



Mainstreaming Principles of Equality and Inclusion in Business

Guidebook for Private Sector in Kenya

National Gender and Equality Commission
Solution Tech Place, 1st Flr, Longonot Road, Upperhill, next to Crowne Plaza Hotel
P.O.BOX 27512-00506, Nairobi, Kenya
Tel +254 2(20)-272-7778
www.ngeckkenya.org
Tweet: @NGECKENYA
www.facebook.com/NGECKKenya

First Edition (May, 2014)

Foreword

This guidebook was designed to facilitate private sector actors working in business to understand the basic principles underpinning the constitutional principles and values of gender equality and non-discrimination. The private sector in Kenya is a relatively new entrant in discussions around the promoting of equality and non-discrimination, two values which Kenyans called to be enshrined in the Constitution of Kenya in August 2010. Kenyans envisaged a society in which all would be treated with dignity and as equals, and where issues of marginalization would be addressed explicitly in the manner in which both government and the private sector conducted business.

The National Gender and Equality Commission is happy to provide this guidebook for use by the private sector, and other actors in building understanding on constitutional obligations and responsibilities on fundamental principles of equality and inclusion in business. Preparation of this guidebook is the first step towards working closely with the private sector to recognize and entrench principles of equality and inclusion in business practises in Kenya.

The development of this guidebook was made possible with the support of the Danish International Development Agency (DANIDA). The National Gender and Equality Commission is very grateful to DANIDA for their continued assistance and commitment to supporting issues of equality and inclusion in governance, public and private sectors

Comm. Winfred Osimbo Lichuma, E.B.S.

Chairperson

Contents

Foreword	2
List of Figures	4
Acronyms	5
1.0 Introduction	6
1.1 Key concepts	6
1.2 The Legal and Policy Framework – International and Domestic.....	8
1.2.1 International Framework	8
1.2.2 Domestic Legal Framework.....	8
1.2.3 Domestic Policy Framework.....	10
2.0 The Business Case for Promoting Equality and Inclusion	11
3.0 Performance Management: monitoring improvements	12
4.0 The Theory of Change	16
5.0 The role of NGEC	17
6.0 Reporting templates	18

List of Figures

Figure 1: Linkages between the individual and institution towards attaining equality and inclusion .	15
Figure 2: The Theory of Change	16
Figure 3: A strategic approach to knowledge brokering.....	17

Acronyms

Acronym	Description
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
GDP	Gross Domestic Product
HRBA	Human Rights Based Approaches
ILO	International Labour Organisation
NGEC	National Gender and Equality Commission
PM	Performance Management
PWDs	Persons With Disabilities
SIGs	Special Interest Groups
UNGPs	United Nations Guiding Principles on Business and Human Rights
V2030	Vision 2030

1.0 Introduction

The National Gender and Equality Commission (NGEC) is mandated through Constitution of Kenya 2010, article 27 and the National Gender and Equality Act of 2011 to promote gender equality and freedom from discrimination for all Kenyans. The commission monitors, facilitates and advises on the integration of the principles of equality and freedom from discrimination in the policy and legal frameworks at the national and county levels and in **private** institutions. The commission is also the principal organ of the state responsible for ensuring the government's compliance with all treaties and conventions that Kenya has ratified relating to issues of equality and freedom from discrimination and relating to special interest groups (SIGs) i.e. women, persons with disabilities (PWDs), youth, older persons, minority and marginalised groups and communities, and children. NGEC therefore coordinates and facilitates the mainstreaming of issues of SIGs. The commission investigates on its own initiative or on the basis of complaints, any matter in respect of any violations of the principle of equality and freedom from discrimination. The commission undertakes audits for purposes of reporting on status and progress the county is making towards mainstreaming issues of special interest populations.

NGEC is mandated to ensure that both public and private sector institutions are in compliance with the provisions of the Constitution which addresses gender equality and non-discrimination. For the public sector, the commission in collaboration with the Ministry of Devolution and Planning developed a reporting template and Guide book, which seeks to guide the public sector in the realisation of these provisions. However, for the private sector, understanding of the meaning and operationalization of the principles of the Constitution is still developing. This guide book is designed to build this understanding and to assist private sector institutions to be aware of their constitutional obligations and responsibilities in businesses.

1.1 Key concepts

It is important to begin with first understanding the meanings of key concepts as they relate to the above provisions:

- **Gender:** The concept of gender refers to a social construct, based on societal beliefs and norms and influenced by biological differences. Understandings about 'gender' are changeable, but certain aspects have been difficult to change, resulting in persistent differences between the males and females (men and women, boys and girls) in terms of what is considered appropriate behaviour for males and females (relative to each other), and the differences in social, economic and/or political power.
- **Gender mainstreaming:** The definition adopted by the UN General Assembly in December 1997 (ECOSOC, 1997) describes gender mainstreaming as: ... the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated.
- **Disability mainstreaming:** The concept of mainstreaming disability issues refers to the assessment of the implications for PWDs of any planned action, including legislation, policies or programmes,

in any area and at all levels. It is a strategy for making the concerns and experiences of PWDs an integral part of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres, so that PWDs can benefit equally, and inequality is not perpetuated.

