



GAINS AND GAPS

GENDER MAINSTREAMING IN PUBLIC SECTOR

IN KENYA STATUS REPORT 2013-2015

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TABLE OF CONTENTS

LIST OF TABLES AND FIGURES.....	3
LIST OF ABBREVIATIONS	4
STATEMENT FROM THE CHAIRPERSON	5
MESSAGE FROM THE AG. COMMISSION SECRETARY/C.E.O	6
EXECUTIVE SUMMARY.....	7
CHAPTER ONE.....	9
1.0 INTRODUCTION.....	9
1.1 Gender Audit.....	9
1.2 Gender mainstreaming indicators in the performance contracting process.....	10
CHAPTER TWO.....	11
2.0 METHODOLOGY	11
2.1 Scope and response rates.....	11
2.3 Process of data collection for gender audit.....	11
CHAPTER THREE.....	12
3.0 KEY RESULTS.....	12
3.1 Results from MDAs Annual Reports.....	12
3.2 Results from Gender Audit.....	14
CHAPTER FOUR	20
4.0 CHALLENGES AND RECOMMENDATIONS	20
4.1 Obstacles Highlighted By Institutions during Audits.....	20
4.2 Lessons Learnt.....	21
4.3 Recommendations	22
4.4 Conclusion.....	22
ANNEXES	24
Annex 1: Public Institutions Audited.....	24
Annex 2: Key Informant Interview	25
Annex 3: Focus Group Discussion Guidelines	26

LIST OF TABLES AND FIGURES

Figure 3.1 Percentage of MDAs that conducted one or more sensitization sessions on gender mainstreaming	12
Figure 3.2 Percentage of MDAs that have developed a gender policy	12
Figure 3.3 Percentage distributions of employees by gender in MDAs	13
Figure 3.4 Percentage of MDAs that collate and use sex disaggregated data for programming.....	13
Figure 3.5 Percentage baseline survey undertaken by MDAs.....	13
Figure 3.6 Percentage of development of workplace gender based violence policy by MDAs	13
Figure 3.7 Performance of MDAs per indicators.....	14
Table 3.1 Total population of questionnaire respondents by sex and age.....	14

LIST OF ABBREVIATIONS

AGPO	Access to government procurement opportunities
CEC	County Executive Committee Member
CEDAW	Convention on the Elimination of Discrimination against women
CEO	Chief Executive Officer
FGM	Female Genital Mutilation
FY	Financial Year
GBV	Gender Based Violence
GRB	Gender Responsive Budgeting
MD	Managing Director
MDAs	Ministries, Departments and Agencies
NGEC	National Gender and Equality Commission
NLC	National Land Commission
PC	Performance Contracting
PPOA	Public Procurement Oversight Authority
PWDs	Persons with Disability
SGBV	Sexual and Gender Based Violence
SIGs	Special Interest Groups
VC	Vice Chancellor

STATEMENT FROM THE CHAIRPERSON

Kenya is making great strides towards ensuring men and women are able to benefit from and participate in the development process of the country on an equal footing. The promulgation of the Constitution of Kenya on August 27th 2010 marked an important milestone towards the achievement of gender equality in the country. The Constitution 2010; specifically chapter four, the Kenyan blue print Vision 2030 and Medium Term Plan 11 provide a progressive platform for public and private institutions to refer to while promoting principles of gender equality and inclusivity.

The National Gender and Equality Commission (NGEC) is legally mandated to promote equality and inclusion for all, focusing primarily on special interest groups namely: women, children, older members of the society, persons with disabilities, youth, minority and marginalized groups. As a state organ that ensures compliance of all private and public actors with principles of equality and freedom from discrimination, the Commission receives quarterly and annual status reports showing progress being made by these actors towards integration of the principles both institutionally and in the various sectors in which they work.

In fulfilling this mandate, the Commission has put in place formal mechanisms through which quarterly status reports from the state and non-state actors are received, acknowledged, reviewed and feedback provided accordingly.

Subsequently, these reports are collated and analyzed to generate an annual status report which communicates the gains and gaps identified in integration of gender equality and inclusivity principles. Based on the findings emerging from the analyses, practical strategies and recommendations for achieving gender equality and inclusion are shared with each institution. The Commission also conducts random spot checks to authenticate the information received through periodic reporting.

The findings in this report indicate that although progress is being made in terms of promotion and attainment of gender equality and inclusion in the public sector, a lot of effort is required to attain the minimum thresholds. This signifies that more work still needs to be done in terms of sensitization, capacity building, continuous stakeholder engagements as well as monitoring and reporting. It is my hope and trust that this report will serve the intended purpose of illuminating and celebrating the achievements that have been realized towards gender equality and inclusion while highlighting specific areas that require further attention and action. The Commission remains committed towards supporting and working in partnership with all stakeholders towards the realization of this important Constitutional requirement.

Winfred O. Lichuma E.B.S.
Chairperson

MESSAGE FROM THE AG. COMMISSION SECRETARY/C.E.O

During the financial year 2013/ 2014, the Commission received quarterly and annual reports from 210 Public Institutions distributed as follows: 19 Ministries/Departments, 131 State Corporations, 23 Public Universities and 37 Technical Training Institutes. This represented a slight improvement on reporting levels by the public institutions as compared to financial year 2012/2013. The Commission also conducted a structured gender audit before preparing this report to verify the information received from Ministries, Departments and Agencies (MDAs) during the period under review. The audit sampled 31 public institutions including: 11 public universities, 11 technical training institutes and 9 state corporations. Audit findings are discussed at length under chapter three of this report.

The Commission guides the institutions on expected gender indicators which act as the benchmark towards achievement of gender equality and inclusion. A reporting tool and user guide prepared by the Commission has been in use since September 2013. The Commission is contemplating installation of a web based interface which will allow MDAs accurate and timely reporting as well as real time feedback. In addition, the Commission will continue to offer

its technical support on measures required to facilitate achievement of gender equality and inclusion; prevention and response to gender based violence; and adherence to principles of gender responsive budgeting.

I would like to thank all officers in the reporting MDAs who provided data to the Commission for analysis. Special thanks to all agencies that participated in the gender audit for making available required documented data and records necessary for the audit.

