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KISII NATIONAL POLYTECHNIC

DISABILITY MAINSTREAMING POLICY

KNP /DMP/08

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DISABILITY MAINSTREAMING POLICY

Policy No.
KNP/DMP/08

Principal's Signature

N. Wang.

Date
6/5/2021

**Approval by Governing
Council
Chairman's Signature**

[Signature]

Date
6/5/2021

Responsible Office

DISABILITY MAINSTREAMING
OFFICE

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FOREWORD

Persons with disability face the brunt of discrimination world over. The Government of Kenya recognizes that persons with disabilities face various barriers in their day to day life. These barriers range from environmental, communication, social and economic. The rights of persons with disabilities have been safeguarded under Article 54 of the Constitution of Kenya, 2010, which guarantees that persons with disabilities (PWDs) are entitled to reasonable access to all places, public transport and information; access to educational institutions and facilities for persons with disabilities that are integrated into society to the extent compatible with the interests of the person. Section 21 of the PWD Act, 2003, provides for the rights of persons with disability to accessibility and mobility and provides that persons with disabilities are entitled to a barrier-free and disability-friendly environment to enable them to have access to buildings, roads and other social amenities, and assistive devices and other equipment to promote their mobility. Section 22(1) of the PWD Act, 2003, further requires proprietors of buildings to modify and adapt their buildings. Section 24 of the PWD Act, 2003 mandates the National Council of Persons With Disabilities (NCPWD) to serve Adjustment Order upon the owner of the premises or the provider of the services, or amenities concerned an adjustment order if it considers that any premises, services or amenities are inaccessible to persons with disabilities.

In the Kenya National Survey for Persons with Disabilities that was released in 2007 and the Kenya National Bureau of Statistics (KNBS) in collaboration with the NCPWDs and other stakeholders, 5 policy targets were identified and 5 principles to guide its implementation and monitoring were stated. These include the equalization of opportunities where persons with disabilities should be accorded opportunities on an equal basis through affirmative action; Mainstreaming - where persons with disabilities should be fully included in all aspects of life and their special needs addressed; Accessibility - where the provision of accessibility should be a cross cutting concern to all underlying consideration in the built environment, information and services; and with regard to Gender, that the policy should apply equally to both men and women, boys and girls with disabilities.

The Institution is also guided by the TVET Act 2013 that provides direction, policies, strategies and programmes for quality, inclusive and equitable technical, industrial, vocational and entrepreneurship training responsive to the requirements for regional and global competitiveness.

This Policy draws its mandate from the Constitution, the Persons with Disabilities Act (Cap 133 of 2003), the UN Convention on the Rights of Persons with Disabilities (2006) and other International Human Rights instruments and treaties as provided for under Articles 2(5) and 2 (6) of the Constitution, other related Legislation, the Polytechnic Transformation Framework (PTF) and the challenges faced by employees living with disability in the Polytechnic. The Kisii National Polytechnic has taken cognizance of the aforesaid legislation and the development of this policy

affirms the Polytechnic's commitment to mainstream disability in her day to day operations through cooperation with various stakeholders.

Prof. Kisilu Kitainge
Chairman Governing Council

HISTORICAL BACKGROUND

Kisii National Polytechnic was founded in 1971 as a Harambee Institute of Technology. It was registered in 1972 under the Education Act. CAP 212 of the laws of Kenya with the objective of providing technical education and training for youths. It was moved from St. Vincent Centre where it was initially housed, to the current site in 1980. The first buildings to be put up were Woodwork Technology and Mechanical Engineering workshops, Typing Pool, Hostels, Kitchen and Dining hall. The curriculum then was Secretarial and Building technology. The institute was elevated to a national polytechnic in May 2016 through Legal notice No. 93. Since then more courses have been introduced and currently Kisii National Polytechnic offers more than eighty-eight (88) courses in Certificate and Diploma levels.

Science and Technology (S&T) activities have been recognized in the institution since its inception as vital to social and economic development. There has been rapid expansion of Science and Technology since the enactment of Science and Technology Act CAP 250 of the laws of Kenya (1977).

