



# STATUS OF GENDER EQUALITY AND INCLUSION IN THE PUBLIC SECTOR

## Performance Contracting, Financial Year 2022/2023 (19th Cycle)



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### I. Introduction

In 2003, Kenya introduced the public sector Performance Contracting (PC) process as one of the key accountability framework aimed at improving service delivery in the public service. In 2013, the National Gender and Equality Commission (NGEC) integrated the first bunch of limited indicators on Gender Mainstreaming and over the years improved on them to incorporate dimensions of Inclusion (GMI). In the 19th cycle of public sector PC for Financial Year (FY) 2022/2023, NGEC and the State Department for Gender and Affirmative Action (SDGAA) presented Ministries, Departments and Agencies (MDAs) with a reporting template and a minimum set of GMI indicators<sup>1</sup>.

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<sup>1</sup><https://www.ngeckeny.org/Downloads/Tools>

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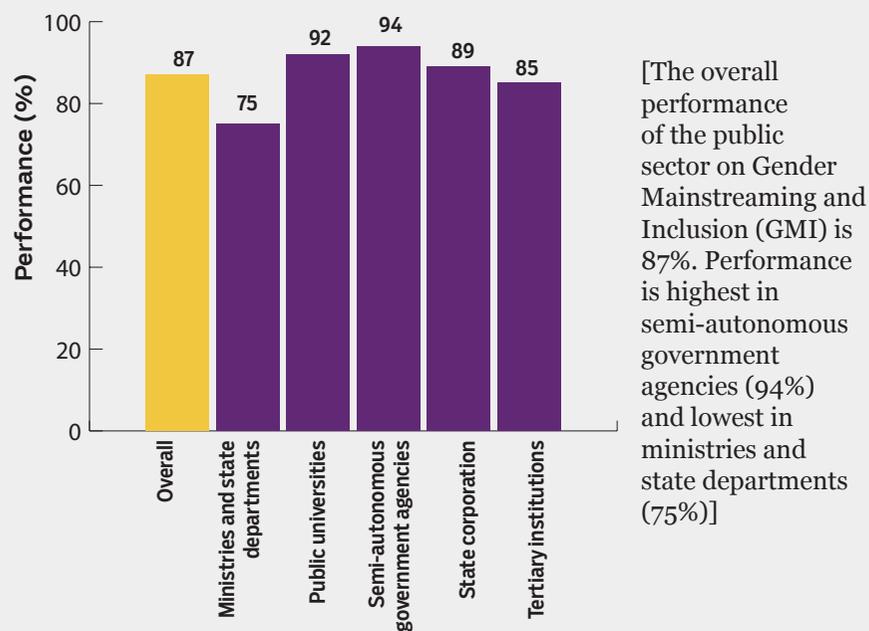
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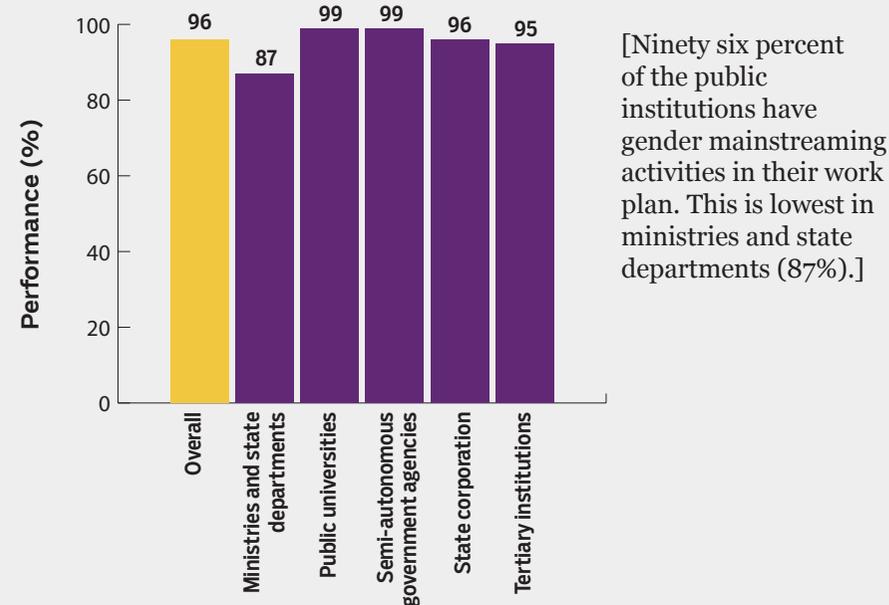
## II. Key Results

Three hundred and ninety MDAs (see full scorecard) submitted their reports. This paper presents a summary of results from these agencies. For selected indicators, (on inclusion and budgets), the analysis is limited to 341 agencies.

