



The Research Policy for the National Gender and Equality Commission

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FOREWORD

I am pleased to present to you the Research Policy for the National Gender and Equality Commission. The Policy responds to the aspirations of the Commission's functions as provided in the National Gender and Equality Commission Act, no. 15 of 2011 and National Gender and Equality Commission 2019-2024 Strategic Plan that acknowledges research as one of the critical components of the function of the Commission.

Research helps to identify what works, what does not work and an understanding of the context when introducing new ways of working. Translation of research findings into policy and practice is therefore essential to development. Function 8 (i) mandates the Commission to conduct and coordinate research activities on matters relating to equality and freedom from discrimination as contemplated under Article 27 of the Constitution. The Commission is therefore committed to investing in research to promote equality and inclusion of special interest groups in the national development agenda and towards assessment of the progress Kenya is making towards meeting the Sustainable Development Goals and other commitments. The Commission has also identified research and knowledge management as one of the strategic themes for the period 2019-2024. A research policy is key in guiding how research is conducted at the Commission.

This research policy will therefore drive the Commission in conducting and coordinating research specifically on equality and inclusion issues relating to special interest groups. The policy covers research processes from conceptualization through dissemination. It also provides a brief framework for partnerships, collaborations and linkages in conducting research on matters of equality and freedom from discrimination.

It is important to note that this policy is developed after we established a dedicated department to increase evidence-based knowledge on issues of equality and freedom from discrimination. It is my hope that this policy will go a long way in guiding the Commission fulfill its mandate on research.

Dr. Joyce Mutinda, PhD, EBS

CHAIRPERSON

ACKNOWLEDGEMENTS

The National Gender and Equality Commission (NGEC) recognizes all individuals and stakeholders that made the production of this research policy possible.

I wish to appreciate the contributions the Commission received from our research partners including from technical teams of the Kenya Institute for Public Policy Research and Analysis (KIPPRA), and the African Population and Health Research Center (APHRC).

I wish to acknowledge the inputs and contributions received from the Commission Chairperson, Dr Joyce Mutinda, PhD, EBS, and the Commissioners led by the convener of the Research, Monitoring, Evaluation and Documentation department and Vice Chairperson to the Commission Dr. Chomba wa Munyi, MBS for their overall and specific guidance during the development of this policy.

I wish to commend the efforts from Josephine Kagucia, Fredrick Lumiti, George Kimani and Kevin Mpaka for their critical role in developing the initial and subsequent fair draft of this policy. I also wish to commend the significant contributions from Paul Kuria, OGW, the Director Program and Research and Winfred Wambua, the Assistant Director, Programs, in providing technical input towards the process of developing this policy. Your commitment and dedication is highly valued.

To all other staff, I thank you for your critical review, and inputs into the contents on this policy.

Betty Sungura-Nyabuto, **MBS**

Commission Secretary/Chief Executive Officer

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ABBREVIATIONS & ACRONYMS

APHRC	The African Population and Health Research Center
CEO	Chief Executive Officer
ERC	Ethical Review Committee
KIPPRA	Kenya Institute for Public Policy Research and Analysis
KNBS	Kenya National Bureau of Statistics
MOU	Memorandum of Understanding
NGEC	National Gender and Equality Commission
PWDs	Persons with Disabilities
SIGs	Special Interest Groups

DRAFT POLICY

DEFINITION OF TERMS

Accessible Formats: These are ways of presenting printed, written or visual material, so that persons who can't read print can access it. (Alternative means of communication used by persons with special needs which include: Braille, audio, visual, tactile, contrasting colors among others).

Confidentiality: The obligation to keep some types of information confidential or secret. In research, confidential information typically includes private data pertaining to research participants, personal records, and proprietary data.

Contracted staff: A temporary short term employee, consultant, facilitator, resource person, research assistant, editor among others, hired for a specific job at a specific rate of pay and is not considered a permanent employee.

Convener: The Commissioner in charge of a program at the Commission.

Data: Recorded information used to test a research hypotheses or a theory. Data may include field notes, transcribed interviews, spreadsheets, and digital images, audio or video recordings drawn directly from people.

Ethics: Moral principles that govern a person's behavior or the conducting of research. Many of the norms of research promote a variety of other important moral and social values, such as social responsibility, human rights, and compliance with the law, public health and safety.

