

# **Influence of Principals' Exposure to Management Training on Their Compliance with Procurement Regulations in Public Secondary Schools in Embu County**

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## **Abstract**

Public procurement has become an issue of public attention and debate, and has been subjected to reforms, restructuring, rules and regulations. Most of developing countries have undertaken strategies to reform their procurement system. Compliance with public procurement regulations in Kenya continue to be low in public entities despite efforts by the Public Procurement Oversight Authority (PPOA) to put in place measures to improve compliance. The purpose of this study was to determine the influence of Principals' exposure to management training on their compliance with procurement regulations in Public Secondary Schools in Embu County. The philosophical foundation of the study was positivism, and a cross-sectional descriptive survey research design was adopted. The target population for the study was all the 132 public secondary schools in Embu County while a sample of 490 respondents was selected using stratified random sampling. The respondents included principals, deputy principals, bursars, members of procurement committee and suppliers. Primary data was collected using questionnaires which were pretested for reliability and validity to determine its suitability for use in the study. Quantitative data was analysed using descriptive and inferential statistics and results presented using charts and tables. Inferential statistics, correlation, multiple regression analysis were used to establish the nature and magnitude of the relationships between the variables and to test the hypothesized relationships. The study findings indicated that Principals' exposure to management training influenced their compliance with procurement regulations in Public Secondary Schools in Embu County greatly. The study concluded that principal's exposure to management training, management of technical experts, management of community and management of religious sponsors influences the compliances of procurement regulations in public secondary schools. The study recommends that there is need therefore for government and public institutions to lay emphasis on familiarization of the new procurement rules and regulations and to intensify continuous education among the procurement stakeholders in the public procurement process particularly at the secondary school level.

**Key Words:** Public Procurement, Exposure to Management Training, Compliance, Public Secondary Schools, Procurement Regulations

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## **1. Introduction**

Public procurement is an important function of government for several reasons. First, the sheer magnitude of procurement outlays has a great impact on the economy and needs to be well managed (Ndemo & Achuora, 2020). Indeed, in all countries in the world, estimates of the financial activities of government procurement managers are believed to be in the order of 10% – 30 % of GNP (Deloitte, 2019). Procurement is the process of finding and agreeing to terms and purchasing goods, services or works from an outside source, usually through a competitive bidding or tender process (Boleslaw, Bogdan & Nguyen, 2021). Procurement encompasses the whole process of acquiring property and/or services. It begins when an agency has identified a need and decided on its procurement requirement (Githinji & Were, 2018). Procurement continues through the processes of risk assessment, seeking and evaluating alternative solutions, contract award, delivery of and payment for the property and/or services and, where relevant, the ongoing management of a contract and consideration of options related to the contract. Procurement also extends to the ultimate disposal of property at the end of its useful life (Ndemo & Achuora, 2020).

Education is a human right and a key factor in progress on the Sustainable Development Goals (SDGs). Investing in the education of the population is fundamental to achieving full social and labour inclusion at the individual level, contributing to equality and participation in society, and supporting countries' economic growth

(UNICEF, 2020). Education needs to recover the space it lost in national budgets as a result of COVID-19. Many countries decreased the prioritization of education spending with the onset of COVID-19. According to World Bank (2023) report, education financing needs to expand to ensure sufficient per-capita spending to meet national education goals. Given variation across countries, common international benchmarks on education spending should not be used deterministically to assess the adequacy of financing. Spending per school-age child, the most accurate indicator of financing adequacy, averages US\$53 in Low Income Countries, US\$318 in Lower-Middle Income Countries, US\$980 in Upper Middle-Income Countries and US\$7,800 in High Income Countries. These stark differences surpass differences in countries' living standards and costs of delivering education services. Many Low-Income Countries and Lower-Middle Income Countries that meet common international benchmarks on education spending (such as 4-6% of GDP or 15-20% of public budgets) still spend very little per school-age child due to their small state budgets and large young populations (World Bank, 2023; African Union, 2023).

