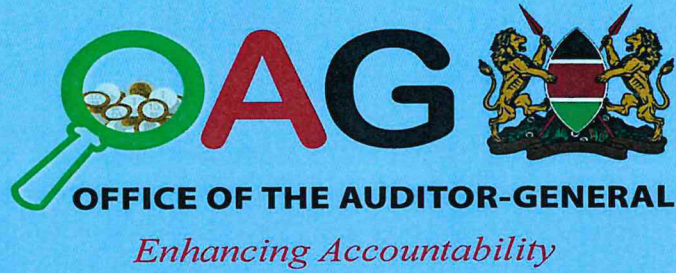


REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY  
PAPERS LAID

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**REPORT**

**OF**

**THE AUDITOR-GENERAL**

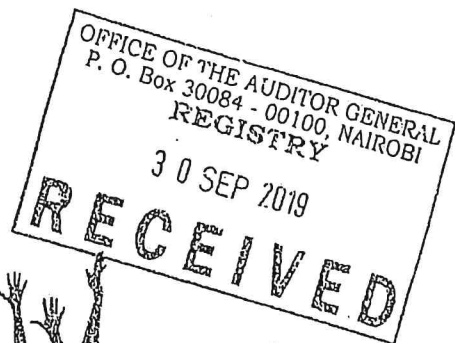
**ON**

**NATIONAL GENDER AND EQUALITY  
COMMISSION**

**FOR THE YEAR ENDED  
30 JUNE, 2019**







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**NATIONAL GENDER AND EQUALITY COMMISSION**

**REPORTS AND FINANCIAL STATEMENTS**

**FOR THE FINANCIAL YEAR ENDED**

**JUNE 30, 2019**

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Prepared in accordance with the Cash Basis of Accounting Method under the  
International Public Sector Accounting Standards (IPSAS)

*National Gender and Equality Commission Reports and Financial Statements  
For the year ended June 30, 2019*

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## **I. KEY ENTITY INFORMATION AND MANAGEMENT**

### **(a) Background Information**

The National Gender and Equality Commission (NGEC) is a Constitutional Commission established by the National Gender and Equality Commission Act. No. 15 of 2011 pursuant to Article 59 (4) & (5) of the Constitution of Kenya, 2010. The Commission's mandate is to promote gender equality and freedom from discrimination for all people in Kenya with focus on special interest groups, which include: women, children, youth, persons with disability (PWDs), older members of society, minorities and marginalised groups.

The vision, mission, core values and functions of the National Gender and Equality Commission are:

#### **1.1 Vision**

A society free from gender inequality and all forms of discrimination

#### **1.2 Mission**

To promote gender equality and freedom from all forms of discrimination in Kenya, especially for special interest groups through ensuring compliance with policies, laws and practice

#### **1.3 Core Values**

- a) Fairness
- b) Inclusiveness
- c) Accountability
- d) Teamwork
- e) Integrity

#### **1.4 Functions**

The functions of the Commission as provided for in Section 8 of the National Gender and Equality Commission Act No. 15 Act of 2011 are to:

- i) promote gender equality and freedom from discrimination in accordance with Article 27 of the Constitution;
- ii) monitor, facilitate and advise on the integration of the principles of equality and freedom from discrimination in all national and county policies, laws, and administrative

- regulations in all public and private institutions;
- iii) act as the principal organ of the State in ensuring compliance with all treaties and conventions ratified by Kenya relating to issues of equality and freedom from discrimination and relating to special interest groups including minorities and marginalized persons, women, persons with disabilities, and children;
  - iv) coordinate and facilitate mainstreaming of issues of gender, persons with disability and other marginalized groups in national development and to advise the Government on all aspects thereof;
  - v) monitor, facilitate and advise on the development of affirmative action implementation policies as contemplated in the Constitution;
  - vi) investigate on its own initiative or on the basis of complaints, any matter in respect of any violations of the principle of equality and freedom from discrimination and make recommendations for the improvement of the functioning of the institutions concerned;
  - vii) work with other relevant institutions in the development of standards for the implementation of policies for the progressive realization of the economic and social rights specified in Article 43 of the Constitution and other written laws;
  - viii) co-ordinate and advice on public education programmes for the creation of a culture of respect for the principles of equality and freedom from discrimination;
  - ix) conduct and co-ordinate research activities on matters relating to equality and freedom from discrimination as contemplated under Article 27 of the Constitution;
  - x) receive and evaluate annual reports on progress made by public institutions and other sectors on compliance with constitutional and statutory requirement on the implementation of the principles of equality and freedom from discrimination;
  - xi) work with the National Commission on Human Rights, the Commission on Administrative Justice and other related institutions to ensure efficiency, effectiveness and complementarity in their activities and to establish mechanisms for referrals and collaborations in the protection and promotion of rights related to the principle of equality and freedom from discrimination;
  - xii) prepare and submit annual reports to Parliament on the status of implementation of

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its obligation under this Act;

- xiii) conduct audits on the status of special interests groups including minorities, marginalized groups, persons with disability, women, youth, and children;
- xiv) establish, consistent with data protection legislation, databases on issues relating to equality and freedom from discrimination for different affected interest groups and produce periodic reports for national, regional and international reporting on progress in the realization of equality and freedom from discrimination for these interest groups;
- xv) perform such other functions as the Commission may consider necessary for the promotion of the principle of equality and freedom from discrimination; and
- xvi) perform such other functions as may be prescribed by the Constitution and any other written law.

**(b) Key Management**

The NGEC's day-to-day management is under the office of the Commission Secretary/CEO. The other members of senior management include:

- (i) Betty Sungura - Nyabuto, MBS - Commission Secretary/CEO
- (ii) Paul Kuria – Director, Programmes and Research
- (iii) Winfred Wambua – Assistant Director, Programmes
- (iv) Wilson Desire - Assistant Director; Legal, complaints, investigation and redress
- (v) Beatrice Cheruiyot – Ag. Finance Manager
- (vi) Lucy Mandago - Human Resources Manager
- (vii) Goretty Osur – Regional Co-ordinator

**(c) Fiduciary Management**

The key management personnel who held office during the financial year ended 30<sup>th</sup> June 2019 and who had direct fiduciary responsibility were:

- (i) Betty Sungura - Nyabuto, MBS - Commission Secretary/CEO
- (ii) Paul Kuria – Director, Programmes and Research
- (iii) Winfred Wambua – Assistant Director, Programmes
- (iv) Wilson Desire - Assistant Director; Legal, complaints, investigation and redress
- (v) Beatrice Cheruiyot – Ag. Finance Manager
- (vi) Lucy Mandago - Human Resources Manager
- (vii) Goretty Osur – Regional Co-ordinator

The accompanying financial statements constitute the financial statements for the National Gender and Equality Commission



**(d) Fiduciary Oversight Arrangements**

**i) Audit Committee**

Committee members:

1. Kenneth Kuguru – Chairperson
2. Dr. Chomba Munyi – Commission Vice-Chairperson and Member
3. Esther Ngeru – Member representing National Treasury
4. Rosemary Olonde – Member

The Audit Committee was launched in December 2017. The Committee is responsible for strengthening the effectiveness of the internal audit function including regular review of its capacity, review and approval of the Internal Audit Charter and Internal Audit annual work plan.

**ii) Advisory Team**

**Members at Policy level**

1. Dr. Joyce Mutinda – Chairperson
2. Dr. Chomba Munyi – Vice Chairperson
3. Hon. Priscilla Nyokabi - Commissioner
4. Dr. Florence Wachira, MBS - Commissioner
5. Betty Sungura – Nyabuto, MBS - Commission Secretary/CEO

The main roles played by the team are:

- To review all financial reports and make recommendation to the Commission; These include expenditure, receipts and procurement quarterly reports;
- Review all financial, procurement and programs quarterly and annual; Work plans;
- Review printed supplementary budget proposals prepared by the Secretariat.

**iii) Members at Secretariat Level**

- (i) Betty Sungura - Nyabuto, MBS - Commission Secretary/CEO
- (ii) Paul Kuria – Director; Programmes
- (iii) Winfred Wambua – Assistant Director, Programmes
- (iv) Wilson Desire - Assistant Director; Legal, Complaints, Investigations and Redress
- (v) Lucy Mandago – Human Resources Manager
- (vi) Beatrice Cheruiyot – Ag. Finance Manager
- (vii) Goretty Osur – Regional Co-ordinator

The main roles played by the Secretariat include:

- To review and consider the cash flow plans for recommendation to the Commission;
- To review the utilization of the cash limits and consider any changes as may be required;
- To review the utilization of the donor funds voted for the Commission;
- To advice the accounting officer on the challenges related to the budget implementation;
- To review and approve the submission of the payment returns, payroll IPPDs, pending bills

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- To participate in budget sector working groups.
- To review budgets, supplementary estimates and performance of budget against actual for the Commission in consultation with the Heads of Department.
- Reviewing and making recommendations on management programs established to monitor compliance with sound public financial management, internal controls, policies, laws, regulations, procedures and the code of ethics.

**iv) Human Resource and Advisory Committee:**

The members who served the Committee were:

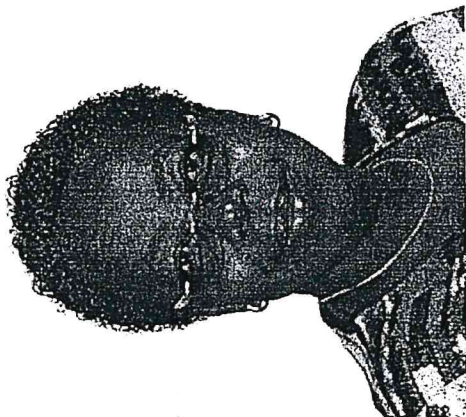
1. Lucy Mandago
2. Sylvester Mbithi
3. John Nzioka
4. Matthew Musau
5. Beatrice Cheruiyot

**The roles played by the committee include:**

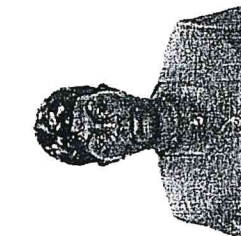
- Review of training plans and training reports;
- Adjudication of disciplinary matters and make recommendations;
- Review Commission's Human Resource policies for technical input;
- Consider and recommend for approval staff training requests;
- Review staff needs and welfare.