Finally, I wish to recognize and sincerely thank the Commission members¹ who worked tirelessly and with dedication to ensure that this report has been prepared and finalized within the stipulated timelines.

Paul Kuria
Ag. Commission Secretary/CEO

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EXECUTIVE SUMMARY

The National Gender and Equality Commission is a Constitutional independent body established by an Act of Parliament in 2011. Its constitutional mandate obliges it to promote gender equality and freedom from discrimination. As part of its function, NGEN receives and evaluates annual reports on progress made by public institutions on the implementation of the principles of equality and freedom from discrimination.

This status report reflects the analyses of the results of reports received from 210 public institutions including: 19 ministries/departments, 131 state corporations, 23 public universities and 37 technical training institutes. The reports received are coded and information stored in a performance contracting datasheet. Grading of institutions on their performance is done using a grading scheme prepared against the gender indicators contained in the performance contracting.

The Commission also conducted a gender audit with the aim of verifying information and data received from the public sector. The audit exercise sampled five regions namely: Western, Nyanza, Eastern, Central and Coast. A total of 31 randomly selected public institutions were audited. These consisted of 11 Public Universities; 11 Technical Training Institutes and 9 State Corporations. In addition, 13 County Governments hosting the institutions audited were also visited to establish the initiatives they have put in place towards accelerating mainstreaming of gender and diversity. A total of 307 respondents filled a self-

administered questionnaire, more than 31 key informants representing the management were interviewed and a focus group discussion was held with each participating institution. Only non-management staff participated in the focus group discussions.

Chapter 1 provides the introduction including the objectives of the gender audit. Chapter 2 gives the methodology used; scope and response rate for the year under review and outlines the gender indicators that guided the implementation of gender equality and inclusion. Chapter 3 reports on and discusses the findings in two sections. Section one speaks on the analysis of the reports received in the year and presents the results by specific indicators. Section two discusses findings of the gender audit which are also organised around the specific indicators. Chapter 4 presents the obstacles faced by institutions while mainstreaming issues of gender, formulates relevant recommendations for necessary policy actions and draws conclusions based on the findings.

The Findings

Staff in all cadres had an understanding that gender is about socially constructed roles ascribed to both male and female. They stated that gender equality points at fairness in access, distribution and enjoyment of opportunities to resources and services by all including special interest groups. Further, they described gender to be the roles society assigns to men and women on the basis of being female or male.

A summary of the key findings is highlighted below:

1. Ministries/Departments performed well in undertaking gender equality baseline survey and in the development of GBV policy. Generally, Public Universities performed well in all indicators as compared to other sectors. However, like the other sectors, the Universities equally scored below average in sensitisation of the employees, clients and suppliers on matters of gender equality. There is an opportunity for public universities to place more emphasis on this indicator requirement.
2. State Corporations scored better in sensitisation on gender mainstreaming compared to other sectors which scored generally low. However, they scored significantly low on other indicators such as implementing the 30% government procurement opportunities for SIGs, conducting of a baseline survey and development of the gender policy.
3. Technical Training Institutes achieved high on indicators regarding compliance with the two-thirds gender principle in employment, recruitment and promotions. The sector however performed below average in the following agreed indicators: conducting of annual baseline surveys, implementation of the 30% government procurement opportunities and sensitisation on gender mainstreaming.

Recommendations

NATIONAL TREASURY

- The National Treasury needs to direct institutions to budget lines that can be utilized on gender mainstreaming and inclusion activities;

MDAs

- MDAs need to make efforts to encourage women and girls to apply for courses in applied sciences, engineering, building and construction to ensure that there is sufficient representation of women in these disciplines in class and teaching positions;

NGEC

- NGEC has an opportunity to advocate for the promotion of equality and inclusion through the media (especially local language channels) building capacities of senior management on its mandate.
- The NGEC should establish an incentive scheme to reward and sanction Public Institutions on the basis of mainstreaming issues of gender equality and inclusion.

1

CHAPTER ONE

INTRODUCTION

The National Gender and Equality Commission (NGEC) is a constitutional commission established pursuant to Article 59 (4) (5) of the Constitution of Kenya 2010, to promote the principles of gender equality and freedom from discrimination. The Commission acts as a principle organ of the state in ensuring compliance with all treaties and conventions ratified by Kenya relating to issues of equality and freedom from discrimination and relating to minority and marginalized groups, women, youth, children, the elderly, and persons with disabilities.

The Commission is mandated to receive and evaluate annual reports on progress made by public institutions and other sectors in compliance with constitutional and statutory requirements on the implementation of the principles of equality and freedom from discrimination. To achieve this, the Commission receives and analyzes reports on a quarterly basis. The reports are submitted by MDAs following a standardized template. The process results into development of a country status report on levels of compliance by sector and is shared with performance contracting department, parliament and other relevant public actors. Prior to the development of the financial year 2013/2014 Status report, the Commission designed an audit intervention targeting select public institutions² across the country.

1.1 Gender Audit

The overall objective:-

- To establish the extent to which gender mainstreaming has been internalized and acted upon by the institutions;

Specific Objectives:-

1. Verify credibility of quarterly and annual reports received from MDAs;
2. Assess the extent of gender mainstreaming in terms of the development and implementation of gender sensitive policies and programmes;
3. Document best practices and recommend viable strategies to integrate gender in the institutions' processes and operations.

The audit exercise sampled five regions namely Western, Nyanza, Eastern, Central and Coast. A total of 31 public institutions were randomly selected for the audit. These consisted 11 Public Universities, 11 Technical Training Institutions and 9 State Corporations. In addition, 13 County Governments hosting the institutions audited were also visited to establish the initiatives put in place towards gender mainstreaming.

