



High-level Consensus Building Workshop on Advancing Access to the Digital Economy

Community of Practice on Digital Skills and Jobs in Kenya

EXECUTIVE REPORT

Date: 26-27 August 2024

Thematic Area: Prioritizing policy challenges and gaps in national law, mainstreaming CoP's work into national policy frameworks, Working Group on Policy, Legislative & Regulatory reforms in the ICT sector.

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1. Objectives

The high-level consensus building workshop aimed to:

- ▶ Prioritize and issue recommendations to address policy issues and regulation gaps related to digital skills and decent work in Kenya, based on CoP's thematic discussions.
- ▶ Align relevant interventions on digital investments, skills and jobs between Ministry of Information, Communications and The Digital Economy (MICDE) and the Ministry of Labour and Social Protection (MoLSP), including collaboration with the Working Group on Policy, Legislative & Regulatory Reforms in the ICT Sector.
- ▶ Explore avenues to mainstream the work of the CoP into relevant government-led policy initiatives.

The ILO also presented member States' laws and practice, informing the 2025 and 2026 International Labour Conference on the possible creation of a new international labour standard on decent work in the platform economy.¹

2. Key points discussed

- **Secretary, E-government and the Digital Economy (MICDE), Ms. Mary Kerema, and the Labour Commissioner (MoLSP), Ms. Hellen Apiyo, acknowledged the strategic role of the CoP multi-stakeholder thematic discussions in identifying key priority areas that support the implementation of the national digital transformation strategy in Kenya.** The thematic areas include job creation, skills development, innovation, investment in digital technology and infrastructure, financial services, e-commerce, labour and social protections, and the inclusion of groups affected by the digital divide. Policy gaps in these areas have also been mapped.
- **The CoP's mapping of policies and laws that need to be updated and aligned with new developments in the digital economy and labour market conditions has informed MICDE's forthcoming National Action Plan on Innovation, Enterprise Development, Digital Skills, and Jobs.** This plan was developed by the Working Group on Policy, Legislative & Regulatory Reforms, appointed by the Cabinet Secretary of Information Communications and The Digital Economy of Kenya in September 2023.

¹ [Realizing decent work in the platform economy | International Labour Organization \(ilo.org\)](https://www.ilo.org/public/english/standards/realizing-decent-work-in-the-platform-economy)

- **A Government Agencies Group prioritized policy issues and regulation gaps related to digital skills and jobs based on the CoP's thematic discussions.** This group, comprising representatives from the Prime Cabinet Secretary's Office and line Ministries, Departments, or Agencies (MDAs), proposed a framework to guide sustained collaboration and monitoring of progress among government agencies, industry actors, educational institutions and the CoP.
- **Consensus was reached to integrate CoP's work agenda into relevant government-led policy initiatives.** One possibility discussed was through the National Sector Skills Committees, anchored in the Kenya Skills Hubs by the State Department for Labour and Skills Development. Further discussions are set to take place among the CoP's Core Working Group.

3. Agreements reached and next steps

To move the CoP's focus from discussion and consensus building into policy change, the following inter-ministerial agreements were reached:

- **The Labour Commissioner will serve as the focal point** for collaborative efforts arising from the Working Group on Policy, Legislative, and Regulatory Reform in the ICT Sector's recommendations, alongside the State Secretary of ICT. The Labour Commissioner's involvement is crucial for integrating key policy areas such as skills development, labour rights, and social protection into initiatives by the MICDE and the Presidential Office.
- **MICDE will develop a concept note and proposal to continue collaborating with MOLSP in three priority areas:**
 - i. Digital Labour Policy and Digital Job Creation Strategy
 - ii. Digital Skills Standard and Guidelines; and
 - iii. Formulation of the National Strategy for the Growth of Business Process Outsourcing (BPO) and Information Technology Enabled Services jobs, and the transformation of existing digital hubs into BPO centers.
- **ILO will facilitate a follow-up meeting between MICDE and the State Department of Skills Development regarding the future of the CoP and how to mainstream its work.** It was deemed crucial to ensure that labour and social protections are included in this transition. Consideration will be given to potentially transitioning the CoP into the National Sector Skills Committees, provided their current mandate can incorporate these essential thematic, which are not currently part of the committee's agenda.
- **CoP's Core Working Group members will review and complement recommendations by the Government Agencies Group (MDAs) to set timelines and indicators to monitor progress and assign responsibilities to partners.** ILO will support this exercise.
- **ILO and CoP's Core Working Group will develop a concept note for the fifth and final thematic discussion on "Governance frameworks: labour and social protections in the digital economy",** which will be hosted by the MICDE. CoP's Core Working Group will meet to finalize the details.

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