



Performance

Contracting

Reporting Tool Kit

2014

Equality and Inclusion
Reporting Tools in the
Public Sector

©NGEC 2014

Solution Tech Place, Longonot road, Upper Hill

P.O.BOX 27512-00506, Nairobi, Kenya

Tel: +254 2(20)-272-7778

Website: <http://www.ngeckenyana.org>

www.twitter.com/NGECKenya

www.facebook.com/NGECKenya

CONTENTS

CONTENTS	2
ACKNOWLEDGEMENTS	3
ACRONYMS	4
1. INTRODUCTION TO THE TOOLKIT	5
2. THE GENDER EQUALITY INDICATORS	6
2.1 How the identified PC indicators work	7
3. A FRAMEWORK FOR MEASURING PROGRESS TOWARDS GENDER AND EQUALITY MAINSTREAMING	9
3.1 Equality in service delivery.....	10
3.2 Employment equity and inclusion.....	10
3.3 Capacity and governance	11
4. Understanding the Tenth Cycle PC gender mainstreaming guidelines.	12
5. TEMPLATE GUIDELINES	16
ANNEX 1: GENERAL GUIDELINES	18
ANNEX 2: DEFINITION OF KEY TERMS	19

ACKNOWLEDGEMENTS

The National Gender and Equality Commission wishes to thank all the individuals, institutions, who have in one way or another, contributed to the development of the gender mainstreaming indicators for the Tenth Cycle Performance Contracting (PC) guidelines. The Commission would like to acknowledge the firm support of His Excellency President Uhuru Muigai Kenyatta C.G.H., for his commitment towards the realisation of gender equality in Kenya. We also wish to acknowledge the Ministry of Devolution and Planning and in particular the Directorate of Gender and the Directorate of Performance Service Management, respectively, for their contributions and efforts in mainstreaming issues of gender within all ministries, government departments and agencies. The two directorates have been our partners in the process of developing these indicators.

To all ministries, departments and agencies who have continued to provide the Commission with progress reports on the integration of the principles of equality and inclusion in the workforce, management, and institutional policies and programs, we salute you and encourage you to accelerate the realization of substantive equality. It is our hope that this tool kit will go a long way in guiding and facilitating your staff to complete their reports with accuracy.

Finally, the National Gender and Equality Commission is grateful to the Danish International Development Agency (DANIDA) for their financial support towards development of the Equality and Inclusion mainstreaming tool and toolkit.

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

Chairperson

National Gender and Equality Commission

ACRONYMS

AWP	Annual Work Plan
ESS	Employee Satisfaction Survey
FTE	Full Time Equivalent
GBV	Gender- based violence
HR	Human Resources Department
MDAs	Ministries, Departments and Agencies
M&E	Monitoring and Evaluation
NER	Net Enrolment Rates
NGEC	National Gender and Equality Commission
PC	Performance Contracting
PCs	Performance Contracts
PCD	Performance Contracting Department
PWDs	Persons With Disabilities
SIGs	Special Interest Groups

1. INTRODUCTION TO THE TOOLKIT

The National Gender and Equality Commission's (NGEC) overall mandate is to promote gender equality and freedom from discrimination, in line with Articles 27 and 59(4) and (5) of the Constitution of Kenya 2010. Its functions include:

- Monitoring, facilitating and advising on the integration of the principles of equality and freedom from discrimination in all national and county policies, laws and administrative regulations;
- Ensuring compliance by the national and county governments with all treaties and conventions ratified by Kenya relating to issues of equality and freedom from discrimination and relating to special interest groups including minorities and marginalized persons, women, persons with disabilities and children;
- The co-ordination, and facilitation of the mainstreaming of issues of gender, persons with disabilities (PWDs) and other marginalized groups in development, and advising the national and county governments on all aspects thereof, including in the rationalization of public resources;
- Working with other relevant institutions in the development of standards for the implementation of policies for the progressive realization of the economic and social rights specified in Article 43;
- Monitoring, facilitating and advising on the development of affirmative action implementation policies; and,
- Undertaking audits on the status of the special interest groups (SIGs) and establish data bases on issues relating to equality and freedom from discrimination for different affected SIGs.

