



**TITLE: CONSULTANCY FOR DEVELOPING
NEW STAFFING NORMS IN KENYA.**

**CONTRACT TSC/EOI/001/2019-2020
NO:**

**PROCUREMENT OPEN TENDER
METHOD:**

SEPTEMBER 2019

TERMS OF REFERENCE

A. Background

Teacher shortage is commonly viewed as a major contributor to poor learning outcomes and understanding ways to address the problem is crucial to educational stakeholders and policy makers. In any education system, teachers form the core in transmission of knowledge and values and their importance in determining the quality of learning outcomes has widely been confirmed.

Article 237 of the Constitution of Kenya (2010) mandates the Teachers Service Commission (TSC) to undertake all teacher management functions with a view to ensuring provision of effective teaching for quality education in all public institutions. It is also mandated to advise the national Government on matter relating to teaching profession. One of its core function is to review demand for and supply of teachers. The Teachers Service Commission recognizes the need for effective management of teachers as a vehicle for academic excellence and improvement of education standards in the country in line with the vision 2030.

The Government of Kenya is collaborating with the World Bank (WB) to improve student learning and transition from upper primary to secondary education in 110 targeted sub-counties. This objective will be achieved through the implementation of the “Secondary Education Quality Improvement Project (SEQIP). The project has four components namely; (i) Improving Quality of Teaching in Targeted Areas; (ii) Improving retention in upper primary school and transition to secondary school in targeted areas; (iii) System reform support and (iv) Project management, coordination, monitoring and evaluation. Under the first component, sub-component 1.1 aims to reduce the shortage of Science, Mathematics and English (SME) subject teachers in primary and secondary schools in the targeted sub-counties. As a first step in implementing this sub-component, the Teachers Service Commission (TSC) developed a strategy for addressing the teacher shortfall in the medium-term (2018 – 2023).

To establish the magnitude of the problem, TSC carried out a preliminary analysis of teacher shortage in public primary and secondary schools in February 2017 and used historical figures for new teacher posts financed by the National Treasury to estimate the cost of measures needed to reduce the teacher shortfall. These estimates however changed in 2018 when the demand for secondary day school teachers increased significantly due to the new policy of 100% transition from primary to secondary education. Therefore, the Teachers Service Commission is carrying out a more in-

depth analysis of teacher requirement where the findings will help develop a strategy for addressing the requirements through a combination of equitable allocation, alternative modes of curriculum delivery, strategic deployment of teachers and retention policies.

The Teacher Service Commission is therefore seeking the services of a reputable firm to undertake the Consultancy to develop new staffing norms

B. Objective of the Study

The objectives of the study are to: (i) Guide teacher resource distribution and deployment decisions at the public learning institutions while ensuring economic utilization of the same. (ii) Provide standard teaching workload components and available working times for teachers (iii) Monitor how close different implementation education levels are to the attainment of required number of teachers for effective curriculum delivery.(iv) Ensure better incorporation of attrition, current vacancies, available learning institutions, payroll, retirement plans& exit.(v) Improve the accuracy and completeness of forecasting data & institutionalize teaching workforce planning& forecasting.; Based on the findings, the study will attempt to assess the current strategies for the role of part-time/temporary teachers to meet emerging needs such as long periods of study leave and prolonged illnesses levels.

C. Scope and Tasks of the Assignment:

The scope of the Consultancy will involve the following levels Early childhood development and education (ECDE), Primary schools, secondary schools , special needs institutions and P1Certificate and Diploma teacher training Colleges and Technical Training Institutes in Kenya. Various methods will be utilized. These should include but not limited to:

(i)Analysis of existing documents (ii)Analysis of secondary data (iv) Collection and analysis of quantitative and qualitative primary information (v)Discussions with government officials and staff members of international organizations.

