers.
Risk Management Practices	These are techniques employed to recognize, control, prevent, and minimize occurrences or actions that might have a negative impact a project's implementation or lifetime
Transparency Practices	This is the openness and the good relationship between a firm and its internal and external stakeholders. This can be achieved through professionalism, good code of conduct, financial prudence and timely and accurate sharing of information

ABBREVIATIONS AND ACRONYMS

BSC	Balanced Scorecard
CSI	Citizen Satisfaction Index
EVA	Economic Value Added
KIPPRA	Kenya Institute for Public Policy Research and Analysis
NACOSTI	National Commission for Science Technology and Innovation
PCD	Planning-Performance Contracting Division
TI	Transparency international
VAIC	Value-Added Intellectual Coefficient

ABSTRACT

The major responsibilities of constitutional commissions are to protect the sovereignty of the people and to ensure that all state organs observe democratic values and principles, and to promote constitutionalism. However, majority of these commissions have not achieved their mandate. Sound corporate governance practices are a major contributor to effective and efficient management of state corporations. Since independence, the level of accountability in management of state corporations has continued to decline despite the availability of various monitoring structures like legal frameworks, ethics and integrity, policies and the code of conduct and ethics intended to provide a clear road map to successful performance of the state corporations. The general objective of the study was to find out the influence of corporate governance practices on performance of independent constitutional commissions in Nairobi city county, Kenya. The specific objectives were, to determine the effect of accountability practices, to assess the effect of transparency practices, to analyse the effects of board responsibility and to determine the effect of risk management practices on performance of independent constitutional commissions in Nairobi City County, Kenya. The study adopted the following theories, agency theory, stakeholder theory and stewardship theory. The theory used descriptive research design. The target population for this study was the 1426 employees in the fourteen Independent Commissions in Nairobi County, Kenya. To determine the sample size, the Fisher formula was used. The sample study included the 303 employees that made up of non-management staff, lower management staff, middle management staffs, and top management level of the fourteen Independent Commissions. A semi-structured questionnaire was used in collecting primary data from the target respondents. The questionnaire comprises of both open and close ended questions. Both descriptive and inferential analysis were adopted. Descriptive statistics included means and standard deviations while the inferential statistics included multiple regression analyses. The information obtained from data analysis was presented through tables and figures. The findings revealed that there is a strong relationship between the predictors; accountability practices, transparency practices, board responsibility, and risk management practices and the organizational performance of independent constitutional commissions in Nairobi City County, Kenya as indicated by P-value less than 0.05. The study concludes that corporate governance practices significantly influence the performance of Independent Constitutional Commissions in Nairobi City County, Kenya. The study recommended that government should prioritize the enhancement of corporate governance frameworks within Independent Constitutional Commissions (ICCs). Given the positive correlation between governance practices and performance, the government should institutionalize clear guidelines on accountability, transparency, and risk management. This could involve establishing dedicated oversight bodies that ensure regular auditing, performance evaluations, and compliance with governance standards across all commissions.

CHAPTER ONE: INTRODUCTION

1.1 Background of the Study

Many democracies all over the world, including Kenya have adopted independent constitutional commissions as a system of governance to improve service delivery. 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 (Ngairah, Namusonge & Nyang'au, 2022)

Statistics from the 2019 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) (2021) reported that 41% of Kenyans were dissatisfied with the constitutional commissions service delivery. An exploratory survey by Amnesty International (2021) 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 (Murindahabi, 2021).

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 (Mung'ale, Matanga, & Were, 2021)..

Governance practices are the tool used by the stakeholders to oversee management and safeguard the insiders' interests. The structure of governance chosen by an institution is founded on resolutions to decrease any impending exchange problems shaped by bounded rationality, on the one hand, and the threat of opportunism on the other hand. Public sector governance practices is distinguished from the private sector by its need for significant objective diversity and management constructs. Such governance practices components in the include transparency, internal controls, stakeholder participation and internal audit standards (Odhiambo & Omoro, 2020).

Globally, corporate governance practices have become critical in both developed and developing nations worldwide (El-Bassiouny & El-Bassiouny, 2019). Governance practices are viewed as ethics and moral duty of institutions. A variety of Governance frameworks have been developed and adopted in different parts of the world. Robert (2019) suggests that the governance of early U.S. organizations was superior to that of current organizations because early corporations governed themselves like republics, replete with numerous checks and balances against fraud and against the usurpation of power by managers or by large shareholders (Pillai & Al-Malkawi, 2018; Boatright, 2019).

African countries have decentralized their governance systems thereby necessitating the need for corporate governance mechanisms to be in place. Nigeria for instance, given its volatile nature of their central government has recognized the need to have

frameworks in place aimed at resolving problems stemming from the separation of ownership and control (Ejuvbekpokpo and Esuiké, 2018). Senegal is also a decentralized African state that has also battled with corporate scandals. Typical of other African states with decentralized mechanisms, more often than not, even when corporate scandals are reported, no known deterrent sanctions have been meted out on the culprits (Abidin and Ahmaa 2017).

In Kenya state corporations continue to undergo intensive reforms administered through the government task force and sessional papers in a bid to promote efficiency and effectiveness in the execution of their mandate by making sure they are financially stable and independent. More effort has been instilled with the aim of ensuring that these corporations are not only financial stable and independent but they can also financially support other government projects in return. For Kenyans to realize the dreams of vision 2030, effective and efficient corporate governance is paramount (Gitari, 2018).

1.1.1 Corporate Governance

According to Carmichael (2013) corporate governance can be defined as the systems and processes by which a government manages its affairs with the objective of maximizing the welfare of and resolving the conflicts of interest among the stakeholders. According to OECD (2017) corporate governance is the system by which business corporations are directed and controlled. The structure of corporate specifies the distribution of rights and responsibilities among different stakeholders in the corporation such as: the board, managers or CEOs, shareholders' customers, employees, among others; and spells out the rules and regulations for making decisions on corporate affairs. In so doing, it also provides the structure through which the

companies' objectives are set and the means of achieving such objectives and monitoring performance.

Corporate governance plays a significant role towards social progress and economic development. Corporate Governance has become an issue of worldwide importance as it plays vital role in promoting economic development and social progress. The efficiency and accountability of the corporation is now a matter of both private and public interest, and governance has, thereby, come to the head of the international agenda. From an international perspective the powers of transnational corporations, separation of ownership from control, viability of corporations and link between corporate governance and productivity are the drivers in the local scene the poor performance of state corporations coupled with rampant corruption, nepotism and decline in economic growth are the drivers toward corporate governance (Mwanzia, 2019). The various dimensions of corporate governance practices but this study will limit it's to accountability practices, transparency practices, equity practices and responsiveness practices.

Accountability can be defined as the duty to respond to queries and clarification on issues related to tasks and projects implemented by a representative on behalf of those who delegated the responsibilities. Accountability is an important value in every firm or sector in a society, however, accountability in public sector can be different from that in commercial sectors (Smyth, 2017). Barako and Brown (2016) suggest that accountability is vital in public governance since it influence the field of public finance while still being useful in wider array of important decisions and bodies that are accountable for making those decisions. When analyzing the concept of accountability examining and weighing the probability of the misuse of power by public officers where

they intend to control the latent of corruption of both public officials and offices is crucial.

Transparency describes the increased flow of timely and reliable economic, social, and political information about the monetary and fiscal policy, and the activities of institutions. Lack of transparency may exist if access to information is denied, if the information given is irrelevant to the issue at hand; or if the information is misrepresented, inaccurate, or untimely. Thus, a working understanding of transparency should encompass such attributes as access, comprehensiveness, relevance, quality, and reliability (Vishwanath & Kaufmann, 2018).

Board responsibility in corporate governance entails the framework that structures the board and how it operates (Naciti, 2019). According to Alabdullah, Ahmed and Muneerali (2019), responsibilities involve determining the long term aims of the company, providing leadership to achieve these aims, establishing a supervisory process to ensure that the management of the business is effective and also to report to shareholders on its performance. At its core, board includes the board's responsibilities and organisational well-being. Board responsibility is an important component of corporate governance which means being answerable or liable for something (Ullah, 2016).

Risk management refers to the systematic process of identifying, assessing, and mitigating potential risks that may arise in an organization. It involves the implementation of strategies and measures to minimize the likelihood of risks occurring, as well as the development of contingency plans to address risks if they do materialize (Carleton, & Lineberry, 2016). Risk management encompasses various aspects, including ethical considerations, participant safety, data integrity, financial

implications, and project timelines. It involves anticipating and proactively addressing potential risks that may impact an organization on its daily activities, Kerzner, (2017).

According to Lappalainen and Niskanen (2017) and Audretsch and Lehman (2017), the topic of governance among public sector organizations is still in its initial stages of development and as such there are few empirical studies that have been conducted on this area of knowledge. For instance, Zahra, Neubaum and Naldi (2017) determined the effect of ownership and governance on government bodies international knowledge-based resources in the United States of America and established the presence of independent outside directors and equity held by top management team positively affect the development of knowledge-based resources necessary for internationalization.

Rashid and Lodh (2017) determined the corporate governance and performance of Bangladesh SMEs through a review of 769 SMEs firms and established a positive relationship between various corporate governance mechanisms such as executives' pay, debt ratio and largest block holding and firm performance. Debt to equity ratio was on the other hand found to be negatively related to SME performance.

Durst and Henschel (2018) evaluated the practice of governance among small firms in the principality of Liechtenstein and Scotland and established that managing directors of small firm's view governance as not a control concept but rather as concept for managing the internal and external associations with the different stakeholders. Hatani and Farhan (2014) assessed the impact of personality traits and governance mechanisms on business performance of SMEs in Kendari City, Southeast Sulawesi in Indonesia and established that both personality traits and governance mechanisms positively effects the performance of SMEs in Kendari City. Umrani, Johl and Ibrahim (2015) examined the corporate governance practices and problems faced by Malaysian SMEs

and established that SMEs Malaysia have no documented code of governance- which has brought about challenges such as expropriation of the minority shareholders.

African countries have embarked on adopting the best mechanisms in corporate governance for their ability to positively influence sustainable growth. Hamad and Karoui (2011) determined the relationship between governance Mechanisms, practices, and the financial performance of 50 Tunisian Industrial firms established that both the ownership structure and the board of directors play an important role in enhancing the performance of firms. The study also found that existence of the board does not affect the performance of organizations. A survey by Abdelmoula (2014) who examined the influence of culture and governance on 120 Tunisians IT firms found that the experience and the training of managers of IT firms influence the organizational culture hence governance.

Dzigba (2015) determined corporate governance practice among Water sector firms in Ghana through examining 120 water service providers in the Accra Tema and Kumasi and established that although most of water sector stakeholders in Ghana had heard about Corporate Governance, the actual adherence to corporate governance principles is very low. Majority of the SMEs reviewed by Dzigba (2015) did not have board committees while those that had boards had an average of between 2 to 4 member boards. The study concluded that corporate governance practice among water sector firms in Ghana was very low.

A study carried out in South Africa aimed at analyzing and evaluating perceptions towards SME owner/managers and their consequences, on the survival and growth of SMEs. Primary data was collected from 9 provinces of South Africa, and 180 participants as samples. The research findings indicate that most respondents believed

that the growth and survival of SMEs is, due to the lack of business leadership and poor Corporate Governance. In addition, respondents agreed that SME owners/managers are just average entrepreneurs, as they do not have leadership qualities or skills and that Corporate Governance does not exist in many SMEs, particularly in South Africa.

Kenya has lately implemented a range of standards in their accounting and financial reporting system, including International Financial Reporting Standards (IFRS), International Public Sector Accounting Standards (IPSAS) modified or cash-basis. Further, county governments are now linked with Integrated Financial Management System (IFMS) to aid in effective public resource management. These standards help in realizing greater harmony within financial reporting and financial statements for county governments, as a way to encourage and boost entity's goals (Hamisi, 2017).

Njoroge, Muathe and Bula (2015), postulate that accountability can be boosted by assessing the compliance against certain standards. The annual reports should contain statements of consent with the Code of Best Practice of Corporate Governance, indicating all practices that ought to be adhered to by the county. Furthermore, Bobby Banerjee (2016) stated, corporate governance can be characterized as the practice by which organizations are made receptive to the constitutional rights and desires of investors in an organization.

Introduction of Integrated Financial Management Solution (IFMS) in Kenya has enabled the county and national government to track, analyse and consolidate all the financial transactions in a single system (Olali & Nyamwange, 2016). This has enhanced transparency, compliance and fiscal accountability in distribution and usage of public resources. It has also enhanced fiscal management in achieving more timely and precise financial statistics for both county and central government. IFMS uses high

technology in improving financial management hence reducing malpractices and corruption thereby enhancing transparency and oversight in government operations (Kiprotich, 2016).

According to Muna (2016), responsiveness of local government is important for the success of local economies since it ensure resources are efficient and effectively distributed to the local beneficiaries. In addition, Muna argued that participation is an essential factor when instituting a viable implementation system that will promote performance. Porter and Kramer (2018) added that an organization cannot generate value if it disregards the interests of involved parties such as customers, employees, local communities, and suppliers. Active participation of all stakeholders is essential in corporate governance since it encourage effective negotiation, management, collaboration, including dispute resolution between parties involved (government, public and stakeholders) and amongst the stakeholders themselves (Barnett, Henriques & Corregan, 2018).

1.1.2 Organizational Performance

Since performance is a relative measure and the objectives of an organization cannot be precisely defined, it becomes increasingly challenging to define performance (Şerban, 2017). However, several attempts to define performance generally and apply the idea of performance in economy on various scales have been made over the recent past (Arokodare & Asikhia, 2020). Further, Taouab *et al.* (2019) simply defines performance as the capacity of an organisation to efficiently employ its resources in order to create operational and financial results. Meanwhile, Arokodare and Asikhia (2020) define performance as an organization's continual improvement in financial metrics like profit after tax, return on assets, return on equity, net income margin, and

return on investment. However, Syafarudin (2016) defines as the result or accomplishment that is influenced by how the organisation uses its resources in its operations. Broadly speaking, performance in this research refers to the accomplishment of a specific task with a level of effectiveness and efficiency that exceeds the generally accepted standards (Mihaela, 2017).