- **Discrimination:** It has been defined as "...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field"¹.
- **Equality:** Based on the concept of 'sameness' or 'impartiality' in treatment of a member of one group, relative to another.
- **Equity:** Based on the concept of 'fairness' between the different groups, which can in certain instances be attained through positive discrimination i.e. affirmative action measures aimed at promoting the representation of one group relative to another. Alternatively, it can be expressed in investment in the provision of special equipment to facilitate the needs of one group relative to another, in the workplace.
- **Affirmative Action:** Includes any measure designed to overcome or ameliorate an inequity or the systemic denial or infringement of a right or fundamental freedom.

The promulgation of the Constitution of Kenya on 27th August 2010 ushered in a number of key safeguards regarding participation and inclusion of SIGs in society, namely: women, children, youth, persons with disabilities (PWDs), older persons, marginalised groups and communities. Definitions of these SIGs are also provided under Article 260 of the Constitution (see Box 1).

Box 1: Key definitions

Disability: Any physical, sensory, mental, psychological or other impairment, condition or illness that has, or is perceived by significant sectors of the community to have, a substantial or long-term effect on an individual's ability to carry out ordinary day-to-day activities.

Child: An individual who has not attained the age of eighteen years.

Youth: Means the collectivity of all individuals in the Republic who:

- (i) Have attained the age of eighteen years; but,
- (ii) Have not attained the age of 35 years.

Older member of society: A person who has attained the age of sixty years.

Marginalised groups: The Constitution provides that 'marginalised groups' refer to a group of people who, because of laws or practices before, on, or after the effective date, were or are disadvantaged by discrimination.

¹ The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

Marginalized community: Is defined in the Constitution as meaning:

- (a) A community that, because of its relatively small population or for any other reason, has been unable to fully participate;
- (b) A traditional community that, out of a need or desire to preserve its unique culture and identity from assimilation, has remained outside;
- (c) An indigenous community that has retained and maintained a traditional lifestyle and livelihood based on a hunter or gatherer economy; or
- (d) Pastoral persons and communities, whether they are—
 - (i) Nomadic; or
 - (ii) a settled community that, because of its relative geographic isolation, has experienced only marginal participation in the integrated social and economic life of Kenya as a whole.

1.2 The Legal and Policy Framework – International and Domestic

1.2.1 International Framework

Kenya has ratified two key International Labour Organisation (ILO) Conventions which seek to promote gender equality i.e. the Discrimination (Employment and Occupation) Convention, 1958 (No. 111); and the Equal Remuneration Convention, 1951 (No. 100). Kenya is yet to ratify the Workers with Family Responsibilities Convention, 1981 (No. 156); and the Maternity Protection Convention, 2000 (No. 183). Private sector institutions are therefore required to adhere to Convention No. 111 and Convention No. 100 which are summarized as follows²:

- ***The Discrimination (Employment and Occupation) Convention, 1958 (No. 111)***: It is the reference point for the fundamental right of non-discrimination at work. Ratifying member States committed to declaring and pursuing a national policy to promote equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating discrimination. The prohibited grounds of discrimination cover sex as well as race, color, religion, political opinion, national extraction and social origin. Sex discrimination includes discrimination on the grounds of maternity and family responsibilities and extends to sexual harassment (of both women and men). **(Ratified by Kenya in May 2001)**.
- ***The Equal Remuneration Convention, 1951 (No. 100)***: Specifically addresses equal remuneration between men and women for work of equal value. **(Ratified by Kenya in May 2001)**.

Kenya is also a signatory to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (1979): also referred to as the ‘International Bill Of Rights for Women’, in March 1984. CEDAW provides a blueprint for countries to promote basic human rights, achieve progress and overcome barriers of discrimination against women and girls, while recognizing that it is up to each country to determine how best to bring their policies and laws in line with ending discrimination against women. CEDAW defines what constitutes discrimination against women and looks at: political life, employment, marriage and family, health, education, equality before the law, among other issues.

1.2.2 Domestic Legal Framework

² Adapted from: *ILO (2009) Gender equality at the heart of decent work.*

The Constitution of Kenya contains a number of provisions that speak to equality and inclusion with implications for the public and private sectors. These include:

- Article 10 of the Constitution provides that the national principles and values of governance shall include: participation of the people, human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalised. These values and principles cut across both the public and private sector.
- Article 27 of the Constitution provides further clarity on the principles of 'equality' and 'freedom from discrimination' respectively. It provides that:
 - (1) Every person is equal before the law and has the right to equal protection and equal benefit of the law.
 - (2) Equality includes the full and equal enjoyment of all rights and fundamental freedoms.
 - (3) Women and men have the right to equal treatment, including the right to equal opportunities, in political, economic, cultural and social spheres.
 - (4) The State shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth.
 - (6) To give full effect to the realization of the rights guaranteed under this Article, the State shall take legislative and other measures, including affirmative action programmes and policies designed to redress any disadvantage suffered by individuals or groups because of past discrimination.
 - (8) In addition to the measures contemplated in clause (6), the State shall take legislative and other measures to implement the principle that not more than two-thirds of the members of elective or appointive bodies shall be of the same gender.