² As attached in Annex 1

1.2 Gender mainstreaming indicators in the performance contracting process

The agreed indicators are:

i) Sensitization on gender mainstreaming

Gender mainstreaming is considered key in all operations within institutions. This foundational indicator seeks to determine whether efforts are being made at institutional level, to create awareness about the gender equality, its rationale and how its attainment will contribute to the individual and general institutional well-being.

ii) Development of a gender policy to guide gender mainstreaming activities

This indicator assesses the presence of institutional mechanisms which are in place to address gender issues in the operations of the institutions, including efforts to ensure equal treatment of both sexes; equal opportunities for advancement; equal pay for equal work, and the adoption of other measures to ensure working conditions are conducive for all. The policy also seeks to ensure that gender concerns are factored into the core business of the institution, for instance during recruitment, promotion and remuneration. The existence of such a policy is however just the first step which should be followed by actual implementation. The second phase calls for and is indicative of political will at the highest levels, and a willingness to invest resources towards realizing gender equality.

The public institutions are expected to be guided in the development of internal gender policies by national, regional and international instruments e.g. the Constitution of Kenya 2010, National Gender and Development Policy 2006 (under review), African Union's Gender policy, Vision 2030, CEDAW, Millennium Development Goals among others.

iii) Compliance with the two-thirds gender principle in workplace.

The indicator focusses on employment, recruitment and promotions in the institutions and

seeks to address historical discrimination against women and other Special Interest Groups (SIGs). The indicator captures representation within institutions, in terms of access to employment, and the presence of women in decision making positions.

iv) Evidence of MDA annual plans subjected to sex disaggregated data (benefit incidence analysis)

This indicator is critical in assessing whether institutions utilise the sex disaggregated data as a critical basis for programme planning, budgeting and implementation of activities. This encourages evidence based programming in addressing gender issues.

v) Development of a work place policy on gender based violence (GBV) and sexual harassment-

This indicator focuses on the issue of SGBV and is seen as a strong expression of commitment to addressing any such violations amongst employees. The public institutions are expected to be guided in the development of internal work place policies on GBV by national, regional and international instruments e.g. the Kenya Constitution, National gender based violence policy 2014, the Sexual Offences Act (SOA,2006), the Prohibition Against FGM Act 2011, Maputo protocol, CEDAW among others.

vi) Gender Responsive Budgeting

This indicator seeks to establish whether the general institutional budgets considers various gender needs and how much of financial resources are allocated towards gender mainstreaming activities. Further, the indicator endeavours to establish what percentage of the total budget was actually spent on the gender mainstreaming activities.

2

CHAPTER TWO

METHODOLOGY

This chapter describes the processes followed in the collation and analysis of data for the MDAs.

2.1 Scope and response rates

In the financial year 2013/2014, 19 ministries/ departments, 131 State Corporations, 23 Public Universities and 37 Tertiary Institutions filled reports with NGEC as required in the performance contracting.

The Commission has a designated officer who receives reports from the MDAs, assigns each report a unique identity number, prepares codes for open ended feedback, enters and processes the data in a computer based data entry programs. Upon receipt of the reports, an acknowledgement letter is written to the institution giving brief feedback and comments on their progress on all indicators.

Towards the end of every financial year, NGEC undertakes a deeper analysis of the reports upon which institutions are graded based on their respective achievements. The grading is guided by the gender indicators in the performance contracting of the year under review. In 2013/14, the Commission was guided by performance contracting 10th Cycle guidelines. The Commission then issues compliance letters to each institution outlining areas in which the institution performed well and those which require improvement. The Commission then prepares a national status report.

2.3 Process of data collection for gender audit

The gender audit was conducted during the

financial year 2014/15 based on a participatory and self-assessment technique which assessed the effectiveness of the internal practices and systems for gender mainstreaming. It was guided by indicators that the MDAs have been reporting to NGEC.

Three methods of data collection were used during the gender audit: Self-administered questionnaire³, key informant interviews⁴ and focus group discussions⁵. The audit team was informed by an internal gender mainstreaming checklist of public institutions generated from the 2013/2014 MDA performance contracting data. The audit covered specific areas that needed additional information considered useful in understanding the quarterly and annual MDA performance contracting reports. These provided an overall understanding of the status of gender mainstreaming in the audited institutions.

This chapter gives a description of key results in two sections. The first section presents an analysis of reports the Commission received from 210 MDAs by end of June 2014. The MDAs are distributed by type namely: state corporations, public universities, technical training institutes and ministries. The second part presents findings that resulted from a gender audit conducted in 31 Public Institutions.

3 As attached in annex 2

4 As attached in annex 3

5 As attached in annex 4

3

CHAPTER THREE

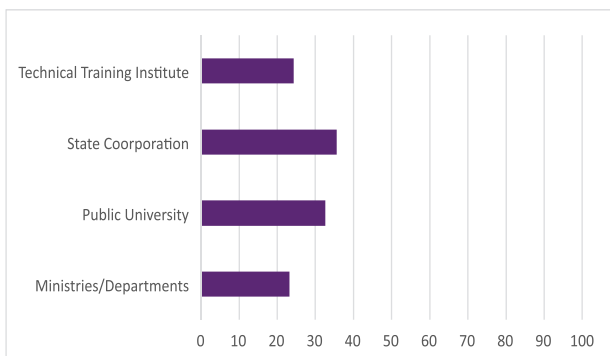
KEY RESULTS

3.1 Results from MDAs Annual Reports

i. Continuous training and sensitization

Figure 3.1 shows the performance of different public sector institutions on the indicator measuring levels of sensitization of the staff on gender mainstreaming. Generally institutions performed poorly, with State Corporations scoring 36 percent, Public Universities 33 percent, Technical Training Institutes 24 percent and Ministries/Departments 23 percent respectively.

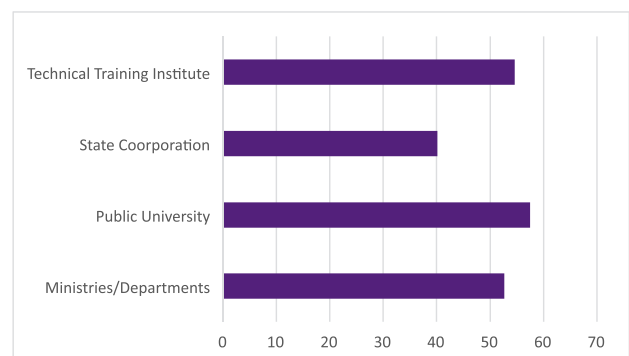
Figure 3.1 Percentage of MDAs that conducted one or more sensitization sessions on gender mainstreaming



ii. Development and implementation of a gender policy

Figure 3.2 summarises performance of different public institutions on the indicator measuring development and implementation of a gender policy to guide planning, programming and interventions on mainstreaming gender. Public Universities scored an average of 57percent; Technical Training Institutes 55percent while State Corporations 40 percent.

