

**AN INVESTIGATION INTO TEACHERS' OPPOSITION TO
INTRODUCTION OF PERFORMANCE CONTRACT IN MASINGA
DIVISION, YATTA DISTRICT**

BY

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DECLARATION

This project is my original work and has not been presented for a degree in any other university.

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DEDICATION

I dedicate this research work to the entire Nzioka's family, wife Rose and Children Francisca, Nzioka and Wambua.

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I first acknowledge the Almighty God for keeping me healthy until this moment.

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ABSTRACT

The main aim of the study was to investigate the reasons as to why the teachers in public secondary schools in Masinga Division, Yatta District were opposed to introduction of performance contract. To achieve this study adopted a descriptive census survey. The study sampled 10 secondary schools in the division from which the 10 head teachers and five teachers from each school. Data was collected using questionnaires in which 48 were completed and returned. This gave a response rate of 80 percent.

The study established that all the respondents were opposed to the introduction of performance contract. The responses given for the opposition was that the environments under which the schools operated were different with some being better equipped while others were not. The respondents also indicated that the student performance was determined by various factors apart from the class. The study established that despite the fact that though many of the schools met the conditions necessary for organizations to be placed on performance contract; most of the conditions were equally not met. This makes it difficult for the teachers to sign performance contract. The study established that other factors that made it difficult for teachers to sign performance contract was the difficulty in setting of the targets and misplacement of priorities.

The study concluded that all the stakeholders in the education sector should be involved in the management of the school in order to improve the general performance of the schools. The study also recommends that the government must make sure that before the signing of performance contract by teachers, the environments under which they are working are equal and that it should sensitize teachers on the terms and conditions of the performance contract. It should also seek other methods of performance evaluation for teachers.

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LIST OF ABBREVIATION AND ACRONYMS

BOG	Board of Governors
CHE	Commission of Higher education
DEB	District Education Boards
DEO	District Education Officer
DPM	Department of Personnel Management
EMIS	Education Management Information System
FPE	Free Primary Education
GOK	Government of Kenya
KCSE	Kenya Certificate of Secondary Education
KESI	Kenya Education Staff Institute
MOE	Ministry Of Education
PDE	Provincial Director of Education
PSRP	Public Sector Reforms Programme
PTA	Parents Teachers Association
PTTO	Provincial Technical Training Officer
SAGAS	Semi Autonomous Government Agencies
SMC	School Management Committees
SPSS	Statistical Package for Social Sciences
TIVET	Technical Industrial Vocational and Entrepreneurship Training
TSC	Teachers Service Commission

CHAPTER ONE

INTRODUCTION

1.1. Background of the study

According to Trivedi, (2004), the use of Performance Contracts has been acclaimed as an effective and promising means of improving the performance of public enterprises as well as government departments. Essentially, a Performance Contract is an agreement between a government and a public agency which establishes general goals for the agency, sets targets for measuring performance and provides incentives for achieving these targets. They include a variety of incentive-based mechanisms for controlling public agencies—controlling the outcome rather than the process. Jones and Trivedi, (2007) states that the success of Performance Contracts in such diverse countries as France, Pakistan, South Korea, Malaysia, and India has sparked a great deal of interest in this policy around the world. A large number of governments and international organizations are currently implementing policies using this method to improve the performance of public enterprises in their countries. Jones and Trivedi, (2007) argue that Performance Contracts represent a state-of-the-art tool for improving public sector performance. They are now considered an essential tool for enhancing good governance and accountability for results in the public sector.

As a central element of new public management something that Meyer (2002) calls the performance measurement industry has emerged. According to Meyer (2002) performance measurement rarely lives up to the high expectations. He argues that organizations are usually swamped with indicators, they follow the path of “use-it-and-lose-it” in the sense that

performance measures sometimes rapidly lose the capacity to discriminate between bad and good performance once they are applied; this can be observed across a range of industries. Meyer (2002) goes on to observe that although a myriad of non-financial indicators have been developed in the past decade, up to now there has been no clear comprehension of the cause-and-effect relationship between financial and non-financial measures. And last but not least, the motivation and performance-enhancing effects of performance-related compensation systems have been mixed. On a negative note, de Bruijn (2002) is convinced that the perverse effects of performance measurement in the public sector will in the long run force out the beneficial effects of overall performance. He argues that the more the political level intends to steer with the help of performance measurement, the more it is inviting perverse behaviour.

The provision of education and training to all Kenyans is fundamental to the success of the Government's overall development strategy. First, the long-term objective of the Government is to provide every Kenyan with basic quality education and training, which include 2 years of pre-primary, 8 years of primary and 4 years of secondary/technical education. According to the Sessional paper No. 1 of 2005 on policy framework for education, training and research, education aims at enhancing the ability of Kenyans to preserve and utilize the environment for productive gain and sustainable livelihoods. Second, development of quality human resource is central to the attainment of national goals for industrial development. Third, the realization of universal access to basic education and training ensures equitable access to education and training for all children, including

disadvantaged and vulnerable groups. Fourth, education is necessary for the development and protection of democratic institutions and human rights.