Informed consent: The process of making a free and informed decision to participate in research. Individuals who provide informed consent must be legally competent and have enough decision-making capacity to consent to research.

Protocol: A set of steps, methods, or procedures for performing an activity, such as a scientific research.

Research: A systematic investigation into and study of materials and sources in order to establish facts and reach new conclusions.

Research participant: A person participating in research as a respondent in data collecting through interaction or questionnaire method, observation, focus group discussion, or tests.

Research Rewards: Payment to participants in respect to their participation in research. Provision of refreshment or transport reimbursement does not constitute research rewards.

Staff: Shall mean any person (internal or external) employed by the Commission on contractual or permanent basis. Other persons covered under this policy include interns, officers on deployment or secondment, consultants, resource persons, editors, external funding agencies, collaborators, partners, and any other entities that work for or are associated with NGECC

1.0 BACKGROUND

The National Gender and Equality Commission (NGEC) is a Constitutional Commission established by the National Gender and Equality Commission Act, No. 15 of 2011, pursuant to Article 59 (4) & (5) of the Constitution of Kenya, 2010. The mandate of the Commission is to promote gender equality and freedom from discrimination for all persons in Kenya, with a focus on Special Interest Groups (SIGs): women, Persons with Disabilities (PWDs), children, youth, and older members of society, minority and marginalized groups.

The functions of the Commission as provided for in section 8 of the National Gender and Equality Commission Act, No 15 of 2011. They include:

- a. To promote gender equality and freedom from discrimination in accordance with Article 27 of the Constitution;
- b. Monitor, facilitate and advise on the integration of the principles of equality and freedom from discrimination in all national and county policies, laws, and administrative regulations in all public and private institutions;
- c. Act as the principal 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 special interest groups including minorities and marginalized persons, women, persons with disabilities, and children;
- d. Co-ordinate and facilitate mainstreaming of issues of gender, persons with disabilities and other marginalised groups in national development and to advise the Government on all aspects thereof;
- e. Monitor, facilitate and advise on the development of affirmative action implementation policies as contemplated in the Constitution;
- f. Investigate 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 and make recommendations for the improvement of the functioning of the institutions concerned;
- g. Work 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 of the Constitution and other written laws;
- h. Co-ordinate and advise on public education programs for the creation of a culture of respect for the principles of equality and freedom from discrimination;
- i. Conduct and co-ordinate research activities on matters relating to equality and freedom from discrimination as contemplated under Article 27 of the Constitution;

- j. Receive and evaluate annual reports on progress made by public institutions and other sectors on compliance with constitutional and statutory requirements on the implementation of the principles of equality and freedom from discrimination;
- k. Work with the Kenya National Commission on Human Rights, the Commission on Administrative Justice and other related institutions to ensure efficiency, effectiveness and complementarity in their activities and to establish mechanisms for referrals and collaboration in the protection and promotion of rights related to the principle of equality and freedom from discrimination;
- l. Prepare and submit annual reports to Parliament on the status of implementation of its obligations under this Act;
- m. Conduct audits on the status of special interest groups including minorities, marginalized groups, persons with disabilities, women, youth and children;
- n. Establish, consistent with data protection legislation, data bases on issues relating to equality and freedom from discrimination for different affected interest groups and produce periodic reports for national, regional and international reporting on progress in the realization of equality and freedom from discrimination for these interest groups;
- o. Perform such other functions as the Commission may consider necessary for the promotion of the principle of equality and freedom from discrimination; and
- p. Perform such other functions as may be prescribed by the Constitution and any other written law.

1.1.1 Vision

A society free from gender inequality and all forms of discrimination.

1.1.2 Mission

To promote gender equality and freedom from all forms of discrimination in Kenya, especially for special interest groups through ensuring compliance with policies, laws and practice.

1.1. 3 Core values

- a. Fairness
- b. Integrity
- c. Accountability
- d. Teamwork
- e. Inclusiveness

1.1.4 Rationale for this Policy

In fulfilling the mandate of promoting gender equality and freedom from discrimination, section 8(i) of the National Gender and Equality Commission Act, 2011 requires the Commission to conduct and coordinate research activities on matters relating to equality and freedom from discrimination as contemplated under Article 27 of the Constitution.

The Commission seeks to use research to increase evidence-based knowledge on issues of gender equality, inclusion and freedom from discrimination. The Commission applies research to produce quality data to inform policies for better decision making, and improve the availability of information on matters affecting SIGs including status of participation and representation in national development.