Articles 18 to 59 of the Constitution which contains the Bill of Rights recognises and protects the human rights and fundamental freedoms of Kenyans, and the need to preserve the dignity of individuals and communities and to promote social justice and the realisation of the potential of all.

The Employment Act of 2007 also explicitly addresses discrimination in employment under section 5 which states that it shall be the duty of the Minister, labour officers and the Industrial Court to promote equality of opportunity in employment in order to eliminate discrimination in employment. No employer is allowed to either directly or indirectly discriminate or harass an employee or prospective employee on the grounds of: race, colour, sex, language, religion, political or other opinion, nationality, ethnic or social origin, disability, pregnancy, mental status or HIV status. This is in respect of recruitment, training, promotion, terms and conditions of employment, termination of employment or other matters arising out of the employment. It therefore operationalizes Article 27 of the Constitution with a similar qualification in so far as affirmative action measures undertaken to address discrimination are allowable. Also, in certain instances an inherent requirement of a job or issues of state security may mean that the opportunities are limited to certain persons. The Employment Act (2007) also addresses ILO Convention No. 100 in that it provides that an employer shall pay his employees equal remuneration for work of equal value. The Employment Act (2007) also addresses issues of sexual harassment.

The Persons with Disabilities Act of 2003 also seeks to address discrimination against PWDs in that under section 12 it is unlawful to deny a person with a disability, employment opportunities. Additionally, qualified employees who are PWDs shall be subject to the same terms and conditions of employment and the same compensation, privileges, benefits, fringe benefits, incentives or allowances as qualified able-bodied employees.

1.2.3 Domestic Policy Framework

Kenya's long-term development blue-print, the Vision 2030 document was designed to transform the country from its current status into a middle-income country providing a high quality of life to all its citizens by the year 2030. The overarching vision, therefore, is ***"a globally competitive and prosperous nation with a high quality of life by the year 2030"***. The Vision is anchored on three pillars namely the economic, social and political pillars. The document acknowledges the equal right of men and women to the enjoyment of a high quality of life and to be able to benefit from equal opportunities. It also aspires to realise improved livelihoods for vulnerable persons at household, community and national levels.

For this to be realised, the private sector will have to play an active role with a view of levelling the playing field for all to actively engage in nation building. This calls for the adoption of Human Rights Based Approaches (HRBA) to business practice.

HRBA refer to approaches to government and business standards and practice which aim at the furtherance of the realisation of the human rights set out in the Universal Declaration of Human Rights and other international human rights instruments.³ They borrow from the human rights standards and principles in the Universal Declaration of Human Rights and other international human rights instruments. The human rights principles are: universality and inalienability; indivisibility; inter-dependence and inter-relatedness; non-discrimination and equality; participation and inclusion; accountability and the rule of Law. Kenya's Constitution and in particular, the Bill of Rights, is grounded in these understandings.

This guide book outlines a structured way through which private sector can address minimal indicators on gender equality, inclusion and freedom from discrimination. The guide book recognises the role of the private sector as both an employer, as well as a service provider. Indeed, the private sector as of 2013 contributed to about 70 per cent of Kenya's Gross Domestic Product (GDP).

For the purposes of standardising the indicators across the private sector and getting the initiative underway, the initial focus will be on the private sector as an investment leader in governance and as an employer. This guide book is intended to be a living document, the parameters of which will be expanded over time.

1.3 The structure of the guide book

The next section looks at the business case for promoting equality and inclusion. Section 3 looks at performance monitoring on issues of equality and inclusion and section 4 looks at the role of the NGEC in supporting private sector actors in mainstreaming the principles of equality and inclusion. Section 5 provides a sample reporting template for the private sector.

³ http://www.bc.edu/dam/files/schools/law/lawreviews/journals/bciclcr/25_2/06_FMS.htm

2.0 The Business Case for Promoting Equality and Inclusion

From a business perspective, addressing equality and discrimination can be driven by two forces: – minimizing risk, and maximizing gain. According to a report titled “*Implementing Gender Equality Policies and Practices in Private Sector*”⁴, many investors believe that women’s empowerment is a key characteristic of well-managed, forward thinking companies that are capable of creating sustainable shareholder value over the long term. In addition, the report makes a positive correlation between gender equality practices and stock performance, and provides evidence that having women in executive positions and on the board can indeed contribute to stronger financial performance and that the better a company is at promoting women, the better it tends to rank in terms of profitability.