Because of its importance to the society the education sector has to adopt a way of improving its service delivery to the public. One of the ways by which this could be done was through the introduction of performance contract which is to be an agreement between the ministry of education and the teachers. Kenya being one of the countries aiming at achieving its development goals such as industrializing by 2030, has considered its human resource central to the country's attainment of industrial development, has since embarked on strategies aimed at achieving these goals. In Kenya, both government and great majority of the population perceive education and training as factors that influence development in important ways. The experience of developed countries world wide research findings bear witness that education and training are positively correlated with development. The role of education can be summarised as assisting the development of human resource base necessary for the generation of wealth and, more important, its application to the creation of a higher standard of living and improved standard of life. Although education and training play a major role in imparting skills that complement capital in the production of wealth, the human resource base comprise more than the labour force. Providers of education and training include both the state and the private sector.

1.1.1 Performance Contract

England (2000) and Blasi (2002) observe that performance contract includes a range of management instruments used within the public sector to define responsibilities and expectations between parties to achieve mutually agreed results. According to Blasi (2002).

performance contract is a freely negotiated performance agreement between the government, acting as the owner of a government agency, and the agency itself up to and including other management of the organization. Most commonly, performance contracts include bonuses for a job well done and, less often, salary decreases for poor performance. The desire for performance contract is driven by the increasing demands for greater accountability.

Nellis (1989) observes that performance contracts are negotiated agreements as owners of a public enterprise, and the enterprise itself in which the intentions, obligations and responsibilities of the two parties are clearly set out. Shirley (1998) advocates the view that performance contracts seem to be a logical solution since similar contracts have been successful in the private sector in turning around the performance of their enterprises, thus giving managers the autonomy and incentives to improve efficiency and thereafter holding the managers accountable for results.

According to England (2000), a performance contract is aimed at addressing economic, social or other tasks that an agency has to discharge for economic performance or for other desired results. It organizes and defines tasks so that management can perform them systematically, purposefully, and with reasonable probability of accomplishment. It also assists in developing points of view, concepts and approaches for determining what should be done and how to go about it.

Performance contract comprises determination of mutually agreed performance targets and review and evaluation of periodic and terminal performance.

According to the Directorate of Personnel Management Training Manual (2005), performance contract should focus on two levels: For the state corporations, the first level is between the government and the board of directors. Generally, board of directors and management of public enterprises bind themselves to the achievements of mutually agreed targets, in return for operating autonomy and specified rewards. The second level is between the board of directors and the chief executive: Since the board is not in charge of routine management of the organization, it assigns its responsibility assumed in the contract with government through signing of a performance contract with the chief executive.

Mann (1995) observes that performance contracting is among the multiple ways of improving efficiency of public enterprises. Government of Kenya (2005) argues for the adoption of performance contracts as an alternative public enterprise reform strategy where privatization may be feasible due to political or technical reasons, particularly those requiring sophisticated legal and regulatory structures or those that cannot be easily privatised for political reasons.

According to England (2000) and Blasi (2002), the fundamental principle of performance contracting is management by outcome rather than management by processes.

It therefore provides a framework for changing behaviour in the context of devolved management structures. Governments view performance contracting as a useful vehicle for articulating clearer definitions of objectives and supporting new management monitoring and control methods, while at the same time leaving day to day management to the managers themselves. Performance contract includes a range of management instruments used within the public sector to define responsibilities and expectations between parties to achieve mutually agreed results.

According to Mallon (1983) performance contract clarifies the goals and objectives of the public agencies including their obligations and responsibilities, and includes measurements of the extent to which each objective has been achieved. He argues that defining performance measures eliminates ambiguity in the objectives and outlines the expectations of both the public and the agency stakeholders. A strategic plan provides the framework for design of a performance contract as it contains the vision mission, objectives and the evaluation matrix against which each accounting agency shall be evaluated at the end of the performance period.

1.2 Statement of problem

According to Njau (2005) the Kenyan Government responded to public service delivery challenges by formulating and implementing Public Sector Reforms Programme (PSRP) way back in 1993. This has been done in phases until 2003 when it introduced performance contracting as one of the reform strategy. Odundo citing Njagi (2003) and Langat (2006) states that various government departments have been placed under performance contract and

the results have been improved performance. The government in a bid to improve its effectiveness in service delivery, introduced performance contracting in several of its departments. Langat (2006) points that the Performance contract which started as a pilot of 16 commercial public enterprises in 2004 eventually covered the entire public service in Kenya comprising: 38 ministries and accounts departments; 130 public enterprises; and 175 local authorities. The government in the recent times has made it clear that the education sector is a no exception and that teachers have to sign performance contract. But the teachers and the trade union are opposed. The study therefore sought to establish what the teachers reasons for opposition were.

Despite the efforts by the government to ensure improved service delivery in its departments, the education sector is yet to be placed under performance contract. The public secondary schools have been accused of mismanagement of resources such as finances, the general management of the schools and even poor performance in academics. According to the Draft Sesional Paper on Education and Training (2004) the government recognizes that the role of a teacher is not only in imparting knowledge but helping student how to learn as agents of life transformation. As managers, head teachers ensure efficiency in performance and proper utilization of teachers under them, effective management and implementation of curriculum and prudent use of resources. The head teachers must embrace a result oriented management to achieve the deserved education goals and targets. It is on this platform that the government in a bid to ensure accountability and improved management in public secondary schools that it proposed to introduce performance contract to be signed by teachers. Since the proposal by

the government to introduce performance contract in schools, there has been a strong opposition from the school heads, teachers and teachers union officials.

