

# TEACHERS SERVICE COMMISSION



## PERFORMANCE CONTRACT

BETWEEN

**THE TEACHERS SERVICE COMMISSION**

**AND**

**PRINCIPAL OF SECONDARY SCHOOL**

<b>INSTITUTION NAME</b>	
<b>COUNTY</b>	
<b>SUB-COUNTY</b>	
<b>ZONE</b>	

*CONTRACT PERIOD: 1<sup>ST</sup> JANUARY, 2019 – 31<sup>ST</sup> DECEMBER 2019*

**PERFORMANCE CONTRACT**

This Performance Contract (hereinafter referred to as “Contract”) is entered into between the Teachers Service Commission (hereinafter referred to as “TSC”) (together with its assignees and successors) of Private bag-00100 Nairobi of the one part, and the Principal of ..... (Hereinafter referred to as “the Principal), (together with His/her assignees and successors) of P.O. Box ..... of the other part.

**WHEREAS;**

The Commission is committed to effectively manage the teaching service for quality education in line with provisions of the Constitution of Kenya; it recognizes that secondary schools play a vital role to improving the quality of lives of Kenyans.

The purpose of this Performance Contract is to establish the basis for ensuring that efficient and effective educational services are delivered to learners by requiring secondary schools to adapt systems that enable accountability, innovativeness and adaptability in delivering curriculum.

This Performance Contract therefore represents a basis for continuous performance improvement that meets the needs and expectations of the Kenyan people.

**Therefore,** the parties hereto agree as follows:

**Part I: Statement of Responsibility by the Principal**

The mandate of a secondary school is to provide quality education through effective delivery of the approved curriculum.

As the principal, it is my undertaking to provide the required leadership in designing suitable plans and strategies to deliver educational services and enable this school realize its goals. I will also perform my duties and responsibilities diligently and to the best of my ability to support the achievement of the agreed performance targets.

**Part II: Vision Statement, Mission Statement and Strategic Objectives**

- i. Vision Statement of the Institution: -----  
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- ii. Mission Statement of the Institution: -----  
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- iii. Strategic Objectives of the Institution-----  
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**Part III: Statement of Strategic Intent by the Principal**

In carrying out my duties, I intend to put all my efforts towards contributing effectively and efficiently to the achievement of the national development agenda as espoused in the Kenya Vision 2030, keeping in mind the specific priorities of this school. Bearing in mind the imperative of inclusivity, I will implement the following **Strategic Intentions** during the Contract Year (this statement reiterates the need to put down the specific strategic objectives to be achieved during the contract period):

- i. ....
- ii. ....
- iii. ....
- iv. ....

**Part IV: Commitments and Obligations of the Commission Secretary**

**The Commission Secretary commits to: -**

- i. Identifying, approving and implementing relevant reforms in the teaching service that will enhance curriculum implementation and service delivery.
- ii. Creating enabling environment for performance improvement by all employees of the Commission.
- iii. Supporting implementation of the TSC Act (2012), Code of Regulations for Teachers (2015) and Code of Conduct and Ethics for Teachers (2015).
- iv. Acknowledging receipt of correspondences and responding to customer enquiries within the timelines stipulated in the Citizen Service Delivery Charter of the Commission.

**Part V: Reporting Requirements**

The Principal will be required to submit the school termly and annual performance reports in the prescribed format to the Commission for the purpose of monitoring progress and annual performance evaluation.

**Part VI: Duration of the Performance Contract**

The Performance Contract will run from 1<sup>st</sup> January 2019 to 31<sup>st</sup> December 2019.

**Part VII: Signatories to the Performance Contract**

**Signed**

Signature.....

Date.....

Name.....

Designation: **Principal**

**Signed**

Signature.....

Date.....

Name.....

**Witness- Sub County Director**

**Signed**

Signature.....Date.....

.....

Name.....