Figure 3.2 Percentage of MDAs that have developed a gender policy

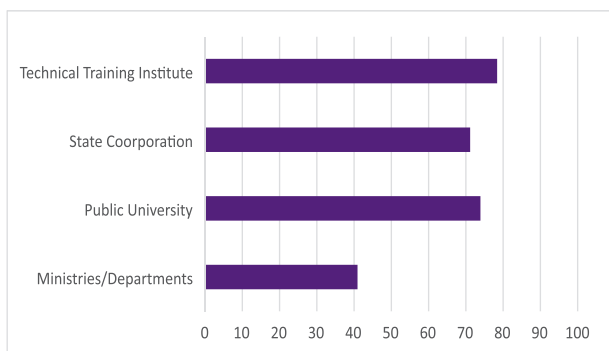


iii. Compliance with the two third gender principle

On this indicator, Ministries/Departments scored 41 percent while the Technical Training Institutes scored 68 percent followed closely by public universities at 66 percent. While the performance of this indicator is good, it is equally important to

assess the level of substantive equality through examining the position of the special interest groups in the workplace. It is remarkable that majority of institutions scored exceptionally well in the implementation of the two-thirds gender principle within their workforce.

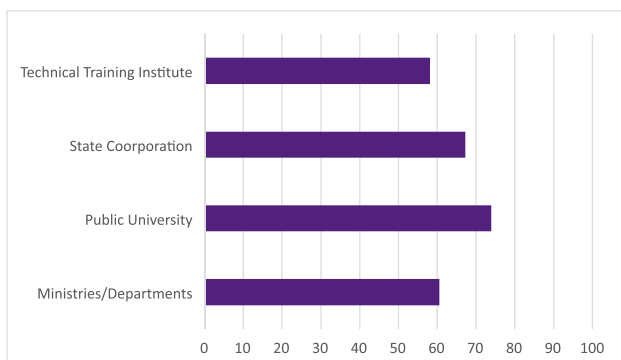
Figure 3.3 Percentage distributions of employees by gender in MDAs



iv. Collection and use of sex disaggregated data for programming

Public institutions are expected to utilise sex disaggregated data in planning and programming to achieve gender equality and equity. Nearly three quarter of Public Universities had gathered and utilized sex disaggregated data for planning and programming. State Corporations scored 67 percent, Ministries/Departments 61 percent and Technical Training Institutes 58 percent.

Figure 3.4 Percentage of MDAs that collate and use sex disaggregated data for programming

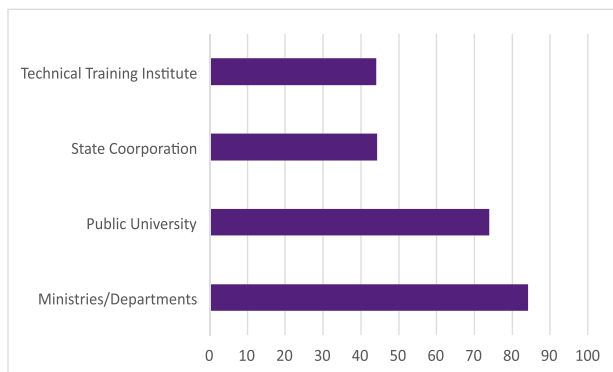


v. Conduct baseline surveys on gender issues

Ministries/Departments scored an average 84 percent on this indicator while Public Universities

scored an average of 74 percent. Technical Training Institutes and State Corporations scored 44 and 42 percent respectively as shown in figure 3.5

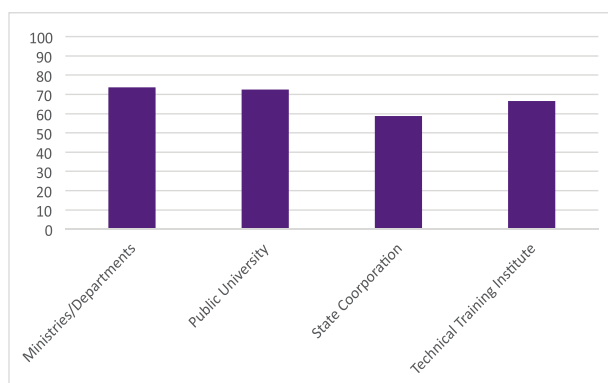
Figure 3.5 Percentage of MDAs that had undertaken baseline Surveys.



vi. Development of Workplace Gender Based Violence and Sexual Harassment policies

Workplace GBV and sexual harassment policies ensure that institutions have a clear mechanism of preventing and responding to matters related to GBV. All categories of institutions were found to have these policies in place. 74 percent of MDAs, 72 percent of Public Universities and 59 percent of State Corporations had developed both of these policies as shown in figure 3.6.

Figure 3.6 Percentage of MDAs that have developed workplace policy in gender based violence.

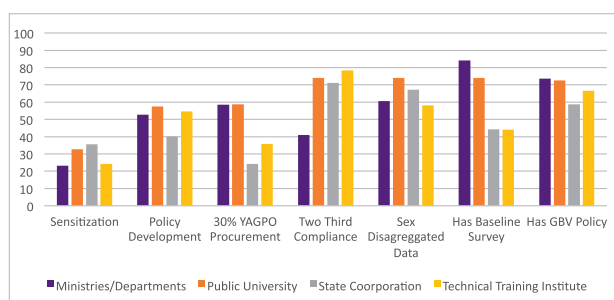


vii. Summary of performance of Public Institutions by gender mainstreaming indicators

Figure 3.7 gives an overall picture of performance of Public Institutions by gender mainstreaming indicators measured in 2013/2014.

