CHALLENGES AFFECTING IMPLEMENTATION OF PERFORMANCE CONTRACTS AMONG SECONDARY SCHOOL TEACHERS IN KIAMBU DISTRICT.

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D53/CE/16087/2006

A RESEARCH PROJECT SUBMITTED IN PARTIAL FULFILMENT OF THE REQUIREMENTS OF THE AWARD OF THE DEGREE OF MASTER OF BUSINESS ADMINISTRATION (STRATEGIC MANAGEMENT) OF KENYATTA UNIVERSITY.
DECLARATION

This research is my original work and has never been presented for any award or degree in any other university.

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This Research has been submitted for consideration with our approval as university supervisors

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This research has been submitted with my approval as chairman, department of business administration.

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CHAIRMAN BUSINESS ADMINISTRATION DEPARTMENT
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DEDICATION

This research project is dedicated to my two daughters Claire and Colletta
I am deeply indebted to many individuals who contributed towards the success of this research work. I am particularly grateful to my supervisors Mr. Ngaba, Dominic K. and Mr. Shadrack Bett for their professional advice, suggestions and support that culminated to the completion of this work. I wish to also convey special gratitude to my family for their support and encouragement. Special mention is made of Catherine Thaithi, for her invaluable support and encouragement. Lastly, I am grateful to the Almighty for His provisions. To all of you I say, "Thank-you"
ABSTRACT

This research explores the challenges affecting implementation of performance contracts among teachers. Performance contracting is one of the public reform initiatives for managing public enterprises and it is a measure undertaken by the government aimed at re-orienting service delivery from being process oriented to result based. The general objective of the study is to identify factors that affect implementation of performance contracts among high school teachers in Kiambu district. The findings of the study would benefit educational managers in establishing strategies and policies relating to successful implementation of performance contracts among teachers as well as formulating effective mechanisms for ensuring that performance contracts achieves the intended objectives. It will also assist in providing reference and literature to future researchers seeking to carry out further research in this field among other beneficiaries.

Chapter three provides the research design and methodology. The study adopted descriptive as well as exploratory research design because these tools allowed the use of primary and secondary data and gave room for application of the study results. The population of the study was 1185 teachers, 20 education officials and 22 union representatives making a total population of 1227 out of which a sample of 132 was obtained. The study used simple stratified proportionate sampling as sampling design and used primary and secondary data of which primary data was collected through the use of questionnaires and interview schedules and secondary data was collected through literature review and from government and private sector publications. Quantitative data analysis technique was used to analyse the collected data which included the use of descriptive statistics comprising frequency tables, graphs and charts. Data analysis was done with the help of statistical package for social sciences (SPSS).

The researcher found that few schools had implemented performance contracting. This was because of negative influence of teachers trade unions, lack of training of teachers in performance contracting and basically unclear and/or non-existent terms of performance contracts. The Ministry of Education did not consider all these factors. The research showed that the Ministry of Education had issues to address if performance contracts were to be accepted and
implemented in high schools. It faced serious challenges on teachers training on performance contract, Teachers unions resistance and lack of clear terms of the contracts.

The ministry ought to embark on training of teachers and other stakeholders on performance contract, involve teachers unions in all aspects of implementing performance contracts, set a clear policy of setting performance targets in schools and ensure that there are clear terms of performance contract in order to bring on board teachers and unions in the implementation of performance contract process.
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<tr>
<td>COTU</td>
<td>Central Organization of Trade Unions</td>
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<td>DPM</td>
<td>Directorate of Personnel Management</td>
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<tr>
<td>ERS</td>
<td>Economic Recovery Strategies</td>
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<td>GOK</td>
<td>Government of Kenya</td>
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<td>KCSE</td>
<td>Kenya Certificate of Secondary Education</td>
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<tr>
<td>KCPE</td>
<td>Kenya Certificate of Primary Education</td>
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<td>KNUT</td>
<td>Kenya National Union of Teachers</td>
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<td>KUPPET</td>
<td>Kenya Union of Post Primary Education Teachers</td>
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<td>LDC's</td>
<td>Less Developed Countries</td>
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<td>MBO</td>
<td>Management by Objectives</td>
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<td>MOU</td>
<td>Memorandum of Understanding</td>
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<td>OECD</td>
<td>Organization of Economic cooperation and Development</td>
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<td>PC</td>
<td>Performance Contract</td>
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<td>RBM</td>
<td>Results Based Management</td>
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<td>TSC</td>
<td>Teachers Service Commission</td>
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<td>UNESCO</td>
<td>United Nations Educations and Scientific Organization</td>
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<td>MOE</td>
<td>Ministry of Education</td>
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OPERATIONAL DEFINITION OF TERMS

**Contract:** Formal agreement. In this study it refers to an agreement between the Agencies (manager) and the principal (government).

**Effect:** Results/outcome of doing something. In this study it mainly implies results attained due to some behaviour.

**Management:** The act of planning, organizing, directing staffing, controlling activities in an organization.

**Performance:** This is the realization/achievement of set targets and then attainment is realized through identified indicators. This could be positive or negative achievement of the agreed upon targets.

**Service:** Any activity or benefit that one party can offer to another that is essentially non-tangible and does not result in the ownership of anything. To obtain services consumers exchange money or something else of value; such as their own time. These two establish some unique characteristics of a service. The characteristics include, inseparability of service provided and greater variability in quality.

**Performance contract:** A freely negotiated performance agreement between government (principal i.e. Ministry of Education) acting as the owner of a government agency and the government agency.
CHAPTER ONE

INTRODUCTION

1.1 Background To The Study

Performance contracting is a reform measure introduced by the Kenya government in order to improve delivery of services to citizens. While performance contracting has received a great deal of attention in the recent past, the idea is not entirely new. Students at the University of Bologna in the fifteenth century required the professor to cover an entire book or forfeit parts of the funds due to him, (Lennon, 1971). Allusions also have been made to the use of performance contracts during the American colonial period, particularly in Georgia in 1862 (Campbell 1972). Achieving improved service delivery through improved organizational management has been the pre-occupation of management scientist even since the times of Fredric W. Tylor, (1865-1915) and his contemporaries such as Henry fayol. Successful generations of corporate leaders recognize that superior performance should be based on measurable criteria. In today’s increasingly competitive market place, organizations are constantly under pressure to improve their performance. Better organizational performance can effectively be achieved through many ways such as management by objective (MBO) and management control systems, (Armstrong, 2001).

Performance measures are agreed on when setting the objectives, (Armstrong 2001). It is necessary to define what is to be achieved, how those concerned will know it has been achieved and whether intended results have been achieved. Authorities cannot manage the education system needs without proper measurement of inputs and outputs, (WB 2006 a) and performance management is therefore concerned with both the inputs and outputs, (UN secretariat 1997). The government started implementing public sector reforms way back in 1993 with the aim of improving service delivery and there had been three phases in the implementation of different types of reform intervention, one such reform being performance contracting in state corporations in government ministries as part of the broader public sector reforms aimed at improving efficiency and effectiveness in management of public affairs.
Suresh Kumar, (1994) defines performance contracts as a memorandum of understanding (MOU) rooted in an evaluation system and not only looks at performance comprehensively but also ensures improvement of performance management by making the autonomy and accountability aspect clearer and more transparent. OECD (1999) defines performance contract as a range of management instruments used to define responsibility and expectations between parties to achieve mutually agreed results. Armstrong (2001) defines performance contract as that which define expectations, the results to be achieved and the competencies required to attain these results. While Smith (1999) argues that a common definition of performance contracting can be found, there are a considerable variety of uses and forms of quasi-contractual arrangements. The concept of performance contracting was first introduced in the management of state corporations in 1989. A para statal reform strategy paper which was approved by parliament in 1991 was the official recognition of the concept of performance contracting. The first two parastatals to be on performance contracting were Kenya Railways Corporation and National Cereals and Produce Board. However, the performance contracting of Kenya Railway Corporation and National Cereals and Produce Board eventually failed, (GOK. 2001) Kenya decided to re-introduce performance contracting in 2003. The initiative came from H.E the president and was clearly spelt out on the Economic Recovery Strategy for Wealth and Employment creation (ERSWEC – 2003 – 2007). Following success in the implementation of performance contracts in state corporations, the government extended the process to public service.

