




REPORT OF STAKEHOLDER CONSULTATIONS ON THE SUPPLIES PRACTITIONERS' MANAGEMENT (CONTINUOUS PROFESSIONAL DEVELOPMENT PROGRAMMES) GUIDELINES, 2024

Prepared by the Kenya Institute of Supplies Management pursuant to section 5 of the Statutory Instruments Act, No. 23 of 2013.

FEBRUARY, 2024

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE:	01 AUG 2024
	DAY: THURSDAY
TABLED BY:	DEPUTY MAJORITY WHIP
CLERK-AT THE-TABLE:	A. SHIBUKO

1.0 INTRODUCTION

The Kenya Institute of Supplies Management (the Institute) is the statutory agency established under the Supplies Practitioner Management Act, 2007. It is mandated under section 5 of its constituting Act to *inter alia* train, register, license, discipline and regulate supply chain practitioners in Kenya.

The Institute is governed by a Council established under section 4 of the Act comprising of a Chairperson elected by members of the Institute, a representative of the National Treasury, the Director- General of the Public Procurement Regulatory Authority and six other members elected by members of the Institute.

Section 16(10) of its Act mandates members of the Institute to undergo such continuous professional development programmes as may be prescribed by the Council. To enhance the Institute's efficiency in delivering the CPD programmes, and derive maximum benefit to the members, the Council has developed the Supplies Practitioners Management (Continuous Professional Development Programmes Guidelines) 2024.

The Guidelines seek to establish a framework for provision of continuous professional development to members of the Institute. They propose the categorisation CPD programmes into structured programmes and unstructured programmes in order to expand the avenues through which members of the Institute interact with informational material on supply chain management. Similarly, the Guidelines seek to regulate the provision of CPD programmes by establishing a process of accreditation of providers of CPD programmes. It is expected that implementation of these Guidelines will enhance efficiency in provision of CPD programmes to members of the Institute who will in turn attain the required professional competence to execute their duties seamlessly and address emerging issues within the supply chain arena.

2.0. OBLIGATION TO CONSULT

The Constitution of Kenya envisages involvement of the public in all affairs including legislative processes. Article 10 demands that state organs, state officers and public officers shall be bound by the values of inclusiveness, transparency, accountability and participation of the people whenever they apply or interpret the Constitution; enact, apply or interpret any law, or make or implement public policy decisions

The Statutory Instruments Act, No. 23 of 2013 (SIA) sets the principles of making statutory instruments. Section 5 of the Act requires a regulation making authority to make appropriate

consultations with persons who are likely to be affected by a proposed statutory instrument particularly where the instrument is likely to have a direct or substantial effect on business or restrict competition.

In determining the appropriateness of the consultation, the regulation making authority is required to have regard to any relevant matter including the extent to which the consultations drew on the knowledge of persons having expertise in fields relevant to the proposed statutory instrument and ensured that persons likely to be affected by the proposed statutory instrument had an adequate opportunity to comment on its proposed content.

In line with these requirements, the Institute published a notice dated 3rd January 2024 on the Daily Nation and the Standard newspapers, inviting stakeholders and the general public to submit their views on the proposed Supplies Practitioners Management (Continuous Professional Development Programmes) Guidelines, 2024 and attendant regulatory impact statement. The notice additionally invited stakeholders to attend public hearings in various parts of the country.

3.0. CONSULTATIONS

The Institute held consultative meetings in Nakuru, Kisumu, Eldoret, Embu, Kitui, Wajir, Kilifi, Mombasa and Nairobi. Additionally, the Institute convened a virtual meeting on 18th January. The meetings were attended by representatives from the National Treasury, Association of Professional Societies of East Africa, members of the Institute and the general public.

The Chairperson of the Institute presented the draft Guidelines to the participants and invited them to give input. The participants appreciated the Council for developing the guidelines as they would enhance flexibility, credibility and quality of CPD programmes.

The matrix below presents a summary of the comments raised by participants on the Guidelines and the Regulatory Impact Statement.