Figure 3.7 Performance of MDAs by critical indicators on Gender Mainstreaming

Figure 3.7 Performance of MDAs by critical indicators on Gender Mainstreaming



Overall, Ministries/Departments performed well on indicators on baseline survey and the development of GBV policy. They however performed poorly on the indicator on two-thirds gender compliance indicating the need to fast-track implementation of the same.

Investment is also required towards continuous sensitisation of all cadres of staffs on gender mainstreaming.

Public Universities performed well in all indicators compared to other sectors. However, like the other sectors, the universities scored below average on the indicator on sensitisation of staff on gender mainstreaming. State Corporations scored better in sensitisation on gender mainstreaming compared to the other sectors. However, they faced difficulties in implementing the 30% government procurement opportunities for SIGs, conducting of annual baseline surveys and development of the gender policy.

Technical Training Institutions scored high in regards to compliance with the two thirds gender principle in workforce recruitment and promotion. The sector however performed below average in the following indicators: conducting of annual baseline surveys, implementation of the 30% government procurement opportunities and sensitisation of staff on gender mainstreaming.

3.2 Results from Gender Audit

The information summarised herein was collated after interactive focus group discussions, self-administered questionnaires and key informant interviews with representatives from 31 public institutions audited (11 Public Universities, 11 Technical Training Institutes and 9 State Corporations). A total of 307 persons responded to the self-administered questionnaire as summarised in Table 3.1.

Table 3.1 Distribution of respondents by type of institution, sex and age group.

CATEGORIES OF INSTITUTIONS	NO OF RESPONDENTS	SEX			AGE			
		Male	Female	Not Stated	18-34	35-59	60+	Not stated
Total Respondents	307	142	143	22	83	139	8	77
Public University	105	52	48	5	42	38	6	19
State Corporation	95	42	39	14	22	41	2	30
Technical training Institution	107	48	56	3	19	60	0	28

3.0.1 Gender mainstreaming at Institutional Level

a) Public Universities

The audit team established that staff in all cadres had an understanding that gender is about socially constructed roles ascribed to both male and female. They felt that gender equality points at fairness in access, distribution and enjoyment of opportunities to resources and services by all including special interest groups. Further, they described gender to be the roles society assigns to men and women based on their gender.

In Murang'a University, the audit team was informed of an existing gender and disability mainstreaming office which coordinates equality and inclusion interventions in the University. The University facilitates PWDs to register and get exempted from taxation by availing relevant information and helping with access to application forms.

Most of the Universities do not have designated parking for PWDs but the presence of ramps were observed. All universities reported that deliberate measures are in place to encourage SIGs to apply. Such measures include expressly stating in the advertisement the affirmative action principle to be applied in the selection process. Karatina University reported that admission of students and appointment of staff to the university reflects affirmative action for inclusion of special interest groups. This is done through the University policy that guides shortlisting.

Gender imbalance was reported in uptake of different courses especially engineering and applied sciences. For example in Technical University of Mombasa, admissions in engineering related courses are dominated by male students. In this university, the total student ratio is 67% male versus 33% female. In applied sciences, the distribution is 14% female versus 86% male while the ratios for engineering courses stands at 6% female versus 94% male.

As a best practice, Chuka University College stood out as one of the universities that have performed well in ensuring cash value for the 30% of government procurement opportunities. They stated that women led enterprises have been awarded one third of the total allocated for SIGs in the first quarter of the financial year. This was for the extension of a pavilion at a cost value of KES. 12 million and a cleaning service at a cost of KES. 6 million. They also ensured flexible time for lactating mothers. None of the audited institutions had a reserved room for nursing mothers.

b) Technical Training Institutes

Half of the technical training institutes' management representatives interviewed were aware of the fundamental issues of gender and understood well gender equality and mainstreaming concepts. For instance in Machakos Technical Institute for the blind, the management seemed adequately sensitized on gender issues based on their level of comprehension. With the exception of a few technical institutions, the staff interviewed in the focus group discussions were well versed with gender concepts and seemed to have been sensitized.

In all institutions audited, sensitization meetings for staff and students are held annually in line with the performance contracting requirements. Eight of the institutions undertake sensitization meetings for their staff and students at least once a year, including during their open days. The other two institutions cited a lack of funds to undertake the trainings on gender mainstreaming. The management involvement in the sensitization exercises largely stops at facilitating the training by approving related budgets for the same, and presiding over the official opening sessions except as revealed in institutions like Kamwenja Teachers Training College where the management takes an active role in gender mainstreaming initiatives.

As a result, apart from those with knowledge and experience on gender, the rest of the management

representatives lack the requisite information to be able to effectively oversee implementation of gender programmes and activities.

Over half the technical institutions audited had disability friendly facilities like ramps, designated parking for persons with disability, and toilets. About one third of the technical institutions also had sign language interpretation services in-house, i.e. by staff. Only Machakos Technical Institute for the Blind had braille materials available.

In all the sampled institutions flexible hours for nursing mothers was left to negotiation between the concerned member of staff and their respective supervisors. There was no institution that had laid out guidelines on the same. None of the technical institutions had nursing rooms where the lactating members of staff can express milk during working hours. The audit team also noted that there was no provision for staff who are nursing mothers to travel while on official duty with their children and caregivers.

Kitui Teachers' Training College allows female students to take maternity leave for a period of one year as provided in the technical institutions' guidelines. However the flipside of this provision disadvantages the female students who desire to resume normal studies earlier.

Some of the outstanding gender mainstreaming activities in select institutions included:

- Sponsorship of girls from needy families to undertake technical courses;
- Affirmative action in recruitment of staff to ensure men and women as well as other Special interest groups are represented;
- Creation of posts to be vied for by female students only and having election rules e.g. provision that a running mate must be of either gender.
- Integration of gender components in the major teaching subjects

c) State Corporations

All nine corporations reported awareness of gender equality and mainstreaming. The institutions had sensitised staff on gender mainstreaming through trainings and ensured fair consideration during advertisement of positions, recruitment, appointments and promotions. There were varied levels of understanding of gender concepts between top management representatives and staff. For instance, in three of the nine corporations, top level management had a better understanding of gender concepts than lower level staff. In one corporation however, staff exhibited better understanding of gender concepts than management representatives.