Coad, Siepel and Cowling (2017) argue that the primary driver of performance is gain, which serves as a gauge of the way an organisation is achieving its expectations (Siepel & Dejardin, 2020). Conspicuously, there are some general characteristics of performance in the public sector that are attained through examining the ways of doing things correctly and doing the right things (Njeri, Elegwa & Anthony, 2018). Through the use of an appropriate information structure, performance is based on evaluating the efficacy and efficiency of prior actions.

When it comes to measuring performance, AlMujain *et al.* (2021) submit that since performance is multidimensional, then it should cut across; financial performances (economic), operational performances, or behavioural performances (individual performance). Accordingly, measure of performance gives management the ability to analyse, evaluate, modify, combine, and adapt current approaches to fit local demands and eventually enable organisations to put their vision and strategy into practice (Rafiq. Saif, José Mário, Rui, Shumaila & Anabela, 2021; Alani, Firdouse & Diana, 2018). Specifically, Mihaela (2017) postulates that whenever implementing the synergy between shareholder and stakeholder theories, value-added indicators: Economic Value Added (EVA) and Value-Added Intellectual Coefficient (VAIC) must be looked into. This is because EVA is significant for shareholders, and VAIC is significant for stakeholders. Thus, Mihaela (2017) argues that performance is measured in economic

terms (profitability, growth, market value, total return on shareholder) and value addition terms; and customer satisfaction (Arokodare & Asikhia, 2020; Arokodaree al., 2020).

In addition to this, epochs have changed to considering employee productivity as reference for measuring performance (Simon, Njuguna & Kivaa, 2021). Meanwhile, Rothaermel (2017) postures that so as integrate to financial and strategic goals in construction of performance measures, accounting profitability, wealth maximization, and financial value need be included in the Balanced Scorecard (BSC) Model. Nowadays, in addition to firm profitability, employee productivity, efficiency, customer satisfaction, and effectiveness are currently being championed by BSC as useful measure of performance (Rothaermel, 2017). Based on this review, key qualities of efficiency, customer satisfaction, effectiveness, and productivity appear to receive equivalent attention.

Guided by review of measures displayed by other authors, the current study will measure performance using efficiency, effectiveness, employee productivity, and customer satisfaction as argued by Rafiq et al., 2021, Simon et al., 2021, Arokodare & Asikhia, 2020; Arokodaree al., 2020, Alani et al, 2018, and Rothaermel (2017), and not financial indicators (such as wealth creation and profitability) as argued by AlMujain et al. (2021), Siepel and Dejardin (2020), and Mihaela (2017). This is consideration of the fact that performance refers to the accomplishment of a certain task with a level of effectiveness and efficiency that exceeds the generally acknowledged norms (Mihaela, 2017). More so, based on convergence of shareholder theory and stakeholder theory (dual-investor theory) with the BSC, the measure of performance ultimately results into; firm profitability, growth performance (effectiveness, employee productivity and

efficiency), and customer satisfaction (Truong, Nguyen & Duong, 2020). That constitutional commissions are not profit-making entities, then firm profitability is not applicable.

M'Mugambi, Okeyo and Muthoka (2021) define efficiency as the organisation's success in keeping costs down, optimizing revenues, or increasing profits given the available uniqueness. In performance, efficiency refers to holding those with delegated authority accountable for carrying out agreed tasks in accordance with agreed-upon performance criteria (Kisuko, Githui & Kweyu, 2022; Cuenca, 2020). Efficiency represents the degree to which an organization, as a social system with some limited resources and means, achieves its goals without an excessive effort from its members. Performance considers the efficiency of using business means during the production and consumption process (Nguyen, Nguyen, & Do, 2021). The greater the efficiency, the greater the likelihood that organisations will increase develop their production in order to satisfy their customers and meet their obligations. Thus, increasing the efficiency of assets will increase the performance.

Effectiveness means magnitude to which outcome have been accomplished to fulfil the desired goals, that is undertaking accurate tasks (Demirguc-Kunt, Klapper, Prasad, 2017). It is frequently used to assess governance and include measures of government capacity to provide public goods. Effective performance necessitates creating a win-win scenario for the organisation and its stakeholders. The effectiveness is a crucial component of the global organizational performance, which can be assessed through maximizing the entire returns of all kinds. as a concept (Taouab et al., 2019). Effectiveness of an organization, is an indication of success and indicates manner that an organizational is performing effectively to achieve its goals successfully. Achieving

effectiveness is fundamental to managers and employees as it help to measure how successful organisations realize their missions through their core strategies (Mihaela, 2017).

1.1.3 Independent Constitutional Commissions

The existence of commissions and independent offices is traced back to international factors with the recognition that some functions are needed to increase democracy and accountability and this is only possible with the formulation of offices independent and outside the control of the formal government. Most of these commissions deal with human rights protection as set by the Paris Principles from the UN General Assembly sitting of 1993. The Paris Principles set the bare minimal measures that the national human rights body should hold for such a body to be considered and to function as an independent body. The Commissions and Independent offices were set outside the control of senior government bureaucrats and politicians due to their excess influence, corruption and partiality measures when handling matters that deal with humanity and their rights (Kumar, 2018).

Article 248 of the Constitution establishes ten (12) commissions and two (2) independent offices. These commissions differ from previous commissions under the 1969 Constitution. These have an express provision outlining their independence from other arms of Government, and are supposed to be administratively and financially delinked from the executive, parliament and judiciary (Sihanya, 2013). The commissions and independent offices are expected to check presidential and public authority at two levels. The demands of the Kenyan people keep on changing depending on the prevailing situation, such as economic, political and social dispensation. Consequently, the constitution commission should continuously change and accept

change in order to meet the aspirations of the Kenyan people. The general constitutional mandate of all commissions under Article 249 is to protect the sovereignty of the people, secure the observance by all state organs of democratic values and principles, and promote constitutionalism.

The commissions and independent offices are expected to check presidential and public authority at two levels. First, the general constitutional mandate of all commissions under Article 249 is to protect the sovereignty of the people, secure the observance by all state organs of democratic values and principles, and promote constitutionalism. Second, the constitutional commissions have been mandated with specific constitutional powers that, under the 1969 Constitution, were presidential powers, or were statutory powers usurped by the President. These include powers to constitute and abolish offices in the public service, powers to alter administrative boundaries, powers on revenue allocation, and financial and administrative powers over Parliament and the Judiciary (Sihanya, 2013).

1.2 Statement of the Problem

The independent commissions in Kenya have struggled to maintain their operations due to challenges emanating from under-funding, interference by the arms of government and governance. According to Controller of Budget (2022), the budgetary allocations for the independent commissions fluctuated with a margin of between 5% and 15% during 2017 and 2021. In overall, the commissions also suffered from under staffing within the recent five years with shortages of between 50 and 200 employees. As a result, independent commissions in Kenya performed unexpectedly poor due to various issues related to corporate governance that have hindered the overall performance of the commissions. Yet as recently as 2013, a Global Economic study reported that 61%

of the organizations globally covered in the study acknowledged that their firms often struggle to bridge the gap on corporate governance (Ordanini & Rubera, 2017).

There is limited research on corporate governance within independent commissions, and the existing studies present conflicting findings. For example, Amuti (2015) examined the challenges faced when implementing strategic plans by Kenya's constitutional bodies. The study concluded that the design, execution, and monitoring of these plans significantly influence whether they are successfully adopted. However, this research did not specifically address governance issues. Similarly, Ochieng (2019) argued that the institutional architecture of an independent body ultimately determines its effectiveness as a catalyst for accountability within government. While this assertion is compelling, neither the acceptance nor rejection of the theory has been empirically tested. Additionally, Cheeseman and Elklit (2020) developed a methodology to assess the effectiveness of independent commissions.

Previous research has also largely overlooked the role of the public sector when examining organizational performance and governance practices. For instance, studies by Mburu (2015), Ndiiri (2016), Lerno (2016), Hope (2017), and Ngugi (2017) have explored performance and governance practices; however, their findings remain inconclusive regarding the impact of good governance on organizational performance and whether it is influenced by the governance practices embraced by these bodies. Based on these gaps, this study aimed to determine the effect of corporate governance practices on the performance of independent constitutional commissions in Nairobi City County, Kenya.

1.2 Objectives of Study

The specific objectives included:

- i) To determine the effect of accountability practices on performance of independent constitutional commissions in Nairobi City County, Kenya.
- ii) To assess the effect of transparency practices on performance of independent constitutional commissions in Nairobi City County, Kenya.
- iii) To analyse the effect of board diversity on performance of independent constitutional commissions in Nairobi City County, Kenya.
- iv) To determine the effect of risk management practices on performance of independent constitutional commissions in Nairobi City County, Kenya.

1.3 Research Questions

- i) What is the effect of accountability practices on the performance of independent constitutional commissions in Nairobi City County, Kenya?
- ii) What is the effect of transparency practices on the performance of independent constitutional commissions in Nairobi City County, Kenya?
- iii) What is the effect of board diversity practices on the performance of independent constitutional commissions in Nairobi City County, Kenya?
- iv) What is the impact of risk management practices on the performance of independent constitutional commissions in Nairobi City County, Kenya?

1.4 Justification and Significance of the study

The constitutional commission in Kenya have a special mandate of protecting the sovereignty of the people; to ensure that all state organs observe democratic values and principles; and to promote constitutionalism. This study will provide empirical evidence on how corporate governance influence organization performance.

Future researchers can use this study as a basis of other researches that may be conducted in the future, and therefore it may assists in validation of the research

findings and refining of the studies conducted in the future after researching sufficiently using data gathered on observations and studied

The research will support managerial personnel of independent commissions to recognize practices of good governance that have highly contributed to the improvement of their performance over time and those that require in-depth enhancement.

The government of Kenya and policy makers understands the importance of corporate governance on organizational performance and therefore they will be able to come up with policies and regulations to promote good corporate governance in the organizations.

1.5 Scope of the Study

The independent variable was corporate governance practices, while the performance of independent constitutional commissions was the dependent variable. The context of the study was Nairobi City County, Kenya. Respondents were drawn from the 14 independent commissions shown in Appendix III.

1.6 Limitation of the Study

Stakeholders working in the independent commissions operated in a very political environment, which made respondents wary of disclosing crucial data for the study, posing a problem of objectivity. However, this issue was alleviated by providing a letter from the institution (Kenyatta University) and a National Commission for Science Technology and Innovation (NACOSTI) authorization, which demonstrated that the research was conducted solely for academic purposes.

1.7 Organization of the Project

This study is categorized as follows: Chapter one discusses the study's backdrop in order to clarify the study's problem. The review of the theoretical and empirical literature that is pertinent to the study's specific goals is covered in chapter two. The study's methodology is covered in Chapter three of the book. Other items that are focused on in the chapter are the research design, the target population, the sampling design and techniques, data collection method, validity and reliability as well as the ethical issues in the research study. Chapter four presents the findings and discussion while chapter five outlines the summary of the study findings, conclusion and recommendations.

CHAPTER TWO: REVIEW OF RELATED LITERATURE

2.1 Introduction

This chapter presents both empirical and theoretical literature relating to performance and corporate governance practices. It also captures the conceptual framework illustrating the link between dependent variable and the independent variables.

2.2 Empirical Literature

2.2.1 Accountability Practices and Organizational Performance

Accountability is defined as the duty to respond to questions and clarification on concerns related to tasks and projects implemented by a representative on behalf of those who delegated the responsibilities (Smyth, 2017). Accountability is a vital value in every institution or sector in a society, however, accountability in public sector is different from in commercial sectors. Accountability can be attributed to Westminster system of government since electorates are the ones who have the right to information on all undertakings done by the elected government such as the regulations enacted and the how expenditure is utilized by the government (Akech, 2018).

According to Barako and Brown (2016), accountability is essential in public governance. Its influence is not only on field of public finance but also useful in wider array of essential decisions and bodies that are accountable for making those decisions. When analyzing the concept of accountability examining and weighing the probability of the misuse of power by public officers where they intend to control the latent of corruption of both public officials and offices is crucial (Abuodha, 2011).

Han and Hong (2016) examined accountability effects on organizational performance in the US Federal Government. As witnessed by employees of public organizations, the study discovered a link between organizational performance levels and responsibility

in three roles: performance evaluation, human resource management, and competition. The three functions of accountability and performance in the sector have been linked in a positive way. The study's findings indicate that, the degree of accountability displayed in performance evaluation, recruitment, and reward all had a favorable and significant effect on the performance of the organization.

Kamau, Machuki and Aosa (2018) conducted a study on the influence of accountability on the performance of financial institutions in Kenya. Data was analyzed using regression analysis; the results indicate that accountability has a statistically significant influence on the performance of financial institutions. Board skills and board committees were found to be important predictors of the firms' performance. However, whereas board skills had a positive influence, board committees were found to have a negative influence on performance. The study found that possession of requisite skills is one of the most important considerations in the appointment of board members.

Ullah *et al.*, (2016) study on the effect of corporate accountability and transparency on performance of manufacturing firms in Pakistan. "The researchers found a positive relationship between accountability, transparency and organizational performance. The study findings illustrated that accountability and transparency had a significant impact on the firm performance. The study reviewed was limited to one of the corporate governance's constructs corporate accountability and transparency and was also conducted among manufacturing firms in Pakistan.

Lasisi (2017) study established a positive but not statistically significant relationship between corporate governance mechanisms and financial performance of non - financial firms listed on the Nigerian Securities Exchange. The corporate governance dimensions studied were board independence, audit committee independence, board

size, number of board meetings, and executive compensation. The study utilized secondary data which was gathered from financial statements for the period 2011–2015. The study used Tobin's Q, capital and asset returns as proxies of financial performance. This study looked at different constructs for corporate governance as compared to the current study which could have led to the positive but insignificant relationship. In addition, the study used secondary data for analysis which differs with primary data in analysis. This therefore creates a methodological gap

2.2.2 Transparency Practices and Organizational Performance

Christensen (2017) in explains two dimensions of transparency: transparency as a condition and transparency as a strategy. Transparency as a condition entails the extent to which a company shares information about its future goals and involves the participation of the company's members to create trust among stakeholders, partakes in informed decision making, and encourages greater involvement in the organization. Transparency is a core value which is part of an organization's culture. Transparency is about a company-wide access to information, processes and strategies that supports employees to act innovatively and autonomously on behalf of the company. Transparency is created and modelled by leaders. Transparency is not a major component in every organization's culture; it depends on the organization's goals and purpose. However, leaders and culture can change and so can transparency.