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**THE COMMISSION**



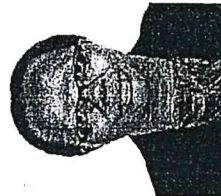
Dr. Joyce Mutinda, PhD  
Commission Chairperson



Hon. Priscilla Nyokabi  
Commissioner



Dr. Joel Chomba, PhD  
Vice Commission Chairperson



Dr. Florence Wachira, MBS  
Commissioner



## BIOGRAPHIES



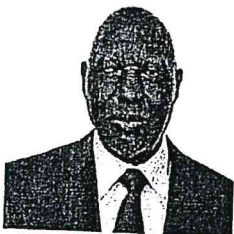
Dr. Joyce Mutinda, PhD  
Commission Chairperson

Dr. Joyce Mwikali Mutinda is the Chairperson of the National Gender and Equality Commission. She was appointed on August 17, 2018 and sworn in on August 27, 2018. Dr. Mutinda is an accomplished educationist, gender analyst, quality auditor, training consultant and a monitoring and evaluation expert. She holds a Doctor of Philosophy degree in Educational Management from Makerere University in Uganda, a Master of Arts degree in Gender Analysis in Development from the University of East Anglia in the United Kingdom and a Bachelor of Education degree from the University of Nairobi, Kenya.

Prior to her appointment, Dr. Mutinda was the Chairperson of Rongo University Council. Throughout her career, Dr. Mutinda has served in over fifteen public institutions in the education sector and civil service and undertaken numerous local, regional and international consultancies.

She has published over 20 research papers and reports and is a respected training consultant and facilitator. She has attended over 40 high level workshops and seminars and represented the country in various capacities. At the community level, she has served in various Management Boards of secondary schools and Teacher Training Colleges as well as holding leadership positions in various associations.

Dr. Mutinda is an avid reader and writer, cherishes mentoring the youth, motivating the girl-child and women, conserving the environment and loves singing.



Dr. Joel Chomba, PhD  
Vice Commission Chairperson

Dr. Chomba is the Vice Chairperson of the Commission. He was appointed on August 17, 2018 and sworn in on August 27, 2018. He holds a Doctor of Philosophy Degree from Kenyatta University, Doctor of Education (Special Needs Education) from the University of Marylebone, UK, PGDE in Curriculum Development and Evaluation from Kenyatta University, Master's degree in Special Needs Education from Michigan State University, U.S.A, and a Bachelor of Education from University of Nairobi.

He has served in the Disability Sector as a Chairman in the Disabled Voters of Kenya Alliance (DVA) and Kenya Union for the Blind (KUB). Other memberships include; the Nairobi County Public Service Board, National Council for Persons with Disabilities (NCPWD), Kenya Institute of Special Education (KISE) Council, Kenya Institute for the Blind (KIB) Board of Management

and Nguviu Boys' High School Board of Management.

Prior to his appointment Dr. Chomba worked as a Senior Lecturer at Kenyatta University in the Special Needs Education Department, as Managing Director at Disability Awareness and Development (FAMDAD) Management Consultancy and as an Executive Director at the African Union of the Blind (AFUB).



Dr. Florence Wachira  
Commissioner, MBS

Commissioner Dr. Florence Nyokabi Wachira is a Human Resource Management practitioner and a career Public servant. Prior to joining the Commission, she held various positions in the civil service of Kenya where her last appointment was as Director of Recruitment and Selection in the Public service Commission.

She holds a Doctorate degree in Human Resource Management, a Master's degree in Human Resource Development and a Master's Degree in Gender and Development studies. She is a Full member of the Kenya Institute of Management (KIM) and a Chartered member of the UK based Chartered Institute of Personnel Development (CIPD).

She has vast knowledge and experience in people management and especially in talent development and management of Diversity. She is a firm believer in truth, justice and fairness in all matters affecting people



Hon. Priscilla Nyokabi  
Commissioner

Hon. Nyokabi is an Advocate of the High Court of Kenya and holds a Bachelor of Law Degree from the University of Nairobi and a Diploma from the Kenya School of Law. She is the first Nyeri County Woman Member of Parliament who served from 2013 to 2017. She was appointed on August 17, 2018 and sworn in on August 27, 2018. Before joining Parliament, Hon. Nyokabi was the Executive Director of Kituo Cha

Sheria. She served as the Deputy Presiding Officer Eastern Africa in the African Union Permanent Assembly of the Civil Society (AU ECOSOC) and as a Media Council of Kenya Complaints Commissioner. She was nominated Top 40 under 40 Women in Kenya in 2010 and 2011 by Nation Business Daily

During her stint in Parliament Hon. Nyokabi championed issues of women, human rights and development.

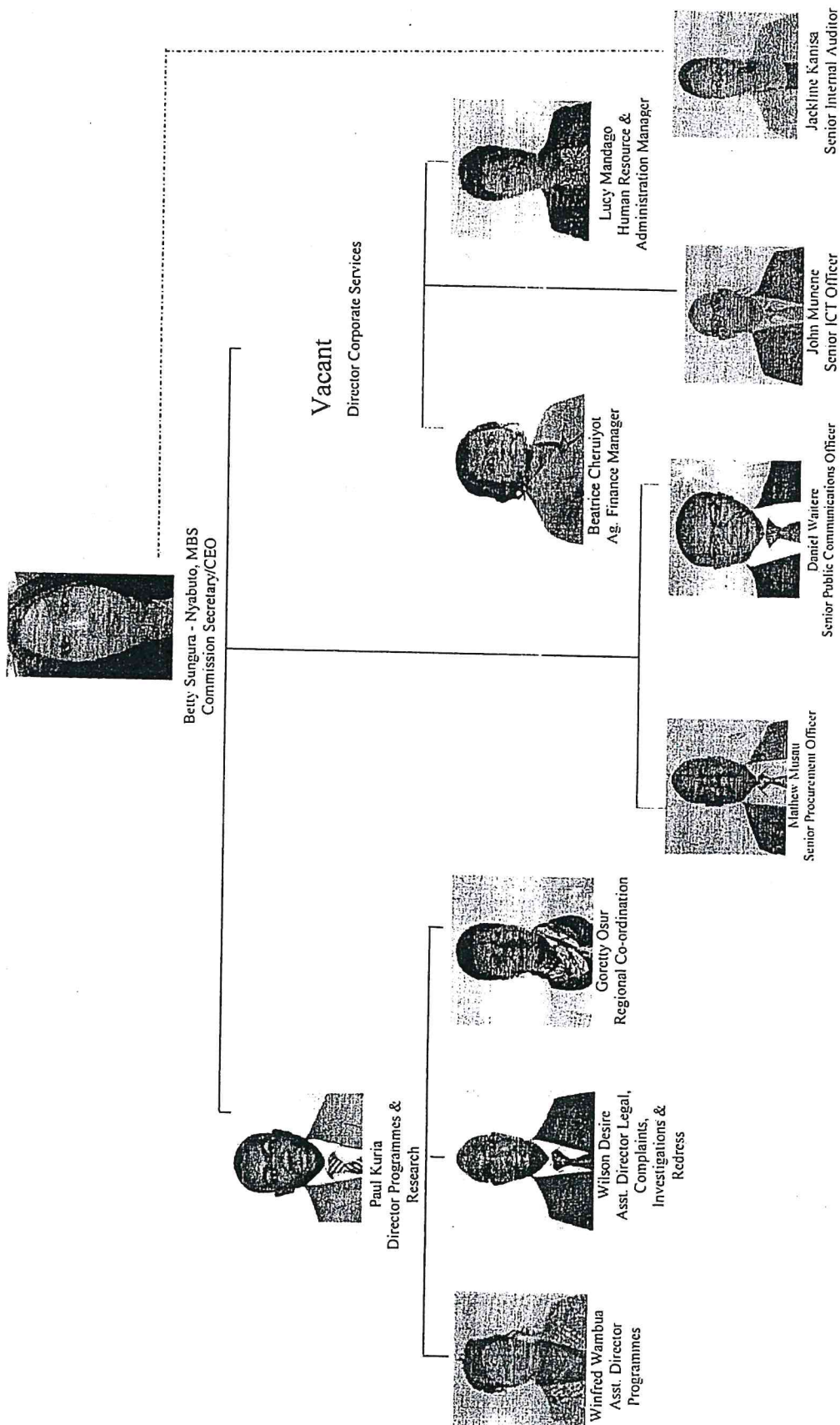
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She served in various Parliamentary committees including: Justice and Legal Affairs Committee as the Vice Chairperson, Budget and Appropriations Committee, House Business Committee, Chairperson of Caucus 47 of all the County Women Representatives, Kenya Women Parliamentary Association (KEWOPA) as an Executive Committee Member and Catholic MPs Forum as a Member. Hon. Nyokabi is married and a mother of two.



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**SECRETARIAT**



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Betty Sungura-Nyabuto, MBS  
Commission Secretary/CEO

Ms. Betty Sungura- Nyabuto MBS, is the Commission Secretary and Chief Executive Officer of the National Gender and Equality Commission (NGEC). An accomplished scholar, Advocate of the High Court of Kenya and an active member of the Law Society of Kenya, Betty holds a Bachelor of Laws (LLB) and Master in Laws (LLM) in International Trade & Investment Law, both from the University of Nairobi.