While there has been success in performance contracting in many government ministries, this has not been the case with the Ministry of Education where teachers has been opposing signing performance contracts. Resistance of performance contracting in Education is not new. John Pfeiffer (1968) reported opposition of introduction of payment by results in British schools by Robert Lowe in 1862. The Kenya National Union of Teachers (KNUT) has dismissed signing of performance contracts among teachers and has often vowed to rally teachers countrywide to oppose the implementation of performance contracts arguing that the move is unfair to teachers gauging their personal working conditions and that its not possible to gauge the performance of poorly paid teachers working in ill-equipped schools. The union has opposed signing of
performance contracts arguing that teachers are employed on permanent terms and will not work under contract, (Barasa, 2008). Teachers view the policy as an unnecessary imposition meant to push a punitive labour procedure through the back door. Understandably, teachers start from a position of mistrust; they have learnt to treat the government with suspicion because of the way it has handled them over the years', for instance a pay increase deal signed in 1997 took a decade to implement. In the 1990s the government attempted to revise the education act with the sole objective of undermining KNUT in pay negotiations and as a result, the union has learnt to treat with caution any move initiated by the government. However, there are fundamental issues at stake, that is, there is the fear that the contract will annul the existing contract that teachers enjoy which is permanent, there is also the connection that teachers performance is measurable every year through results attained in national examinations and finally is the role of the union in collective bargaining, (David, 2008)

Studies carried out indicate that over the years, public secondary and primary school have been performing poorly in National Examinations to the extent that almost 90% of the students selected to join National Secondary school are from private institutions. In 2009 KCPE, 81 out of the 100 best candidates nationally selected to join National Secondary Schools were form private primary schools, (MOE, 2010). In central province for example, only 751 (1.493%) boys and 467(0.922%) girls, a total of 1.218 out of 101,874 candidates scored over 400 marks in 2008 KCPE. In KCSE, the number of D- increased from 5177 (2001) to 9779 (2008) and Es rose from 400 (2001) to 1650 (2008), (MOE: 2008). Whereas KUPPET and KNUT would want parents to believe that poor performance is linked to teachers low pay, new evidence indicate that poor professional conduct, inadequate supervision, absenteeism and other opportunistic behaviors contribute significantly to falling academic standards, (Kigotho,2009). For example, a recent study in Zambia showed that a 5% increase in teacher absentee rate reduces learning by 4 to 8% of average gains over academic year in English and Math’s (Das et al, 2005). In India, losses from teachers’ absenteeism range from $16m an year and in Ecuador to $2 billion an year. Bray, (2003) argues that teacher absenteeism causes more than economic loss; it greatly reduces the overall effectiveness of a school, diminishes pupils’ achievements, damages the schools reputation and induces pupils’ absenteeism.
The overall research problem addressed in this study is that while there has been a stand-off between the Ministry of Education and teachers trade unions on performance contracting for teachers, little has been done to address the cause of the stand off. Studies show that Chile has a long history of performance – based teacher and school based inventive programs designed to improve outcomes, (Cox, 2006). There is therefore need to address the issue of performance contracting among teachers if education is to serve as a tool of economic growth, social development and political vitality.

1.2 Statement of the Problem

In order to be efficient in conducting business or rendering services, organizations need to implement management practices that will yield the desired results (Ahoni, 1986). Performance management is not well established in secondary schools and if done, it is in a haphazard manner without a clear policy. full benefits of education investments are realized only when certain conditions are in place: when there is an overall enabling macro-economic environment (Barro, 1991, 2001; Pretchett,2001); when education services reach the beneficiaries and improved learning outcomes; and when education is of good quality; (Hanushek and Wofsman,2007; Hanushek and Kimko,2000)

If teachers are not made accountable many students who would otherwise see the light of education would be wasted (Kigotho, 2009). A study done by Odhiambo (2005) on teacher appraisal: the experience of Kenyan secondary school teachers, exhibited weaknesses which need to be addressed to improve performance management. Given both the increased spending on education in developing countries and the unprecedented contributions of rich countries, it is important to improve efficiency of education systems so that taxpayers in both poor and rich countries know that their money is well spent (Edgardo, 2007). Inspite of the challenges and problems facing education little has been done to address the issue. This study aimed at investigating the challenges faced in implementing performance contracts among teachers.
1.3 Objectives of the study

1.3.1 General Objectives
The general objective of the study was to identify factors that affect implementation of performance contracts among high school teachers in Kiambu district.

1.3.2 Specific Objectives
Specific objectives of the study were to:
1. Determine how union representatives affect implementation of performance contracts.
2. Investigate how performance targets affect implementation of performance contracts.
3. Assess the effect of training of teachers in the implementation of performance contracts.
4. Identify legislation and existing laws that influence implementation of performance contracts.

1.4 Research Questions
1. Have union representatives resistance contributed to non-implementation of performance contracts?
2. What effect has performance targets on implementation of performance contracts?
3. How haven teachers’ training contributed to poor implementation of performance contracts?
4. What effect has existing laws and legislation have on implementation of performance contracts?

1.5 Significance of the Study
Performance contracting has become an important tool of improving service delivery in the public sector. A study of performance contracting would benefit the contemporary society. The research will be of significance in the following ways; First government agencies/various ministries charged with the responsibility of managing and implementation of performance
contracts may use the results of the study and recommendations as a guide and point of reference for further research on performance contracting. Secondly, the results of the study will provide information to policy makers in public enterprises towards formulation of effective mechanisms of ensuring that the performance contract concept achieves intended objectives. The findings may also benefit management in the public sector in establishing specific strategies and policies relating to the implementation of performance contract initiative in Kenya which is also expected to achieve improved service delivery. Third, the findings of this study will assist employees in understanding and embracing the performance contract spirit, as well as help them in unlocking individual potential. This will enable them pursue their careers through personal development initiatives. Fourth, organizations in public domain that are signing performance contracts may benefit from lessons learnt in failure of implementing performance contracts to avoid mistakes, if any that may have been made. Finally, the study will assist in providing reference and literature to future researchers seeking to carry out further research in this field or in any related areas.

1.6 Scope of the Study
The study will be restricted to high schools in Kiambu District where TSC teachers will be interviewed. The study will seek to examine the challenges affecting implementation of performance contracts among teachers.
CHAPTER TWO
LITERATURE REVIEW

2.1 Introduction.
This chapter highlights on major issues relating to performance contracts among high school teachers. The study seeks to analyze the challenges facing the implementation of performance contracts among high school Teachers with reference to Kiambu district. The chapter presents the review of Literature in terms of introduction, main review, and critical review on major issues, a summary of missing gaps, conceptual framework and conclusion. It explores such issues as performance targets, Legislation and terms of contracts, union resistance and training needs of teachers in the implementation of performance contracts.

2.2 Past Studies.

2.2.1 Implementation of Performance Contracts
The definition of performance contract itself has been a subject of considerable debate among scholars and human resource practitioners. Performance contracting is a branch of management science referred to as management control systems. A performance contract is a freely negotiated performance agreement between the government organization and individuals on one hand and the agency itself, (Kenya sensitization Training manual, 2004). It is an agreement between two parties that clearly specify their mutual performance obligation. Suresh Kumar, (1994) defines performance contract as a memorandum of understanding (MOU). The MOU is rooted in an evaluation system, which not only look at performance comprehensively but also ensures improvement of performance management a by making the autonomy and accountability aspect clearer and more transparent. Performance contract is a range of management instruments used to define responsibility and expectations between parties to achieve mutually agreed results, (OECD, 1999). A performance contract in education is a rather simple idea, usually, the school system specifies certain desired outcomes, defines a target group of pupils, stipulates some of the condition, under which the instructions is to take place and enters into a contract with the agency for the provision of instructional experience designed to bring the target group of pupils to the desired outcomes, (Campbell, 1972). It may be seen as an agreement between a school system
and a contractor for the instruction of a group of students. In most cases, the contractor is the local teacher group or individual teacher, (Carpenter and Huffman, 1974).

Implementation of performance contracts in schools in Kenya has often met with resistance. Teachers through KNUT have resisted signing performance contracts arguing that contracts are unnecessary because teachers are on Permanent and Pensionable terms. Resistance to implementation of performance contract in the education system is not new. Pfeiffer reports an experience with implementation of performance contracts in England more than a century ago. In 1962, Robert Lowe, vice President of Britain's committee of the Privy Council for education, introduced a payment by results plan for public elementary education. The plan stipulated that pupils grades in the three’ R” should serve as a criteria for the allocation of funds to individual schools. The intent was “to benefit the working class and to ensure that education is given to the poor just as much as to the rich, (Pfeiffer, 1968.).

Apparently, reaction to the practice was prompt and violent. Lowe found himself in opposition to the country clergy, the inspectors of schools, the school masters and parliament itself, (Campbell, 1972). The idea behind introduction of performance contract among high school teachers by the ministry of education is performance accountability. The issue of teachers being accountable in Education is not new. On March 3, 1970 president Nixon of the USA presented his educational reform message to congress. He spoke of the responsibilities of school administrators and teachers and indicated that they should be held accountable for their performance. “What we have often been doing is avoiding accountability for our own local performance. We have, as a nation too long avoided thinking of the productivity of schools. Ironic though, the avoidance of accountability is the single most serious threat to a continued and even more pluralistic education system,” (Campbell, 1972).In principle, there is nothing unjust about performance contracting. On the contrary, it’s a desirable policy. Teachers, like all other public service workers must be held to account for what they do. It is inexcusable, for instance to have a school where learners fail perennially, yet it has trained teachers who continue drawing salaries. Performance contract is therefore a management tool for ensuring accountability for results by public officials, because it measures the extent to which they achieve targeted results, (Public sector reforms and performance contracting website (www.psc.pce ). The underlying
The objective of performance contracting is to align strategic plans, annual work plans and budget of public agencies in order to improve accountability while focusing resources on attainment of key national policy priorities, (G.O.K, 2007).

2.2.2 Performance Targets and Objectives.
The introduction of result based management (RBM) is to ensure that the public sector is transformed into being more focused and responsive to the needs of those it serves. The result will be a sector directing its energies towards delivering targeted results and utilizing resources more productively. Result based management is about institutional as well as individual performance both in quality and quantity. It includes target setting. Performance target setting is a process of setting performance targets for ministries/ departments/ groups or individuals in carrying out specific work assignments. A performance contract in education is a rather simple idea, usually; the school system specifies certain desired outcomes. Most frequently a school system enters into a contract with an agency to bring out the desired results. The decision to enter into a performance contract seems to imply that school officials are dissatisfied with some aspect of their existing program. The immediate cause of this dissatisfaction may stem from poor or low test results, (Campbell, 1972).