It is this strong opposition by the teachers and the union to the introduction of performance contract in schools despite the organizations that have been placed on performance contract have realised improved service delivery, that the researcher investigated reasons why teachers were opposed to the introduction of performance contract.

1.3 The purpose of the Study

The main purpose of the study was to investigate why the teachers strongly opposed the introduction of performance contract by the government

1.4 Objectives of the study

The specific objectives of the study were to:

1. To find out official reasons for performance contract
2. Identify teachers' views on performance contract.
3. To determine how teachers were prepared to accept performance contract
4. To determine the levels of teachers participation in developing the criteria.
5. To identify the head teachers views on performance contract.

1.5 Research Questions

1. What is the official rationale for requiring performance contract?
2. What are the teachers' views on performance contract?
3. How were the teachers prepared to accept performance contract?
4. What is the level of teacher's participation in developing the criteria?
5. What are the head teachers views on signing performance contract?

1.6 Significance of the Study

The study will be of value to any person interested in highlighting the performance contracting at the secondary schools, but more specifically the study will be of benefit to the government and the policy makers as they will gain insight on methods to apply to ensure that the public secondary performance was improved. The study is expected to contribute to the existing literature in the field of the use of performance contracting in public secondary schools. Future scholars can use this research as a basis for further research in the area of performance management. The study aimed at highlighting the reasons as to why the teachers were opposed to the introduction of performance contracts in schools and possibly find an alternative to improving the performance of teachers in schools. The study therefore expects the public secondary schools to benefit from the study in that they will gain insights on how to improve the performance of teachers by employing other performance management strategies other than performance contract.

1.7 Assumption of the Study

The researcher assumed that the information given by the respondents was accurate. The researcher also assumed that the sampled population was a fair distribution representing the whole population studied. Lastly the researcher assumed that all teachers in public secondary schools were liable to signing performance contract.

1.8 Limitations of the Study

According to Orodho (2004) a limitation is an aspect of the study that the researcher knows may adversely affect the results or generalizability of the study, but over which he/she has no

direct control over. It is expected that the teacher's hard stand on introduction of performance contract may change, but the researcher is unable to predict whether the present opposition to the introduction of performance contract will continue over the years or not. The choice of the schools was prompted by their proximity to each other. The poor road network and limited public and private transport made it difficult for the researcher to conduct bigger research that required extensive travelling. It was not possible to cover the opinions of other stakeholders like parents, civil society, and the government because tracing them required considerable time, resources and other logistics.

1.9 Delimitation of Study

According to Orodho (2004) delimitation of the study is the boundary limitation. The researcher conducted study in 10 public secondary schools in Masinga Division Yatta District. While it was true that teachers all over the country were opposed to signing of performance contract, the reasons for the teachers in Masinga Division may not be the same as those of other parts of the country.

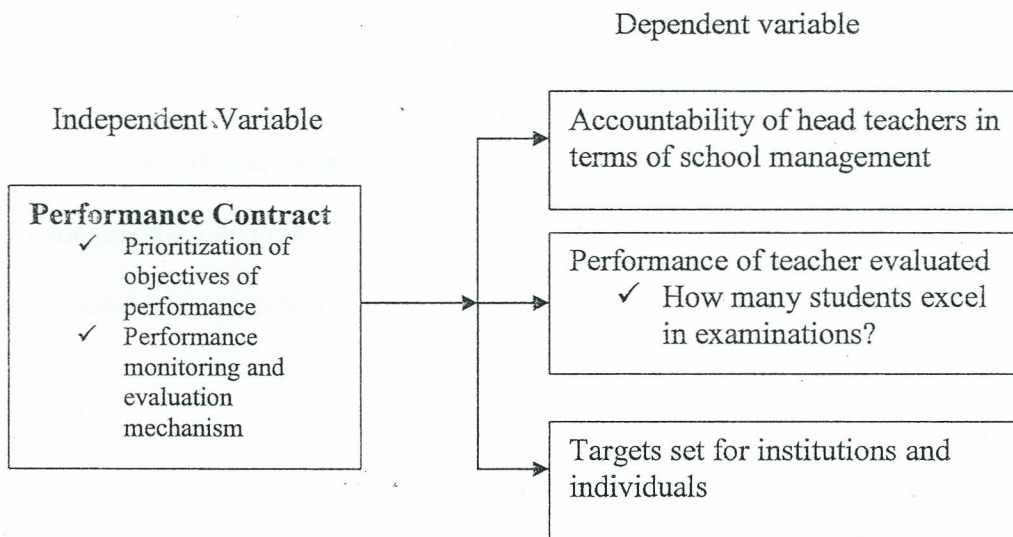
1.10 Theoretical Framework

The study adopted the scientific management theory which had its roots in industrial revolution which began in England around 1750 AD. The proponents of scientific management theory were concerned with two issues; increasing the productivity of individuals performing work, and increasing productivity of organizations within which work was performed (Taylor, 1911). According to Taylor, workers should be assigned tasks which are clearly defined and that will take a days effort to complete, should be given standard

conditions to complete the tasks. He went on to say that there should be high pay based on productivity and loss in case of failure. According to GOK (2005) a performance contract lists key result areas which relates to Taylors view that workers should be assigned tasks with standard conditions to complete. The GOK (2005) opines with Taylor that achievement of performance targets should lead to reward while failure should lead to sanctions. Sanctions here according to GOK (2005) may include termination or dismissal while according to Taylor, workers should be ready to pay dearly for their failures.