Betty has served at the Independent Electoral and Boundaries Commission (IEBC) in the Chief Executive portfolio both as Acting CEO and Deputy CEO capacities. She had previously served as the CEO of the Law Society of Kenya. She has served as Legal Counsel at FIDA- Kenya. In her legal career and governance leadership stint, she has interacted widely with the legal profession at the bar, bench, private and public sector as well as at local, regional and international levels including the East African Court of Justice(EACJ) and the EAC.

Betty is a proficient author, child rights defender and has written books on good governance and also authored separately with the UN- Women on how to promote participation of women in elections. As part of her participation in good governance, Betty has undertaken major regional and international consultancies including assisting the Burundi Bar Association with Strategic Planning in preparation of their first ever Strategic Plan with the support of Avocats sans frontières Belgium.

She has worked with Plan Nederlands International in Amsterdam defending child rights and is currently serving as a member of the Law Society of Kenya Mentorship Board/ Committee. She is a Commissioner of Oaths and a Notary Public, both conferred by the Judiciary in Kenya.



Paul Kuria  
Director Programmes  
& Research

Mr. Paul Kuria was appointed the position of Director Programs and Research in March 2019.

He holds a bachelor's degree in Anthropology and a master's degree in Anthropology both from the University of Nairobi, Kenya.

He is responsible for the design of programmatic interventions and strategic research activities essential for the fulfilment of the Commission's core mandate and functions.





Prior to the appointment, Mr. Kuria served in the management of NGEC (2013 and 2017) as Ag. Commission Secretary/CEO

In 2018, Mr. Kuria was the technical advisor of Gender Committee, Council of Governors where he directed UNWOMEN supported programs.

Mr. Kuria is the former Kenya Country Manager of Bill and Melinda Gates Kenya Urban Reproductive Health Program, and former Project Manager of the David and Lucile Packard Foundation Western Kenya Reproductive Health Project.








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 <p>Winfred Wambua Assistant Director Programmes</p>	<p>Ms. Winfred Wambua was appointed the Assistant Director Programs in 10<sup>th</sup> August, 2018. She holds a Master of Arts in Development studies and a Bachelor of Arts degree in Anthropology (first class honors) from the University of Nairobi. In her role she is responsible for the design, development and execution of the programmatic interventions that promote equality and inclusion of the special interest groups. Prior to her appointment Ms. Winfred served as a Chief Officer in charge of Gender, Youth, Sports and social services in Makeni County.</p>
 <p>Wilson Desire Assistant Director Legal, Complaints, Investigations &amp; and Redress</p>	<p>Desire Njamwea was appointed the Assistant Director Legal, Complaints, Investigations and Redress on 10<sup>th</sup> August, 2018. He holds a Master of Laws in International Human Rights and HIV in Africa from the University of Pretoria, Bachelors of Law from Moi University, Kenya and Diploma in Law. He is in charge of designing and reviewing the Commission's mechanism for receiving and processing complaints of violations of principles of equality and freedom from discrimination; designing and facilitating mechanisms for formal hearings and inquiries; establishing joint referral mechanisms for complaints with Article 59 Commissions; ensuring compliance by the Commission on its legal mandates; reviewing laws, policies and administrative regulations to ensure integration of principles of equality and freedom from discrimination.</p>
 <p>Lucy Mandago Human Resource Manager</p>	<p>Lucy Mandago was appointed the Human Resource Manager on 1<sup>st</sup> July 2016. She is in charge of all the Human Resource functions in the Commission. She is also charged with advising the Commission on all Human Resource matters so as to facilitate proper decision making. Lucy is a Certified Human Resource Professional (CHRP) with a Master of Business Administration (MBA) – Human Resource Management option; Bachelor of Arts in Social Sciences (Sociology Major and Economics - Minor); Higher National Diploma in Human Resource Management and Senior Management Course.</p>
 <p>CPA Beatrice Cheruiyot Ag. Finance Manager</p>	<p>CPA Beatrice J Cheruiyot assumed the position of Ag. Finance Manager when she joined NGEK in February 2018. She holds a Masters of Business Administration- Finance Option from JKUAT, Bachelors of Business Administration degree, Finance and Accounting option and a Certified Public Accountant of Kenya CPAK). She is in charge of Finance and Accounting Division that is mandated with the development and maintenance of effective financial management and control systems; coordination of budget planning and implementation; formulation, management and implementation of the budget, recommending and implementing sound financial management policies, standards, systems, strategies and procedures at the Commission. Beatrice is an active Member of the Institute of Certified Public Accountants of Kenya (ICPAK) and a member of Association of Women Accountants in Kenya (AWAK). She has over 12 years'</p>



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	experience in the field of Finance and Accounting.
 <p>Goretty Osur Regional Co-ordination</p>	<p>Goretty Osur was appointed Regional Coordinator in August, 2018. Her duties entail; Provision of advice on matters relating to gender equality and freedom from discrimination, coordination of public education programmes for the creation of a culture of respect for principles of equality and freedom from discrimination and coordinating programme activities at the regional levels, Development of strategic partnerships and coordination with relevant stakeholders on matters of SIGs; collaborations and resource mobilization for the regions and monitoring and advocating for compliance with constitutional provisions, national laws, regional and international conventions and treaties relating to gender equality and freedom from discrimination and implementing strategies in the Commission's Strategic Plan relating to special interest groups on mainstreaming, monitoring and development of affirmative action policies in National and County governments in the public and private sector. She holds a Master of Arts in Sociology, University of Nairobi, Diploma in Human Resource Management from the Kenya Institute of Management and Bachelors of Arts in Sociology and Public Administration, University of Nairobi.</p>
 <p>John Munene Senior ICT Officer</p>	<p>Mr. John Munene joined the Commission in 2012. He is responsible for ensuring the Commission achieves optimal effectiveness and efficiency through deployment of cutting end technology and innovation. He holds a Master's Degree in Information System from University of Nairobi and a degree in Information Technology from Moi University. He is a Certified Information Systems Auditor, Certified Information Security Manager and a Certified Cisco Network Associate among other qualifications. He is a member of Certified Information Systems Audit and Control Association (ISACA) and Computer Society of Kenya.</p>
 <p>Jackline Kanisa Senior Internal Auditor</p>	<p>Mrs. Jackline Kwamboka Kanisa assumed the position of Senior Internal Auditor in 24th June, 2019. She is in charge of Internal Audit Division that provides objective appraisal of the financial and operational activities of the Commission. She holds a Masters in Strategic Management from Kenyatta University and Bachelors degree in Commerce (Finance option) from Catholic University of Eastern Africa, a Certified Public Accountant, an active Member of the Institute of Certified Public Accountants of Kenya (ICPAK) and a member of Certified Information Systems Audit and Control Association (ISACA).</p>

 <p><b>Mathew Musau</b> Senior Procurement Officer</p>	<p>Mr. Mathew Musau was employed as the Senior procurement Officer on 1<sup>st</sup> September 2014. He holds a Masters degree in Procurement and Logistics from JKUAT, a Bachelor of Commerce Degree in Business Management/ Marketing from Daystar University, a Graduate Diploma in Procurement from the Chartered Institute of Procurement and Supply (CIPS) and a certificate in Strategic Management and Leadership from the Kenya Institute of Management (KIM).</p> <p>Prior to this employment, Mathew was the Senior Procurement Officer at KenGen.</p> <p>He is responsible for managing the procurement function of the Commission and providing technical advice to the Management.</p>
 <p><b>Daniel Waitere</b> Senior Public Communications</p>	<p>Daniel Waitere is the Senior Public Communications Officer at the National Gender and Equality Commission (NGEC) having joined on 15<sup>th</sup> September, 2012. Mr. Waitere holds a Bachelor of Arts degree in Communications from Daystar University and is currently writing his thesis for the Master of Arts in Development communication at the University of Nairobi.</p> <p>Daniel has excellent communication skills and good understanding of mainstreaming issues of gender and disability into programmatic interventions in promotion of the rights of the special interest groups who include women, persons with disabilities, the youth, children, older members of society, the minority and marginalized groups in Kenya.</p> <p>As the Head of Public Communications Division Mr. Waitere has implemented projects on advocacy and capacity building at the national and county levels. He is instrumental in designing and implementing communication strategies, messaging, facilitating stakeholder engagement and ensuring standards and quality control of all below and above the line IEC collaterals and publications.</p> <p>Mr. Waitere is an accredited journalist and is charged with profiling NGEC as the default reference institution on all matters equality and inclusion. He is responsible for the articulation and exposition of the Commission's policies through public education and media coverage of the Commission's activities in both emerging and traditional print and electronic media.</p> <p>Previously, Mr. Waitere worked as a news editor with Kenya Broadcasting Corporation.</p>