The Ministry of Education may want teachers to sign performance contracts in order to improve service delivery and better student performance. Since a performance contract specifies that certain objectives will be achieved by the contractor in order for him to receive his fee, the decision to enter into a performance contract also implies a belief that there is a way to measure the outcomes of the contracted program with some precision. In order for a contract to be made, the parties concerned must agree on the goals they are seeking, (Campbell, 1972). In this regard, the government ought to engage the union and the teachers in constructive dialogue, explaining what contracts are all about, why they have to be introduced and how they will benefit the teachers personally. The government must find a way of talking to teachers instead of giving ultimatums that make the whole thing look sinister, hence the stiff opposition.
In management by objective (MBO), managers can improve performance and effectiveness. MBO is an approach, which uses objectives as a focal point to improve managerial performance both at the individual and organizational level. These objectives serve to guide, direct, review and measure performance.

In MBO, approach, while objectives provide the focal point, the emphasis is on improving the performance and providing better results, (Reddin, 1972). The basic feature of every MBO is emphasis on results rather than activities. The starting point in MBO is the identification of results which are important to the organisation and then works backwards to see which activities can lead to those results. MBO means change which implies upheaval and disturbance. The resistance of teachers to sign performance contracts may be as a result of ignorance of what performance contracts entails and confusion of performance contracts for employment contracts. It should be explained to teachers that performance contracts will not change the terms and conditions of permanent and pensionable employees and that it will only set targets expected of each teacher in a given specified period. Teachers also need to be informed that contracts will not be the same and that they will take into consideration factors as physical facilities, teachers and the caliber of students in a particular school.

You cannot place similar targets for a teacher in Alliance High school and one in a remote school in Turkana. There should be realistic achievable goals for each one of them, (Ngare. and Marete. 2009). Teachers and KNUT must therefore be involved and consulted in performance contracting process so that goals or targets can be made clear to each party if performance contracts among teachers are to be a reality.

2.2.3 Change and Change Management.
From its inception, the study of organizational change has noted the fact that many participants respond with dogged resistance to altering the status quo. Since the industrial revolution, workers have at times sought, occasionally in extremely violent fashion, to block the introduction of new technology, re-alignment of corporate culture, job design and so on. Resistance may take the form of employees deliberately failing to do the things necessary for
successful change or simply being unenthusiastic about change, (Robbins, 1985). Operational change relates to new systems, procedures, structures or technology which will have an immediate effect on working arrangements within an organization. Then impact on people can be more significant than broader strategic change and should be handled carefully.

When we talk about resistance to change, we tend to imply that management is always rational in changing its direction and that employees are stupid, emotional or irrational in not responding in the ways they should. But if an individual is going to be worse off, explicitly or implicitly, when the proposed changes have been made, any resistance is entirely rational in terms of his own best interest. The interests of an organization and the individual do not always coincide, (J, Woodward, 1968). Reasons for resisting change may include the shock of the new. People are suspicious of anything that they perceive will upset their established routine methods of working or conditions of employment. They do not want to lose the security of what is familiar to them, (Armstrong, 2005).

People usually do not want change because the old ways of doing things are comfortable and easy. Authors refer to this as inertia. People often resist change because of poor timing. The employees may not be receptive to the changes that are being introduced. In order for employees to be receptive, they must be informed. Employees are more likely to resist change because their work group bands together to oppose the changes. Employees may resist change if they think the change will cause them to lose something of value (like jobs or job security.) They may also resist if they do not fully understand the purpose of the changes. This lack of understanding can result when top management fails to communicate with lower levels of the organization.

Implementation of performance contract in schools has often met with resistance from teachers and the unions. Schools have more inertia than most other institutions because their basic purpose is conservative, to transmit (and maintain) the culture. Both educators and parents expect this of the schools and are often profoundly disquieted by innovative curricula and procedures. Deep social and emotional barriers are the hardest to cope with when changes are needed in behaviour and attitude. Such fundamental changes are very difficult to bring about, (Elzioni, human beings are not easy to change after all). Thus compatibility with the existing
system is the dominant attribute required for ready acceptance to change, (Carpenter, 1974). It goes with most human beings that any change that is likely to introduce competition in people’s careers almost invariably sparks anxiety and invites resistance. In light of public outcry over falling academic standards KNUT has solidified its member’s reflection of any accountability towards raising performance in schools’, (Business Daily 27/6/2008). Moreover, The Central Organization of Trade Unions (COTU) has criticized the government for putting pressure on teachers to sign performance contracts. COTU Secretary General, Francis Atwoli accused the government of imposing contracts unprocedurally and urged teachers not to sign them. Teachers should first negotiate and come up with the teachers to pupil’s ratio for the contracts and then rewards if they deliver on the target.

For teachers, the government may need to re-think the strategy of implementing performance contracts. In the first place, it needs to hold discussions with KNUT and explain quite clearly what performance contract is all about and what it seeks to achieve. Secondly, the government needs to explain how this concept sits with the existing contract that teachers already have. Public workers may not have asked this question, but teachers, due to their strong union are demanding answers. Having entered the contract, how do you enforce it? How do you rank teachers performance? Is it through good performance in national examinations, discipline or excellence in co-curricular activities? How does this take into account school differentials—national vs. district? Rural vs. urban? Resistance to change can be difficult to overcome even when it’s not detrimental to those concerned. But the attempt must be made. The first step is to analyze the potential impact of change in considering how it will affect people in their jobs. The analysis should indicate which aspect of the proposed change may be supported generally or by specified individuals and which aspects may be resisted. The potentially hostile or negative reactions of people should be noted, taking into account all the possible reasons for resisting change. It is necessary to try to understand the likely findings and fears of those affected so that unnecessary worries can be relieved and, as far as possible, ambiguities can be resolved. In making this analysis, the individual introducing change, should recognize that new ideas are likely to be suspect and should make ample provision for the discussion of reactions to proposals to ensure complete understand of them. There are opportunities that change brings in an
organization and therefore employees should be ready to embrace change brought about by performance contract, (United Nations, 1997)

2.2.4: Training
Performance management is concerned with employee development however; performance improvement is not achievable unless there are effective processes of continuous development and in turn addresses the core competence of the organization and the capabilities of individuals and teams. Training has been defined as the systematic development of the attitude/knowledge/skill and behavior pattern required by an individual in order to perform adequately a given task or job (HMSO, 1971). Its objective of training is to produce a relatively permanent change in people so that they can perform present and future jobs effectively. It is one of a number of strategies that can be used to reach organizational goals. Organization must adapt to some extent to the needs of those whom they employ. Training is the use of systematic and planned instruction and development activities to promote learning. The objective of training is to achieve human resource development strategies to ensure that an organization has skilled, knowledgeable and competent people required to meet its present and future needs, (Armstrong, 2003). Change investing in training helps to manage change by creating understanding of the reasons for change and providing people with the knowledge and skills they need to adjust to new situation. It also helps to develop a positive culture in the organization like orienting employees towards performance improvement. Training leads to learning, which leads to change in job behaviour, which lead to results at unit and organizational level, (Armstrong, 2005).

Internal changes such as introduction of new ways of doing things affect the nature of any training required, (Cowling, 1981). By their nature, schools are complicated institutions. Unlike changes in an industrial enterprise in which a product can often be significantly altered without a noticeable impact on either the worker or community at large, changes in education will often affect teachers, administrators, students, parents and the community at large, as well as their interrelations. These interrelations are frequently subtle and often impossible to predict, and make it difficult to meet requirements for simplicity and compatibility in innovation. Even worse, few school administrators have the kind of training that would help them deal with these
complexes. Almost all have come up through the ranks as teachers with no training in management or experience outside education. Administrators therefore cling to the established ways, fixed schedules for the school year, state mandated text books and the education code, (Carpenter, 1974)

The fundamental aim of training is to help the organization achieve its purpose by adding value to its key resource – the people it employs. Training means investing in people to enable them to perform better and empower them to make the best use of their natural abilities. Effective training helps to manage by increasing understanding of the reasons for change and providing people with the knowledge and skills they need to adjust to new situations. It also helps in improving individual team and corporate performance in terms of output, quality, speed and overall productivity. Organization’s with a positive training philosophy understand that they live in a world where competitive advantage is achieved by having higher quality people than other firms employ, and that this need will not be satisfied unless they invent in developing the skills and competence of their people. They also recognize that actual or potential shortages can threaten their future prosperity and floak . They understand that it may be difficult to calculate the return on training investment but they believe that tangible and intangible benefits of training will justify the cost.

The Ministry of Education needs to review the entire policy on training, recruitment, retraining and retention of teachers in public primary and secondary schools. The inspectorate at the ministry of education which is expected to spearhead changes needs to be shaken up because as it currently stands it’s a poorly equipped unit that has long been considered the graveyard of the ministry. Many teachers confuse performance contracts for their employment contracts. This is a revelation that there exists a huge knowledge gap in the teaching fraternity as to what the modern labour market has become. For a start, the ministry ought to engage KNUT in constructive dialogue, explaining what the performance contracts are all about, why they have to be introduced at this stage and how they will benefit the teachers personally. There is need for a good definition of output and solid performance measures. This requires well defined training program for public servants to support implementation of performance contracts, (AAPAM.2006).
2.2.5: Attitude

An attitude can be broadly defined as a settled mode of thinking. Attitudes are evaluative. Any attitude contains an assessment of whether the object to which it refers is liked or disliked, (Makin et al, 1996). Attitudes are developed through experience but they are less stable than traits and can change as new experiences are gained or influences absorbed. Within organizations, they are affected by cultural factors (values and norms), the behaviour of management. It's generally assumed that attitude determine behaviour but there is not such a direct link as most people suppose. Research evidence has shown that that people's avowed feelings and beliefs about someone or something seem only loosely related to how they behave towards it, (Arnold et al, 1991). Behaviour will be influenced by the perceptions of individuals about the situation they are in. Attitudes are a statement of a position an individual has about an object, an event or a belief, (W Hunt T. 1992).

2.2.6: Terms of contracts and Legislation.

