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## RESEARCH ARTICLE

# INFLUENCE OF TEACHERS SERVICE COMMISSION DISCIPLINARY PRACTICES ON TEACHER INSTRUCTION PERFORMANCE IN PUBLIC SECONDARY SCHOOLS IN KENYA. A STUDY A CROSS SCHOOLS IN RACHUONYO NORTH SUB COUNTY

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### ABSTRACT

Concerns have been raised globally that human resource management practices do influence employee performance. These concerns have been noted in studies conducted in Ghana, Tanzania Nigeria and other countries of the world. In Kenya the performance in the Kenya Certificate of Secondary Education examinations mean scores in Rachuonyo North Sub County in comparison with neighboring sub counties of Homa Bay County for the past 3 years had been below average (3.11 in 2017, 4.07 in 2018 and 4.36 in 2019) Rachuonyo East (3.4940, 4.672, 4.9468), Rangwe (5.24048, 5.0257, 3.416), Suba (3.5722, 4.4310, 4.3097), Mbita (3.5983, 4.4706, 4.860) and Homa bay sub county (4.2920, 4.860, 4.7904). At the same time, the Teachers Service Commission (TSC) still uses various human resource practices to manage teachers. Concerns have been raised that these practices influence the deteriorating performance hence a study was necessary to establish the extent and degree to which these practices influence teacher instruction performance. The objective of the study was to determine the extent to which Teachers Service Commission disciplinary practices influences teacher performance in public secondary schools in Rachuonyo North Sub County, Kenya. The findings revealed that Teachers Service Commission disciplinary practices had a moderate influence on teachers' instructional performance. The researchers recommended a thorough refinement of these practices in order to realize full potential of the teachers as they negatively affect teachers' performance. The study findings are significant to stakeholders in education as they inform policy formulation, review and implementation on Teachers Service Commission transfer, compensation and career progression practices.

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## INTRODUCTION

The impact of education has direct influence on society across many levels, which facilitate growth and development. A good indication of this is where developed nations of the world have high literacy rate and productive human resource (Lee, 2008). Many of these nations have also started imparting their human resource with selective training and education programs in order to meet the rising technical and business demands. Employees equipped with high education impart powerful

knowledge and skills in order to be effective in a competitive environment. Higher education is identification to a better life in improving the standard of living, to meet the demand for higher pay from an organization and to adapt fast technology changing in global. Good Human Resource management practices are a key drive of staff performances. The human resource practices can be listed using the Bersin study (2019) which analyzed 140 Human Resource best practices to find which ones had the highest impact opportunities for companies. The study listed disciplinary, career development,

recruitment and selection, transfer, transparency, employee benefits, employee incentives, compensation and evaluations, compliance, and terminations practices as being the key practices in any organization. This research paid special attention to the five most important of Teachers Service Commission Human Resource Practices that influence the teacher performance which are Disciplinary, Career Progression, recruitment, transfer and compensation practices. By critically observing these practices, the Teachers Service Commission be able to motivate, attract and retain employees to support the mission, objective and organizational strategy towards the enhancement of Teacher and student performance. Teacher discipline is a common place concern in Kenya A descriptive survey study by Simatwa and Ngoma (2013), aimed at establishing forms, factors and preferred strategies in management of professional misconduct among public primary school teachers in Nyando District attest to this assertion. The study population consisted of 1,613 teachers, 289 deputy head teachers, 289 head teachers, one Kenya National Union of Teachers branch Secretary, one Education Officer in-charge of Primary School Administration and one Teachers Service Commission's District Human Resource Officer. The findings of the study revealed that various forms of teacher misconduct were experienced in Nyando District. They included lateness, absenteeism, and alcoholism, negligence of duty, financial mismanagement, Code of Regulation corporal punishment, sexual immorality, insubordination, drug abuse, assault and desertion of duty. Teacher's misconduct was influenced by work environment, home background, teacher character and school leadership. The study established that the preferred methods of managing teacher professional misconduct were guidance and counseling, log in, transfer, provision of Code of Regulation for Teachers, capacity building, provision of account clerks, transfer and motivation. The study poked holes into the effectiveness of the disciplinary system. According to the conclusions of the study, the disciplinary system ought to help in alleviating future misconduct of teachers rather than being just punitive. The study involved public primary schools within Nyando District and not Public secondary schools within Rachuonyo North Sub County as in the current study. Also, the study did not relate the Teachers Service Commission Disciplinary Practices to teachers Performance hence a knowledge gap which was filled by the current study.