## II. FOREWORD BY COMMISSION CHAIRPERSON



Dr. Joyce Mutinda, PhD  
Commission Chairperson

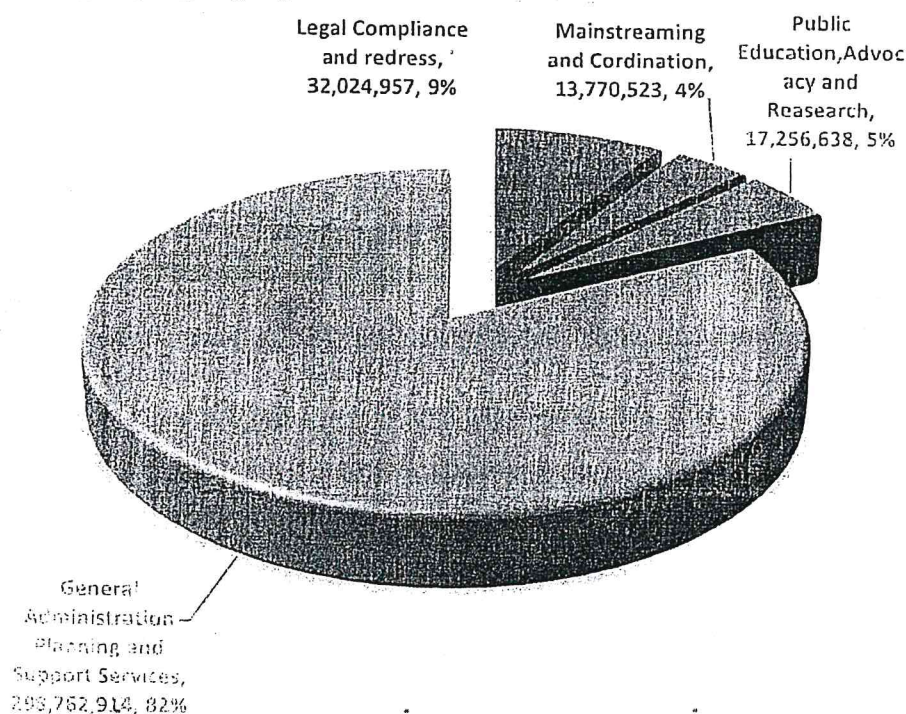
The National Gender and Equality Commission (NGEC) is a Constitutional Commission established by the National Gender and Equality Commission Act. No. 15 of 2011 pursuant to Article 59 (4) & (5) of the Constitution of Kenya, 2010. The Commission's mandate is to promote gender equality and freedom from discrimination for all people in Kenya with focus on special interest groups, which include: women, children, youth, persons with disabilities (PWDs), older members of society, minority and marginalised groups.

In the financial year 2018/19 the National Gender and Equality Commission had a gross budget of **KShs. 361,815,032** which was made up of **KShs 360,615,032** and **KShs 1,200,000** for recurrent and development votes respectively. The actual expenditure was KShs 345,197,543, making it **95% absorption level**.

### Budget allocation

This gross budget was allocated under the programme for promotion of Gender Equality and Freedom from discrimination under the following four sub-programmes as shown in the chart below:

**Budget Allocation by sub-programmes**



- ii. **Legal Compliance and Redress:** The objective of the sub programme is to monitor, facilitate and advise on the integration of the principles of equality and freedom from discrimination in all national and county policies, laws, and administrative regulations in all public and private institutions and investigate and seek redress for violation of principles of equality and inclusion as envisaged under article 27 and 43 of the constitution. It was allocated Kshs. 32,024,957 representing 9% of the budget.
- iii. **Mainstreaming and Coordination:** The objective is to co-ordinate and facilitate mainstreaming of issues of gender, persons with disabilities and other marginalized groups in national development programs and actions. It also advises the Government and facilitates the implementation of affirmative actions and programs. It was allocated Kshs. 13,770,523 representing 4% of the budget.
- iv. **Public Education, Advocacy and Research:** The main objective is to co-ordinate and advice on public education programmes for the creation of a culture of respect for the principles of equality and freedom from discrimination, conduct and co-ordinate research activities on matters relating to equality and freedom from discrimination as contemplated under Article 27 of the Constitution of Kenya, 2010. It was allocated Kshs. 17,256,638 representing 5% of the budget.
- v. **General Administration and Support Services:** Its objective is to strengthen institution capacity to deliver on its mandate. It was allocated Kshs. 298,762,914 representing 82 % of the budget.

### Key Performance Highlights

#### Financial Performance Summary

#### Actual Performance against Budget for Year to 30<sup>th</sup> June 2019

Revenue/Expense Item	Original Budget	Adjustment	Total Budget	Actual Receipts/Payments	Budget Utilization	Difference to Budget
<b>RECEIPTS</b>						
Total Receipts	195,042,339	166,772,693	361,815,032	345,946,799	15,868,233	96%
Payments					0	
Grand Total	195,042,339	166,772,693	361,815,032	345,197,543	16,617,489	95%
Surplus/Deficit	-	-	-	749,256		

Actual receipts by the Commission stood at 4% below budget while actual payments were 5% below budget. This is attributable to underutilization of budget allocation for personnel emolument occasioned by late replacement of staff who resigned from the Commission.

#### Budget Utilisation

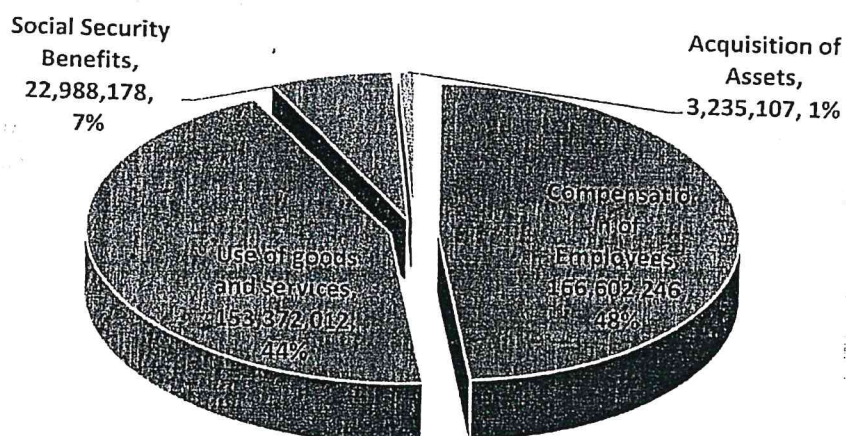
The Commission spent **KShs. 345,197,543** against an approved budget of **KShs. 361,815,032** representing absorption of **95%**. Utilisation of the budget was carried out through various activities (economic classifications) as shown in the Table herein:



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It should be noted 44% of budget allocation for the Commission was used on procurement of goods and services, 48% for personnel emoluments, 7% on gratuity and 1% is for acquisition of fixed assets.

**Budget Utilisation: Economic classification**



Comparing the current financial year to FY 2017/18, there was an increase of 6.5% in utilization from Kshs 324,635,090 in FY 2017/18 to Kshs. 345,197,543 in FY 2018/19.

### **Receipts**

The Commission receipts mainly comprise of exchequer releases from the National Treasury and external grants from development partners. During the financial year 2018/19 the Commission received a total of Kshs. 345,777,100 relating to exchequer releases from National Treasury. This is an increase of 6% of total receipts compared Kshs. 325,512,017

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received in FY 2017/18.

#### **Payments:**

The total payments for the FY 2018/19 were Kshs. 345,197,543 representing 6.6% increase compared to Kshs. 324,635,090 spent in the FY 2017/18.

The payments for FY 2018/19 are as follows: -

Revenue/Expense Item	Approved Budget by Parliament	Actual Payments	Variance
<b>Payments</b>			
Compensation of Employees	171,370,000	166,602,246	4,767,754
Use of goods and services	162,583,871	152,372,012	9,011,859
Social Security Benefits	22,988,178	22,988,178	-
Acquisition of Assets	4,872,983	3,235,107	1,637,876
<b>Grand Total</b>	<b>361,815,032</b>	<b>345,197,543</b>	<b>15,417,489</b>

#### **Financial Asset Summary:**

	2018-2019 Kshs	2017-2018 Kshs	Change	% Change
<b>FINANCIAL ASSETS</b>				
<b>Cash and Cash Equivalents</b>				
Bank Balances	53,720,738	43,656,562	10,064,176	21.66%
Cash Balances	-	-		
<b>Total Cash And Cash Equivalents</b>	<b>53,720,738</b>	<b>43,656,562</b>		
Accounts Receivables - Outstanding Imprest and Clearance Accounts	-	168,600	- 168,600	-81.32%
<b>TOTAL FINANCIAL ASSETS</b>	<b>53,720,738</b>	<b>43,825,162</b>	<b>9,895,576</b>	<b>21.27%</b>

The financial assets held by the Commission as at 30.06.2019 totaled to Kshs. 53,720,738. This comprised of Kshs. 142,656 cash balance held on the recurrent account, Kshs. 606,600 in the Access and Mobility project account (UN Habitat) and Kshs. 52,971,481 cash held on the deposit account all at Central Bank of Kenya. This is an increase of Kshs. 9,895,576 from the balance of Kshs. 43,656,562 for FY 2017/18.

#### **Cash Flows and Cash Position**

The cash and bank balances held by the National Gender and Equality Commission as at 30<sup>th</sup> June 2019 was Kshs 53.72 Million compared to Kshs 43.65 Million held as at 30<sup>th</sup> June 2018. The breakdown of the cash and bank balances is as summarized in the table herein.

#### **Cash and Bank Balance**

Bank balances increased by 23.05% as a result of increased deposits for staff gratuity.

	2018-2019 Kshs	2017-2018 Kshs	Balance Kshs	% Kshs
<b>Total</b>	<b>53,720,738</b>	<b>43,656,562</b>	<b>10,064,176</b>	<b>23%</b>



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### **Cash Flow Activities**

Net cash flows utilised in investing activities decreased due to a decrease in amounts utilized in the acquisition of assets. There was a decrease in cash flow from operations activities due to decrement in the budget.

The table herein summarizes cash flows generated and used from various activities.