The role of law at the workplace has become important in recent years. The common law view of the employment relationship is that the essence of employment is an individually negotiated contract between employer and employee, (Cowling, 1989). Individual conditions of employment must satisfy the provisions of contract of employment legislation. They include a statement of the capacity in which the person is employed and the name or job title of the individual to whom he or she is responsible. They also include details of pay, allowances, hours, holidays, leave and pension arrangements and refer to relevant company policies, procedures and rules, increasing use in being made of fixed term contracts. Under the employment Act Cap 226, an employer may employ a person to carry out specified tasks, duties and responsibilities. In recognition of this, the employer will be required to pay such remuneration as may have been agreed and that which is considered appropriate. Whereas an employment contract and a serving contract may dwell on the terms and conditions of service, a performance contract is a mutually agreed document that specifies the responsibilities, itemizes the key result areas, the level of performance expected towards achievement of agreed targets and how performance will be measured. It is presumed that every employee is hired to carry out specified tasks and functions in an organization. To the extent that performance contract makes explicit the expected standards of carrying out the tasks,
and how they will be measured, then the performance contract is a subset of an employment or service contract, (DPM-performance contracts).

The controversy over performance contracts among teachers may be due to ignorance of what performance contracts entails. Many teachers confuse them for employment conditions. The refusal by teachers to sign the contracts may therefore be based on inadequate or twisted information. Perhaps there is lack of knowledge because the concept has not been fully explained or because the politics of the debate has clouded the fundamentals and it is important to clarify the issue, (DN 19/7/2008). The starting point of the employment relationship is an undertaking by the employee to provide skill and effort to the employer in return for which the employer provides the employee with a salary or wage. This may be a written contract but the absence of such a contract does not mean that no contractual relationship exists. Employers and employees still have certain implied legal rights and obligations. The employer’s obligations include the duty to pay salary or wages, to provide a safe work place, to act in good faith towards the employee and not to act in such a way as to undermine the trust and confidence of the employment relationship. The employee has corresponding obligations which include obedience, competence, honesty and loyalty.

Generally, it’s the employer who has the power to dictate the contractual terms unless they have been fixed by collective bargaining. Individuals, except when they are much in demand, have little slope to vary the terms of the contract imposed upon them by employers. The dynamic and often nebulous nature of the employment relationship increases the difficulty of managing it. The problem is compounded because of the multiplicity of the factors that influence the contract; management styles existence or non-existence of a climate of trust, personnel policies and practices of the organization among others.

How people are treated in such areas as recruitment, performance reviews, promotion, career development, reward involvement and participation, grievance handling, disciplinary procedures are important. Performance contract terms among teachers cannot be the same. They should take into consideration factors such as physical facilities, teachers and the calibre of students in a particular school. If performance is to be judged on how well students fare in national
examinations, then thousands of teachers who work in poorly equipped and understaffed institutions are likely to be locked out in the bonuses and promotions for ever. Their colleagues in modern well equipped schools who teach the cream of students will meanwhile be over the moon with rewards which shouldn’t be wholly credited to them.

On the other hand, exam based contracts are likely to be controversial because helping a student pass exams is the goal of every teacher. Besides, examinations are done and passed in exam rooms and not in the class rooms. Teachers have little control over the conditions that prevail on the exam date. Such a system would also be a big motivation for teachers to encourage cheating in examinations or even fine-tune their lessons to exams, ignoring other important matters such as counseling, school safety and monitoring. Traditionally, public service has operated on permanent employment terms, where one worked until he or she reached the retirement age. However, labour trends have charged the world over and the question of permanent and pensionable employment is being reviewed and in many cases discarded. By adopting performance contract, the government has joined a worldwide practice. The challenge is how to make it work. Coupled with other strategies like rapid response initiative, reward for top performing departments and serve characters, it can be said to be working.

For teachers, however, the government may need to re-think the strategy of implementing the policy. In the first place, it needs to hold discussions with KNUT and explain quite easily what performance contracting is all about and what it seeks to achieve. Secondly, the government needs to explain how this concept sits with existing contracts teachers already have. Public workers may not have asked questions, but teachers, due to their strong union are demanding answers. Having signed the contracts how do you enforce it? How do you rank teachers performance? How does this take into account schools differentials? The other tricky areas are remuneration, promotion and job termination. Will the top performing teachers be rewarded differently from the rest? How does the reward system relate to the principle of collective bargaining that benefits all teachers? Does it mean teachers whose schools continually perform poorly will be sacked or demoted?
The notion of psychological contract implies that there is an unwritten set of expectations operating at all times between every member of an organization and the various managers and others in that organization, (Schein, 1965). An ideal contract in employment would detail expectations of both employee and employer. Typical contracts, however, are incomplete due to bounded rationality, which limits individual information seeking, and to change organizational environment that makes it possible to specify all condition up front. Both employer and employee are left to fill up the banks, (Rousseau and Greller, 1994). Lessinger tends to equate accountability with performance contracts. Accountability is the product of a process and at its most basic level; it means that an agent, public or private, entering into a contractual agreement to perform a service will be held answerable for performing according to agreed upon terms, within an established time period and with a stipulated use of resources and performance standards. The parties of the contract are required to keep clean and complete records and the information should be made available for outside review. It also suggests penalties and reward. Accountability without redress or incentive is more rhetoric, (Lessinger, 1970)

To ensure sustainability of performance contracts strategy as a management tool it should be legislated and entrenched in the laws of Kenya. There is therefore need to review the existing legal and institutional frameworks that currently govern the operations of public agencies to harmonize them with the requirements of the performance contracts strategy. The necessary amendments and or enactments of legal instruments should be pursued in order to make future performance contracting, evaluation and moderation orderly and within the legal framework (Report on evaluation of performance of public agencies, 2006/2007).

2.3 Critical Review of Major Issues.

The increased concern of citizens generally about the relationship between input and output in schools is genuine. Education absorbs the greatest share of less developed countries (LDC's) recurrent government expenditure, occupies the times and activities of the greatest number of adults and children (almost 30 percent of third world population) and carries the greatest psychological burden of development aspirations, (Tondaro, 1982). In most developing countries formal education is the largest “industry” and the greatest consumer of public revenues. As a
result of demand and supply for education, there has been a tremendous acceleration in public expenditure on education in LDC in the last decade. The proportion of national income and of national budgets spent on education has increased rapidly by 1980’s; education budgets in many third world nations were absorbing anywhere from 20 to 35 per cent of national total government recurrent expenditure (Tondaro, 1988). In view of the foregoing there is need therefore to justify huge government expenditure in Education. There is need to improve service delivery in schools through performance contracting.

Performance contracting has been implemented in a number of countries both developed and developing with the aim of improving public sector performance. In an effort to achieve the objectives and targets of economic recovery strategies (ERS) and to manage performance challenges in public service, the government has had to adapt performance contracting in government ministries.

Public enterprises in Africa are suffering financially and many are seeking financial assistance. Their problems stem from unclear and conflicting objectives and lack of autonomy and accountability. The results of performances contracting have been mixed. In some ministries there has been a general and sustained improvement while others have not responded or has been prevented by government policies from responding, (AAPAM 2006). The fundamental principle of performance contracting is the devolved management style where emphasis is management by outcome rather than management by process. Performance contracting should be viewed as a dynamic tool that requires ongoing attention to ensure that the process and components used in the system are in line with reaching goals and not as a systematic process of planning work and seeking expectations. The success of performance contracting is premised on the observance of all conditions of basic concepts and the existence of three or more subsystems of performance information, performance evaluation and performance incentive systems among others, (Travedi, 1992). Performance contracting clarifies the goals and objectives of public agencies, including their obligation and responsibilities and measures the extent of achievement of each objective. This, therefore calls for the need to define performance measures and challenges affecting implementation in order to clarify the expectations of both public and other stakeholders on the public agency, (sensitization in public service; February 2005).
2.4 Summary of Missing Gap.

The literature review carried out indicates that performance contracting when implemented improves service delivery in the public service both at management level and employees and that several challenges face implementation of performance contracts. Studies made on performance contracts have largely been based on the results of state corporations that have implemented performance contracts. Studies such as impact of performance contracting; A case study for East African Portland cement company limited,(Korir.2006) was based on the profitability of the company as a measure of performance while a study conducted on management perception of performance contracting in state corporations in Kenya, (Kiboi 2006:) and a study on relationships between the performance contract and performance of civil servants;in the perception of performance contracting,a case of Baringo government training institute. (KIMIA,2009) were largely based on management perception of performance contracts. A study also conducted on impact of performance contract on service delivery at TSC, (Gatere.2004) was mainly based on service delivery. These studies did not address the issue of challenges affecting implementation of performance contracts deeply.

A gap therefore existed regarding the determination of the challenges that affect implementation of performance contracts. The Ministry of Education being the largest spender of the country’s budget is ideal for the study since it’s a government ministry whose results can be applied to other ministries, general public service and other state corporations.

2.5 Conceptual Framework

The conceptualization of this study is based on the assumption that the implementation of performance contracts among high school teachers would lead to improved performance and better service delivery in secondary schools. The independent variables include performance contract target, Kenya National union of teachers (KNUT) representation and resistance to implementation of performance contracts, staff training as well as legislation and terms of contracts since they hinder implementation of performance contracts among teachers.
Implementation of performance contracts is a dependent variable that may not necessarily be brought about by the independent variables mentioned above since there are other contributing factors such as motivated work force, management practices, routine work, service charters and so on.

All these independent variables may hedge on implementation of performance contracts and hence student performance.