Schnackenberg (2018) investigated the constitutive influence of Transparency in Organisations. The study developed a systematic concept of openness and explores empirically its relationship to trust, organisational integration and knowledge. Quasi-experimental research shows that openness greatly predicts the utility of trust, organisation, and knowledge. This study demonstrates that institutional openness

expectations are significant. Openness works in institutional communications across contexts. Institutional interactions seem to be less used by people because there is little accountability.

Berggren and Bernshteyn (2018) looked at organisational transparency that drives corporate success. In an attempt to expound on the logic of value production by improved organisational accountability in human resources in their work. They contrasted the state of today's organisations, where honesty is a key factor of performance. In addition, openness is broken down into logical value creating steps. Insight is focused on practical practice consulting with a number of organisations on these topics and program architecture to support logic. They found that modern businesses take measures to boost their success by improved disclosure effectiveness, while few do so. There is no prescription of a universal model but a simple sequence of foundations is discovered.

Bukhala (2013) in a study on use of strategic approach to procurement of goods and services in Kenyan Public Universities opined that transparency is a fundamental undertaking which ensures that the performance of procurement systems is not jeopardized. The principle enunciates that there should be open access to information in public procurement management. Access to information by all legitimate interested stakeholders should be a priority of any public procurement dealing. Transparency is tinted as a major aspect that has been dealt with in public procurement, including its importance to public procurement and relevance on the economic activity of the country. Public procurement tends to encourage the local organizations over foreign suppliers to be transparent in order to enhance economic growth. Additionally, procurement by various arms of government can also result to growth in innovation

among organizations within a specified region if transparency is not overlooked as one of the fundamental drivers.

Baxter, Bedard, Hoitash, and Yezegel, (2018) in their study on transparency and firm performance indicate that firms with quality business risk management governance perform better and are highly valued than the firms with low standard business risk management governance systems. The developed business risk management systems and controls should be reviewed from time to time in order to identify, access, mitigate and monitor risk that would otherwise explode and cause damage to the positive realization of the firm's objectives and goals. Modern managers have tried to internalize mechanisms to mitigate risks without much success due to divergence of personal incentives.

2.2.3 Board Diversity and Organizational Performance

The board of directors provides a formal link between the stakeholders and the management of the firm. The board has final accountability of the purpose and reason for the existence of a firm. Many researchers have described the board as being a top body for the control of decision-making process in relationship to corporate governance. The board of directors of State Corporations in Kenya face numerous challenges due to the nature of agency they represent. On the contrary the board of directors of private organizations have a well-defined spectrum of the stakeholders they represent in the agency (Alabdullah & Muneerali, 2019).

Dagsson and Sallberg (2011) conducted research on how age range of the board of directors impact firm's performance. This research was done among the Swedish public firms. Longitudinal research model was used to conduct the research where the research relied on second party data. It was found that age diversity of board members

significantly and positively influenced firm performance as evaluated by ROA. The study presented a contextual gap that differs from the current study. This study was cross-sectional where primary data was collected thus presenting a methodological gap.

Khidmat, Khan and Ullah (2020) conducted research on influence of board member's diversity on firm performance for Chinese Listed Companies. The data was narrowed from Shanghai SSE 180 the Shenzhen 100 firms between the years (2007 – 2016). The study substantiates that gender, variations in education and foreign diversity evaluated by Blau demonstrated positive outcome on the Chinese company as witnessed by both financial and marketplace measures. The age diversity and autonomy diversity are indispensable determining factor of firm performance in Chinese companies.

Eulerich and Van (2019) conducted a study in Germany with an aim of determining board management diversity and its influence on corporate performance. In the findings, the researchers established that age, nationality and gender did not influence corporate performance. However, level of education and experience largely influenced corporate performance.

Rashid (2017) conducted a survey in Bangladesh, which sought to establish the link of Board Independence and organization performance. The researchers established that, having outsiders to execute some of the board functions helped in enhancing the independence of organizations because senior management could not influence most of them or directors of the organization hence could make any decision aimed at improving the value of the organization.

In Malaysia, Qadorah and Fadzil (2018) conducted a study with a purpose of establishing the influence board independence had on the performance of a firm. The

researcher adopted survey research design, used only questionnaires as a research instrument and analysed the data using descriptive and inferential statistical tools. Notably, frequencies, & percentages of responses were given and at an advanced level of analysis, regression was conducted. In the findings, the researchers noted that there was a beneficial significant connection between independence of the board and performance of an organization. The findings coincided with the tenets of the principle theory, which opined that the board in this content should act on behalf of the shareholders.

2.2.4 Risk Management Practice and Organizational Performance

According to Faguet, Fox and Poeschl (2014), democratic control serves to strengthen responsiveness in local governance. Liberal democracy in Africa overtime has worked contrary to the growing democracy in several African republics. Furthermore, it has engrossed the government in societal flaws, which hinders successful intervention of government actions and processes, precisely on matters of accountability, justice, and responsiveness of government to the public and service delivery (Adetula, 2011).

Kinyua (2018) conducted a study on the assessment of risks as a component of corporate strategy in selected life insurance firms in Kenya. The research employed a descriptive survey design. The population of the study consisted of only 23 insurance firms involved in life insurance. The findings of the study indicated that the top three risks faced by insurance firms were competitor risk, regulation and de-regulation risk and industry economics risk respectively. Competitor risk was characterized by companies competing for the restricted market which was not made any better by the worsening economic situation.

Pimchangthong and Boonjing (2017) investigated the effect of risk management practices on performance of IT projects. The study adopted a descriptive research design and a total of 200 project managers, IT managers and IT analysts working in IT firms were interviewed. The researcher successfully administered questionnaires consisting of both open ended and closed ended questions to the study respondents. Data collected was then analyzed using descriptive statistics. Findings of the study revealed that risk transfer strategies such as high-risk premiums, signing of legal agreements and outsourcing influenced the performance of the firm's IT projects.

Ubani, Amade, Benedict, Aku, Agwu, and Okogbuo (2018) conducted a study in Nigeria to investigate the influence of risk management practices on construction industry. The study adopted a case study research design and the study' target population consisted of contractors, clients and consultants in the construction industry. A total of 84 respondents represented the sampling size. For data collection the study adopted use of questionnaires that were administered t 15 construction companies. Data collected was then analyzed using SPSS and the findings of the study revealed that the construction firms adopted risk control strategies through identification of the risk, quantifying and responding to the risk in accordance to risk management policy of each firm. The findings of the study further implicated that all of the construction firms adjusted plans and scope of work in order to counter risk effects, monitoring risk making timely decisions and keeping project managers informed about possible risk.

Aimable, Shukla and Oduor (2018) conducted a study in Rwanda to investigate the effects of risk management strategies on the performance of construction projects. The study adopted a descriptive research design and a total of 291 project team located in 4 districts were the study' population. The study used simple random sampling and the

sample size was 169. Study employed structured questionnaires, documentary review and In-depth interviews for data collection and for data analysis the study adopted qualitative analysis techniques. Findings of the study revealed that identifying risk event, quantifying risk, responding to risk as defined in risk management plan had a positive effect on performance of the construction projects.

Table 2.1 Summary of Empirical Literature

Author(s) and Year	Study's Focus	Study Findings	Knowledge Gap	Current Study's Focus
Han and Hong (2016).	Accountability effects on organizational performance in the US Federal Government	a link between organizational performance levels and responsibility	The context of the current study is not clear	The context of study will be independent constitutional commissions in Nairobi city county, Kenya
Kamau, Machuki and Aosa (2018).	Influence of accountability on the performance of financial institutions in Kenya	Accountability has a statistically significant influence on the performance of financial institutions	The study population is not clear	The study population will be clear
Ullah <i>et al.</i> , (2016)	Effect of corporate accountability and transparency on performance of manufacturing firms in Pakistan.	a positive relationship between accountability, transparency and organizational performance	The study is in the manufacturing sector	The study will be in the public sector
Lasisi (2017).	Corporate governance mechanisms and financial performance of non - financial firms listed on the Nigerian Securities Exchange	a positive but not statistically significant relationship between corporate governance mechanisms and financial performance	The study was conducted in Nigeria	The study will be conducted in Kenya

Schnackenberg (2018)	Constitutive influence of Transparency in Organisations.	Openness greatly predicts the utility of trust, organisation, and knowledge.	The research methodology is not clear	This study used descriptive research design
Berggren and Bernshteyn (2018) looked at	Organisational transparency that drives corporate success.	Modern businesses take measures to boost their success by improved disclosure effectiveness	The study population is not clear	The study population will be clear
Bukhala (2013)	Strategic approach to procurement of goods and services in Kenyan Public Universities	Opined that transparency is a fundamental undertaking which ensures that the performance of procurement systems is not jeopardized	This was a desk top research	Actual data will be collected and analysed
Baxter, Bedard, Hoitash, and Yezegel, (2018)	Transparency and employee performance	Firms with quality business risk management governance perform better and are highly valued	Study had conceptual gaps of being interested in employee performance	This study will be interested in organizational performance
Dagsson and Sallberg (2011)	How age range of the board of directors' impact firm's performance	Age diversity of board members significantly and positively influenced firm performance as evaluated by ROA	The research methodology is not clear	This study used descriptive research design
Khidmat, Khan and Ullah (2020)	Influence of board member's diversity on firm performance for Chinese Listed Companies	Age diversity and autonomy diversity are indispensable determining factor of firm performance in Chinese companies	The context of the study is a developed country	The context of the current study will be a developing country
Eulerich and Van (2019)	Board management diversity and its influence on corporate performance	Established that age, nationality and gender did not influence corporate performance	The study's scope was largely on the private firms	The context of the current study will be the public sector.

Rashid (2017)	The link of Board Independence and organization performance	Having outsiders to execute some of the board functions helped in enhancing the independence of organizations	The scope of the study is not clear	The scope will be independent commissions
Kinyua (2018)	Assessment of risks as a component of corporate strategy in selected life insurance firms in Kenya	Top three risks faced by insurance firms were competitor risk, regulation and de-regulation risk	Data analysis was not clear	Data analysis will be clear
Pimchangthong and Boonjing (2017)	The effect of risk management practices on performance of IT projects	Risk transfer strategies influenced the performance of the firm's IT projects.	The study population is not clear	The study population will be clear
Ubani, Amade, Benedict, Aku, Agwu, and Okogbuo (2018)	The influence of risk management practices on construction industry	Construction firms adopted risk control strategies	The study is in the construction sector	The study will be in the public sector
Aimable, Shukla and Oduor (2018)	The effects of risk management strategies on the performance of construction projects.	Risk management plan had a positive effect on performance of the construction projects.	The study is in the construction sector	The study will be in the public sector

(Source, Empirical Literature, 2024)

2.3 Theoretical Framework

This section provides the foundational perspectives underpinning the relationship between corporate governance practices and organizational performance. Three prominent theories; Agency Theory, Stakeholder Theory, and Stewardship Theory offer valuable insights. These theories help elucidate how governance structures,

stakeholder interests, and managerial behaviors influence the effectiveness and accountability of independent commissions

2.3.1 Agency Theory

The concept of agency was first conceptualized by the proposition of Modigliani and Miller (1958) on capital structure theory. “The theory proposed that in a fully efficient market there are no transaction nor agency costs hence investment decisions are independent of capital structure. Jensen and Meckling (1976) built on the Modigliani and Miller theory model by theorizing the relationship between the principal (shareholder) and the agent (manager). In support of Mackling’s argument on separation of ownership from principal to agent, creates conflict of interest resulting into agency costs. The management thus, creates loopholes through which huge benefits intended for the stakeholders are manipulated.

The agency theory defines the relationship between the Principal and the Agent where the principal invests the trust in the Agent with view of realizing successful performance of the entrusted activities. “Likewise, Jensen and Meckling (1976) in their model reveal that the conflict of interest between the principal and the agent arises from the fact that the agent gets involved in incentives different from the principal’s. The agent/ principal relationship created gives rise to the agency risk. Managerial decision making is the main ingredient in the agency relationship in facilitating corporate governance practices. It affords the alignment of the stakeholders’ aspirations with the expected performance by the management. Costs to the stakeholder are increased when the pursued interests of the management overrides those of the stakeholders through inefficiencies and dissatisfactions.”

To solve the principal-agent issue, businesses should create and implement an efficient business policy framework that ensures the interests of the principal and those of the agents do not conflict in any way. This goal will be accomplished by employing moral hazard tactics, which center on rerouting the agents' actions and activities to align them with the priorities, goals, and aims of the principles (Shogren & Raley, 2022). Many proponents of this theory postulate that, the use of moral hazard approaches help to resolve relational conflicts between the two parties through “reducing agency loss.” Some of the ways, which can be adopted to resolve relational conflicts between the principals and the agents, include - the use of performance-based compensation, and paying agents salary, allowance, and other privileges based on organizational performance, outcome, and profit margin (Naz, Ali, Rehman, Ntim, 2022).

Agency Theory is relevant in the study as it informs the accountability variable. “The theory stresses on the benefits of disclosure and reporting, taking into account that information asymmetry has a negative impact on firms' potentially profitable projects. Based on the agency theory background, State Corporations can provide a standard framework about performance key indicators. In addition, accountability is an instrument for controlling agency costs: the less the companies' accountability the higher risk that managers serve themselves. The stakeholders have a salient duty of providing accountability with enabling facilities for the management of the State Corporations.

