



**COUNTY GOVERNMENT
OF BUNGOMA**

COUNTY ASSEMBLY OF BUNGOMA

DISABILITY MAINSTREAMING POLICY

December, 2023

COUNTY ASSEMBLY SERVICE BOARD

Table of Contents

FOREWORD.....	i
PREFACE.....	ii
LIST OF ABBREVIATIONS AND ACRONYMS.....	iii
DEFINITION OF TERMS.....	iv
1.0 INTRODUCTION.....	1
1.1 Mandate of the County Assembly of Bungoma.....	1
1.2 Rationale for Developing the Policy.....	1
1.3 Guiding Principles	2
1.4 Policy Scope	2
1.5 Objectives of the Policy	2
1.6 Policy Statement	3
2.0 LEGISLATIVE AND ADMINISTRATIVE REQUIREMENTS	4
2.1 Scope and Application.....	4
2.2 Staff with Disabilities	4
2.3 Training, Induction and Support.....	6
2.4 Disability Arising During Employment	6
2.5 Disclosure and Confidentiality.....	7
3.0 INSTITUTIONAL FRAMEWORK FOR DISABILITY MAINSTREAMING.....	7
3.1 Implementation structure for disability mainstreaming at the County Assembly of Bungoma....	7
4.0 CAPACITY BUILDING.....	9
5.0 MONITORING, EVALUATION, REPORTING AND LEARNING.....	9
6.0 POLICY REVIEW.....	9

FOREWORD



In a world that strives for inclusivity and equal opportunities for all, it is with great pleasure that I introduce the Disability Mainstreaming Policy of the County Assembly of Bungoma (CAB). This policy underscores CAB's commitment to upholding the principles of fairness, equity, and social justice by addressing the specific needs and challenges faced by persons living with disabilities. As we embrace diversity and recognize the unique contributions of every member of our community, this policy stands as a testament to our dedication to creating an inclusive society where no one is left behind.

The need for a Disability Mainstreaming Policy is abundantly clear. Persons living with disabilities make up a significant portion of our population, and their voices, experiences, and perspectives must be acknowledged and integrated into every facet of our society. We recognize the obstacles and disparities that individuals with disabilities often encounter in accessing education, employment, healthcare, and other essential services. This Policy sets forth a strategic framework that not only identifies these challenges but also paves the way for practical solutions to bridge the gaps and ensure that all citizens can fully participate in the social, economic, and political life of our county.

In conclusion, the Disability Mainstreaming Policy of the County Assembly of Bungoma is not just a policy; it is a reflection of our values, our commitment to social justice, and our belief in the potential of every citizen to contribute meaningfully to our community. By implementing this policy, we take a significant step toward a more inclusive and equitable society where the rights and dignity of all persons, including those with disabilities, are respected and upheld. I invite every member of CAB, our stakeholders, and the wider community to embrace this policy and work together to make Bungoma County a place where diversity is celebrated, and no one is left behind. Together, we can build a brighter, more inclusive future for all.

A handwritten signature in blue ink, appearing to read 'Emmanuel M. Situma'.

Hon. Emmanuel M. Situma
Chairperson, County Assembly Service Board

PREFACE



It is with immense pride and a profound sense of responsibility that I introduce the Disability Mainstreaming Policy of the County Assembly of Bungoma (CAB). At the heart of this policy lies our unwavering dedication to addressing the unique needs and challenges faced by persons living with disabilities, ensuring that they are not only heard but actively embraced as integral members of our community. As we embark on this journey towards a more inclusive Bungoma County, it is crucial to underscore both the pressing need for this policy and its profound importance in shaping our collective future.

The need for a Disability Mainstreaming Policy is evident as we consider the diverse tapestry of our community, where persons living with disabilities form a significant portion. By acknowledging these disparities and actively addressing them, we demonstrate our commitment to leveling the playing field and offering equal opportunities to all residents. This policy empowers us to bridge these gaps, to prioritize social inclusion, and to create an environment where every citizen, regardless of their abilities, can participate fully and meaningfully in our county's social, economic, and political life. By adopting this policy, CAB reinforces its dedication to the principles of equality, non-discrimination, and the right to full and effective participation in all aspects of life.