	2018/2019 KES	2017/2018 KES	Change	% Change
<b>CASH FLOW FROM OPERATING ACTIVITIES</b>				
Net cashflow from operating activities	13,299,282	(19,029,684)	32,328,966.45	-169.89%
<b>CASHFLOW FROM INVESTING ACTIVITIES</b>				
Net cash flows from Investing Activities	(3,235,107)	(3,664,725)	429,618.00	-11.72%
<b>CASHFLOW FROM BORROWING ACTIVITIES</b>				
Net cash flow from financing activities	-	-		
<b>NET INCREASE IN CASH AND CASH EQUIVALENT</b>	10,064,175	(22,694,409)		
Cash and cash equivalent at BEGINNING of the year	43,656,562	66,350,971	(22,694,409.05)	-34.20%
Cash and cash equivalent at END of the year	53,720,737	43,656,562	10,064,175.40	23.05%

### **Key Achievements of the National Gender and Equality Commission in the FY 2018/19**

The Commission accomplished the following during FY 2018/19:

1. The Commission monitored state compliance with four (4) international treaties with and convention. These include Convention on the Rights of Persons with Disabilities (CRPD), 11<sup>th</sup> UN Open Working Group Session on Ageing, the 12<sup>th</sup> Session on the UN Convention on the Rights of Persons with Disabilities and the Universal Periodic Review.
2. NGECE held (44) stakeholder coordination forums to ensure a coordinated approach towards addressing issues of Special Interest Groups (SIGs). The stakeholders were drawn from both state and non-state actors. The coordination meetings provided a platform where issues affecting SIGs were deliberated upon.
3. Six (06) Equality and Inclusion Technical Working Groups (ETWGs) were established in Nyandarua, Nyamira, Malindi, Kitui, Tana River and Mandera Counties. These ETWGs are meant to inculcate a culture of respect for the principles of equality and freedom from discrimination in the respective areas.
4. Four (04) consultative meetings were held with members of Parliament and other stakeholders to lobby and enlist their support for The Constitution of Kenya Amendment Bill No. 4 of 2018 (Duale 2) on the 2/3 gender.
5. One hundred and eight (108) performance compliance reports from Ministries, Departments and Agencies were received, analyzed and certificates issued. The Commission issued 48 advisories in cases of non-compliance. The reports were

based on three key parameters namely 2/3 gender principle, 5% for Persons with Disabilities and representation for youth in employment.

6. A consultation forum was held with teachers from Kiambu, Nairobi, Machakos and Kajiado Counties to promote gender equality and inclusion in schools.
7. A Model Legislative and Policy Framework on Sexual and Gender Based Violence (SGBV) was formulated, published, launched and disseminated. This policy document was disseminated in Mandera, Nakuru, Bomet, Kirinyaga and Kitui counties. The model provides guidance on formulation of policies and enactment of laws. It also provides a coordination mechanism to County governments on critical issues on SGBV. The dissemination forums targeted County Executive, County Assembly and County Gender Technical Working Groups.
8. One hundred and fifty two (152) advisories were issued to public institutions and agencies on violations of the principles of equality and inclusion based on received complaints. The institutions and agencies included; Office of the President, the National Treasury, the National Assembly, the Senate, Public Service Commission, Governors in the 47 Counties, all the 47 County Assemblies and all the 47 County Assembly Service Boards. Others included the National Assembly's Constitutional Implementation Oversight Committee (CIOC), Justice and Legal Affairs Committee of the National assembly, Senate Committee on Justice, Legal Affairs and Human Rights and the public.
9. Launching the *Legislative handbook: principles of equality and non-discrimination*. The handbook guides legislators on the understanding of principles of gender equality and inclusion. It contains information on international and regional standards, constitutional and legal framework on gender equality and inclusion. The launch was attended by representatives from the National Assembly, Senate, National and County Governments.
10. Regional offices monitored the inclusion of special interest groups in the public participation processes of the 2019/2020 budget hearing processes.
11. Commemoration of various National and International days and events such as the International Day of the Girl Child, International Day of the Older Persons, and International Day of Persons with Disability.
12. Reviewed 35 bills and policies at national and county government levels; public participation bill of 2018, division of revenue bill 2018, persons with disabilities bill (ongoing) and office of the County Attorney bill (ongoing)
13. Involvement in thirteen (13) public interest litigation cases meant to enhance respect for human rights, access to justice, equality and inclusion for special interest groups in social economic development agenda. The cases include:
  - a) In petition 313 of 2015, NGEC was joined in the case as an Interested Party. The case was seeking constitutional interpretation on whether the term "gender" as contained in the Constitution of Kenya, 2010 connotes the conventional binary male or female genders or includes a '3<sup>rd</sup> gender' and whether not more than two-thirds gender discourse should include a 3<sup>rd</sup> gender with a distinct quota in the National Assembly and the Senate. (Doc. 6)



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- b) In petition 12 of 2016, NGEC filed the case against the National Assembly for passing the Statute Law (Miscellaneous Amendment) Act, 2015 which deleted section 14 (b) of the National police Service Act (No. 11A of 2011), a key provision containing the Constitutional framework for mainstreaming gender equality in the National Police Service especially at top leadership as required by Article 27(6) and (8) of the constitution which the Commission challenges
- c) In petitions No. 605 and 606 of 2014, NGEC was joined in the two cases as *amicus curiae* (friend of the court). The case concerned an issue of forced and coerced sterilization of women living with HIV and AIDS and violation of constitutional rights especially sexual reproductive health rights
- d) In Petition 266 of 2015, NGEC was joined in the case as a friend of the court. The Ministry of Health through the Director of Medical Services to withdraw the Standards and Guidelines for reducing morbidity and Mortality from Unsafe Abortion in Kenya largely addressing the issue of unsafe abortions as a main cause despite the Constitution permitting abortion if in the opinion of a trained health professional, there is need for emergency treatment, or the life or health of the pregnant woman is in danger.
- e) In Judicial Review No. 11 of 2017, NGEC was joined in the case as Interested Party. The case concerned the appointment of members to the National Climate Change Council to represent the civil society by the Parliament. The proposed members of the Council did not meet the two-thirds gender principle as required by section 7 of the Climate Change Act, No. 11 of 2016 informing our joining the case.
- f) In Petition 226 of 2015, NGEC sued the Cabinet Secretary, Ministry of Labour and East African Community Affairs & another acting ultra vires and its failure to implement the Social Assistance Act 2013 and it acting ultra vires in contravention with Article 43 of the Constitution of Kenya 2010
- g) In Petition 409 of 2017, NGEC sued the IEBC challenging 2017 elections party nomination lists.
- h) In Kisumu Petition No. 23 of 2018, NGEC was joined in the case as an Interested Party. The case concerns unlawful detention of minor with mental disability by Holy Ghost church to receive spiritual healing where he and other children have been chained. It is premised on torture, cruel treatment, denial of right to health and degrading and inhuman treatment.
- i) Nakuru Petition No. 1 of 2019, NGEC sued the County Assembly of Nakuru challenging the de-whipping of female nominated MCAs from committees and leadership of the same. It also challenged the constitutionality of the SRC circular on mileage allowance for nominated MCAs.
- j) Nyeri Petition No. 1 of 2017, NGEC was joined in the case as Interested Party. The case is challenging the recruitment exercise of chief officers in Marsabit County where PWDs were not considered despite applying and being qualified

### **Emerging Issues**

- a) High demand for social safety programs due to increased vulnerability of women, youth, and older members of the society, PWD and nomadic communities.
- b) Increased violation of principles of equality and inclusion in both private and public sphere with high incidence reported among children, older members of the society, minorities and Persons With Disabilities.
- c) Need for coordinated response to vulnerability of special interest groups on the following: Disasters, erratic climate changes, large natural resource mining, energy and infrastructure projects that displace population.

### **Challenges**

The following challenges weighed heavily on the Commission's effort to effectively deliver on its strategic interventions:

- i. **Budgetary constraints:** Inadequate funding coupled with budget cuts which resulted in inability to effectively discharge its mandate
- ii. **Low staff establishment:** Under staffing of professional/technical levels and high technical staff turnover hampered effective service delivery. The Commission will initiate negotiation for recruitment of more staff.
- iii. Inability to fully operate County offices due to limited resources.



**Dr. Joyce Mutinda, PhD**  
**Commission Chairperson**

### **III. STATEMENT OF ENTITY MANAGEMENT RESPONSIBILITIES**

Section 81 (1) of the Public Finance Management Act, 2012 requires that, at the end of each financial year, the Accounting Officer for a National Government Entity shall prepare financial statements in respect of that entity. Section 81 (3) requires the Financial Statements so prepared to be in a form that complies with relevant Accounting Standards as prescribed the Public Sector Accounting Standards Board of Kenya from time to time.

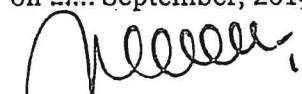
The Accounting Officer in charge of the National Gender and Equality Commission is responsible for the preparation and presentation of the entity's Financial Statements, which give a true and fair view of the state of affairs of the entity for and as at the end of the financial year (period) ended on June 30, 2019. This responsibility includes: (i) maintaining adequate financial management arrangements and ensuring that these continue to be effective throughout the reporting period; (ii) maintaining proper accounting records, which disclose with reasonable accuracy at any time the financial position of the entity; (iii) designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of the financial statements, and ensuring that they are free from material misstatements, whether due to error or fraud; (iv) safeguarding the assets of the entity; (v) selecting and applying appropriate accounting policies; and (vi) making accounting estimates that are reasonable in the circumstances.

The Accounting Officer in charge of the National Gender and equality Commission accepts responsibility for the entity's Financial Statements, which have been prepared on the Cash Basis Method of Financial Reporting, using appropriate accounting policies in accordance with International Public Sector Accounting Standards (IPSAS). The Accounting Officer is of the opinion that the entity's financial statements give a true and fair view of the state of entity's transactions during the financial year ended June 30, 2019, and of the entity's financial position as at that date. The Accounting Officer in-charge of the National Gender and equality Commission further confirms the completeness of the accounting records maintained for the entity, which have been relied upon in the preparation of the entity's financial statements as well as the adequacy of the systems of internal financial control.