**Indicator 1 (Figure 1): Gender mainstreaming and inclusion performance by sector, FY 2022/2023**



**Indicator 2 (Figure 2): Inclusion of gender mainstreaming activities in public institutions' annual work plan, FY 2022/2023**

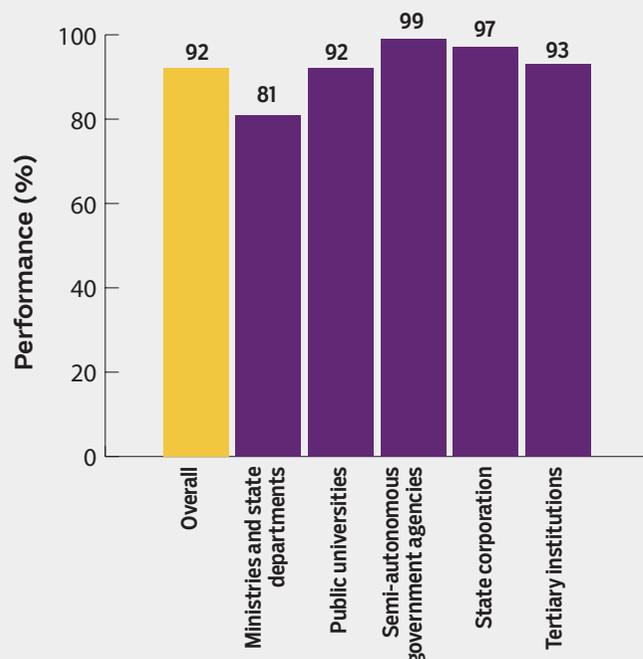


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**Indicator 3 (Figure 3): Whether public institutions allocated a budget for GMI, FY 2022/2023**



[Ninety two percent of the public institutions allocated a budget for gender mainstreaming, GBV prevention and response. Allocation of the budget is lowest in ministries and state departments (81%). Nearly all semi-autonomous government agencies allocated a budget for gender mainstreaming and inclusion.]

**Indicator 3 (Table 3): Public sector budget allocation to gender mainstreaming and inclusion<sup>2</sup>, FY 2022/2023**

	Budget (KES)	Percentage allocation of a budget to GMI
<b>Total</b>	1,968,625,409	0.08
Average	5,773,095	-
<b>Sectors</b>		
Ministries and state departments	22,941,882	0.01
Public universities	17,572,532	0.04
Semi-autonomous government agencies	70,062,000	1.79
State corporations	1,786,453,861	0.08
Tertiary institutions	71,595,134	0.97

N=341

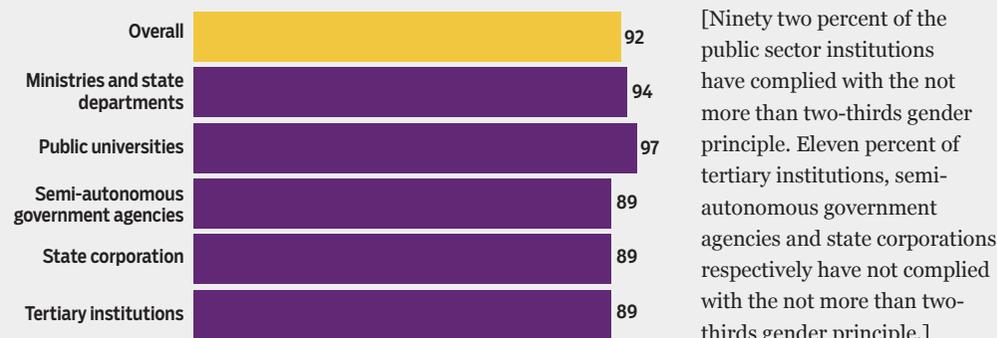
[The public sector institutions allocated approximately KES 1.9Billion (an equivalent to 0.08% of the total public sector budget). There is little variation across sectors. Semi-autonomous government agencies allocates about 20 times higher the average public sector budget allocation to GMI.]

**Indicator 4 (Table 4.1): Workforce composition in the public sector, FY 2022/2023**

	F	M	Av F <sup>3</sup>	AvM <sup>4</sup>	Total	Av. total <sup>5</sup>	No. Institutions
<b>Total</b>	271,089	317,923	795	932	589,012	1,727	341
<b>Sectors</b>							
Ministries & state departments	26,493	44,216	981	1,638	70,709	2,619	27
State corporation	32,573	53,009	191	310	85,582	501	171
Public universities	12,194	16,746	330	453	28,940	782	37
Tertiary institutions	5,496	7,603	57	79	13,099	136	96
Semi-autonomous government agencies	992	1,655	124	207	2,647	331	8
Others <sup>6</sup>	193,341	194,694	96,671	97,347	388,035	194,018	2

[Generally, there are fewer women than men employees in the public sector institutions.]