2.3.2 Stakeholder Theory

The stakeholder theory was first fronted by Freeman (1984), who argued that a firm's success is affected by the actions of the stakeholders. “The theory was proposed to fill the observed gap created by omission found in the agency theory which identifies

shareholders as the only interest group of a corporate entity. Proponents of this theory assert that Organization performance depends on how well an organization manages and satisfies its stakeholders and builds closer customer relationships (Njoroge, Machuki, Ongeti & Kinuu, 2015). Managers are agents who manage the organization on behalf of and for the benefit of stakeholders.”

Mackenzie (2017) asserts that the absence of or poor governance structures results in organization objectives or stakeholders demands not being met. According to Kock et al., (2019) firms become successful when their managers engage with both the shareholders and the larger stakeholders. De Villiers and Van Staden (2019) stated that managers disseminate information to shareholders and also other stakeholders. Spitzack (2019) found that involving stakeholders in the decision-making process in organizations improves effectiveness, profitability and reduces conflicts. The management of a firm has a responsibility for close networking with the stakeholders

Stakeholder Theory is relevant to the study as it informs the variable on transparency. The theory sensitizes on the idea of involving all the stakeholders and people who have interest and are affected by the corporate decisions, therefore the manager should not only consider their Trade Associates Neighbors Political Groupings Government Employees Suppliers Community Well-wishers Employees Oversight groups Vendors Customers FIRM shareholders but also all the stakeholders in their decision making. Spitzack (2019) found that involving stakeholders in the decision-making process in organizations improves effectiveness, profitability and reduces conflict.

2.3.3 Stewardship Theory

Stewardship theory was proposed by Davis, Schoorman and Donaldson (1997) and it argues that managers are stewards of the owners of a firm. Davis *et al.*, (1997) defined

a steward 'as one who protects and maximizes shareholders' wealth through firm performance and as such the steward's utility functions are maximized. In this perspective, stewards are company executives and managers working for the shareholders, they protect and make profit for the shareholders. Stewardship Theory argues that the managers of a company and stewards of the owners, both share common goals Davies et al., (1997). Accordingly, the board should play a supportive role by empowering executives to increase the potential for higher firm performance (Hendry, 2004; Shen, 2003). Likewise, Shen (2003); Sundaramurthy and Lewis, (2003) posit that the Stewardship Theory should involve activities such as training, mentoring, and shared decision making between board and executives.

The stewardship view proposes that stewards are motivated when organizational success is achieved. Agyris, (1973) argues Agency Theory looks at an employee or people as an economic being, which subdues an individual's own ambitions. However, Stewardship Theory recognizes the importance of structures that empower the steward and offers maximum autonomy built on trust (Donaldson & Davis, 1991). It stresses on the position of employees or executives to act more autonomously so that the shareholders' returns are maximized. Indeed, this can minimize the costs aimed at monitoring and controlling behaviors Davis et al. (1997). Hence, the firm's performance can directly impact on the perceptions of individual and their performance.

According to Davis et al. (1997) management model contrasts sharply with the management model assumed in Agency Theory. The Stewardship Theory, rooted in sociology and psychology, attempts to define human relationships around behavioural model. Rather than assuming a divergence of principal and agent interests, Stewardship

Theory postulates that instances in which a convergence of interests can occur, results in a more collaborative approach to governance.

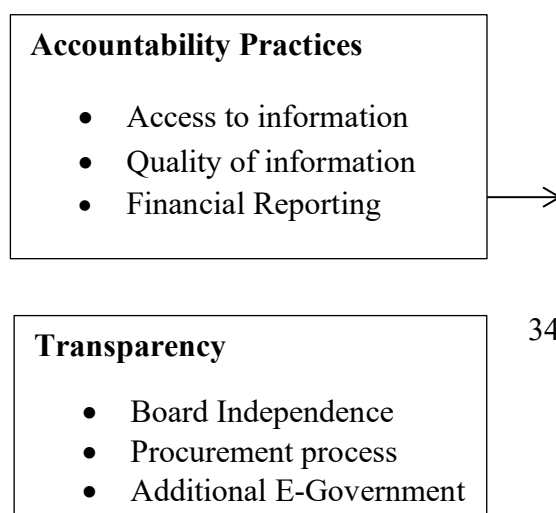
Importantly, Fama (1980) contends that executives and directors are also managing their careers in order to be seen as effective stewards of their organization, whilst, Shleifer and Vishny, (1997) insists that managers return finance to investors to establish a good reputation so that they can re-enter the market for future firm performance and financial growth. Stewardship model have successfully worked in countries like Japan, where the Japanese worker takes ownership of their jobs. Further, stewardship Theory suggests a combining of the role of the CEO and the chairman so as to reduce in the organization.

2.4 Conceptual Framework

The conceptual framework for this study is grounded in the relationship between corporate governance practices and the performance of independent constitutional commissions. Corporate governance serves as the independent variable and encompasses four key dimensions: accountability practices, transparency practices, board diversity, and risk management practices. These elements are hypothesized to influence the dependent variable, which is the performance of independent constitutional commissions in Nairobi City County, Kenya.

Independent Variable

Dependent Variable



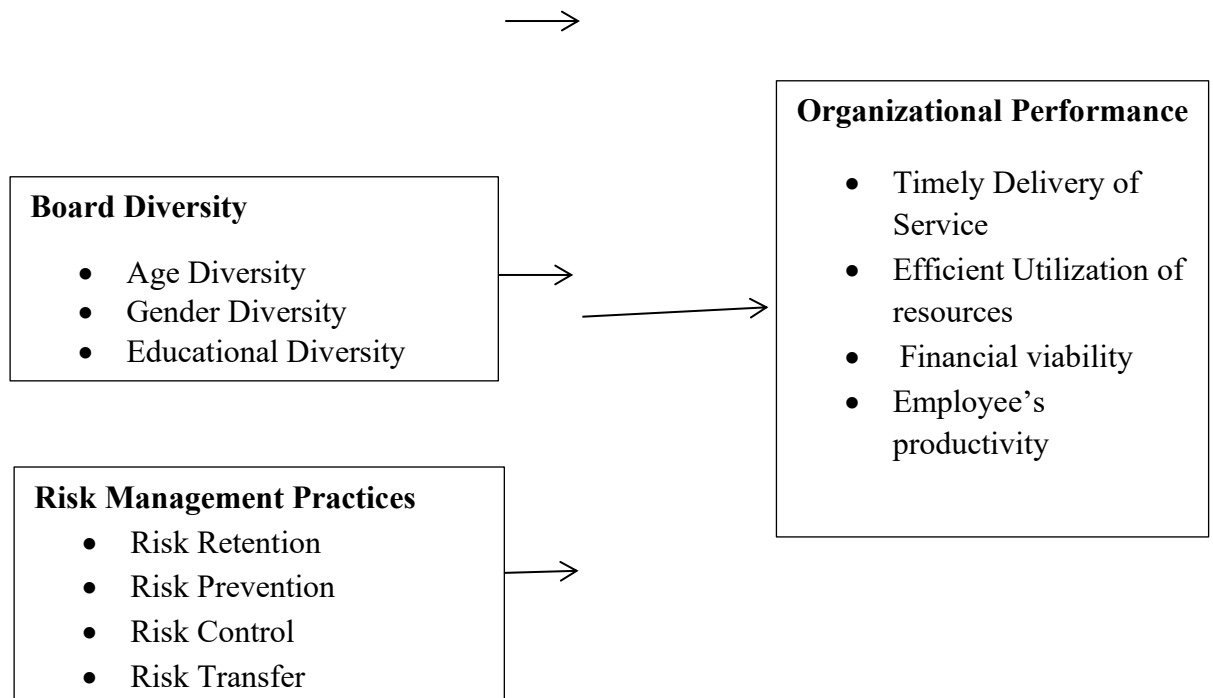


Figure 2.1 Conceptual Framework

Source (Author, 2024)

CHAPTER THREE: RESEARCH METHODOLOGY

3.1 Introduction

This chapter comprises the research design, site of study, study population, sampling technique and sample size determination, data collection instruments and procedure, validity and reliability of the research instruments, data analysis, and ethical consideration.

3.2 Research Design

This research study used descriptive research design. Cooper & Schindler (2011) expounds descriptive research plan as a fact finding enquiry that targets to establish the

facts of the topic under study. This research design was appropriate for this research since the objective of the research was to explore how organizational performance is influenced by corporate governance.

3.3 Description of the Study Variables

The study consisted of independent and dependent variables, the independent variable was corporate governance practices whose indicators were, accountability practices, transparency, board diversity and risk management practices, while the dependent variable was organizational performance whose indicators are, timely delivery of service, efficient utilization of resources, financial viability and employee's productivity.

3.4 Study Locale

The study was conducted in Nairobi City County where the fourteen independent constitutional commissions have headquarters, these were also where the corporate governance practices were formulated and implemented from and also employees in the headquarters would be able to give a clear picture on organizational performance.

3.5 Target Population

The population is described as a well-described set of services, people, households, events or a group of things being investigated (Zikmund *et al.*, 2019). The unit of analysis in this study was the 14 independent commissions in Kenya (Appendix III). The unit of observation was management and non-management level employees in each independent commission. Management employees were selected because they were the ones who formulate the corporate governance concepts. Non-management employees implement the policies on corporate governance in the organization. There were a total of 1426 employees in the fourteen Independent Commissions in Kenya (HR, 2021).

Therefore, the target population for this study was the 1426 employees in the fourteen Independent Commissions in Nairobi County, Kenya.

Table 3.1 Target Population

Category	Population	Percent
Top Management	85	6.0
Middle Level Management	149	10.4
Low Level Management	213	14.9
Non-management	979	68.7
Total	1426	100.0

3.6 Sampling Size and Sampling Procedure

The sampling frame analyses the list of population entities being sampled for the research (Cooper & Schindler, 2018). The sampling frame of this research was derived from the 1426 employees from all the 14 Independent Commissions in Nairobi County, Kenya.

The procedure used by a researcher to gather people, things or places of study is referred to as the sampling technique. A section of a research process that is selected as an element of data collection is referred to as sampling (Sekara & Bougie, 2019). The study targeted a population of fewer than ten thousand people. The probability sampling technique, in this case, was more relevant as it assists the researcher to attain the required homogenous grouping and also allows random selections (Creswell, 2018). In order to determine the sample size, the Fisher, Liang and Stoeckel (1983) formula was used. The formulae is as indicated below

$$n = Z^2 p \cdot q \frac{N}{e^2(N - 1) + Z^2 p \cdot q}$$

In this case the initials represent the following

n= required sample size

P= the population proportion having the characteristics of interest (0.5)

Q= (1-P)

N= the total population (1426)

e= the level of accuracy required. 5%= standard error

Z= the value at confidence level of 95%=1.96

$$n = \frac{1.96^2 * 0.5 * 0.5(1426)}{(0.05^2 * 1426) + (1.96^2 * 0.5 * 0.5)}$$

$$=302.6318999$$

$$n \approx 303$$

According to Fisher, Laing and Stoeckel formula the sample size results to 303 respondents which represents 21.2% of the population target.

Table 3.2 Sample Size

Category	Population	Sample
Top Management	85	18
Middle Level Management	149	32
Low Level Management	213	45
Non-management	979	208
Total	1426	303

The sample study included the 303 employees that made up of non-management staff, lower management staff, middle management staffs, and top management level of the fourteen Independent Commissions in Nairobi County, Kenya. The process of selecting the sample from strata, stratified random sampling technique was utilized. Stratified random sampling technique estimates all the parameters of a population with higher precision and ensures that the sample derived from a non-homogenous population is more representative (Cooper & Schindler, 2018). This study therefore used stratified random sampling to select a representative sample from each of the strata. The study then used simple random sampling to select respondents from each stratum.

3.7 Data Collection Instruments

A semi-structured questionnaire was used in collecting primary data from the target respondents. The questionnaire comprises of both open and close ended questions. A semi-structured questionnaire is advantageous as it enables the researcher to obtain more information from the respondent hence achieving the aims of the study (Mugenda & Mugenda, 2012).

3.8 Validity and Reliability of Data Collection Instrument

3.8.1 Validity of Data Collection Instrument

Content validity was employed to assess the appropriateness and relevance of the questionnaire items in capturing the constructs of corporate governance practices—namely accountability, transparency, board diversity, and risk management—and their effect on the performance of independent constitutional commissions. Content validity ensures that the instrument covers all aspects of the concept being studied and eliminates extraneous elements that may distort the results (Taherdoost, 2019).

To enhance content validity, the researcher developed the data collection instrument based on a comprehensive review of existing literature, theoretical constructs, and prior empirical studies. The instrument was then subjected to expert review by two university supervisors who are specialists in corporate governance and public administration. The experts assessed the clarity, comprehensiveness, and relevance of each item in relation to the study objectives and research questions. Based on their feedback, modifications were made to eliminate ambiguity, refine the language, and ensure alignment with the key variables of interest. According to Mohajan (2020), seeking expert opinion from academic supervisors or field specialists is a widely accepted strategy for improving the validity of research instruments.

Moreover, the research instrument was reviewed to ensure it was contextually appropriate for application within the Kenyan constitutional framework, considering the structural and operational uniqueness of independent commissions. By incorporating expert judgment and aligning the items with literature-based constructs, the study ensured the instrument's capacity to capture valid and meaningful data (Opoku et al., 2020).

3.8.2 Reliability of Data Collection Instrument

An initial dependability and internal consistency assessment was imposed on the questionnaire in the pilot data collection exercise. Cronbach's alpha was employed to establish the interrelations between the items across the entire instrument. Cronbach's Alpha ranges from 0 to 1. A result between 0.00 and 0.69 implies poor reliability, 0.70 to 0.79 means fair reliability, and 0.80 to 0.89 implies good reliability. A range between 0.90 and 0.99 means excellent or strong reliability (Tavakol & Dennick, 2011). This study employed a 0.7 minimum alpha value benchmark as was developed and standardized by Tavakol and Dennick, (2011).

3.9 Data Collection Procedure

The study adopted the drop and pick method to deliver the questionnaire to the target respondents. The method was ideal owing to the busy nature of employees. It was anticipated that data collection from employees might be hectic as some employees might have been tied up on duty. Thus, the method allowed the respondents to respond at their own convenience. The researcher explained the importance of the study and urged them to fill the questionnaire. The instruments were then picked up after one week. This not only saved time but also ensured commitment from the target respondents. According to Sileyew (2019), the drop and pick method could help in achieving a high response rate as the respondents created their own time to respond to the items.