Fig 2.5 Conceptual framework

- Targets and objectives
- Union Influence
- Staff training
- Legislation/terms of contracts

Source: (Researcher 2010)
CHAPTER THREE
RESEARCH METHODOLOGY

3.1 Introduction
This chapter focuses on the research design and methodology used in the study in gathering information needed for the purpose of this study. The chapter discusses the research design, target population, sampling design, data collection instruments and procedure as well as data analysis method used.

3.2 Research Design (Study Design)
A research design is one in which the researcher observes, describes, compares and analyzes the characteristic attributes, themes and underlying dimensions of particular units, (Mugenda, 1999). The research adopted a descriptive and exploratory research designs because these tools allowed the use of primary data and secondary data. Kerlinger (1969) points out that descriptive studies are not only restricted to fact-finding but often may result in formation of important principles of knowledge and solutions. The secondary school teachers, education officials, KNUT representatives will describe challenges affecting implementation of performance contracts in secondary school.

3.3 Target Population
The population of this study consisted of all the 1185 teaching staff in the 69 secondary schools and the 20 Education officials as well as the 22 union representatives in Kiambu district. List of schools was obtained from District education officials. Public secondary schools in the District are categorized as shown in table 3.3 below.

Table 3.3 Target population

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
<th>Target population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teachers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>National</td>
<td>2</td>
<td>60</td>
</tr>
<tr>
<td>Provincial</td>
<td>15</td>
<td>375</td>
</tr>
<tr>
<td>District</td>
<td>50</td>
<td>750</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>1185</td>
</tr>
<tr>
<td>Education officials</td>
<td></td>
<td>20</td>
</tr>
<tr>
<td>Union representative</td>
<td></td>
<td>22</td>
</tr>
<tr>
<td>Grand total</td>
<td></td>
<td>1227</td>
</tr>
</tbody>
</table>

Source: Author (2010)
3.4 Sampling Design.

The study utilized stratified proportionate sampling to select the respondents from each category of schools. A random sample of 10% was drawn from the total population of teachers from each of the 3 categories and 30% for Knut representatives and Education officials. A list of teachers in each school was used to select the 5\textsuperscript{th}, 14\textsuperscript{th}, 23\textsuperscript{rd} and every consequent 9\textsuperscript{th} until desired sample was arrived at. This sample was desirable to give fair results as it was considered representative of the teachers in those categories as shown in table 3.4 below.

<table>
<thead>
<tr>
<th>Category</th>
<th>Number of schools</th>
<th>Target population</th>
<th>Percentage (%)</th>
<th>Sample size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teacher National</td>
<td>2</td>
<td>60</td>
<td>10</td>
<td>6</td>
</tr>
<tr>
<td>Provincial district</td>
<td>15</td>
<td>375</td>
<td>10</td>
<td>38</td>
</tr>
<tr>
<td></td>
<td>50</td>
<td>750</td>
<td>10</td>
<td>75</td>
</tr>
<tr>
<td>Total</td>
<td>69</td>
<td>1185</td>
<td></td>
<td>119</td>
</tr>
<tr>
<td>Education officials</td>
<td></td>
<td>20</td>
<td>30</td>
<td>6</td>
</tr>
<tr>
<td>Union representative</td>
<td></td>
<td>22</td>
<td>30</td>
<td>7</td>
</tr>
<tr>
<td>Grand Total</td>
<td></td>
<td>1227</td>
<td></td>
<td>132</td>
</tr>
</tbody>
</table>

Source; (Author 2010)

3.5 Data Collection Instruments/Procedures

The research used primary and secondary data. Primary data was collected through the use of questionnaires and interview schedules that were personally administered by the researcher. Secondary data was collected through literature review and from government and private sector publications. The data collected was used for the purpose of the study only. The data collected was both qualitative and quantitative in nature and used both closed and open-ended questions.

The questionnaire was pre-tested and fine-tuned before setting out to the field. During the interview, the researcher created rapport with respondents. There were three sets of questionnaires for the target groups of respondents.
3.6 Data Analysis

3.6.1 Data Processing and Organization
This involved interpreting information from respondents once questionnaires and interviews were received from respondents.

Data was put into some systematic form through editing, coding and storing it into the right form. Data was also checked for completeness and accuracy of recording the responses in the questionnaires.

3.6.2 Data analysis techniques
Both quantitative and qualitative data analysis techniques was used to analyse the collected data. This included the use of descriptive statistics comprising of frequency tables, graphs and charts. Data analysis was analysed with the help of statistical package for social sciences (SPSS) to come up with frequency tables and percentages. SPSS also ensured more accurate results and save on time used in analysis. Findings were then summarized into a report and conclusions made.

3.7 Limitations of the study.
The researcher was faced by such limitations as time, resources as well as failure by some respondents to cooperate. The research was carried out in only one district because it was not possible to cover the whole country due to lack of enough time to do it. Lack of marteria and financial resources also made it impossible for the researcher to cover a wider area. Some respondents were not cooperative such that a number did not fill the questionnaire and hence the response rate was 86%.
CHAPTER FOUR
DATA ANALYSIS AND INTERPRETATION

This chapter deals with data analysis, their interpretation and the findings of the research. It provides the frequencies and the corresponding percentages and an analysis of how these findings relate to the study. Recommendations have also been made based on the findings.

4.1 Response Rate.

As already stated, a total of 132 respondents had been identified for the research sample. This represented about 10% of the whole population of 1227. Respondents were sampled from national, provincial as well as district schools. Out of 132 questionnaires sent, a total of 114 were returned which is 86% of the total respondents. This is significant enough to provide reliable and valid findings for this study.

4.2 Response rate by sections

Response rate by sections is as shown in table 4.1 below.

Table 4.1: Respondents by Sections

<table>
<thead>
<tr>
<th>SECTION</th>
<th>RESPONDENTS</th>
<th>SAMPLE</th>
<th>RESPONSE RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teachers</td>
<td>104</td>
<td>119</td>
<td>87%</td>
</tr>
<tr>
<td>Education officials</td>
<td>4</td>
<td>6</td>
<td>67%</td>
</tr>
<tr>
<td>Union representatives</td>
<td>5</td>
<td>7</td>
<td>86%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>114</td>
<td>132</td>
<td>86</td>
</tr>
</tbody>
</table>

One hundred and four (104) teachers out of 119 responded, a percentage of 87%. Ministry of Education response rate was 67%, while union representatives response rate was 86% with 6 out of 7 officials responding. In general, the overall response rate was 86%. This response rate indicated a positive representation of the numbers sampled.
4.3 Respondents classification by Gender.

Table 4.2: Gender of the respondents.
The respondents were asked to indicate their gender and the results are as shown in table 4.2 and figure 4.2 below.

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>male</td>
<td>65</td>
<td>62.5</td>
<td>62.5</td>
<td>62.5</td>
</tr>
<tr>
<td>female</td>
<td>39</td>
<td>37.5</td>
<td>37.5</td>
<td>100.0</td>
</tr>
<tr>
<td>Total</td>
<td>104</td>
<td>100.0</td>
<td>100.0</td>
<td></td>
</tr>
</tbody>
</table>

Figure 4.2: Gender

Respondents when classified by gender showed that there were more male employees than female employees with 65 men responding while 39 ladies responded. It showed that 62.5% of respondents were men while 37.5% were ladies as indicated in figure 4.3 above.

4.4 Respondents classification by number of years worked with TSC.
The respondents were asked to indicate the number of years they had worked with the TSC and the results are as shown table 4.3 and figure 4.3 below.
Table 4.3 Respondents duration of work with current employer

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid 0-5 yrs</td>
<td>34</td>
<td>32.7</td>
<td>32.7</td>
<td>32.7</td>
</tr>
<tr>
<td>5-10yrs</td>
<td>19</td>
<td>18.3</td>
<td>18.3</td>
<td>51.0</td>
</tr>
<tr>
<td>10-15yrs</td>
<td>9</td>
<td>8.7</td>
<td>8.7</td>
<td>59.6</td>
</tr>
<tr>
<td>over 15yrs</td>
<td>42</td>
<td>40.4</td>
<td>40.4</td>
<td>100.0</td>
</tr>
<tr>
<td>Total</td>
<td>104</td>
<td>100.0</td>
<td>100.0</td>
<td></td>
</tr>
</tbody>
</table>

Figure: 4.3: Duration of work with TSC

Sources: (researcher 2010).

Respondents when classified by number of years they had worked with TSC showed that TSC had amassed a wealth of experience and retained their workforce efficiency with 42% having worked for over 15 years, 9% for between 10-15 years, 19% for between 5-10 years and 34% having worked for between 0-5 years showing a relatively high young workforce.

4.5 Respondents classification by level of Education attained.

When respondents were asked to indicate their highest level of Education, the results are as shown in the table 4.4 and figure 4.4 below.
Table 4.4 Respondents level of Education.

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid</td>
<td>A-level</td>
<td>4</td>
<td>3.8</td>
<td>3.8</td>
</tr>
<tr>
<td></td>
<td>Diploma</td>
<td>46</td>
<td>44.2</td>
<td>44.2</td>
</tr>
<tr>
<td></td>
<td>Undergraduate</td>
<td>26</td>
<td>25.0</td>
<td>25.0</td>
</tr>
<tr>
<td></td>
<td>Post graduate</td>
<td>28</td>
<td>26.9</td>
<td>26.9</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>104</td>
<td>100.0</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Figure 4.4: level of education

Respondents when classified by level of Education showed that 28 respondents had post graduate qualification representing 26.9%, 26 had degree qualification representing 25%, 46 had diploma qualification representing 44.2% while 4 had A-level education representing 3.8%/4.6 Respondents classification by category of schools

When respondents were asked to state the category of their schools, the results were as shown in table 4.5 and figure 4.5 below.