#### **SYNTHESIS OF LITERATURE ON INFLUENCE OF TEACHER SERVICE COMMISSION DISCIPLINARY PRACTICES ON TEACHER JOB PERFORMANCE:**

According to Wilkins and Lipinski (2014), An employee code of conduct--which spells out the do's and don'ts regarding appropriate behavior in the workplace--is an important part of an organization's control environment because it communicates the entity's ethics and values. A code of conduct can be an effective and efficient way to share these ethics and values with employees, safeguard the firm's assets, increase financial reporting reliability, and prevent misunderstandings and possible litigation. For such a code to be impactful, however, top management must endorse and follow it. Mabagala (2016) sought to investigate the prevalence of professional misconduct among public secondary school teachers in Nzega District, Tanzania public secondary schools. The study employed descriptive survey research design. The sample consisted of 403 respondents in which teachers and students were randomly selected, while heads of schools and Teachers Services Department officials were purposively selected based on their administrative roles. Findings revealed

that teachers' professional misconduct was low. However, financial mismanagement, negligence of duty, and absenteeism were among the common professional misconduct acts in secondary schools in Nzega District. Findings also revealed that, poor remuneration, failure to fulfill teachers' needs, and lack of motivation were among the sources of teacher's explanations for misconduct. Based on the findings, the government through the Ministry of Education and Vocational Training should respond to teachers' needs in a timely manner, and conduct regular seminars on teacher professionalism. The study however only dealt with the misconduct and could not relate it to job performance of teachers, more so the teachers from Rachuonyo North Sub County in Kenya. Also, the study was conducted in Tanzania and therefore the findings may not be the same in Kenya where the education system is different. This is the knowledge gap that was filled by the current study. Another study by Mgeni (2017) aimed at investigating the stakeholders' conception towards teachers' professional misconducts in Tanzania. It involved views or experiences from different group of stakeholders in education in Njombe Region more specifically Njombe Town Council. The study employed qualitative approach which was informed by phenomenological design. The purpose of the study was to explore conception among educational stakeholders including parents, students, and heads of school, teachers and educational officers. More specifically the study explored the dominant conception of stakeholders, factors and associated effects to the learners. A total of 57 informants were involved in the study and these were teachers, students, parents and educational officers. It was found that teachers' alcoholism was perceived as the dominant form of professional misconduct among secondary school teachers.

Also, poor school management and poor school living environment were mostly preferred by the informants as the dominant causative indices of professional misconducts among teachers in secondary schools. The major effects associated with teachers' professional misconducts in secondary schools were students' poor academic performance and lowering status among teachers. In view of research findings recounted that teachers' professional misconducts is the great problem of the concern in secondary schools that affects teaching, learning process and the quality of education at large. With the aim of addressing the problem educational stakeholders should think on introducing subjects and courses related to teachers' ethics, from secondary schools to university so as to make a clear ethical base to students. The study was confined to secondary schools in Tanzania hence its findings cannot be broadly apply to other jurisdictions, the current study will focus on teachers in secondary schools in Rachuonyo north, Kenya. The study only looked at stakeholders' conception towards teachers' professional misconducts while the current study looked at the influence of Teachers Service Commission disciplinary human resource practice on teacher job performance.

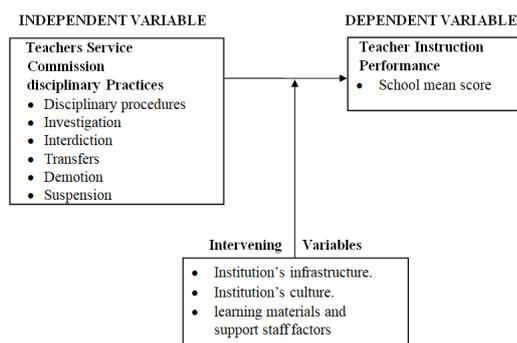
A descriptive survey study by Ng'oma and Simatwa (2013), aimed at establishing forms, factors and preferred strategies in management of professional misconduct among public primary school teachers in Nyando District. Study population consisted of 1,613 teachers, 289 Deputy head teachers, 289 Head teachers, 1Kenya National Union of Teachers branch Secretary, 1 Education Officer in-charge of Primary School Administration and 1 Teachers Service Commission's District Human Resource Officer. The findings of the study revealed that various forms of teacher misconduct were experienced in

