



A GENDER AUDIT OF THE NATIONAL GENDER AND EQUALITY COMMISSION (NGEC)

**REPORT SUBMITTED THE NATIONAL GENDER AND EQUALITY COMMISSION
(NGEC) BY COJAN CONSULTANCY SERVICES AND SUPPLIES LIMITED SEPTEMBER
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FOREWORD

The National Gender and Equality Commission (NGEC) was established pursuant to Articles 10, 27, and 59 of the Constitution of Kenya (2010) and the National Gender and Equality Commission Act, Cap 7K, to promote gender equality and freedom from discrimination for all persons in Kenya. Guided by the constitutional principles of inclusivity, equity, and human dignity, the Commission continues to advance the rights of Special Interest Groups (SIGs)—women, youth, children, older members of society, persons with disabilities, and marginalized communities.

In pursuit of institutional excellence and transformative leadership, the Commission undertook this Gender Audit—the first of its kind since the Commission’s establishment in 2011. This audit represents a significant milestone in our journey toward strengthening internal accountability, institutional learning, and alignment with global standards of gender equality and inclusion.

The gender audit provides a comprehensive assessment of how NGEC’s systems, policies, programmes, and organizational culture reflect gender-transformative principles. It examines the Commission’s own practices in light of its constitutional oversight mandate and identifies areas that require strengthening to ensure that our internal operations mirror the values we champion nationally.

The findings affirm that NGEC has made notable progress in mainstreaming gender and inclusion within its institutional frameworks and programmes. However, the audit also highlights key areas that require deliberate action including enhancement of technical capacities, strengthening of monitoring and evaluation systems, and development of a gender-responsive budgeting framework. These insights provide a valuable foundation for reform and innovation as the Commission continues to evolve into a learning, adaptive, and transformative institution.

This report comes at a critical juncture as Kenya deepens its commitment to gender equality, social inclusion, and sustainable development under Vision 2030, the Bottom-Up Economic Transformation Agenda (BETA Plan), and international obligations such as CEDAW, the Beijing Platform for Action, and the Sustainable Development Goals (SDG 5). By holding itself to the same standards it expects of others, NGEC reaffirms its leadership as a credible and accountable institution that not only monitors compliance but model excellence in equality and inclusion.

On behalf of the Commission, I wish to express my appreciation to all NGEC staff, Commissioners, and partners who contributed to this process. Your insights, dedication, and openness have been invaluable. I also commend the technical team and consultants who conducted this audit with professionalism and rigor.

As we move forward, the Commission remains committed to implementing the recommendations of this report through a structured Gender Transformation Roadmap (2025–2028). This roadmap will guide the integration of gender-transformative approaches across all departments and functions, ensuring that NGECC continues to lead by example in advancing equality, inclusion, and social justice for all.

Together, we can—and will—make equality and inclusion a lived reality across every sector of our nation.

Hon. Rehema Jaldesa
Chairperson

ACKNOWLEDGEMENT BY CEO

On behalf of the National Gender and Equality Commission (NGEC), I am honored to present this Gender Audit Report, which reflects our continued commitment to advancing gender equality, equity, and inclusion across all sectors in Kenya.

This report underscores our determination to uphold the principles enshrined in the Constitution of Kenya (2010) and to ensure that every individual—regardless of gender, age, disability, or other status enjoys equal rights and opportunities. The audit intentional after 14 years in existence of the NGEC and introspective, and has provided invaluable insights into the progress made by NGEC in mainstreaming gender in its internal systems and programmes, while highlighting areas where further efforts are required to strengthen institutional responsiveness to gender and inclusion.

This Gender Audit marks a significant step in our journey to transition from gender-responsive compliance to gender-transformative leadership. The proposed Gender Transformation Roadmap (2025–2028) provides a clear framework for reform, capacity-building, and accountability that will guide the Commission in advancing lasting institutional and societal change

I take this opportunity to express my sincere gratitude to the NGEC Commissioners, management, and staff for their active participation and dedication throughout the audit process. Special appreciation goes to the Gender Mainstreaming and Audit Team, whose technical expertise and commitment ensured the successful completion of this important exercise.

We also extend our appreciation to our partners, stakeholders, and collaborators who continue to support NGEC’s mission of promoting gender equality and freedom from discrimination for all Kenyans.

As we move forward, the Commission remains steadfast in implementing the recommendations of this report and in fostering an inclusive work environment that exemplifies the values of equality, integrity, and accountability.

Together, we reaffirm our resolve to make gender equality a lived reality in Kenya.

Dr. Purity Ngina

Chief Executive Officer
National Gender and Equality Commission (NGEC)
October 2025

EXECUTIVE SUMMARY

The National Gender and Equality Commission (NGEC) is a constitutional Commission established under Article 59(4) & (5) of the Constitution of Kenya (2010) and the National Gender and Equality Commission Act, Cap 7K. The Commission’s mandate is to promote gender equality and freedom from discrimination for all persons in Kenya, with a particular focus on Special Interest Groups (SIGs)—women, men, youth, children, persons with disabilities, older members of society, and marginalized and minority groups.

In fulfilment of its oversight role and commitment to institutional excellence, NGEC commissioned a Gender Audit to evaluate the extent to which gender equality and inclusion are mainstreamed within its policies, programmes, systems, and institutional culture. The audit, conducted between July and September 2025, sought to strengthen NGEC’s internal capacities, align its operations with constitutional and international obligations, and reposition the institution as a gender-transformative leader in the public sector.

Purpose and Objectives

The audit aimed to:

1. Assess NGEC’s institutional structures, policies, and practices in relation to gender equality, diversity, and inclusion.
2. Evaluate staff perceptions, capacity levels, and organizational culture toward gender transformation.
3. Identify strengths, gaps, and areas for improvement to enhance institutional performance and accountability.
4. Provide actionable recommendations and a roadmap for embedding gender-responsive and inclusive practices across all NGEC functions.

Methodology

The audit adopted a participatory, evidence-based approach, integrating both qualitative and quantitative methods. Data were collected through:

- Desk review of NGEC’s strategic plans, policies, HR manuals, and reports.
- Key informant interviews with Commissioners, the CEO, Directors, and staff.
- Structured questionnaires administered to all 197 staff (with 35 valid responses analyzed).
- Interactive sessions and capacity-building workshops on gender transformation and gender markers.

The data were analyzed using descriptive statistics and thematic analysis to identify patterns, perceptions, and institutional trends.

Key Findings

Institutional Context and Legal Framework

NGEC operates under a robust constitutional and legal framework. However, the absence of subsidiary regulations under the NGEC Act has limited its operational effectiveness and coordination with other state organs. The Commission's structure remains partially filled, constraining its full functionality.

Gender Mainstreaming Practices

While the majority of staff recognize NGEC's role as a gender oversight institution, the audit revealed uneven internal integration of gender mainstreaming. About 55% of staff acknowledged that gender equality is adequately promoted within institutional culture, but 31% cited inconsistencies. Job descriptions and performance frameworks do not uniformly articulate gender responsibilities, leading to accountability gaps.

Capacity and Training

The audit found gender imbalance in training access—79% of women had received gender mainstreaming training compared to 47% of men. Technical gaps were identified in gender analysis, gender-responsive budgeting (GRB), and monitoring and evaluation (M&E).

Monitoring and Evaluation

Although NGEC routinely produces monitoring reports, it lacks a formal Gender M&E Framework and standardized indicators. The absence of consistent gender data hinders evidence-based decision-making and tracking of institutional progress.

Resource and Structural Challenges

The Commission faces inadequate financial and human resources, limited technical expertise, and departmental silos that weaken coordination and synergy. The lack of a structured Gender-Responsive Budgeting Framework further constrains equitable resource allocation.

Conclusions

The gender audit concludes that NGEC demonstrates strong policy intent and constitutional grounding but requires internal strengthening to become a fully gender-transformative institution. While significant progress has been made in policy advocacy, oversight, and external engagement, the Commission's internal systems, capacity, and coordination mechanisms must evolve to mirror its national leadership role in equality and inclusion.

Key Recommendations

1. Develop subsidiary regulations under the NGEC Act (2011) to operationalize the Commission's constitutional and statutory mandate.

2. Strengthen Institutional Frameworks by developing/reviewing a subsidiary regulation and a Gender-Responsive Budgeting (GRB) Framework to enhance oversight and accountability.
3. Enhance capacity of staff through implementation of continuous professional development for staff in gender analysis, GRB, and M&E.
4. Develop a standardized Gender M&E Framework with clear indicators and a centralized data system.
5. Foster Coordination and Organizational Culture. Establish an Internal Gender Mainstreaming Committee and embed gender roles in job descriptions and performance contracts.
6. Advocate for increased budget allocation and partnerships to expand national and county-level outreach.
7. Adopt an intersectional inclusion strategy integrating youth, children, PWDs, and marginalized groups in all programmes.

The Way Forward

The implementation of this audit's recommendations will position NGEC to transition from gender-responsive compliance to gender-transformative leadership. The proposed Gender Transformation Roadmap (2025–2028) provides a clear framework for reform, capacity-building, and accountability. With sustained commitment, NGEC will continue to exemplify institutional excellence, champion equality, and reinforce Kenya's leadership in inclusive governance.

List of Acronyms

CEDAW- Convention on the Elimination of All Forms of Discrimination Against Women.

CRC- Convention on the Rights of the Child.

CoG- Council of Governors (CoG)

CRPD- United Nations Convention on the Rights of Persons with Disabilities

CSOs- Civil Societies

DCS -Directorate of Children Services

FEMNET- African Women's Development and Communication Network

GEI- Gender Equality Indexes

GESI- Gender Equality and Social Inclusion

GEM Trust-Gender and Media Initiative Trust.

GRB-Gender Responsive Budgeting

MDAs- Ministries Departments and Agencies

M&E-Monitoring and Evaluation

NGEC –National Gender and Equality Commission

KNBS- Kenya National Bureau of statistics

PSC-Public Service Commission

PWDs-Persons living with Disabilities

SIGs- Special Interest Groups

SDSP -State Department for Social Protection

SDGAA -State Department of Gender and Affirmative Action

SGBV- Sexual and Gender Based Violence

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SECTION ONE

INTRODUCTION AND BACK GROUND

1.1 Overview:

The National Gender and Equality Commission (NGEC) is a constitutional Commission established by the *National Gender and Equality Commission Act, CAP 7K* pursuant to Articles 59 (4) & (5) of the *Constitution of Kenya, 2010*. The Commission's mandate is to promote gender equality and freedom from all forms of discrimination for all people in Kenya with a focus on Special Interest Groups (SIGs), which include children, youth, women, Persons with Disabilities (PWDs), older members of society and minorities and marginalized groups.

The Commission's headquarter is in Nairobi, with six regional offices located in Garissa, Kisumu, Nakuru, Kitui, Kilifi, and Isiolo counties.

The Commission operates under five key thematic areas:

1. Compliance, monitoring and reporting,
2. Investigation and redress,
3. Public Education and Gender Mainstreaming,
4. Research and Knowledge Management and
5. Institutional Capacity Strengthening.

i) Compliance Monitoring and Reporting:

As an oversight body, nearly 60% of the Commission's core function involve monitoring, auditing and investigating the implementation of Constitutional provisions on gender equality and freedom from discrimination.

ii) Investigations and Redress:

The Commission, in partnership with relevant stakeholders, ensures timely redress for victims of violations of principles of equality and inclusion. Currently, the Commission is operationalizing an online complaint system to enhance access and responsiveness.

iii) Public Education and Mainstreaming:

The Commission undertakes public awareness initiatives to help Kenyans understand and appreciate issues of gender equality and non-discrimination.

iv) Research and Knowledge Management:

Through this pillar, the Commission conducts research on issues affecting SIGs and uses the resulting knowledge to advise government and policymakers on best practices for promoting gender equality and inclusion.

v) Institutional Capacity Strengthening:

The Commission Supports government institutions and partners to develop and implement gender-responsive policies and frameworks.