High levels of inequality in business set up can lead to risks such as:

- **Reputational risk** - For companies in consumer services or consumer goods whose market capitalization is largely measured by intangibles, reputational risk is particularly important. Any corporate misbehaviour, discrimination or sexual harassment suits brought against the company diminish the company’s value in the eyes of investors and reputation in the eyes of consumers.
- **Risks related to attracting and retaining talent** - It is in the interest of any business to attract the most talented and motivated staff. This lowers cost for recruitment and induction training, improves motivation and loyalty on the work floor and enhances the quality of goods produced and/or services provided. Discrimination and violation of rights in any phase of labour relations (recruitment, contracting, conditions of work, access to promotion and training, retrenchment etc), will inevitably lead to under usage of the available talent pool.
- **Risks related to innovation** – Most successful instances of innovation are the result of cross fertilisation of different perspectives, not only between management and the work floor, but also from existing diversity at the work floor. Companies that embrace diversity have also been seen to be drivers for innovation.

The global community through the United Nations has articulated guiding principles on business and human rights on equality and inclusion in business activities. The United Nations Guiding Principles on Business and Human Rights (UNGPs) are a global standard for preventing and addressing the risk of adverse impacts on human rights linked to business activity. On June 16, 2011, the United Nations Human Rights Council unanimously endorsed the UNGPs making the framework the first corporate human rights responsibility initiative to be endorsed by the United Nations. The UNGPs encompass three pillars outlining how states and businesses should implement the framework:

- The state duty to protect human rights
- The corporate responsibility to respect human rights
- Access to remedy for victims of business-related abuses

The UNGPs have enjoyed widespread uptake and support from both the public and private sectors and civil societies. Also informally known as the "Ruggie Principles" or the "Ruggie Framework" several companies

4

http://www.genderprinciples.org/resource_files/Implementing_gender_equality_policies_and_practices_in_private_sector_companies.pdf

have publicly stated their support for the Guiding Principles. For example, the Coca-Cola Company "strongly endorsed" the UNGPs, calling them "a foundation and flexible framework for companies like ours", and General Electric wrote that the UNGPs "helped to clarify the distinct interrelated roles and responsibilities of states and business entities in this area" and that they would "no doubt serve as a lasting beacon for businesses entities seeking (to) grow their service and product offerings while respecting human rights". There is no doubt that many leading business in Kenya has the opportunity to embrace fully these principles as their framework for entrenching equality and inclusion in all dimensions of entrepreneurship.

3.0 Performance Management: monitoring improvements

Performance management (PM) is a key concern for many business leaders. The private sector faces continuous pressure from shareholders to predict and deliver sustained business improvements. However, whereas a lot of focus has in the past been put on hard measures such as financial performance, soft measures such as institution culture and inequality are increasingly coming to the forefront as drivers to institutional performance.

PM includes activities that ensure goals are consistently being met in an effective and efficient manner.⁵ Performance Management is also known as a process by which organizations align their resources, systems and employees to strategic objectives and priorities. Business like other programs and interventions use indicators to monitor performance.

An indicator is a quantitative or qualitative factor or variable that provides a simple and reliable means to measure achievement, to reflect the changes connected to an intervention or to help access the performance of an actor. Indicators developed for gender equality and inclusion aim to facilitate the monitoring of the progress of the public and private sector institutions towards reaching the desired state and behaviours. A high quality indicator must meet minimal criteria i.e.:

- ✓ Specific: This means everybody understands the indicator in the same way (unambiguous)
- ✓ Measurable: The value of the indicator can be measured and reported in a sufficiently precise way
- ✓ Relevant: The indicator measures the right thing; it should be appropriate to the subject at hand
- ✓ Verifiable: Information is easily available and obtainable

Where possible, data gathered for specific indicators should be disaggregated by sex, disability, age, and representation of marginalized groups and communities among other variables of interest to the sector.

3.1 Measurement Framework: Areas of focus

NGEC will pay attention to selected indicators and dimensions to determine institutional levels of mainstreaming principles of equality and inclusions in business sector. Institutions are encouraged to

⁵ Daniels, Aubrey (4th edition, July 2004). *Performance Management: Changing Behavior that Drives Organizational Effectiveness*.

broaden scope of focus to allow measurement of inclusion and equality in multiple themes. The business sector will need to routinely collect and analyse data responding to these indicators.

3.1.1 Private sector as employers

3.1.1.1. Employment and Compensation

This looks at the extent to which corporations have sought to incorporate employment standards, principles, policies and practices that address all forms of discrimination. Interventions will include:

Equal treatment during recruitment processes;

Equal benefits for comparable work: This refers to ensuring fair and comparable wages, and benefits including retirement benefits, for all employees for comparable work;

- ✓ Implement equitable policies for non-salaried employees (i.e. employees on wages) regarding contract work.