1.11 Conceptual Framework

Figure 1.1 Conceptual Framework



Source: Researcher's own computation

The signing of performance contract by the secondary school teachers will ensure accountability of how the school resources are managed especially by the school heads and this will minimise mismanagement of school funds. Signing of performance contract by teachers will form a basis by which the teachers will be evaluated by the evaluating agency.

And the performance contract will help set performance targets for the institutions as a team and individual teachers.

1.12 Definition of Terms

Performance: Performance is defined as how well an individual fulfils the requirement of his/her job, how well the objectives of a particular job are met. It embraces both behaviour and outcome.

Performance Contract: Performance contract is an agreement between a government and a public agency which establishes general goals for the agency, sets targets for measuring performance and provides incentives for achieving these targets.

Performance Measurements: Is a means of getting better results from a whole organization by understanding and managing the performance within an agreed framework of planned goals, standards and competence requirements.

CHAPTER TWO

2.0 LITERATURE REVIEW

2.1. Introduction

Performance measurement is a central element of new public management, which is characterized by some authors as a global movement reflecting liberation management and market-driven management. He says that liberation management means that public sector managers are relieved from a plethora of cumbersome and unnecessary rules and regulations. Instead of the control of input factors, control should focus on outcome measures. Performance measures are necessary to create something like the private sector bottom line. Jones and Trivedi (2007) argue that while within the private sector the discussion about the revolutionary and not-so-revolutionary use of performance measurement was closely linked to the debate on increasing the effectiveness of strategic management systems and narrowing the Performance measurement in the public sector gap between ambitious strategies and the annual planning, the debate within the public sector has been more complex. Here, from the very beginning, the discussion concentrated on the idea of improving external accountability and increasing internal efficiency at the same time. Trivedi (2004) points that performance measurement is seen as a tool for improving public budgeting, promoting a better reporting system and modernising public management.

Blasi (2002) notes that the growing popularity of performance measurement as an instrument for implementing a local, regional, state-wide or national public strategy may serve as an example. Across the sectors the inclusion of non-financial indicators in performance

measurement systems was boosted by the popularity of total quality management systems. Today, quality commitments are increasingly becoming an integral part of the mission statements of many public organizations. According to England (2000), quality prizes and obligatory quality assurance systems are a reality for many public agencies. Winning quality awards is prestigious for public administrations. Within the European Foundation for Quality Management there is an “improving public sector performance group”, whose mission is to promote and support improvements by the use of excellence concepts in public sector organizations. England adds that in various states, special public sector quality awards have been introduced and with the common assessment framework a self-evaluation tool, which claims to be simple and easy to use, exists for public sector organizations. England (2000) says that along with the promotion of increasing competition between public service providers by new public management goes the introduction of service quality indicators in order to prevent the public service provider compromising quality for cost-efficiency. Performance measurement here serves as a control system.

According to Fitzgerald et al., (2003) schools are increasingly expected to be explicitly accountable for teacher performance. The issue of professional learning, including the use of performance appraisal processes for managing the performance of teachers, is of major interest to educational researchers and practitioners. Generally, the term “performance appraisal” refers to a set of activities used by an organisation to increase employee performance. According to Fletcher (2001) performance appraisal is typically associated with the assessment and development of skills and the distribution of rewards. Sofo (1999) argues that this process commonly forms part of an organisation’s performance management system

that represents a wider control system for managing the integration of employee and organisational performance. According to Piggot-Irvine (2003, p. 170), “performance management is therefore the bigger picture within which appraisal is located”. The applicability of such a use for an appraisal process in schools can be questioned when reward systems predominantly rely on intrinsic satisfaction derived from contributing to the education of young people.

Luthas et al., (2000) states that teacher performance incentive plans operate on the theory that excellent teachers are the most important factor behind superior student performance. This idea is contrary to what long has been a leading theory among educational scholars, that family background (e.g., socioeconomic status, parental education) is the strongest driver of academic success. According to Mbithi (1974) proponents of the teacher-quality theory point to recent research that indicates a powerful connection between teacher performance and student achievement. Supporters of teacher incentive plans cited in Maranga (1993) believe that good teachers are undervalued and underpaid. They feel that the teaching profession would attract and retain the best and brightest college graduates if it rewarded excellence in the same way that other businesses compensate valuable employees. This would improve the education received by students and help reduce the teacher shortage, particularly in key subjects such as math and science. But critics of such plans according to Maranga (1993) believe that performance-based incentives disproportionately would benefit teachers at schools that already perform at high levels and would widen the equity gap between property-wealthy and property-poor districts. They also argue that the dynamics of schools are different from those of business and that unclear and subjective criteria for awarding

“teacher excellence” incentives could lower teacher morale. Finally, opponents believe that teachers already are dedicated to excellence and that an overall pay increase would reward those hard-working professionals and help attract highly qualified new applicants.