Nyando District. They included lateness, absenteeism, and alcoholism, negligence of duty, financial mismanagement, violation of Code of Regulation, corporal punishment, sexual immorality, insubordination, drug abuse, assault and desertion of duty. Teacher's misconduct was influenced by work environment, home background, teacher character and school leadership. The study established that the preferred methods of managing teacher professional misconduct were guidance and counseling, log in, transfer, provision of Code of Regulation for Teachers, capacity building, provision of account clerks, transfer and motivation. The study poked holes into the effectiveness of the disciplinary system. According to the conclusions of the study, the disciplinary system ought to help in alleviating future misconduct of teachers rather than being just punitive. The study involved public primary schools within Nyando District and not Public secondary schools within Rachuonyo North Sub County as in the current study. Also, the study did not relate the Teachers Service Commission Disciplinary Practices to teachers Performance leaving a knowledge gap which was filled by the current study. According to a study by Nzulwa, (2014) on Motivational Factors Affecting High School Teachers' Professional Conduct and Work Performance: A Case of Public High Schools in Nairobi City the researcher sought to establish the motivational factors affecting teachers' professional conduct and work performance of high school teachers in Nairobi County. A descriptive survey design was adopted, with a sample of 150 teachers. The findings indicated teachers professional conduct and work performance is greatly influenced by motivational factors and there is need to review the motivational tools in place to align them with the teachers need. The study successfully established a link between motivational factors to professional conduct and work performance. Motivational factors compel the teacher to behave well and hence perform better. Motivations can however come from different people including parents, Students, Board of management or even the head teachers. These studies in this respect did not look at human resource practices especially disciplinary system that influences teacher performance hence the knowledge gap that was filled by the current study.

**Research Objective:** The research objective was to determine the extent to which Teachers Service Commission disciplinary practices influences teacher performance in Public secondary schools in Rachuonyo North Sub County.

## CONCEPTUAL FRAMEWORK

The conceptual framework postulates that Teacher Service Commission disciplinary practices influences teacher instruction performance as shown in Figure 1.



**Figure 1. Influence of Teachers Service Commission Disciplinary Practices on Teacher Performance in public secondary schools**

From Figure 1 it can be noted that Teachers Service Commission disciplinary practices have influence on teacher instruction performance. These practices can have either positive or negative influence depending on how justifiable they are. If the practices are fully justified, that is, no biases or discrimination practices then the influence will be [positive and vice versa. The disciplinary practices are aimed at correcting the behaviour or conduct of teachers for purposes of enhancing their performance. The disciplinary practices are and not limited to disciplinary procedures for the affected teachers, investigation, interdiction, transfers, demotion, suspension and warning. Depending on the genesis of initiating the disciplinary action, the influence can be positive or negative. The confounding variables are the institutions infrastructure, institution culture, and teaching learning materials besides other teacher factors. These moderating factors can either enhance or reduce the influence the disciplinary practices on teacher instruction performance. Generally, where the disciplinary practices are executed fairly and firmly the results are positive.

## RESEARCH METHODOLOGY

The study used descriptive survey designs. A conceptual framework consisting of the independent variable (Teachers Service Commission Human Resource Management practices) and the dependent variable (teacher performance) was used to guide the study. The target population was 57 principals, 563 teachers, 9 Curriculum Support Officers 1 Teachers Service Commission Sub County Director and 1 TSC County Director totaling to 631. Simple random sampling and purposive sampling were used to obtain a sample size of 50 principals, 228 teachers, 9 Curriculum Support Officers, 1 Teachers Service Commission Sub County Director and 1 Teachers Service Commission County were selected for the study totaling to 289 respondents. The researcher used questionnaires, interview guides and document analysis guide to collect data.

The data collection tools were validated by experts in the area of education administration whose input was incorporated in the final draft. Reliability of the instruments was established by piloting in 7 schools (12.3%) and the schools used for piloting were not involved in the final study. Cronbach's alpha coefficient was used to determine the reliability whereby a coefficient of 0.720 at a p-value of 0.05 was obtained hence reliable. Quantitative data was analysed using frequency counts, percentages, means and t-tests. Qualitative data was transcribed and analyzed in emergent themes and sub themes.

