



Ministry of Gender, Sports,
Culture and Social Services

National Council for Persons with Disabilities

Launch of Strategic Plan: 2006 - 2009



Towards a Barrier-Free and Disability Friendly Environment

Roadmap Towards the Realisation of Our Dream



Dr. Charles Onindo

The National Council for Persons with Disabilities (NCPWD) is a State Corporation established by an Act of Parliament, the Persons with Disabilities Act, 2003. The Council is run by a Board of Directors comprising of 22 members. The membership consists of nominees of organizations of people with disabilities, key government

ministries, the Office of the Attorney General, Federation of Kenya Employers, and the Central Organization of Trade Unions. The Board is headed by a non-executive Chairman. The day-to-day activities of the Council are run by a Secretariat as per the Persons with Disabilities Act, 2003. The NCPWDs operates within the Ministry of Gender, Sports, Culture and Social Services.

Unlike the other Departments and Parastals of the Ministry, the NCPWDs currently has no representation at the grassroots level, but it is expected that until such time when it has grassroots representation it will utilize officers in the Department of Social Services, which is the Government department that coordinates disability issues and other departments of the Ministry.

Our Board which is non-executive is a body corporate with perpetual succession and a common seal. The current board was inaugurated on 1st December 2004 and has been in office for almost one and a half years. The board so far has conducted its business in a very cordial atmosphere embracing teamwork spirit and in most cases arriving at decisions through consensus. We have endeavored to harness the collective skills of the members and its committees and those of the secretariat for attainment of the objectives and the agreed performance targets, which we signed with the government. The role of the board has remained that of policy formulation, directing and monitoring.

The NCPWD developed the Strategic Plan in collaboration with the board members, various stakeholders and development partners. The Strategic Plan gives us a road map that we intend to follow for the next three years in implementing activities that will role out the dream of our Act.

As we launch this Strategic Plan, I wish to share with you some of the achievements we have made since we were established slightly over a year ago. Looking at the Council's mandate, it is wide. This is the first Board to run the Council and we understand the heavy responsibility that we have had



NCPWD Council Members (standing from left) Cecilia Mbaka (Ag. Director), Samuel K. Tororei, Wandaka, Patrick Mutsungah, Ezra Ojuka, Abdulahi Wabera, Chomba Wa Munyi, Leonard Obidha, Nicholas Aseso, H. O. Ouma, Patience Chome. (Seated from left) Hussein Borle, Japheth Musee, Tom Omuga, Isaac Mwaura, Dr. Charles Onindo (Chairman), Josephine Sinyo, Ruth Oyier and Paul Njoroge

and we shall have but I want to assure all stakeholders that we are determined to leave a legacy after three years.

We have established a Secretariat that is running day to day activities of the Council. We thank the Ministry of Gender, Sports, Culture and Social Services for the deployment and secondment of staff. However, we look forward to recruit more when the funds become available. Secondly, we would like to thank the Ministry for having allocated office space to the secretariat and consequently renovated it.

Registration of Disabled People's Organizations (DPO's), institutions, organizations and individuals Persons with Disabilities (PWDs) is the core function of the Council. We therefore wish to report that the policy on registration is almost being finalized and stakeholders will be invited to critique and recommend before its gazettment and subsequent implementation. We also intend to strengthen the capacities of Disabled People's Organizations (DPO's) as a matter of high priority. This will ensure that they are responsive to their core mandates as they endeavor to fight poverty and improve the living standards of PWDs in Kenya.

We also realize that there is need for more manpower as we expand in order to effectively expedite our mandate. To this end therefore, our human resource policy is also being finalized.

Issues of employment, taxation, and retirement are very dear to all over us. We have lobbied Federation of Kenya Employers and Public Service Commission to implement section 15 (6) of our Act which recommends retirement age of persons with disabilities as 60. This has been agreed in principle and in particular the application process. On taxation, we have recommended a number of PWDs for consideration to be exempted from Pay As You Earn (PAYE). Currently, we are collaborating with KRA in order to come up

with visible procedures and steps to achieve the same.

The Council is expected to endeavor to secure the reservations of 5% of all casual and contractual employment both public and private for PWDs. Consequently, we intend to ensure that teachers are absorbed in future recruitment and they are not discriminated as is the case. The Teacher's Service Commission in conjunction with Ministry of Education, are working towards the same goal.