The college is managed by the Governing council and college administration comprising of the Principal, Deputy Principals, the Registrar, the Dean of Students, Heads of Departments and their Deputies. Day to day learning activities in the college is managed by the Departments.

VISION, MISSION AND CORE VALUES

1. Vision

“To be the preferred training institution for technical and vocational skills development”

2. Mission

To develop highly qualified, globally competitive and innovative human resource by providing quality Training, applied Research & extension and Entrepreneurship skills that are responsive to market demands.

3. Core values

1. Professionalism and Excellence
2. Creativity and Innovativeness
3. Team work
4. Integrity
5. Accountability and Transparency

MANDATE

The mandate of the polytechnic is to develop an institution with excellence in training, scholarship, entrepreneurship, research, consultancy, community service and products with emphasis on technology, its development, impact and application within and outside Kenya.

SCOPE

This policy applies to all processes in KNP as well as issues related to interested parties

LIST OF ABBREVIATIONS AND ACRONYMS

DMC	Disability Mainstreaming Committee
GC	Governing Council
GoK	Government of Kenya
HOD	Head of Department
HR	Human Resource Department
ICT	Information Communication and Technology
ILO	International Labour Organization
KNBS	Kenya National Bureau of Statistics (KNBS)
KNEC	Kenya National Examination Council
KNP	Kisii National Polytechnic
PC	Performance Contracting
PSC	Public Service Commission
PTF	Polytechnic Transformation Framework
PWDs	Persons With Disabilities
TVET	Technical and Vocational Education and Training

DEFINITION OF TERMS

Adjustment or Accommodation

Adaptation of the job, including adjustment and modification of machinery and equipment and/or modification of the job content, working time and work organization, and the adaptation of the work environment to provide access to the place of work, to facilitate the employment of individuals with disabilities.

Advertising

For purposes of this policy, refers to the point of circulation, medium or points of access by persons with disability or organizations that champion the rights of persons with disability.

Assistive devices

The implements, tools, mobility aids and assistive technologies provided to persons with disabilities.

Assistive services

The provision of a guide, an aide, a porter or a qualified sign language interpreter to persons with disabilities.

Competent authority

A ministry, government department or other public authority having the power to issue regulations, orders or other instructions having the force of law.

Disability

Includes any physical, sensory, mental, psychosocial or other impairment, condition or illness that has or is perceived by the community to have a substantial or long term effect on an individual's ability to carry out ordinary day to day activities.

Disability Mainstreaming

The process of assessing how legislation, policies and programs impact on employees and trainees with disability and the strategies of making the emerging concerns and experiences integral to design, implementation, monitoring and evaluation of policies and programmes in all spheres in the Polytechnic. It also refers to the process of including persons with disabilities in employment, education, training, sports and other activities of the Polytechnic.

Disability Management

A process in the workplace designed to facilitate the employment of persons with a disability through a coordinated effort and taking into account individual needs, work environment, enterprise needs and legal responsibilities.

Discrimination

Any distinction, exclusion or preference based on certain grounds which nullifies or impairs equality of opportunity or treatment in education, employment or occupation.

Employee with Disability

An individual whose prospects of securing, returning to, retaining and advancing in suitable employment are substantially reduced as a result of a duly recognized physical, sensory, intellectual or psychological impairment.

Employee Assistance Programme

A programme either jointly operated by an employer and a workers' organization, or by the Polytechnic alone, or a workers' organization alone, that offers assistance to the workers and frequently also to their family members, with problems liable to cause personal distress, which affects or could eventually affect job productivity.

Equal Opportunity

Equal access to and opportunities for all persons in employment, promotion and training without discrimination.

Impairment

Any loss or abnormalities of a psychological, physiological or physical function.

Job Adaptation

The adaptation or redesign of tools, machines, workstations and the work environment to an individual's needs. It may also include adjustments in work organization, work schedules, sequences of work and in breaking down work tasks to their basic elements.