## RESULTS

**Demographic Characteristics of the Respondents:** The demographic characteristics of the study respondents assessed were distribution by gender, age, level of education, designation, school category, school type and teaching experience of the sampled Principals and teachers. Table 1 presents demographic characteristics of the study respondents. Table 1 illustrates that 70% of the sampled principals were males while 30% were females. This means that most public secondary schools are headed by male persons, although there are a significant number of institutions headed by female persons.

**Table 1. Demographic Characteristics of the Respondents**

Background Information		Frequency	Percent	
Gender	Principals	Male	35	70
		Female	15	30
	Total	50	100	
Teachers	Male	127	64.3	
	Female	71	35.6	
	Total	198	100	
Age	Principals	20-30 years	0	0
		31-40 years	3	5
		41-50 years	22	45
		Over 50 years	25	50
		Total	50	100
	Teachers	26-30 years	28	14.3
		31-40 years	76	38.1
		Over 40 years	94	47.6
		Total	198	100
		Total	198	100
Highest level of education	Principals	BED	35	70
		Masters	15	30
		Ph.D.	0	0
	Teachers	Total	50	100
		BA/BSC	5	2.4
		B.ED	131	66.7
		Masters	33	16.7
		Ph.D.	5	2.4
		Diploma	24	11.9
		Total	198	100
Designation	Teachers	HOD	38	19
		Teacher	94	47.6
		Senior teacher	52	26.2
		Others	2	10
		Total	193	97.6
		Total	198	100
		Total	198	100
School category	Principals	Extra County	8	15
		County	32	65
		Sub-County	10	20
		Total	50	100
	Teachers	Extra County	66	33.3
		County	127	64.3
		Sub-County	5	2.4
Total	198	100		
School type	Principals	Girls	10	20
		Boys	5	10
		Mixed	35	70
		Total	50	100
	Teachers	Girls	28	14.3
		Boys	57	28.6
		Mixed	108	54.8
Total	193	97.6		
Experience	Principals	10-15 years	5	10
		15 and above	45	90
		Total	50	100
	Teachers	Below 5 years	28	14.3
		5-10 years	61	31
		10-15 years	52	26.2
		15 and above	57	28.6
Total	198	100		

**Table 2. Distribution of mean scores by Principals**

Score	Principals (n=50)	%	Teachers (n=193)	%
1.00-3.00	0	0	14	7.2
3.01-5.00	35	70	52	26.4
5.01-7.00	12	25	90	45.6
7.01-9.00	3	5	19	9.6
9.01-11.00	0	0	14	7.2
11.01-12.00	0	0	4	2.4
Total	50	100	193	97.6

This factor could be attributed to the absence of women in leadership positions that have become common all over the world (Sabatier, 2015). With regard to the sampled teachers; Table 1 indicates that 64.3% were males while 35.7% of them were females. This implies that there is gender balance in the population of teachers in the sampled public schools. Issues of gender bias were therefore not expected to interfere with the opinions of the respondents. Teachers who participated in the study were of relatively mature age, thus were expected to be objective in their opinions concerning influence of Teachers Service Commission Human Resource Practices on teacher performance. This meant that the respondents were mature and

could understand the aspects of TSC Human Resource Practices as well as performance of their schools. Concerning age distribution, Table 1 illustrates that 50% of the sampled principals were above 50 years old; 45% were between 41 and 50 years; and 5% were between 31 and 40 years. Table 1 also indicates that 47.6 % of the sampled teachers were over 40 years of age; 38.1% were between 31 and 40 years of age; and 14.3% were between 26 and 30 years. This indicates that only 14.3% of the teachers were less than 30 years of age. Table 1 also illustrates that majority (70%) of the principals had B.Ed. level of education; and (30%) had master's level of education, while (66.7%) of teachers had B.Ed. level of education; (16.7%) had Master's Degree; (11.9%) had a diploma level of education and the rest (4.8%) had Ph.D. and BA/BSC. With over 50% of the sampled principals and teachers having bachelor degree and above qualifications, it was expected that professionalism is adequately observed in as far as TSC Human Resource Practices are concerned. Table 1 further illustrates that of the 94 teachers (47.6%) were just classroom teachers; (26.2%) were senior teachers; (19%) were head of departments; and (4.8%) held other positions. This implies that the study covered a variety of respondents at different levels hence representative of the target population. Also (65%) of the principals were from county schools; (20%) were from sub county schools while (15%) were from extra county schools. On the same note, (64.3%) of the teachers were from county schools, (33.3%) were from Extra County schools and (2.4%) were from sub county schools.