3.10 Data Analysis and Presentation

Kumari, Lavanya, Vidhya, Premila, and Lawrence (2023) stated that data analysis was a step-by-step method followed after raw data had been obtained from the field. It was usually carried out in order to obtain the required information from raw data. The steps included reviewing the data, cleaning the data, coding the data, and then modeling the data. Coding the data was done through a data analysis software called Statistical Package for the Social Sciences (SPSS). Both descriptive and inferential analysis were adopted. Descriptive statistics included means and standard deviations, while the inferential statistics included multiple regression analysis output. The regression model adopted from Kutner, Nachtsheim, and Neter (2004) was presented as follows:

$$Y_{ij} = \beta_0 + \beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 + \beta_4 X_4 + \varepsilon$$

Where, Y = Organizational Performance.

X₁ = Accountability Practices

X_2 = Transparency Practices

X_3 = Board Responsibility

X_4 = Risk Management Practices

β_0 = is the regression intercept

$\beta_1, \beta_2, \beta_3, \beta_4$, are regression Coefficients (gradient or slope of the regression line)

ϵ is the error term.

The information obtained from data analysis was presented through tables and figures. These included frequency distribution tables.

3.11 Ethical Considerations

According to Bell et al. (2018), ethical considerations were the set guidelines that the researcher should have followed when conducting the study. The researcher ensured that the participants provided any needed information voluntarily. Further assurances concerning the purpose and commitments to confidentiality were given by providing authorization letters from Kenyatta University as well as the National Commission for Science and Technology (NACOSTI). The language used in the questionnaire was cautious and not offensive to the respondents. The study also observed originality, hence no duplication of other authors' work. The researcher also ensured that any information acquired from other studies, the authors were recognized through citations.

CHAPTER FOUR

RESEARCH FINDINGS AND DISCUSSIONS

4.1 Introduction

This chapter presents the study findings and discussions. The study aimed to determine the influence corporate governance practices and performance of independent constitutional commissions in Nairobi City County, Kenya. The chapter presents the background information of the respondents, findings of the analysis based on the objectives of the study. Descriptive and inferential statistics were used to discuss the findings of the study.

4.2 Response Rate

The researcher administered 303 questionnaires to the selected respondents. However, 280 questionnaires were dully filled and returned to the researcher. This gave a response rate of 92.4% which is deemed sufficient for the study. This correlates with Mbanaso, Abrahams and Okafor (2023) recommendation that a response rate of 50% is adequate

for analysis and reporting; a rate of 60% is good and a response rate of 70% and over is excellent. This indicates that the response rate from this study was excellent. The findings are as shown in Table 4.1.

Table 4.1 Response Rate

Response Rate	Frequency	Percentage
Response	280	92.4
Non Response	23	7.6
Total	303	100

Source: Field Data (2024)

4.3 Reliability Results

The study utilized Cronbach's Alpha coefficient to evaluate the internal consistency and reliability of the questionnaire. A threshold of 0.7 was established for the Cronbach's Alpha in this research. The reliability results for each variable are detailed in the following section.

Table 4.2 Reliability Tests Results

Research variables	Alpha Score	No. of Items	Remarks
Accountability Practices	0.776	9	Reliable
Transparency Practices	0.747	8	Reliable
Board Responsibility	0.759	7	Reliable
Risk Management Practices	0.728	8	Reliable
Organizational Performance	0.736	7	Reliable

Source: Field Data (2024)

The findings presented in Table 4.2 reveal that accountability practices, with an alpha score of 0.776, was found to be reliable across its nine items. Similar findings were observed in transparency practices ($\alpha = 0.747$, 8 items), board responsibility ($\alpha = 0.759$, 7 items), risk management practices ($\alpha = 0.728$, 8 items), and organizational performance ($\alpha = 0.736$, 7 items), all of which were deemed reliable based on their respective alpha scores. Higher alpha scores generally indicate stronger internal consistency among the items measuring each construct. According to Izah, Sylva and Hait (2023), Cronbach's alpha values exceeding 0.7 generally indicate good internal consistency reliability within a scale.

4.3 Demographic Information

For the purpose of determining the nature of respondents, the researcher asked the respondents to provide general information. This section has provided the results regarding gender, respondents' employment status, educational level and working experience. The results are provided as indicated below;

4.3.1 Gender of the Respondents

The research aimed to explore the gender distribution of the participants. The respondents were therefore required to indicate their gender by ticking against the option of either male or female. Table 4.3 shows the summary of findings of the gender distribution.

Table 4.3 Gender Distribution of the Respondents

Gender	Frequency	Percentage
Male	157	56.1
Female	123	43.9
Total	280	100

Source: Field Data (2024)

The gender distribution of respondents in Table 4.3 reveals that 56.1% of participants were male, while 43.9% were female. This shows a balanced, yet slightly male-dominant, representation. Gender diversity has been recognized as a crucial factor in enhancing corporate governance practices and organizational performance. A research by Ujunwa and Obi (2019) indicates that diverse boards and leadership teams are more likely to consider a broader range of perspectives, leading to improved decision-making and governance outcomes. The dominance of male respondents in this sample may reflect broader trends in leadership within public institutions in Kenya, where men have historically held a majority of governance positions. This aligns with findings in other studies which suggest that corporate governance structures, especially in developing economies, tend to be male-dominated. However, increasing gender diversity on boards and governance bodies is linked to improved governance outcomes, including enhanced accountability, transparency, and decision-making processes (Waweru & Mwangi, 2020).

4.3.2 Respondents Employment Status

In examining the employment status of the respondents, it is crucial to understand the composition of the participants in the study. The employment status provides valuable insights into the economic and professional backgrounds of the respondents, which may, in turn, influence their perceptions regarding corporate governance practices. The respondents were requested to indicate their employment status. The findings were as shown in Table 4.3.

Table 4.4 Respondents Employment Status of the Respondents

Employment Status	Frequency	Percentage
Top management	15	5.4%

Middle level management	26	9.3%
Low level management	42	15.0%
Non-management	197	70.3%
Total	280	100

Source: Field Data (2024)

The findings in Table 4.4 shows that the majority, 70.3%, fall under non-management positions, while 5.4% belong to top management, 9.3% to middle-level management, and 15.0% to low-level management. The dominance of non-management staff (70.3%) in this sample suggests that their views and input should be prioritized in corporate governance frameworks. Engaging these employees in governance practices could enhance accountability and transparency, particularly since they are often the direct implementers of policies and decisions made by higher-level management. The findings are supported by the findings of a study by Mutulu and Karanj (2023) who established that governance systems that foster inclusivity and collaboration across employment levels are more likely to achieve better organizational outcomes. This is particularly important for public institutions like constitutional commissions, where performance is measured not just by financial success but also by public accountability and service delivery. According to Mugo and Deya (2023), governance systems are more effective when management at all levels is engaged in the process. Low-level managers, positioned between middle management and operational staff, can help ensure that governance practices are practical and aligned with the organization's day-to-day activities.

4.3.2 Level of Education

Education plays a crucial role in shaping individuals' perspectives, decision-making capabilities, and overall understanding of governance processes. Analysing the educational background of the respondents provides insights into how academic qualifications may impact governance frameworks and organizational performance. The findings were presented in Table 4.5.

Table 4.5 Level of Education of Respondents

Educational level	Frequency	Percentage
KCSE certificate	9	3.2%
Certificate level	21	7.5%
Diploma level	49	17.5%
Undergraduate degree	124	44.3%
Post-graduate level	77	27.5%
Total	280	100

Source: Field Data (2024)

The findings presented in Table 4.5 indicate that majority of respondents, 44.3%, hold undergraduate degrees, followed by 27.5% with post-graduate qualifications. A smaller proportion, 17.5%, possess diploma-level qualifications, while certificate holders represent 7.5%, and only 3.2% have completed secondary education with a KCSE certificate. The findings suggest that most respondents have achieved a relatively high level of education, with a substantial percentage holding undergraduate and post-graduate qualifications (71.8% combined). Higher levels of education are often linked to improved understanding and implementation of corporate governance principles. According to Neves, Santos, Proença and Pinho (2023), individuals with higher education tend to have better decision-making abilities, a broader understanding of organizational ethics, and greater awareness of governance issues such as accountability and transparency. This indicates that the workforce within these independent constitutional commissions is likely well-equipped to understand and execute good governance practices. Higher educational qualifications among employees correlate with improved critical thinking skills and the ability to engage with

complex regulatory frameworks (Boshnak, Alsharif & Alharthi, 2023). This is crucial for the success of independent constitutional commissions, where employees must navigate the complexities of constitutional law, public administration, and risk management.

4.3.3 Working Experience

The depth and breadth of an individual's work history often shape their understanding of governance frameworks, regulatory compliance, and strategic decision-making processes. Analyzing the impact of working experience illuminate how it contributes to improving governance practices and enhancing organizational performance. The respondents were requested to indicate their number of years they have worked in the independent constitutional commissions. The findings were as shown in Table 4..

Table 4.6 Working Experience

Category	Frequency	Percentage
0 - 3 years	26	9.3%
4 – 7 years	58	20.7%
8 – 10 years	94	33.6%
Above 10 years	102	36.4%
Total	280	100

Source: Field Data (2024)

The findings presented in Table 4.6 illustrate that majority of respondents in this study have significant working experience, with 33.6% having 8–10 years of experience and 36.4% having more than 10 years of experience. This combined total of 70% indicates a workforce that has considerable familiarity with their roles and responsibilities, which

is vital in understanding the impact of corporate governance practices on the performance of independent constitutional commissions in Nairobi City County, Kenya. Only 9.3% of respondents have 0-3 years of experience, and 20.7% have between 4–7 years, further reinforcing the overall experience level of the respondents. The high level of experience among respondents (particularly those with 8–10 years and over 10 years of experience) suggests that most employees have accumulated deep knowledge and understanding of the organizational and governance frameworks within independent constitutional commissions. Previous research highlights that experience is a critical factor in the effectiveness of corporate governance practices, as employees with longer tenure tend to have better insights into the internal workings of an organization, which contributes to improved decision-making and governance (Singh & Rastogi, 2023). Experienced employees are better equipped to implement governance principles such as transparency, accountability, and risk management. These governance principles are particularly crucial in public institutions such as independent constitutional commissions, where the expectations of public accountability are higher

4.4 Descriptive Statistics

4.4.1 Accountability Practices and Organizational Performance

The first objective of the study was to determine the effect of accountability practices on performance of independent constitutional commissions in Nairobi City County, Kenya. Respondents were asked to rate their level of agreement with each statement about the accountability practices and how it affects the organizational performance of independent constitutional commissions on a scale of 1 to 5, with 1 (strongly disagree), 2 (disagree), 3 (neutral), 4 (agree), and 5 (strongly agree). The results were presented in Table 4.7.

Table 4.7 Descriptive Statistics on Accountability Practices

Statements	n	Mean	Std. Dev
The Commission's financial statements are prepared in accordance with generally recognized accounting principles.	280	3.62	0.633
Stakeholders have access to communication from the commission.	280	3.54	0.626
There is honest communication by the commission to the various stakeholders.	280	3.58	0.629
The commission conducts independent internal audit.	280	3.67	0.646
Employees of the commission are responsible at their lines of duty and commission resources.	280	3.49	0.616
The commission discloses information and reports to the stakeholders regularly.	280	3.46	0.608
The commission complies with the government acts and policies related to good governance practices effectively.	280	3.55	0.627
Budgets are openly discussed with the parties concerned.	280	3.57	0.631
There is a code of conduct that clearly states what is expected of every member.	280	3.64	0.643
Average scores		3.57	0.629

Source: Field Data (2024)

The findings from Table 4.7 reflect the perspectives of respondents regarding the accountability practices of independent constitutional commissions in Nairobi City County, Kenya. The findings show that majority of the respondents agreed that financial statements prepared according to generally recognized accounting principles (Mean = 3.62, Std. Dev = 0.633). This indicates that the commissions are perceived to follow proper financial reporting standards, which is a critical aspect of corporate governance. Proper financial reporting is essential for transparency, and it ensures that

stakeholders can trust the accuracy of financial data. The findings are supported by Barako and Brown (2016) who established that adherence to accounting standards improves public institutions' credibility and enhances their performance by fostering accountability. In constitutional commissions, this is particularly crucial as they are mandated to serve the public, and financial mismanagement can erode trust.

Stakeholders have access to communication from the commission (Mean = 3.54, Std. Dev = 0.626). Open communication is a key pillar of good governance as it enables transparency and fosters trust between the commission and its stakeholders. Ensuring that communication channels are open and accessible can lead to more inclusive decision-making processes, which ultimately enhances organizational performance. The results concur with the findings of Kamau, Machuki and Aosa (2018) who emphasized that when stakeholders are well-informed, they hold the organization accountable, promoting adherence to governance standards.

There is honest communication by the commission to the various stakeholders (Mean = 3.58, Std. Dev = 0.629). Honesty in communication strengthens the relationship between the commission and its stakeholders by ensuring that stakeholders are not misled. Corporate governance literature emphasizes the importance of integrity and truthfulness in communications, especially in public institutions. According to Smyth (2017) honest communication contributes to organizational performance by fostering a culture of trust, which is essential for effective governance in independent constitutional commissions.

The commission conducts independent internal audit (Mean = 3.67, Std. Dev = 0.646). Internal auditing is an essential governance mechanism that ensures compliance with policies and regulations and helps detect and prevent financial irregularities. The

positive rating suggests that respondents believe the commissions are committed to maintaining financial oversight through audits. The findings are supported by Akech (2018) who revealed that independent internal audits are associated with improved governance outcomes, as they provide a critical check on the management of resources.

Employees of the commission are responsible at their lines of duty and commission resources (Mean = 3.49, Std. Dev = 0.616). Employee responsibility is a significant aspect of good governance, as it ensures that staff members are accountable for their actions. This aligns with the stewardship theory, which posits that employees, when empowered and given responsibility, act in the best interests of the organization. A responsible workforce enhances the commission's performance by ensuring that resources are managed efficiently and ethically (Han & Hong, 2016).