3.0. CONSIDERATION OF STAKEHOLDER COMMENTS

GUIDELINE	CLAUSE	CURRENT PROVISION	COMMENT	COUNCIL'S RESOLUTION
PART I: PRELIMINARY	2	“active learning” means engagement with informational material on supply chain management;	Review the definitions of active learning and CPD hour to accommodate services offered through unstructured programmes because the current definition is restricted to interaction with informational material.	Adopted Redrafted as follows— “active learning” includes engagement with informational material on supply chain management or any related activity by a member of the Institute.
		“accreditation” means the recognition of a person as having qualified to offer Continuous Professional Development programs to members of the Institute;	Properly define what accreditation means in the context of SPMA, which recognizes that, each member of KISIM with a practice license is qualified to practice PSM. If there is an issue with the current licensing system it should be addressed separately as a core issue outside these guidelines.	Not Adopted The licence issued under s. 20 of the SPMA allows a member to practice while the accreditation envisaged under paragraph 10 of the Guidelines authorizes a person to offer CPD training to members of the institute.
		“Committee” means the Professional Standards Committee established under paragraph 4;	The Professional Standards Committee is not a committee under the Act, it is an internal administrative	Not Adopted. S. 7 of the SPMA allows the Institute to delegate to any

			Structure. Avoid the creation of unconstitutional offices that do not exist under the law. CPD is under KISIM Council.	Committee of the Council the exercise of any of the powers of the Institute; further, paragraph 1 of the first schedule authorizes the Council to establish such committees as it may deem appropriate to perform such functions and responsibilities as it may determine.
		“CPD hour” means the time spent by a member in active learning;	What does time mean, hours or minutes? The definition is vague can the time be broken up. Properly define the CPD hours. It is advisable for the members ensure that their CPD hours are updated as soon as the events are undertaken. This will enable the institute to provide certificate of good standing promptly.	Adopted. Redrafted as follows— “CPD hour” means sixty minutes of active learning;
		“structured CPD programme” means formal training in supply chain management;	No definition of what formal training is and supply chain management this can cause vagueness.	Adopted with modification the word “formal” is deleted from the definition of the word “Structured CPD Programme”.
		“CPD hour” means the time spent by a member in active learning;	What does time mean, hours or minutes? The definition is vague can the time be broken up.	Adopted. Redrafted as follows—

			<p>Properly define the CPD hours.</p> <p>It is advisable for the members ensure that their CPD hours are updated as soon as the events are undertaken. This will enable the institute to provide certificate of good standing promptly.</p>	<p>“CPD hour” means sixty minutes of active learning;</p>
	3	<p>The purpose of these Guidelines is to —</p> <p>(a) enhance the capacity and competence of a member to discharge the member’s professional duties;</p> <p>(b) facilitate accreditation of providers;</p> <p>(c) keep members informed of the developments in the practice of supply chain management;</p> <p>(d) facilitate compliance with professional standards in supply chain management;</p> <p>(e) identify and address any gaps or weaknesses in skills and competence to improve professionalism in supply chain management;</p>	<p>The purpose and scope of the guidelines don’t align. Align the purpose to the content of the guidelines.</p>	<p>Adopted.</p> <p>Redrafted follows—</p> <p>The purpose of these Guidelines is to —</p> <p>(a) facilitate compliance with professional standards in supply chain management; and</p> <p>(b) provide for accreditation of a person offering CPD Program</p>
<p>PART II— PROVISION OF CONTINUOUS PROFESSIONAL DEVELOPMENT PROGRAMMES</p>	<p>Establishment of the Professional Standards Committee</p>	<p>4(1) There is established the Professional Standards Committee which shall comprise of three members of the Council, appointed by the Council.</p>	<p>Delete any reference to the Professional Standards Committee and reset all decisions on the KISIM Council as provided in the Act.</p>	<p>Not Adopted</p> <p>S. 7 of the SPMA allows the Institute to delegate to any Committee of the Council the exercise</p>

		<p>(2) The Committee shall— offer strategic direction to the Institute on continuous professional development programmes; oversee the implementation of continuous professional development programmes at the Institute; accredit providers of CPD programmes providers; award CPD hours to members; monitor compliance with these Guidelines; and advise the Registration Committee on professional standards of supply chain management practitioners</p>		<p>of any of the powers of the Institute; further, paragraph 1 of the first schedule authorizes the Council to establish such committees as it may deem appropriate to perform such functions and responsibilities as it may determine.</p>
Types of CPD programmes	6	<p>6(2) A structured CPD programme shall comprise formal training in supply chain management conducted through workshops, conferences or webinars.</p>	<p>It is advisable to unpack all the events that may qualify for CPD hours. This will reduce the back and forth questions from members to the institute requesting whether particular events are eligible for CPD hours consideration.</p>	<p>Adopted Redrafted by introducing a schedule of structured programmes.</p>
			<p><i>An unstructured CPD programme includes— (a) provision of free supply chain management services</i></p>	