None of the nine corporations have special arrangements for nursing mothers required to travel out of their workstations on official duty. Further, none had crèches or facilitation for lactating mothers to express milk.

Maternity and paternity leaves are observed in all nine organisations audited. Lactating mothers are granted flexible working hours by arrangement. Five⁶ corporations out of the nine had disability friendly facilities.

3.2.2 Development and implementation of a gender policy at workplace

a) Public Universities

Out of 11 universities, only one had not developed their gender policy. It was clear that institutions see policies as a guide on equality and inclusion in planning and programming. Management is seen as a critical force that makes decisions on resource allocation and monitoring the implementation of the policies.

In some instances where the universities had reported having the policy, the management was unaware of the existence of the same. In another, staff had no idea of the contents of the policy while there was no clarity on reporting lines.

⁶ Coast Water Services Board, Lake Victoria South water Services Board, Nzoia Sugar Company, Kenya Ferry Services Authority and Kenya Maritime Authority

b) Technical Training Institutes

Out of the technical institutes sampled, nine had an existing gender policy. However only a few management representatives seemed to have been actively involved in the development of the same. This was evidenced by a few conflicting responses when for instance the management of an institution was unaware of the existence of a gender policy while the staff admitted to having one and vice versa. Two institutions had their gender policies in draft form.

c) State Corporations

Most corporations reported having developed the gender policy. Three of the corporations have the policy in draft form awaiting approval by the boards. It was noted that the policy development process was consultative. In Coast Development Authority the management was said to be supportive in approving gender activities and ensuring full implementation of the policy. Gender committees were in place in all nine organisations and tasked with policy development and implementation.

3.2.3 Compliance with the two-thirds gender principle at workplace

a) Public Universities

It was noted that at management level, 6 out of 11 universities had not achieved the 33% gender principle. Most universities required a minimum qualification of Professor for promotion to management level which disadvantaged women and youth employees.

The non-teaching staff reported more challenges in career advancement compared to the teaching staff due to the nature of their work. This hindered their career progression.

b) Technical Training Institutes

All the institutions have complied with the two thirds gender representation in employment, and

ensured that this principle is adhered to in relation to student leadership. Some of the institutions also had mechanisms through which they were working to contribute to the achievement of the same.

The audit team noted that Kisumu polytechnic and Bukura Agricultural College had applied affirmative action through the provision of incentives to the students and provision of automatic bursaries to women students who apply for technical courses⁷. For the male students, the bursary was applicable where they do not take the mainstream male courses but opt for food and beverage courses.

Additionally, the institutions have a leeway to recruit and bring women on board where there is a shortfall by ensuring only women are shortlisted. Both standing and ad hoc committees in all institutions seemed to have endeavoured to adhere to the two thirds gender principle as well.

c) State Corporations

Seven corporations had complied with the two thirds gender principle at management level while two (Coast Development Authority and Nzoia Sugar Company) did not. Some staff members in audited organisations reported a lack of representation of the PWDs and youth at top management.

Despite this, all organisations reported an understanding of the two-thirds representation rule and had strict hiring and recruitment policies to ensure adherence. The organisations not meeting this rule had put in place measures to correct this apparent imbalance including affirmative action in recruitment and promotions.

⁷ Engineering, automotive, mechanical, building and applied sciences

3.2.4 Availability and Utilization of Sex disaggregated data in institutional Planning and Programming (benefit incidence analysis)

a) Public Universities

It was clear that institutions utilized the available disaggregated data to inform planning and programming. Five universities reported having undertaken baseline surveys on gender where they collected sex disaggregated data to identify needs from students as well as staff. Taita Taveta University College for instance indicated that they utilised the baseline survey data to mainstream issues of disability. This informed the hire of a braille translator to help visually impaired students and creation of compulsory gender inclusive common courses.

b) Technical Training Institutes

The audit team observed that all the institutions had sex disaggregated data of all their employees with the exception on data on persons with disability and the youth. However, there was a lack of direct correlation between the disaggregated data and the annual work plans that inform programmatic interventions. None of the sampled institutions had undertaken a baseline survey to determine the level of gender mainstreaming.

c) State Corporations

All corporations had sex disaggregated data with regard to male and female, however they lacked consistent disaggregation based on disability and Youth. Some, like the Coast Development Authority have made attempts to include interns in their employment.

In three of the corporations, (Lake Victoria Services Water Services, Coast Development Authority and Tana Water services) baseline surveys were undertaken and disaggregated data informed the planning and programmatic interventions e.g. development of ablution blocks, water pans and water points as well as disability friendly architecture.

3.2.5 Development of a work place policy on gender based violence (GBV) and sexual harassment

a) Public Universities

Sexual harassment cases were said to be common but were not adequately addressed due to lack of evidence. Only three Universities had developed a workplace GBV policy which provided guidance on prevention and response to GBV. The rest were committed to develop by financial year 2015/2016. Chuka University College reported having captured the GBV issues in the code of conduct and in the students' handbook which are used to inform both the students and staff.

Taita Taveta University College has a complaint box and a clear reporting pathway in GBV cases. Staff report such cases to the Deputy Principal (Academics) while students report to the class representative. Student cases are then escalated to the Chair of the department. A disciplinary committee addresses both staff and student cases as appropriately referred and if need be forwarded to the University Council.

b) Technical Training Institutes

Five technical institutions had the workplace and gender based violence policy. Those that did not have the policy reported having components of the policy incorporated in their human resources manuals and gender policies.

However, over half of the institutions audited did not clearly state how they would handle GBV cases in case of occurrence. This implies that they are not conversant with what is outlined in their own policies, therefore raising questions about participation in development of policies as well as dissemination to the users.

When probed about GBV handling in case of occurrence, most institutions seemed not so clear on procedures despite having a policy.

c) **State Corporations**

Six institutions reported having policies on SGBV that spelt out the procedures and measures for addressing sexual and gender based violence offences. For corporations with no explicit SGBV policy document, it was reported that this had been incorporated in their human resources manuals and gender policies. The audit team however found out that most staff had little knowledge of the contents in GBV policy.

