



**KOSHIN TECHNICAL TRAINING
INSTITUTE**

P.O BOX 4040 - 30100 ELDORET

PERFORMANCE CONTRACTING

DISABILITY MAINSTREAMING

POLICY

ACKNOWLEDGEMENT

Koshin Technical Training Institute wishes to recognize the important contribution of all the stakeholders who made the realization of this policy possible. Notable in this process are the members of the Disability Mainstreaming Committee (DMC), who worked with the staff and students in identifying and aligning disability issues that culminated to the successful development of the Disability Mainstreaming Policy for the institution.

The Institute also wishes to acknowledge the administration; Principal, deputy principal and registrar for guiding the process of developing the policy. The institute owe gratitude to the management for the financial and moral support in this endeavor. National Council of People with Disability (NCPWD) contributed immensely in the provision of the legal framework relevant in the development of the Policy.

DEFINITION OF TERMS

- Disability:** A physical, sensory, mental or other impairment, including any visual, hearing, learning or physical incapability, which impacts adversely on social, economic or environmental participation;
- Discrimination:** To accord different treatment to different persons solely or mainly as a result of their disabilities and includes using words, gestures or caricatures that demean, scandalize or embarrass a person with a disability
- Mainstreaming:** The process of engaging in a structured way with an issue as an organization, at workplace, programme and policy levels, in order to address and avoid increasing the negative effects of that issue.
- Sensitization:** The process of building people's engagement with the issue and personal commitment to mainstreaming. Sensitization is about individuals buying in to the organizational commitment.

ABBREVIATIONS

DMC: Disability Mainstreaming Committee

NCPWD: National Council of Persons with Disability

KTTI: Koshin Technical Training Institute

PWDs: Persons with Disability

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EXECUTIVE SUMMARY

This Policy is an output of consultations with KTTI students, staff, administration, management and National Council for PWD. Literature was reviewed on relevant documents on DM. KTTI believes that everyone must be able to exercise their fundamental human rights as enshrined in the Constitution of Kenya 2010 and other statutory documents. The document gives a policy direction on how the Institute will support PWDs in exercising their rights and promote their full inclusion and active participation as equal members of staff and stakeholders.

The document elaborates the aim of the policy which includes promotion, protection and ensuring full enjoyment of all rights and freedoms by PWD. The policy objectives cover training, accessibility of infrastructure and services, equal opportunities for all PWD and creation of conducive environment. The justification of the policy lies on ensuring PWD are not marginalized but support them to realize their full potential for individual and national development. The policy in its scope will apply to all members of Board of Governors, employees, trainees, clients and other stakeholders affiliated to the college.

Guiding principles of the policy are explained in details covering all areas of Disability Mainstreaming. The policy is guided by legal a framework which includes constitution of Kenya 2010 and relevant Acts. In the implementation of the policy various stakeholders come to play including management of the institution, Disability mainstreaming committee, staff and trainees.

A work plan will guide in implementation of the policy which will be reviewed annually. A monitoring and evaluation tool will be used to assess attainment of objectives for the policy. The policy also provides a frame work for monitoring and evaluation of Disability Mainstreaming by the institution. This document shall be reviewed periodically to be in line with current trends of disability issues within and outside the college.

INTRODUCTION

1.1. Preamble

Koshin Technical Training Institute (KTTI) was established by the Government of Kenya in 2015 and commenced its training programmes in 2017. The Institute was registered by TVETA in April 2018 to operate under the category of Technical and Vocational College in accordance with the TVETA Act No. 29 of 2013. The core mandate of the college is to provide relevant and quality technical and vocational education to trainees. In December 2017, the institute received the state of the art automotive equipment from China courtesy of the Ministry of Education (State Department of Vocational and Technical Training). The college is a centre of excellence in Automotive Engineering. Other courses are offered in the following areas; Building and Construction, Plumbing Technology, Electrical Engineering, Masonry, Agriculture, Information Communication Technology, Accountancy, Social Work and Community Development, Supply Chain and Secretarial Studies.

1.2. Aim of the Disability Mainstreaming Policy

The purpose of this policy is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.