The Commission has 197 staff members within the secretariat, led by the Chief Executive Officer, who also serves as the Commission Secretary. There are five (5) full-time Commissioners appointed by the President for a six-year term.

NGEC receives its primary financial support from the Government of Kenya, which, however, remains insufficient for national-scale activities. Therefore, the Commission works closely with a range of strategic partners both within and outside government, including the State Department of Gender and Affirmative Action, State Department for Social Protection (**SDSP**), Directorate of Children Services (DCS), Council of Governors (CoG), Kenya National Bureau of Statistics (KNBS), Kenya Institute for Public Policy Research and Analysis (KIPPRA), UN Women, African Women's Development and Communication Network (FEMNET), African Gender and Media Initiative Trust (GEM), USAWA Agenda, and others, to further its mandate of promoting equality and inclusion.

1.2 The Problem:

The National Gender and Equality Commission (NGEC) is the principal state organ mandated to promote gender equality and inclusion as established under the Constitution of Kenya (2010) and the National Gender and Equality Commission Act. CAP 7K.

The Commission fulfils its oversight mandate by monitoring compliance with national laws and international treaties ratified by Kenya concerning equality and inclusion. The commission views the importance of a gender audit as timely after 14 years in order to develop a deeper understanding of new and evolving gender markers and indicators and institutional practices that signify a gender-transformative organization.

The audit will serve as a critical tool for reviewing NGEC's compliance frameworks and for strengthening staff capacity to apply gender marker indicators in alignment with contemporary global standards.

1.3 Rationale for Conducting the Gender Audit

For a public institution such as the National Gender and Equality Commission (NGEC), conducting a gender audit is essential for assessing how effectively gender equality and inclusion principles are embedded within its institutional structures, programs, and operations. As the national oversight body mandated to promote gender equality and freedom from discrimination, NGEC has both a legal and moral responsibility to model best practices in gender mainstreaming. The audit therefore provides a systematic and participatory means of evaluating the Commission's internal performance, identifying strengths, weaknesses, and priority areas requiring strategic improvement.

This audit is particularly critical in aligning the Commission's work with Kenya's constitutional provisions under Articles 10, 27, and 232, which affirm equality, non-discrimination, and inclusivity as guiding national values. It also reinforces compliance with international and regional frameworks such as CEDAW, the Beijing Platform for Action, the Maputo Protocol, and the Sustainable Development Goals (SDG 5). Through the gender audit, NGEC will assess whether its internal practices—ranging from planning, budgeting, and human resource management to program design and monitoring—adequately reflect its external advocacy for gender equality and inclusion.

Beyond compliance, the gender audit enables organizational learning, accountability and transformation, offering evidence on how institutional culture, decision-making, and resource allocation either advance or constrain gender mainstreaming. It helps uncover underlying barriers such as limited technical capacity, insufficient funding, or departmental silos that may hinder the realization of gender-responsive outcomes. The findings will inform strategic institutional reforms, capacity-building initiatives, and the development of gender-responsive and inclusive policies and budgets, thereby enhancing the Commission's effectiveness as a national leader in promoting gender equality, social justice, and inclusive governance.

1.4 Scope of Work:

This section outlines the key activities undertaken during the audit and their intended contribution to NGEC's institutional transformation.

1.4.1 Capacity Building for NGEC Staff

A capacity-strengthening session for NGEC's policy and technical teams was conducted during a staff retreat held from 28–31 July 2025. The purpose was to enhance the Commission's ability to design and implement gender-transformative policies and high-impact programmes. This engagement enabled staff to develop a shared understanding of gender equality, mainstreaming and inclusion from the technical, policy and advisory perspectives. It also laid the stage for embedding gender responsiveness across all of NGEC's mandate: coordination, facilitating, monitoring, policy formulation, advocacy, and standards setting. Despite the Commission being an oversight body with a countrywide mandate with offices in 7 regions of Kenya, there has been no structured initiative targeting the development/enhancement of capacities for staff to catalyze their understanding of new concepts and trends in gender space.

1.4.2 Desk Review of NGECC's Key Documents.

A comprehensive desk review was carried out covering strategic plans, operational manuals, HR policies, programming frameworks, compliance tools, and monitoring reports.

The review identified the strategies NGECC has applied in advancing gender equality and inclusion, highlighted existing gaps and strengths, and informed the direction for institutional improvement.

1.4.3 Gender Audit Framework and Assessment.

The consultant designed and applied a gender audit framework customized to NGECC's mandate and structure, drawing on international best practices such as the ILO Participatory Gender Audit Tool and the African Gender Index Indicators. This framework assessed the extent to which NGECC integrates gender equality within its structures, policies, programs, and organizational culture. It enabled identification of existing gender gaps, reinforced institutional accountability, and supported the development of actionable strategies for gender transformation.

1.4.4 Assessment of Perceptions, Practices, and Institutional Commitment

The audit examined staff, perceptions, practices and institutional commitment to gender transformation and gender-marker framework.

It focused on two levels:

- (i) **Perceptions:** - exploring how staff, partners and stakeholders view gender equality; establish whether gender norms are recognized as barriers: and whether there is a belief that shifting such norms is necessary and possible.
- (ii) **(ii) Practices:** - analyzing the degree to which gender-transformative methods that challenge unequal norms and power structures are applied within NGECC's internal systems and programmes: Or whether practices are simply gender sensitive, neutral or even exploitative.

This assessment ensured that the entire institution, and not only individual programs, actively supports gender equality and inclusion as provided for under its establishing legislation. It further promoted accountability through measurable scores and periodic reviews, facilitating the transition from gender-sensitive to gender-transformative institutional practice.

1.5 Methodology

The gender audit was conducted using a participatory, evidence-based, and institution-focused approach to determine the extent to which gender equality and inclusion are mainstreamed across the Commission's structures, systems, and programs. The methodology combined both qualitative and quantitative approaches, ensuring a holistic understanding of both organizational

processes and staff perceptions.

1.5.1 Audit Design

The audit adopted a descriptive and analytical design, aimed at capturing existing gender integration practices, identifying capacity gaps, and assessing institutional performance against national, regional, and international gender equality standards. The framework for analysis was guided by NGEK's mandate, the Constitution of Kenya (2010), the National Policy on Gender and Development (2019), and international instruments such as CEDAW, the Maputo Protocol, and the Sustainable Development Goals (SDG 5).

1.5.2 Data Collection Methods

To ensure comprehensive coverage and enhance the credibility of findings, multiple data collection methods were triangulated. This approach combined quantitative and qualitative techniques, including document review, key informant interviews, and questionnaires. Triangulation enabled the cross-validation of information from diverse sources and perspectives of management, technical staff, and institutional documents, thereby ensuring a more nuanced and holistic understanding of the Commission's performance in integrating gender equality and inclusion principles across its functions.

1.5.2.1 Document Review:

A systematic review of key institutional documents, including strategic plans, annual reports, budgets, policy frameworks, HR manuals, and program implementation reports was undertaken to assess the degree to which gender equality principles are embedded in planning, budgeting, and reporting processes.

1.5.2.2 An interactive Session

An interactive workshop was held beginning July 28th, 2025, bringing together Commissioners and staff. During the session, the consultant facilitated capacity enhancement on gender transformation and gender marker, and initiated participatory dialogue to anchor staff understanding of the audit process.

1.5.2.3 Internal Audit Questionnaire

The consultant used the interactive opportunity to administer a structured questionnaire electronically using **KoboToolbox**, allowing for an assessment of all 197 commission staff perceptions on gender integration, leadership commitment, and workplace inclusivity. In total 136 responses were received. Thirty-eight (38) of the responses were blank so they were cleaned out to avoid biasness in the data. In total 98 responses were analysed.

1.5.2.4 A questionnaire for the Directors and Assistant Directors

A separate, structured questionnaire was developed and administered to the Directors and Assistant Directors to obtain comprehensive information on the operationalization of gender mainstreaming across departments. The tool sought to assess how gender considerations are integrated into planning, budgeting, monitoring, and service delivery processes within the Commission. It also aimed to capture perceptions of institutional capacity, coordination mechanisms, and leadership support for gender-responsive programming.

To complement the questionnaire data, follow-up telephone interviews were conducted with the Directors to clarify and expand on responses that required further explanation. These interviews provided an opportunity for deeper exploration of practical experiences, challenges, and innovative practices in promoting gender equality within their respective directorates. This triangulated approach ensured that both quantitative and qualitative insights were obtained, enhancing the validity and depth of the findings.

1.5.2.5 Desk Review of NGEC's Key Documents

The consultant conducted a desk review of NGEC's key documents such as strategic plans, operational manuals, HR policies, programming frameworks, compliance tools, and past monitoring reports to unearth the road travelled by the Commission since its establishment, identifying strengths and gaps and opportunities. Using a gender audit framework, the consultant audited the commission on all its five pillars to assess how effectively NGEC integrates gender equality into its structures, policies, programs, and culture.

1.5.2.6 Semi Structured In-depth Interviews

A semi-structured, in-depth interview schedule was developed for the Chief Executive Officer (CEO) and the Commissioners to gather detailed insights on leadership commitment, institutional culture, and strategic direction in advancing gender equality within the Commission. The tool was designed to facilitate reflective discussion on the integration of gender principles in governance, oversight, and policy influence, while also exploring the challenges and opportunities for transitioning from a gender-responsive to a gender-transformative institution. The flexible nature of the interviews allowed the auditors to probe for clarity and depth, ensuring that the perspectives of the Commission's leadership were comprehensively captured and contextualized within the broader institutional framework.

1.6 Data Analysis

The semi-structured interviews were administered using the Kobo data collection platform to ensure systematic and efficient data capture. The quantitative data were analyzed using Stata software, which generated descriptive statistics such as frequencies and percentages. These measures were used to summarize responses, identify patterns, and illustrate key trends across variables, thereby facilitating a clearer interpretation of the findings.

In addition, qualitative data derived from open-ended interview responses were analyzed thematically. This involved identifying recurring ideas, concepts, and perceptions expressed by respondents, which provided deeper insights into the contextual and experiential dimensions underlying the quantitative results. The integration of both quantitative and qualitative analyses enhanced the comprehensiveness and the depth, validity, and reliability of findings

1.7 Ethical Considerations

The audit adhered to ethical research standards, ensuring confidentiality, informed consent, and voluntary participation of all respondents. Data collected were used strictly for institutional learning and improvement purposes, with findings anonymized to protect individual identities.

1.8 Limitations

The Commission has 197 staff. In preparing the dataset for analysis, all responses were carefully reviewed for completeness and consistency. A total of 35 sent back blank responses. This step was necessary to maintain the integrity and reliability of the findings by ensuring that the statistical results were based only on valid and complete observations. Despite these limitations, the triangulation of data sources strengthened the credibility and reliability of the findings.

Although the exclusion reduced the overall sample size, it did not significantly affect the representativeness of the data. Several factors could be attributed to this behaviour in an institution which include among others- Fear of blame or punishment, perceived threat to job security, hostile work culture or resistance to change among others. It was not in the scope of work of this audit to identify which of these issues could lead to non-response.