Article 33 of the Constitution of Kenya, 2010 guarantees every person the right to freedom of expression, including freedom to seek, receive or impart information or ideas and freedom of scientific research. Further, Vision 2030 recognizes the role played by research and development in accelerating economic development in all the newly industrializing countries of the World. It also recognizes research and training as a tool for transformative leadership. This policy will guide research aimed at advising the government on mainstreaming issues of SIGs.

The Commission recognizes the benefits to the wider community and especially to the SIG's emerging from dissemination and use of research findings. The Commission therefore encourages publication and sharing of data resulting from research activities to be disseminated as broadly as possible and at the earliest opportunity. The Commission in its strategic plan 2019-2024 has identified research and knowledge management as a strategic theme. Under this theme, the strategic plan has outlined development of a database and production of periodic reports as strategies for achieving the research goal. The policy will be used to enhance evidence-based decision making at the Commission.

1.1.5 Scope

This policy shall cover all the research activities of the Commission, including audits, assessments, investigations, inquiries and studies. The policy covers all the stages of the research from the planning phase, development of data collection tools, data collection, data quality, data management, storage of data, data analysis, writing of the research products, and dissemination of findings. This policy also covers broadly the obligations and expectations of internal and contracted staff with regard to the research work, the respondent, quality assurance and NGEC's research format.

2.0 POLICY OBJECTIVES

This policy provides a framework for carrying out research by the Commission.

Specifically, the research policy aims to:

1. Enhance prioritization and categorization of research at the Commission.
2. Coordinate, structure and institutionalize research in the Commission
3. Provide a framework for conducting quality research including ethical considerations, data collection tools development and management, data collection, production of study reports dissemination of research findings, and research follow up activities.
4. Defines clearly and in simple terms the process NGEC should adhere to before, and upon conclusion of any research.
5. Provide management structures that facilitates availability and efficient use of resources for research.
6. Protect the intellectual property rights of the Commission
7. Provide guidance on ethical standards and a framework for legal protection for researchers and research subjects when undertaking research
8. Provide a framework for collaboration and partnership in equality and inclusion research, documentation, data management and dissemination of research findings.
9. Provide mechanisms for effective monitoring, evaluation and reporting of the implementation of the research policy and;
10. Recognize contributions made by staff to the research function of the Commission

2.1 Research Process

In this policy, the following specific research processes are considered as mandatory and critical.

1. Planning phase
2. Identification of research problem
3. Conceptualization of research
4. Identification of research personnel
5. Identification of research areas
6. Preparation of data collection tools
7. Conduct of fieldwork for data capture
8. Data management
9. Preparation of research reports
10. Recommendations for further research and dissemination of research findings to intended users.

Other additional processes may be considered from time to time based on complexity of the research activity or advisory from government research bodies responsible for the research approval and regulatory work.

The Commission shall endeavor to establish linkages with stakeholders and institutions sharing similar interests.

2.2 Data Collection tools

The Research, Monitoring, Evaluation and Documentation department will spearhead development of data collection tools in consultation with the SIG programmes departments and divisions. The convener(s) and/or the assistant director will provide guidance on the sufficiency of the tools to capture the intended data. Pre-testing and validation of data collection tools by the staff involved and other stakeholders will be carried out before the tools can be used in data collection. This will be followed by training of research personnel on data collection tools and data collection methodologies. The Commission will adopt a standard format for all the data collection tools it develops. All data collection tools by the Commission will be produced in digital formats and hosted in e-platforms approved for hosting data. For future reference, samples of the data collection tools will be prepared in print, braille, and other accessible formats.

2.3 Data Collection Process

The Commission shall, at all times identify research personnel, inclusive of NGEC staff and hired or contracted persons where need be, to collect data. The process for data collection will include review of secondary data, reconnaissance missions, pilot studies, actual administration of data collection tools, collation, analysis using proven data analysis packages, information derived from forums, submissions, interviews, focus group discussions, observations, case studies, case narratives, surveys and oral testimonies. Before collecting primary data, staff involved will be trained to ensure observance of principles of research, ethical considerations and gathering of quality data. The Commission will adopt automated technology where possible to enhance quality data collection and analysis. The study leads will be developing research manuals, which will guide all the research personnel in the research process. The research personnel will at all times respect the confidentiality of information supplied by research participants and the anonymity of respondents as well as the use of data collected for research purposes only.