In conclusion, by implementing this policy, we take a significant step forward in building a community where every individual, including those with disabilities, can live a life of dignity, respect, and opportunity. I invite every member of CAB, our stakeholders, and the broader community to embrace this policy and collaborate with us in shaping a more inclusive and equitable Bungoma County, where no one is left behind. Together, we embark on a journey towards a brighter future, one that values diversity and upholds the rights and worth of every citizen.


Charles W. Wafula
Secretary, County Assembly Service Board

LIST OF ABBREVIATIONS AND ACRONYMS

CoK	Constitution of Kenya
DMC	Disability Mainstreaming Committee
ICT	Information and Communication Technology
PWDs	Persons living with disabilities
SWDs	Staff with Disabilities

DEFINITION OF TERMS

“Accessibility”, the attribute of being easy to obtain or use.

“Assessment”, is a method of gathering information to ascertain the needs and the required services for persons living with disabilities.

“Assistive devices and services”, means tools and specialized services (including the services of qualified interpreters for the hearing impaired and qualified teachers for the visually impaired provided to Persons living with disabilities to assist them in education, employment or other activities.

“Cognitive Impairment”, inability to reason, understand and learn.

“Disability Mainstreaming” a strategy through which concerns, needs and experiences of Persons living with disabilities are made an integral part or dimension of designing, implementing, monitoring and evaluating policies and programs in political, economic and social spheres so that Persons living with disabilities benefit equally to ensure that inequality is not perpetuated.

“Disability”, a physical, sensory, mental or other impairment such as visual, hearing or learning incapacity which impacts adversely on one’s social, economic or environmental participation in daily activities.

“Discrimination”, any direct or indirect distinctive exclusion or restriction based on disability which has the purpose or effect of impairing, nullifying the recognition of enjoyment or exercise, on an equal basis with others. It is the denial of any human rights or fundamental freedom in the political, economic, socio-cultural, and civil or any other field, and, includes use of words, gestures or caricatures that demean, scandalize or embarrass a person with a disability.

“Empowerment”, refers to the process through which Persons living with disability acquire knowledge, skills and attitudes to critically analyse their situation and take appropriate action to change the status quo of the underprivileged.

“Hearing Impairment”, a loss that prevents a person from receiving sounds through the ear. The loss ranges from mild to profound.

“Impairment”, means an injury, illness, or congenital condition that causes or is likely to cause a loss or difference of physiological or psychological function.

“Job Accommodation”, an adjustment made to meet the needs of Staff with disabilities in areas of accessibility and policies.

“Mainstreaming”, the process of integrating formerly segregated and/ or stigmatized issues and people into ‘mainstream’ society and development programs and out of the welfare department.

“Mental Impairment”, a disorder characterized by the display of an intellectual defect, as manifested by diminished cognitive, interpersonal, social, and vocational effectiveness and quantitatively evaluated by psychological examination and assessment.

“Participation”, the process in which an implementing body puts effort into informing, consulting and co-deciding with all involved Stakeholders, especially with the people whom the Program or Policy is meant for.

“Persons living with disabilities”, persons with permanent physical, mental, intellectual, developmental, visual and hearing impairment or albinism, which in interaction with the environment may hinder their full and effective participation in the society on an equal basis with others.

“Physical Disability”, an inability of a person to use one or more of one’s extremities or a lack of strength to walk, grasp, or lift objects.

“Reasonable Accommodation”, an adjustment made in a system to accommodate or make fair the same system for an individual based on a proven need.

“Speech Impairment”, the inability to produce sounds. It may include an articulation disorder, characterized by omissions or distortions of sounds; a fluency disorder, characterized by a typical flow, rhythm, and/or repetitions of sounds; or a voice disorder, characterized by abnormal pitch, volume, resonance, vocal quality, or duration.

“Visual impairment”, a decreased ability to see to a degree that causes problems not fixable by usual means.

1.0 INTRODUCTION

The Disability Mainstreaming Policy of the Bungoma County Assembly (CAB) represents a comprehensive framework designed to address the unique needs and challenges faced by persons living with disabilities within our community. This policy serves as a roadmap for integrating inclusivity and equality into every facet of CAB's operations and services. It emphasizes the active participation and contributions of persons living with disabilities, promoting an environment where their rights, experiences, and perspectives are recognized and valued. Through this policy, CAB aims to bridge existing disparities and create a society where individuals with disabilities can access education, employment, healthcare, and essential services without discrimination. This inclusive approach aligns with international, national, and county-level commitments to the rights of persons living with disabilities, fostering a more equitable and just Bungoma County.