SECTION TWO INSTITUTIONAL CONTEXT

2.1 Overview of the Organization's Mandate and Structure

The mandate of NGEC is provided for by Articles 10, 27 and 59 of the Constitution of Kenya, 2010 and the NGEC Act of 2011. Simply put the mandate of NGEC is to enforce the bill of rights promoting equality and non-discrimination for all persons with a particular focus on protection of Special Interest Groups (SIGs) of women, youth, persons with disability, children, the elderly, minorities and marginalized communities as defined in Article 100 and 260 of the Constitution. The mandate of NGEC is captured in the 16 functions provided for in the NGEC Act, 2011. Similar equality commissions exist in Uganda and South Africa. Before the NGEC that is constitutionally protected was established we had in place the Statutory National Commission on Gender and Development.

Understanding the mandate of NGEC necessitates a reflection on the why question. **Why was NGEC established?** To protect gender equality and protect SIGs rights, particularly the enjoyment of socio-economic rights under Article 43 of the Constitution- health, housing, food, water, social security and education.

A key mandate of NGEC relates to enforcement of rights specific to a particular SIG as provided for in Article 27 that has the not more than two-thirds gender rule translating to 34% of either gender as a protected quota, Article 53 on children rights, Article 54 on Persons with Disability including the 5% quota protection, Article 55 on Youth Rights especially given the GenZ demonstrations culminating in the 25th June 2024 events, Article 56 on Minorities and Marginalized Groups and Article 57 on Older Members of the Society, those 60 years and above. NGEC has its mandate well cut out in the Constitution and Statutory law even though Parliament is yet to enact the Article 100 Law, the Two-Thirds Gender Law as well as the Equality Law. Further, in the course of this audit it has become apparent that NGEC needs its Regulations adopted as subsidiary legislation to further enhance its functionality similar to the Commission on Administrative Justice an Article 59 sister Commission to enhance its operational efficiency and institutional authority. The NGEC has a special mandate to fulfil thus this audit checking on the NGEC preparedness to implement its mandate.

The Structure of NGEC was prepared through the assistance of the Public Service Commission (PSC) that helped NGEC develop its Establishment and Organizational Structure based on its special mandate under the Constitution and Statutory Law. As the Establishment and Organizational Structure has not been filled 100% it is difficult to assess if it is fit for purpose. The starting point must be getting sufficient resources and budgetary allocation for full establishment. In the meantime, this audit will point out gaps within the existing structure towards ensuring the commission as currently structured fulfils its special mandate.

2.2 Legal and Policy Frameworks Guiding NGEC 's Gender and Equality Work.

NGEC's work is guided by a comprehensive legal and policy framework at national, regional and international levels. The key instruments include:

National Frameworks

1. The Constitution of Kenya (2010)
2. The National Gender and Equality Commission Act (2011)
3. The Children Act (2022)
4. The Persons with Disabilities Act (2003)
5. The National Policy on Gender and Development (2019)
6. *Women's Economic Empowerment Strategy (2020 – 2025)*
7. *Vision 2030, Medium Term Plan IV (2023–2027)*, and the **Bottom-Up Economic Transformation Agenda (BETA)**
8. *County Integrated Development Plans (CIDPs)*, which guide gender and inclusion priorities at devolved levels.

Regional Frameworks

- The African Charter on Human and Peoples' Rights
- The Maputo Protocol on the Rights of Women in Africa
- The African Charter on the Rights and Welfare of the Child
- AU Protocols on the Rights of Older Persons and Persons with Disabilities
- *The 2025 AU Convention on Ending Violence against Women and Girls*
- *AU Agenda 2063*, which calls for **50:50 gender parity** in all spheres.

International Instruments

- International Conventions and Treaties that Kenya has ratified, including the:
- Universal Declaration of Human Rights (UDHR)
- International Covenant on Civil and Political Rights (ICCPR)
- International Covenant on Economic Social and Cultural Rights (ICESCR)
- Convention Against Torture (CAT)
- Convention on Elimination of All Forms of Discrimination Against Women (CEDAW)
- Convention on the Rights of the Child (CRC)
- Convention on the Rights of Persons with Disability (UNCRPD)
- Sustainable Development Goals (SDGs), particularly SDG 5 on gender equality.

NGEC is expected to monitor and report on treaty body concluding observations to ensure Kenya's compliance.

2.3 Institutional Culture, Values, and Internal Coordination Mechanisms.

On institutional culture, values and co-ordination mechanisms, it is important to note that NGEN is 14 years old having been established in 2011 with the Constitutive Act and appointment of the first chairperson, Ms. Winnie Lichuma and the Commissioners Mr. Ndubai, Dr. Florence Wachira and Dr. Gumato Yatani, the first mile of the Commission in line with the first strategic plan. The second mile saw the appointment of the second Chairperson in 2018, Dr. Joyce Mutinda and Commissioners Dr. Chomba and Hon. Priscilla Nyokabi. They adopted a strategic plan to guide their work from 2018 – 2024. The Commission is in the third mile of the Commission with the third chairperson Hon. Rehema Jaldessa and Commissioners Mr. Thomas Koyier, Dr Margaret Karungaru, Ms. Caroline Lentupuru and Michael Nzomo Mithuka.

At this stage, the commission has moved beyond its formative years and is transitioning into mature and adaptive institution. This period provides an opportunity to solidify institutional values, strengthen coordination mechanisms, and embed a culture of performance, innovation, and accountability.

The gender audit has come at a good time in the life of the commission, the 3rd phase. The lessons learnt and implementation of the recommendation should see the commission breathe life to its mandate and its actualization for the people of Kenya especially the SIGs. With new interventions like public participation and technology the Commission can harness the lessons learnt to push forward with their work. There are CCIOs boldly pushing implementation of their mandate as per the Constitution of Kenya, 2010. Equally NGEN should make forward advances in implementing their special mandate under COK 2010 as relates to SIGs. This is the phase of boldness, innovation and a culture of success. The institutional values should be well understood by all at NGEN staff and stakeholders. This is the time for the entire commission to share on its vision, mandate and core values in the recently adopted Strategic Plan with a clear place for SIGs.

SECTION THREE

FINDINGS OF THE GENDER AUDIT

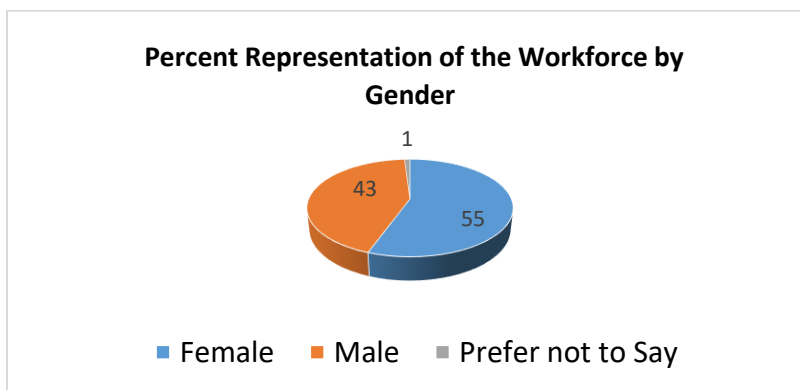
3.1 Social Demographic Characteristics of The NGEN Workforce

The commission has a staffing of 197 staff. The data reported here covers 35 staff comprising of 55% women and 44% men and 1% preferred not to say. As an oversight body, understanding the socio-demographic characteristics of the Commission workforce is essential for assessing the institution's internal capacity to promote gender equality and inclusion. These characteristics, such as sex, age, education level, professional rank, disability status, and length of service offer critical insights into the diversity, representativeness, and inclusivity of the Commission's human resources.

3.1.1 Gender Identity

The audit set out to identify the gender identity of the staff. The commission by the time of the audit had 55% women and 43% men and 1% preferred not to say (Figure1). Recognizing gender identity contributes to data accuracy and effective decision-making. Disaggregating data beyond the traditional male-female binary allows for more nuanced understanding of inequalities, enabling targeted actions in recruitment, promotion and professional development.

Figure 1 Percent Representation of the Workforce by Gender



3.1.2 Highest Level of Education Attained

The study established that the education level of the staff was adequate with most 48% holding a Bachelor's degree and 25 % with a Master's degree (Table 1). This means they are well endowed to determine how well they can design, deliver, and monitor policies and services that affect citizens' lives. Further, education level directly influences the effectiveness, accountability, and quality of service delivery.

Table 1 Education Levels of Staff by Gender

Education Level Attained	Women		Men	
	Frequency	%	Frequency	%
Bachelor's degree	31	56.4	17	39.5
Master's degree	16	29.1	2	4.7
Doctorate		2		
Secondary Completed	5	9.1	12	27.9
None	3	5.5	1	2.3
Total	55	100	9	20.9

3.1.3 Work Experience

The Audit established that most staff 42.2% had 11-20 years' experience, followed by those with 6 to 10 years (20.2%) while those with minimum experience had 0-5 years (Table 2) It was noted that the rate of 0-5 years had young adults who had just left university and were on attachment. This is a Government of Kenya programme where young graduates are taken up by the Public Service Commission and attached to different government MDAs to gain experience. Experience in government work is just as important as education because it shapes how effectively public servants perform their duties.

Table 2 Work Experience in years by Gender

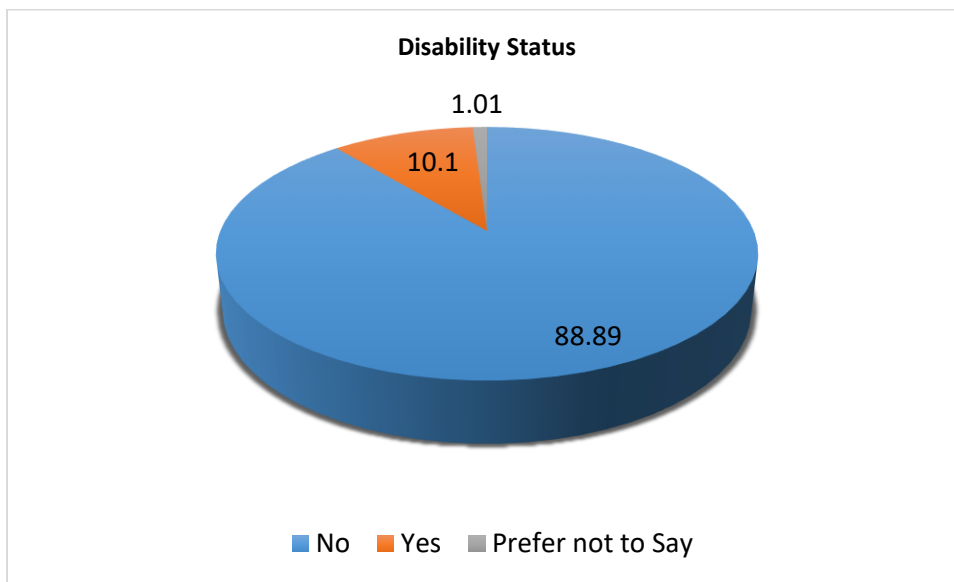
Work Experience_(Years)	Women		Men	
	Frequency	%	Frequency	%
0-5 yrs	9	16.4	6	14
6-10 yrs	16	29.1	4	9.3
11-20 yrs	16	29.1	25	58.1
More than 20 yrs	7	12.7	7	16.3
	7	12.7	1	2.3
Total	55	100	43	100

The staff at the commission also had the longest serving staff 21% had been in the Commission for between 11 to 20 years. This means some were employed before NGEC became a constitutional commission. This is great because they had institutional memory. Another 38% had worked in the commission for 6 to 10 years which means they came in to the Commission after it was established and therefore brought in new experiences. Another 33% had come in to the commission in the last five years and 8.1% preferred not to say how long they worked in the commission.