Source: (researcher 2010).
Respondents were classified by the category of schools they taught. The results showed that 2 respondents or 1.9% taught in National schools, 30 or 28.8% taught in Provincial schools and 72 or 69.3% taught in District schools.

4.7: Implementation of performance contracts in schools.
When respondents were asked whether their schools had implemented performance contracts, the results were as shown in table 4.6 and figure 4.6 below.
Figure 4.6 showed that 28 schools had implemented performance contracting, a percentage of 26.9% while 76 schools, a percentage of 73.1% had not.

4.8 Awareness of the respondent's concerning implementation of performance contract.

When respondents were asked to state their understanding of implementation of performance contracts, the results were as shown in Table 4.7 and Figure 4.7 below.

**Table 4.7: Level of awareness on implementation of performance contracts.**

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid</td>
<td>yes</td>
<td>70</td>
<td>67.3</td>
<td>67.3</td>
</tr>
<tr>
<td></td>
<td>no</td>
<td>34</td>
<td>32.7</td>
<td>100.0</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>104</td>
<td>100.0</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Source: (researcher 2010).
Figure 4.8, above showed that 70 respondents representing 67.3% knew of the ministry’s requirements that teachers embrace performance contracting while 34 respondents representing 32.7% said they were not aware.

4.9 Signing performance contracts.

The respondents were asked whether teachers individually signed performance contracts and the results are as shown in table 4.8 and figure 4.8 below.

Table 4.8 whether teachers are supposed to individually sign performance contracts

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid</td>
<td>yes</td>
<td>31</td>
<td>29.8</td>
<td>29.8</td>
</tr>
<tr>
<td></td>
<td>no</td>
<td>73</td>
<td>70.2</td>
<td>100.0</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>104</td>
<td>100.0</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Figure 4.8: mode of signing PCs

When asked whether teachers are individually supposed to sign performance contracts, the analysis above shows that 73 respondents said no which is 70.2% while 31 respondents, a percentage of 29.8% said yes.
4.10 Setting of performance targets

The respondents were asked if their schools set performance targets and the results are as shown in table 4.9 and figure 4.9 below.

**Table 4.9 whether the respondent's school has set performance targets**

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid</td>
<td>yes</td>
<td>98</td>
<td>94.2</td>
<td>94.2</td>
</tr>
<tr>
<td></td>
<td>no</td>
<td>6</td>
<td>5.8</td>
<td>100.0</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>104</td>
<td>100.0</td>
<td>100.0</td>
</tr>
</tbody>
</table>

**Figure 4.9: setting of performance targets in schools**

Source: (researcher2010).

When asked whether individual schools set targets, 94.2% said yes while 5.8% said no. This shows that most schools set performance targets.

4.11 Who sets performance targets

When the respondents were asked to state whether the Headteacher, Hod or they themselves were involved in setting performance standards the results were as shown in tables 4.10, 4.11, 4.12 and figures respectively.
Table 4.10: The head teacher sets performance standards for respondent’s school

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid yes</td>
<td>21</td>
<td>20.2</td>
<td>20.2</td>
<td>20.2</td>
</tr>
<tr>
<td>no</td>
<td>83</td>
<td>79.8</td>
<td>79.8</td>
<td>100.0</td>
</tr>
<tr>
<td>Total</td>
<td>104</td>
<td>100.0</td>
<td>100.0</td>
<td></td>
</tr>
</tbody>
</table>

Fig 4.10: setting of targets by head teachers

Source: (researcher 2010).

When asked whether head teacher set performance targets in the school, 21.2% of the respondents said yes while 79.8% said no. This showed that in most schools head teachers had little role in the setting of performance standards.

When the respondents were asked whether the HOD set performance standards, the results were as shown in table 4.11 and figure 4.11 below.

Table 4.1.1: The head of department sets performance standards in schools.

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid yes</td>
<td>12</td>
<td>11.5</td>
<td>11.5</td>
<td>11.5</td>
</tr>
<tr>
<td>no</td>
<td>92</td>
<td>88.5</td>
<td>88.5</td>
<td>100.0</td>
</tr>
<tr>
<td>Total</td>
<td>104</td>
<td>100.0</td>
<td>100.0</td>
<td></td>
</tr>
</tbody>
</table>
When asked whether heads of departments set performance standards, 11.5% said yes while 88.5% said no. The above analysis showed that heads of departments played a little role in setting performance targets in most secondary schools in the district.

When the respondents were asked whether the teacher himself/herself set performance standards, the results were as shown in table 4.12 and figure 4.12 below.

### Table 4.12: The teacher/self set performance standards in schools

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid</td>
<td>yes 70</td>
<td>67.3</td>
<td>67.3</td>
<td>67.3</td>
</tr>
<tr>
<td></td>
<td>no 34</td>
<td>32.7</td>
<td>32.7</td>
<td>100.0</td>
</tr>
<tr>
<td>Total</td>
<td>104</td>
<td>100.0</td>
<td>100.0</td>
<td></td>
</tr>
</tbody>
</table>

When asked whether the teacher himself/herself set performance standards, the results were as shown in table 4.12 and figure 4.12 below.
When asked whether the teacher himself/herself set performance targets, 34% said NO while 70% said YES. This showed that performance standards in most schools were set by individual teachers.

Table 4.13: summary on setting performance standards

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Head teacher</td>
<td>21</td>
<td>20.2</td>
<td>20.2</td>
<td>20.2</td>
</tr>
<tr>
<td>H.O.D</td>
<td>12</td>
<td>8.6</td>
<td>8.6</td>
<td>28.8</td>
</tr>
<tr>
<td>Teacher/self</td>
<td>67</td>
<td>71.2</td>
<td>71.2</td>
<td>100</td>
</tr>
<tr>
<td>Total</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
</tbody>
</table>

Fig 4.13: summary on performance targets setting

Summary

When asked who sets performance target at individual schools, the analysis above shows that 20.2% of the respondents said that head teachers set targets, 8.6% said H.O.Ds while 71.2% stated that it was the teacher who set his own target. This shows that teachers were allowed to set their own targets in most schools.

4.12 Types of performance standards set.

When the respondents were asked the type of performance standards set in their schools, the results were as shown in table 4.14 and figure 4.14 below.

Table 4.14 Respondent’s description of the performance standards set

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid high</td>
<td>24</td>
<td>23.1</td>
<td>23.1</td>
<td>23.1</td>
</tr>
<tr>
<td>normal</td>
<td>70</td>
<td>67.3</td>
<td>67.3</td>
<td>90.4</td>
</tr>
<tr>
<td>below average</td>
<td>10</td>
<td>9.6</td>
<td>9.6</td>
<td>100.0</td>
</tr>
<tr>
<td>Total</td>
<td>104</td>
<td>100.0</td>
<td>100.0</td>
<td></td>
</tr>
</tbody>
</table>
When asked to describe the level of performance standards set, 24% said they were high, 70% said they were normal while 10% thought they were below average. This showed that teachers were comfortable with the performance standards set.

4.13 Respondent understands of performance contracts

The respondents were asked about their understanding of performance contracts and the results are as shown in table 4.15 and figure 4.15 below.

Table 4.15 Teacher Understanding of performance contracts

<table>
<thead>
<tr>
<th>Frequency</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>very good</td>
<td>5</td>
<td>4.8</td>
</tr>
<tr>
<td>good</td>
<td>71</td>
<td>68.3</td>
</tr>
<tr>
<td>poor</td>
<td>28</td>
<td>26.9</td>
</tr>
<tr>
<td>Total</td>
<td>104</td>
<td>100.0</td>
</tr>
</tbody>
</table>
When asked what was their understanding of performance contracts, 5% said it was very good, 71% said good while 28% said poor. This showed that most teachers had quite some understanding of what performance contract was.

### 4.14: Training on Performance contract

The respondents were asked whether they had attended training on performance contracting and the results were as shown in table 4.16 and figure 4.16 below.

#### Table 4.16 training on performance contracts

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid</td>
<td>yes</td>
<td>3</td>
<td>2.9</td>
<td>2.9</td>
</tr>
<tr>
<td></td>
<td>no</td>
<td>101</td>
<td>97.1</td>
<td>100.0</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>104</td>
<td>100.0</td>
<td>100.0</td>
</tr>
</tbody>
</table>

#### Figure 4.16: training on performance contracts

Source: (researcher 2010).

When asked whether they had attended any training on performance contracts’ 2.9% said they had attended some training while 97.1% said they had not attended any training. This showed that many teachers were not trained on performance contract.

### Effects of training on implementation of performance contracts

When the respondents were asked whether training affected implementation of performance contract, the results were as shown in table 4.17 and figure 4.17 below.
### Table 4.17 whether the level of training affects implementation of performance contracts

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid yes</td>
<td>59</td>
<td>56.7</td>
<td>57.3</td>
<td>57.3</td>
</tr>
<tr>
<td>no</td>
<td>44</td>
<td>42.3</td>
<td>42.7</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>103</td>
<td>99.0</td>
<td>100.0</td>
<td></td>
</tr>
</tbody>
</table>

#### Fig 4.17: effect of training on implementation of PCs

When asked whether the level of training affected implementation of performance contracts, 59% said YES while 44% said they did not.

### 4.16 Terms/ laws on performance contracting

The respondents were asked whether there were terms of laws on performance contracting and the results were as shown in table 4.18 and figure 4.18 below.