Worldwide, public procurement has become an issue of public attention and debate, and has been subjected to reforms, restructuring, rules and regulations. Most of developing countries have undertaken strategies to reform their procurement system (Letshaba, 2019; Owuor, Otieno, Obura & Kobiero, 2015). The public procurement systems are obviously difficult and dynamic and this is due to variety of objectives that require to be achieved by the procurement. For example; the fundamental intention of public procurement is to serve the public through political purpose and society which is different from private procurement whose primary aim is the profit centric (Ndumbi & Okello, 2015). Public sectors are struggling to achieve their best value for money for the public which encompasses public interest, satisfaction, transparency, honest, justice and equity. Compliance with procurement regulations for procurement entities is significant in achieving public procurement goals and objectives (Naluyaga, 2019). Several developing countries have introduced procurement reforms which involve procurement laws and regulations due to inadequate regulatory compliance (Onyinkwa, 2014).

Over the years, the government came up with numerous policies and laws to govern public procurement until 2007 when it enacted the Public Procurement and Disposal Act, 2005 (the PPDA, 2005), the first of its kind in the country. The promulgation of the new constitution in 2010 outlined principles for public procurement and disposal (The Constitution of Kenya, 2010) [Chapter 13 (232)]. These are fair, equitable, transparent, competitive and cost-effective. In 2016, the government ratified the Public Procurement and Asset Disposal Act, 2015 (the PPDA, 2015) which repealed the PPDA, 2005. The Act applies to all state organs and public entities with regard to planning, procurement processing, inventory and asset management, disposal of assets as well as contract management (The Kenya Gazette Supplement, 2015). The act also lists institutions that can be termed as public entities as well as outlining the regulatory bodies, their functions, offences and sanctions (AfriCOG, 2019).

Public procurement being a core function in an economy is subjected to the dynamic changes and trends of the market and interests both from the Kenyan public and development partners. The public procurement function experiences a myriad of challenges due to the growing government expenditure and funding from development partners (Muange & Chirchir, 2016). Since this study relies on procurement practices currently in Kenyan secondary schools, procurement in such schools was studied in relation to the use of and adherence to the requirements of the stated regulations. The study therefore focused on all the 132 public secondary schools in Embu County.

### **Statement of the Problem**

Compliance with public procurement regulations in Kenya continue to be low in public entities despite efforts by the Public Procurement Oversight Authority (PPOA) to put in place measures to improve compliance (PPOA, 2007). Mulwa, Kalai and Migosi (2013) similarly found out in their study on determinants of implementation of public procurement regulations by head teachers in public secondary schools in Migwani District, that there is low level of compliance in the implementation of public procurement regulations.

Procurement in secondary schools in Embu is supposed to be carried out by the authorized procurement body as per the guidelines from PPOA and the Ministry of Education., in collaboration with the schools BOG, PTA, the schools' principals and other stakeholders to ensure that there is transparency in the process. However most of the time this does not happen and thus there have been cases where some of the stakeholders in the schools in the district and more so the parents, have been known to be involved in outcries regarding the utilization of the resources in these schools.

Compliance levels continue to be low in public entities in Kenya despite efforts by the Public Procurement Oversight Authority (PPOA) to put in place measures to improve compliance (PPOA 2007). The procurement regulations law aim was to promote fairness, transparency and nondiscrimination in procurement in public

institutions for instance secondary school setting with the main aim of ensuring efficient use of public funds. Procurement audits carried out revealed non – compliance with procurement regulations in public secondary schools. In Embu County, it has been noted that school tendering committees distort the Regulations to restrict the participation of interested suppliers in procurement, or still direct the outcome of others and thus the non-adherence level to procurement regulation remains at 60% (County Audit Report, 2016). Despite, the enactment of the new constitution which has helped to strengthen and promote values enshrined in procurement, devolution of funds and services hence making it possible for closer monitoring of this function, there have been multiple disciplinary cases and interdictions of secondary schools principals in Embu due to procurement related matters. This study therefore sought to determine the influence of principals' exposure to management training on their compliance with procurement regulations in public secondary schools in Embu County.