2.2 Management of schools in Kenya

Kariuki (2005) says that the MOE has the overall responsibility to manage all aspects of education and training. Other partners including Ministries of Local Government, Home Affairs, Labour and Human Resource Development provide education and training although they constitute a comparatively small proportion of the overall education and training service providers.

According to Kariuki (2005) the MOE is responsible for the education sector policy development, planning, and development of sector strategies and regulation of the provision of education and training services by other providers. The management structure at the ministry headquarters includes the Minister, two Assistant Ministers, Permanent Secretary, as the accounting officer, five Directors who report to the Permanent Secretary through the Education Secretary; and Administration, Finance and Accounting Divisions whose heads and the Education Secretary all report to the Permanent Secretary. The structure at the centre also includes a number of Semi Autonomous Government Agencies (SAGAs) responsible for the development and management of the various aspects of education and training. These agencies also report to the Permanent Secretary.

Kariuki (2005) adds that at the provincial level, the Provincial Director of Education (PDE) coordinates education activities (especially at primary and secondary school levels) in their respective provinces. The Provincial Technical Training Officer (PTTO) coordinates technical training activities and also monitors and supervises the technical programmes in both Government and private training institutions in the province. At the district level, education management, planning, registration and monitoring of schools and teacher management fall under the District Education Boards (DEBs) with the District Education Officer (DEO) as its secretary. Apart from the municipalities, which have some management role in primary education, local authorities no longer manage education in their respective areas. However it is expected by the Ministry that when a new constitutional dispensation is in place, local authorities will have an important role to play. At the primary school level, SMCs and Parents-Teachers Associations (PTAs) are responsible for their respective schools while secondary schools, middle level colleges and TIVET institutions are managed by Boards of Governors (BOGs), and universities by councils. These bodies are responsible for the management of both human and other resources so as to facilitate smooth operations, infrastructure development and the provision of teaching and learning materials.

According to Eshiwani (1993) there is a growing involvement of NGOs and the private sector in the provision of education and training services. This has introduced new challenges relating to the management and coordination of the provision of education services, especially with regard to the need to establish clear reporting and consultative mechanisms between providers and the MOE. The establishment of clearly defined consultative and coordination channels will enhance and improve the contribution of NGOs

and private providers and complement the work of the MOE and other Government education and training service providers. For this reason, the Ministry proposes to establish a formal mechanism for consultation and coordination of all stakeholders in the sector.

Eshiwani (1993) states that education management would be more effective where an efficient Education Management Information System (EMIS) provides a smooth flow of information to policy makers, planners, managers and other stakeholders at all levels of education and training. Currently, the MOE lacks an effective EMIS while electronic networking is weak and most officers require training in the use of computers. As a result, information and communication to and from headquarters to the provincial, district and school levels is normally through letter circulars sent by post or by faxes thus causing delays in decision making and follow-up actions. However, the Government has already developed an e-government strategic plan in order to deal with this challenge in the Government as a whole.

According to Eshiwani (1993) data on school enrolment, facilities, teachers and other educational personnel is collected at the district level and sent to the headquarters for analysis. Speedy analysis of this data is constrained by lack of capacity at the MOE headquarters and when fully done, it is either too late or not adequately disseminated at the MOE headquarters, to the field officers and SAGA's. A similar problem on data availability and dissemination exists in respect to a data bank or skills inventory within the MOE to guide the development and deployment of available personnel in accordance to their areas of specialization, and for assessing training needs for individual officers. Consequently,

majority of education managers and supervisors lack the necessary competencies to utilize available information for management purposes.

According to Kariuki (2005) members of BOGs and other school managers have also not been exposed to adequate management training. As such many institutional heads lack the capacities to oversee and account for the utilization of resources under them. This lack of capacity can be traced back to inadequate funding to KESI and lack of full time training facilities. However, following the implementation of FPE, the Government has initiated a programme for key stakeholders e.g. primary school heads and school committees in financial management, procurement of instructional materials and the efficient utilization of school funds and resources. Nevertheless, the nature of training required will not be achieved without a comprehensive training programme and availability of a full time training facility. There is now a wider range of education and training managers and stakeholders involved in the management of education institutions. As a consequence, it is necessary to decentralize some of the functions to the district and school level managers. The government also need to clearly separate roles and functions of the various actors in the sector. This will make management and accountability more efficient. Currently, decision-making in education and training management is highly centralized at the ministry headquarters among a few officers at the expense of the districts where actual education and training and management services are delivered.

According to Ongwae (2004), decentralization of the management of education and training services requires that the scope of authority at each level of management be well defined and

the requisite legal framework established. Under a decentralized system, the role of the DEBs in education and training management would be reviewed accordingly in light of the fact that most aspects of education and training management functions are performed at the districts and institutional levels. Ongwae (2004) points that it is at these levels where appropriate administrative, financial and decision-making authorities should be placed. Separation of roles and functions will improve partnership and make the working relationships cordial. In this respect, issues relating to policy development, curriculum design as well as monitoring and evaluation, quality assurance and overall responsibility will fall under the Ministry. Issues relating to day-to-day operations, local supervision and resource mobilization to support education and training as well as counselling of students and staff will be left to local stakeholders both with backstopping services from the Ministry and other national level actors.