Critical indicators to monitor this dimension include:

1. Total workforce numbers by sex, by disability, age, community
2. Annual numbers recruited and promoted - by sex, by disability, age,
3. Contract terms – full time/part time/zero hours by sex, by disability, age,
4. Pay gap –between the sexes, by disability, age
5. Qualitative survey – Applicants and/or Employee Satisfaction Surveys by sex, by disability, age

3.1.1.2 Work life balance and career development

Corporations can take concrete steps to attain equality and inclusion by adopting, implementing and promoting policies and practices that enable work-life balance and support educational, career and vocational development.

Key elements of this principle include:

- ✓ make professional and private life more balanced by implementing and promoting flexible work options, family leave, dependent care, wellness programs, and workforce exit and re-entry opportunities;
- ✓ Support access to childcare either by providing childcare services or by providing information and resources regarding childcare services;
- ✓ Equal access to career progression opportunities through access to training and promotion opportunities.

Critical indicators in this theme include:

1. Access to training opportunities for all staff i.e. numbers trained annually - disaggregated by sex, by disability, age,
2. Practices on maternity/paternity leave, flexible work options, workforce exit and re-entry;

3. Performance management policies and practices that factor in and do not discriminate based on the different work options;
4. Qualitative survey - Employee Satisfaction Surveys by sex, by disability, age

3.1.2 Private sector as providers of goods and services

Corporations will take concrete steps to attain equality and inclusion by adopting and implementing non-discriminatory business, supply chain, contracting, and marketing policies and practices.

Aspects that can be monitored include:

1. Use of ethical marketing standards by respecting the dignity of all especially vulnerable populations in sales, promotional and advertising materials, and excluding any form of sexual exploitation in marketing and advertising campaigns. Essential indicators include a) practices on procurement, contracting, marketing and supply chain management; b) customer and partners' satisfaction levels by sex, by disability, age,

3.1.2.1 Capacity and Governance

Corporations will take concrete steps to attain equality and inclusion in operations and in business and stakeholder relationships by adopting and implementing policies that are publicly disclosed, monitored, and enforced.

Key elements of this principle include:

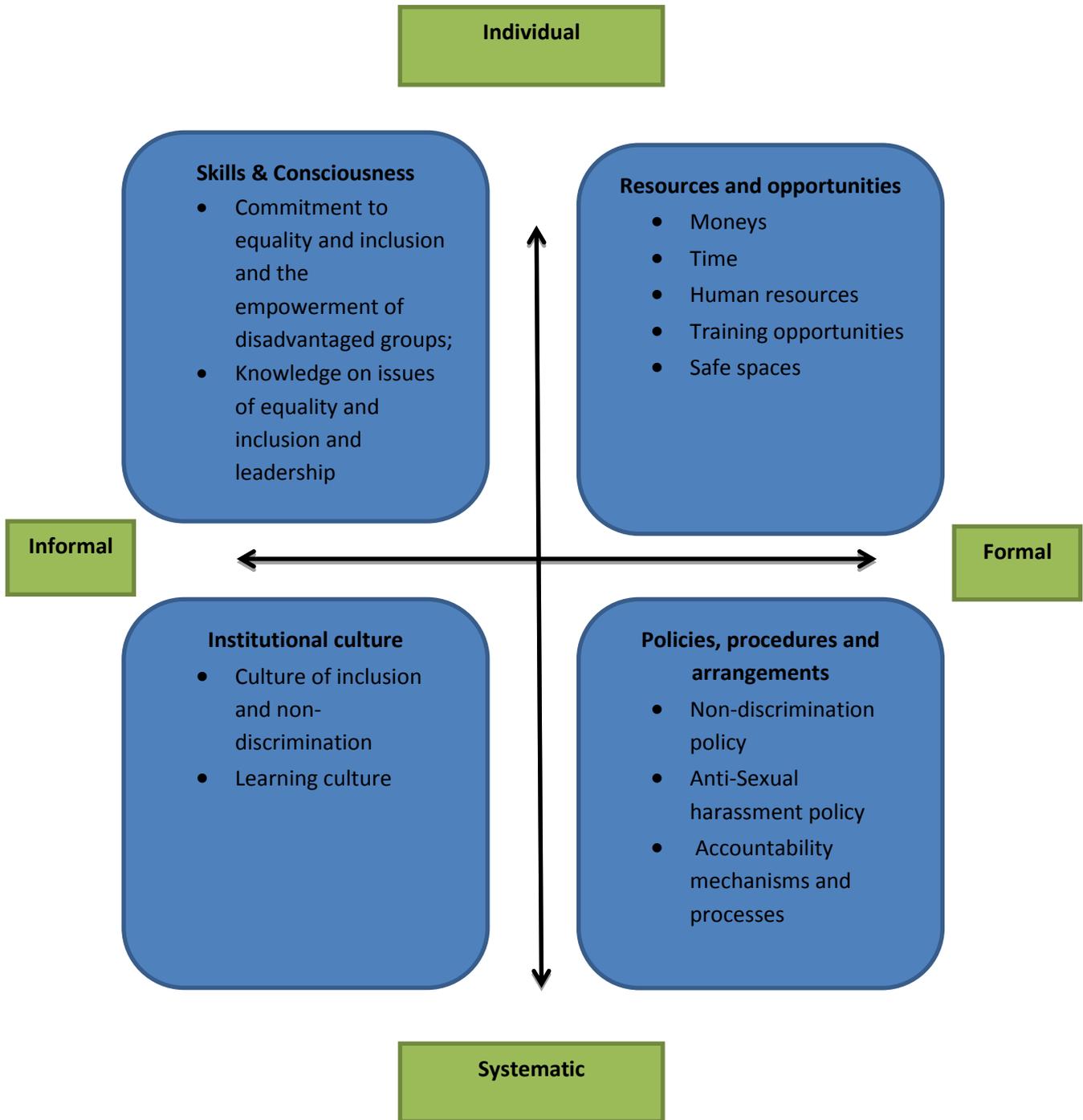
- ✓ Publicise commitment to these Principles through a statement from the Chief Executive Officer or comparably prominent means, and prominently display them in the workplace and/or make them available to all employees in a readily accessible and understandable form;
- ✓ Develop and implement company policies, procedures, training and internal reporting processes to ensure observance and implementation of these Principles throughout the organization;
- ✓ Conduct periodic self-evaluations through data collection and analysis, audits, public disclosure, and reporting on status and progress made in the implementation of these Principles;
- ✓ Establish a clear, unbiased, non-retaliatory grievance policy and mechanism allowing employees to make comments, recommendations, reports or complaints concerning their treatment in the workplace;
- ✓ Be transparent in the implementation of these principles and promote their endorsement and implementation by affiliates, vendors, suppliers, customers and others with whom it does business.