The consultant will be expected to:

- a. Conduct a desk review of similar staffing norms carried out in Kenya (e.g.2005) and reports from elsewhere on staffing norms.
- b. Develop a communication strategy for a comprehensive stakeholder engagement
- c. Based on the desk review, prepare a detailed inception report which will include the following:
 - i. Formulated key questions for the consultancy;
 - ii. Developed methodology with instruments, data collection, entry and analysis. In addition, properly outlined data collection tools ;
 - iii. A detailed work plan on how the consultancy will be carried out. It should confirm the team composition detailing their roles and responsibilities;
 - iv. Proposed report structure and format.
- d. Determine the relevance of counties socio-economic environmental and demographic disparities to operating/current staffing norms and identify existing gaps;
- e. Establish the appropriate teacher workloads in various categories of educational institutions that will ensure optimal utilization of teachers;
- f. To assess effectiveness of deployment and equitable distribution and optimal utilization of teachers;
- g. Assess relevance of deployment of teacher workload in line with the competence based curriculum (CBC);
- h. Develop new staffing norms for Early childhood and development education, primary schools, secondary schools, primary and diploma teacher training colleges special needs institutions which should take cognizance of;
 - i. curriculum reforms in Kenya
 - ii. Social/geographical/economic diversity of the country
 - iii. Technological advancements in the education field
 - iv. Pertinent and contemporary issues affecting education
 - v. Online teacher deployment tool for ensuring optimal teacher utilization.
- i. Determine appropriate staffing norms for different regions and levels of education and its cost effectiveness.
- j. Prepare and present reports which include:
 - i. A Draft Report;
 - ii. A Comprehensive Final Staffing Norms Report;
 - iii. An Executive Summary of the Staffing Norms Report;
 - iv. A Policy Brief and a PowerPoint presentation of the final

Staffing Norms Report;

- k. Identify the different scenarios of policy options for each category of staffing norms and their cost implications;
- l. Prepare and present the draft staffing norms to the Stakeholder consultative forums;
- m. Share the new staffing norms with the Commission for their input;
- n. Pilot the new staffing norms at various levels of the Education System.
- o. draw an implementation budget and plan for the proposed staffing norms;

D. Roles of Teachers Service Commission (TSC)

TSC will:

- a. Set up a technical committee to work closely with the consultant
- b. Draw the terms of reference for the technical committee
- c. Provide, at no cost, the following reports:
 - i. Staffing norms for 2005.
 - ii. Policies related to this consultancy;
 - iii. Other reports related to this consultancy;
 - iv. Briefs on staffing.
- d. Convene Technical committee and Management meetings to promptly review and accept:
 - i. The inception report, communication strategy, work-plan and data collection instruments;
 - ii. Data collection report and cleaned data sets;
 - iii. Draft and final new staffing norms reports.
- e. Facilitate data collection by issuing letters/communication to schools and other key stakeholders;
- f. Independently monitor data collection;
- g. Convene, through the Technical, stakeholder and Senior Management meetings to receive and validate new staffing norms reports.
- h. Ensure friendly payments as shall be stipulated in the schedule.
- i. Provide a working space during data analysis.

E. Key Deliverables and Timeline

1. Key deliverables and indicative timeline for the assignment is provided in the table below:

| SNo. | Key Deliverables | Time-line |
|-------------|---|---|
| 1. | Draft inception report, detailed work plan and draft data collection instruments | Within three (3) weeks from the date of award of Contract |
| 2. | Final inception report with report structure and format, and based on the literature review | Within one (1) week after the Inception report and work plan approval by TSC |
| 3. | Communication strategy for a comprehensive stakeholder engagement | Within three (2) weeks from the date of award of Contract |
| 4. | Data collection instruments, report on pre-test and pilot of the instruments | Within six (6) weeks after submission of acceptable final inception report |
| 5. | Data collection ,coding and analysis draft report data sets | Within sixteen (14) weeks after piloting the study |
| 6. | Develop Draft new staffing norms Report | Within three (3) weeks after submission of draft data sets. |
| 7. | Disseminate to the stakeholder the draft new staffing norms | Within three (2) weeks after submission of draft data sets. |
| 8. | Incorporate the stakeholders views and suggestions | Within three (3) weeks after stakeholder meeting. |
| 9. | Pilot the new staffing norms in 60 learning institutions | Within two (2) weeks after incorporating the views and suggestion of stakeholders |
| 10 | Adjust the new staffing norms based on findings from the piloting | Within two (2) weeks of the piloting the new staffing |
| 11 | Final full detailed staffing Norms Report, Executive Summary, PowerPoint and Policy Briefs | Within three (3) weeks after the submission of acceptable Draft report |

In all cases the acceptable completion period is 10 months after the signing of the Contract.