The commission discloses information and reports to the stakeholders regularly (Mean = 3.46, Std. Dev = 0.608). While the score suggests that information disclosure is generally practiced, there may be room for improvement. Transparency through regular reporting is a key element of accountability, as it allows stakeholders to evaluate the commission's performance. Failure to disclose adequate information can hinder the ability of stakeholders to assess the effectiveness of governance practices (Ngairah, Namusonge & Nyang'au, 2022).

The commission complies with the government acts and policies related to good governance practices effectively (Mean = 3.55, Std. Dev = 0.627). The commissions were perceived to comply with government acts and policies related to good governance, as reflected in a mean score of 3.55. Compliance with regulations is a fundamental aspect of corporate governance and ensures that the commission operates within legal frameworks. The findings agree with the findings of a study by Lasisi (2017) who

established that adherence to governance policies enhances the performance of public institutions by ensuring they meet the required standards of accountability and transparency.

Budgets are openly discussed with the parties concerned (Mean = 3.57, Std. Dev = 0.631). Transparent budgeting processes enhance stakeholder trust and ensure that resources are allocated efficiently. This practice aligns with the principles of participatory governance, which advocates for the inclusion of various stakeholders in financial decision-making processes. Ullah *et al.*, (2016) assert that openly budgets discussion improve resource management and organizational performance.

There is a code of conduct that clearly states what is expected of every member (Mean = 3.64, Std. Dev = 0.643). A clearly defined code of conduct is essential for setting ethical standards and ensuring that all members of the organization understand their responsibilities. The results are supported by Odhiambo and Omoro (2020) who noted that presence of a code of conduct enhances organizational governance by promoting accountability and guiding employee behaviour in line with organizational values.

4.4.2 Transparency Practices and Organizational Performance

The objective two was to assess the effect of transparency practices on performance of independent constitutional commissions in Nairobi City County, Kenya. Respondents were asked to rate their level of agreement with each statement about the transparency practices and how it affects the organizational performance of independent constitutional commissions on a scale of 1 to 5 where 1 (strongly disagree), 2 (disagree), 3 (neutral), 4 (agree), 5 (strongly agree). The means and standard deviations were developed. The results were presented in Table 4.8.

Table 4.8 Descriptive Statistics for Transparency Practices

Statements	n	Mean	Std.Dev
The board consists of internal and external members.	280	3.69	0.712
The appointed board members are exempted from the organizational contracts.	280	3.65	0.692
The appointment of board members outside the organization management team reduces conflicts of interests within the organization management.	280	3.71	0.724
The board makes independent decisions devoid of external interference.	280	3.60	0.683
The top management has embraced technology.	280	3.72	0.733
Board members are always supposed to disclose their interests in matters pertaining the commission.	280	3.78	0.741
Procurement process always follow the laid down practices.	280	3.75	0.736
Top management members are supposed to disclose whenever they are conflicted in dealing with the commission.	280	3.62	0.685
Average scores		3.69	0.713

Source: Field Data (2024)

Table 4.8 presents the descriptive statistics for transparency practices in relation to the corporate governance practices and performance of independent constitutional commissions. The statement "The board consists of internal and external members"

received a mean score of 3.69 and a standard deviation of 0.712. The presence of both internal and external board members is essential for ensuring diverse perspectives in decision-making. External members, in particular, are crucial for bringing an independent viewpoint that can reduce bias and enhance accountability. The findings agreed with the findings of Toma and Dobre (2018) who established that the inclusion of external members on boards improves governance outcomes by fostering objectivity in decisions. Furthermore, external members help to ensure that the interests of the broader public are considered, which is particularly important for public institutions like constitutional commissions.

The statement "The appointed board members are exempted from organizational contracts" had a mean of 3.65 and a standard deviation of 0.692. This reflects the need to avoid conflicts of interest by ensuring that board members do not have contractual ties to the organization. Exempting board members from such contracts ensures their independence and prevents them from having vested interests in organizational decisions. The findings support the findings of Biddle, Hilary and Verdi (2019) who revealed that board members with no direct financial ties to the organization are better positioned to make unbiased decisions, which contributes to stronger governance.

With a mean score of 3.71 and a standard deviation of 0.724, respondents agreed that "The appointment of board members outside the organization management team reduces conflicts of interest within the organization management." Appointing board members from outside the organization limits the influence of internal politics and power dynamics, thus reducing potential conflicts of interest. This practice is aligned with good governance principles, as it promotes the board's ability to oversee management without bias (Ntim, 2020). By reducing internal conflicts, independent

boards enhance decision-making quality and contribute to improved organizational performance.

The statement "The board makes independent decisions devoid of external interference" received a mean score of 3.60 and a standard deviation of 0.683. The ability of a board to make decisions independently is fundamental to good governance, as it ensures that decisions are made based on the best interests of the organization rather than external pressures. According to Kim and Starks, (2022) independent decision-making promotes accountability and reduces the risk of corruption or external influence in public institutions.

"Top management has embraced technology" had the highest mean score of 3.72 with a standard deviation of 0.733. Embracing technology is essential for modern governance practices, as it enhances transparency, efficiency, and accountability. Research has shown that the use of technology in governance processes improves access to information and reduces bureaucratic delays, thereby boosting organizational performance (Ganiyu, Sambo & Bello, 2021). In the context of constitutional commissions, technology adoption can facilitate more transparent and timely reporting, leading to better service delivery.

The statement "Board members are always supposed to disclose their interests in matters pertaining to the commission" scored a mean of 3.78 with a standard deviation of 0.741. This reflects the importance of transparency and ethical behaviour among board members. Disclosure of interests is a key governance practice that ensures accountability and prevents conflicts of interest. When board members disclose their interests, it allows for more transparent decision-making and safeguards the integrity of the governance process (Zhong, Wu & Hu, 2022).

The statement "Procurement process always follows the laid-down practices" had a mean score of 3.75 and a standard deviation of 0.736. Adherence to proper procurement practices is critical in public institutions, as it reduces the risk of corruption and mismanagement of resources. Following standardized procurement procedures ensures that resources are allocated fairly and efficiently, contributing to overall organizational performance (Pillay, 2020).

The statement "Top management members are supposed to disclose whenever they are conflicted in dealing with the commission" had a mean score of 3.62 and a standard deviation of 0.685. This reflects the requirement for transparency in governance, particularly among top management. The results concur with Shleifer and Vishny (2021) who established that disclosing conflicts of interest is crucial in maintaining the integrity of the decision-making process and ensuring that decisions are made in the best interests of the commission and the public. When management discloses conflicts, it minimizes the potential for unethical behaviour and enhances accountability.

4.4.3 Board Diversity and Organizational Performance

The objective three was to analyse the effects of board diversity on performance of independent constitutional commissions in Nairobi City County, Kenya. Respondents were asked to rate their level of agreement with each statement about the board diversity and how it affects the organizational performance of independent constitutional commissions on a scale of 1 to 5 where 1 (strongly disagree), 2 (disagree), 3 (neutral), 4 (agree), 5 (strongly agree). The means and standard deviations were developed. The results were presented in Table 4.9.

Table 4.9 Descriptive Statistics on Board Diversity

Statements	n	Mean	Std.Dev
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Board members have diverse academic qualifications.	280	3.81	0.794
Board members have diverse work experience.	280	3.76	0.748
Our board constitute of members from both genders.	280	3.79	0.754
The board constitutes of members of different ethnic groups.	280	3.70	0.728
The organization's board size is small for ease of communication	280	3.60	0.676
The board constitutes of members of different age groups.	280	3.67	0.684
In this commission our board of directors are known to oversight the management.	280	3.59	0.672
Average scores		3.70	0.722

Source: Field Data (2024)

Table 4.9 presents the descriptive statistics on board diversity and its influence on corporate governance practices and performance of independent constitutional commissions. The statement "Board members have diverse academic qualifications" had the highest mean score of 3.81 with a standard deviation of 0.794. This suggests that respondents acknowledge the importance of having board members with varied academic backgrounds. The finding aligns with Nguyen, Locke and Reddy (2020) who established that diverse academic foundation equips board members with a range of perspectives and problem-solving skills, which enhances decision-making and governance outcomes. The boards with members from different educational fields tend

to perform better as they are able to approach issues from multiple angles, leading to more effective strategies. In constitutional commissions, academic diversity ensures that decisions are informed by a broad knowledge base, which can improve institutional performance.

"Board members have diverse work experience" had a mean of 3.76 and a standard deviation of 0.748. This indicates that respondents value work experience diversity on the board. Diverse professional experiences allow board members to bring different insights, helping to manage risks and explore innovative solutions. This supports the study of Ahern and Dittmar (2020) who established that organizations with boards composed of members with a wide range of experiences tend to have better governance and performance, as this diversity fosters more comprehensive discussions and better decision-making. In public commissions, diversity in work experience helps ensure that board members are well-equipped to tackle complex governance challenges.

The statement "Our board constitutes members from both genders" had a mean score of 3.79 and a standard deviation of 0.754. Gender diversity on boards is increasingly recognized as a key factor in improving governance outcomes. A gender-balanced board brings a variety of perspectives and promotes inclusivity, which can enhance the quality of decision-making. Terjesen, Couto and Francisco (2021) emphasized that gender-diverse boards are linked to better financial performance and governance because they reflect the diversity of the population they serve. In the context of constitutional commissions, gender diversity is particularly important for ensuring that the needs of all citizens are considered in governance processes.

"Board constitutes of members of different ethnic groups" had a mean score of 3.70 and a standard deviation of 0.728. Ethnic diversity is essential in public institutions,

especially in countries like Kenya, where governance bodies need to reflect the diverse ethnic backgrounds of the population. Ethnic diversity fosters inclusivity, reduces the risk of bias, and improves decision-making by ensuring that a wider range of perspectives are considered. This is consistent with the views of Carter, D'Souza, Simkins and Simpson (2019) who revealed that boards with ethnic diversity tend to exhibit better governance practices as they are more likely to consider the interests of different communities.

The statement "The organization's board size is small for ease of communication" had a mean of 3.60 and a standard deviation of 0.676. A smaller board size is often associated with more efficient communication and decision-making processes. Smaller boards can foster closer collaboration and quicker decision-making, which enhances governance performance. However, the trade-off may be a lack of diversity, which can limit the range of perspectives considered. The findings concur with Lorsch and MacIver (2018) who established that while smaller boards tend to be more efficient, it is important to strike a balance to ensure that sufficient diversity and expertise are present.

The statement "The board constitutes members of different age groups" had a mean score of 3.67 and a standard deviation of 0.684. Age diversity is important because it combines the insights of both experienced and younger members, creating a balance of innovation and tradition. Boards with age diversity tend to make more balanced decisions as they benefit from the wisdom of older members and the fresh perspectives of younger ones. According to Liu, Wei and Xie (2022) age diversity on boards can lead to better governance and improved performance by incorporating a range of viewpoints and reducing groupthink.

The statement "In this commission, our board of directors are known to oversight the management" had a mean score of 3.59 with a standard deviation of 0.672. The role of the board in overseeing management is a critical component of corporate governance. Effective oversight ensures that management is held accountable for its actions, which is essential for maintaining transparency and integrity in public institutions. The findings agreed with the findings of a study by Sharma, Bromiley and Mahajan (2021) who established that boards that actively oversee management are better able to detect and prevent malpractices, thus improving governance outcomes.

4.4.4 Risk Management Practices and Organizational Performance

The fourth objective of the study was to determine the impact of risk management practices on performance of independent constitutional commissions in Nairobi City County, Kenya. Respondents were asked to rate their level of agreement with each statement about the risk management practices and how it affects the organizational performance of independent constitutional commissions on a scale of 1 to 5 where 1 (strongly disagree), 2 (disagree), 3 (neutral), 4 (agree), 5 (strongly agree). The means and standard deviations were developed. The results were presented in Table 4.10.

Table 4.10 Descriptive Statistics on Risk Management Practices

Statements	n	Mean	Std.Dev
The commission has a risk management strategy in place.	280	3.73	0.674

Self-insurance is utilized in the commission activities to prevent the manifestation of incidents that cause delays.	280	3.70	0.667
The commission frequently review its operations in order to avoid risks.	280	3.67	0.654
Employees are occasionally trained on risk prevention.	280	3.65	0.649
A risk matrix is generated and utilized when carrying out undertakings.	280	3.58	0.638
Risk audits are conducted regularly.	280	3.63	0.642
Most tasks that could impede a team's activity progress are outsourced.	280	3.56	0.635
The organization is in partnership with others for risk handling.	280	3.49	0.629
Average scores		3.63	0.649

Source: Field Data (2024)

Table 4.10 presents descriptive statistics on risk management practices within independent constitutional commissions. The first statement, "The commission has a risk management strategy in place," had a mean score of 3.73 with a standard deviation of 0.674. This indicates that most respondents agree that their commission has a formal risk management strategy. A structured risk management plan is essential in corporate governance as it helps identify, assess, and mitigate risks that could affect organizational performance. The findings are supported by Fraser and Simkins (2020) who established that institutions with robust risk management strategies tend to have better governance outcomes, as they can proactively manage potential disruptions. In the case of constitutional commissions, having such strategies enhances accountability and promotes operational efficiency.

The statement "Self-insurance is utilized in the commission activities to prevent the manifestation of incidents that cause delays" scored a mean of 3.70 with a standard deviation of 0.667. Self-insurance as a risk management strategy allows organizations to pool resources internally to cover potential losses. This practice is particularly useful in public institutions where delays could affect service delivery. According to Purnomo and Kusuma (2021) established that self-insurance is a practical risk mitigation approach, particularly for public entities that want to avoid reliance on external insurers.