2.4 Data Management

Data management will be as per the standards established in this policy. Staff from the Research division shall be in charge of managing research data and primary materials (Concept papers, research proposals, terms of reference) in their possession. Team leaders shall supervise and ensure safe custody of the data collected by their teams while in the field. At all times, team leaders will oversee the initial data analysis of the qualitative data and drafting of the team reports in the field where possible. These, together with notes taken while in the field, will be handed over to the assistant director in charge of research.

Upon completion of fieldwork, together with the responsible division heads, the assistant director in charge of research will prepare for data analysis and report writing in accordance with the data analysis and report writing plans, prepared prior to data collection. All primary data in the custody of contracted persons, consultants and facilitators shall remain property of the Commission and its management shall be in accordance with the Commission's policy, legal, statutory, ethical and funding bodies' requirements where applicable.

2.5 Validation

The Commission shall at all times ascertain research findings to ensure data collected is clean, correct and reliable. Validation of research findings will take place at different levels including at the community, county, regional and national level as appropriate. The validation of research findings will involve diverse participants including communities where data is gathered (data producers), community gatekeepers and opinion leaders, government representatives, development partners, private sector, civil society organizations and other identified stakeholders with similar interests. Upon validation of research findings, the Commission will finalize writing the research reports and publish them.

2.6 Publication

The Commission will endeavor to publish research findings in a timely and inclusive manner. The Commission's publications shall adhere to the operational NGECC Communication Strategy. Publications whether in collaborations or otherwise must include the Commission as the institution of affiliation and acknowledge all sources of financial and in-kind support for the research. The Commission Resource Centre will be the custodian of the published research reports. The research division will maintain a copy of the publication as well.

2.7 Dissemination

The Commission has an obligation to disseminate their research findings as broadly as possible, including negative findings. Dissemination shall factor timeliness of the publication. The Commission is committed to the highest standards and principles in disseminating research findings and will take measures to ensure that disseminated findings are accurately and properly reported. Dissemination will be through various forms; the virtual and physical including uploading on the Commission's website. The Commission will work towards disseminating research findings to the appropriate stakeholders including SIGs, government agencies and other relevant stakeholders to inform programs, policies and practice.

2.8 Ownership

The policy provides that the Commission has the right to ownership of research findings. Where research findings emanate from collaborations, the contributing entities shall reserve the right of access and use of the findings through mutual consent. In cases where research is conducted by a consultant on behalf of the Commission, such research findings shall remain property of the Commission, and will not be shared or distributed without consent. Members of staff will need authorization to share or distribute research findings. That notwithstanding, the Commission reserves the right to obtain any information or document on gender inequality and discrimination from whatever source according to powers provided for in the National Gender and Equality Commission Act. Any part of research publications may be freely reviewed, quoted, reproduced or translated in full or in part, provided the source is acknowledged. Research publications will not be sold or used for commercial purposes or for profit.

2.9 Research rewards

There shall be compensation to individuals, groups and institutions who in the view of the Commission will facilitate the research process. This will exclude individuals, groups and institutions contracted to undertake specific roles by the Commission. There will not be other kind of research rewards to research participants. However, there would be facilitation of research participants in terms of transport reimbursement when appropriate.

2.10 Collaborations

Where the Commission is involved in a joint or collaborative research project, a Memorandum of Understanding (MOU) or an agreement will be reached in writing with the collaborating organization(s). The MOUs shall detail issues to do with funding, management of the research processes, intellectual property and copy rights, ethics and reporting of research findings. The collaborative/partnership research will be carried out as appropriate, in compliance with the

highest standards of ethics, integrity and practice in research. The collaborating parties will identify focal persons to be involved in the conceptualization of research and in the whole research process, including management of primary materials and other items to be retained at the end of the research.

2.11 Consultancy

Whenever the Commission is called upon to participate in research projects by other institutions or researchers, the Commission shall be paid an administrative fee of 15% of the total research budget, while the participating team from NGEN will be paid based on Salaries and Remuneration Commission (SRC) rates and other government circulars for the duration of the project. Additionally, such projects will cover travel costs and accommodation where necessary.