3.1.4 Disability Status

The study established that there were 10.1 percent of employees with disabilities. The Persons with Disabilities Act 2025 mandates Government to promote the inclusion of persons with disabilities in the public service and put in place measures to ensure that at least five percent (5%) It is quite clear that the Commission had surpassed this requirement well before the legislation (Figure 2).

Figure 2 Disability Status



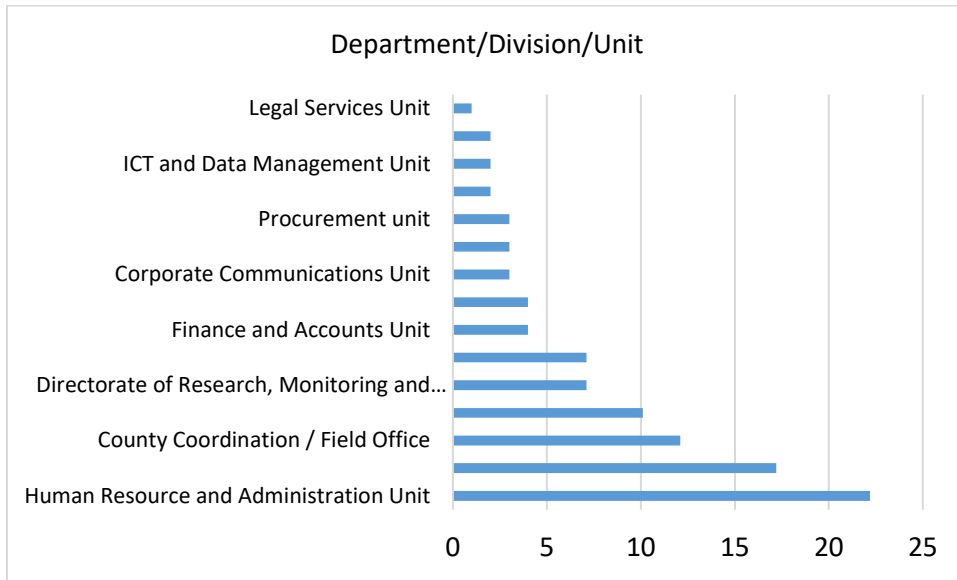
Including persons with disabilities (PWDs) employment is very important both for social justice and for improving institutional performance. It ensures Equity and Human Rights representation and voice, reduces discrimination, provides improved service delivery in that they help design and implement policies that are sensitive to disability issues, making services more inclusive, public trust and legitimacy among other benefits.

3.2 The Commission Structure. Policy and Practices

A focus in to the structure of the commission showed equitability in terms of offices and staffing. A clear structure enhances accountability, transparency, and coordination of gender mainstreaming across thematic areas. However, the audit noted that some divisions remain understaffed, (Figure 3) and communication between departments can be strengthened to ensure coherence and avoid duplication of roles.

Department/Division/Unit

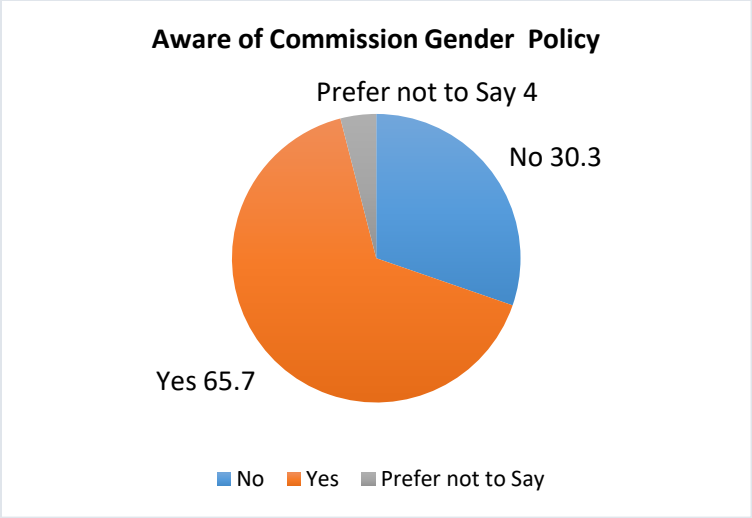
Figure 3 Department/Division/Unit



3.2.1 Policy and Relevant Legislation

The National Gender and Equality Commission (NGEC) operates under a gender policy framework grounded in the National Gender and Equality Commission Act, 2011, and further anchored in Article 59(4) of the Constitution of Kenya, 2010. This framework is implemented through the Commission’s Strategic Plan (2025–2029) and related policy mandates. The Commission holds legal authority to advance gender equality, promote non-discrimination and inclusion, and exercise powers in monitoring, research, and public education. However, it is noteworthy that approximately 30% of staff members were unaware of the existence of the Commission’s gender policy (Figure 4).

Figure 4 Percent of staff Aware and Familiar with Commission Gender Policy



Further conversations with senior management and commissioners elicited information that although there does not exist a document known as Gender policy, the policy agenda is enshrined in the Act (2011) creating the Commission.

To address the knowledge gap among staff, the Commission should strengthen internal awareness and sensitization on its gender policy framework. Regular capacity-building sessions, induction trainings, and accessible communication materials are recommended to ensure that all staff understand and apply the policy in their daily roles. This will enhance institutional coherence and support the effective implementation of the Commission’s mandate.

3.2.2 Practice

The audit sought to assess existing practices within the Commission and determine the extent to which they align with the established gender policy framework. One of the critical indicators of this alignment was the organizational culture, specifically whether staff perceived it as inclusive and respectful of all genders. To capture this perspective, employees were asked to respond to the statement: *“Do you feel that the organizational culture at NGEC is inclusive and respectful for all genders?”*

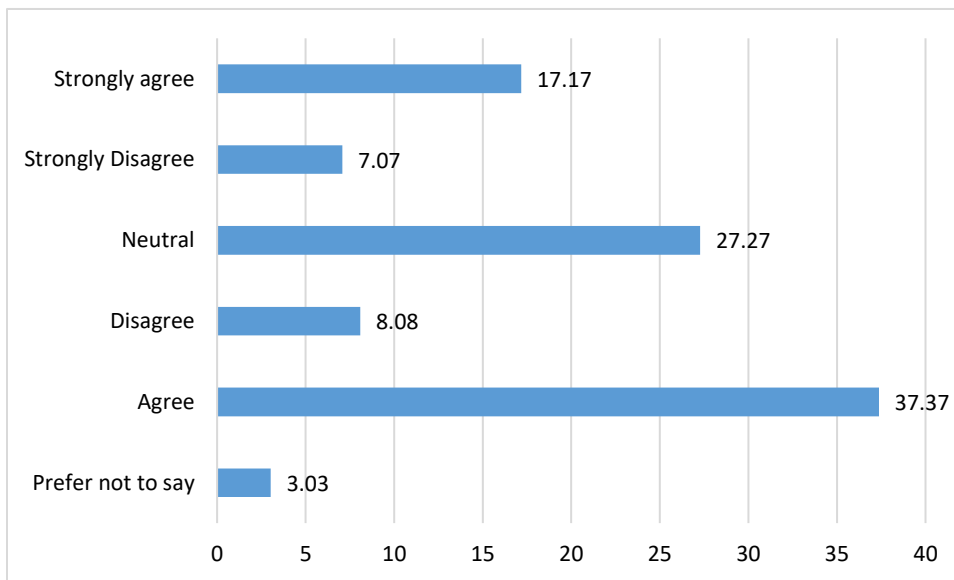
The responses revealed varying perceptions. Approximately 17.17% of respondents strongly agreed and 37.37% agreed, resulting in a combined 54.54% expressing positive affirmation of the Commission’s inclusivity culture. This inclusivity culture was also confirmed by the senior management and the CEO as well as the commissioners who are the policy makers. This majority response indicates that more than half of the employee’s view NGEC as fostering a work environment that upholds gender equality and respect.

However, a notable 27.27% of staff remained neutral, neither affirming nor rejecting the statement. This level of neutrality suggests possible gaps in communication, engagement, or lived experiences that prevent employees from confidently endorsing the inclusivity of organizational

culture. Neutral responses may also reflect hesitancy to provide a definitive opinion, potentially due to limited awareness or lack of direct experiences related to gender inclusivity.

On the other hand, 8.08% of respondents disagreed, indicating that a section of employees perceives weaknesses or challenges in the organization’s inclusivity efforts. Although this group represents a minority, its presence highlights areas that require closer attention, such as addressing perceived exclusion, ensuring equal opportunities, or tackling subtle forms of gender bias within the workplace (Figure 5).

Figure 5 Organizational Culture at NGEC inclusive and Respectful for all Genders



Overall, the findings demonstrate that the Commission has made significant strides in promoting an inclusive and gender-responsive culture. This sentiment was also expressed by both management and Commissioners. It was also emphasised that that NGEC does align to gender equality, equity and mainstreaming through its mandate in the law creating the Commission, through the awareness creation programmes, the NGEC vision and mission, the presence of a separate gender division and many others.

3.2.3 Clarity by the Institution on Gender Mainstreaming Responsibilities in Job Descriptions

The clarity with which institutions define gender mainstreaming responsibilities in job descriptions plays a crucial role in promoting equality, compliance, and accountability. The findings show that while close to half of both male (47.3%) and female (51.2%) respondents acknowledged that gender mainstreaming is incorporated into their roles, a considerable

proportion either reported its absence or expressed uncertainty. For instance, 36.4% of men and 23.3% of women indicated that gender mainstreaming is not part of their job descriptions, while 14.5% of men and 16.3% of women were unsure (Table 3).

Table 3 Gender Mainstreaming Responsibilities Clearly Defined the Job Description

Gender Mainstreaming Responsibilities Clearly Defined the Job Description	Responses			
	Men		Women	
	Frequency	%	Frequency	%
No	20	36.4	10	23.3
Not sure	8	14.5	7	16.3
Yes	26	47.3	22	51.2
	1	1.8	4	9.3
Total	55	100	43	100

This lack of clarity highlights a gap in institutional communication and human resource practices. When responsibilities related to gender mainstreaming are not explicitly articulated, staff may struggle to integrate gender considerations into their daily functions, undermining inclusivity and effectiveness. Clear, well-defined job descriptions not only strengthen staff accountability but also ensure that gender equality is systematically embedded within organizational processes and outcomes.

These results suggest that although nearly half of both men and women recognize the inclusion of gender mainstreaming in their job roles, a significant share remain uncertain or report its absence. This inconsistency points to the need for clearer institutional guidelines and deliberate integration of gender mainstreaming responsibilities within job descriptions to enhance equality, compliance, and organizational effectiveness.

3.2.4 Reporting Protocols

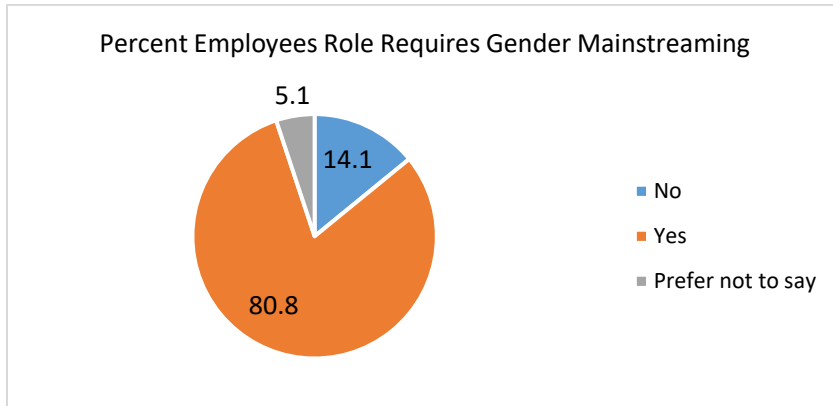
It was also established that 52.7% of staff found the reporting protocols function effectively most of the time, while 43.6% observed that these protocols occasionally present conflicts or inconsistencies in their application. Conflicting or unclear reporting lines can lead to delays, duplication of effort, or misinterpretation of responsibilities, ultimately weakening coordination and efficiency in implementing gender-related programmes.