The statement "The commission frequently reviews its operations in order to avoid risks" had a mean score of 3.67 and a standard deviation of 0.654. Regular operational reviews help organizations stay ahead of emerging risks, allowing them to adjust strategies promptly. Continuous review of operations as part of risk management is crucial in identifying weaknesses that could expose the organization to risks. According to McShane, Nair and Rustambekov (2019), risk review mechanisms are key components of corporate governance, as they foster adaptability and enhance the organization's ability to respond to changes in the operating environment. For constitutional commissions, these reviews ensure that operations remain aligned with risk management goals.

The statement "Employees are occasionally trained on risk prevention" recorded a mean of 3.65 and a standard deviation of 0.649. Training employees in risk prevention is a fundamental aspect of corporate governance. Employees who understand how to identify and mitigate risks contribute to the overall risk management framework of an organization. The results are supported by Hopkin (2018) who established that organizations that invest in employee training on risk management see significant improvements in their governance outcomes, as well-trained staff can better anticipate

and manage risks. For independent constitutional commissions, such training ensures that employees are equipped to handle potential threats to operations and performance.

The statement "A risk matrix is generated and utilized when carrying out undertakings" scored a mean of 3.58 with a standard deviation of 0.638. A risk matrix is a tool used to assess and prioritize risks, providing a visual representation of the likelihood and impact of various risks. Utilizing a risk matrix enhances corporate governance by ensuring that risks are systematically identified and addressed. Research supports the use of risk matrices in public sector governance as they help organizations make informed decisions about risk mitigation (Florio & Leoni, 2017).

The statement "Risk audits are conducted regularly" had a mean of 3.63 with a standard deviation of 0.642. Regular risk audits are essential for maintaining the integrity of the risk management process. By conducting audits, organizations can assess the effectiveness of their risk management strategies and ensure compliance with best practices. As per the Beasley, Branson and Hancock (2019) that frequent risk audits are a hallmark of strong corporate governance, as they provide a mechanism for continuous improvement. In constitutional commissions, regular audits ensure transparency and accountability, which are vital for public trust and performance.

The statement "Most tasks that could impede a team's activity progress are outsourced" scored a mean of 3.56 with a standard deviation of 0.635. Outsourcing tasks that could pose risks to operations is a strategy used to reduce organizational exposure to certain risks. This practice allows organizations to focus on core activities while external providers handle specialized tasks. Research indicates that outsourcing as a risk management strategy can enhance efficiency, but it also requires careful management to avoid dependency on external vendors (Lacity & Willcocks, 2018). In constitutional

commissions, outsourcing can help mitigate risks, but it should be complemented by strong oversight mechanisms.

The statement "The organization is in partnership with others for risk handling" had the lowest mean score of 3.49 and a standard deviation of 0.629. Partnering with external organizations for risk management can enhance an organization's ability to manage risks, as partnerships allow for shared resources and expertise. Collaborative risk management is particularly effective in complex environments like public institutions, where risks may span multiple areas. Kendrick (2019) supports the use of partnerships in risk management, especially in public governance, where cross-sector collaboration can lead to improved outcomes. For independent commissions, partnerships can enhance risk-handling capabilities, leading to better overall governance performance.

4.4.5 Organizational Performance of Independent Constitutional Commissions

The respondents were asked to indicate their agreement level with each statement related to organizational performance of independent constitutional commissions on a scale of 1 to 5 where 1 (strongly disagree), 2 (disagree), 3 (moderate agree), 4 (agree), 5 (strongly agree). The means and standard deviations were developed. The results were presented in Table 4.11.

Table 4.11 Descriptive statistics on Organizational Performance of Independent Constitutional Commissions

Statements	n	Mean	Std.Dev
The commission use its resources in an efficient manner.	280	3.45	0.659

Effort has been made to reduce costs of operation in this commission.	280	3.41	0.643
This commission is able to offer quality services to its clients.	280	3.62	0.678
The commission responds fast when customers are having issues to be addressed.	280	3.49	0.662
Feedback from our clients generally indicate that the commission is performing well.	280	3.55	0.671
Feedback from our clients generally indicate a reduction in the number of complaints.	280	3.52	0.665
There is no manpower wastage in this organization.	280	3.46	0.646
Average scores		3.50	0.661

Source: Field Data (2024)

Table 4.11 presents the descriptive statistics on the organizational performance of independent constitutional commissions. These statistics are indicative of how corporate governance practices influence key performance indicators, such as resource utilization, cost management, service delivery, responsiveness, client satisfaction, and workforce efficiency. The statement "The commission uses its resources in an efficient manner" received a mean of 3.45 and a standard deviation of 0.659. This suggests that a moderate level of resource efficiency is perceived by respondents. Efficient use of resources is a critical aspect of corporate governance, as it demonstrates that the organization manages its assets prudently to achieve its goals. The findings are supported by Wanyonyi and Bwisa (2018) who established that resource efficiency is

directly linked to strong corporate governance practices, which ensure accountability and transparency in resource allocation.

The statement "Effort has been made to reduce costs of operation in this commission" had a mean score of 3.41 with a standard deviation of 0.643. This implies that there is a moderate effort to cut operational costs. Cost reduction is an important measure of organizational performance and sustainability. The findings agree with Omari and Kabiru (2019) who established that effective corporate governance involves cost control mechanisms that prevent waste and optimize spending, which are necessary for enhancing the financial health of an institution.

The statement "This commission is able to offer quality services to its clients" recorded the highest mean score of 3.62 and a standard deviation of 0.678. Offering quality services is a key performance indicator in any organization, especially in public service commissions, where the quality of services directly affects public perception and legitimacy. The link between good corporate governance and service quality is well-established. Organizations that uphold high governance standards tend to provide better services due to clear policies, efficient processes, and strong accountability mechanisms (Mutunga & Owino, 2020). For constitutional commissions, delivering quality services is essential for fulfilling their mandate and ensuring the satisfaction of their stakeholders.

The statement "The commission responds fast when customers are having issues to be addressed" had a mean score of 3.49 with a standard deviation of 0.662, indicating a moderate level of responsiveness. Timely responses to customer issues are an important aspect of service delivery, especially in the public sector. The findings are supported by Mulili and Wong (2020) who established that corporate governance practices that

promote transparency, accountability, and communication are essential for improving responsiveness to clients' needs.

The statement "Feedback from our clients generally indicate that the commission is performing well" received a mean score of 3.55 with a standard deviation of 0.671. Client feedback is a valuable measure of organizational performance. Effective governance structures typically include feedback mechanisms that allow organizations to gauge their performance from the perspective of their stakeholders. According to Mungai and Ndung'u (2019), constitutional commissions that encourage stakeholder feedback are more likely to identify areas of improvement and enhance their service delivery. Positive client feedback suggests that these commissions are meeting their performance goals, which is a testament to their governance practices.

The statement "Feedback from our clients generally indicates a reduction in the number of complaints" had a mean score of 3.52 and a standard deviation of 0.665. A reduction in complaints indicates improved client satisfaction, which is often the result of enhanced service delivery and effective governance. Studies have emphasized the importance of addressing client complaints as part of good governance practices (Maina & Kihara, 2021). For independent constitutional commissions, reducing complaints through proactive governance and management ensures that the organization maintains a positive public image and meets its accountability obligations.

Finally, the statement "There is no manpower wastage in this organization" recorded a mean of 3.46 and a standard deviation of 0.646. Avoiding manpower wastage is crucial for organizational efficiency. Good governance involves the strategic allocation and utilization of human resources to avoid inefficiencies. Research indicates that proper workforce management is a key factor in organizational success (Koech & Kiprop,

2018). In constitutional commissions, minimizing manpower wastage not only ensures operational efficiency but also optimizes productivity, leading to better organizational performance.

4.5 Inferential Statistics

The researcher did a regression analysis to establish the influence corporate governance practices and performance of independent constitutional commissions in Nairobi City County, Kenya. The findings of Model Summary, ANOVA, and Regression coefficients are as shown in subsequent sections.

4.5.1 Model Summary

The findings of coefficient of correlation R and coefficient of adjusted determination R^2 is as shown in Table 4.12.

Table 4.12 Model Summary

Model	R	R Square	Adjusted Square	R	Std. Error of the Estimate
1	0.894	0.799	0.725		0.0142

a. Predictors: (Constant) Accountability practices, Transparency practices, Board responsibility and Risk management practices

b. Dependent Variable: Organizational Performance of Independent Constitutional Commissions

Source: Field Data (2024)

The model summary in Table 4.12 indicates a strong relationship between the predictors; accountability practices, transparency practices, board responsibility, and risk management practices and the organizational performance of independent constitutional commissions in Nairobi City County, Kenya. The results show that the overall model is highly predictive of organizational performance, as demonstrated by an R value of 0.894, which indicates a very high correlation between the predictors and the dependent variable. This means that changes in corporate governance practices, such as accountability and transparency, have a strong impact on the performance of these commissions. A study by Omari and Kabiru (2020) supports this, noting that corporate governance frameworks are fundamental to enhancing efficiency and accountability, which directly improve performance outcomes in public sector institutions.

The R Square value of 0.799 indicates that 79.9% of the variability in the organizational performance of independent constitutional commissions can be explained by the four governance practices included in the model. This is a substantial proportion, implying that corporate governance practices significantly influence how well these commissions

perform. However, it also suggests that there are other factors not included in the model that account for the remaining 20.1% of the variation. According to Koech and Kiprop (2019), governance reforms, particularly those focusing on transparency and risk management, have had a notable impact on improving public institutions' service delivery and operational efficiency in Kenya.

4.5.2 ANOVA

An ANOVA was conducted at 95% level of significant, the findings of $F_{\text{Calculated}}$ and F_{Critical} are as shown in Table 4.13.

Table 4.13 ANOVA Results

Model	SS	df	MS	F	Significance
Regression	74.69	4	.169	13.6	0.003 ^a
Residual	26.17	276	1.246		
Total	100.86	280			

a. Predictors: (Constant) Accountability practices, Transparency practices, Board responsibility and Risk management practices

b. Dependent Variable: Organizational Performance of Independent Constitutional Commissions

Source: Field Data (2024)

Table 4.13 provides findings to show the relationship between corporate governance practices; accountability practices, transparency practices, board responsibility, and risk management practices and the performance of independent constitutional commissions. The model's F-value is 13.6, with a significance level of 0.003, indicating that the overall model is statistically significant at the 0.05 level. This suggests that corporate governance practices, as a collective, have a meaningful impact on the

performance of Independent Constitutional Commissions. These results align with findings of Ngugi and Njoroge (2020), and Wanyama (2019) that have shown a strong correlation between robust corporate governance practices and enhanced organizational performance in the public sector. These results echo findings from studies on public sector governance, which highlight the importance of strong corporate governance frameworks in improving organizational efficiency and effectiveness (Muthee & Kiragu, 2021; Kinyua, 2018).

4.5.3 Regression Coefficients

In order to establish the individual influence of independent variables on dependent variables, the researcher conducted regression analysis. The findings are as shown in Table 4.14.

Table 4.14 Regression Coefficients

Multiple Regression Analysis					
Variables	Unstandardized Coefficients		Standardized Coefficients	t	Sig.
	β	Std. Error	Beta		
(Constant)	0.316	0.207		1.121	.002
Accountability practices	0.237	0.0116	0.211	1.134	.004
Transparency practices	0.212	0.0152	0.203	1.126	.001
Board responsibility	0.224	0.0114	0.218	1.117	.005
Risk management practices	0.218	0.0132	0.201	1.128	.003

Source: Field Data (2024)

The researcher did a multiple regression analysis to determine the relationship between corporate governance practices and performance of independent constitutional commissions in Nairobi City County, Kenya. As per the SPSS generated table, the equation ($Y = \beta_0 + \beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 + \beta_4 X_4 + \epsilon$) becomes:

$$Y = 0.316 + 0.237X_1 + 0.212X_2 + 0.224X_3 + 0.218X_4 + \epsilon$$

Where Y = Organizational Performance of Independent Constitutional Commissions

X₁ = Accountability practices

X₂ = Transparency practices

X₃ = Board responsibility

X₄ = Risk management practices

Table 4.14 presents the results of a multiple regression analysis that investigates the influence of various corporate governance practices on the performance of Independent Constitutional Commissions (ICCs) in Nairobi City County, Kenya. The independent variables in the model include accountability practices, transparency practices, board responsibility, and risk management practices. The dependent variable is the organizational performance of the ICCs. Each of these governance practices exhibits a significant and positive relationship with organizational performance, as indicated by the unstandardized and standardized coefficients.

The unstandardized coefficient (β) for accountability practices is 0.237, with a t-value of 1.134 and a significance level of 0.004. This suggests that accountability practices positively and significantly influence the performance of Independent Constitutional Commissions. The standardized coefficient (Beta) of 0.211 indicates that accountability contributes a meaningful share to the explained variance in performance. Effective

accountability practices ensure that public institutions are held answerable for their actions, reducing instances of corruption and inefficiencies, thereby improving performance (Wangari & Kamau, 2019). According to Ngugi and Gachanja (2020) show that public organizations with clear accountability frameworks tend to perform better as they maintain transparency and adhere to their mandates.

The unstandardized coefficient for transparency practices is 0.212, with a t-value of 1.126 and a significance level of 0.001. This indicates that transparency significantly impacts organizational performance. The standardized coefficient (Beta) of 0.203 shows that transparency is a critical factor in determining how well Independent Constitutional Commissions perform. Transparency practices in governance provide stakeholders with access to vital information regarding decision-making and the use of resources, fostering trust and enhancing organizational outcomes (Otieno & Wambua, 2018).

Board responsibility has an unstandardized coefficient of 0.224, a t-value of 1.117, and a significance level of 0.005, suggesting a positive and significant influence on organizational performance. The standardized coefficient (Beta) of 0.218 highlights the importance of board involvement in corporate governance. When board members actively oversee and ensure compliance with governance standards, the organization's performance improves (Njoroge & Maina, 2018). This finding aligns with Muturi and Kariuki (2021) that emphasize the role of the board in shaping strategic direction, monitoring performance, and mitigating risks.