**TSC County Director**

**For Secretary/Chief Executive**

**Teachers Service Commission**

	<b>PERFORMANCE CRITERIA</b>	<b>Unit of Measure</b>	<b>Wt (%)</b>	<b>Status Previous Year (FY 2018)</b>	<b>Target (FY2019)</b>	<b>Annual Target 2019</b>
<b>A</b>	<b>FINANCIAL STEWARDSHIP AND DISCIPLINE</b>					
A1	Absorption of Allocated Funds.	%	5		100	
A2	Compliance with Audit Requirements.	%	2		100	
A3	Pending Bills.	%	3		≤1	
	<b>Weight Sub Total</b>		<b>10</b>			
<b>B</b>	<b>SERVICE DELIVERY</b>					
B1	Implementation of Institutional Service Delivery Charter.	%	4		100	
B2	Application of Service Delivery Innovation.	%	3		100	
B3	Resolution of Public Complaints.	%	3		100	
	<b>Weight Sub Total</b>		<b>10</b>			
<b>C</b>	<b>CORE MANDATE</b>					
C1	Maintenance of the teaching standards in the implementation of curriculum (performing the role of quality assurance within the institution).	%	13		100	
C2	Institutional Administration (as the lead educator and administrator).	%	9		100	
C3	Updated database on learners enrollment, Curriculum Based Establishment for teaching staff and non-teaching staff.	%	8		100	
C4	Maintenance of Integrity and Professional Conduct.	%	8		100	
C5	Coordinate and facilitate Teacher Professional Development (TPD) programs at the institutional level.	%	10		100	
C6	Overseeing implementation of Teacher Performance Appraisal and Development (TPAD) system in the institution.	%	10		100	

C7	Implementation of the School Strategic Plan	%	2		100	
	<b>Weight Sub Total</b>		<b>60</b>			
<b>D</b>	<b>ACCESS TO INSTITUTIONAL PROCUREMENT</b>					
	<b>Access to Institutional Procurement</b>	%	4		100	
	<b>Weight Sub Total</b>		<b>4</b>			
<b>E</b>	<b>PROMOTION OF LOCAL CONTENT IN PROCUREMENT</b>					
	Promotion of Local Content in Procurement	%	2			
	<b>Weight Sub Total</b>		<b>2</b>			
<b>F</b>	<b>CROSS-CUTTING</b>					
F1	Asset Management	%	3		100	
F2	Disability Mainstreaming	%	3		100	
F3	Prevention of HIV/AIDS Infections	%	2		100	
F4	Safety and Security Measures	%	2		100	
F5	National cohesion and values	%	2		100	
F6	Corruption Prevention	%	2		100	
	<b>Weight Sub Total</b>		<b>14</b>			
	<b>Total Weight:: A+B+C+D+E+F</b>		<b>100</b>			

**EXPLANATORY NOTES ON PERFORMANCE TARGETS – 2019**  
**PERFORMANCE INDICATORS**

CODE NO	DETAILED DESCRIPTION
<b>A</b>	<b>FINANCIAL STEWARDSHIP AND DISCIPLINE INDICATORS</b>
<b>A1</b>	<p><b>Absorption of Allocated Funds</b>  <b>Under this target, the Principal is expected to: -</b></p> <ul style="list-style-type: none"> <li>i. Prepare and obtain approval of school budget by the Board of Management.</li> <li>ii. Maintain updated books of accounts.</li> <li>iii. Adhere to Public Procurement and Asset Disposal Act (2015).</li> <li>iv. Avail and observe the requirements of Public Procurement Manual for Schools and Colleges (2009).</li> </ul>
<b>A 2</b>	<p><b>Compliance with Audit requirements</b>  <b>The Principal is expected to: -</b></p> <ul style="list-style-type: none"> <li>i. Maintain updated books of accounts.</li> <li>ii. Prepare end of year financial statements.</li> <li>iii. Prepare books of accounts and submit for audit by 31st January 2020 as per the accounting guidelines.</li> <li>iv. Avail report on implementation of audit recommendations of previous audits.</li> </ul>
<b>A3</b>	<p><b>Pending Bills</b>  <b>The Principal is expected to: -</b></p> <ul style="list-style-type: none"> <li>i. Meet all financial obligations by paying bills (<i>of lawful incurred expenditure</i>) promptly to avoid unnecessary accumulation of debts.</li> <li>ii. Ensure pending bills (if any) do not exceed 1% of total approved budget of the school.</li> <li>iii. Promptly remit statutory deductions to relevant institutions for non-teaching staff as applicable.</li> </ul>
<b>B</b>	<b>SERVICE DELIVERY</b>
<b>B1</b>	<p><b>Implementation of Citizens Service Delivery Charter</b>  <b>The Principal is expected to: -</b></p> <ul style="list-style-type: none"> <li>i. Develop /display the Citizens Service Delivery Charter prominently at the point of entry/service delivery points in both English and Kiswahili.</li> <li>ii. Sensitize institutional employees on school service delivery charter and cascade to all levels/departments</li> <li>iii. Maintain records on services delivered.</li> </ul>
<b>B2</b>	<p><b>Application of Service Delivery Innovations</b>  <b>The Principal is expected to promote: -</b></p> <ul style="list-style-type: none"> <li>i. Digital learning process in the school.</li> <li>ii. ICT integration in the school.</li> <li>iii. Use of online communication for administration and informing stakeholders.</li> </ul>