**Indicator 4 (Figure 4.1): Compliance of public sector with the not more than two thirds gender principle (total workforce), FY 2022/2023**



[Ninety two percent of the public sector institutions have complied with the not more than two-thirds gender principle. Eleven percent of tertiary institutions, semi-autonomous government agencies and state corporations respectively have not complied with the not more than two-thirds gender principle.]

<sup>2</sup>Budget analysis is limited to estimated budget provided in Quarter 2 of the FY 2022/2023 because many agencies are deemed to have access to their budgets and there aren't many intra-institutional budget rationalization

<sup>3</sup>Total female employees divided by the number of institutions <sup>4</sup>Total male employees divided by the number of institutions <sup>5</sup>Total employees divided by number of institutions <sup>6</sup>Teachers Service Commission and Witness Protection Agency

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**Indicator 4 (Table 4.2): Compliance with the employment of at least 5% of PWDs in the public sector, FY 2022/2023**

	Total PWD	% of PWD in the Total Workforce	Total F	Total M	Av. F PWD	Av. M PWD	No. Institutions	Av. PWDs per Institution
<b>Total</b>	<b>9233</b>	<b>1.6</b>	<b>3239</b>	<b>5994</b>	<b>9</b>	<b>18</b>	<b>341</b>	<b>27</b>
<b>Sectors</b>								
Ministries/ state departments	1613	2.3	549	1064	20	38	28	58
State corporations	1702	2.0	598	1104	3	6	171	10
Public universities	565	2.0	197	368	5	10	37	15
Tertiary institutions	222	1.7	91	131	1	1	96	2
Semi-autonomous government agencies	28	1.2	10	18	1	3	7	4
Others	5103	1.3	1794	3309	897	1655	2	2552

[PWDs constitutes 1.6% of the total workforce in the public sector. Generally, for every one woman PWD employee, there are two men. On average, a semi-autonomous government agency employs 4 PWDs while a tertiary institution employs half that number. Ministries and state departments employs on average twice as high the average number of PWDs employed in the entire sector.]

**Indicator 4 (Table 4.3): Representation of minority and marginalized communities in the public sector, FY 2022/2023**

	Total F	Total M	Av. MM F	Av. MM M	Total MM in Workforce	No. of institutions	Av. No. of MM	Total Workforce	Percentage representation of MM
<b>Total</b>	<b>5014</b>	<b>8398</b>	<b>16</b>	<b>30</b>	<b>13412</b>	<b>341</b>	<b>39</b>	<b>589,012</b>	<b>2.3</b>
<b>Sectors</b>									
Ministries/ state departments	1577	3122	56	112	4699	28	167.82	70905	6.6
State corporation	2763	4207	16	25	6964	170	40.97	85646	8.1
Public universities	409	593	11	16	1002	37	27.08	28940	3.5
Tertiary institutions	206	351	2	4	557	97	5.74	13099	4.3
Semi-autonomous government agency	58	120	8	17	178	7	25.43	2387	7.5
Others	1	5	1	3	6	2	3.0	388035	0.0015

[Minority and marginalized communities constitute 2.3% of the total public sector work force. They constitute 8% of the workforce in state corporations and semi-autonomous government agencies each.]

**Indicator 4 (Table 4.4): Representation of the youth in the public sector, FY 2022/2023**

	Age: Below 35 yrs	Av for below 35 yrs	Age: Above 35	Av. above 35	Total	Percentage Representation of Youth
<b>Total</b>	<b>186846</b>	<b>548</b>	<b>402166</b>	<b>1179</b>	<b>589,012</b>	<b>32</b>
<b>Sectors</b>						
ministries and state department	13339	476	57566	2056	70,905	19
State corporations	25677	150	59969	351	85,646	30
Public universities	3840	104	25100	678	28,940	13
Tertiary institutions	9262	96	3837	40	13,099	71
Semi-autonomous government agencies	1012	145	1375	196	2,387	42
Others	133716	66,858	254319	127160	388,035	34

[Youth constitute 32% of the total workforce in the public sector. Tertiary institutions have the highest representation of youth (71%) in their workforce. On average, a tertiary institution employs 96 youth.]