		<p><i>to safeguard public interest;</i></p> <p><i>(b) publication of books, journals or articles on supply chain management; or (c) participation in activities on behalf of the Institute.</i></p> <p><i>Reading business sections of newspapers, professional journals e.g. The Accountant, financial mail, the economist</i></p> <ul style="list-style-type: none"> <i>• Watching technical Videos and DVDs</i> <i>• Self Study that results in Professional Development.</i> <p><i>It is advisable to unpack all the events that may qualify for CPD hours. This will reduce the back and forth questions from members to the institute requesting whether particular events are eligible for CPD hours consideration.</i></p>	
	6	<p><i>How will we make trainings more affordable for members?</i></p>	<p><i>Adoption of Hybrid trainings for key workshops will allow all members of the Institute to attend virtually at a cheaper cost.</i></p> <p><i>Unstructured CPD is also an avenue for a member to acquire CPD hours.</i></p>

				<i>Time to time revision of the guidelines according to the prevailing market forces and the country's economic situation.</i>
	6		<i>There is need for the institute to consider decentralization of trainings.</i>	<i>The 2024 CPD Training Calendar has decentralized the provision of CPD programmes to include Nakuru County, Machakos County and Laikipia County.</i>
	6		<i>Will the institute use any software in undertaking structured trainings?</i>	<i>The Institute has already adopted the use of technology in the delivery of structured training programmes.</i>
	6		<i>How will the institute ensure that trainings are affordable especially for the members not in employment?</i>	<i>Adoption of Hybrid trainings for key workshops will allow all members of the Institute to attend virtually at a cheaper cost. Unstructured CPD is also an avenue for a member to acquire CPD hours.</i> <i>Time to time revision of the guidelines according to the prevailing market forces and the country's economic situation.</i>

	6	<p>(3) An unstructured CPD programme includes—</p> <p>(a) provision of free supply chain management services to safeguard public interest;</p> <p>(b) publication of books, journals or articles on supply chain management; or</p> <p>(c) Participation in activities on behalf of the Institute.</p>	<p>Define unstructured CPD programs to broaden the list, include mentorship as part of the unstructured programmes.</p>	<p>Adopted</p> <p>Redrafted by introducing a schedule of unstructured programmes.</p>
			<p>Consider awarding CPD hours to lecturers of universities, KSG and other institutions teaching procurement throughout the year.</p>	<p>Not Adopted.</p> <p>Any Institution that wants to offer CPD programmes they must undergo the accreditation process.</p>
			<p>Provide a mechanism for submission of evidence of publication in referenced journals for award of relevant CPD hours</p>	<p>Adopted.</p>
			<p>Any considerations to award points to lecturers of universities, KSG and other institutions teaching procurement throughout the year and such students get exemptions by KISEB</p>	<p>Not Adopted.</p> <p>CPD entails continuous learning and acquiring new skills and should be distinguished from work related duties and responsibilities. It is also important for practitioners in academia to benefit from CPD programmes that would enrich the content and</p>

				curriculum offered to their students.
			Inclusion of reference materials from workshops on membership portals for members to read and be awarded structured cpd hours.	Not Adopted Referenced materials are only accessible to members who have attended the structured CPD event.
			Reading business sections of newspapers, professional journals e.g. The Accountant, financial mail, the economist • Watching technical Videos and DVDs • Self Study that results in Professional Development.	Adopted Adopted Redrafted by introducing a schedule of unstructured programmes.
			Consider the following as categories of structured CPDs: - Structured CPD activities • Normal training in supply chain management conducted through workshops, conferences or webinars, which may include: - • Technical meetings and contributing to technical meetings • Mentoring • Published articles	Adopted Redrafted by introducing a schedule of structured programmes.