1.1 Mandate of the County Assembly of Bungoma

The County Assembly of Bungoma is entrusted with the legislative authority to make and pass laws that govern Bungoma County. This vital institution plays a central role in shaping the legal and regulatory framework for the county's governance and development. With this mandate comes the responsibility to maintain the highest standards of ethical conduct, transparency, and accountability, setting an example for good governance and upholding the trust of the citizens.

1.2 Rationale for Developing the Policy

The rationale for the Disability Mainstreaming Policy of the Bungoma County Assembly (CAB) is deeply rooted in the imperative of addressing the existing disparities and challenges faced by persons living with disabilities within our community. It recognizes that these individuals form a substantial portion of our population and often encounter formidable barriers to accessing education, employment, healthcare, and essential services.

By implementing this policy, CAB aims to fulfill its commitment to inclusivity, equality, and justice, ensuring that all members of the community have equal opportunities and can actively participate in the social, economic, and political life of the county. Furthermore, this policy aligns with international, national, and

county-level commitments to the rights of persons living with disabilities, embodying CAB's dedication to upholding principles of non-discrimination, fairness, and respect for the rights and dignity of every individual, thereby motivating the formulation and implementation of this Disability Mainstreaming Policy.

1.3 Guiding Principles

The guiding principles of the Disability Mainstreaming Policy of the County Assembly of Bungoma (CAB) are founded on the values of inclusivity, equality, and social justice. These principles underscore CAB's commitment to non-discrimination, actively including persons living with disabilities in all aspects of society, addressing disparities, ensuring accessibility, empowering individuals with disabilities, fostering collaboration, adopting a rights-based approach, and upholding accountability. Together, these principles shape the policy's framework, reflecting CAB's dedication to creating an inclusive and equitable community that values and upholds the rights and dignity of all its members.

1.4 Policy Scope

The scope of the Disability Mainstreaming Policy of the County Assembly of Bungoma (CAB) encompasses all aspects of CAB's operations and services, with a focus on promoting inclusivity and equality for persons living with disabilities. This policy applies to all Members of the County Assembly, employees, contractors, and the broader community, ensuring that the principles of inclusivity and accessibility are integrated into every facet of the assembly's functioning.

1.5 Objectives of the Policy

The primary objectives of the County Assembly of Bungoma's Disability Mainstreaming Policy are:

- i) To actively integrate persons living with disabilities into the planning, implementation, and evaluation of CAB's services, programs, and projects, ensuring that accessibility and reasonable accommodations are provided to meet their specific needs.

- ii) To improve the physical, informational, and communication accessibility of CAB's facilities, documents, websites, and communication channels, making them usable by all, regardless of their abilities.
- iii) To create awareness and build sensitivity among CAB members, employees, and the community regarding the rights, needs, and contributions of persons living with disabilities, fostering a culture of respect and understanding.
- iv) To empower persons living with disabilities by providing opportunities for their active participation in CAB's decision-making processes, recognizing their voices as valuable contributions to the community's development and well-being.

1.6 Policy Statement

The Disability Mainstreaming Policy of the County Assembly of Bungoma (CAB) affirms our commitment to creating an inclusive, equitable, and accessible environment for all, regardless of their abilities. This policy underscores our dedication to actively integrate persons living with disabilities into every facet of CAB's operations, services, and community engagement.

We pledge to provide the necessary accommodations, raise awareness, and empower individuals with disabilities to ensure that their rights are upheld, their voices are heard, and their contributions are valued. By embracing inclusivity, accessibility, and awareness, CAB aims to foster a society where diversity is celebrated, equality is upheld, and every member can actively participate and thrive.

2.0 LEGISLATIVE AND ADMINISTRATIVE REQUIREMENTS

The following, but not limited to, legal instruments and Institutional Policies shall apply:

- a) The Constitution of Kenya, 2010;
- b) Persons with Disability Act, 2003;
- c) Employment Act, 2007;
- d) The National Social Security Fund Act, 2013,
- e) Public Procurement and Assets Disposal Act, 2015;
- f) The Public Service Commission Diversity Policy, 2015;
- g) County Governments Act, 2012;
- h) County Assembly Services Act,2017;
- i) Work Injury and Benefits Act, 2007;
- j) Occupational Health and Safety Act,2007;
- k) The County Assembly of Bungoma Human Resource Policies and Procedures Manual 2022; and
- l) All other relevant Laws

2.1 Scope and Application

The policy applies to all County Assembly of Bungoma staff and its stakeholders.