The Accounting Officer in charge of the National Gender and equality Commission confirms that the entity has complied fully with applicable Government Regulations and the terms of external financing covenants (where applicable), and that the entity's funds received during the year under audit were used for the eligible purposes for which they were intended and were properly accounted for. Further the Accounting Officer confirms that the entity's Financial Statements have been prepared in a form that complies with relevant accounting standards prescribed by the Public Sector Accounting Standards Board of Kenya.

#### **Approval of the Financial Statements**

The entity's financial statements were approved and signed by the Accounting Officer on <sup>20<sup>th</sup></sup> September, 2019.

  
**Commission Secretary/CEO**  
**Betty Sungura - Nyabuto, MBS**

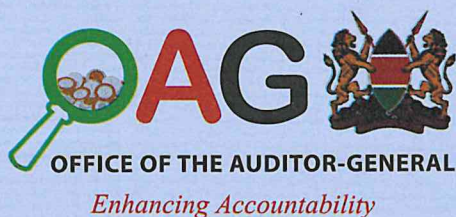
  
**Ag. Finance Manager**  
**CPA Beatrice heruiyot**  
**ICPAK :6016**





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NAIROBI

## **REPORT OF THE AUDITOR-GENERAL ON NATIONAL GENDER AND EQUALITY COMMISSION FOR THE YEAR ENDED 30 JUNE, 2019**

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### **REPORT ON THE FINANCIAL STATEMENTS**

#### **Opinion**

I have audited the accompanying financial statements of the National Gender and Equality Commission set out on pages 26 to 39, which comprise the statement of financial assets and liabilities as at 30 June, 2019, and the statement of receipts and payments, statement of cash flows, and summary statements of appropriation – recurrent, development and combined for the year then ended, and a summary of significant accounting policies and other explanatory information in accordance with the provisions of Article 229 of the Constitution of Kenya and Section 35 of the Public Audit Act, 2015. I have obtained all the information and explanations which, to the best of my knowledge and belief, were necessary for the purpose of the audit.

In my opinion, the financial statements present fairly, in all material respects, the financial position of the National Gender and Equality Commission as at 30 June, 2019, and of its financial performance and its cash flows for the year then ended, in accordance with International Public Sector Accounting Standards (Cash Basis) and comply with the National Gender and Equality Commission Act, 2011 and the Public Finance Management Act, 2012.

#### **Basis for Opinion**

The audit was conducted in accordance with International Standards of Supreme Audit Institutions (ISSAIs). I am independent of National Gender and Equality Commission in accordance with ISSAI 130 on Code of Ethics. I have fulfilled other ethical responsibilities in accordance with the ISSAI and in accordance with other ethical requirements applicable to performing audits of financial statements in Kenya. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

#### **Key Audit Matters**

Key audit matters are those matters that, in my professional judgment, are of most significance in the audit of the financial statements. There are no key audit matters to communicate in my report.



## **Other Matter**

### **Pending Bills**

As disclosed under Notes 13 to the financial statements, the Commission had pending bills totalling Kshs.2,882,138 as at 30 June, 2019 that were not settled during the year 2018/2019 but were instead carried forward to 2019/2020. Failure to settle bills during the year in which they relate to adversely affects the provisions of the subsequent year to which they have to be charged.

## **REPORT ON LAWFULNESS AND EFFECTIVENESS IN USE OF PUBLIC RESOURCES**

### **Conclusion**

As required by Article 229(6) of the Constitution, based on the audit procedures performed, I confirm that, nothing has come to my attention to cause me to believe that public resources have not been applied lawfully and in an effective way.

### **Basis for Conclusion**

The audit was conducted in accordance with ISSAI 4000. The standard requires that I comply with ethical requirements and plan and perform the audit to obtain assurance about whether the activities, financial transactions and information reflected in the financial statements are in compliance, in all material respects, with the authorities that govern them. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

## **REPORT ON EFFECTIVENESS OF INTERNAL CONTROLS, RISK MANAGEMENT AND GOVERNANCE**

### **Conclusion**

As required by Section 7(1)(a) of the Public Audit Act, 2015, based on the audit procedures performed, I confirm that, nothing has come to my attention to cause me to believe that internal controls, risk management and governance were not effective.

### **Basis for Conclusion**

The audit was conducted in accordance with ISSAI 2315 and ISSAI 2330. The standards require that I plan and perform the audit to obtain assurance about whether effective processes and systems of internal control, risk management and governance were maintained in all material respects. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

## **Responsibilities of Management and those Charged with Governance**

Management is responsible for the preparation and fair presentation of these financial statements in accordance with International Public Sector Accounting Standards (Cash



Basis) and for maintaining effective internal control as Management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error and for its assessment of the effectiveness of internal control, risk management and governance.

In preparing the financial statements, Management is responsible for assessing the Commission's ability to sustain services, disclosing, as applicable, matters related to sustainability of services and using the applicable basis of accounting unless Management is aware of the intention to terminate the Commission or to cease operations.

Management is also responsible for the submission of the financial statements to the Auditor-General in accordance with the provisions of Section 47 of the Public Audit Act, 2015.

In addition to the responsibility for the preparation and presentation of the financial statements described above, Management is also responsible for ensuring that the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities which govern them, and that public resources are applied in an effective manner.

Those charged with governance are responsible for overseeing the financial reporting process, reviewing the effectiveness of how the entity monitors compliance with relevant legislative and regulatory requirements, ensuring that effective processes and systems are in place to address key roles and responsibilities in relation to governance and risk management, and ensuring the adequacy and effectiveness of the control environment.

### **Auditor-General's Responsibilities for the Audit**

The audit objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion in accordance with the provisions of Section 48 of the Public Audit Act, 2015 and submit the audit report in compliance with Article 229(7) of the Constitution. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISSAIs will always detect a material misstatement and weakness when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

In addition to the audit of the financial statements, a compliance audit is planned and performed to express a conclusion about whether, in all material respects, the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities that govern them and that public resources are applied in an effective manner, in accordance with the provisions of Article 229(6) of the Constitution and submit the audit report in compliance with Article 229(7) of the Constitution.



Further, in planning and performing the audit of the financial statements and audit of compliance, I consider internal control in order to give an assurance on the effectiveness of internal controls, risk management and governance processes and systems in accordance with the provisions of Section 7(1)(a) of the Public Audit Act, 2015 and submit the audit report in compliance with Article 229(7) of the Constitution. My consideration of the internal control would not necessarily disclose all matters in the internal control that might be material weaknesses under the ISSAIs. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements caused by error or fraud in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions.

Because of its inherent limitations, internal control may not prevent or detect misstatements and instances of non-compliance. Also, projections of any evaluation of effectiveness to future periods are subject to the risk that controls may become inadequate because of changes in conditions, or that the degree of compliance with the policies and procedures may deteriorate.

As part of an audit conducted in accordance with ISSAIs, I exercise professional judgement and maintain professional skepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Management.
- Conclude on the appropriateness of the Management's use of the applicable basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Commission's ability to sustain its services. If I conclude that a material uncertainty exists, I am required to draw attention in the auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my audit report. However, future events or conditions may cause the Commission to cease sustaining its services.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

- Obtain sufficient appropriate audit evidence regarding the financial information and business activities of the Commission to express an opinion on the financial statements.
- Perform such other procedures as I consider necessary in the circumstances.

I communicate with the Management regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that are identified during the audit.

I also provide Management with a statement that I have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on my independence, and where applicable, related safeguards.



**Nancy Gathungu**  
**AUDITOR-GENERAL**

**Nairobi**

**26 October, 2020**





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**IV. STATEMENT OF RECEIPTS AND PAYMENTS**

	Note	2018/2019 KSh.	2017/2018 KSh.
<b>RECEIPTS</b>			
Transfers from National Treasury	1	345,777,100	325,512,017
Other Receipts	2	169,699	-
<b>TOTAL REVENUES</b>		<b>345,946,799</b>	<b>325,512,017</b>
<b>PAYMENTS</b>			
Compensation of Employees	3	166,602,246	141,972,381
Use of goods and services	4	152,372,012	152,447,984
Social Security Benefits	5	22,988,178	26,550,000
Acquisition of Assets	6	3,235,107	3,664,725
<b>TOTAL PAYMENTS</b>		<b>345,197,543</b>	<b>324,635,090</b>
<b>SURPLUS/DEFICIT</b>		<b>749,256</b>	<b>876,927</b>

The accounting policies and explanatory notes to these Financial Statements form an integral part of the Financial Statements. The entity financial statements were approved on ...20... September 2019 and signed by:



**Commission Secretary/CEO**  
**Betty Sungura - Nyabuto, MBS**



**Ag. Finance Manager**  
**CPA Beatrice Cheruiyot**  
**ICPAK:6016**



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**V. STATEMENT OF FINANCIAL ASSETS AND LIABILITIES**

		2018/2019	2017/2018
<b>FINANCIAL ASSETS</b>			
<b>Cash and Cash Equivalents</b>			
Bank Balances	7A	53,720,738	43,656,562
Cash Balances	7B	-	-
<b>Total Cash And Cash Equivalents</b>		<b>53,720,738</b>	<b>43,656,562</b>
Accounts Receivables - Outstanding Imprest and Clearance Accounts	8	-	168,600
<b>TOTAL FINANCIAL ASSETS</b>		<b>53,720,738</b>	<b>43,825,162</b>
<b>LESS: FINANCIAL LIABILITIES</b>			
Accounts Payables - Deposits	9	52,971,481	42,948,235
<b>NET FINANCIAL ASSETS</b>		<b>749,256</b>	<b>876,927</b>
<b>REPRESENTED BY</b>			
Fund balance b/fwd	10	168,600	32,988
Prior year Adjustment	11	(168,600)	(32,988)
<b>Surplus/Deficit for the year</b>		<b>749,256</b>	<b>876,927</b>
<b>NET FINANCIAL POSITION</b>		<b>749,256</b>	<b>876,927</b>