To monitor this we will focus on the following indicators:

1. Existence of Policies and practices on equality and inclusion;
2. Number of transparency and accountability related grievances reported and resolved
3. Customer and partners' (vendors/suppliers) satisfaction levels by sex, by disability, age,

3.2 Selected elements for inclusion and equality in business sector

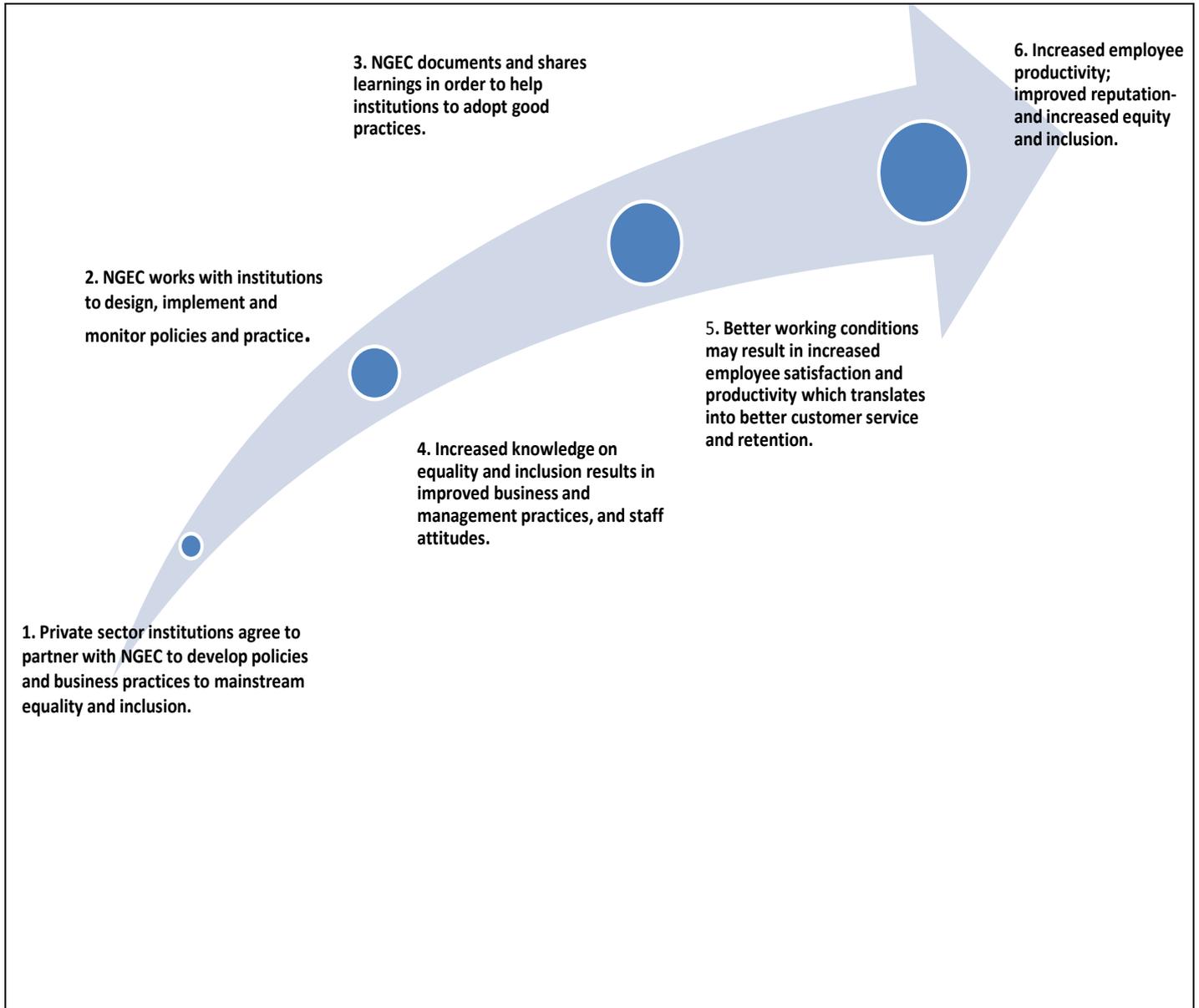
Figure 1: Linkages between the individual and institution towards attaining equality and inclusion