Table 1 also demonstrates that majority of the principals (70%) and teachers (54.8%) were from mixed secondary schools; (20%) of the principals and (14.3%) of teachers were from girls' schools; lastly (10%) of the principals and (28.6%) of the teachers were from Boys' schools. (90%) of the principals had above 15 years of experience while only (10%) of the principals had 10-15 year experience implying the TSC career progression and promotion policy which is solely on the experience and not academic qualifications. On the same note, (31%) majority of the teachers had a 5-10 year experience; (28.6%) had 15 and above year experience; (26.2%) had 10-15 year experience; and only (14.3%) had below 5 year experience.

**Performance by Principals and Teachers:** The respondents in their questionnaires were required to fill in the KCSE Mean scores for their Main subject and second subject for the last 3 years. The average of the 3 years was entered as their performance as indicated in Table 2. The respondents were asked to indicate their mean scores for the respective subjects they taught and their school for the past three years. The average of the three years was calculated and grouped into percentiles. Most principals (70%) indicated that they had an average mean score of between 3.01 and 5.00 while (25%) scored between 5.01 and 7.00 and only 5% scored above 7.01. Noteworthy is the fact that over 70% were below the average Kenya National Examination Council score of 6.00. Teachers on the other hand indicated that on their mean score of their individual subjects, most of them (45.6%) scored an average mean of between 5.01 and 7.00, while 26.4% scored between 3.01 and 5.00, 9.6% scored between 7.01 and 9.00, 7.2% between 9.01 and 11.00, 7.2% between 1.00 and 3.00 and only 2.4% scored more than 11.00.

**Table 3. Teachers and Principals' Responses on Influence of Teachers Service Commission Disciplinary Practices on Teacher performance**

Aspects of Disciplinary Practices	Ratings								MR	T-test
	Resp.		1	2	3	4	5	T		
Teachers have and are aware of the code of conduct guidelines.	Trs	F	5	33	24	57	80	198	3.88	t (248) =5.46, p=0.00
		SC	5	66	72	228	400	771		
		%	2.4	16.7	11.9	28.6	40.5	100		
	P	F		15	5	3	5	50	2.05	
		SC	22	30	15	12	25	104		
		%	45	30	10	5	10	100		
TSC disciplinary procedures are punitive rather than corrective.	Trs	F	85	42	28	28	14	198	2.21	t(248)=-1.6, p=0.11
		SC	85	84	84	112	70	435		
		%	42.9	21.4	14.3	14.3	7.1	100		
	P	F	5	18	13	15	0	50	2.75	
		SC	5	36	39	60	0	140		
		%	10	35	25	30	0	100		
The disciplinary practices create fear of tenure amongst teachers.	Trs	F	10	47	47	47	47	198	3.38	t(248)=-0.26, p=0.21
		SC	10	94	141	188	235	668		
		%	4.8	23.8	23.8	23.8	23.8	100		
	P	F	3	5	10	14	18	50	3.80	
		SC	3	10	30	56	90	189		
		%	5	10	20	30	35	100		
The disciplinary processes are fair and teachers are allowed to defend themselves.	Trs	F	5	14	42	52	85	198	4.00	t(248)=1.35, p=0.18
		SC	5	28	126	208	425	792		
		%	2.4	7.1	21.4	26.2	42.9	100		
	P	F	0	10	13	14	13	50	3.60	
		SC	0	20	39	56	65	180		
		%	0	20	25	30	25	100		
The investigations are thorough and non-biased.	Trs	F	10	19	38	52	57	174	3.73	t(224)=-0.5, p=0.62
		SC	10	38	114	208	285	655		
		%	4.8	9.5	19	26.2	28.6	88		
	P	F	3	7	5	13	22	50	3.90	
		SC	3	14	15	42	110	184		
		%	5	15	10	25	45	100		
Teachers who demoted after disciplinary process lack esteem and commitment to their job.	Trs	F	19	38	33	47	61	198	3.48	t(248)=2.703,p=0.009
		SC	19	76	99	188	305	687		
		%	9.5	19	16.7	23.8	31	100		
	P	F	8	17	15	10	0	50	2.55	
		SC	8	34	45	40	0	127		
		%	15	35	30	20	0	100		
Teachers who are transferred as a result of disciplinary actions perform poorly	Trs	F	33	42	52	38	33	198	2.98	t (248) =-0.07, p=0.946
		SC	33	84	156	152	165	590		
		%	16.7	21.4	26.2	19	16.7	100		
	P	F	3	20	7	15	5	50	3.00	
		SC	3	40	21	60	25	149		
		%	5	40	15	30	10	100		
Interdictions demoralize teachers after they return to work.	Trs	F	19	33	33	42	57	184	3.46	t(234)=2.798,p-0.007
		SC	19	66	99	168	285	637		
		%	9.5	16.7	16.7	21.4	28.6	92.9		
	P	F	17	12	8	8	5	50	2.40	
		SC	17	24	24	32	25	122		
		%	35	25	15	15	10	100		
The code of conduct is made without the involvement of teachers hence not realistic.	Trs	F	42	47	24	19	61	193	3.05	t(248)=0.350,p=0.728
		SC	42	94	72	76	305	589		
		%	21	24	12	10	31	98		
	P	F	12	10	5	15	8	50	2.90	
		SC	12	20	15	45	32	124		
		%	25	20	10	30	15	100		
Overall	Trs.							198	3.6	t(248)=6.193,p=0.042
	P							50	2.85	