In line with the above the NGEC has developed this Toolkit to facilitate all governmental Ministries, Departments and Agencies (MDAs) in mainstreaming issues of gender equality within their operational, planning and budgeting processes. The Toolkit is based on the Tenth Cycle Performance Contracting (PC) guidelines of the Government of Kenya which came into effect in August 2013. On gender mainstreaming and other non-discrimination issues impacting upon PWDs, the youth and the elderly, the PC guidelines set out the areas to focus in monitoring performance.

This Toolkit is meant to assist MDAs to understand and respond appropriately to the reporting template i.e. **Public Sector Quarterly and Annual Mainstreaming and Freedom from Discrimination Activities Reporting Tool**. The Toolkit begins by providing a framework for understanding the linkages between key PC indicators, in so far as they relate to the goals of gender equality and non-discrimination. It then elaborates on how the tool can be utilized, indicating sources of information on key indicators. Finally, the Toolkit provides general guidelines for reporting as stated by the Performance Contracting Department (PCD).

2. THE GENDER EQUALITY INDICATORS

It is important to begin by first acknowledging that gender mainstreaming indicators were first adopted by the Kenya government in 2004, following a process of negotiation with key public sector stakeholders. However, certain critical changes have taken place since then.

Kenya's long term development blue print - Vision 2030 brought with it certain substantive changes to Kenya's development agenda. The Vision 2030 is premised on three pillars: the Economic, Social and Political pillars. Under the Social Pillar, the government committed to creating an equitable and just society based on democratic principles. This vision is being operationalised through five-year medium term plans, the second of which was launched in 2013. Under the Second Medium Term Plan (2013-2017), the government laid emphasis on implementation of affirmative action in employment opportunities in the public sector, among other initiatives geared at promoting equality and non-discrimination.

Another key milestone in this regard was the promulgation of the Constitution of Kenya (2010). Together with the establishment of the NGECC (through Article 59(4) and (5) of the Constitution and the National Gender and Equality Commission Act, 2011), it became important to re-visit the indicators in order to ensure that they reflect the letter and the spirit of the Constitution. In Article 10 of the Constitution, there is recognition of the aspirations of all Kenyans for a government based on the values of: human rights, equity, inclusiveness, equality, non-discrimination, democracy, social justice, and the protection of marginalised and minority groups. Article 27 of the Constitution provides that every person is '**equal before the law and has the right to equal protection and equal benefit of the law.**' It goes on to elaborate the issue of equality by stating that equality includes the full enjoyment of all rights and fundamental freedoms.

Discrimination (either direct or indirect) on the basis of any grounds, including: **race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth**, is explicitly rejected. The Constitution states that to give full effect to the realisation of the rights guaranteed under Article 27, the Government 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. This includes taking 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. Also, Article 55 states that the Government shall ensure the progressive implementation of the principle that at least Five per cent of members of elective and appointive bodies are persons with disabilities (PWDs).

Article 260 of the Constitution provides definitions for such terms as: affirmative action; disability; the youth, and older members of society (the elderly); marginalised communities and groups. (Please see the 'Definition of key terms' in Annex 2).

The agenda for gender equality and non-discrimination however goes beyond issues of representation. Articles 21, 43, 53, 54, 55, 56 and 57 state that the Government will take measures to ensure improved access to key essential services (e.g. health, education, water and infrastructure) and political and economic rights e.g. the right to political participation; to political representation and employment.

In terms of key essential services, successful service delivery for all people can only be achieved when institutions take cognisance of the specific needs and priorities of different groups within the population, and are held accountable for ensuring that services reach all persons, based on the same. These actions fall under the 'short route' of accountability: a direct route between the rights holders (citizens) and the duty bearer (the Government in this case).

2.1 How the identified PC indicators work

PCs are gauged against an agreed set of indicators that provide a clear framework for establishing accountability. Indicators can be defined as **'a set of key measures that help you define and track progress towards your objectives'**.¹ Whilst the Government has for some time now, used indicators to monitor its performance and delivery, PCs now attach rewards and/ or sanctions to the attainment of the goals attached to these indicators. Identifying and agreeing on indicators is therefore a critical part of the PC process.