4.0 The Theory of Change

A theory of change is a dynamic, critical thinking process. It makes the initiative clear and transparent. The main benefits of this approach are that it brings on board an integrated approach to design, implementation and evaluation and better analysis of the context than other approaches. Figure 2 provides the envisioned theory of change for the proposed PM indicators.

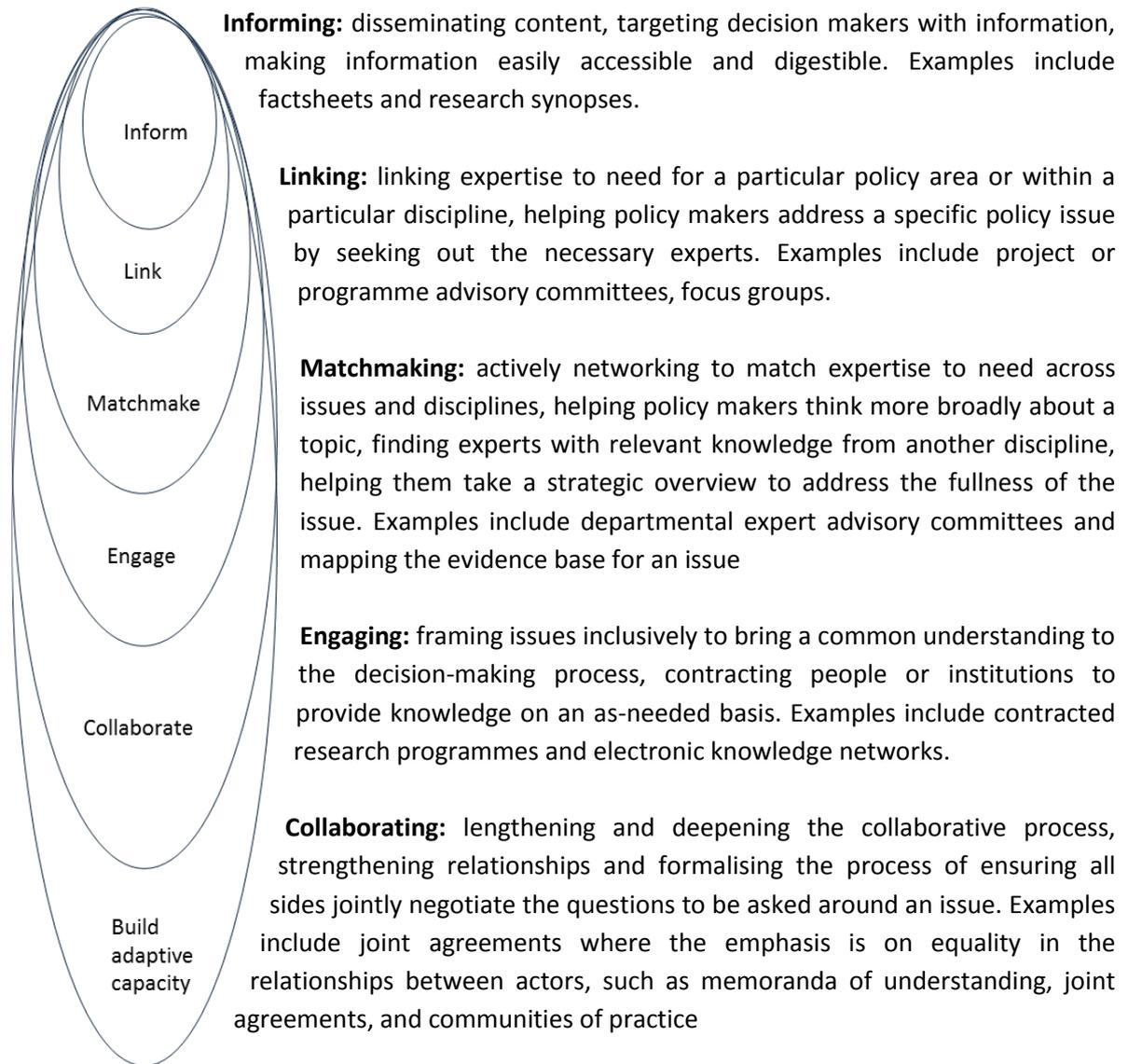
Figure 2: The Theory of Change



5.0 The role of NGECE

NGECE in collaboration with the private sector will coordinate trainings and reporting on mainstreaming principles of equality and inclusion in the private sector. Figure 3 summarizes role of NGECE in this program

Figure 3: A strategic approach to knowledge brokering.