The unstandardized coefficient for risk management practices is 0.218, with a t-value of 1.128 and a significance level of 0.003. The standardized coefficient (Beta) is 0.201, indicating that risk management also has a significant influence on organizational

performance. The ability to identify, assess, and mitigate risks is crucial for the sustainability and operational success of public institutions (Wanyama & Ndungu, 2019). In the context of Independent Constitutional Commissions, effective risk management practices help to prevent disruptions, ensure compliance with regulations, and enhance strategic planning, which in turn contributes to better performance.

CHAPTER FIVE

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

This chapter provides a summary of the major findings of the actual study; it then draws conclusions and finally, it makes some recommendations and suggestions on areas of further study.

5.2 Summary of the Study Findings

5.2.1 Accountability Practices

The findings show that accountability practices have a significant positive impact on the performance of Independent Constitutional Commissions in Nairobi City County, with a p-value of 0.004. This indicates that the relationship between accountability practices and organizational performance is statistically significant at the 95% confidence level. The findings suggest that robust accountability frameworks, such as transparent financial reporting and adherence to governance standards, enhance the effectiveness of the commissions. Organizations that enforce accountability are able to minimize corruption, promote integrity, and achieve better performance outcomes.

5.2.2 Transparency Practices

The findings show that transparency practices have a statistically significant effect on the performance of Independent Constitutional Commissions, with a p-value of 0.001. This strong statistical significance underscores the critical role transparency plays in public governance. Commissions that embrace transparency in their operations such as making information on decision-making processes, financial management, and regulatory compliance readily accessible are able to build trust with stakeholders and improve their performance.

5.2.3 Board Diversity

The results revealed that board diversity significantly influences the performance of Independent Constitutional Commissions, with a p-value of 0.005. The positive relationship indicates that diverse boards comprising individuals with varying skills, backgrounds, and perspectives tend to contribute to better decision-making and strategic oversight. This shows that diversity in leadership structures enhances governance outcomes by bringing different ideas, fostering innovation, and reducing groupthink.

5.2.4 Risk Management Practices

The findings revealed that risk management practices were found to have a significant positive effect on the performance of Independent Constitutional Commissions, with a p-value of 0.003. The findings show that implementing risk management frameworks such as risk identification, assessment, and mitigation contributes to the stability and sustainability of the commissions. Effective risk management helps prevent potential disruptions, ensures compliance with regulations, and promotes long-term strategic success. The statistical significance of the results highlights the importance of risk management as a critical governance practice that directly impacts the operational performance of public institutions.

5.3 Conclusion

The study concludes that corporate governance practices significantly influence the performance of Independent Constitutional Commissions in Nairobi City County, Kenya. First, accountability practices were found to have a positive and statistically significant impact on the performance of Independent Constitutional Commissions. This confirms that when commissions establish robust accountability mechanisms, they are more effective in achieving their strategic objectives. Proper reporting systems,

regulatory compliance, and responsibility in operations create an environment of integrity, reduce inefficiencies, and lead to improved organizational performance.

Second, the study established that transparency practices significantly enhance the performance of Independent Constitutional Commissions. The ability of commissions to make their operations, decisions, and financial activities transparent to stakeholders not only promotes trust and openness but also reduces the likelihood of mismanagement and corruption. Transparent operations ensure that public institutions remain credible and effective, leading to better governance outcomes.

Third, board diversity was shown to have a positive effect on performance. The inclusion of diverse perspectives in leadership, whether in terms of gender, skills, or experience, was found to enrich decision-making processes and governance strategies. This diversity allows commissions to be more responsive and adaptive to the complex challenges they face, fostering innovation and strategic foresight. Diverse boards lead to more comprehensive governance, which directly influences the commissions' success in fulfilling their mandates.

Lastly, risk management practices were identified as a crucial factor in improving the performance of Independent Constitutional Commissions. The study concluded that effective risk management encompassing risk identification, assessment, and mitigation helps commissions avoid operational disruptions, comply with regulatory frameworks, and ensure long-term sustainability. Managing risks proactively enables the commissions to maintain stability and optimize their resources for better performance.

5.4 Recommendations for Policy and Practices

The following recommendations were made based on study findings:

- i. Independent Constitutional Commissions should adopt robust risk management frameworks to improve their performance. It is recommended that the government, in collaboration with policy makers and stakeholders, develop standardized risk management protocols for all commissions. These protocols should outline processes for risk identification, mitigation strategies, and contingency planning. Regular risk audits should be mandatory to ensure commissions are adequately prepared to handle operational disruptions or crises.
- ii. The government should prioritize the enhancement of corporate governance frameworks within Independent Constitutional Commissions (ICCs). Given the positive correlation between governance practices and performance, the government should institutionalize clear guidelines on accountability, transparency, and risk management. This could involve establishing dedicated oversight bodies that ensure regular auditing, performance evaluations, and compliance with governance standards across all commissions.
- iii. The open governance platforms should be established, allowing stakeholders and the public to access information on decisions, financial management, and the performance of commissions. The government, along with policy makers, should facilitate the creation of digital transparency platforms where periodic reports, audit findings, and performance reviews are made available to the public.
- iv. Stakeholders, including civil society organizations, public institutions, and private sector partners, should play a proactive role in advocating for improved

corporate governance within Independent Constitutional Commissions. Stakeholders should engage in regular monitoring and evaluation of the commissions to ensure that governance practices, such as transparency and accountability, are being upheld. They should also actively participate in capacity-building initiatives aimed at equipping commissions with the knowledge and tools necessary to implement best governance practices.

5.5 Recommendations for Further Studies

This research was based on influence corporate governance practices and performance of independent constitutional commissions in Nairobi City County, Kenya. The study suggests that further research should be done in other non-constitutional commissions to enhance generalization of study findings. The study considered four independent variables (accountability practices, transparency practices, board responsibility and risk management practices) which according to the findings contribute to 79.9% of the organizational performance of independent constitutional commissions as represented by the R^2 . The study therefore suggests further study should be done establish the contributors of 20.1% on the organizational performance of independent constitutional commissions.

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APPENDICES

Appendix I: Letter of Introduction

James Githu

Department of Public Policy and Administration,

School of Humanities and Social Science,

Kenyatta University,

P.O Box: 43844-00100, Nairobi.

Dear Informants,

I am a post graduate student at Kenyatta University pursuing a Master Degree in Leadership. I am carrying out a research on corporate governance practices and performance of independent constitutional commissions in Nairobi City County, Kenya. The study is purely for academic purposes and will not be used for any other goal. Kindly answer the questionnaire provided.

Your response will be highly appreciated.

Thank you.

Yours Faithfully,

James Githu

SECTION B: Corporate Governance Practices

i) Accountability Practices

To what extent are the following propositions valid as regards the state of accountability practices? Tick appropriately. Scale: 1-Strongly Disagree, 2-Disagree, 3-Neutral, 4-Agree, 5-Strongly Agree

Accountability Practices	1	2	3	4	5
The Commission's financial statements are prepared in accordance with generally recognized accounting principles.					
Stakeholders have access to communication from the commission.					
The is honest communication by the commission to the various stakeholders.					
The commission conducts independent internal audit.					
Employees of the commission are responsible at their lines of duty and commission resources.					
The commission discloses information and reports to the stakeholders regularly.					

	The commission complies with the government acts and policies related to good governance practices Effective.					
	Budgets are openly discussed with the parties concerned.					
	There is a code of conduct that clearly states what is expected of every member.					

ii) Transparency Practices

To what extent are the following propositions valid as regards the state of Transparency Practices? Tick appropriately. Scale: 1-Strongly Disagree, 2-Disagree, 3-Neutral, 4-Agree, 5-Strongly Agree.

	Transparency Practices	1	2	3	4	5
	The board consists of internal and external members.					
	The appointed board members are exempted from the organizational contracts.					
	The appointment of board members outside the organization management team reduces conflicts of interests within the organization management.					

	The board makes independent decisions devoid of external interference.					
	The top management has embraced technology.					
	Board members are always supposed to disclose their interests in matters pertaining the commission.					
	Procurement process always follow the laid down practices.					
	Top management members are supposed to disclose whenever they are conflicted in dealing with the commission.					

iii) Board Diversity

To what extent are the following propositions valid as regards the state of board responsibility? Tick appropriately. Scale: 1-Strongly Disagree, 2-Disagree, 3-Neutral, 4-Agree, 5-Strongly Agree.

	Board Diversity	1	2	3	4	5
	Board members have diverse academic qualifications.					
	Board members have diverse work experience.					
	Our board constitute of members from both genders.					

	The board constitutes of members of different ethnic groups.					
	The organization's board size is small for ease of communication					
	The board constitutes of members of different age groups.					
	In this commission our board of directors are known to oversight the management.					

iv) Risk Management Practices

To what extent are the following propositions valid as regards the state of Risk Management Practices? Tick appropriately. Scale: 1-Strongly Disagree, 2-Disagree, 3-Neutral, 4-Agree, 5-Strongly Agree.

	Risk Management Practices	1	2	3	4	5
	The commission has a risk management strategy in place.					
	Self-insurance is utilized in the commission activities to prevent the manifestation of incidents that cause delays.					
	The commission frequently review its operations in order to avoid risks.					
	Employees are occasionally trained on risk prevention.					

	A risk matrix is generated and utilized when carrying out undertakings.					
	Risk audits are conducted regularly.					
	Most tasks that could impede a team's activity progress are outsourced.					
	The organization is in partnership with others for risk handling.					

Section C. Organizational Performance

To what extent are the following propositions valid as regards the state of Organizational Performance? Tick appropriately. Scale: 1-Strongly Disagree, 2-Disagree, 3-Neutral, 4-Agree, 5-Strongly Agree.

	Organizational Performance	1	2	3	4	5
	The commission use its resources in an efficient manner.					
	Effort has been made to reduce costs of operation in this commission.					
	This commission is able to offer quality services to its clients.					
	The commission responds fast when customers are having issues to be addressed.					
	Feedback from our clients generally indicate that the commission is performing well.					

	Feedback from our clients generally indicate a reduction in the number of complaints.					
	There is no manpower wastage in this organization.					

Appendix III: List of Independent Commissions in Nairobi County, Kenya

S/NO	Commission
1	Kenya National Human Rights Commission
2	National Land Commission
3	Independent Electoral and Boundaries Commission
4	Parliamentary Service Commission
5	Judicial Service Commission
6	Commission on Revenue Allocation
7	Public Service Commission
8	Salaries and Remuneration Commission
9	Teachers Service Commission
10	National Police Service Commission
11	Ethics and Anti-Corruption Commission
12	National Gender and Equality commission
13	Commission on Administrative Justice
14	National Cohesion and Integration Commission

(Source Auditor General Office, 2023)

Appendix IV: Research Approval Letter



**KENYATTA UNIVERSITY
GRADUATE SCHOOL**

E-mail: dean-graduate@ku.ac.ke

P.O. Box 43844, 00100
NAIROBI, KENYA
Tel. 810901 Ext. 4150

Website: www.ku.ac.ke

Internal Memo

FROM: Executive Dean, Graduate School

DATE: 5th November, 2024

TO: James Githu
C/o Public Policy and Administration Dept.

REF: C153/CTY/PT/20052/2022

SUBJECT: APPROVAL OF RESEARCH PROJECT PROPOSAL

This is to inform you that Graduate School Board at its meeting of 16th October, 2024 approved your Research Project Proposal for the M.PPA Degree Entitled, “Corporate Governance Practices and Performance of Independent Constitutional Commissions in Nairobi City County, Kenya.”

You may now proceed with your Data Collection, Subject to Clearance with Director General, National Commission for Science, Technology and Innovation.

As you embark on your data collection, please note that you will be required to submit to Graduate School completed Supervision Tracking and Progress Report Forms per semester. The Forms are available at the University’s Website under Graduate School webpage downloads.

Also, please ensure that you publish article(s) from your project before submitting it to Graduate School for examination as per the Commission for University Education and Kenyatta University guidelines.

Thank you.


ELIJAH MUTUA
FOR: EXECUTIVE DEAN, GRADUATE SCHOOL

c.c. Chairman, Public Policy and Administration Department.

Supervisors:

1. Prof. David Minja
C/o Department of Public Policy and Administration
Kenyatta University

EM/ma



Appendix V: Research Authorization Letter



KENYATTA UNIVERSITY
GRADUATE SCHOOL

E-mail: dean-graduate@ku.ac.ke

Website: www.ku.ac.ke

P.O. Box 43844, 00100
NAIROBI, KENYA
Tel. 8710901 Ext. 57530

Our Ref: C153/CTY/PT/20052/2022

DATE: 5th November, 2024

Director General,
National Commission for Science, Technology
and Innovation
P.O. Box 30623-00100
NAIROBI

Dear Sir/Madam,

RE: RESEARCH AUTHORIZATION FOR JAMES GITHU - REG. NO. C153/CTY/PT/20052/2022

I write to introduce **James Githu**, who is a Postgraduate Student of this University. The student is registered for **M.PPA** degree programme in the **Department of Public Policy and Administration**.

James intends to conduct research for a **M.PPA** Project Proposal entitled, "**Corporate Governance Practices and Performance of Independent Constitutional Commissions in Nairobi City County, Kenya.**"

Any assistance given will be highly appreciated.


Yours faithfully,


PROF. ELIUD NJAGI
EXECUTIVE DEAN, GRADUATE SCHOOL

EM/mo




Appendix VI: Research Permit (NACOSTI)


REPUBLIC OF KENYA


**NATIONAL COMMISSION FOR
SCIENCE, TECHNOLOGY & INNOVATION**

Ref No: S20177 **Date of Issue: 13/November/2024**

RESEARCH LICENSE




This is to Certify that Mr., James Githu Mwiruri of Kenyatta University, has been licensed to conduct research as per the provision of the Science, Technology and Innovation Act, 2013 (Rev.2014) in Nairobi on the topic: CORPORATE GOVERNANCE PRACTICES AND PERFORMANCE OF INDEPENDENT CONSTITUTIONAL COMMISSIONS IN NAIROBI CITY COUNTY, KENYA for the period ending : 13/November/2025.

License No: NACOSTI/P/24/42131

Applicant Identification Number
S20177

Director General
**NATIONAL COMMISSION FOR
SCIENCE, TECHNOLOGY & INNOVATION**

Verification QR Code



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See overleaf for conditions