3.2.6 Gender Responsive Budgeting

a) **Public Universities**

All the universities reported not having a gender responsive budget. However the allocation reserved for performance contracting is used to cater for some of the gender mainstreaming interventions. Management from Kirinyaga University and Pwani University committed to consider allocating a budget for gender issues in the FY 2015/2016.

b) **Technical Training Institutes**

All audited training institutes were unfamiliar with gender responsive budgeting. This was interpreted as separate budgets for women. The

conventional ways of budgeting were in use where the finance departments took lead and heads of sections put across their sections' needs which were not consultatively determined. In all the institutions there was no specific budget allocated to undertake gender mainstreaming activities.

Only one third of the institutions reported to have a structure where budgets are generated from as low as the students' committees and the lower level staff to the top.

One of the institutions indicated that there is only one vote head for all activities under performance contracting and this is what is utilized for gender mainstreaming which is insufficient.

c) **State Corporations**

Most organisations did not have gender responsive budgets. All institutions had an allocation for mandatory activities under performance contracting where a percentage catered for implementation of gender mainstreaming activities across the institutions. Only two institutions (Coast Development Authority, Lake Victoria Services and Water Services Board) had developed gender responsive budgets.

4

CHAPTER FOUR

CHALLENGES AND RECOMMENDATIONS

4.1 Obstacles Highlighted By Institutions during Audits

Public Universities	<ul style="list-style-type: none"> • Beneficiaries of the 30% government procurement tender opportunities were said to be used as proxies by established business people. • Promotion to management is based on merit and years of experience which mostly hinder youth and female staff. • Provision of adequate infrastructure for the PWDs is expensive hence hindering implementation of disability mainstreaming initiatives. • Failure by PWDs to apply for the 30% government procurement tender opportunities.
Technical Training Institutes	<ul style="list-style-type: none"> • Insufficient financial resources affect implementation of gender mainstreaming activities. • Disability unfriendly facilities in some of the institutions including lack of reserved parking for persons with disabilities, disability unfriendly lavatories, unavailability of braille materials and sign language interpreters. • Lack of representation of the management in gender committees which makes it difficult for decision making and implementation in regards to gender issues. • Lack of staff or units specifically dedicated to manage gender mainstreaming in the institutions. • Concern that the SIGs are not applying for the tenders as per the 30% procurement directive on tender. Where awarded half of the institutions audited expressed concern over the substandard quality of services rendered by the category. • Lack of workforce disaggregated data on youth and persons with disability in the sampled institutions. • Some of the institutions had no gender/gender based violence policy thus there was no working document to guide the implementation of gender mainstreaming in the respective institutions and ensure compliance. • Limited numbers of female teaching staff available to teach technical courses e.g. engineering, building and applied sciences. • Staff lack motivation and interest for gender trainings as gender is not accorded the same importance as other disciplines. • Negative perceptions and attitudes informed by cultural beliefs towards gender • Lack of adequate capacity in matters gender which results to lack of diversified gender interventions.

<p>State Corporations</p>	<ul style="list-style-type: none"> • Insufficient resources allocated towards gender mainstreaming initiatives. • Corporations like Coast Development Authority reported that women do not apply for certain positions that are considered technical and/or masculine. • General lack of awareness on gender issues including among gender committees. • Nzoia Sugar Company reported retrogressive community cultural beliefs and male chauvinism as a challenge to the workforce especially the belief that women cannot take certain leadership positions. • Limited representation of women at decision making level led to gender issues being relegated or ignored in planning activities. • Some of the interviewees displayed apathy towards integrating gender equality into their institutional operations e.g. Coast Water Services board. <p><i>When asked about what support they would require from management to implement gender mainstreaming into their operations, one of the staff said “a gym and a trip to Hawaii”.</i></p>
<p>General Obstacles</p>	<ul style="list-style-type: none"> • Lack of sufficient sensitization and training of all staff on gender equality and inclusion as well as who the special interest groups are. • Lack of sensitization and training of top management in some institutions which has an effect on the allocation of budgetary provision for gender mainstreaming activities and implementation of the gender responsive policies. • Lack of participation from all levels of staff in the development of policies. • Lack of a stand-alone gender based violence policy as required by the performance contracting guidelines. Most of the institutions had incorporated the gender based violence policy in the gender policy. • Lack of a specific budget line for gender mainstreaming activities in the budget making process. • Some of the infrastructure was classified as National Monuments and rental properties thus could not be modified to be accessible to PWDs e.g. Technical University of Mombasa, Kenya Maritime Authority, Kenya National Shipping Line, Coast Institute of Technology and Kenya Ferry Services. • The management and staff interviewed were not keen on sexual harassment and GBV especially on the reporting and referral mechanism.

4.2 Lessons Learnt

- Questionnaires used for gender audits needed to be available in both Swahili and English as well as in braille.
- There is need for the NGEK staff to be trained on basic sign language interpretation skills.
- Commitment from senior management to equality and inclusion ensures that the institution is gender mainstreamed and that there is provision for gender responsive budget e.g. Taita Taveta University College.
- There was a general quest for knowledge acquisition and awareness on gender mainstreaming.

4.3 Recommendations

To Government of Kenya

- The National treasury needs to make provision for a budget line on gender mainstreaming activities for public institutions.
- Government to increase funding for public universities to cater for students with disability.
- To approve and ensure gender responsive budgets.
- Women should be encouraged to apply for courses in applied sciences, engineering, building and construction to ensure that there is sufficient representation of women in study and teaching positions.

To National Gender and Equality Commission (NGEC)

- Lobby the government through National Treasury for more budget allocation on gender mainstreaming activities in the universities
- Advocate for the promotion of equality and inclusion through the media (especially local language radio).
- Adopt best practices and implement standards and policies on gender mainstreaming as an institutional benchmark e.g. gender policy, workplace SGBV policy, crèche, parking reservations for expectant women and PWDs, provision of nursing rooms for mothers fully equipped with a fridge and accessible lavatories for PWDs etc.
- Capacity build the top management (CEO's /MDs/Principals/VCS/CEC's in charge of gender issues) on NGEC mandate and gender mainstreaming.
- Establish an incentive scheme to reward the best performing institution.
- Facilitate the development of compensation guidelines by NLC to ensure inclusion of the SIGs.