Sogomo (2002) observes that the government is yet to address these issues of management. At present, the government is planning to, establish a lean education and training management structure at the headquarters to provide policy direction, resource mobilization, planning, quality assurance and the maintenance of standards, and coordination of education and training services providers, while decentralizing actual delivery of services to the districts and educational institutions; Establish a national mechanism for consultation and co-ordination of various providers of education and training services for the purpose of ensuring harmony of services at all levels; Review the current operation of the Teachers Service Commission (TSC) with a view to strengthening its capacity to manage teaching services under their mandate; Once capacity is built, decentralize teacher management functions

including recruitment, assignment, deployment and discipline services to more empowered and strengthened district and institutional management bodies; Review the current structures of DEBs, institutional management committees, BOGs and university councils to ensure that they have the capacities to perform their professional, management and co-ordination functions; Delegate day to day quality assurance services and curriculum implementation to the districts and institutional levels with technical support and resources provided by or through districts and Provincial Offices, thus leaving national quality assurance services to deal with standards through regular inspections and training for capacity building; Collaborate with partners to develop and sustain a national capacity building programme for all sub-sectors; Establish and mandate a TIVET Authority to coordinate the development of TIVET and ensure quality at all levels; Expand the mandate of CHE so that it coordinates the development of higher education and to assure quality at both university and all tertiary institutions offering diploma courses; and Strengthen KESI to offer demand driven capacity building programmes.

2.3 Performance contract

A performance contract according to Government of Kenya (GOK, 2005) is a management tool for measuring performance that: establishes operational and management autonomy between government and public agencies; it reduces quantity of controls and enhances the quality of service; it privatises the style of public sector management by focusing on results and not processes; and it measures performance and enables recognition and reward of good performance and sanctions bad performance.

Performance contract is a freely negotiated performance agreement between the government, acting as the owner of a government agency, and the agency itself (GOK, 2005). Here, mutual performance obligations, intentions and responsibilities between the two parties are clearly specified. The contract outlines the tasks an agency has to discharge for the achievement of desired results. Tasks are defined so that management can perform them systematically and with reasonable probability of accomplishment. It helps determine what should be done and how to go about it (GOK, 2005).

According to Trivedi, (2004), the success of the contract depends on how effectively the contract team and the client's staff work together. Omitting key players from discussions, discontinuity or change of key players, ignoring the needs and wishes of staff "on the ground", refusing to acknowledge changing circumstances can all seriously affect the successful implementation of a contract. There is a strong need for an alliance relationship that must be developed and managed carefully from the very beginning of the implementation of performance contract in order to avoid potential failure. Success needs to be based on sharing of common goals with a high degree of dependency. Each partner must believe in the mantra "I cannot succeed if you do not". Such a commitment contributes significantly to a strong desire for mutual cooperation especially in the case of adversarial problems occurring. Planning according to Henderson, (1990) is a primary mechanism for creating a common set of goals. It is a dynamic process that involves all parties who will be working together.

2.4 Conditions Necessary for implementation of Performance Contract

The main reason for failure of the implementation of performance contract, as pointed out by Mallon (1994), is that performance contracts, like so many previous public management and control systems (e.g., performance budgeting), have often been adopted as panaceas, as if simply entering into a contract would solve the problems. In practice, a number of critical institutional preconditions need to be present to enable performance contracting to work as expected. These preconditions, drawn from the cited studies, include: the need for governments (as principals) to explicitly state their objectives, prioritize them and translate into performance improvement targets; the need for principals or governments to have a hard budget, in place in order to minimize or even eliminate ad hoc subsidies and financial bail-outs of agencies; the need for principals to credibly signal their commitment to the contract, e.g., by prompt payment of bills (in the case of utilities) and not renegeing on other commitments; and the delegation of meaningful autonomy to senior managers. Shirley and Xu, (1997) point that this has been problematic in some cases partly because of the reluctance of central controlling agencies to let go their controls over finance and personnel, and partly due to political interference. Shirley and Xu, (1997) argues that if managers are to be held accountable for results, they must be free from blatant political patronage and from pervasive external interference in operational matters; others are reliable and functional managerial information systems in place to enable management by results. The availability and quality of information and how this is managed is a key capacity issue in applying performance contracts; the monitoring of performance contracts. Mallon (1994) concludes that there is therefore the need for effective and competent monitoring agency with skilled personnel. Monitoring also requires independent auditing by qualified managerial experts

and accountants; and a system of rewarding or penalizing managers according to their performance needs to be in place and must be seen to be working. Other factors include: a good strategic plan; maximum involvement by the top management; ownership of the entire process by the employees; commitment by all the stakeholders; mutual respect for each other by the parties to the contract; ability of those concerned to distinguish between inputs, outputs and outcomes; matching performance targets with the level of the available resources and clear specifications of right obligations of the parties to the contract.