Mainstreaming

Including people with disabilities in employment, education, training and other activities of the Polytechnic.

Person with Disability

An individual whose prospects of securing, returning to, retaining and advancing in suitable employment are substantially reduced as a result of a duly recognized physical, sensory, intellectual or mental impairment.

Psycho-social Disability

Persons with psycho-social (mental health) disabilities and people with intellectual disabilities. They experience greater restrictions, limitations and denial of their right to make decisions for themselves and to have those decisions respected. They suffer more stigma and prejudices at the work place.

Reasonable Accommodation For PWDs

The necessary and appropriate modification and adjustments, not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms.

Rehabilitation and Habilitation

Rehabilitation is a process of providing skills and knowledge to employees with disabilities reaches optimum mental, physical and social functional levels. Habilitation is the support services given meant for those who acquire disabilities congenitally or early in life.

Signage in Use

Distinct identification of doors, rooms, offices, and working areas within the Polytechnic premises. It includes display of text, braille, tactile communication, large print, accessible multimedia as well as written, audio, plain language, human-reader and augmentative and alternative modes, means and formats of communication, including accessible information and communication technology.

Trainee

A person registered for training in any course and at any level at The Kisii National Polytechnic.

CHAPTER ONE:

1.1 BACKGROUND

1.1.1 Introduction

Over the years, the role of Technical, Vocational and Entrepreneurship Training (TVET) in furnishing skills required to improve productivity, raise income levels and improve access to employment opportunities has been widely recognized. According to the Sessional Paper No. 14 of 2012 on Education, the philosophy for TVET is to provide skills that meet the needs of the workplace as well as self-employment while its vision is to provide skilled and globally competitive employable human resource. The tremendous advancements that have been witnessed in the last three decades have made the role of TVET more critical, this includes technological change, globalization process and amplified competition owing to trade liberalization calling for requirements of higher skills and productivity among workers in modern sector firms as well as Small and Micro Enterprises (SMEs).

The Polytechnic has, over the years, undertaken various reforms and is continuing to reform in accordance with the Polytechnic Transformation Framework, the Polytechnic's broad policy framework; a roadmap for the achievement of the Polytechnic's grand transformation to enable it to become more efficient and effective in service delivery to the public. This Polytechnic Disability Mainstreaming Policy is in sync with the Polytechnic Transformation Framework.

1.2 POLICY STATEMENT

The Polytechnic shall institutionalize disability mainstreaming to meet its constitutional and statutory requirements with regard to persons with disability.

1.3 PURPOSE

This policy is meant to guide the Polytechnic on effective measures for realization of full participation of persons with disabilities in social life and development in the Polytechnic.

1.4 SCOPE

The provisions of this Policy shall cover all trainees and employees of the Polytechnic. It will apply to the clients of the Polytechnic to the extent provided for in the Policy.

1.5 POLICY OBJECTIVES

The objective of this Policy is to provide practical guidance on the management of disability issues in the workplace and training environment with a view to:

- (i) Ensure that persons with disabilities have equal opportunities;
- (ii) Improve employment prospects for persons with disabilities by facilitating recruitment, job retention and opportunities for advancement;
- (iii) Promote a safe, accessible and healthy workplace and training environment;
- (iv) Maximize the contribution which trainees and employees with disabilities can make to the Polytechnic;
- (v) Ensure that an employee who suffers disability while in employment does not suffer adversely from the disability; and
- (vi) Ensure that clients of the Polytechnic with disabilities can access its services with ease.

1.6 GUIDING PRINCIPLES

The general principles for mainstreaming disabilities and related issues include:

1.6.1 Respect for inherent dignity

The Polytechnic shall respect and protect the dignity of all trainees and employees with disabilities in accordance with the Constitution which recognizes that all persons have inherent dignity and guarantees all persons the right to have that dignity respected and protected.

1.6.2 Non-discrimination

The Polytechnic shall not discriminate against trainees, employees or clients with disabilities in accordance with the

Constitution which protects all persons from discrimination on any grounds including disability.