KEY: TSC – Teachers Service Commission MR – Mean Ratings Trs – Teachers P – Principals

## Mean Rating Interpretations:

1.00 –1.44=Very Low influence;

1.45 –2.44= Low influence;

2.45 –3.44= Moderate Influence;

3.45 –4.44=High Influence;

4.45 –5.00=Very High Influence.

This implies that more than 50% of the schools and teachers performed less than average (6 points) for the last three years.

**Research Objective:** Research objective was to determine the extent to which Teachers Service Commission disciplinary practices influences teacher performance in Public secondary schools in Rachuonyo North Sub-County. Various statements regarding the TSC disciplinary practices were rated on the extent to which they influenced teacher performance as tabulated in Table 2. After identifying the overall ratings on the influence of TSC disciplinary practices on teacher performance, the study then sought to find out if there was any significant difference in perspectives between teachers and principals on the influence of TSC disciplinary practices on teacher performance. To determine whether there existed any significant difference in the mean rating between principals and teachers on the influence of disciplinary practices on teacher performance, a two tailed t-test for independent samples was carried out. The results for the test are displayed in Table 3. From Table 3 above, it can be noted that the t-test conducted to compare the views of teachers and principals on whether Teachers have and are aware of the code of conduct guidelines and the extent to which this influenced teacher performance revealed that there was a significant difference in the mean rating for teachers (MR=3.88) and principals (MR=2.05);  $t(278) = 5.462, p=0.00$ . Majority of the principals 17(40.5%) indicated that this had a very high influence on teacher performance. On the statement that TSC disciplinary procedures are punitive rather than corrective, the t-tests revealed that there was no significant difference in the mean rating for teachers (MR=2.21) and principals (MR=2.75);  $t(248) = 1.58, p=0.11$ . The t-test conducted to compare the views of teachers and principals on the statement that disciplinary practices creates fear of tenure amongst teachers and the extent to which this influenced teacher performance revealed that there was no significant difference in the mean rating for teachers (MR=3.38) and principals (MR=3.80);  $t(248) = -0.26, p=0.21$ .

