



Kirinyaga University

Tel: +254 701562092, +254 728499650, +254 709742000/30
P.O. Box 143-10300 Kerugoya.

Email: info@kyu.ac.ke
Website: www.kyu.ac.ke

Resolution of Public Complaints Committee

Frequently Asked Questions (FAQs)

What is the Commission on Administrative Justice?

The Commission on Administrative Justice, more commonly known as “Office of the Ombudsman”, is a constitutional commission established under Article 59(4) of the Constitution, and the Commission on Administrative Justice Act, 2011.

The mandate of Office of the Ombudsman is two-fold, and extends to both national and county governments. Firstly, the Commission has the mandate of tackling maladministration (improper administration) in the public sector. In this regard, the Commission is empowered to, among other things, investigate complaints of delay, abuse of power, unfair treatment, manifest injustice or discourtesy. Secondly, the Commission has the mandate of overseeing and enforcing the implementation of the Access to Information Act, 2016.

What does the term Ombudsman mean?

The term “Ombudsman” is a gender –neutral, Swedish word that refers to an officer or office mandated to receive and redress complaints against public officers or entities. An Ombudsman is also a public officer.

What issues does the ombudsman tackle?

In the Kenyan context, the Ombudsman handles complaints relating to maladministration and access to information.

- i. **Maladministration (improper public administration):** the Ombudsman handles an array of complaints in this regard including on service failure, delay, inaction, inefficiency, ineptitude, discourtesy, incompetence and unresponsiveness in public offices.
- ii. **Complaints relating to access to information:** as the overseer and enforcer of the Access to Information Act, the Commission tackles complaints relating to violations of the right to access to information by citizens.

Who can lodge a complaint?

Any person can lodge a complaint on their own behalf or on behalf of another person. Additionally, a complaint may be lodged by a Member of Parliament.

Whom can you complain about?

A public office or public officer from which/whom you sought services that were not rendered or that were delayed, or the officer was unprofessional, rude or disrespectful to you or other members of public.

Can a complaint be victimized for lodging a complaint?

No. It is a criminal offence to obstruct, threaten, or victimize a complainant or an officer of the Commission. Any person so doing is liable on conviction to a fine not exceeding KES 500,000 or imprisonment for a term not exceeding two years or both.

What information should a complainant give while lodging a complaint?

- i) His/her particulars unless the complaint is anonymous.
- i. Details of the public institution/officer complained against.
- ii. Information on whether the same complaint has been lodged with the Ombudsman before, or with other entities, or if the matter is in Court.
- iii. A clear, factual and concise brief on the complaint. Besides the letter detailing the issue, a complainant is required to give any available supporting documents.
- iv. If the complainant has made attempts to resolve the issue with the relevant authority, he/she needs to indicate what happened and reasons for dissatisfaction with the outcome.
- v. The remedy being sought.

What results from a complaint?

When you complain, a wrong is righted and administrative justice is delivered. Complaining ensures that service delivery in public offices is timely, efficient and effective.