<b>B3</b>	<p><b>Resolution of Public Complaints</b></p> <p>A public complaint is an expression of dissatisfaction by one or more members of the public about an action, inaction, decision or service provided by a public officer or public institution.</p> <p><b>The Principal shall: -</b></p> <ol style="list-style-type: none"> <li>i. Maintain updated records of complaints received in the school.</li> <li>ii. Provide Suggestion/complaint box.</li> <li>iii. Establish Complaints committee.</li> <li>iv. Document actual resolution of public complaints received.</li> </ol>
<b>C</b>	<b>CORE MANDATES</b>
<b>C1</b>	<p><b>Maintenance of the Teaching Standards as an Instructional leader</b></p> <p>Instructional leadership entails heads of institution focusing more on instructional roles as knowledgeable and experts who are able to lead and support the teaching and learning processes. The head of institution is required to ensure effective implementation of Curriculum by performing the role of quality assurance and standards within the institution.</p> <p><b>The Principal is expected to: -</b></p> <ol style="list-style-type: none"> <li>i. Teach</li> <li>ii. Ensure only qualified and registered persons offer teaching services in the school.</li> <li>iii. Ensure teachers prepare, use and maintain updated professional documents.</li> <li>iv. Ensure that teachers attend lessons as per timetable, including Physical Education.</li> <li>v. Ensure availability of current syllabi and adequate teaching and learning resources for each subject.</li> </ol>
<b>C2</b>	<p><b>Maintenance of the Teaching Standards as an Institutional Administrator</b></p> <p>The Principal is the lead educator and administrator in the school, this role aims at enabling the school to manage its operation and resources in an effective and accountable manner so as to raise the standards of learning and teaching and thus improve the students' learning outcomes.</p> <p><b>The Principal is expected to: -</b></p> <ol style="list-style-type: none"> <li>i. Ensure safe and conducive learning environment in the school.</li> <li>ii. Assign teaching and other official duties to teachers.</li> <li>iii. Update the Commission and other stakeholders on institutional performance.</li> <li>iv. Offer technical advice to the Board of Management and other stakeholders within the institution to enable the school meet its objectives.</li> <li>v. Ensure proper management and maintenance of the school resources and records.</li> </ol>
<b>C3</b>	<p><b>Maintain updated Database on Learners' Enrollment, Curriculum Based Establishment for Teaching Staff and Non-Teaching Staff Establishment</b></p> <p><b>The Principal is expected to maintain: -</b></p> <ol style="list-style-type: none"> <li>i. Updated database on learner's enrollment.</li> <li>ii. Updated database on Curriculum Based Establishment for teaching staff.</li> <li>iii. Updated database for non-teaching staff.</li> </ol>
<b>C4</b>	<p><b>Promote Teacher Professional Development (TPD) at the School Level</b></p> <p><b>The Principal is expected to: -</b></p> <ol style="list-style-type: none"> <li>i. Identify teachers' professional gaps (challenging areas in pedagogy, subject content and learners' management that hinder them from effective delivery of curriculum)</li> <li>ii. Develop and implement TPD programmes at school level to mitigate teachers' professional performance gaps.</li> </ol>