## 2. Literature Review

The procurement process within the public sector in Kenya follows steps as enumerated in the PPADA, 2015. According to Rossi (2019), compliance with formal elements gives an indication of knowledge of the rules. Hui, et al (2017) noted that one of the factors that causes non -compliance with the procurement regulations is the level of familiarity or awareness with the procurement regulations. Oluka (2020) maintained that public purchasers will comply with the rules if they perceive them as clear. Oluka (2020) added that the simple fact that the management of a public agency is familiar with the essence of the EU rules could function as an organizational incentive to comply. Educating and training public purchasers will be an effective tool for increasing the compliance with the directives. In Uganda, a study by Eyaa (2018) found out that lack of familiarity with procurement rules results into poor compliance levels.

A study by Fisher (2019), compliance arises from a dynamic and continuous training. A report by the PPOA (2013) and the Kenya Institute of Supplies Management (KISM, 2018) stated that the procurement staffs in many procuring entities suffer from a general lack of information about the legal frame- work, principles, procedures and processes of procurement. Nonetheless, it is also possible that those who are very much aware of the regulations know it so well that they know how to beat the loopholes to their advantage. It is worth noting that the ambiguity in the public procurement procedures may provide a chance for dubious acts including opaque tendering and discriminate supplier selection which may progress into poor compliance levels. Other studies have also noted that deficient awareness of the procurement procedure by all the internal stakeholders may affect compliance. Hui et al.,(2019) opinioned that procurement officers must be trained and made aware of all regulations in relation to procurement and related procedures in public institutions so that they can comply with such rules while undertaking the procurement activities.

According to Raymond (2018), professionalism in public procurement relates not only to the levels of education and qualifications of the workforce but also to the professional approach in the conduct of business activities. If the workforce is not adequately educated in procurement matters, serious consequences; including, breaches of codes of conduct occur. According to Atkinson (2003) cited in Raymond(2018), there are approximately 500,000 professional purchasing people in the United States and only 10 per cent of these have been members of a professional body and the rest are not even aware that there are ethical and legal standards involved in procurement.

An examination by Kimote and Kinoti (2018) on factors influencing adoption of procurement policies in the context of Kenyan county governments focused on the impact of ICT and staff training. The study adopted the use of systematic random sampling in attaining a suitable sample of the 47 Kenyan county governments. It employed a mixed methodology, with both quantitative and qualitative data being collected. The researchers applied a descriptive design to evaluate the relationship between staff training and ICT and adoption of procurement guidelines. The study showed that ICT had a more significant effect on the implementation of procurement policies in the county governments while staff training had less significance.

## 3. Research Methodology

This study sought to determine the influence of Principals' exposure to management training on their compliance with procurement regulations in Public Secondary Schools in Embu County. The philosophical foundation of the study was positivism, and a cross-sectional descriptive survey research design was adopted. The target population for the study was all the 132 public secondary schools in Embu County while a sample of 490 respondents was selected using stratified random sampling. The respondents included principals, deputy principals, bursars, members of procurement committee and suppliers. Primary data was collected using questionnaires which were pretested for reliability and validity to determine their suitability for use in the study. Quantitative data was analysed using descriptive and inferential statistics and results presented using charts and

tables. Inferential statistics, correlation, multiple regression analysis were used establish the nature and magnitude of the relationships between the variables and to test the hypothesized relationships. The Chi-square ( $\chi^2$ ) test was used to determine the strength of association between principals exposure to management training and principals compliance with procurement regulations and to test whether the observed relationship is significant or not. The level of significance was set at  $\alpha$  0.05

#### 4. Findings of the Study

The study sought to determine the influence of Principals' exposure to management training on their compliance with procurement regulations in Public Secondary Schools in Embu County. The study findings on principals' exposure to management training are presented on Table 1 below.

*Table 1: Cross tabulation between Principals' Exposure to Management Training and Compliance*