The indicators are critical in that they enable Government and other stakeholders to assess where Kenya stands with respect to the values and goals dealing with gender equality and non-discrimination outlined in the Constitution. The usefulness of gender equality indicators lies in their ability to showcase progress and point out changes in both state (e.g. full implementation of the two-thirds gender principle) and behaviours (i.e. actions taken, and relations nurtured by and between different groups). Over time the aggregation and reporting of performance indicators allows the Government (and individual institutions) to develop and maintain a growing amount of knowledge and evidence that can be used to inform future planning and budgeting processes with regards to gender equality. Strong and effective performance indicators possess the following characteristics:

- **Accountability:** Indicators should be able to directly contribute to the better performance by an institution in particular areas e.g. recruitment and promotion of specific SIGs based on their needs- and especially the bottlenecks;

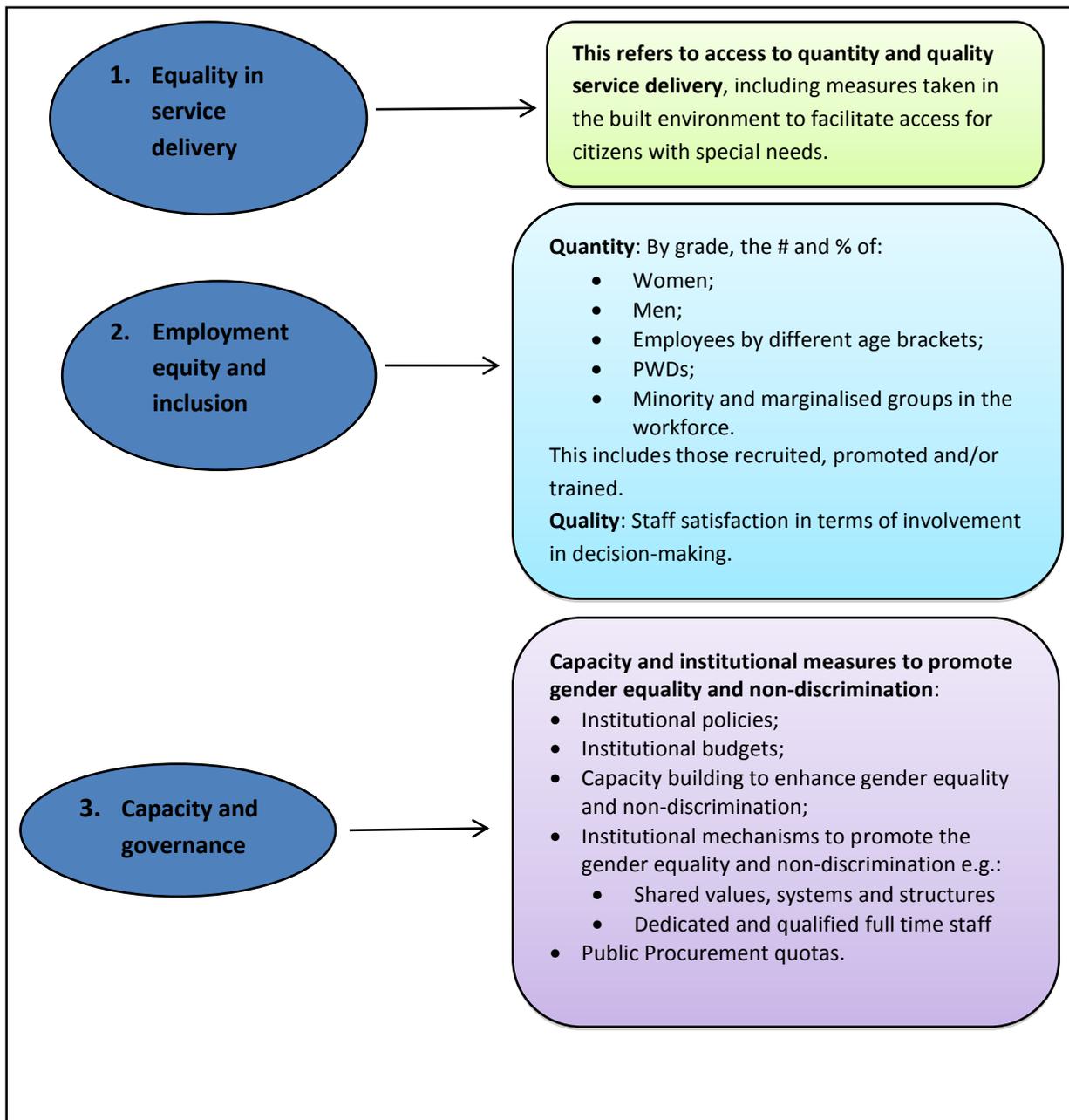
¹ The World Bank, Results Based Financing for Health, 2012