			<ul style="list-style-type: none"> • Committee work including preparation of board meetings, audit committees or other financial services or trade organizations • Further qualifications, e.g. MBA, CFA, CISA, CPS • Serving as an Examiner for KASNEB or any other professional examining body in a relevant field. 	
CPD hour	7	7. A member shall acquire thirty-four CPD hours from structured CPD programmes and six CPD hours from an unstructured CPD programme.	<p>It is advisable to unpack all the events that may qualify for CPD hours. This will reduce the back and forth questions from members to the institute requesting whether particular events are eligible for CPD hours consideration.</p> <p>4.25 of structured 6 CPD hours unstructured, G. 18 (2) members can get all points from annual conference so the whole calendar is irrelevant. Align the hours.</p> <p>What is triggering increasing CPD points as it were from 24 points upwards, (practitioners are funding their trainings because employers claim not to have funds for the same).</p>	<p>Adopted</p> <p>Redrafted by introducing a schedule of structured programmes.</p> <p>Adopted</p> <p>Paragraph 18 (2) is deleted (annual Conference)</p> <p>Not Adopted</p> <p>The Institute has not increased points awarded for attendance of CPD programmes. The Institute has divided the point structure system into Structured and Unstructured.</p>

				Further, the Institute has renamed the points into hours.
			Reduce the CPD hours required from 40 to 24 it appears like there's an addition from the existing 24 points to add another 40 points.	<p>Not Adopted</p> <p>The Institute has not increased points awarded for attendance of CPD programmes. The Institute has divided the point structure system into Structured and Unstructured. Further, the Institute has renamed the points into hours.</p>
			Provide a mechanism for monitoring compliance with the criteria for award of unstructured CPD hours (6).	This is an internal administrative function.
			<p>Review the number of structured and unstructured using a verifiable method. e.g. a ratio of 3:1</p> <p>To establish an empirical method of calculating of the CPD hours</p> <p>The ICPAK CPD scheme is mandatory, requiring members to</p>	<p>Adopted</p> <p>Paragraph 7 is redrafted</p>

			<p>complete 25 hours of structured and 15 hours of unstructured CPD activity per year. Some members for one thing or another may be committed and not able to attend events qualifying for structured CPD hour. It is advisable to adopt ICPAK 25/15 ratio</p>	
			<p>The structured CPD events should be aligned with the hours trained and allow for longer training periods.</p>	
			<p>Justify the increase in CPD points from 24 points upwards, (practitioners are funding their trainings because employers claim not to have funds for the same).</p>	<p>Not Adopted</p> <p>The Institute has not increased points awarded for attendance of CPD programmes. The Institute has divided the point structure system into Structured and Unstructured. Further, Institute has renamed the points into hours.</p>

			<p>The ICPAK CPD scheme is mandatory, requiring members to complete 25 hours of structured and 15 hours of unstructured CPD activity per year, which is averaged over a three-year period (120 hours in a 3-year rolling cycle i.e. 75 structured and 45 non-structured).</p> <p>Some members for one thing or another may be committed or indisposed in a particular year and not able to obtain all required CPD hour for the year. It is advisable that the hours be averaged over three-year period.</p> <p>Make provision for rolling over of CPD hours to the next year.</p>	Not Adopted
<p>PART III— ACCREDITATION OF A CPD PROGRAMME PROVIDER</p>	<p>Requirements for accreditation of a provider</p>	<p>10. (1) A person is eligible for accreditation as a CPD provider where the person—</p> <p>(a) is a member of the Institute;</p> <p>(b) holds a valid practicing licence, whether practicing as a sole practitioner, in partnership or as a body corporate;</p> <p>(c) has the relevant academic qualifications;</p> <p>(d) meets the requirements of integrity stipulated in chapter six of the Constitution.</p>	<p>Include training by PPRA, NT or other government training institutions for award of CPD hours.</p>	<p>Adopted.</p> <p>Redrafted by inserting a new paragraph immediately after paragraph 10 (2)</p>