3.3. Programme /Project Implementation

3.3.1 Gender Mainstreaming in the Commission

Most of the staff are aware that their role requires gender mainstreaming in the programme/projects while 14.1% noted their work does not require any gender mainstreaming and 5.1 preferred not to say anything. Figure 6.

Figure 6 Percent Employees Role Requires Gender Mainstreaming



Knowledge of whether ones needs to ensure gender mainstreaming in their roles because it enhances equality, compliance, effectiveness, and inclusivity in institutional performance. It helps them to promote equality and fairness.

When staff understand how their responsibilities intersect with gender considerations, they are better positioned to foster inclusivity and fairness in organizational performance. This knowledge not only ensures compliance with national and institutional gender policies but also strengthens the effectiveness of programs and services by addressing the diverse needs of women, men, and marginalized groups. Ultimately, it equips individuals and institutions to promote equality, reduce discrimination, and create more equitable and responsive systems.

The directors admitted that while the Commission considers the gender mainstreaming strategy important, it is not all the time that data is gender disaggregated in the reporting. It was also established that programmes and projects tend to be gender responsive rather than gender responsive. It also emerged that data segregation by gender had room for improvement. A look at the Annual reports also confirmed this finding.

3.3 2 Monitoring, Evaluation and Gender Indicators

The audit examined the extent to which the Commission integrates gender indicators within its monitoring and evaluation (M&E) framework. Part of NGEC’s mandate (under the National Gender and Equality Commission Act, 2011) is to monitor, facilitate and advise on integration of equality and non-discrimination across national and county policies, and to receive and evaluate annual reports from public institutions on compliance with equality obligations. Also to establish databases on issues relating to equality and produce periodic reports. This implies that NGEC works with data and monitoring.

Most respondents affirmed that the Commission’s programmes, projects, and services incorporate gender indicators. However, when asked to specify the indicators used, the majority were unable to do so. This observation suggests that, while gender considerations are acknowledged conceptually, the actual use of standardized or well-defined indicators remains limited.

Senior management confirmed that although programme implementation reports are routinely produced, there are no formally designated gender indicators to guide the monitoring process. This explains the inconsistencies observed in staff responses and reflects a gap between programme reporting and the systematic measurement of gender outcomes.

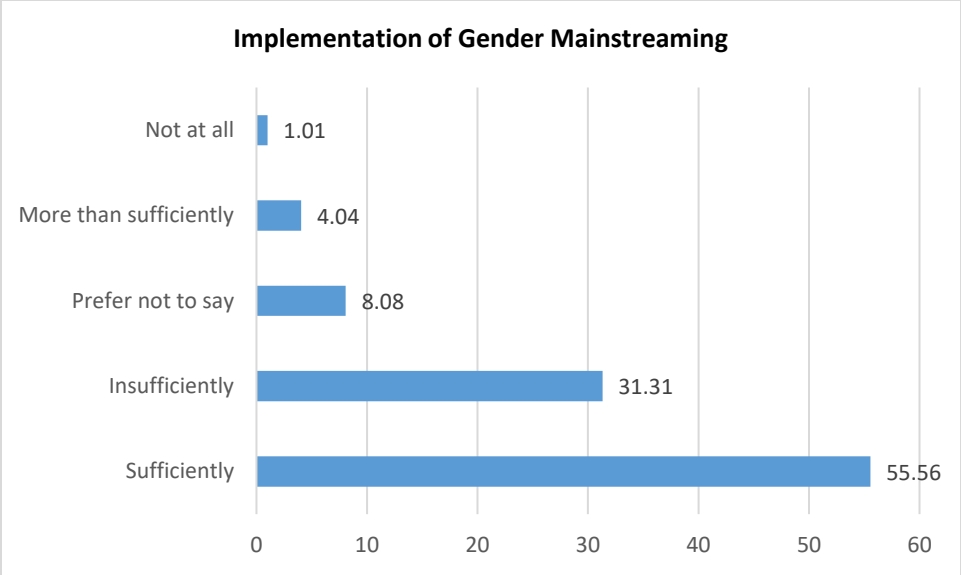
A review of Commission documents showed inconsistent monitoring. The Commission did come up with Monitoring & Evaluation (M&E) frameworks, though their scope, currency, and extent seem to vary. Some of these include *national Monitoring & Evaluation Framework Towards the Prevention of and Response to Sexual and Gender Based Violence (SGBV)* in 2014. In its 2014-2015 Annual Report, NGEC reported facilitating the development of an “*Monitoring and Evaluation results framework for monitoring progress towards integration of principles of equality and inclusion in public and private sector.*” This is meant to track gender equality, freedom from discrimination, etc. Some strategic documents state that monitoring and evaluation will be facilitated, but do not clearly show that standardized gender indicators are formally entrenched in all programme reporting. Another example is GRB, the last time the commission had monitored on GRB was 2017. It is not clear why this is not a yearly affair.

The presence of some frameworks doesn’t necessarily mean full, consistent implementation; there have been observations (in other related documents) that although reports are produced, there is sometimes a lack of clarity or consistency in which indicators are used, or whether they are well defined and known by all staff.

3.3.3 Gender Mainstreaming in Projects and Programmes

The audit considered it essential to assess staff perceptions regarding the extent to which the Commission implements gender mainstreaming. The findings (Figure 7) revealed that 55.56% of respondents perceived gender mainstreaming to be sufficiently implemented, while an additional 4.04% believed it is more than sufficiently implemented. In contrast, 31.31% of respondents indicated that gender mainstreaming is insufficiently implemented, underscoring areas where further improvement is necessary.

Figure 7 Staff Perceptions Regarding The Extent to Which the Commission Implements Gender Mainstreaming



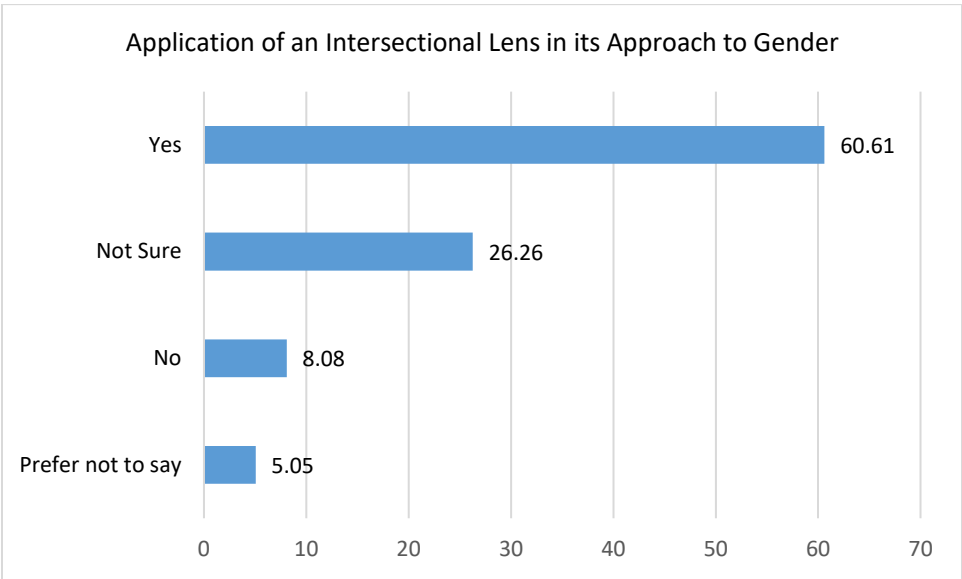
These results suggest that, although a majority of staff recognize positive efforts in gender mainstreaming, a substantial minority remain unconvinced of its adequacy. The 55.56% who view the implementation as sufficient highlight the effectiveness of the Commission’s initiatives in advancing its mandate, while the 4.04% who perceive implementation as more than sufficient may represent staff who are either more directly engaged with or benefiting from gender mainstreaming practices.

However, the 31.31% who reported insufficient implementation present a critical concern. This perspective may reflect inconsistencies in the application of gender mainstreaming across departments, limited visibility of related initiatives, or gaps between policy commitments and practical operationalization. These findings point to the need for strengthened institutional mechanisms to ensure that gender mainstreaming efforts are consistently applied, well-communicated, and equitably experienced across all levels of the Commission.

These findings highlight the need for the Commission to strengthen monitoring, internal communication, and capacity-building to ensure gender mainstreaming is not only a policy commitment but also a lived experience across all levels of the institution.

The audit further sought to determine the extent to which the Commission applies an intersectional framework in its approach to gender, by considering overlapping and interrelated identities such as age, ethnicity, disability, and other social categories. The data reveal that while a majority of staff (60.61%) affirmed the statement, thereby reflecting significant support, the relatively high proportion of those who were uncertain (26.26%) suggests gaps in communication, understanding, or implementation within the Commission. The 8.08% who disagreed, alongside the 5.05% who withheld a response, further indicate the presence of critical perspectives and potential resistance that warrant deeper exploration (Figure 8).

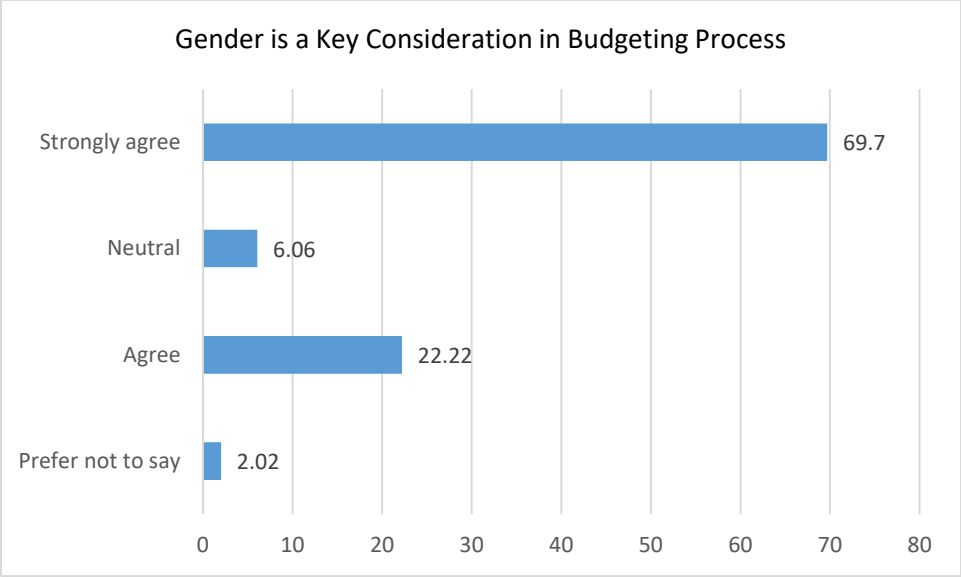
Figure 8 Commissions Application of an Intersectional Lens in its Approach to Gender



3.3.4 Linking Budgets to Programmes

The audit examined whether the Commission incorporates gender-responsive budgeting within its programmes. A majority of respondents (69.7%) observed that budget allocations are translated into programmes, while 22.22% strongly affirmed this position. Conversely, 6.06% remained neutral, and 2.02% did not provide a response (Figure 9).