From Jones *et al* (2012)

Building adaptive capacity: deepening the collaborative relationship to the extent that all parties jointly frame the issue; broadening institutional capacity of institutions to adapt to multiple issues simultaneously and foster innovation. The focus is on co-production of knowledge and joint learning from doing; the arrangements are self-sustaining in terms of both funding and function, with all sides contributing resources. Examples include co-management arrangements, local enterprise partnerships, and self-sustaining consortia.

6.0 Reporting templates

This section presents simple reporting template developed for the purposes of monitoring progress and compliance by actors in the private sector, of a minimum package of indicators that address integration of principles of equality and inclusion in business practice. This template can be adapted to meet other measurements needs and requirements.

Private Sector Quarterly and Annual Reporting Tool-			
Name of Organization	Type of Institution/Organization		
	Sector		
	Tick the reporting period as appropriate (below) Year ()		
	Quarter 1 [1]	Quarter 3 [3]	Annual [5]
Quarter 2 [2]	Quarter 4 [4]		

1. Capacity to mainstreaming equality and inclusion in the sector			
Indicator	Yes	No	Additional details
Do you have policies on mainstreaming principles of gender, equality and inclusion in your core business?			
Have these policies been translated into a workplace program or activities?			If yes, please give an example to illustrate the translation
Has your staff undergone a sensitization training on gender, inclusion and equality?			If yes, please indicate approximately what percentage of staff have undergone these sensitization
Do you have a committee, focal persons or unit that directly handles issues of discrimination and related grievances?			

2. Absolute Representation of workforce– end of year									
By job group e.g. Board level Management etc.	Total	Male	Female	No. form Marginalised communities*	PWDs		Age		
					Male	Female	<35	35-59	60+
Board									
Senior management									
Middle level management									

Total									
-------	--	--	--	--	--	--	--	--	--

3. Recruitments – end of Financial year									
Recruited into job Group “x” e.g. Board level Management etc.	Total	Male	Female	Marginalised communities	PWDs		Age		
					Male	Female	<35	35-59	60+
Board level									
Senior Management									
Middle-level Management									
etc									
Total									

4. Promotions– end of Financial year									
Promoted into job Group “x” e.g. Board level Management etc.	Total	Male	Female	Marginalised communities	PWDs		Age		
					Male	Female	<35	35-59	60+
Board level									
Senior Management									
Middle-level Management									
Other job groups									
Total									

5. Contract terms: Employee placement by terms									
Terms	Total	Male	Female	Marginalised communities	PWDs		Age		
					Male	Female	<35	35-59	60+
Full time contract									
Part time contract									
Zero hour contract									
Internship Opportunities									
Other (specific)									

6. Allocation of procurement opportunities for the preceding Year by selected population variables

Procurement contracts	Total	Male	Female	Marginalised communities	PWDs		Age		
					Male	Female	<35	35-59	60+
No. of high level value contracts (Kshs. 2,000,000 or more) awarded									
Upper Middle-level value (Kshs. 500,000 to Kshs. 1,999,999) awarded									
Middle value contracts (Kshs 100,00 to Kshs. 499,999/=) awarded									
Low level Kshs 99,999 and below									

7. Staff Satisfaction level – end of year. A short survey is required

Indicator	Total	Male	Female	Marginalised / Minorities	PWDs		Age		
					Male	Female	<35	35-59	60+
Percentage of staff with perceive pay difference between staff within same qualification and experience?									
Percentage of staff happy with their work life balance?									
Percentage of staff who feel the career development opportunities are distributed equitably in the organization									

Percentage of staff who feel the institution values gender and other sources of diversity.									

Details of the reporting officer

Name			
Designation			
Cell number			
Email addresses			
Date of submission			
Upload the report on the website	http://www.ngeckkenya.org/	And submit a hard copy to:	XXXXXXXXXXXXXXXXXXXXXXXXXXXX (umbrella association of private sector or sector)

6.1 Submitting reports

In order to effectively account for the progress the business or institution is making towards achieving gender equality and reducing levels of discrimination, it is important that a dedicated staff preferably under the Chief Executive Officer, is designated to collect, collate and submit data using the standard templates. The templates can be adapted to report on all relevant achievements for promoting equality and inclusion in different institutions.

The forms will also be available on the commission’s website i.e. <http://www.ngeckkenya.org/>. The commission will expect quarterly and annual reports which can be directly uploaded in the website. The reporting officer will receive an electronic acknowledgement and a formal letter for receipt of the reports.