	iii. Maintain records of teachers' involvement in professional development activities
<b>C5</b>	<p><b>Submission of Termly and Annual Reports</b></p> <p><b>The Principal is expected to: -</b></p> <ul style="list-style-type: none"> <li>i. Prepare termly PC target progress report by 10th of the subsequent month after the end of every term and submit to Sub County Director.</li> <li>ii. Prepare Annual PC target progress report by 10th January in the prescribed formats.</li> </ul>
<b>C6</b>	<p><b>Institutionalization of Teacher Performance Appraisal and Development (TPAD)</b></p> <p><b>The principal is expected to: -</b></p> <ul style="list-style-type: none"> <li>i. Sensitize teachers on Performance Contracting (PC) and Teacher Performance Appraisal and Development (TPAD).</li> <li>ii. Ensure all teachers are appraised</li> <li>iii. Submit termly and annual reports to County Director indicating: <ul style="list-style-type: none"> <li>a. Summary analysis of performance per TPAD teaching standard</li> <li>b. teachers' learner contact hours</li> <li>c. teacher absenteeism rate for the term</li> <li>d. teachers appraised and not appraised (give reasons)</li> </ul> </li> <li>iv. Ensure teachers appraisal data is uploaded on TSC website as required.</li> </ul>
<b>C7</b>	<p><b>Maintenance of Integrity, Professionalism and Conduct in the Teaching Service - Management of Discipline in the School</b></p> <p><b>The Principal is expected to: -</b></p> <ul style="list-style-type: none"> <li>i. Ensure proper management of challenging behavior; maintain records of minor and major punishment. <b>NB:</b> Corporal punishment is outlawed in Kenya.</li> <li>ii. Ensure availability and access by teachers to legal documents governing teaching service; including Code of Regulations for Teachers (2015) and Code of Conduct and Ethics for Teachers (2015), TSC Act (2012), Basic Education Act (2013), Children Act (2012).</li> </ul>
<b>D</b>	<b>ACCESS TO INSTITUTIONAL PROCUREMENT</b>
<b>D1</b>	<p><b>The Principal is expected to: -</b></p> <ul style="list-style-type: none"> <li>i. Award at least 30% of the total value (in Kshs.) of the procurement budget for goods and services as provided in the annual procurement plan by the school to youth, women and Persons with Disability (PWDs) as individuals or in organized groups.</li> <li>ii. In addition, at least 2% of the 30% of the budget for procurement of goods and services should be reserved for PWDs.</li> </ul>
<b>E</b>	<b>PROMOTION OF LOCAL CONTENT IN PROCUREMENT</b>
<b>E1</b>	<p><b>The Principal is expected to: -</b></p> <ul style="list-style-type: none"> <li>i. Ensure 45% of school Procurement orders are given to local firms where they qualify. Goods and services will qualify as local where they are wholly produced in Kenya using local input or if the goods and services are not wholly produced in Kenya, they should have undergone at least 35% transformation in value addition.</li> </ul>

<b>F</b>	<b>CROSS-CUTTING</b>
<b>F1</b>	<p><b>Asset Management</b></p> <p><b>The Principal is expected to: -</b></p> <ol style="list-style-type: none"> <li>i. Establish and maintain an inventory (record) of the school assets and properties including their status in terms of the working condition.</li> <li>ii. Dispose unserviceable, obsolete and surplus assets by way of sale, transfer to other public institutions, destruction, donation or other authorized methods of disposal, and in all cases in full conformity with the existing legal requirements.</li> </ol> <p><b>NB:</b> such disposals should be fully accountable.</p>
<b>F2</b>	<p><b>Disability Mainstreaming</b></p> <p><b>The Principal is expected to: -</b></p> <ol style="list-style-type: none"> <li>i. Maintain disaggregated data of persons with disabilities showing age, gender and forms of disability.</li> <li>ii. Undertake activities and strategies for addressing diversity, especially learners/teachers from vulnerable groups and those with special needs.</li> <li>iii. Sensitize learners and staff on service provision to persons with disabilities and how to cope with the challenges.</li> <li>iv. Establish infrastructure to enhance access to information and services for persons with disabilities in accordance with legal provisions.</li> </ol>
<b>F3</b>	<p><b>Prevention of HIV/AIDS Infections</b></p> <p><b>The Principal is expected to: -</b></p> <p>Facilitate sensitization of the school community and disseminate information on HIV/ AIDS to:</p> <ol style="list-style-type: none"> <li>i. Learners</li> <li>ii. Teaching and non-teaching staff</li> <li>iii. Parents/ Guardians</li> <li>iv. BoMs</li> </ol>
<b>F4</b>	<p><b>Safety and Security Measures</b></p> <p><b>The Principal is expected to: -</b></p> <ol style="list-style-type: none"> <li>i. Put in place mechanisms to mitigate against technological &amp; environmental hazards; terrorism &amp; radicalization; fire, natural disasters etc.</li> <li>ii. Adhere to the requirements of the Ministry of Education Safety Standards Manual for Schools in Kenya (2008).</li> </ol>
<b>F5</b>	<p><b>Corruption Prevention</b></p> <p><b>The Principal is expected to: -</b></p> <ol style="list-style-type: none"> <li>i. Sensitize pupils and staff on effects/dangers of getting involved in various corrupt practices including examination malpractices and bribing for free services with a view to reducing vulnerability to fraudulent acts.</li> <li>ii. Provide channels/forums to abate corruption by introducing open barazas and suggestion boxes.</li> </ol>