The accounting policies and explanatory notes to these Financial Statements form an integral part of the Financial Statements. The entity financial statements were approved on 30<sup>th</sup> September 2019 and signed by:



**Commission Secretary/CEO  
Betty Sungura - Nyabuto, MBS**



**Ag. Finance Manager  
CPA Beatrice Cheruiyot  
ICPAK:6016**



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## VI. STATEMENT OF CASH FLOWS

	2018/2019	2017/2018
	KShs.	KShs.
<b>CASH FLOW FROM OPERATING ACTIVITIES</b>		
<b>Receipts for operating income</b>		
Transfers from National Treasury	1 345,777,100	325,512,017
Other Receipts	2 169,699	-
	<b>345,946,799</b>	<b>325,512,017</b>
<b>Payments for operating expenses</b>		
Compensation of Employees	3 (166,602,246)	(141,972,381)
Use of goods and services	4 (152,372,012)	(152,447,984)
Social Security Benefits	5 (22,988,178)	(26,550,000)
	<b>(341,962,436)</b>	<b>(320,970,365)</b>
<b>Adjusted for:</b>		
Changes in receivables	168,600.00	(168,600)
Changes in payables	10,023,246	(23,369,748)
Prior year adjustment	(168,600.00)	(32,988)
<b>Net cashflow from operating activities</b>	<b>14,007,609</b>	<b>(19,029,684)</b>
<b>CASHFLOW FROM INVESTING ACTIVITIES</b>		
Acquisition of Assets	6 (3,235,107)	(3,664,725)
<b>Net cash flows from Investing Activities</b>	<b>(3,235,107)</b>	<b>(3,664,725)</b>
<b>CASHFLOW FROM BORROWING ACTIVITIES</b>		
<b>Net cash flow from financing activities</b>	<b>-</b>	<b>-</b>
<b>NET INCREASE IN CASH AND CASH EQUIVALENT</b>	<b>10,772,502</b>	<b>(22,694,409)</b>
<b>Cash and cash equivalent at BEGINNING of the year</b>	<b>42,948,236</b>	<b>66,350,971</b>
<b>Cash and cash equivalent at END of the year</b>	<b>53,720,738</b>	<b>43,656,562</b>

The accounting policies and explanatory notes to these Financial Statements form an integral part of the Financial Statements. The entity Financial Statements were approved on 30<sup>th</sup> September 2019 and signed by:



Commission Secretary/CEO  
Betty Sungura - Nyabuto, MBS




Ag. Finance Manager  
CPA Beatrice Cheruiyot  
ICPAK No.:6016

**VII. SUMMARY APPROPRIATION: RECURRENT AND DEVELOPMENT COMBINED FOR THE YEAR ENDED 30<sup>TH</sup> JUNE, 2019**

Revenue/Expenditure Item	Original Budget	Appropriations	Final Budget	Actuals on Comparable Basis	Budget Utilisation Difference	Budget Utilisation Difference to Final Budget	f=d/c %
a	b	c=a+b	d	e=c-d	f=d/c %		
<b>RECEIPTS</b>							
Exchequer releases	361,815,032	-	361,815,032	345,777,100	16,037,932		96%
Other Receipts	-	-	-	169,699	(169,699)		-100%
<b>Total Receipts</b>	<b>361,815,032</b>	<b>-</b>	<b>361,815,032</b>	<b>345,946,799</b>	<b>15,868,233</b>		<b>96%</b>
<b>Payments</b>							
Compensation of Employees	171,370,000	-	171,370,000	166,602,246	4,767,754		97%
Use of goods and services	162,583,871	-	162,583,871	152,372,012	10,211,859		94%
Social Security Benefits	22,988,178	-	22,988,178	22,988,178	0		100%
Acquisition of Assets	4,872,983	-	4,872,983	3,235,107	1,637,876		66%
<b>Grand Total</b>	<b>361,815,032</b>	<b>-</b>	<b>361,815,032</b>	<b>345,197,543</b>	<b>16,617,489</b>		<b>95%</b>
<b>Surplus/Deficit</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>749,256</b>	<b>(749,256)</b>		

Notes: Underutilization of 66% on Acquisition of Assets is as a result of late submission of invoices.

The entity Financial Statements were approved on 30 September 2019 and signed by:

  
Betty Sungura - Nyabuto, MBS  
COMMISSION SECRETARY/CEO


  
CPA Beatrice Cheruiyot  
AG. FINANCE MANAGER  
ICPAK No.:6016



**VIII. SUMMARY STATEMENT OF APPROPRIATION: RECURRENT FOR THE YEAR ENDED 30<sup>TH</sup> JUNE, 2019**

Revenue/Expenditure Item	Original Budget	Adjustments	Final Budget	Actuals/Comparable Basis	Budget/Actual Difference	Variance Ratio (Actual/Budget)
<b>RECEIPTS</b>	<b>a</b>	<b>b</b>	<b>c=a+b</b>	<b>d</b>	<b>e=d-c</b>	<b>f=d/c %</b>
Exchequer releases	360,615,032	-	360,615,032	345,170,500	15,444,532	96%
Other Receipts	-	-	-	169,699	(169,699)	100%
<b>Total Receipts</b>	<b>360,615,032</b>	<b>-</b>	<b>360,615,032</b>	<b>345,340,199</b>	<b>15,444,532</b>	<b>96%</b>
<b>PAYMENTS</b>						
Compensation of Employees	171,370,000	-	171,370,000	166,602,246	4,767,754	97%
Use of goods and services	161,383,871	-	161,383,871	152,372,012	9,011,859	94%
Social Security Benefits	22,988,178	-	22,988,178	22,988,178	0	100%
Acquisition of Assets	4,872,983	-	4,872,983	3,235,107	1,637,876	66%
<b>Grand Total</b>	<b>360,615,032</b>	<b>-</b>	<b>360,615,032</b>	<b>345,197,543</b>	<b>15,417,489</b>	<b>96%</b>
Surplus/Deficit	-	-	-	142,656	27,043	

The entity Financial Statements were approved on .....<sup>30</sup> September 2019 and signed by:

  
Betty Sungura - Nyabuto, MBS  
COMMISSION SECRETARY/CEO

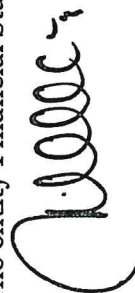
  
CPA Beatrice Cheruiyot  
AG. FINANCE MANAGER  
ICPAK No.:6016



# X. SUMMARY STATEMENT OF APPROPRIATION: DEVELOPMENT

Revenue/Expenditure Item	Original Budget	Amended Budget	Total Budget	Actual Budget	Bridge Expenditure	Bridge Expenditure	Bridge Expenditure
	a	b	c=a+b	d	e=d-c	f=d/c %	
<b>RECEIPTS</b>							
Exchequer releases	-	1,200,000	1,200,000	606,600.00	593,400	51%	
Total Receipts	-	1,200,000	1,200,000	606,600.00	593,400	51%	
<b>PAYMENTS</b>							
Use of goods and services	-	1,200,000	1,200,000	-	1,200,000	0%	
Grand Total	-	1,200,000	1,200,000	-	1,200,000	0%	
Surplus/Deficit	-	-	-	606,600.00	- 606,600.00		

The entity Financial Statements were approved on 30<sup>th</sup> September 2019 and signed by:



Commission Secretary/CEO  
Betty Sungura - Nyabuto, MBS



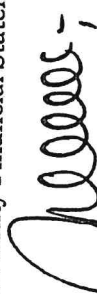
Ag. Finance Manager  
CPA Beatrice Cheruiyot  
ICPAK No.:6016



## X. BUDGET EXECUTION BY PROGRAMMES AND SUB-PROGRAMMES

Programme/Sub-Programme	Original Budget 30th June 2019 KShs.	Actuals 30th June 2019 KShs.	Actuals 30th June 2019 KShs.	Actuals 30th June 2019 KShs.
<b>Promotion of Gender Equality and freedom from Discrimination</b>	<b>361,815,032</b>	<b>-</b>	<b>361,815,032</b>	<b>15,909,163</b>
Legal Compliance and redress	32,024,957	-	32,024,957	3,452,067
Mainstreaming and Coordination	13,770,523	-	13,770,523	2,228,058
Public Education, Advocacy and Research	17,256,638	-	17,256,638	1,409,421
General Administration Planning and Support Services	298,762,914	-	298,762,914	8,819,616
<b>TOTAL</b>	<b>361,815,032</b>	<b>-</b>	<b>361,815,032</b>	<b>15,909,163</b>

The entity Financial Statements were approved on 30<sup>th</sup> September 2019 and signed by:

  
Commission Secretary/CEO  
Betty Sungura - Nyabuto, MBS

  
Ag. Finance Manager  
CPA Beatrice Cheruiyot  
ICPAK No.:6016



## **XI. SIGNIFICANT ACCOUNTING POLICIES**

**The principle accounting policies adopted in the preparation of these financial statements are set out below:**

### **1. Statement of compliance and basis of preparation**

The financial statements have been prepared in accordance with Cash-basis IPSAS financial reporting under the cash basis of Accounting, as prescribed by the PSASB and set out in the accounting policy notes below.