#### Table 4.18: whether there are terms or laws on performance contracting

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid yes</td>
<td>62</td>
<td>59.6</td>
<td>59.6</td>
<td>59.6</td>
</tr>
<tr>
<td>no</td>
<td>42</td>
<td>40.4</td>
<td>40.4</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>104</td>
<td>100.0</td>
<td>100.0</td>
<td></td>
</tr>
</tbody>
</table>
When respondents were asked whether they knew of performance contract terms between teachers and the ministry of Education, the analysis above showed that 59.6% of the respondents said they knew while 40.4% said they did not know. However it was not clear whether any such terms existed.

### 4.2 UNION RESPONSE

#### 4.2.1 Implementation of Performance Contracts

When respondents were asked whether schools in the District had implemented performance contracts, the results were as shown in table 4.21 and figure 4.21 below.

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid percent</th>
<th>Cumulative percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid yes</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>No</td>
<td>5</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>Total</td>
<td>5</td>
<td>100</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>

When asked whether schools in their district had implemented performance contract, 100% of the respondents said No. This showed that there was a unanimous argument among union officials to oppose performance contract in schools.
4.2.2 Terms of contracts

Table 4.2.2 Are there any terms/agreement between teacher and MOE on performance contracting?

The respondents were asked whether there were any terms/agreement on performance contracting between teachers and MOE, the results were as shown in table 4.2.2 below.

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid yes</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>No</td>
<td>5</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>Total</td>
<td>5</td>
<td>100</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>

Source: (researcher 2010).

When asked whether there were any terms of performance contracts between teachers and MOE, 100% of the respondents said there was none. This showed that the ministry had not consulted KNUT on the issue of performance contracting.

4.2.3 Training of union officials on performance contracts.

When respondents were asked whether they had attended any training on performance contract, the results were as shown in the table 4.2.3 below.

Table 4.2.3 Have you attended any training on performance contracts?

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid percent</th>
<th>Cumulative Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid Yes</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>No</td>
<td>5</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>Total</td>
<td>5</td>
<td>100</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>

Source: (researcher 2010).

100% of the respondents said they had not attended any training on performance contract. This showed that union officials did not know much about performance contracting.
4.3 M.O.E. officials Response

4.3.1 Implementation of Performance Contracts
The respondents were asked whether schools had implemented performance contract in the District, the results were as shown in table 4.3.1 and figure 4.3.1 below.

Table 4.3.1: implementation of Performance contracts

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid Percent</th>
<th>Cumulative percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid Yes</td>
<td>1</td>
<td>25</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>No</td>
<td>3</td>
<td>75</td>
<td>75</td>
<td>100</td>
</tr>
<tr>
<td>Total</td>
<td>4</td>
<td>100</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>

Fig 4.3.1: implementation of performance contracts by schools

When asked whether schools in the District had implemented performance contracts, 25% of the respondents said yes while 75% said no. This showed that most schools had not embraced the spirit of performance contract.

4.3.2 Signing of performance contracts by teacher
The respondents were asked whether teachers should sign performance contracts and the results were as shown in table 4.3.2 and figure 4.3.2 below.
Table 4.3.2 should teachers sign performance contracts individually?

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
<th>Valid percent</th>
<th>Cumulative percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid Yes</td>
<td>1</td>
<td>25</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>No</td>
<td>3</td>
<td>75</td>
<td>75</td>
<td>100</td>
</tr>
<tr>
<td>Total</td>
<td>4</td>
<td>100</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>

Figure 4.3.2: signing of PCs by teachers

75% of MOE officials said that teachers are not supposed to sign performance contracts individually while 25% said that the teachers should sign the contracts individually. There was therefore no clear policy on this issue.

4.3.3 Terms/conditions on performance contracts

When asked whether there were any terms/conditions on performance contracting, the results were as shown in table 4.33 and figure 4.3.3 below.
Table 4.3.3: terms/Conditions of PCs

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percentage</th>
<th>Valid percentage</th>
<th>Cumulative percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid Yes</td>
<td>1</td>
<td>25</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>No</td>
<td>3</td>
<td>75</td>
<td>75</td>
<td>100</td>
</tr>
<tr>
<td>Total</td>
<td>4</td>
<td>100</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>

Figure 4.3.3: terms of agreement between MOE and teachers

Source: (researcher 2010).

MOE officials when asked whether there were any terms or agreement between MOE and teachers, 75% said no while 25% said Yes. This coming from MOE officials showed that MOE had not clarified the issue among its officials.
CHAPTER FIVE
SUMMARY, CONCLUSION AND RECOMMENDATIONS

Introduction

This chapter contains a summary of the major findings on challenges affecting implementation of performance contracts among high school teachers in Kiambu district. It also contains answer to the research questions. It further covers the conclusions, recommendations and finally gives suggestions for further study.

5.1 SUMMARY

The study showed that few schools had implemented performance contracting. This was because of negative influence of teachers trade unions, lack of training of teachers in performance contract and basically unclear and/or non-existent terms of performance contracts. The ministry of Education did not consider those factors.

The Research used questionnaires to achieve its objective. The general objective of the study was to investigate the challenges affecting implementation of performance contracts among high school teachers in Kiambu district.

The findings were summarised as follows:- The ministry of Education intention to make high school teachers sign performance contract has been resisted by teachers and their trade union due to lack of training and unclear terms of contracts between teachers and ministry of Education. Union officials were also suspicious of the Ministry intentions of introducing performance contracts, citing job insecurity while others felt that with schemes of work, teachers were already on performance contract.

The first specific objective of the research was to investigate if training was a challenge to implementation of performance contracts among teachers.

The findings were as follows:-
Most respondents, (97.1%) agreed that training of teachers and other stakeholders on performance contract was an impediment to implementation of performance contracts. Ministry of Education had done little to train teachers on performance contracting and this could have resulted to the resistance by the teachers. It had also done little to spread awareness of
performance contracting among teachers. This left teachers guessing on the reasons of their introduction hence raising suspicion.

The second specific objective was to investigate if union representatives were a challenge to implementation of performance contract.

The findings were summarized as follows;

Most respondents (75%) felt that union resistance was a big challenge towards implementation of performance contracts in schools. Ministry of Education had not consulted union representatives on the issue of performance contracting. This could have been the cause of the resistance of the contracts by the union. The ministry had not also addressed the issue of suspicion among teachers. Union officials felt that there was a hidden agenda in the introduction of performance contracts since according to them schemes of work was part of the contract. It therefore appeared that there was no sense of trust between the Ministry of Education and teachers unions.

The third objective of the research was to investigate if setting of performance targets was a challenge to implementation of performance contracts.

The findings were summarised as follows; Most respondents (67.3%) felt that performance standards set were achievable and had little effect in the implementation of performance contracts. Targets set were achievable and most teachers had no problem with the set standards. Most schools set targets and that heads of departments, teachers themselves as well as head teachers set performance targets in consultation with each other. However there was no clear policy of setting the targets.

The fourth specific objective of the research was to investigate if terms and conditions of Performance contracts were a challenge to their implementation in high schools.

The findings were summarised as:-

Most respondents (75%) agreed that lack of clear terms of performance contract affected implementation of performance contracts. The unclear terms of contracts between teachers and the ministry of Education made teachers suspicious of the government intentions of introducing them. Teachers, union and even ministry of Education officials only guessed about the terms. This showed that the ministry started the programme without inducting key stakeholders and hence the resistance.
5.1.1 Discussions of the results
Most teachers and union officials did not like the idea of Performance contracting. They did not trust any agreement between them and Ministry of Education because of the poor relationship (suspicion) between them. There seemed to be consensus that they are not welcome. However teachers readily embraced the setting of performance targets as part of their work. As well the Ministry officials welcomed the ideas of performance contracting as a useful tool of improving service delivery in the Education sector.

5.2 CONCLUSION
The research showed that Ministry of Education had issues to address if Performance contracts were to be accepted and implemented in high schools. It faced serious challenges on teachers training on performance contracts, Union resistance and indeed lack of clear terms of the contracts.

On targets and objectives, it can be concluded that, this had little effect on implementation of performance contracts since most of the respondents (67.3%) indicated that targets set were achievable. On union influence, it can be concluded that, it had a major effect on implementation of performance contracts since 75% of the respondents expressed this opinion.

Training of staff was a major challenge on implementation of performance contract since 97.1% indicated so while in legislation and terms of contract, 75% of the respondents felt that there were no clear terms and hence it posed a great challenge on implementation of performance contracts.

5.3 RECOMMENDATIONS.
The study provides recommendations and areas for further studies as follows:
(i) Training
The ministry need to embark on a training needs assessment process and creation of awareness on performance contracts among all stakeholders for performance contracting to become a reality in secondary schools.

(ii) Union Resistance
The ministry must take steps to involve union officials and all other stakeholders in all aspects of planning of implementation of performance contracts in schools. This would make them own and hence reduce their resistance. It should also create a good working relation with union officials and all other stakeholders in order to avoid mistrust and suspicion about introduction of
performance contracts. There is also need to clear the air on the issue of schemes of work in order to avoid teachers and union officials confusing them with performance contracts.

iii) Setting of performance targets
Ministry of Education and other concerned parties should set a clear policy of setting performance targets in schools. The ministry should also ensure that set targets are attainable and that there a clear policy of monitoring their achievement. Teachers should be motivated to continue embracing the concept of setting performance targets.

iv) Terms/Conditions of Contracts.
Ministry of Education and concerned parties should set up clear terms of performance contract in order to avoid guess work among teachers and union representatives. The ministry should also clarify whether schemes of work is part of performance contracts and how KCSE results are pegged to performance contracts. This would avoid teachers being suspicious on ministry intentions.