- **Relevance:** Indicators should be identified that clearly support the equality and non-discrimination objectives of the Constitution and Kenya's Vision 2030 blue print;
- **Verifiable:** The data used to calculate the indicators should be verifiable both in terms of its accuracy and appropriateness for the purpose;
- **Quantifiable:** Ideally the indicators should be quantifiable so that they can be summarized and viewed objectively (as opposed to subjectively);
- **Timely:** For indicators to be effective in informing decision making, they need to be prepared and reported at such a frequency that supports the particular measure concerned e.g. capacity building of staff towards the promotion of equality and non-discrimination;
- **Cost effective:** To collect the data needed to populate the indicators should be cost effective.

3. A FRAMEWORK FOR MEASURING PROGRESS TOWARDS GENDER AND EQUALITY MAINSTREAMING

Below is a framework which was adopted by the NGECC in revising the Ninth Cycle PC gender mainstreaming indicators and reporting template. This is based on three key thematic areas which were identified and prioritised for monitoring and measuring progress on mainstreaming of gender and equality issues. The indicators for each thematic area are also included.

Figure 1: A framework for measuring Gender and Equality in the Performance Contracts



The section that follows gives an overview of the thematic areas of focus highlighted in the framework. The template developed (see section 4) borrows from this framework. This is a work in progress and the indicators will be added to or modified with time as deemed necessary.

3.1 Equality in service delivery.

These indicators are designed to measure access to services by all Kenyans, with special emphasis on women, youth, PWDs, elderly persons, minority and marginalised groups, in line with the Constitution. This includes measuring both the type and number of services being accessed by these different groups, as well as the quality of the service accessed by each of these SIGs.

How we might use the data

Education example

Disaggregated data collected on Net Enrolment Rates (NER) in tertiary institutions may reveal that the number of females enrolling is lower than the number of males. This pattern could be reflected across Kenya or within certain counties. Once the Government has this information it should conduct investigations into **why** this is the case. The reasons could be socio-cultural, or economic.

An area that the Government will be looking to monitor, for the promotion of equality and non-discrimination, is the 'built environment'. Under Kenya's Vision 2030 the Government plans to invest a significant amount of resources into the construction and rehabilitation of infrastructural facilities as a catalyst for economic development. The Vision 2030 makes reference to providing 'world class' infrastructure and services. A key component of this is ensuring that the built environment is conducive to the needs of different SIGs.

Indicators for monitoring the built environment include but are not restricted to the following:

- % of new and rehabilitated buildings that are accessible (e.g. presence of ramps, braille elevator signs etc.) to PWDs;
- Number of complaints received regarding accessibility difficulties and measures taken.

On quality, the Nationwide Customer Satisfaction Survey has been measuring the satisfaction levels of all beneficiaries of public services. It helps to identify the main factors that influence customer satisfaction levels and to establish areas of weakness in order to make recommendations, where services fall short of beneficiaries' expectations. The Nationwide Customer Satisfaction Survey provides the information collected, disaggregated by age and sex. This will eventually be expanded to include by ability, to capture the concerns of PWDs.

3.2 Employment equity and inclusion

Accurate and up-to-date Information on employment and inclusion is required in order to track the progress towards such key constitutional provisions as Article 27 (6) and (8), and Article 55(2) of the Constitution. The purpose of collecting this information is to monitor the number of staff by sex, and age, and the number of staff with disabilities, employed within individual MDAs. This type of quantitative information will be monitored alongside the quality and level of participation and engagement as measured in the Government's Employee Satisfaction Survey (ESS). Quantitative areas that will be monitored are:

- Total employment by job group (or grade, whichever is applicable), disaggregated by age, sex and ability;
- Recruitments by age, sex and ability;
- Promotions by age, sex and ability;;
- Professional Training opportunities awarded by age, sex and ability.