The studies by Shirley and Xu (1997), Mallon (1994) and the World Bank (1995) suggest that most of the above conditions fail to materialize in the context of developing countries. For example, where the appointment of managers is based on patronage, rather than merit, it may be difficult to penalize poor performance, which may be excused or tolerated rather than sanctioned. In reviewing the experience of Bolivia in performance contracting, Mallon notes that vulnerability to politicization was a major problem for implementation. Also, the autonomy of the technical staff that monitored performance contracting was compromised due to inability to resist interference

2.5 Performance Management

Performance is about how well an individual fulfils the requirement of his/her job. Performance is also seen as how well the objectives of a particular job are met. A comprehensive view of performance is achieved if it is defined as embracing both behaviour and outcome. Performance in secondary school is measured by KCSE mean grade for each school. Performance is greatly influenced by an individual's ability to do a task and his/her perception of what is required of him/her. In managing performance of teams and

individuals, both behaviour and results need to be understood, this is viewed as the “mixed model” of performance management by Hurtle (1995). Mbithi (1974), Eshiwani (1993), Okumbe (1988) and Maranga (1993) have revealed in the studies that lack of effective management has contributed to poor education and service delivery. Factors relating to learners and those relating to administrative practices have both been linked to poor performance in schools. Donnelly et al (1992) indicate that performance must be measured accurately and systematically, so that rewards can be distributed equitably. If rewards are not distributed fairly, encouraging the necessary effort to do the jobs seems senseless to employees. If no meaningful difference in rewards is made, between high and low performing employees, high performers lose motivational intensity and probably cut back on their performance, for effort to lead to performance, the individual must have a clear understanding of his or her expected rules, abilities, need and other characteristics. Employees with higher abilities attain higher performance for a given level of effort than those with less ability. Similarly, Kreitner (1986) points that effort results in higher performances when employees clearly understand and are comfortable with the rules.

Performance management is a means of getting better results from a whole organisation by understanding and managing the performance within an agreed framework of planned goals, standards and competence requirements. Performance management concerns everyone in the organisation and not just top management. Performance management is concerned with performance improvement, employee development, satisfying needs and expectations of stakeholders and communication and involvement Armstrong (2001). Armstrong and Barun (1998) have set up criteria for performance management, they propose that performance

measure should provide a sound basis for feedback and action, be comprehensive and precise, be verifiable, focused on measurable outputs, be relevant to objectives and be related to strategic goals and measures that are organisationally significant and drive business performance. Donnelly et al (1994) notes that when an employees performance is found to be unsatisfactory, motivation is always suspected to be the cause rather than any other problem. Certainly, this is true in many cases. However, other factors such as shortage of resources, lack of skills may also cause unsatisfactory performance. Kreitner and Kinicki (1997) have given four prerequisites for linking performance and rewards, managers need to develop and communicate performance standards to employees. Managers also need valid accurate performance ratings with which to compare employees. They also need to determine the relative mix of individuals versus team contribution to performance and then reward accordingly/ Managers should use the performance ratings to differently allocate rewards among employees. Equity theory has several implications; the most important implication is that rewards must be perceived as fair in order to be motivating this they provide managers with understanding in how believes and attitudes affect job performance. Equity theory emphasizes the need for managers to pay attention to employees' perception of what is fair and equitable. Kreitna and Kinicki (1997) notes that studies on goal-setting reveal that difficult goals lead to higher performance, feedback enhances the effects of specific different goals, participative goals, and self-setting goals are equally effective and goal commitment and monitoring incentives affect goal-setting outcomes.

2.6 Performance measurement

According to Gianakis (2002) elements of what we nowadays call performance measurement have been in use in public administrations for quite a while (see for the history of performance measurement. The New York Bureau of Municipal Research first developed a budgetary system based on work-load measured shortly before the second world war. The Hoover-Commission recommended a switch towards performance-based budgeting in 1949. Programme outcome measures formed an integral part of the analysis required by the planning-programming-budgeting system back in the 1960s and were used in zero-based budgeting systems in the 1970s and 1980s. GOK, (2005) noted that performance targets were also an element of management-by-objectives implementations in the public sector in the 1970s. In the 1980s and 1990s performance measurement again became a topic in the public sector in a situation when serious revenue shortfalls and changing attitudes towards the public sector made it necessary to find solutions other than the cut back management practised in the past decades. The following are the purposes of performance measurement within the public sector.

2.6.1 Schools performance

In defining the schools performance, the following variables should be addressed;

Effectiveness

The effectiveness of the school as noted by Luthas et. Al, (2000) is the degree to which it moves towards the attainment of its mission and realizes its goals. The goal of Kenya's secondary schools is to do well in national examinations. Effectiveness is measured in terms of the schools mean score in national examinations. Schools with high mean score in national

examinations are seen to be effective while those with low mean score are seen not to be effective.

Efficiency

According to Luthas et. al, (2000), an organization must be able not only to provide exceptional services but also to provide them within an appropriate cost structure. Performance is increasingly judged by the efficiency of the organisation. Whatever the overall size of the unit, performing organizations are viewed as those that provide good value for the money in quantitative and qualitative terms,. Schools which are efficient in their allocation and use of resources are said to be performing well from the administrative perspective.

Relevance

Luthas et. al, (2000) argues that organisations in any society take time to evolve and develop, but they must develop in ways that consolidate their strengths. Organizations face internal and external crisis and no organization is protected from becoming out of date, irrelevant or subject to closure. To survive, an organisation must adapt to changing contexts and capacities and keep its mission, goals, programs, and activities agreeable to its key stakeholders and constituents. Schools that adapt themselves to changes fast are said to be relevant while those which drag in their response to changes for instance to curriculum can be said to being irrelevant.