Figure 9 Gender is a Key Consideration in Budgeting Process



These findings imply that most staff perceive a clear linkage between budgeting and programme implementation. The presence of neutral and non-responses may indicate areas where greater clarity and awareness are required.

To address this, the Commission may consider enhancing staff capacity through targeted training on gender-responsive budgeting, strengthening internal communication on how budgets translate into programmes, and instituting robust monitoring and evaluation mechanisms to ensure that the practice is consistently applied and clearly understood across all programme areas.

3.3.5 Gender Budget Statement

It was further established that the Commission does not issue a dedicated budget statement— either for its own operations or for other government departments where gender-related considerations are of strategic relevance. These sectors may include social protection, health, housing and infrastructure, and services for persons with disabilities, among others. The absence of such a budget statement limits the Commission’s ability to systematically track, analyze, and influence public expenditure from a gender perspective. Consequently, opportunities to promote gender-responsive budgeting and ensure equitable resource allocation across sectors remain underutilized.

The Commission should develop and institutionalize a Gender Budget Statement as part of its annual planning and reporting processes. This statement should outline key gender priorities, budget allocations, and expected outcomes, both within the Commission and across relevant sectors such as health, social protection, and infrastructure. By doing so, the Commission would enhance transparency and accountability in resource allocation while positioning itself to more effectively advocate for gender-responsive budgeting across government institutions.

Collaboration with the National Treasury and sectoral ministries would further strengthen this initiative, ensuring that gender considerations are systematically embedded in budget formulation, implementation, and monitoring processes.

3.3.6 Oversight Role

The Commission has a constitutional oversight role where it *monitors, audits, advises, and holds accountable* both state and non-state actors to ensure that equality and inclusion principles are upheld in Kenya., an analysis of the documents and reports of the commission indicated that the Commission has made notable progress in fulfilling its oversight mandate. The Commission continues to play a visible role in monitoring compliance for gender equality within the MDAs. These findings are presented in long reports where the reader has to dig deep to search. While the reports are important, it is important to develop short policy briefs, or advisories to the relevant authorities and these should be on the NGEC Website. It is also important to present the reports in form of score cards, gender audits, Gender Equality and Social Inclusion (GESI) Analysis, Gender Equality Indexes, (see for instance the European union gender equality index-<https://eige.europa.eu/>), Citizen Scorecards among others. These should be developed by the programme officers in charge and shared to the ICT and communication for the website while shared to the commissioners and the chairperson for communication to the outsiders.

It was also established that while some tools exist such as Monitoring Tool for Assessing Compliance with Concluding Observations and Recommendations Issued to the Government of Kenya Under CEDAW, CRC, and CRPD, no data is associated with such a tool. Yet oversight in terms of data collection belongs to the commission. Such data can be presented every five years after reporting to CEDAW on the NGEC website in score cards.

It was also noted that disruptions such as the removal of gender mainstreaming indicators from performance contracting impacted negatively on commission work. This needs concerted effort at Policy level engagement between the Commission, State Departments for Gender and Affirmative Action and PSC on reinstatement of Gender Mainstreaming and Inclusion Indicators. with PSC to ensure it comes back.

The audit also came to the conclusion that oversight is being viewed in possibly a myopic way, because oversight could cover other areas such as disability, social protection among others.

3.4 Presentation of the Commission work on Gender equality on its own Website

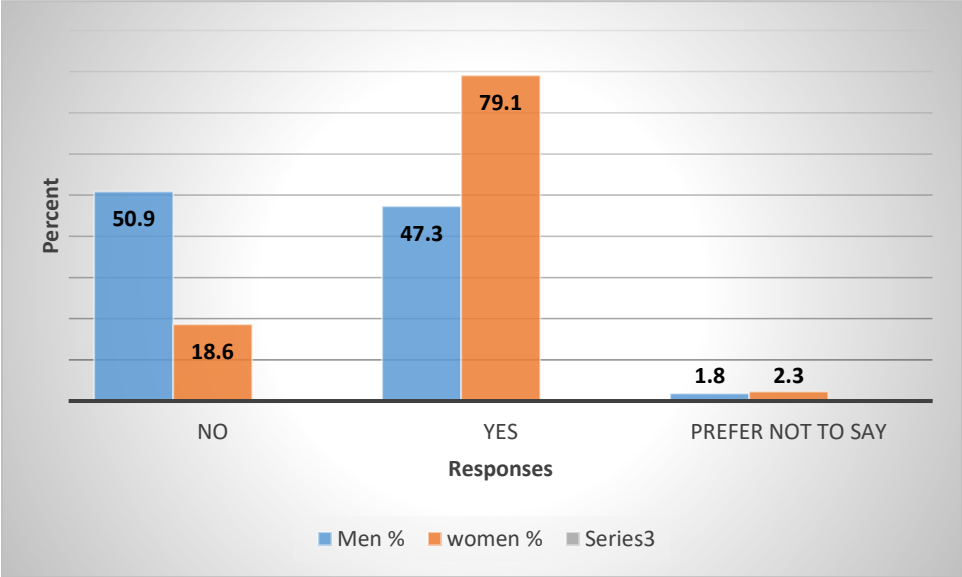
The audit sought to understand how the commission visibility is presented on its own website. The website is very clear on gender equality mandate and it serves as an important platform for disseminating information on gender equality, policy frameworks, and institutional activities. While it provides access to key documents such as reports, publications, and strategic plans, navigation could be further enhanced. Some sections are not intuitively organized, making it

difficult for users to quickly locate recent updates or programmatic information. Improving the layout, strengthening the search function, and ensuring all links are up to date would enhance accessibility, transparency, and user experience—key principles aligned with a gender-responsive and accountable public institution. Examples of more modern look and easier to access websites are available such as the McKinsey or the Innovations for Poverty Action. Others include the East African Community and the Economic Commission for Africa. These websites enable the reader to quickly see the most recent actions and preview that in a paragraph. Should the reader wish to see more then they can click on the full document. This kind of play will make the issues f gender and inclusion more interactive.

3.5 Staff Access to Training and Capacity Strengthening on Gender Mainstreaming

The findings show notable differences between men and women in terms of exposure to training on gender mainstreaming. About (50.9%) of the men reported that they had not received training, while 47.3% indicated that they had been trained. Only 1.8% preferred not to respond. This suggests that slightly more men lack gender mainstreaming training compared to those who have received it. On the other hand, most (79.1%) of the women employees reported that they had received training, while only 18.6% said they had not been trained. A small proportion (2.3%) preferred not to respond (Figure 10). This indicates that women are more likely than men to have benefitted from training opportunities.

Figure 10 Received Training on Gender Mainstreaming

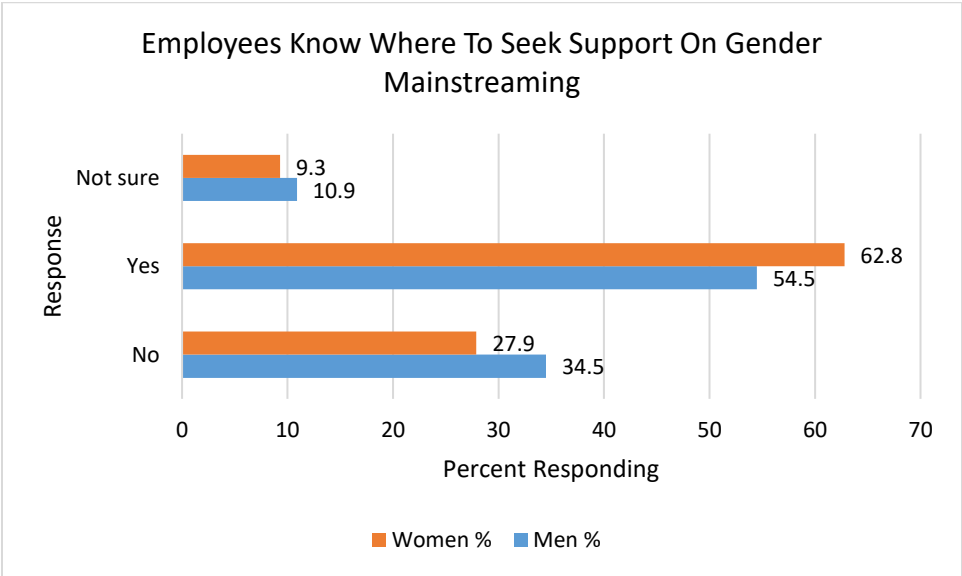


The results point to a gender gap in training access, with women significantly more likely to have undergone gender mainstreaming training compared to men. This discrepancy may reflect targeted efforts to build women’s capacity, but it also highlights the need to ensure men are equally engaged, since their participation is critical to advancing inclusivity, fairness, and institutional effectiveness.

3.5.1 Seeking Support on Gender Mainstreaming from within the Commission

The audit sought to determine whether staff were aware of where within the Commission’s structure they could seek support on matters related to gender mainstreaming. The findings revealed that a higher proportion of women (62%) compared to men (54.5%) reported knowing where to access such support. Conversely, 27.9% of women and 34.5% of men indicated that they did not know where to seek assistance, while 9.3% of women and 10.9% of men were uncertain (Figure 11).

Figure 11 Employees know where to seek support on Gender Mainstreaming



When asked to specify sources of support, staff mentioned a range of individuals and offices within and outside the Commission. These included Commissioners, immediate supervisors, the Director of Programs, the CEO and the CEO’s Personal Assistant, secretaries, the Gender and Women Division, the Research, Monitoring, Evaluation, and Documentation (RMED) Division, and external gender experts.

These findings suggest that although many staff are aware of possible points of support, the diversity of responses indicates a lack of clarity and consistency in the institutional structure for

gender mainstreaming support. This highlights the need to formalize and communicate designated support channels to ensure accessibility, coherence, and effectiveness across the Commission.

3.6 Key Challenges Affecting Gender Mainstreaming in the Commission

3.6.1 Inadequate Resources

The audit established that the Commission continues to experience significant resource constraints, both financial and human, which impede the effective implementation of gender mainstreaming initiatives. Limited budget allocations restrict the Commission's ability to conduct regular capacity-building, monitoring, and outreach activities. Additionally, insufficient staffing in key departments has affected the timely execution of programmes and follow-up on critical interventions.

The inadequate resources have also limited the Commission's capacity to expand its visibility and engagement at county levels, thereby weakening the link between national policy directives and local implementation. The inadequacy of budgetary allocation was raised by both staff and Commissioners. It was however noted that in the financial year 2025/2026 parliament did an additional 30% budgetary allocation to the commission.

3.6.2 Absence of operational subsidiary legislation (Regulations)

Although the National Gender and Equality Commission (NGEC) was established as an oversight body under the NGEC Act of 2011, the absence of a comprehensive operational legal framework has constrained the full realization of its mandate. In essence, while the enabling legislation provides the legal basis for the Commission's existence and broad functions, it lacks detailed subsidiary regulations or guidelines to facilitate effective enforcement, compliance monitoring, and coordination with other state institutions. Consequently, the Commission operates within a limited legal environment that undermines its oversight authority, weakens accountability mechanisms, and restricts its ability to translate policy commitments into enforceable actions.

3.6.3 Absence of a formal framework on gender-responsive budgeting (GRB)

The absence of a formal framework on gender-responsive budgeting (GRB) has limited the institutionalization of gender considerations within financial planning and resource allocation processes. In the absence of standardized guidelines, budgetary decisions are not consistently informed by gender analysis, thereby constraining the Commission's capacity to ensure equitable distribution of resources and track expenditure outcomes from a gender perspective.