		Exposed to management		Chi-square
		Not exposed	Exposed	
Our school advertises all tenders	Strongly disagree	0	2	$\chi^2=7.699$ (p=0.104)
	Disagree	2	2	
	Neutral	2	9	
	Agree	5	44	
	Strongly agree	2	30	
	Total	11	87	
Our school gives and follows strict rules regarding receiving all tenders bid	Strongly disagree	0	2	$\chi^2=23.353$ (p=0.000)
	Disagree	3	1	
	Neutral	3	6	
	Agree	3	54	
	Strongly agree	2	24	
	Total	11	87	
Tender boxes are displayed at convenient places for all interested parties to drop their bids freely	Strongly disagree	2	2	$\chi^2=7.722$ (p=0.102)
	Disagree	2	11	
	Neutral	2	10	
	Agree	3	40	
	Strongly agree	2	24	
	Total	11	87	
Opening of bids is done in a clear and transparent manner	Strongly disagree	1	1	$\chi^2=11.898$ (p=0.018)
	Disagree	2	2	
	Neutral	1	3	
	Agree	5	38	
	Strongly agree	2	43	
	Total	11	87	
Declaring of awards is done publicly to all bidders	Strongly disagree	1	2	$\chi^2=20.549$ (p=0.000)
	Disagree	4	3	
	Neutral	2	11	
	Agree	4	41	
	Strongly agree	0	30	
	Total	11	87	
There is a committee set aside to receive appeals on procurement tendering process and award	Strongly disagree	2	1	$\chi^2=10.262$ (p=0.036)
	Disagree	1	11	
	Neutral	3	19	
	Agree	3	40	
	Strongly agree	2	16	
	Total	11	87	
The school consults the relevant government department to ensure legality of the process	Strongly disagree	2	2	$\chi^2=15.952$ (p=0.003)
	Disagree	1	1	
	Neutral	5	16	
	Agree	1	31	
	Strongly agree	2	37	
	Total	11	87	
Consulting experts in the procurement process would improve compliance with regulations	Strongly disagree	1	3	$\chi^2=2.161$ (p=0.706)
	Disagree	0	7	
	Neutral	1	4	
	Agree	4	37	
	Strongly agree	5	36	
	Total	11	87	
Principals' compliance with procurement regulations	No	6	9	$\chi^2=14.717$ (p=0.000)
	Yes	5	78	

The study findings indicates that on overall, principals' exposure to management training was found to be statistically significant with principals' compliance with procurement regulations ( $P=0.000$ ). The findings imply that those principals that were exposed to management training had higher chances of being compliant with procurement regulations. The results for cross tabulation between the statements on compliance and the mean for principals' exposure to management training are as shown in the Table 1. The findings shows that most of the statements relating to compliance were statistically associated with principals' exposure to management training with the p values being below 0.05. The results indicate that those principals' exposed to management training were significantly associated with our school gives and follows strict rules regarding receiving all tenders bid, opening of bids is done in a clear and transparent manner, declaring of awards is done publicly to all bidders, there is a committee set aside to receive appeals on procurement tendering process and award and the school consults the relevant government department to ensure legality of the process. The findings imply that principals' compliance with procurement regulations was dependent on principals' exposure to management training, this thus means that it is very important for the principals to ensure they are exposed to relevant training so as to be compliant with the procurement regulations as outlined in the Public Procurement Disposal Act, 2005. The findings are in agreement with those of Hui et al.,(2019) who opinioned that procurement officers must be trained and made aware of all regulations in relation to procurement and related procedures in public institutions so that they can comply with such rules while undertaking the procurement activities.

*Table 2: Cross tabulation between Compliance and principals' exposure to management training.*

Compliance with Procurement Regulations			
		No	Yes
Principals' exposure to management training	Not exposed	6	5
	Exposed	9	78
	Total	15	83
		X <sup>2</sup> =14.717 (p=0.000)	

Table 2 indicates that on overall, principals' exposure to management training was found to be statistically significant with principals' compliance with procurement regulations ( $P=0.000$ ). The findings imply that those principals that were exposed to management training had higher chances of being compliant with procurement regulations.

## 5. Conclusion

The study therefore concludes that principal's exposure to management training, management of technical experts, management of community and management of religious sponsors influences the compliances of procurement regulations in public secondary schools. The study acknowledges the importance of ethics, awareness and training in compliance to procurement procedures and regulations however; a lot needs to be done to improve ethical conduct, knowledge of employees/procurement committee on procurement regulations and training because failure to comply with the regulations school tendering committees and suppliers can lead to major losses for the government funds.

The study focused on the influence of Principals' exposure to management training on their compliance with procurement regulations in Public Secondary Schools in Embu County. Another study can be conducted in other public secondary schools in Kenya and see if the study findings hold true.

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