2.2 Staff with Disabilities

The CAB shall ensure that measures are put in place to accommodate Staff with Disability in efforts to facilitate recruitment and their work at the County Assembly.

The County Assembly Service Board shall:

- a) Uphold the rights of Staff with Disabilities to:
 - i) Work and earn a living,
 - ii) Have a conducive and safe work environment, and fair treatment in the work place,
 - iii) Have access to career counseling, vocational training, and career development,
 - iv) Enjoy reasonable changes in the work environment,
 - v) Acquire relevant experience in the labour market, and
 - vi) Have access to rehabilitation programmes that support return-to-work of newly disabled Staff.

- b) Advertise vacancies in a wide range of media, including national and local newspapers and websites;
- c) Make available texts of all advertisements and particulars in electronic, Braille, large text or other format upon request;
- d) Ensure that shortlisting and selection is favourable to PWDs;
- e) Ensure that interview arrangements are not at a disadvantage to PWDs compared to other applicants;
- f) Ensure that PWD applicants will be offered reasonable adjustments in relation to the interview process, such as sign language interpreters, adjustments to any presentations;
- g) Ensure that the interviewing criteria in place does not disadvantage a disabled applicant;
- h) Commit to affirmative action with regard to recruitment for PWDs;
- i) Enforce the recommended etiquette for relating with PWDs as provided for under article 54 of the CoK as read together with section 15 of the Person with Disabilities Act No.14 of 2003;
- j) Include PWDs in physical planning;
- k) Designate well-marked parking spaces, passage ways for PWDs;
- l) Make reasonable adjustments to the workplace and to employment arrangements such as:
 - i) Allowing absences during working hours for rehabilitation, assessment or treatment;
 - ii) Giving additional training;
 - iii) Modifying physical features of the workplace such as fixtures and fittings, furniture and access to equipment;
 - iv) Making special arrangements for parking and access to buildings;
 - v) Provision of special furniture, equipment or signage;
 - vi) Endeavoring to secure the reservation of 5% of all casual, emergency, senior, managerial and teaching as well as contractual positions in employment for PWDs; and
 - vii) Co-operating with the National Council for Persons living with disability, which maintains a register of Persons living with disabilities who possess skills and training and which updates the register regularly for job placement.

The County Assembly Service Board commits to undertake the following:

- i) Ensure that all new buildings meet the statutory access requirement laid down for new buildings with regard to PWDs;
- ii) Construct well-lit appropriate pathways that are obstacle free;
- iii) Provide ramps and lifts to ease movement of PWDs;
- iv) Conduct regular access audits on buildings, pathways and equipment;
- v) Modify doorways, washrooms and accommodation premises to suit the needs of PWDs; and
- vi) Modify equipment to suit users with disability.

2.3 Training, Induction and Support

The CAB will be responsible for training, induction and support with regard to Staff with Disability through:

- i) Additional induction requirements, particular equipment or car parking;
- ii) Ensuring that support is provided on an on-going basis, with regular assessment of whether needs are being met;
- iii) Availability of specialized training to allow them to develop their skills and career opportunities;
- iv) Consulting the Human Resources Department and the DMC or other specialist agencies for advice and guidance on a medical condition or on the safety implications of recruiting Staff as appropriate;
- v) Encouraging involvement and participation of Staff with Disabilities to ensure that employment practices and procedures recognize and meet their needs;
- vi) General orientation and creating disability awareness at the CAB;
- vii) Provision of guidance and counseling services to newly enrolled PWDs to cope with the new and challenging environment.

2.4 Disability Arising During Employment

The County Assembly shall undertake all reasonable steps to accommodate Staff disabled during the course of their duty through:

- i) Making adjustments to their existing employment, or through appropriate retraining and redeployment;

- ii) Continuing in the same post with reasonable adjustments to the duties and/or the working environment or provision of equipment;
- iii) Redeployment to another post within the CAB;
- iv) Consideration of early retirement/resignation on ill-health grounds.