**Indicator 4 (Table 4.5): Representation of women, men and youth in Job Group (JG) P and above or its equivalent, FY 2022/2023**

	Female and Male in Job Group P and above						% Representation of women and Men in JG P and above		% Representation of youth in JG P and above		
	F	M	Total In JG	Av. F	Av. M	% F JG P & above	Total workforce	% Workforce JG P & above	Below 35 in JG P & above	Average	% Representation of youth JG P & above
<b>Total</b>	<b>11996</b>	<b>20525</b>	<b>32,521</b>	<b>35</b>	<b>60</b>	<b>37</b>	<b>589,012</b>	<b>6</b>	<b>2429</b>	<b>23</b>	<b>7</b>
<b>Sectors</b>											
Ministries and state department	1890	3468	5,358	68	124	35	70,905	8	631	7	12
State corporations	4937	8365	13,302	29	49	37	85,646	16	1184	16	9
Public universities	3551	6734	10,285	96	182	35	28,940	36	589	0	6
Tertiary institutions	500	669	1,169	5	7	43	13,099	9	2	2	0
Semi-autonomous government agencies	49	90	139	7	13	35	2,387	6	17	3	12
Others	1069	1199	2,268	535	600	47	388,035	1	6	169	0

[Six percent of the workforce in the public sector are in management positions (Job Group P and above, or its equivalent). Of those in Job Group P and above, 37% are females (by sectors this range between 35% and 47%), while 7% are youth.]

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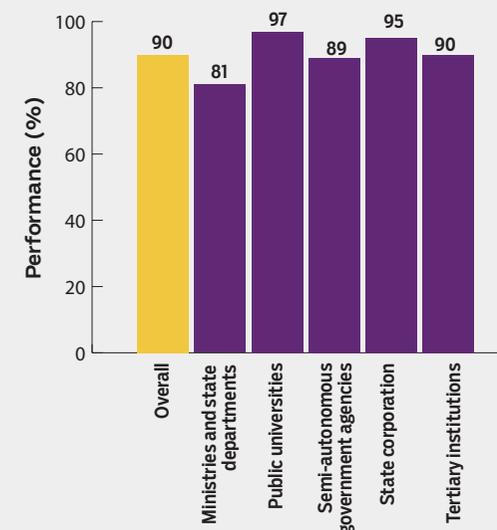


**Indicator 4 (Table 4.6): Composition of the public sector board of directors by sex and disability, FY 2022/2023**

	Representation of Female and Male in Boards				Representation of PWDs				N
	F	M	Total	% of F Board Members	PWD F	PWD M	Total	% PWDs in Board	
<b>Total</b>	<b>1073</b>	<b>1893</b>	<b>2966</b>	<b>36.2</b>	<b>29</b>	<b>36</b>	<b>65</b>	<b>2.2</b>	<b>313</b>
<b>Sectors</b>									
State corporations	538	1075	1613	33.4	5	10	15	0.9	171
Public universities	123	204	327	37.6	13	6	19	5.8	37
Tertiary institutions	381	562	943	40.4	9	20	29	3.1	96
Semi-autonomous government agencies	25	40	65	38.5	2	0	2	3.1	7
Others	6	12	18	33.3	0	0	0	0.0	2

N=313  
 [Analysis is based on 2966 members of the board of directors or its equivalent from 313 public sector institutions. Women constitute 36% of the board members while PWDs are 2.2%. Women representation in boards varies across the sectors, 33% to 40%. Only boards for public universities have met the minimum requirement of at least 5% representation of PWDs (5.8%).]

**Indicator 5 (Figure 5): Do public sector institutions have a gender policy? FY 2022/2023**



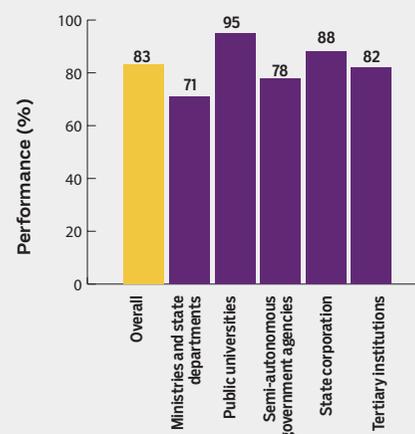
[Ninety percent of the public sector institutions have a gender policy. About twenty percent of the ministries and state departments do not have a gender policy.]