3.3 Capacity and governance

This particular component of the framework assesses individual MDAs' commitments and internal capacities for mainstreaming issues of gender equality and non-discrimination in their operations, plans, activities and budgets. It includes several sub-indicator levels as follows:

- ***Institutional policies:*** Presence of required policies (e.g. on mainstreaming issues of gender, PWDs, and gender-based violence (GBV)) with program interventions which must be outlined in MDAs' Annual Work Plans (AWPs). The latter assesses the extent to which policies have been translated into actions to be measured;
- ***Trainings:*** Number and % of staff (by job group and sex) that have been trained on gender equality and non-discrimination issues;
- ***Budgets:*** % of an MDA budget allocated to AWP activities for mainstreaming gender and PWD issues- and the portion of the budget actually utilised;
- ***Dedicated staff:***
 - Number of Full Time Equivalent (FTE) staff whose primary task is to address issues of gender equality and non-discrimination. Alternatively, presence of a committee dedicated to facilitating the mainstreaming of gender issues (whichever is applicable), with the relevant training.

Actions as per the Institutions' Performance Contract 2013/2014	Max score (%) [100]	Annual Target (%)	Quarter achievements							Cumulative achievement for the year						Actual annual variance in (%)
			Actual achievements							Actual annual achievements						
			Total	Sex		Persons with disability	Age category			Total	Sex		Persons with disability	Age category		
M	F	<35		35-59	60+		M	F	<35		35-59	60+				
1.2 Baseline and benchmark on compliance level with the 2/3 gender representation policy on appointments, employment and promotions in the public services as per the constitution																
1.3 Baseline and benchmarks measuring progress of the number women-led, youth-led and PWDs-led enterprises accessing 30% public procurement tender opportunities																
1.4 Proportion of ministerial sectoral plans subjected to sex disaggregated benefit incidence analysis	1.4.1 Sex Disaggregated Data Available		1.4.2 Has data informed MDA planning and programming showing evidence of added value of interventions to men and women?							1.4.2.1 Explain (in bullet form)						
	Yes	No	Yes				No									

Mainstreaming actions as per the Institutions' Performance Contract 2013/2014	Max score (%)	Target for contract period in (%)	Quarter achievements							Cumulative achievement for the year							Actual annual variance in (%)
			Actual achievement							Actual annual achievements							
			Total	Sex		Persons with disability	Age category			Total	Sex		Persons with disability	Age category			
M	F	<35		35-59	60+		M	F	<35		35-59	60+					
1.5 Workforce: Total number of employees																	
1.5.1 % of employees by sex , , PWD, and age group																	
1.5.2 Of all employees, % in job group M and above																	
1.5.3 Of all employees, % promoted to job group M and above																	
1.5.4 Number of persons on internship program																	

N/B: For all data on PWDs, indicate the sex and age.

Status of Implementation of Mainstreaming Actions as per current year Performance Contracting Guidelines (attach progress reports and copies of evidence of work done where applicable)											
Name of policy	Max score	Does the MDA have the following policies or strategies		Has relevant activities of this policy been included in the 2013/2014 annual work plan		What percentage of total budget was allocated to these mainstreaming activities	What percentage of total budget was actually spent on the mentioned activities	Support structure			
								Does the institution have ___machinery (dedicated staff/committee)		Have the dedicated staff/committee received relevant training (refresher) on the policy?	
		Yes	no	Yes	No			Yes	No	Yes	No
1.6 Development and implementation of the ministerial policy in line with the National Gender and Development Policy to guide the gender mainstreaming activities (<i>attach copy</i>)											
1.7 Development/implementation of a work place policy on Gender based violence (<i>attach copy</i>)											
Please highlight some of the emerging issues or challenges faced in the process of mainstreaming and integrating principles of gender equality and freedom from discrimination in your institution.											
I certify that the report submitted to the National Gender and Equality Commission is accurate. Submitted to NGEC, P.O. Box 27512-00506; Tel 020-272 7778; Email: pcontracting@ngeckenya.org CC: tnyambura@ngeckenya.org and genderdcc@gmail.com											
Name of reporting officer		Designation			Telephone Number			Email address		Date	

N/B: All reports should be submitted to NGEC by the 15th day of the month succeeding the ended quarter. A copy of the report to be submitted to directorate of gender, Ministry of Devolution and Planning

5. TEMPLATE GUIDELINES

- **Section 1.1** looks into staff capacity development and sensitisation on gender mainstreaming issues. This looks at the number of activities undertaken in this regard, such as trainings and seminars.

