



**COUNTY GOVERNMENT
OF BUNGOMA**

COUNTY ASSEMBLY OF BUNGOMA

GENDER MAINSTREAMING POLICY

December, 2023

COUNTY ASSEMBLY SERVICE BOARD

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FOREWORD



Gender Mainstreaming is one of the hallmarks of the Beijing Platform for Action. It improves the economic and social welfare of the women. It also improves governance as women become part and parcel of decision making process.

The County Assembly of Bungoma Prepared the Gender Mainstreaming Policy. The document is informed by the Gender Mainstreaming Guidelines developed by the State Department for Public Service and Gender, National Gender and Development Policy 2019, Vision 2030 and the Kenya Constitution, Other legal frameworks include Convention on Elimination of all Forms of Discrimination against Women (CEDAW) 1979, United Nations Declaration of Violence against Women 1993, Beijing Declaration and Plan of Action (1995), Strategic Development Goals (SDGs) as well as Goals of the African Union.

Gender is a cross cutting issue and the implementation of a Gender Mainstreaming Policy requires commitment, participation and contribution by all staff members. The policy will enhance the gender management skills of staff and also raise the general level of gender awareness which include working to change attitude and behavior of individuals. It therefore directs the manner in which we conduct our daily business at the work place and calls for a coherent approach in its implementation in order to make it a reality.

Finally, the top management reaffirms its commitment and support to ensure realization of the strategies herein.

A handwritten signature in blue ink, appearing to read 'Emmanuel M. Situma', written over a light blue horizontal line.

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

PREFACE



The County Assembly of Bungoma illustrates its unwavering commitment towards promoting gender equity and equality its operations through the formulation of the Gender Mainstreaming Policy.

The policy underscores the importance of gender mainstreaming within the confines and structure of the County Assembly of Bungoma.

This Policy provides a comprehensive framework of the principles and strategies to be pursued in-order to achieve gender equality and equity. It focuses on the guiding principles including universal respect for human dignity, affirmative action, transparency, accountability and good governance, partnerships and collaborations and equal participation of women.

The policy also identifies processes that the County Assembly of Bungoma will undertake to redress identified gender inequities and inequalities within it as well as the establishment of a Gender Mainstreaming Committee tasked with addressing gender issues and concerns in the County Assembly.

As management we shall create a work environment that is gender responsive in order to ensure equity and equality of opportunities for women and men in the County Assembly of Bungoma is upheld.

This policy applies to all Members of County Assembly and staff, I therefore urge all to comply and support its execution process.

A handwritten signature in blue ink, appearing to read 'Charles W. Wafula', written over a horizontal line.

Charles W. Wafula

Secretary, County Assembly Service Board

ABBREVIATIONS AND ACRONYMS

CPPMU	Central Planning and Project Monitoring Unit
GBV	Gender-based Violence
GM	Gender Mainstreaming
IPPD	Integrated Personal Payroll Data
MTEF	Medium Term Expenditure Framework
NGO	Non-Governmental Organization
TOR	Terms of Reference
UN	United Nations

GLOSSARY OF TERMS

Affirmative Action: Action taken on temporary basis in favor of a disadvantaged group so as to enhance equity

Empowerment: A process through which men, women, boys and girls acquire knowledge, skills and attitudes to critically analyze their situations and take appropriate action to improve their status or that of the marginalized groups in the society

Gender: Refers to the socially constructed roles, behaviors, activities, and attributes that a given society considers appropriate for men and women.

Gender Analysis: The process of examining roles, responsibilities or any other aspects with regard to women and men, girls and boys, with a view to identifying gaps, raising concerns and addressing them; investigating and identifying specific needs of girls and boys, women and men for policy and programme development and implementation

Gender-Based Violence (GBV): Refers violence meted out to people belonging to a given gender.

Gender Discrimination: Refers to unequal or preferential treatment to individuals or groups based on their gender that result into reduced access or control of resources and opportunities.

Gender Equality: Refers to equal treatment of women and men, boys and girls so that they can enjoy the benefit of development including equal access to and control of opportunities and resources.

Gender Equity: Refers to the fair and just distribution of all means of opportunities and resources between women and men.

Gender Focal Point: This is the key staff member in an organization that shall spearhead Gender Mainstreaming Strategy and building capacities among his/her colleagues for incorporating gender into their work, in terms of content and process

Gender Inequality refers to unequal treatment or perceptions of individuals based on their gender.

It arises from differences in socially constructed gender roles.

Gender Issues they arise when the relationships between women and men, their roles, privileges, status and positions are identified and analyzed. Gender issues arise where inequalities and inequities are shown to exist between people purely on the basis of their being female or male. The fact that gender differences are

socially constructed is itself a primary issue to deal with.