3.0 LEGAL AND ETHICAL CONSIDERATIONS

Research is an interactive initiative which when conducted shall be carried out in an ethical manner that protects participants involved in the process. The Commission therefore will endeavor to seek for permits and clearances where necessary and provide legal and ethical stipulations with respect to responsibilities, obligations and rights of persons and institutions involved thereof. These legal provisions will extend to the research participants. In cases where research will require involvement of special interest groups such as children and or persons with mental disabilities, the Commission will seek for consent from their parents or guardians. Further, the Commission shall constitute the National Gender and Equality Commission Ethics Review Committee (ERC), and anchor it in the research policy.

Ethics Review Committee

The committee, shall be appointed by the Commission. The ERC, will have a mandate to review ethics of the research protocols, proposals and projects in accordance with this research policy and any other government approved research policies and standards. The roles of the committee shall include among others:

- Review and provide independent and timely review of the ethics of proposed research before commencing
- Take into consideration the research principles that include integrity, fairness, beneficence, truthfulness and confidentiality, autonomy and informed consent, values and dignity of individuals, groups and communities.
- Review the adequacy of the informed consent document especially those targeting the special interest groups. Research participants must normally be informed fully about the purpose, methods and intended possible uses of the research, what their participation in the research entails and what risks, if any, are involved.
- Act in the interest of the research participants and concerned individuals, groups and communities, taking into account the interests and needs of the researchers among others.

The Review Committee shall comprise:

- A representative of the Commission
- The Director, Programs and Research
- Assistant Director, Legal
- Assistant Director, Programs
- Assistant Director, Research

The committee will meet on a quarterly or on need basis to review proposals/protocols submitted for data collection.

4.0 ROLES AND RESPONSIBILITIES

Commissioners

- a) Ensure compliance by all to this policy
- b) Provide leadership in the review of research policy to ensure its consistently in conformity with best research practices

Commission Secretary/CEO

- a) Ensure allocation of resources for full implementation of the policy
- b) Ensure all staff are exposed to basic research methods
- c) Establish collaborations and linkages with stakeholders and institutions with similar interests in carrying out research

Director Programmes and Research

- a) Lead in preparation of study proposals or protocols for research projects, including budgets, plans of action, data collection tools and itinerary.
- b) Train and manage research personnel in conducting data collection.
- c) Ensure adherence to general research design, sample selection, quality data collection, data processing, management, analysis and report writing.
- d) Lead dissemination of research findings and issue of advisories to various audiences.
- e) Provide overall management of research projects

Assistant Directors/Heads of Departments

- a) Responsible for the overall conduct of research carried out in their respective departments
- b) Seek approval of proposed research including any changes to the project once it has been approved
- c) Training and ensuring that internal and external reporting requirements are met
- d) Lead in data collection, data cleaning, data entry, analysis, report writing, publication and dissemination
- e) Ensure that all persons involved in research projects comply with this policy and ensure safety of participants.
- f) Liaise and consult with the head of Research, M&E and Documentation Department

Heads of Divisions

- a) They are responsible for the conduct of research carried out in their respective divisions
- b) Contribute in drafting of research proposals and protocols
- c) Lead research teams in data collection

- d) Ensure safe custody of research materials while in the field
- e) Support in report writing and dissemination of research publications

Research, and Documentation, Monitoring and Evaluation Department

- a) In liaison with the HR department, identify research capacity gaps of staff
- b) Organize training and capacity building on research for staff.
- c) Liaise with KNBS, KIPPRA and other research agencies with a mandate to conduct research on matters touching on special interest groups.
- d) Lead in development of research questions, research design and data collection tools.
- e) Keep custody of research tools and data.
- f) Production of periodic reports on equality and inclusion.
- g) Monitor and evaluate gender equality and inclusion of special interest groups.

Staff

- a) Participate in research methods trainings
- b) Comply with the provisions of this policy specifically on research design, conduct, and reporting of research findings as contained in this policy in all the research studies they undertake.

5.0 MONITORING AND EVALUATION

The conduct of monitoring, evaluation and reporting will be carried out within acceptable national and international standards. More specifically, monitoring and evaluation of the implementation of this policy will be undertaken using tools formulated and managed by the Monitoring and Evaluation Division. This will take place at all levels involved in the research process. Where need arise, the management and heads of departments shall be involved in the evaluation of specific elements of this policy including resourcing, adherence, and levels of partnerships with external research bodies. Periodic reports on progress made in implementing the policy shall be prepared and presented to the Commission during the quarterly meetings.

Review

Revision of this policy shall be undertaken after every five years of implementation or on a need basis.