In addition to this, this section looks to establish the cadre of staff attending these trainings to ensure that all levels of staff i.e. from decision-makers, to subordinate staff, are benefiting equally. The list of participants indicating the ranks/job groups of those who attended should be provided. This information should be made available by the department in charge of facilitating these activities.

- **Section 1.2** looks at baselines and benchmarks on compliance with the two-thirds gender representation principle. It addresses: appointments, recruitments and promotions within the public sector and asks for this information to be provided by sex, age and ability.

This information should be available from the MDA's Human Resources department.

- **Section 1.3** looks at compliance with public procurement policies and practices to promote the economic empowerment of women, youth and PWDs. This section seeks to evaluate the number of women, youth and PWD-led enterprises that have been awarded tenders by the MDA. MDAs are required to award at least 30 per cent of all public procurement tenders to such enterprises.

This information should be obtained from the MDA's Procurement departments.

- **Section 1.4:** The Gender Benefit Incidence Analysis is a methodology which seeks to analyze how the benefits of public expenditures are distributed across groups in the population. It measures distributional incidence of benefits to different groups e.g. males versus females. Within the context of these guidelines, the objective is to measure the allocation of a sector's public resources between men/boys and women/girls.

Calculation: Unit cost = (Aggregate expenditures in F/Y – cost recovery)

No. of beneficiaries by sex

This analysis is applicable to direct transfers or transfers obtained by consuming subsidized goods or services e.g. Education, Health care, Infrastructure like water supply, Extension services, credit and financial programs.

- **Section 1.5** requires MDAs to submit data on the total number of employees in an MDA by job group/grade. The composition of the employees (on their job groups/grades) must be submitted by sex, age and ability.

Section 1.5.2 specifically focuses on percentage employees in job group 'M' and above (or the equivalent) while **section 1.5.3** focuses on percentage of employees promoted to job group 'M' and above (or its equivalent).

Section 1.5.4 on the other hand focuses on the number of persons under the MDA's internship program and requires the MDA to submit this information, disaggregated by sex, age and ability.

This information should be obtained from the MDA's Human resources department.

NB. All the above sections requires the MDA to indicate both '**Actual achievements**' and '**Cumulative achievements for the year**', based on the '**Target**' (column 3 of the reporting template). The Actual achievements refer to the results that have been attained by the MDA within the quarter in respect of which the report has been made, based on the '**Target**'. '**Cumulative achievements for the year**' refer to the total results attained in the preceding quarters reported on, within the contract period.

The '**Actual Annual Variance**' is the percentage difference between the annual '**target**' and the cumulative actual achievements at the end of the four quarters i.e. the annual achievements.

- **Sections 1.6 and 1.7** requires MDAs to provide information on the presence of institutional policies addressing gender-related issues, as well as how these policies have influenced programming, planning and resource allocation. This is based on the hypothesis that commitment is expressed through the following milestones: policy → practice (programming and planning) → resource allocation and utilisation.

These sections require information on the existence of: (i) an institutional gender mainstreaming policy which must be based on Kenya's National Gender and Development Policy, and (ii) an institutional workplace policy on GBV. MDAs must indicate if their institutional gender mainstreaming and workplace GBV policies have informed their AWP; what percentage of the MDA's total budget has been allocated towards the realisation of these activities, and what amounts have actually been utilised to date on these activities.

The last column on '**Support Structure**' asks MDAs to provide information on whether they have dedicated FTE staff or a dedicated committee, with the appropriate training on gender mainstreaming and GBV respectively, to support the MDA's efforts in these regard.

Depending on the structure of the MDA, this information should be obtained from the Gender units and/or the Human resources department.