Gender Mainstreaming. This is the consistent integration of gender concerns into the design, implementation, monitoring and evaluation of policies, plans, programs, activities and projects at all levels.

Gender Responsiveness: Refers to action taken to correct gender imbalances.

Gender Work Place Policy is a framework of principles and practices designed to support and improve gender equity and equality outcomes in the workplace.

Sex refers to the biological and physiological characteristics that define men and women.

Sexual Harassment: Unwelcome acts of a sexual nature that cause discomfort to the targeted person. These include words, persistent request for sexual favour, gestures, touch, suggestions, and coerced sexual intercourse/rape.

1.0 INTRODUCTION

1.1 Background

The Gender Mainstreaming policy guides the institutionalization of policies and programs that promote gender equity, equality and those that ensure no member faces discrimination or harassment on the basis of their gender at workplace.

This Policy provides a comprehensive framework of the principles and strategies to be pursued in-order to achieve gender equality and equity. It also acknowledges ongoing initiatives globally, regionally and locally in bridging the gender gaps in the provision of services. The policy also identifies special measures that the County Assembly of Bungoma will undertake to redress identified gender inequities and inequalities among them establishment of a Gender Mainstreaming Committee tasked with addressing gender issues and concerns in the County Assembly.

1.2 Legal and policy context

The commitment of the County Assembly to attain gender equity and equality is underlined in various National and International legal and policy documents. Both the Constitution of Kenya and the Employment Act (2007) outlaw discrimination on the basis of gender and emphasize social justice and equal opportunities, terms and conditions of employment, or other matters arising out of the employment.

The National Policy on Gender and Development (2019) recognizes that it is the right of men, women, boys and girls to participate in and benefit from development and other initiatives. The policy advocates for new strategies aimed at ensuring greater participation of women and equal access to development resources and distribution of benefits.

Other legal documents anchored to the policy include, The National Commission on Development Act 2003, Sessional paper no. 2 of May 2006 on Gender Equality and Development, National Poverty Eradication Plan (NPEP), Poverty Reduction Strategies Paper, (PRSP 2001-2004), economic Recovery Strategy Paper(ERS 2003-2007), and Vision 2030.

In recognition of the importance of gender equity and equality, the Assembly shall develop strategies to address gender in the organization.

A Gender Officer to mainstream gender in the organization and the role of the

officer is to provide leadership in the implementation of gender policies, plans and programmes

A Gender Mainstreaming committee has been instituted to facilitate gender mainstreaming inclusion of gender mainstreaming in the Performance Contract.

1.3 Rationale

Gender mainstreaming plays an important role in decision making processes which takes into account the needs of both men and women at their work place.

The Assembly is committed to institutionalizing the principle of Gender mainstreaming to enhance the principle of equal opportunities such that no deserving persons are discriminated against on the basis of gender, hence the need to formulate this policy.

1.4 Goals and Objectives

1.4.1 Goal

To ensure Gender Equality and Equity is upheld within the County Assembly of Bungoma

1.4.2 Objectives

- i) To ensure Equity and Equality of opportunities for Women and Men in the County Assembly of Bungoma.
- ii) To ensure that the work environment is gender responsive.
- iii) To discourage all forms of violence, sexual harassment and gender discrimination at the work place.

1.5 Scope

The Gender Policy provisions will apply to all activities and programs at all levels in the Assembly. The Assembly will strive to promote access to equal opportunities and full participation of all staff, clients and stakeholders.

1.6 Guiding Principles

- i) Universal respect for human dignity.
- ii) Affirmative action.
- iii) Transparency, accountability and good governance
- iv) Partnerships and collaborations

- v) Equal participation of women

1.7 Alignment with National Policy on Gender and Development

The overall objective of the policy is to promote Gender equity and equality in all spheres of operation; create and maintain a conducive, fair, gender responsive and safe working environment for the Assembly staff.

1.8 Gender and Employment

The Assembly is committed to:

- i) Ensure not more than two thirds of either gender representation during appointments, selection, recruitments and employment.
- ii) Ensure an effective communication strategy to all staff on matters relating to Gender Equality and Equity.
- iii) Institute a Gender responsive training and sensitization program.

1.9 Gender and Leadership

To address the Gender disparities that exist across departments, sections and units, the Assembly will:

- i) Strive to achieve two thirds gender ratios in leadership positions and membership in decision making organs.
- ii) Liaise with other agencies to develop clear Gender equitable operational mechanisms when appointing individuals to leadership positions.
- iii) Institutionalize capacity development and leadership training programs that are Gender responsive.