1.6.3 Psychosocial (mental) disabilities

The Polytechnic shall ensure appropriate and effective safeguards are taken to respect the rights, will and preferences of the employee with psychosocial (mental) disabilities. The Polytechnic shall put in place mechanisms for the reasonable accommodation of trainees and employees with psychosocial (mental) disabilities.

1.6.4 Enabling Environment

The Polytechnic shall facilitate the effective realization of access to services and infrastructure by its trainees, employees and clients with disabilities.

1.6.5 Recognition of Diversity

The Polytechnic shall recognize and respond to the special needs of trainees, employees and clients with disabilities in their diversity including but not limited to gender, sex, age and religion.

1.6.6 Equitable resource allocation

The Polytechnic shall allocate necessary financial resources to ensure the mainstreaming of disability in all its functions and staff policies.

1.6.7 Inclusion, participation and self-representation

The Polytechnic shall ensure inclusion, participation and self-representation of trainees and employees with disabilities in learning activities.

1.6.8 Reasonable Accommodation

The Polytechnic shall undertake appropriate measures where needed in a particular case to enable trainees and employees with disability to have access to, participate in, or advance in employment/education, or to undergo training unless such measures would impose disproportionate or undue burden.

CHAPTER TWO:

2.1 INTERVENTION AND STRATEGIES

2.2. INTRODUCTION

The Polytechnic will put in place specific workplace interventions to actualize the Disability Mainstreaming Policy. The interventions will take into account the individual qualifications, experience, needs, work environment, legal obligations, institutional requirements and resources.

2.3 SPECIFIC INTERVENTION FOR EMPLOYEES

2.3.1 Recruitment

The Polytechnic is an equal opportunity employer and shall provide equal opportunities to all, without regard to gender, sex, race, religion, ethnic origin, disability or marital status. The Polytechnic shall:

- (i) Include a statement about commitment to equal opportunity in the recruitment procedures and in job advertisements;
- (ii) Ensure that there is no discrimination in advertising, interviewing, recruitment, volunteerism, internship, training, staff appraisal and promotions to achieve maximum benefit to the employer and equitable opportunities for candidates with disabilities including but not limited to providing Sign language interpreter, Braille and other accessible formats;
- (iii) Ensure at least 5% of recruited personnel are employees with disability in instances where they apply and qualify;
- (iv) Ensure all applicants are measured against selection criteria that includes only the specific skills, knowledge and abilities required to perform the function of the job;
- (v) Include at least one person with an awareness of disability issues in the workplace in the selection and interviewing panels;
- (vi) Where the need arises, ensure that there is a person with knowledge and skills in a specific disability area in the selection and interviewing panel; and
- (vii) Prior to the interview, ask all applicants with disability whether they require any adjustments in the way the interview will be conducted.

2.3.2 Commencement of Employment

- i. Once a person with a disability has been offered employment, the Polytechnic shall carry out a workplace assessment with the employee to determine any reasonable adjustments required;
- ii. Upon recruitment, the employee will be given appropriate continuous support, including appropriate placement to ensure that the employee is able to continue working to meet the requirements of his/her role. This will involve annual reviews to ensure any reasonable adjustments previously implemented are still relevant to the needs of the employee.

2.4 SENSITIZATION AND COMMUNICATION

2.4.1 Sensitization and Awareness

The Polytechnic shall provide information on disability to all trainees and employees during induction and annually through sensitization workshops. Trainees and employees with disabilities will be involved in the sensitization programs.

2.4.2 Communication

The Polytechnic shall ensure all information, including this Policy is communicated to all trainees and employees in a manner and language which they understand, including but not limited to:

- i. Use of modern and adaptive technology;
- ii. Braille;
- iii. Kenyan Sign language;
- iv. Large print and other modes of communication;
- v. Access to persons with hearing impairments information usually conveyed by sound through devices such as flashing lights where necessary; and
- vi. In consultation with employees with disability, make adaptations to tools and equipment as may be required to facilitate optimal job performance.