Both teachers and principals were in agreement that the disciplinary processes are fair and teachers are allowed to defend themselves. A t-test conducted on the mean rating by teachers (MR=4.00) and principals (MR=3.60) revealed that there was no significant difference between the means;  $t(248) = 1.35, p=0.18$ . Indeed, TSC disciplinary allows teachers to be heard and even appeal the ruling in an effort to uphold the universal right of innocence until proven guilty and right to fair hearing. This practice gives hope to teachers that the process will not be infiltrated by malicious intentions and, or any other external factors. Both teacher and principals concurred that TSC investigations on disciplinary cases are thorough and non-biased. The mean rating for teachers was 3.73 while that of principals was 3.90. The difference between the means not statistically significant;  $t(224) = -0.5, p=0.62$  implying that both teachers and principals considered the Teachers Service Commission disciplinary process to be thorough and non-biased owing to the thorough and clearly stipulated process established by the commission on how teacher disciplinary process is to be conducted. The statement that teachers who are demoted after disciplinary process lack esteem and commitment to their job was considered to be true by both teachers and principals and had influence on teacher performance. The t-test conducted on the mean ratings of teachers and principals revealed that the teachers' mean rating (MR=3.48) and principals (MR=2.55) were not statistically

different;  $t(248) = 2.703, p=0.009$ . The results suggested the poor performance occasioned by teachers could be attributed to demotion after a disciplinary process. The demoted teachers indeed feel devalued and unrecognized and consider the actions a downfall in their career development. Disciplinary transfers could be doing more harm than good as both teachers and principals concurred teachers who are transferred as a result of disciplinary actions perform poorly. The mean rating by teachers was 2.98 while that of principals was 3.00. These means were subjected to a t-test which established the difference between them as not significant;  $t(248) = -0.07, p=0.946$ . This could be attributed to the fact that most disciplinary cases are transferred to unwanted places or from better places to unfavorable places hence triggering poor teacher performance. Both teachers and principals were in agreement that interdictions demoralize teachers after they return to work. T-test conducted on the mean rating of teachers (MR=3.46) and that of principals (MR=2.40) showed a not significant difference between these means;  $t(234) = 2.798, p=0.007$ . Indeed, interdictions with no salary sabotages the socio-economics of the concerned teacher and some of them cannot provide their family needs. When they return to work after a long period with disposable income, most of them feel demoralized and hence their performance is jeopardized. Also, the agony of having to explain to the society why you are not at work attracts more psychological harm to the concerned teacher. Furthermore, both teachers and principals concurred on the statement that the code of conduct is made without the involvement of teachers hence not realistic. The t-test conducted on the mean rating by teachers (MR=3.05) and principals (MR=2.90) showed a not significant difference between the two means;  $t(248) = 0.350, p=0.728$ . Indeed, the code of conduct is a policy document developed by the TSC to govern the conduct of teachers. The participation of teachers or their union leaders in the making of the policy has been minimal prompting teachers to believe that it is a punishing tool which does not resonate with the teachers' views as the subjects on the ground.

## DISCUSSION

Teachers and principals had different perspectives on the awareness and accessibility to teacher's code of conduct and the extent to which this influenced teacher performance. The difference can be attributed to the fact that the principal is commonly the custodian of the schools copy of code of conduct and has to refer to it daily in the process of oversight (TSC career guidelines policy, 2005). Teachers on the other hand do not find it necessary to acquaint themselves with teachers' code of conduct on a daily basis and most of them get to know what it entails once they face the disciplinary process. The results specifically suggest that this in turn has a moderate influence on teacher performance. Teachers and principals were in agreement that TSC disciplinary procedures are punitive rather than corrective. This is true considering that both principals and teachers are subject to the disciplinary process which could result to either acquittal or a harsh punishment. Little is known of the TSC engaging professional counsellors or even measures to avert losing experienced teachers because of mistakes that can be corrected. Most employees want to do right by their employers. They want to meet the expectations of their position and excel at their job. It is unlikely that an employee is messing up or misbehaving on purpose.