<p>PART IV— MISCELLANEOUS PROVISIONS</p>	<p>CPD hours per event</p>	<p>18 (1) A structured CPD event shall accrue a maximum of thirty CPD hours (2) Despite subparagraph (1), the Institute may convene an annual conference, which shall accrue thirty- four CPD hours.</p>	<p>Develop a schedule indicating the number of CPD hours accrued by a member for each of the unstructured programmes and the nature of evidence required to award CPD hours.</p>	<p>Adopted</p>
			<p>Remove the issue of annual conference; it should be a cpd activity like any other.</p>	<p>Adopted Paragraph 18 (2) is deleted</p>
			<p>It is advisable for the members ensure that their CPD hours are updated as soon as the events are undertaken. This will enable the institute to provide certificate of good standing promptly.</p>	<p>NOTED</p>
	<p>Appeals</p>	<p>21. A member aggrieved by a decision of the Committee under these Guidelines may appeal to the Council.</p>	<p>To promote fair hearing Put in place mechanisms to ensure that a person aggrieved by a decision of the Committee gets a fair hearing on appeal to the Council</p> <p>The committee does not issue accreditation, the KISIM Council has that</p>	<p>Adopted The paragraph is deleted and substituted with a mechanism for review of the decisions of the Committee. Appeals of Committee</p>

			mandate, how can they appeal to the same body? An aggrieved party can only sue the KISIM Council.	decisions will lie in the High Court.
	Failure to acquire CPD hour	17 (2) Where a member fails to accrue the forty CPD hour, the member may make up the difference in the period between 1st January and 31st January of the next CPD year.	Extend the period of compliance for members who have not attained the requisite number of CPD hours, from 31st January to 31st March in order to afford ample time to members to comply.	Not Adopted S. 47 PPDA envisages that a procurement function is handled by a procurement professional whose qualifications are recognised in Kenya, therefore extending the period of compliance for members who have not attained the requisite number of CPD hours, from 31st January to 31st March will mean the procurement activities undertaken by this members during this potential extension period will be void.
	Exemption from CPD		There are members who having retired and have no gainful employment still have the passion to remain members. To recognize their contribution to the institute it is fair to exempt them from mandatory CPD. Make provision for CPD waivers, who qualifies for a waiver,	Not Adopted S 16 (10) of SPMA obligates members of the Institute to undertake such CPD programmes as may be prescribed by the Council.

			<p>how the waivers are to be granted by the council.</p> <p>Members over the age of 60 who are not in practice can apply for exemption from CPD by ICPAK. If a member receives exemption but is still professionally active, he/she has the responsibility to inform ICPAK. The request for exemption letter should be addressed to the Training and Development Committee.</p>	
			Clarify whether all members of the institute are expected to undertake CPD programmes or CPD will be reserved for licence holders.	S 16 (10) of SPMA makes it mandatory for members of the Institute to undertake CPD programmes.
	Not Provided		How do we ensure that all SCM officers are given equal opportunities to attend trainings?	The Institute sensitizes employers on the need to ensure supplies practitioners undergo continuous professional development.
	Not Provided		How will Students benefit from the CPD programs.	The Institute offers mentorship and coaching programmes that will induct the students to the profession.

4.0. PICTORIAL EVIDENCE



Fig. 1. Public Consultation on CPD Guidelines 2024 Meeting held at Vic Mac Hotel Nakuru 19th January 2024



Fig.2. Public Consultation on CPD Guidelines 2024 Meeting held at Tomboya Hall Kisumu 29th January 2024



Fig.3. Public Consultation on CPD Guidelines 2024 Meeting held at Sirikwa Hotel in Eldoret on 30th January 2024



Fig.4. Public Consultation on CPD Guidelines 2024 Meeting held at Kenya School of Gvt Embu on 1st February 2024



Fig.5 Public Consultation on CPD Guidelines 2024 Meeting held at Marie Garden Hotel in Kitui on 2nd February 2024



Fig.6 Public Consultation on CPD Guidelines 2024 Meeting held at Oasis Hotel in Wajir on 5th February 2024



Fig. 7. Public Consultation on CPD Guidelines 2024 Meeting held at Pwani University Kilifi on 6th February 2024



Fig.8. Public Consultation on CPD Guidelines 2024 Meeting held at Kenya Coast National Polytechnic Mombasa 7th of February 2024



Fig.9. Public Consultation on CPD Guideline 2024 Meeting held at Bomas Of Kenya Nairobi on the 9th of February 2024

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John Karani MKISM, MCIPS

Chairperson

Kenya Institute of Supplies Management