The Polytechnic shall give all communications and signage that includes; Signage-in-use, manuals, workplace instructions and electronic information which should be reviewed, where necessary for accessibility to persons with visual impairment;

2.4.3 Job Retention and Rehabilitation

In situations where an employee has a disability or acquires a disability while in employment, efforts towards their rehabilitation will be taken. The Polytechnic shall engage a competent authority to assess the abilities and work experience of workers who have acquired a disability or reduced capacity for their job, with a view to:

- i. Continuing in the same job, if necessary with some modification of their job tasks, the working environment or work schedule;
- ii. Retraining; or
- iii. Any other mode.

In order to achieve the above objective, the Polytechnic shall:

- i. Ensure that all persons with disabilities, including persons with severe and or multiple disabilities, who require rehabilitation have access to it; and
- ii. Facilitate availability of quality adaptive technology, equipment and assistive aids.

2.5 ADJUSTMENTS

2.5.1 Adjustments

Adaptations may be required to the polytechnic to enable the trainees and employees with a disability to perform their assignment effectively.

The Polytechnic shall take steps to improve the accessibility and movement around the polytechnic. This shall include:

- i. Provision of ramps;
- ii. Reserved parking;
- iii. Redesigning of washroom facilities. At least one toilet for each gender/sex shall be availed; and
- iv. Ensure that emergency planning for persons with disabilities is properly put in place for their safe and effective evacuation.

2.5.2 Provision of Guides

The Polytechnic shall in consultation with the employee/trainee and on the basis of need provide a suitable guide, sign language interpreter, or porter for purposes of mobility and communication to and from polytechnic.

2.5.3 Assistive Allowance

The Polytechnic recognizes that employees with disability have unique needs which put them at a financial disadvantage in comparison with other employees. Consequently, besides the provision of a guide/aide/porter/Sign language interpreter the Polytechnic shall provide an allowance at a rate to be determined by the top management.

2.5.4 Specific Interventions for clients of the Polytechnic

In offering services to the public the Polytechnic shall take into account all aspects of accessibility for clients with disabilities. In this regard, the Polytechnic shall provide:

- i. Access to all its buildings through provision of ramps;

- ii. Appropriate signage and tactile
- iii. Reserved parking for clients with disability
- iv. Stand by wheel chair;
- v. Gender/sex designated washrooms for persons with disability;

2.5.5 Access to quality and expeditious service

The Polytechnic shall ensure clients with disability access quality and expeditious service through:

- i. Priority in accessing services
- ii. Ensuring availability of sign language interpretation services;
- iii. Sensitizing its employees on handling clients with disability;
- iii. Ensuring that all information is available to clients with disability in a language or format that they understand.

CHAPTER THREE

3.1 POLICY IMPLEMENTATION FRAMEWORK

3.2 Introduction

The Polytechnic shall implement this Policy in accordance with the Constitution through this framework: The disability mainstreaming committee and KNP top management in the performance of its functions shall:

- i. have oversight on the implementation of the Policy;
- ii. be guided by this Framework; and
- iii. promote and facilitate the efficient and effective implementation of this Policy.

3.3 Responsibilities of the Kisii National Polytechnic Top Management (KNP)

The responsibilities of the KNP shall be to:

- i. Support programmes on disability mainstreaming;
- ii. Prepare and implement programmes for the continuing education and training of all employees of the Polytechnic;
- iv. Provide sufficient resources for the implementation of disability mainstreaming programmes;
- vi. Improve the working environment and sanitation facilities in consideration to the needs of persons with disabilities;
- vii. Monitor and evaluate disability mainstreaming programmes with a view of assessing progress on disability mainstreaming;
- viii. Appoint a disability advisor;
- ix. Recognize the International Day for Persons with Disabilities;
- x. Ensure availability of Sign language interpreters, Braille or other appropriate means of communication;
- xi. Ensure access to materials and devices to overcome constraints arising from the person's disability; and
- xii. Review the Policy as and when necessary.