1.10 Gender Partnerships and Collaborations

The Assembly and Non-State actors are mutually dependent on each other. The Assembly provides the legal framework, rules of engagement, and procedures for consultations.

In an effort to implement the Gender responsive programs and projects, the Assembly shall establish new partnerships and collaborations as well as strengthen existing ones with non-state actors including UN agencies and NGOs.

1.11 Gender and Work Environment

In a Gender responsive working environment, all staff members, regardless of

their sex or position, perceive themselves to be stakeholders in achieving the organization's objectives.

The Assembly shall:

- i) Create a working environment that is Gender responsive.
- ii) Provide support services and institute procedures to deter sexual harassment.
- iii) Provide adequate, appropriate and gender responsive facilities and amenities for all staff

1.12 Gender Based Violence (GBV)

GBV occurs across all socio-economic and cultural backgrounds. To prevent and mitigate GBV at the work place, the Assembly shall:

- i) Endeavor to achieve zero tolerance on GBV,
- ii) Develop and implement a GBV Policy
- iii) Sensitize staff on GBV policy

1.13 Gender and procurement

The assembly shall ensure that 30% allocation of tenders to women, youth and people living with disability is adhered to and that accurate reporting to Public Procurement regulatory Authority is done.

2.0 INSTITUTIONAL ACTION TO GENDER MAINSTREAMING

2.1 Planning

All existing plans shall be reviewed to ensure that gender equity and equality are explicitly recognized as an objective and guiding principle. This policy shall also apply to all new planning processes.

At every point of the planning cycle, gender issues and concerns shall be integrated. Plans shall be approved when this process has been undertaken which would include clear and measurable indicators of progress.

A guiding framework on Gender planning shall be put in place in order to form the basis for a standardized planning template. This should be supported by clear and measurable indicators specific to issues covered by the Assembly at all levels.

2.2 Programs

All programs must demonstrate gender responsiveness and are expected to show

evidence of systematic consideration of differences between the conditions, situations and needs of women and men. The existing programs should be reviewed for gender responsiveness within defined time- frame and new programs should adhere to this policy.

2.3 Budget Allocation

Budgetary allocation is a key management tool for ensuring that Gender mainstreaming takes place. There shall be a Gender Audit of the County Assembly of Bungoma budget to determine the extent to which:

The identifiable budget lines for gender specific projects, including an agreed percentage of the budget allocation has been adhered to.

Allocations at all levels of funding in the County Assembly of Bungoma must be Gender responsive and address Gender priority areas.

There shall be specific budget allocations for Gender analysis, tracking information and developments on Gender training.

Further steps to be taken shall include:

- i) The development of Gender budgeting tools to facilitate a harmonized approach to mainstreaming Gender into budgeting;
- ii) Sex disaggregated data shall be routinely collected to inform on resource utilization.
- iii) Publicize success stories on Gender responsive budgeting and monitoring within the Assembly.

3.0 INSTITUTIONAL TRANSFORMATION

3.1 Staff profile and recruitment

The Assembly shall aim to ensure Gender Parity and Equality at all levels and in all areas of its operations through;

- i) Sensitizing Assembly staff about Gender Parity and Equality.
- ii) Ensure the Assembly adheres to the constitutional requirements in Article 27. Special attention should be given to Article 27(8) which provides for not more than two thirds representation of either Gender.
- iii) Ensuring all the County Assembly posts are comprehensively advertised and that women and men are encouraged to apply for categories in which they may be underrepresented.
- iv) Where both gender are equally qualified for a post in a category in which

there is Gender imbalance, the sex that is under-represented should be given priority.

- v) Present sex disaggregated statistics on staff profiles during top management meetings to encourage departments and sections with Gender disparities to address them.
- vi) The selection of interview panelists should be gender sensitive.

3.2 Working conditions and practices

The Assembly shall undertake measures to ensure that family responsive provisions are incorporated including and not limited to providing office facilities which are gender sensitive.

3.3 Sexual harassment

Any form of sexual harassment is a gross violation of rights of an individual. There shall be a focus on prevention of sexual harassment through targeted actions including routine public staff awareness activities. Other actions will be executed as stipulated in the GBV Policy of the County Assembly.

3.4 Gender Management System

In order to sustain Gender mainstreaming, the process shall be anchored in an effective Gender Mainstreaming System within the Assembly. This system will be made up of structures and other management tools aimed at supporting a coordinated Gender mainstreaming response.

3.5 Structures

The responsibility for Gender mainstreaming must be shared by all and driven from the top management level while ensuring that specific responsibilities and expertise are vested in strategically positioned structures within the Assembly.