F. Qualifications and experience of Consultant

The consulting firm must have the experience of conducting similar national level large scale Consultancies or conducting educational surveys. Experience in conducting Teacher related consultancies will have an added advantage.

The team should comprise:

- i. A Team Leader who must be a holder of PhD in Education, Economics or Social Sciences with at least 15 years' experience cumulatively;
- ii. An Education Expert who must have a Master's degree in Education with seven years' progressive experience, at least three of which must be in teacher education;
- iii. A Statistician with a minimum of Bachelor's degree in Statistics or Mathematics with proficiency in statistical packages. He/ she must have at least five years' experience, including on analysis in the education sector.
- iv. A Logistics Coordinator with at least a Bachelor's degree in Social Sciences, or a related field and 7 years' cumulative experience in logistics or operational management;
- v. The consultant will be expected to demonstrate ability to recruit adequate data collectors who hold a minimum of Bachelors of education degree and experience in educational research and teacher education issues.
- vi. Once agreed, the consultant will neither change the team nor decrease the size of the team nor replace any member(s) without approval from TSC. In all such cases for approval, a replacement Key Expert shall have equal or better qualifications and experience than those of the originally proposed Key Expert.

Other terms on replacement of Experts or Sub-consultants

- i. If the Client finds that any of the Experts or Sub-consultant has committed serious misconduct or has been charged with having committed a criminal action, or shall the Client determine that Consultant's Expert or Sub-consultant have engaged in corrupt, fraudulent, collusive, coercive or obstructive practice while performing the Services, the Consultant shall, at the Client's written request, provide a replacement.
- ii. In the event that any of Key Experts, Non-Key Experts or Sub-consultants is found by the Client to be incompetent or incapable in

- discharging assigned duties, the Client, specifying the grounds therefore, may request the Consultant to provide a replacement.
- iii. Any replacement of the removed Experts or Sub-consultants shall possess better qualifications and experience and shall be acceptable to the Client.
 - iv. Except as the Client may otherwise agree, (i) the Consultant shall bear all additional travel and other costs arising out of or incidental to any removal and/or replacement, and (ii) the remuneration to be paid for any of the Experts provided as a replacement shall not exceed the remuneration which would have been payable to the Experts replaced or removed.

G. Copyright and confidentiality

All study material and data from the Consultancy will be sole property of the Teachers service commission. No information on the Consultancy and information collected will be shared with anyone without the written permission of TSC. The Consultant shall carry out the above assignment in accordance with the highest standard of ethical competence, integrity and professionalism and having due regard to the nature and purpose of the assignment. The Consultant will at all-time and for all purposes, regard as strictly confidential all knowledge and information not within public domain which may be acquired in the course of carrying out this assignment and shall not be directly or indirectly disclosed to any person whatsoever, except with the written permission of TSC.

H. Proposed Budget items

| S/No. | Item |
|-------|--|
| 1. | Information on good practices of staffing norms across the world |
| 2. | Consultant engagement for the consultancy |
| 3. | Development and presentation of the inception report |
| 4. | Development of a communication strategy for stakeholder engagement |
| 5. | Development and sharing of research tools |
| 6. | Field visits to undertake the research for the Staffing Norms. |
| 7. | Data coding ,analysis and report writing |
| 8. | Organize stakeholder's forum to validate the new Norms.(national and counties) |
| 9. | Pilot the new staffing norms |
| 10. | Submit the revised staffing norms to the appointing authority. |
| 11. | Updating the current norms |
| 12. | Publishing the new staffing norms |

NB: The firm shall provide a written justification for any modification to the proposed Personnel, Proposed Quantities and Proposed Person Days.

I. Proposed Payment Schedule

The schedule shall be developed in consultation with the Consultant