Recommendations on Gender Responsive Budgeting (GRB)

To address this gap, the Commission should spearhead the development of a comprehensive Gender-Responsive Budgeting (GRB) Framework to guide the integration of gender perspectives

across all stages of the budgeting cycle — from planning and resource allocation to implementation, monitoring, and reporting. The framework should provide clear guidelines, analytical tools, and accountability mechanisms for assessing the gender implications of expenditure and revenue decisions. In addition, the Commission should collaborate with the National Treasury, Parliament, and other oversight institutions to institutionalize GRB practices within public financial management systems. Regular capacity-building for staff and stakeholders should accompany the framework’s rollout to ensure consistent application and sustainability. The Institute for Economic Affairs has done a lot of work on this area and could partner with the commission in GRB.

3.6.4 Insufficient Training of Technical Staff

The audit revealed that technical staff across various departments have not received sufficient training on gender analysis, gender-responsive budgeting, and monitoring and evaluation frameworks. This gap has resulted in inconsistent application of gender mainstreaming principles, limited understanding of gender indicators, and weak documentation of results.

A lack of continuous professional development opportunities has further constrained the Commission’s ability to sustain institutional knowledge and ensure quality assurance in programme implementation.

3.6.5 Silos in the Commission Departments

The audit established that operations within the Commission are often conducted in departmental silos, with limited coordination, information sharing, or integration across units. This fragmentation undermines synergy, leads to duplication of effort, and weakens the overall effectiveness of gender mainstreaming initiatives. In some cases, departments implement related activities independently, without aligning objectives or sharing outcomes, thereby diminishing collective institutional impact.

3.6.6 Limited Technical Capacity

The audit established that the Commission faces notable gaps in technical capacity, particularly in the areas of gender analysis, gender-responsive budgeting (GRB), monitoring and evaluation (M&E), and data management. While staff demonstrate strong commitment to promoting gender equality, many lack specialized training or tools necessary to effectively integrate gender perspectives into programmes, policies, and reporting frameworks.

This limitation has resulted in inconsistent use of gender indicators, weak evidence generation, and limited capacity to translate policy commitments into measurable outcomes. Furthermore,

inadequate technical support at both national and county levels hinders the Commission's ability to provide quality assurance, mentorship, and technical backstopping to stakeholders.

Recommendations on Technical Capacity

The Commission should develop and implement a structured capacity development plan targeting all staff, with emphasis on practical training in gender-responsive planning, budgeting, and M&E. Partnerships with gender research institutions, universities, and development partners should be leveraged to strengthen institutional expertise and ensure continuous professional development.

3.6.7 Structural Barriers

The audit revealed that structural and institutional barriers continue to impede effective implementation of gender equality and inclusion initiatives within the Commission. The existing organizational structure does not always facilitate cross-departmental collaboration or mainstream gender across all functional areas. In some cases, gender issues are perceived as the responsibility of specific divisions rather than a shared institutional mandate.

Additionally, bureaucratic processes and rigid hierarchical systems slow down decision-making and limit innovation in addressing emerging gender challenges. The lack of a fully integrated coordination mechanism further contributes to duplication of effort and weak accountability for gender outcomes.

Recommendations

To overcome these barriers, the Commission should review its organizational structure to enhance coordination, communication, and shared accountability across departments. Establishing an internal Gender Mainstreaming and Coordination Committee could promote collective ownership of gender equality goals. Streamlining internal procedures and embedding gender equality responsibilities within all directorates will also strengthen institutional coherence and responsiveness.

3.6.8 Challenges related to the Lack of a Monitoring and Evaluation Framework and associated Indicators

The audit established that there are no formally designated gender indicators to guide the monitoring process. This explains the inconsistencies observed in staff responses and reflects a gap between programme reporting and the systematic measurement of gender outcomes. Further, it was not clear what is regularly monitored and evaluated, except the Ministries, Departments, and Agencies (MDAs) reports to assess compliance with national, regional, and international gender obligations.

Recommendations

It is important for the Commission to come up with a comprehensive Gender M&E Framework, incorporating clear, measurable, and standardized gender indicators aligned with the Commission’s strategic objectives and the national gender policy framework. The gender indicators should be integrated into departmental work plans and performance contracts to ensure institutional accountability for gender-related results. Further, plans need to be put in place to strengthen capacity for staff across all levels on the formulation, application, and reporting of gender indicators. It would be most productive if the commission designed a centralized data management and reporting system be established to systematically track progress on gender indicators and provide evidence for decision-making, planning, and reporting.

3.6.9 Challenges in Advancing Gender Equality and Inclusion

Despite notable progress in policy formulation and advocacy, the audit found that the Commission continues to face challenges in achieving tangible results in gender equality and inclusion. These challenges stem from limited resources, inadequate data on marginalized populations, and persistent socio-cultural norms that influence both internal practices and external engagements.

Furthermore, inclusion of persons with disabilities, youth, and other special interest groups remains insufficiently mainstreamed across programmes. The lack of disaggregated data by gender, age, and disability also constrains evidence-based planning and reporting on equality outcomes.

Recommendations

The Commission should strengthen its focus on inclusive programming by adopting an intersectional approach that considers overlapping forms of discrimination and exclusion. Developing a comprehensive inclusion strategy, supported by robust data collection systems and partnerships with representative organizations, will enhance the visibility and participation of all social groups. Additionally, embedding inclusion targets and indicators within performance frameworks will promote accountability and sustainability in advancing gender equality.

3.7 Short summary of the Key challenges and proposed Recommendations

Table 4 Summary of Key Challenges and Recommendations Affecting Gender Mainstreaming in NGE

Thematic Area	Key Challenges Identified	Recommendations
1. Inadequate Resources	Limited financial and human resources constrain implementation of gender mainstreaming activities,	Advocate for sustained budgetary increases and explore partnerships with Parliament, National Treasury, and development partners to enhance

Thematic Area	Key Challenges Identified	Recommendations
2. Absence of a Comprehensive Operational Legal Framework	<p>capacity building, and county-level outreach.</p> <p>Lack of detailed subsidiary legislation or regulations under the NGECA Act (2011) weakens enforcement, compliance, and coordination with state institutions.</p>	<p>resource mobilization and strengthen presence at county levels.</p> <p>Develop and operationalize subsidiary regulations to enhance oversight powers, strengthen accountability mechanisms, and clarify coordination roles with other institutions.</p>
3. Lack of a Formal Gender-Responsive Budgeting (GRB) Framework	<p>Absence of standardized GRB guidelines limits gender integration in financial planning and tracking of expenditure outcomes.</p>	<p>Spearhead the development of a national GRB Framework, in collaboration with the National Treasury and IEA, supported by training and analytical tools to ensure equitable budgeting.</p>
4. Insufficient Training of Technical Staff	<p>Staff lack adequate training in gender analysis, GRB, M&E, and gender indicators, leading to inconsistent application of gender mainstreaming.</p>	<p>Develop and implement a continuous professional development program focusing on gender-responsive planning, budgeting, and monitoring across all departments.</p>
5. Departmental Silos	<p>Weak coordination and information sharing among departments cause duplication and fragmented implementation of activities.</p>	<p>Strengthen inter-departmental collaboration through joint planning, integrated reporting, and establishment of a cross-departmental coordination mechanism.</p>
6. Limited Technical Capacity	<p>Inadequate expertise in gender analysis, M&E, and data management limits evidence generation and quality assurance.</p>	<p>Establish a structured capacity-building plan and partnerships with gender institutions and universities to enhance institutional expertise and technical support.</p>
7. Structural Barriers	<p>Bureaucratic processes, rigid hierarchies, and lack of integrated gender coordination mechanisms</p>	<p>Review the organizational structure to enhance collaboration, establish an internal Gender Mainstreaming Committee, and embed gender equality roles in all directorates.</p>

Thematic Area	Key Challenges Identified	Recommendations
8. Lack of a Monitoring and Evaluation Framework with Gender Indicators	<p>limit efficiency and innovation.</p> <p>Absence of standardized gender indicators results in inconsistent reporting and difficulty in tracking progress on gender outcomes.</p>	<p>Develop a Gender M&E Framework with measurable indicators integrated into departmental work plans and performance contracts, supported by a centralized data system.</p>
9. Challenges in Advancing Gender Equality and Inclusion	<p>Limited data on marginalized groups and socio-cultural barriers impede inclusion of persons with disabilities, youth, and special interest groups.</p>	<p>Adopt an intersectional inclusion strategy with disaggregated data systems and measurable inclusion indicators to strengthen accountability and participation of all social groups.</p> <p>Enhance Internal Awareness and Training. Strengthen Monitoring and Accountability Mechanisms</p>
10. Clarity by the Institution on Gender Mainstreaming Responsibilities in Job Descriptions	<p>Lack of clarity by the Institution on Gender Mainstreaming Responsibilities in Job Descriptions</p>	<p>Improve Communication on Gender Achievements and Gaps</p> <p>Integrate Gender Mainstreaming into Performance Appraisals</p> <p>Targeted Support for Departments Lagging Behind</p> <p>Leadership Modeling.</p>

SECTION FOUR
PROPOSED FRAMEWORK FOR TRANSFORMING NGEC FROM A GENDER-RESPONSIVE TO A GENDER-TRANSFORMATIVE INSTITUTION

4.1 Introduction

This proposed framework provides a roadmap for repositioning the National Gender and Equality Commission (NGEC) as a gender-transformative and inclusive institution that not only promotes gender equality but also addresses the structural and systemic barriers facing Special Interest Groups (SIGs)—including persons with disabilities, youth, older persons, minority and marginalized communities, and children as articulated in the legislation which created the Commission.

A gender-responsive institution integrates gender considerations in its operations and outputs, while a gender-transformative institution goes beyond inclusion — it challenges and changes the underlying power relations, norms, and institutional structures that perpetuate inequality. This transformation demands that NGEC not only promotes equality externally but embodies it internally through policy, practice, culture, and leadership.

A gender transformative NGEC would actively challenge discriminatory norms, urges for re-balancing of gender power relations, promotes equitable participation, representation, and benefit-sharing among all groups through its oversight, advisory, and lobbying. The framework builds on NGEC’s constitutional mandate and aligns with Kenya’s Vision 2030, the Constitution of Kenya (2010), and international instruments such as CEDAW, the Beijing Platform for Action, and the Convention on the Rights of Persons with Disabilities (CRPD).

4.2 Strategic Objective

To reposition NGEC as a gender-transformative oversight and advocacy body that drives systemic change, advances structural equality, and strengthens the participation and empowerment of Special Interest Groups (SIGs) including women, youth, persons with disabilities, older persons, and marginalized communities.