These Gender structures have a key role in developing Gender analyzing skills within the Assembly as well as creating a conducive environment for Gender Mainstreaming. The structure will include a Gender Mainstreaming Committee which shall comprise of Gender Focal Persons, officers from relevant departments, sections and Units that are key in ensuring Gender Parity is achieved and maintained.

3.6 Awareness and capacity building

Regular sensitization shall be undertaken at all levels, especially on the Gender Analysis Skills. While working together with the Gender Focal Point, the Gender Mainstreaming Committee shall:-

- i) Provide guidance to departments and sections in the implementation of their respective programs to ensure there is Gender responsiveness.
- ii) Incorporate the Gender policy in training and during orientation and induction of new staff.
- iii) Hold regular meetings and workshops on Gender using the Assembly of Bungoma Gender Mainstreaming Tool kit and other resources.
- iv) Establish discussions and debate on Gender issues.
- v) Contribute articles on Gender issues to the County Assembly of Bungoma's newsletter and website.

3.7 Performance Management System

Performance of the County Assembly of Bungoma on Gender Mainstreaming shall be measured at the Department/Section/Units program levels. Gender Mainstreaming shall therefore be integrated into the Performance Management System by including Gender sensitive indicators in Performance Contracts and Performance Appraisal Systems.

4.0 IMPLEMENTATION AND MONITORING FRAMEWORK

The implementation of the Gender Policy will be a collaborative effort by all levels of the Assembly structure. The effective implementation of the Gender Policy and coordination of Gender mainstreaming programs will be achieved through the:

- i) Top Management of the County Assembly of Bungoma;
- ii) Gender Focal Point
- iii) Gender Committee
- iv) County Assembly of Bungoma's Staff.

4.1 Top Management

The implementation of the Gender Policy shall require adequate human capital and financial resources. This calls for higher level of commitment by the County Assembly of Bungoma's Top Management in terms of allocation of adequate resources to facilitate efficient and effective implementation of the policy.

4.2 Gender Mainstreaming Committee

The role of the Committee shall be derived from the Terms of Reference (TOR) applied during appointment of Committee members.

4.3 Assembly Staff

The participation of the Assembly staff is key to the transformation of culturally determined Gender relations. Their participation affords both women and men an opportunity to jointly address gender issues

The above actors will execute their roles as stipulated in the table below:

N O	ACTORS	ROLE
1.	Top Management	i) Appoint a Committee to mainstream Gender issues in the County Assembly of Bungoma with clear Terms of Reference (TOR); ii) Advocate for and ensure the inclusion of Gender issues in decision making; iii) Ensure adequate provisions of resources are allocated for policy implementation; iv) Provide both technical and moral support to the Gender Committee; v) Establish and enhance partnership and collaboration on Gender Mainstreaming; vi) Facilitate organizational capacity to implement all Gender mainstreaming activities as outlined in the Gender Policy;
2.	Gender Mainstreaming Committee	i) Execute the TOR as shall be stipulated by the Authorized Officer in the appointment letters; ii) Co-ordinate and implement the Gender Workplace Policy; iii) Co-ordinate the development of result oriented and Gender sensitive indicators to mainstream gender issues in the Assembly policies, projects and programs;

		<ul style="list-style-type: none"> iv) Identify relevant and commensurate activities that are aimed at achieving the strategies outlined in the policy; v) Monitor and evaluate the implementation of the policy vi) Submit reports to the Authorized Officer and other relevant Officers on a quarterly basis.
3.	Staff	<ul style="list-style-type: none"> i) Be Gender responsive at the workplace; ii) Adhere to the provisions of the policy iii) Participate in gender mainstreaming training sessions and surveys organized by the committee; and iv) Report any violation of the policy to the Gender Committee for appropriate action.

4.4 Monitoring and Evaluation

The Gender Mainstreaming of the activities shall be measured through qualitative and quantitative gender indicators as part of the Monitoring and Evaluation system.

The Assembly shall keep accurate and updated sex disaggregated statistics to inform planning. It shall also be essential to record the beneficiaries of various activities from a gender perspective of the programs the Assembly shall undertake.

In line with the above initiatives, the Assembly is committed to undertake concrete steps that shall address current gender gaps and opportunities for change by ensuring that:

Gender sensitive indicators are an integral part of all key result areas at planning, project and program levels.

All Departments and sections shall report progress on gender mainstreaming of activities to the Gender Mainstreaming committee.

5.0 POLICY REVIEW

This policy will be reviewed from time to time taking into account emerging issues.



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