1.3. Policy objectives

- To train and sensitize staff, management and students so that they can provide support and services to PWDs
- To create accessibility to the institution's services for PWDs
- To provide equal opportunities at the workplace for PWDs
- To create a conducive work environment for PWDs

1.4. Justification

Koshin Technical Training Institute recognizes that PWDs form a core group in the society who is also our clients, members of staff and individual stakeholders. PWDs have been marginalized and hence do not realize their full potential. The development of this policy is a deliberate strategic effort to bridge this gap by having a workplace policy on mainstreaming Disability issues.

1.5. Scope

This policy sets standards for mainstreaming disability issues at KTTI in its programs and activities. It applies to Board of Governors, employees, employment applicants, clients and

other stakeholders. The policy applies to all people with disabilities registered with NCPWD and those not registered with a view of providing guidelines for registration.

1.6. Guiding Principles

- Fundamental Human Rights
- Non discrimination
- Equality
- Equity
- Integrity and Confidentiality
- Affirmative Action
- Safe and healthy work environment
- Care and Support

1.7. Selection of Committee Members (DMC)

There shall be at least three committee members selected from the personalities representing the Administration, Procurement and Human Resource Departments within the institution. One amongst the members shall be appointed as the champion/chairperson by the institution. This will be done annually.

1.8: Meetings

Meetings shall be held on a need basis as events of the committee arise and the quorum shall be three members. All meetings shall be convened by the champion/chairperson unless otherwise. He/she shall take the minutes and attendance of the meetings.

2.0: LEGAL FRAMEWORK

2.1: Constitution of Kenya

Article 27(4) states that, The State shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, color, age, disability, religion, conscience, belief, culture, dress, language or birth.

A person with any disability is entitled to:-

- Be treated with dignity and respect and to be addressed and referred to in a manner that is not demeaning.
- Access educational institutions and facilities for persons with disabilities that are integrated into society to the extent compatible with the interests of the person
- Reasonable access to all places, public transport and information.
- Use Sign language, Braille or other appropriate means of communication; and to access materials and devices to overcome constraints arising from the person's disability.

2.2: People with Disabilities Act 2003

Section 15 subsection (1) of the Persons with Disability Act states that, Discrimination by employers is prohibited. Subject to subsection (2), no employer shall discriminate against a person with a disability in relation to –

- (a) The advertisement of employment;
- (b) The recruitment for employment;
- (c) The creation, classification or abolition of posts;
- (d) The determination or allocation of wages, salaries, pensions, accommodation, leave or other such benefits;
- (e) The choice of persons for posts, training, advancement, apprenticeships, transfer, promotion or retrenchment;
- (f) The provision of facilities related to or connected with employment.

2.3: Employment Act

Section 5 subsection (3) States that:-

No employer shall discriminate directly or indirectly, against an employee or prospective employee or harass an employee or prospective employee -

(a) On grounds of race, color, sex, language, religion, political or other opinion, nationality, ethnic or social origin, disability, pregnancy, mental status or HIV status;

(b) In respect of recruitment, training, promotion, terms and conditions of employment, termination of employment or other matters arising out of employment.

3.0: POLICY STATEMENTS

3.1. General

3.1.1. Records of PWDs

Koshin Technical Training Institute shall establish and maintain a record of persons with disabilities and shall update such records regularly for the purposes of planning, job placement and procurement opportunities.

3.1.2. Fundamental Human Rights and Privileges

KTTI believes that everyone must be able to exercise their fundamental human rights. The Institute shall endeavor to support disabled people in exercising their rights, and to promote their full inclusion and active participation as equal members of staff and stakeholders.

3.1.3. Training and Awareness

KTTI shall carry out training and sensitizations to committee members, senior management and all members of staff on disability mainstreaming issues. The training will be a continuous exercise. It will be incorporated as part of the orientation package of new staff.

3.1.4. Confidentiality

The Institute shall not disclose any information related to issues affecting employees and students who are disabled without their permission and/ or consent.

3.1.5. Discrimination, Stigmatization

The Institute employees have a responsibility to interact with PWDs. The Institute will not tolerate any forms of verbal, physical or sexual abuse towards PWDs.

