

**TEACHERS SERVICE COMMISSION**



**PERFORMANCE CONTRACT**

BETWEEN

**THE TEACHERS SERVICE COMMISSION**

AND

**HEAD OF INSTITUTION**

**(PRIMARY)**

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

***CONTRACT PERIOD: 1<sup>ST</sup> JANUARY, 2021 – 31<sup>ST</sup> DECEMBER 2021***

## **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 Head teacher of ..... (Hereinafter referred to as “the Head Teacher), (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 primary schools play a vital role in 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 primary 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 Head Teacher**

The mandate of a primary school is to provide quality education through effective delivery of the approved curriculum. As the Head Teacher, 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 abilities to support the achievement of the agreed performance targets.

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

The vision statement, mission statement and strategic objectives should be drawn from the strategic plan of the school as part of the desired future positioning of the institution. The strategic objectives should be between three to six.

(a) Vision Statement of the Institution: -----  
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(b) Mission Statement of the Institution: -----  
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- (c) Strategic Objectives of the Institution: -
- i. -----  
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  - ii. -----  
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  - iii. -----  
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  - iv. -----  
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  - v. -----  
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  - vi. -----  
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### **Part III: Statement of Strategic Intent by the Head Teacher**

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 these **Strategic Intentions** during the Contract Year.

### **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 staff 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 head teacher will be required to submit the school termly and annual performance reports in the prescribed format to the Sub County Director through Curriculum Support Officer 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 2021 to 31<sup>st</sup> December 2021.

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

**Signed**..... **Date**.....

Name.....

Designation: **Head of Institution**

**Signed**..... **Date**.....

Name..... **Designation**.....

**Witness- Deputy Head of Institution**

**Signed** ..... **Date**.....

Name.....

**TSC Sub County Director  
For Secretary/Chief Executive**

**Signed**..... **Date**.....

Name..... **Designation**.....

**Witness- Curriculum Support Officer**

## Performance Contract Matrix

Code No	Performance Criteria	Unit of Measure	Wt (%)	Status Previous Year (FY 2020)	Target (FY2021)	*Annual Achievement (FY2021)
<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	Promotion of Teacher Professional Development (TPD) at the school level	%	8		100	

Code No	Performance Criteria	Unit of Measure	Wt (%)	Status Previous Year (FY 2020)	Target (FY2021)	*Annual Achievement (FY2021)
C5	Submission of Termly and annual reports	%	10		100	
C6	Overseeing implementation of Teacher Performance Appraisal and Development (TPAD) system in the institution.	%	10		100	
C7	Maintenance of Integrity and Professional Conduct in the teaching service	%	2		100	
	<b>Weight Sub Total</b>		<b>60</b>			
<b>D</b>	<b>ACCESS TO INSTITUTIONAL PROCUREMENT</b>					
	Access to Institutional Procurement	Ksh	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	Ksh	2			
	<b>Weight Sub Total</b>		<b>2</b>			
<b>F</b>	<b>CROSS-CUTTING</b>					
F1	Asset Management	%	3		100	
F2	Disability Mainstreaming	%	4		100	
F3	Prevention of HIV/AIDS Infections	%	2		100	
F4	Safety and Security Measures	%	3		100	
F5	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>			

\* At the end of the contract period the Annual achievement column shall be filled by the evaluator after the evaluation process is complete.

CODE NO	EXPLANATORY NOTES ON PERFORMANCE TARGETS – 2021 PERFORMANCE INDICATORS DETAILED DESCRIPTION
<b>A</b>	<b>FINANCIAL STEWARDSHIP AND DISCIPLINE</b>
<b>A1</b>	<p><b>Absorption of Allocated Funds</b> <b>Under this target, the head teacher 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> </ul>
<b>A 2</b>	<p><b>Compliance with Audit Requirements</b> <b>The head teacher is expected to: -</b></p> <ul style="list-style-type: none"> <li>i Prepare books of accounts and submit for audit by 31<sup>st</sup> January 2021.</li> <li>ii Prepare a report on implementation of audit recommendations of previous year audits.</li> </ul>
<b>A3</b>	<p><b>Pending Bills</b> <b>The head teacher 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> </ul>
<b>B</b>	<b>SERVICE DELIVERY</b>
<b>B1</b>	<p><b>Implementation of Institutional Service Delivery Charter</b> <b>The head teacher is expected to: -</b></p> <ul style="list-style-type: none"> <li>i. Develop /display the school Service Delivery Charter prominently at the point of entry/service delivery points in both English and Kiswahili.</li> <li>ii. Sensitize school community on the service charter.</li> <li>iii. Maintain records on services delivered.</li> </ul>
<b>B2</b>	<p><b>Application of Service Delivery Innovations</b> <b>The head teacher shall promote: -</b></p> <ul style="list-style-type: none"> <li>i. Digital learning process in the school by ensuring availability of digital resources for teaching and learning process.</li> <li>ii. ICT integration in the school by encouraging teachers to prepare ICT integrated lesson plans.</li> </ul>
<b>B3</b>	<p><b>Resolution of Public Complaints</b> 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 head teacher is expected to maintain records of: -</b></p> <ul style="list-style-type: none"> <li>i. Complaints received in the school.</li> <li>ii. Complaints that have been resolved indicating details of the resolution made.</li> </ul>