Both teachers and principals were in agreement that the disciplinary practices and guidelines with their consequences of employment termination created fear of tenure among teachers. Specifically, the results suggest that the fear of tenure emanating from the consequences associated with TSC disciplinary practices does not trigger good performance. Imam and Javed (2019) in their study on Job Security, Organizational Support and Employee Performance: Mediating role of Employee Satisfaction in Medical Sector of Pakistan revealed that Affective commitment was high when job security was low. Affective commitment seems conditional on job security and role performance among low job security employees. This is perhaps due to their desire to present a self-image that may improve their prospects of job continuity with the organisation and occupation. Generally, the teachers slightly held different views on the extent to which TSC disciplinary practices influenced teachers. Teachers indicated a mean rating of 3.6 indicating a high influence while principals indicated that the practices had a moderate influence on teacher performance ( $MR=2.85$ ). The difference between the two mean ratings was found to be statistically significant;  $t(248) = 6.193$ ,  $p=0.042$ . The slight difference could be attributed to the difference in designations and roles as stipulated by the employer. Interview findings revealed fear of repercussions of underperformance is an extrinsic motivation for teachers to seek performance. This finding suggested that disciplinary practices compelled teachers to conduct themselves in a professional manner and hence foster better performance as one principal, P004 asserted "Teachers try to align themselves to the teachers service commission's code of conduct and regulations in that the teachers fear losing their jobs or going without pay as a result of the disciplinary practices. This ensures that the teachers are punctual and do attend classes regularly to avoid the repercussions."

The findings from interviews by the sub-County Directors also ascertained this as emphasized by the sub county director "Discipline of a teacher acted as a sieve distinguishing between performers and non-performers who are problematic. TSC disciplinary practices have been successful in ensuring that teachers behave in a professional manner that promotes good performance and role modelling to the students." These findings are in agreement with those of Mgeni (2017) which aimed at investigating the stakeholders' conception towards teachers' professional misconducts in Tanzania. It involved views or experiences from different group of stakeholders in education in Njombe Region more specifically Njombe Town Council. The study employed qualitative approach which was informed by phenomenological design. A total of 57 informants were involved in the study and these were teachers, students, parents and educational officers. It was found that teachers' alcoholism was perceived as the dominant form of professional misconduct among secondary school teachers. Also, poor school management and poor school living environment were mostly preferred by the informants as the dominant causative indices of professional misconducts among teachers in secondary schools. The major effects associated with teachers professional misconducts in secondary schools were students' poor academic performance and lowering status among teachers. Also, in agreement is Ng'oma and Simatwa (2013) in a study aimed at establishing forms, factors and preferred strategies in management of professional misconduct among public primary school teachers in Nyando District involved a Study population consisting of 1,613 teachers, 289 deputy head teachers, 289 head teachers, one Kenya National

Union of Teachers branch Secretary, one Education Officer in-charge of Primary School Administration and one Teachers Service Commission's District Human Resource Officer. The findings of the study revealed that various forms of teacher misconduct were experienced in Nyando District. They included lateness, absenteeism, and alcoholism, negligence of duty, financial mismanagement, and violation of Code of Regulation, corporal punishment, sexual immorality, insubordination, drug abuse, assault and desertion of duty. Teacher's misconduct was influenced by work environment, home background, teacher character and school leadership.

## CONCLUSION

The disciplinary practices that significantly influenced teacher performance were: The perception that disciplinary procedures are punitive rather than corrective; the disciplinary practices creating fear of tenure amongst teachers; the fairness of the disciplinary process and teachers allowed to defend themselves; the non-biased thorough investigations; disciplinary transfers and lack of teacher participation in the making of the code of conduct. Interview findings revealed that indeed Teachers Service Commission disciplinary practices compelled teachers to align themselves to the standardized professional ethics and this led to a positive performance. It was however, found to have a negative influence on teacher performance when coercively used and when teachers feel that disciplinary practices are used to punish rather than correct them.

## RECOMMENDATIONS

- The Teachers Service Commission should ensure that teachers have copies of the Code of Conduct copies of which should be kept by the Principals in the school for reference.
- The Teachers Service Commission disciplinary procedures should be corrective rather than punitive to teachers who are in conflict with the Code of Conduct
- The Teachers Service Commission should ensure disciplinary practices do not create fear among teachers.
- The Teachers Service Commission should ensure that disciplinary processes are fair, firm and teachers be given adequate chance to defend themselves whenever they are in conflict with professional ethics.
- The Teachers Service Commission should conduct thorough and non biased investigations before summoning their teachers to appear for defence.
- The Teachers Service Commission should ensure teachers who are demoted after disciplinary processes are counseled and posted to schools of preference to enhance the healing process.
- The Teachers Service Commission should ensure interdictions are not rampant and must be imposed when it is inevitable.
- Suspension of teachers should only be undertaken when it is fully evidenced that the teacher was found to be really in conflict with the teachers behaviour.

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