- Issue an advisory to NLC to integrate gender mainstreaming in their operations e.g. the SGR land compensation scheme.

To Public Institutions' Management

- Provide flexible hours/nursing rooms to lactating mothers to cater for their needs and improve their performance at the workplace (whether teaching or non-teaching staff).
- Provide continuous sensitization and training for staff on gender mainstreaming. Also provide incentives during gender mainstreaming trainings e.g. certification in order to evoke interest in gender issues.
- Allocate budget to gender mainstreaming specific activities and ensure the rest of the budget is gender sensitive
- Ensure gender responsive policies are developed and implemented.
- Ensure that the two thirds gender principle is achieved especially at the decision making level, and the 5% representation of PWDs.
- Need for partnerships with relevant institutions to support gender mainstreaming in technical institutions including development partners.
- Need to build the capacity of surrounding communities in regards to gender issues to facilitate mutual coexistence between the student population and community.

4.4 Conclusion

Based on the audit and analysis of this report a number of conclusions have been drawn. Firstly, that there is limited awareness on gender issues in the various institutions since sensitization levels were found to be below average. Many of the respondents interviewed exhibited a general lack of knowledge and awareness of gender equality. There is a correlation between the low levels of awareness and poor implementation of gender mainstreaming.

Secondly, the exercise established that most institutions had formulated their own internal gender policies. This demonstrates that they have introduced the necessary processes and structures to institutionalise gender equality to guide gender related functions and responsibilities. However there seems to be unwillingness by some institutions to prioritise gender issues and to comply with their own policy frameworks.

Thirdly the institutions are failing to ensure that the 30% government procurement opportunities of AGPO can be assessed by all. This can be attributed to the fact that the special interest groups lack adequate resources and in some instances limited awareness to access these tenders.

Fourthly, the exercise established that the institutions were compiling and utilising sex disaggregated data to inform their programming. They however lacked data on persons with disability and youth employees.

This had an effect on disability mainstreaming as it made it difficult to monitor and evaluate progress towards gender equality and mainstreaming for all special interest groups.

Finally, the audit established that all institutions had limited knowledge with regard to gender responsive budgeting. The effect of this was that while most institutions had the policies and sex disaggregated data to inform programming, they could not implement due to lack of a designated budget line committed to gender mainstreaming

ANNEXES

Annex 1: Public Institutions Audited

Public Universities	<ol style="list-style-type: none"> 1. Murang'a University College 2. Karatina University 3. Kibabii University College 4. Masinde Muliro University 5. Pwani University College 6. Kirinyaga University College 7. Taita Taveta University College 8. Chuka University College 9. South Eastern Kenya University 10. Machakos University College 11. Technical University of Mombasa
Technical Training Institutes	<ol style="list-style-type: none"> 12. Sang'alo Institute of Science and Technology 13. Kisumu Polytechnic 14. Mombasa Technical Training Institute 15. Coast Institute of Technology 16. Kamwenja Teachers' Training College 17. Kitui technical training institute 18. Machakos Technical institute for the blind 19. Meru Technical Training Institute 20. Nkabune Teachers Training Institute 21. Kiirua Technical Training Institute 22. Bukura Agricultural College
State Corporations	<ol style="list-style-type: none"> 23. Coast Development Authority 24. Coast Water Services Board 25. Lake Victoria South Water Services Board 26. Nzoia Sugar Company 27. Kenya Marine and Fisheries Research Institute 28. Kenya Ferry Services Authority 29. Kenya Maritime Authority 30. Tana Water Services 31. Kenya Ports Authority

Annex 2: Key Informant Interview

Name of Institution.....

Designation of Interviewee.....

Introduction

As a way of introduction;

- The Interviewer starts by introducing himself/ herself
- Then introduces the assessment and the purpose
- Then the importance of the Key Informant Discussions as a supplement to the focus group discussion being carried out with members of staff.

Discussion

The Interviewer then guides the discussion along the following areas;

1. What is gender? What is gender equality? What is gender mainstreaming?
2. How does the organization ensure gender mainstreaming?
3. In your view, how has gender been mainstreamed within the sector that you coordinate?
4. Has this institution developed a gender policy? If yes
 - a) What is your view of the institutional gender policy? Is it necessary? If yes, why? What role do you see the management playing in operationalizing this policy
5. Has this institution developed a workplace sexual and Gender Based Violence policy? If yes
 - a. What is your view of the policy? Is it necessary? If yes, why? What role do you see the management playing in operationalizing this policy?
6. Does budgeting within the institution incorporate gender issues? If yes
 - a) What percentage of total budget was allocated to these mainstreaming activities in FY 2013-2014?
 - b) What percentage of total budget was actually spent on the mentioned activities?
7. Are there gender considerations when it comes to recruitment, appointment, promotion and retention of staff?
 - a) What is the total number of employees?
 - b) What is the percentage of employees by sex, PWD and age?
 - c) Of all employees, what percentage is in the management by sex, PWD and age?
 - d) Of all employees, what percentage has been promoted to the management level by sex, PWD and age?
 - e) Number of persons in internship by sex, PWD and age
8. Trainings: women participants with children and a house help, etc. how are they catered for?
9. Probe general organizational culture: language, habits, gestures, etc.
10. What challenges do you face in this institution in addressing gender issues within the organization?
11. What are your suggestions and/ or recommendations for improving the effectiveness of the gender mainstreaming across the institution?
12. On a scale of 1 – 10, what score will you give this institution in terms of gender mainstreaming?

Annex 3: Focus Group Discussion Guidelines

1. What is gender? What is gender equality? What is gender mainstreaming?
2. Which are some of the International, Regional and National treaties/conventions that guide this institution in integrating gender in its operations?
3. What strategies do you apply to involve men, women, girls and boys during project/programme planning?
4. What capacity building measures on gender are in place for implementing officers?
5. What challenges do you face when integrating gender into the projects/programmes? If any what measures have you taken to address those challenges?
6. What support do you receive/ need from management?
7. On a scale of 1 to 10, where would you place this institution as much as gender mainstreaming is concerned?