3.4 Functions of the Disability Mainstreaming Committee;

The DMC's functions shall include but not limited to:

- i. Organize capacity building on disability mainstreaming related issues and have access to expert agencies including organizations of and for persons with disabilities;
- ii. Generate and disseminate information on disability mainstreaming;
- iii. Engage stakeholders in disability mainstreaming activities for the purposes of sharing information and strategies;
- iv. Liaise with the National Council for Persons with Disability to harmonize the Polytechnic Policy with the National Policy on Persons with Disability;
- v. Establish and manage a disability resource centre;
- vi. Facilitate research on disability mainstreaming programmes;

- vii. Develop work plans and budget for disability mainstreaming programmes;
- viii. Conduct staff disability analysis to assess the impact on performance;
- ix. Conduct staff disability analysis to assess the impact on performance;
- x. Organize trainings for assistants and guides for Persons with Disability;
- xi. Undertake a baseline survey on disability and related issues on accessibility of infrastructure within the Polytechnic and recommend remedial actions to the Governing Council (GC) through the Principal;
- xiii. Implement the internal disability strategy and policies; and
- xiv. Draw up and implement a disability monitoring and evaluation programme.

3.5 Responsibilities of Employees

It is the responsibility of each employee to:

- i. Disclose their disability status;
- ii. Participate in the implementation of disability mainstreaming initiatives;
- iii. Participate in International Day for Persons with Disabilities;
- iv. Treat each other with dignity and respect and not address and refer to disabilities in a manner that is demeaning to Persons with disabilities

3.6 Confidentiality and Privacy

The Polytechnic may, only with the consent of the concerned trainee/employee with Disability, obtain or disclose information concerning the trainee's/employee's personal, health and rehabilitation for the purpose of training, employment, retention and return to work, provided that:

- i. The Polytechnic shall assemble and keep the information referred to above in a manner that maintains confidentiality;
- ii. The Polytechnic shall not use or disclose any information about an trainee's/employee's disability without their consent for a purpose other than the primary purpose of collection; unless the Polytechnic reasonably believes that the use or disclosure is necessary on the following grounds:
 - a. Statutory requirements;
 - b. Where the Polytechnic reasonably believes that it is necessary to provide the same but the person is incapable of giving the required consent;
 - c. Data for research and the compilation or analysis of statistics; and
 - d. Where the disclosure will lessen or prevent a serious and imminent threat on an trainee's/employee's life, health and safety.

3.7 Tenders to PWDs, Youth and Women

The Polytechnic shall proactively:

- i. Reserve provision of given goods and services to Youth, Women and PWDs during her advertisements for such services and goods. This shall be 30% of all required services and goods according to the procurement act.
- ii. Make sure that these groups of persons are given tenders to supply these goods and services; and
- iii. Educate and sensitize these groups of persons on the tendering processes and procedures and opportunities
- iv. Provide industrial attachment to these groups from within and without the college

CHAPTER FOUR

4.1 PLANNING AND RESOURCE MOBILIZATION

To ensure the effective implementation of this Policy the Polytechnic shall:

- i. Develop annual work plans for disability mainstreaming programmes;
- ii. Make requests for adequate budgetary provisions for disability mainstreaming programs and activities; and
- iii. Promote linkages and collaboration with other partners and stake holders in resource mobilization for disability mainstreaming.

CHAPTER FIVE

5.1 MONITORING AND EVALUATION

The top management shall, in collaboration with the Disability Mainstreaming Committee, put in place mechanisms and processes to facilitate a participatory process for information gathering, analysis, dissemination and feedback on the implementation of this Policy.

CHAPTER SIX

6.1 REVIEW

This Policy will be reviewed every five years or from time to time as need arises.

References

- 1 Article 28 of the Constitution of Kenya (2010)
- 2 Articles 27(4) & (5) of the Constitution of Kenya (2010)
- 3 Annual checks includes the supportive devices, technology, environmental alterations and programs
- 4 Section 22(1) of the PWD Act, 2003