3.1.6. Communication with PWDs

Tender application forms and equipment information shall be given in accessible format such as electronic copies. Photographs and drawings shall be used where necessary.

3.2. Customer service

3.2.1. Accessibility to services

Provision of ramps, lifts, adequate lighting, air conditioning, sign language interpreters, guides/ escorts.

3.2.2. Accessibility to facilities

Parking slots should be reserved and accessible, toilets reserved and accessible. Provision of Assistive devices i.e. Wheelchairs, crutches and hearing devices.

3.3. Mainstreaming at the Workplace

3.3.1. Work environment

Access to Computers, meeting rooms, ramp, air condition if necessary.

3.3.2. Recruitment/ Promotion

The Institute shall endeavor to accord equal employment opportunities and promotion to qualified PWDs. KTTI shall endeavor to secure the reservation of at least 5% of all its casual and contractual position in employment to PWDs.

3.3.3. Remuneration/ Compensation /Taxation

The Institute shall endeavor to accord equal compensation, privileges, benefits, fringe benefits, incentives and allowances to PWDs as qualified able-bodied employees. KTTI shall exempt all registered employees with disability from tax on all of his or her income accruing from employment upon receiving Tax Exemption Certificate.

3.3.4. Responsibilities and Duty Allocation

The Institute shall endeavor to consider every disability case individually and assign appropriate responsibilities and duties with a view to enabling PWDs maximize their full potential.

3.3.5. Training

KTTI shall accord equal training opportunities to PWDs.

3.3.6. Transfers/Deployment/Retention

The Institute shall consider individual circumstances of PWDs before effecting any transfers, deployment and retention.

3.3.7. Discipline

The Institute shall subject all employees to equal disciplinary procedures.

3.3.8. Termination of Employment

Termination of employment terms shall apply to all KTTI employees regardless of disability status.

3.3.9. Retirement

The College shall consider retirement age for PWDs to be 65 years.

3.4. Business Opportunities/Procurement

KTTI shall provide access to business opportunities to PWDs in the institution in line with government legal notice 114 of 18th June, 2013 Public Procurement and Disposal (preference and reservation) (amendment) Regulations.

4.0: IMPLEMENTATION

4.1: Implementation responsibilities

4.1.1: Management Commitment

Effective mainstreaming requires strong management commitment. It needs a clear structure, with ongoing activities and follow-up and appropriate budget and time allocated to it. It cannot be a ‘one-off’ activity, or left to individuals with no wider support. The management commits to provide all the necessary support to ensure that Disability Mainstreaming is fully implemented in the Institute.

4.1.2: Disability Mainstreaming Committee

The DMC shall be responsible for:

- a) Advising the management on national/Global policies and guidelines concerning disability.
- b) Awareness creation on disability issues for Koshin Technical Training Institute staff, management and students.
- c) Preparation of the disability mainstreaming quarterly reports.
- d) Identification and incorporation of the disability issues in the policy, planning documents and budgeting processes.
- e) Identification of stakeholders to be involved within and outside the Institute and modalities of engaging them.
- f) Carrying out evaluation on the progress of the Institute in disability mainstreaming.
- g) Advocating for the promotion and protection of the rights of PWDs.
- h) Actualizing the DM activities of the institute.

4.1.3: Members of Staff

Mainstreaming starts with individuals. Members of staff can all be role models of more equitable and inclusive relationships between disabled and non-disabled people. We can all interact with the disabled people we see around us, and challenge discrimination when we encounter.

4.2: Implementation plan

This includes detailed activities, costs, expected difficulties and schedules that are required to achieve the objectives of the strategic plan in relation to disability mainstreaming activities.

4.3: Monitoring and Evaluation

The Disability Mainstreaming Committee shall monitor and evaluate the implementation of the policy quarterly, to ensure that the objectives stated herein are achieved effectively.

4.4: Policy Review

The institute will carry out policy review periodically as to ensure that there is full execution of disability mainstreaming activities as outlined in the disability policy and consider emerging disability issues.

Prepared by; Marita Nickson

Name.....Sign.....Date.....

Chairperson Disability Mainstreaming Committee.

Approved by;

Name.....Sign.....Date.....

Principal