ANNEX 1: GENERAL GUIDELINES

Reporting guidelines for Gender mainstreaming

- MDAs are required to submit Quarterly Performance Reports to NGEC by the 15th day of the month succeeding the ended quarter;
- MDAs are required to submit an Annual Performance Reports detailing actual performance against targets contained in their specific performance contracts within 30 days after the close of the financial year;
- MDAs are required to explain the quarterly and cumulative variances in performance;
- Wherever possible MDAs are required to capture trends by comparing annual reporting on specific indicators;
- MDAs should embed the collection of disaggregated data (by sex, age, ability) into routine work.

General PC guidelines

1. Any queries during evaluation should be referred to the M&E officer (NGEC), before moderation is undertaken.
2. Evaluation results shall be submitted to the M&E officer (NGEC) as soon as they are finalized.
3. Ranking of public institutions after completion of evaluation will be carried out only after the moderation exercise is completed;
4. Public institutions are required to ensure availability of verifiable evidence of achievement for purposes of evaluation.
5. It should be ensured that public institutions are in all cases represented by trained personnel during negotiation and evaluation of performance.
6. In the event of a split, merger or abolition of MDAs, consultations shall be made with the Director, Division of Performance Contracting, regarding modalities for evaluation.
7. In carrying out surveys that address the performance indicators on customer satisfaction, work environment or employee satisfaction, institutions should ensure that data is disaggregated by the following variables: i) Disability mainstreaming ii) Youth (age category - below 35, 35-59, 60+) iii) Gender mainstreaming iv) Minority and marginalized groups and communities.
8. On competency development (skill development data) this should be disaggregated by PWDs, youth (<35 yrs, 35-59 yrs, 60+) gender, minority and marginalized, to respond to number of special interest groups trained and have access to relevant professional development opportunities.
9. A public institution that fails to submit its annual performance report (based on the duly signed Performance Contract) for evaluation, or for the reason that it declined to sign a Performance Contract shall be graded “Poor” , at the lowest score of 5.
10. Once targets have been negotiated and the PC signed, they cannot be changed midstream

ANNEX 2: DEFINITION OF KEY TERMS

The highlighted box below captures some of the most frequently used terminologies.

Affirmative Action: Includes any measure designed to overcome or ameliorate an inequity or the systemic denial or infringement of a right or fundamental freedom.

Disability: Is defined under Article 260 of the Constitution as ‘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’.

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.

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

Human Rights-Based Approach: The UN Statement of Common Understanding on Human Rights-Based Approaches provides as follows: (i) all programmes of development co-operation, policies and technical assistance should further the realisation of human rights as laid down in the Universal Declaration of Human Rights and other international human rights instruments; (ii) human rights standards contained in, and principles derived from, the Universal Declaration of Human Rights and other international human rights instruments should guide all development cooperation and programming in all sectors and in all

phases of the programming process; and (iii) development cooperation should contribute to the development of the capacities of 'duty-bearers' to meet their obligations and/or of 'rights-holders' to claim their rights.

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.

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.

Marginalised and/or minority groups: The Constitution provides that 'marginalised and/or minority 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.

MDAs: Refers to Ministries, Departments and Agencies. Agencies are downstream institutions such as State Corporations, and Tertiary Institutions.

Outcomes: Visible results that are expected to be achieved at the intermediate level which are realized as a consequence of specific outputs. Where it is not possible to measure outcomes because of non-attribution or time frame involved, public institutions should use proxy indicators.

Outputs: Comprise specific products or services (immediate and visible results of an activity) in a given period.

Performance Criteria: Is a principle or standard for evaluating achievement, represented by a range of management perspectives on which performance of the manager is evaluated. These are listed in the PC Matrix featured in categories A to F.

Performance Evaluation: This is the process of assessing or measuring the extent to which public agencies achieved their negotiated performance targets, including determination of causal factors of various levels of performance.

Performance Indicator: Is a standard measure by which the performance of an institution is assessed.

Performance Target: Is the desired level of performance for a performance indicator for a contract year.

Sector Performance Standards: Refers to the existing composite set of sector performance benchmarks, including performance levels, based on international best practices, issued by the Division of Performance Contracting and which may be downloaded from www.devolutionplanning.go.ke.