The proposed framework would fall on four key pillars. (i) Institutional Transformation and Leadership Culture (ii) Policy Influence and Gender Justice Advocacy (iii) Strengthening Oversight and Accountability and (iv) Data, Research, and Knowledge Management. (v) Partnerships and Movement Building, (vi) Communication and Narrative Change, (vii) Monitoring, Evaluation, and Learning

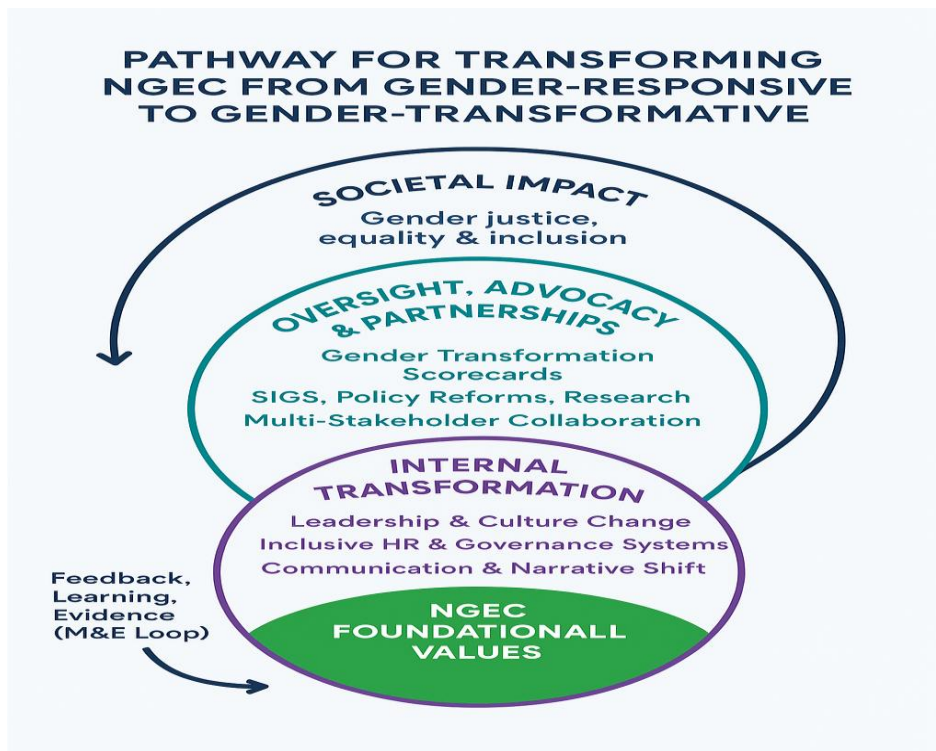
Table 5 Framework for Transforming NGEC from Gender-Responsive to Gender-Transformative Institution

Pillar	Strategic Focus	Key Interventions / Actions	Expected Outcomes
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<p>1. Institutional Strengthening</p>	<p>Align internal systems, structures, and leadership culture with gender transformation principles.</p>	<ul style="list-style-type: none"> • Review and restructure departments to integrate gender and inclusion roles. • Embed gender equality and inclusion targets in staff performance contracts. • Establish internal gender mainstreaming and coordination committee. • Strengthen accountability and transparency systems. 	<ul style="list-style-type: none"> • NGEC functions as a model of institutional gender equality. • Enhanced accountability and coherence across directorates.
<p>2. Policy and Legal Framework Alignment</p>	<p>Enhance NGEC’s legal authority to enforce gender equality and inclusion.</p>	<ul style="list-style-type: none"> • Develop subsidiary regulations for compliance monitoring. • Institutionalize Gender-Responsive and Inclusive Budgeting (GRIB) across MDAs and counties and ensure a monitoring framework is developed and utilized. 	<ul style="list-style-type: none"> • Stronger legal framework enabling effective oversight. • Gender and inclusion systematically embedded in national and county policies.
<p>3. Capacity Development & Knowledge Management</p>	<p>Build staff expertise and promote a culture of learning and innovation.</p>	<ul style="list-style-type: none"> • Conduct training on gender-transformative and intersectional analysis. • Establish NGEC Learning and Knowledge Hub on Gender and Inclusion. • Partner with universities, KNBS CSOs, and SIG organizations for research and evidence generation. 	<ul style="list-style-type: none"> • Strengthened technical capacity in gender analysis and transformation. • Continuous institutional learning and evidence-based advocacy.
<p>4. Inclusive and Intersectional Programming</p>	<p>Ensure full integration of Special Interest Groups (SIGs) in all NGEC work.</p>	<ul style="list-style-type: none"> • Develop a Gender and Inclusion Strategy addressing intersecting inequalities. • Create participatory engagement platforms for SIGs (e.g., advisory forums). 	<ul style="list-style-type: none"> • Inclusive and participatory NGEC programmes. • Increased visibility and representation of SIGs in policy and oversight processes.

		<ul style="list-style-type: none"> • Collect and analyze disaggregated data (sex, age, disability, location). 	
5. Advocacy, Partnerships, and Public Engagement	Strengthen NGECE's influence and visibility as a transformative advocate.	<ul style="list-style-type: none"> • Implement a National Advocacy Strategy targeting institutions and social norms. • Build partnerships with government, private sector, CSOs, and media. • Conduct policy dialogues and accountability forums with MDAs and counties. 	<ul style="list-style-type: none"> • Broader societal and institutional shifts toward gender equality. • Strengthened multi-stakeholder collaboration.
6. Monitoring, Evaluation, and Learning (MEL)	Track progress and measure gender-transformative change.	<ul style="list-style-type: none"> • Develop Gender Transformative Results Framework and indicators. • Establish centralized digital M&E and data management system. • Introduce annual Gender Equality Scorecards for institutions. 	<ul style="list-style-type: none"> • Data-driven decision-making and accountability. • Clear measurement of transformative gender outcomes.

Figure 12 Diagrammatic Presentation of the Pathway for Transforming NGECE from Gender Responsive to Gender Transformative Institution



4.3 Expected Outcomes

1. NGEN internal systems and leadership reflect gender-transformative principles.
2. National and county institutions are assessed and held accountable for GEDSI transformative outcomes.
3. Gender equality discourse in Kenya evolves from inclusion to justice and power transformation.
4. Strengthened coalitions and public support for transformative gender reforms.
5. Evidence-based policies and programs lead to equitable participation and benefit-sharing across all groups.

4.4. Implementation Considerations

- **Timeframe:** 3–5 years, integrated into NGEN’s Strategic Plan.
- **Resources:** Institutional budget, partnerships, and technical support from development agencies.
- **Capacity Needs:** Continuous training on gender transformation, intersectionality, and systems thinking.
- **Risk Management:** Address potential resistance through dialogue, awareness, and incremental reform.

4.5 Conclusion

Transforming NGECC into a gender-transformative institution requires intentional shifts in mindset, structures, and strategies. It calls for the Commission to move beyond mainstreaming toward leadership in shaping Kenya's equality architecture—an institution that not only monitors compliance but drives systemic change, influences public discourse, and ensures that gender equality.

The Gender Audit of the National Gender and Equality Commission (NGECC) reveals that the institution has made commendable progress in advancing gender equality and inclusion within its mandate. The audit confirms the existence of a strong constitutional and policy foundation guiding NGECC's operations, anchored in Articles 10, 27, and 59 of the Constitution of Kenya, 2010, and the NGECC Act of 2011. However, the assessment also identifies areas requiring strategic strengthening to achieve full gender transformation across institutional systems, structures, and culture.

First, the Commission demonstrates institutional commitment to gender equality through the integration of gender considerations in strategic planning, public education, and oversight functions. Staff composition reflects gender parity, with visible inclusion of women in leadership and professional positions. However, there remain capacity and coordination gaps that hinder optimal performance, including insufficient training in gender analysis, weak monitoring frameworks, and limited resources for sustained mainstreaming activities.

Second, the audit highlights fragmentation across departments, where gender mainstreaming efforts are often implemented in isolation rather than as an integrated organizational approach. This siloed structure limits institutional learning, coherence, and the full operationalization of NGECC's transformative potential. Strengthening interdepartmental coordination mechanisms is essential to achieving a unified and efficient system.

Third, the absence of subsidiary legislation and a formal Gender-Responsive Budgeting (GRB) Framework constrains NGECC's authority to enforce compliance, monitor accountability, and ensure that gender equality principles are embedded within national and county governance processes. Developing these instruments will not only enhance NGECC's oversight power but also align its internal systems with the standards it promotes externally.

Fourth, the audit establishes that while NGECC has made progress in cultivating a positive organizational culture, institutional transformation remains incomplete. Internal mechanisms for knowledge sharing, staff motivation, mentorship, and continuous professional development are underdeveloped. A deliberate investment in institutional culture and staff welfare will be critical in sustaining gender-transformative leadership.

Finally, the audit underscores the need for data-driven decision-making and evidence-based reporting. Inconsistent gender indicators, weak documentation of outcomes, and limited access to disaggregated data reduce the visibility and credibility of NGECC's impact. Establishing

standardized monitoring and evaluation tools will improve accountability, enhance communication with stakeholders, and strengthen NGECE's position as a thought leader in gender and equality governance.

4.6 Recommendations

Drawing from the audit findings, the following strategic recommendations are proposed to guide NGECE toward full institutional gender transformation:

1. Strengthen Institutional and Legal Frameworks

- Develop subsidiary regulations under the NGECE Act (2011) to operationalize the Commission's constitutional and statutory mandate.
- Institutionalize a Gender-Responsive Budgeting (GRB) Framework that provides clear guidance on integrating gender perspectives across planning, budgeting, implementation, and reporting cycles.
- Engage Parliament, the National Treasury, and oversight agencies to re-establish gender and inclusion indicators within performance contracting and public-sector reporting tools.
- Lobby Parliament and oversight agencies to re-establish forms of financial punishment for those institutions that do not adhere to gender mainstreaming and other inclusions.
- Strengthen the legal department, the ICT and the communications to enable the institution strengthen its publicity.

2. Enhance Human and Financial Resourcing

- Advocate for increased budgetary allocations to support gender mainstreaming, monitoring, and outreach at both national and county levels.
- Develop a resource-mobilization strategy to strengthen partnerships with development agencies, the private sector, and philanthropic institutions.
- Prioritize filling critical positions in the Establishment and Organizational Structure to ensure the Commission operates at full capacity.

3. Build Technical and Organizational Capacity

- Establish a Continuous Professional Development (CPD) Programme to equip staff with practical skills in gender analysis, GRB, monitoring & evaluation, and policy advocacy.
- Strengthen the Research, Monitoring, Evaluation, and Documentation (RMED) Division to serve as the Commission's knowledge and data hub.
- Collaborate with universities, gender institutes, and think tanks to promote evidence-based research and institutional learning.

4. Promote Coordination and Institutional Coherence

- Create an Internal Gender Mainstreaming and Coordination Committee chaired by a senior director to harmonize gender integration across departments.
- Institutionalize joint planning and integrated reporting mechanisms to eliminate duplication and enhance synergy.
- Establish regular cross-departmental reflection sessions to share lessons, track progress, and review strategic priorities.

5. Embed a Gender-Transformative Organizational Culture

- Foster an inclusive workplace through leadership modelling, participatory decision-making, and mentorship programmes for women and young professionals.
- Integrate gender-mainstreaming responsibilities into all job descriptions and performance appraisals.
- Enhance internal communication on equality values, expected behaviours, and accountability mechanisms to nurture a culture of respect and inclusion.

6. Institutionalize Data-Driven Monitoring and Accountability

- Develop a Gender M&E Framework with standardized indicators aligned to NGECC's Strategic Plan (2025–2029).
- Establish a centralized data management system to track progress on gender outcomes, disaggregated by sex, age, disability, and region.
- Produce annual Gender and Inclusion Scorecards and thematic policy briefs to increase transparency and public accountability.

7. Deepen Partnerships and Stakeholder Engagement

- Strengthen collaboration with County Governments, Civil Society Organizations (CSOs), and development partners to align equality initiatives with local needs.
- Engage actively within regional and global platforms such as the African Commission on Human and Peoples' Rights, the UN Commission on the Status of Women, and climate-change negotiations (COP processes).
- Institutionalize public participation mechanisms that amplify voices of Special Interest Groups (SIGs) in policy dialogue and oversight.

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