**Indicator 6 (Figure 6): Whether public sector institutions implemented gender policy, FY 2022/2023**



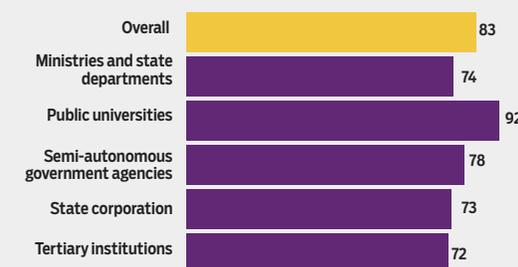
[Eighty eight percent of public sector institutions implemented their workplace gender policy. Additional analysis indicate that of the institutions that had a gender policy, 5% did not implement.]

**Indicator 7 (Figure 7): Do public sector institutions have a workplace policy on GBV? FY 2022/2023**



[Eighty three percent of public institutions have a workplace GBV policy. About 30% of the ministries and state departments do not have a workplace GBV policy.]

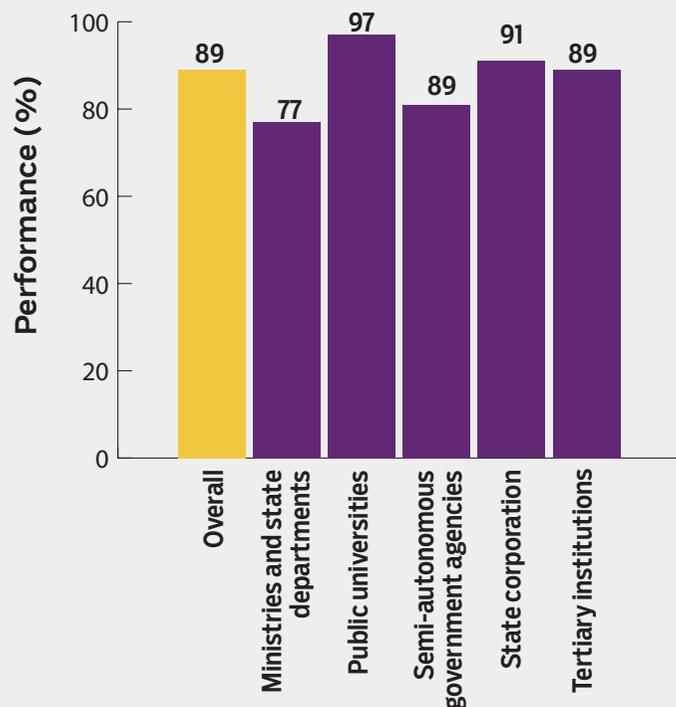
**Indicator 8 (Figure 8): Whether public sector institutions implemented GBV Policy, FY 2022/2023**



[Eighty three percent of the public institutions implemented a workplace policy on GBV. Additional analysis show that of the 86% institutions that have a workplace GBV policy, 13% did not implement. Most of the public universities (92%) implemented a workplace GBV policy. Only 72% of tertiary institutions and 73% of state corporations implemented a workplace GBV policy.]



**Indicator 9 (Figure 9): Implementation of GBV related laws, FY 2022/2023**



[Eighty nine percent of the public sector institutions reported that they implemented GBV related laws. About one fifth (23%) of the ministries and state departments reported they did not implement GBV related laws.]

### III. Emerging Issues and Challenges

MDAs were requested to document any emerging issues or challenges faced in the process of mainstreaming gender and integrating principles of gender equality in their institutions. Some of the key issues and challenges are:

- Inadequate budget allocation specifically for Gender Mainstreaming and Inclusion activities.
- Lack of adequate technical capacity to effectively implement gender mainstreaming and inclusion actions.
- The public sector has not fully prioritized gender mainstreaming and inclusion programming in their core mandate. For example, some sectors believe that their core mandate is highly specialized and technical to meaningfully integrate gender perspectives
- The public sector institutional culture is predominantly patriarchal and gender issues are perceived to be women and girls issues.
- Negative attitudes and perceptions on gender and inclusion agenda. For instance, recruitment of PWDs and employment of persons from marginalized communities is sometimes perceived as a burden and expensive.



## **IV. Recommendations**

Based on the key results, emerging issues and challenges, the Commission recommends the following:

1. The public sector to increase annual budget allocations specifically for gender mainstreaming and inclusion programming. We recommend the public sector institutions to set aside a minimum of 1.5% of their total annual budget for this purpose.
2. Public sector institutions increase their investment on their internal capacity for gender mainstreaming and inclusion.
3. Public sector institutions to take lead on compliance with constitutional and statutory requirements on gender and inclusion. For example, adherence to the not more than two-thirds gender principle, progressive employment of PWDs, implementation of institutional gender policies, and implementation of workplace affirmative action and programs for special interest groups.

The Commission further recommends that a minimum set of indicators on gender mainstreaming and inclusion be entrenched in all cycles of public sector performance contracting.



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