The HIV and AIDS pandemic is non-discriminate even to PWDs. To influence behaviour change, the Council has

developed posters and pamphlets targeting the sight impaired as a point of departure. This will be extended to all other categories of disabilities in future. The rationale to begin with the sight impaired was and still remains that very little information on HIV & AIDS is available in both braille and in large print. The tone of the message is target-specific and captures our concerns and outlook.

Just as is the norm in other corporations, we have developed a service charter defining and aligning our corporate culture. Going by the new way of doing things in government, we have signed our performance contracts and are glad to report that we are successfully meeting our key performance targets as per our performance contract.

For any organization to run well, the top leadership must have enough skills to steer the prosperity and the targetted growth that is required. Board members and the staff have undergone training on Strategic planning and management, leadership and governance, and human rights-based approach just to mention but a few. We intend to continue with this exercise as a way of building our capacity in general.

For every success there must be stumbling blocks. To begin with, there is a high expectation from our stakeholders and indeed ourselves. Secondly, we have an Act that is soft on areas that are key to our interests as PWDs. We have however, embarked on amendments to make the Act responsive.

We ask for your patience as we lay a foundation, systems and structures. I call upon all of us to join hands in working together towards realization of a barrier-free and disability-friendly environment.

—Dr. Charles Onindo,
Chairman of the Council

Opportunities for All

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The Government also notes that although the Millennium Development Goals (MDG's) do not specifically address disability concerns, it will deliberately integrate disability issues in its MDG implementation programmes.

However, the goal of improving the quality of life for the Persons with Disabilities is by no means an easy one. Enormous human and financial resources will need to be marshaled to successfully implement disability programmes. Individual citizens, civil society, faith based organizations, development partners and the government all have a crucial role to play. Budgets will also need to be made disability friendly to ensure that resources get to all the vulnerable groups and I wish to call upon various ministries to rethink their budgets and include a disability component to ensure inclusion of disabilities in development. In recent years, major international financial institutions and development partners have taken deliberate steps to include disability in their general activities here in Kenya and I wish to commend them.

On our part as the government, we will continue to provide leadership to the process and facilitate the participation for all people of good will to enable us to realize the goals and objectives of policies, plans and programmes on disability.

Let us all aim at building a society where persons with disabilities are given space to realize their potential without any hindrances whatsoever. We want to see Children with Disabilities attending school alongside others; Persons with Disabilities accessing buildings, matatus and buses like other people; Persons with Disabilities in employment; and the most vulnerable of our people, namely children, women and elderly Persons with Disabilities facilitated to achieve their dreams like all other Kenyans.

NOTICE TO ALL EMPLOYERS

TAX EXEMPTION AND RETIREMENT AGE FOR PERSONS WITH DISABILITIES (PWD)

The Persons with Disabilities Act, 2003 was enacted on 31st December, 2003 through the Kenya Gazette Supplement No. 111 (Acts No. 14) of 9th January 2004 and the commencement date for the same was 16th June 2004 through a Legal Notice No. 64.

This is an **“Act of Parliament to provide for the rights and rehabilitation of persons with disabilities; to achieve equalization of opportunities for persons with disabilities; to establish the National Council for Persons with Disabilities; and for connected purposes”**.

The Act aims at restoring the human worth and dignity of the Persons with Disabilities (PWDs) as well as dealing with issues of discrimination, equal opportunity and neglect at home, at work and in the society. It provides a framework for the acceptance of Persons with Disabilities into the public, endeavors to remove the stigma and prejudice in society and emphasizes that Persons with Disabilities have inspirations, abilities and potential, when given the chance. It also spells out the rights of Persons with Disabilities in regard to employment, education, health accessibility and mobility, sports and recreation and civil rights.

The Act establishes the National Council for Persons with Disabilities which was set up in December, 2004 to provide for the management, powers, functions and duties of the Council and for connected purposes. The Council is expected to formulate and develop measures and policies to address the plight of Persons with Disabilities and to monitor implementation of the Act among other things.