5.4 SUGGESTIONS FOR FURTHER STUDIES.
To further understand the implementation of performance contracts, this study suggests areas of further research that may provide more insights on the successes and challenges and lessons learned such as:

A comparative study on the difference between implementation of performance contracts between public and private enterprises may shed some light on how challenges of implementing performance contracts in schools may be overcome by borrowing important tips from the private sector. It may also be important to carry out an assessment of legal and regulatory environment to find out the extent to which it facilitates or inhibits implementation of performance contracts in high schools. A research focusing on a large sample of public servants perception on the role of performance contracts in improving service delivery may also help in explaining why teachers and their unions resist performance contracts since there is a relationship between perception and behavior.
REFERENCES


Agnes, W G: The impact of performance contracts on service Delivery At The Teachers Service Commission in Kenya

A A PAM, (2005): Towards an effective Delivery of Public Services in Africa: The Kenyan Experience with performance contract: The Presentation on the 25th Round Table conference of the African Association for Public Administration and management, Mombasa, Kenya CAM

Pbell, RF (1972)


Performance contracts in school systems Meril publishing Co.USA.


Travedi parafapath,(1994) Memorandum of understanding; An approach to public enterprise performance, GAnrav offset, Delhi – 110092

Republic of Kenya, (2005); Sensitization/ Training manual on performance contracts in the public service, Nairobi Government Printer

Republic of Kenya, (2004), The state corporation (performance contract) Regulations

Shuresh Kumar, (1994); perspectives in performance contracts, McGraw Hill

World Bank (2007); The many faces of corruption
Dear Respondent,

I am a postgraduate student at Kenyatta University pursuing a Masters degree in business administration. I am required to undertake a research project as part fulfillment of this programme.

My topic is **Challenges affecting implementation of performance contracts among secondary school teachers in Kiambu district.** I have prepared a series of questions which I kindly request you to answer in the attached questionnaire to the best of your knowledge. The information requested is purely for academic purposes and will be treated in strict confidence.

Thank you in advance for your co-operation.

Yours Sincerely,

KINYUA MICHAEL M
(Researcher)
Appendix 1 – Questionnaires

Appendix 1.1 Questionnaire for Teachers/Principals

This questionnaire seeks to find out the challenges affecting implementation of performance contract among secondary school teachers. The information obtained will be treated with confidentiality and used for the intended purpose only. Please do not write your name in any part of this questionnaire.

KINDLY ANSWER ALL the questions.

SECTION I. (Personal information)

Background information:

1. Gender  Male  □  Female  □

2. Name the department you work for

3. Please indicate how long you have been working with your current employer

   □  0 – 5 years
   □  5-10 years
   □  10-15 years
   □  Over 15 years

4. What is your highest level of Education

   □  Primary
   □  Secondary
   □  A-level
   □  Diploma
   □  Undergraduate
   □  Postgraduate

   Any other (specify) ____________________________________________
5. Please specify the category of your school
- National
- Provincial
- District
- Others (specify)

SECTION II: PERFORMANCE CONTRACT

6. Has your school implemented performance contracting?
- Yes
- No

7. Do you know the ministry has implemented performance contracts as a way of improving service delivery?
- Yes
- No

8. What do you think affects implementation of performance contracts in secondary schools?

9. What do you recommend to be done to schools in order to improve performance of teachers and overall improvement of performance?

SECTION III: UNION REPRESENTATION

10. Teachers are members of Knut/Kuppet. There is a tendency for the unions to oppose issues such as performance contracts. Are teachers individually supposed to sign performance contracts?
- Yes
- No
11. Why in your opinion does knut/kuppet oppose performance contracts?

__________________________________________

__________________________________________

SECTION IV: PERFORMANCE TARGETS

12. Does your school set performance targets?
   Yes □
   No □

13. Who sets performance standards for the teachers in your school?
   □ Head teacher
   □ Head of Department
   □ Teachers/self
   Any other, please specify __________________________

14. How would you deserve the performance standards set?
   □ High
   □ Normal
   □ Below average
   Other, please specify __________________________

15. What recommendations would you give on setting of performance standards in your school? __________________________

__________________________________________
SECTION V: TRAINING

16. What is your understanding of performance contracts?
   V.Good ☐ Good ☐ poor ☐

17. Have you attended any training on performance contracting?
   Yes ☐
   No ☐

18. In your opinion, does the level of training on performance contracting among teachers affect implementation of performance contract?
   Yes ☐
   No ☐
   If yes, please explain ____________________________________________________________

SECTION VI: TERMS OF CONTRACTS

19. Are there terms/laws on performance contracting which make teachers refuse to sign performance contracts?
   Yes ☐
   No ☐
   If yes, please explain ____________________________________________________________

20. What terms/conditions would you recommend in order to make teachers accept signing performance contract? ____________________________________________________________
Appendix 1.2
Interview Schedule for Ministry of Education Officials.
Questionnaire for Ministry of Education Officials.

1. This questionnaire seeks to find out the challenges affecting implementation of performance contracts among secondary school teachers. The information obtained will be treated with confidentiality and used for the intended purpose only. Please do not write your name in any part of this questionnaire.

Kindly Answer ALL the questions;

1. Name of your organisation ____________________________________________

2. Highest Educational Level attained;
   - [ ] A level
   - [ ] Primary
   - [ ] Secondary
   - [ ] Undergraduate
   - [ ] Postgraduate
   - [ ] Any other (Specify) ____________________________________________

3. Has schools in your District implemented performance contracting?
   - Yes [ ]
   - No [ ]

4. Do you know that the ministry has implemented performance contracts as a way of improving service delivery.
   - Yes [ ]
   - No [ ]

5. What do you think affects implementation of performance contracts? ________________

__________________________________________________________________________

__________________________________________________________________________
6. What do you recommend to be done to schools in order to improve performance of teachers and overall improvement of performance?

7. Teachers are members of Knut/Kuppet. There is a tendency for the unions to oppose issues such as performance contracts. Are teachers individually supposed to sign performance contracts?
   Yes [ ]
   No [ ]

8. In your opinion, should knut/kuppet oppose performance contracts in schools?

9. Why in your opinion does knut/kuppet oppose performance contracts?

10. Do teachers in your District set performance targets in schools?
    Yes [ ]
    No [ ]

11. In your opinion, do teachers readily accept setting of performance standards?
    Yes [ ]
    No [ ]
    Please explain ____________________________

12. How would you describe the performance standards set?
    [ ] High
    [ ] Normal
    [ ] Below average
13. What recommendations would you give on setting of performance standards in schools?

________________________________________________________________________

14. Have your ministry been training teachers on performance contracting?
   Yes ☐
   No ☐

15. In your opinion, does the level of training on performance contracting among teachers affect implementation of performance contract?
   Yes ☐
   No ☐
   If Yes, please explain___________________________________________________________

________________________________________________________________________

16. Are there terms/laws on performance contracting which make teachers refuse to sign performance contracts?
   Yes ☐
   No ☐
   If Yes, please explain___________________________________________________________

________________________________________________________________________

17. What terms/conditions would you recommend in order to make teachers accept signing of performance contracts? _________________________________

________________________________________________________________________

18. Has the ministry come up with a way of enforcing performance contracts among teachers?
   Yes ☐
   No ☐
   If Yes, please explain___________________________________________________________

________________________________________________________________________
Appendix 1.3

Interview Schedule for Union Officials

This questionnaire seeks to find out the challenges affecting implementation of performance contracts among secondary school teachers. The information obtained will be treated with confidentiality and used for the intended purpose only. Please do not write your name in any part of this questionnaire.

Kindly Answer ALL the questions;

1. Name of your organisation__________________________________________

2. What is your highest level of Education?
   - [ ] Primary
   - [ ] Secondary
   - [ ] A-level
   - [ ] Diploma
   - [ ] Undergraduate
   - [ ] Postgraduate
   Any other (specify) ________________________________________________

3. Has schools in your District implemented performance contracting?
   - [ ] Yes
   - [ ] No

4. Do you know the ministry has implemented performance contracts as a way of improving service delivery?
   - [ ] Yes
   - [ ] No

5. What do you think affects implementation of performance contracts in secondary schools?
   ________________________________________________________________
6. What do you recommend to be done to schools in order to improve performance of teachers and overall improvement of performance?

________________________________________________________________________

7. Teachers are members of Knut/Kuppet. There is a tendency for the unions to oppose issues such as performance contracts. Are teachers individually supposed to sign performance contracts?

Yes ☐

No ☐

8. Why in your opinion does knut/kuppet oppose performance contracts?

________________________________________________________________________

9. Have you attended any training on performance contracting?

Yes ☐

No ☐

10. In your opinion, does the level of training among teachers affect implementation of performance contracts?

Yes ☐

No ☐

If Yes, please explain________________________________________________________________________

11. Are there terms/conditions between teachers and MOE on performance contracting

Yes ☐

No ☐

If Yes, please explain________________________________________________________________________

12. Please give suggestions on what could be done in order to improve implementation of performance contracts

________________________________________________________________________
## APPENDIX 2: PROPOSED BUDGET

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<th>Item</th>
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<td>2.</td>
<td>Relevant reference text and internal surfing</td>
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<tr>
<td>3.</td>
<td>Typing, printing and photocopying of data, collection tools, proposal and final report</td>
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<tr>
<td>4.</td>
<td>collection tools, proposal and final report</td>
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<tr>
<td>5.</td>
<td>Flash disk</td>
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<td>750.00</td>
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<td>6.</td>
<td>Administration of questionnaires</td>
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<tr>
<td>7.</td>
<td>Travel and subsistence contingency</td>
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<td>5000.00</td>
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### APPENDIX 3: WORK PLAN

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<td>2.</td>
<td>Development of proposal</td>
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<td>Correction and presentation of Questionnaire</td>
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<td>8.</td>
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<tr>
<td>9.</td>
<td>Submission of final report</td>
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