2.5 Disclosure and Confidentiality

The CAB shall treat all information regarding a person's impairment in confidence as follows:

- i) All information collected for monitoring purposes will be confidential;
- ii) All existing Staff and stakeholders should be told that the information collected will be used only for equal opportunities monitoring purposes; and
- iii) Individuals should be consulted whether they wish their colleagues to be informed of their disability status. The exception shall be when it is believed that nondisclosure of impairment could cause a hazard to other Staff and the CAB Community in terms of health and safety reasons, and any decision taken should be reported to the individual Person with Disability to whom it relates.

3.0 INSTITUTIONAL FRAMEWORK FOR DISABILITY MAINSTREAMING

Disability Mainstreaming Policy will be administered by the following:

- i) CASB
- ii) Office of the Clerk
- iii) Disability Mainstreaming Committee
- iv) Heads of Department
- v) All members of staff and Members of the County Assembly
- vi) Partners and service providers

3.1 Implementation structure for disability mainstreaming at the County Assembly of Bungoma

CASB Commitment

The CASB commits itself to:

- i) Provide adequate service to Persons living with disabilities as required;

- ii) Consult regularly with Staff with Disabilities on matters affecting their wellbeing;
- iii) Ensure that Staff are adequately sensitized on matters relating to disability;
- iv) Ensure that its premises are disability friendly;
- v) Remove barriers deterring the enjoyment of human rights by Persons living with disabilities; and
- vi) Adhere to national and international laws governing rights of Persons living with disabilities.

The Clerk shall:

- i) Constitute a Disability Mainstreaming Committee as follows:
 - a) A Senior Officer as the Chair of the Committee;
 - b) A member of the Management Committee;
 - c) A representative from the Human Resources department;
 - d) A representative from the Procurement department;
 - e) A Disability Mainstreaming focal person appointed by the Clerk to act as the Secretary and Liaison Officer with NCPWD and other Stakeholders; and
 - f) One Staff Representative of PWD within the County Assembly
- ii) Provide necessary resources and support for implementation of this Policy.

Constitution of the Committee should ensure thirty percent (30%) representation of PWDs.

Disability Mainstreaming Committee shall:

- i) Act as a focal point on disability related issues in the CAB;
- ii) Holding quarterly meetings at minimum or as required to deliberate on disability issues and activities;
- iii) Guarantee inclusion of PWDs in the CAB operations;
- iv) Ensure 5% of employment opportunities in the CAB are reserved for PWDs;
- v) Ensure reasonable accommodation to PWDs in relation to employee support service delivery;
- vi) Advise the Clerk on emerging issues and matters concerning PWDs;

- vii) Promote the principle of universal design in the planning, implementation, monitoring and evaluation of the CAB's core mandate or programs, projects and activities;
- viii) Promote continuous awareness creation on disability issues to form positive attitudes towards Persons living with disabilities; and
- ix) Submit standardized quarterly disability mainstreaming progress reports, using NCPWD framework, to the NCPWD and implement the recommendations thereof.

4.0 CAPACITY BUILDING

The management is dedicated to regularly educating and training staff on matters related to Disability Mainstreaming Policy.

5.0 MONITORING, EVALUATION, REPORTING AND LEARNING

The monitoring and evaluation framework for the Disability Mainstreaming Policy of the County Assembly of Bungoma (CAB) is designed to ensure the effective implementation and impact of the policy. Regular assessments, feedback mechanisms, and data collection will be employed to gauge the extent to which the policy's objectives are met and to identify areas in need of improvement. Stakeholder engagement and consultation, including persons living with disabilities and advocacy groups, will play a crucial role in this process, allowing for a comprehensive and inclusive evaluation. CAB is committed to transparency and accountability in its mainstreaming efforts, and the results of these evaluations will inform necessary adjustments and enhancements to continuously advance the inclusivity and accessibility of CAB's services and operations.

6.0 POLICY REVIEW

This policy document shall be subjected to periodic review required to keep it up to date with the changes to the relevant regulations or best practice upon approval of the Management.



**COUNTY GOVERNMENT OF
BUNGOMA**

CONTACTS

P.O. BOX 1886 – 50200 Bungoma



info@bungomaassembly.go.ke



0208000663/0202651905



www.bungomaassembly.go.ke



Bungoma County Assembly



@AssemblyBungoma