C	CORE MANDATES
C1	<p><b>Maintenance of the Teaching Standards as an Instructional Leader</b> 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 head teacher 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 timetabled including Physical Education.</li> <li>v. Ensure availability of current syllabi and adequate teaching and learning resources.</li> </ol>
C2	<p><b>Maintenance of the Teaching Standards as an Institutional Administrator</b> Head teacher 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 head teacher 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 institution meet its objectives.</li> <li>v. Ensure proper management and maintenance of the institutional resources and records.</li> </ol>
C3	<p><b>Maintain updated Database on Learners' Enrollment, Curriculum Based Establishment for Teaching Staff and Non-Teaching Staff Establishment</b></p> <p><b>The head teacher 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 of school staffing status as per the existing norms.</li> <li>iii. Updated database for non-teaching staff.</li> </ol>
C4	<p><b>Promote Teacher Professional Development (TPD at the school level</b></p> <ol style="list-style-type: none"> <li>i. Identify teachers' professional performance gaps (challenging areas in pedagogy, subject content and learners' management that hinder effective delivery of curriculum)</li> <li>ii. Develop and implement TPD programmes at school level to mitigate teachers' professional performance gaps.</li> <li>iii. Maintain records of teachers' involvement in professional development activities</li> </ol>
C5	<p><b>Submission of Termly and Annual Reports</b></p> <p><b>The head teacher is expected to: -</b></p>

	<ul style="list-style-type: none"> <li>i. Prepare termly PC targets achievement/M&amp;E report indicating achievements and progress in the implementation each target by 10<sup>th</sup> of subsequent month after the end of every term and submit to the Curriculum Support Officer.</li> <li>ii. Prepare Annual PC targets achievement/M&amp;E reports by 10<sup>th</sup> January in the prescribed formats.</li> </ul>
<b>C6</b>	<p><b>Institutionalize Teacher Performance Appraisal and Development (TPAD)</b>  <b>The head teacher 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) performance management approaches.</li> <li>ii. Ensure all teachers are appraised as required.</li> <li>iii. Submit termly and annual reports to County Director.</li> <li>iv. Maintain weekly analysis of institutional learner-teacher contact hours and teacher absenteeism rate.</li> <li>v. Give feedback to teachers on their performance appraisal process.</li> </ul>
<b>C7</b>	<p><b>Maintenance of Integrity, Professionalism and Conduct in the Teaching Service - Management of Discipline in the School</b>  <b>The head teacher 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), Code of Conduct and Ethics for Teachers (2015), TSC Act (2012), Basic Education Act (2013), Children Act (2012), Safety Standards manual for Schools in Kenya (MoE 2008)</li> </ul>
<b>D</b>	<b>ACCESS TO INSTITUTIONAL PROCUREMENT</b>
<b>D1</b>	<p><b>Access to Institutional Procurement</b>  <b>The head teacher 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>Promotion of Local Content in Procurement</b>  <b>The head teacher 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>

F1	<p><b>Asset Management</b></p> <p><b>The head teacher shall:</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>
F2	<p><b>Disability Mainstreaming</b></p> <p><b>The head teacher shall: -</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>
F3	<p><b>Prevention of HIV/AIDS Infections</b></p> <p><b>The head teacher 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>
F4	<p><b>Safety and Security Measures</b></p> <p><b>The head teacher 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 requirements the Ministry of Education Safety Standards Manual for Schools in Kenya (2008).</li> </ol>
F5	<p><b>Corruption Prevention</b></p> <p><b>The head teacher shall: -</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>