Section 12(3) of the Act regarding Persons with Disabilities in employment states that,

‘An employee with a disability shall be entitled to exemption from tax on all income accruing from his employment’

Section 15(6) of the Act prohibits discrimination of Persons with Disabilities by employers in the work place. The section states that, **‘The minimum retirement age for persons with a disability shall be sixty years’**

We wish to bring to the attention of all employers these sections of the said Act and appeal to all of you that the Act is in force and therefore these sections need to be implemented.

ACTING DIRECTOR
NCPWD



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United Nations
Development Programme

Give PWDs Space to Realize Full Potential

The setting up of the National Council for Persons with Disabilities in November, 2004, marked the beginning of our endeavours towards ensuring that Persons with Disabilities enjoy their rights to the full. To realise these rights, members of the board and the management felt the need to put in place measures that would enable the Council implement the Persons with Disabilities Act, 2003, the document which established the Council. One of these achievements that have so far been realised is the development of this Strategic Plan (2006 – 2009).

Strategic planning has long been recognised as a useful management tool that helps the organisation focus and improve performance. The purpose of our strategic plan was to set out our long term goals and the priorities for the next three (3) years. This Plan gives a clear idea of where the NCPWD is going and what it is trying to achieve.

However, we also realise that drawing up a strategic Plan is not an end in itself, there are further challenges that we must be ready to overcome. This comes with the implementation of this well thought out document. The Council being the custodians of this document, we realise we must be proactive in taking up the upcoming challenges in the most creative way possible.

The Strategic Plan: 2006 – 2009

The Council members and the Secretariat of the National Council for Persons with Disabilities through a participatory process developed a three year rolling Strategic Plan (2006 – 2009). The Plan was fully guided by the Persons with Disabilities Act, 2003.

The Strategic Plan has provided a background of the NCPWD giving its history, presence in Kenya, and its stakeholders. It

also clearly spells out the broad areas of collaboration with the stakeholders and also outlines the vision and mission statements of the Council, the core values, functions and strategic issues for the three (3) years of the Strategic Plan.

The Plan also takes into account each of the core functions of the Council, the strategic objectives and activities, which forms the main focus during the 3-year planning period. In addition to this, the strategic assumptions considered and performance indicators are well documented. It also considers the environmental analysis looking at the environment in which NCPWD operates.

The document presents the strategic action plan in a log frame which includes: Strategic objectives, assumptions, performance indicators, responsibilities, the budget and time line for the implementation of each strategy. Finally, it also presents a budget summary highlighting the estimated costs of running the Council in 3 years. The last section is the plan's monitoring review and evaluation. This is the key tool to be used in the implementation of the strategy.

Functions of the Council

Key among the issues addressed in this plan are the core functions of the Council which include to:

- Formulate policies and develop measures for the establishment of systems and structures;
- Mobilize resources for Council activities;
- Research, Advocacy and Public awareness;
- Enhance capacity of DPOs, institutions and individual PWDs;
- Operationalisation of National Development Fund for PWDs;
- Issue orders adjustment;

As we launch and prepare to implement the strategic plan we recognize that collaboration of all stakeholders and support from our development partners is vital. Our doors are wide open and we would want to request for views from all stakeholders on how best we can implement the strategic plan to avoid duplication of efforts and wastage of scarce resources. As a Council, we realize that the main challenge facing us is the availability of finances to implement all the activities in the Strategic Plan as per the Persons with Disabilities Act, 2003. In order to overcome this, this launch is one step towards sensitizing all our stakeholders and partners on the key functions we were established to meet and our resource requirements.

Our ultimate desire is to partner with all like minded people to build a society where Persons with Disabilities are given space to realize their potential without any hindrances whatsoever thus moving towards a barrier free and disability friendly environment.

I believe that in the next three years, through proper monitoring and implementation of this Strategic Plan, NCPWD will indeed be an organisation best known for its innovation and productivity.

We all agree that a **‘Strategic Plan is not about where we are but all about where we desire to be’**.

We would like to assure you that we will do our best to collaborate with other stakeholders to ensure that Persons with Disabilities enjoy their rights and that we will work towards the achievement of equal opportunities for PWDs in this country.

—Mrs. Cecilia Mbaka,
the Acting Director of the National Council for Persons With Disabilities