This cash basis of accounting has been supplemented with accounting for; a) receivables that include imprests and salary advances and b) payables that include deposits and retentions. The receivables and payables are disclosed in the Statement of Assets and Liabilities. The Statement of Assets and Liabilities is not mandatory statement under the IPSAS Cash basis but is encouraged in order to disclose information on assets and liabilities.

The financial statements are presented in Kenya Shillings, which is the functional and reporting currency of the entity all values are rounded to the nearest Kenya Shilling. The accounting policies adopted have been consistently applied to all the years presented.

The financial statements comply with and conform to the form of presentation prescribed by the PSASB.

### **2. Reporting entity**

The Financial Statements are for National Gender and Equality Commission. The Financial Statements encompass the reporting entity as specified under section 81 of the PFM Act 2012 and also comprise of the following development project implemented by the entity:

- Strengthening the foundation for equality and inclusion in Kenya: a programme for public and private sector

### **3. Recognition of receipts and payments**

#### **a) Recognition of receipts**

The Entity recognizes all receipts from the various sources when the event occurs and the related cash has actually been received by the entity

#### **Transfers from the Exchequer**

Transfer from Exchequer is recognized in the books of accounts when cash is received. Cash is considered as received when payment instruction is issued to the bank and notified to the receiving entity.

#### **External Assistance**

External assistance is received through grants and loans from multilateral and bilateral development partners.

#### **Donations and grants**

Grants and donations shall be recognized in the books of accounts when cash is received. Cash is considered as received when a payment advice is received by the recipient entity or by the beneficiary. In case of grant/donation in kind, such grants are recorded upon receipt of the grant item and upon determination of the

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value. The date of the transaction is the value date indicated on the payment advice.

**Undrawn external assistance**

These are grants at reporting date as specified in a binding agreement and relate to funding for projects currently under development where conditions have been satisfied or their ongoing satisfaction is highly likely and the project is anticipated to continue to completion. During the year ended 30th June 2019, there were no instances of non-compliance with terms and conditions of the grant.

**b) Recognition of payments**

The entity recognises all expenses when the event occurs and the related cash has actually been paid out by the entity.

**Compensation of employees**

Salaries and Wages, Allowances, Statutory Contribution for employees are recognized in the period when the compensation is paid.

**Use of goods and services**

Goods and services are recognized as payments in the period when the goods/services are consumed and paid for. Such expenses, if not paid during the period where goods/services are consumed, shall be disclosed as pending bills

**Acquisition of fixed assets**

The payment on acquisition of property plant and equipment items is not capitalized. The cost of acquisition and proceeds from disposal of these items are treated as payments and receipts items respectively. Where an asset is acquired in a non-exchange transaction for nil or nominal consideration and the fair value of the asset can be reliably established, a contra transaction is recorded as receipt and as a payment.

A fixed asset register is maintained by each public entity and a summary provided for purposes of disclosure. This summary is disclosed as an annexure to the entity's financial statements.

**4. Cash and cash equivalents**

Cash and cash equivalents comprise of cash at bank in the deposit and Recurrent Bank account at the Central Bank of Kenya.

## **XII. NOTES TO THE FINANCIAL STATEMENTS**

### **1. TRANSFERS FROM NATIONAL TREASURY**

The following are the amounts transferred from the exchequer to the Commission on a quarterly basis:

Description	2018-2019 Kshs	2017-2018 Kshs
Total Exchequer Releases for quarter 1	63,970,500	88,586,957
Total Exchequer Releases for quarter 2	108,100,000	107,473,260
Total Exchequer Releases for quarter 3	75,000,000	34,400,000
Total Exchequer Releases for quarter 4	98,706,600	95,051,800
<b>TOTAL</b>	<b>345,777,100</b>	<b>325,512,017</b>

The received was Kshs.345, 777,100 against an approved budget of Kshs 361,815,032.

### **2. OTHER RECEIPTS**

Description	2018-2019 Kshs	2017-2018 Kshs
Administrative Fees and Charges	169,699	-
<b>TOTAL</b>	<b>169,699</b>	<b>-</b>

### **3. COMPENSATION OF EMPLOYEES**

Compensation of employees comprise of remuneration paid to employees in return for the work done.

It includes social contributions made by the National Gender and equality Commission on behalf of its employees.

	2018-2019 Kshs	2017-2018 Kshs
Basic salaries of permanent employees	98,629,027	85,632,920
Basic Wages-Temporary Employees	2,491,206	1,962,200
Personal allowances paid as part of salary	65,276,013	54,175,261
Employer contributions to compulsory national social	206,000	202,000
<b>TOTAL</b>	<b>166,602,246</b>	<b>141,972,381</b>



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**4. USE OF GOODS AND SERVICES**

These comprise the total value of goods and services consumed.

	2018-2019 KShs	2017-2018 KShs
Utilities, supplies and services	2,484,232	1,780,922
Communication, supplies and services	2,970,917	4,060,047
Domestic travel and subsistence	18,373,648	24,973,761
Foreign travel and subsistence	16,067,166	6,323,850
Printing, advertising and information supplies & services	4,098,343	4,451,260
Rentals of produced assets	44,499,753	38,944,290
Training expenses	10,795,998	11,795,090
Hospitality supplies and services	5,006,906	5,650,201
Insurance costs	30,185,676	26,499,337
Specialised materials and services	1,239,068	2,242,150
Office and general supplies and services	2,041,648	3,651,879
Other operating expenses	6,509,461	6,960,315
Routine maintenance – vehicles and other transport equipment	3,186,826	6,719,848
Routine maintenance – other assets	1,088,180	456,020
Fuel Oil and Lubricants	3,824,190	7,939,015
<b>TOTAL</b>	<b>152,372,012</b>	<b>152,447,984</b>

**5. SOCIAL SECURITY BENEFITS**

	2018-2019 KShs	2017-2018 KShs
Government pension and retirement benefits	22,988,178	26,550,000
<b>TOTAL</b>	<b>22,988,178</b>	<b>26,550,000</b>

Social Security benefits relate to staff gratuity payable upon exit.  
These comprises of 31% staff gratuity payable on expiry of the contract or exit whichever comes earlier

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**6. AQUISITION OF ASSETS**

	2018-2019 KShs	2017-2018 KShs
Refurbishment of Buildings	793,900	609,455
Purchase of Vehicles and Other Transport Equipment		-
Purchase of Office Furniture and General Equipment	2,441,207	3,055,270
Research, Studies, Project Preparation, Design & Supervision	-	-
<b>TOTAL</b>	<b>3,235,107</b>	<b>3,664,725</b>

**7.A Bank Accounts**

Name of Bank, Account No. & Currency	2018-2019 KShs	2017-2018 KShs
Central Bank of Kenya, 1000181532, KShs	142,656	708,327
Central Bank of Kenya, 1000414863, KShs	-	-
Central Bank of Kenya, 1000414855, KShs	606,600	606,600
Central Bank of Kenya, 1000182385, KShs	52,971,481	42,948,235
<b>Total</b>	<b>53,720,738</b>	<b>43,656,562</b>

**7.B Cash in Hand**

	2018-2019 KShs	2017-2018 KShs
Cash in Hand – Held in domestic currency	-	-
<b>TOTAL</b>	<b>-</b>	<b>-</b>

**Cash in hand should also be analysed as follows:**

	2018-2019 KShs	2017-2018 KShs
Headquarters, Solutions Tech Building, Cash office		-
<b>TOTAL</b>	<b>-</b>	<b>-</b>



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**8. OUTSTANDING IMPREST**

Description	2018-2019 KShs	2017-2018 KShs
Government Imprests	-	168,600
<b>TOTAL</b>	-	<b>168,600</b>

**9. ACCOUNTS PAYABLES**

Description	2018-2019 KShs	2017-2018 KShs
Deposits	52,971,481	42,948,235
<b>TOTAL</b>	<b>52,971,481</b>	<b>42,948,235</b>

**10. FUND BALANCE BROUGHT FORWARD**

	2018-2019 KShs	2017-2018 KShs
Bank accounts	-	32,988
Government Imprests	168,600	-
Payables – Deposits	-	-
<b>TOTAL</b>	<b>168,600</b>	<b>32,988</b>

There was a balance of Kes 708,326 brought forward from the FY 2017/18. This was meant to expenses accounted for in the FY 2017/18.

**11. PRIOR YEAR ADJUSTMENTS**

Description of the error	2018-2019 KShs	2017-2018 KShs
Adjustments on bank account balances	(168,600)	(32,988.00)
<b>TOTAL</b>	<b>(168,600)</b>	<b>(32,988.00)</b>

The adjustments of Kes 168,600 relates to imprests not surrendered in the financial year 2017/18 but surrendered in FY 2018/19

**12. RELATED PARTY DISCLOSURE**

The Commission did not have related part transactions for the year

**13. PENDING BILL**

The Commission pending bills were Kes 2,867,288 as at end of year 2018/2019. These



occurred due to late submission of invoices.

#### 14. PROGRESS ON AUDITORS RECOMMENDATIONS

All issues were resolved

#### ANNEX 1 – SUMMARY OF FIXED ASSET REGISTER

Asset Class	Historical Cost (KShs)	Additions During the year (KShs)	Disposals During the year (KShs)	Historical Cost (KShs)
Buildings and structures	3,097,455	793,900	-	3,891,355
Transport equipment	22,881,000	0	-	22,881,000
Office equipment, furniture and fittings	3,055,270	2,441,207	-	5,496,477
Heritage and cultural assets	8,990,390	0	-	8,990,390
<b>Total</b>	<b>38,024,115</b>	<b>3,235,107</b>	<b>-</b>	<b>41,259,222</b>