Financial viability

To survive, Luthas et. al, (2000) notes an organizations inflow of financial resources must be greater than the outflow. Our experience has shown that the conditions needed to make an organization financially viable include multiple sources of funding, positive cash flow and financial surplus,. Schools which are able to manage their finances in terms of fees collection and use of the collected funds are termed as financially viable unlike those which cannot operate efficiently due to poor financial management

CHAPTER THREE

3.0 RESEARCH METHODS

3.1 Introduction

This chapter describes research design, location of the study, study population, sample and sampling technique, research instrument, validity and reliability of the instrument, data collection procedures and data analysis.

3.2 Research Design

This was a descriptive census survey aimed at investigating the reasons why teachers in public secondary schools in Masinga Division, Yatta District are opposed to the signing of performance contract. According to Cooper (1996), a descriptive study is concerned with finding out who, what, where and how of a phenomenon which is the concern of this study. Njoroge (2003) and Mazrui (2003) have successfully used descriptive study in related studies.

3.3 Location of study

This study was conducted in Masinga Division in Yatta District. Masinga Division is one of the three divisions in Yatta District in Eastern Province. It borders Katangi Division to the South and Ndithini Division to the West. It is approximately 120 kilometres to the North of Machakos Town and about 120 kilometres to the Northeast of Nairobi along Thika-Garissa Road. The Seven Forks dams are located in the region near Masinga Market. The terrain is largely plain being an extension of Yatta Plateau with a few hills such as Kangonde and

Kamuthumba a few Kilometers to the North of Thika-Garissa Road. The major economic activities in Masinga Division are fishing, farming and sand harvesting. This area was chosen because it is the researcher's home division and is therefore interested in the quality of education and in knowing why teachers in the division are opposed to the signing of performance contract by the government.

3.4 Study population

The target population of study consisted of all the 14 secondary schools in the division. Fourteen head teachers, 140 teachers and three teachers' union officials were involved in the study of these schools were involved in the study.

3.5 Sample and sampling technique

The study randomly sampled 10 (71% of) public secondary school from the 14 available in the division. Information was sought from all the principals from the schools were studied. The study used systematic stratified sampling method to select 5 (50% on average) teachers from every sampled school. According to Coopers and Schindler (2001) systematic stratified sampling is where by the population is first divided into strata. Equal samples are then drawn from every stratum. Simple random sample was then be used to select the five teachers from the sampled schools.

Name of Schools	Sample
Masinga Boys	5
Ekalakala Secondary School	5
Kithyoko Secondary School	5
Ikaatini Secondary	5
Iiani Secondary	5
Kivaa Secondary	5
Kitangani Secondary	5
Masinga Girls	5
Kikumini Secondary	5
Nzukini Secondary	5
Total	50

3.6 Research instruments

Questionnaires were used for data collection; Gay (1996) explains that descriptive data are usually collected using questionnaire. Others like Cohen and Manion (1998) and Emory (1985) have also positively identified questionnaires, observations, standardized tests, rating scales and word counts as instruments of data collection in descriptive research. Since the design of the research was descriptive survey, questionnaires were found to be appropriate for data collection. The choice of questionnaire was also made because they are useful in

reaching a large group of respondents within a short time with little cost. Self completion questionnaire can be filled in the absence of the researcher hence limit biases resulting from personal characteristics of the researcher. The researcher also used secondary methods of data collection. This was mainly in the form of information from books government publications, journals and information from the internet to address the question on the rationale of the government introduction of performance contract.

3.7 Pilot Study

The researcher conducted a pilot survey to test the instruments of the study. Pilot was done in schools outside the study area.

3.8 Validity of the Instrument

The researcher carried out pre-test of the instruments by piloting in three schools in the area of study. After piloting, the ambiguous questions were corrected and the questionnaires given back to the same Respondents. This was done to determine whether the instrument would yield the needed data. The Respondents were asked to give comments about clarity and suitability of the language used and content on each item. Data collected during pilot stage were coded and analyzed. According to Mugenda and Mugenda (1999), a high degree of reliability with coefficient of 0.80 and above is accepted.

3.9 Reliability of Instruments

Reliability is a measure of the degree to which a research instrument yields consistent results or data after repeated trials (Mugenda and Mugenda, 2003; Orodho, 2004). This is achieved

by carrying out several pilot surveys at intervals. A comparison between answers obtained from the first and second attempts were subjected to Pearson Product Moment Coefficient analysis. According to Mugenda and Mugenda, a high degree of reliability with Pearson Coefficient (r) of 0.80 is deemed to be high enough to judge the instrument as reliable for the study. To compute the coefficient the researcher conducted test-retest of individual questions. Correlating the test-retest scores question by question by use of computer software SPSS. A coefficient of 0.70 was considered adequate but a coefficient of 0.80 was considered good.

3.11 Data Collection Procedure

In order to administer the questionnaire effectively, the researcher used assistant researcher to drop the questionnaires and collect them after one week, one week was enough for various school heads, teachers and the KNUT officials to fill the questionnaires. The researcher read books and publications to get the information on the rationale of the governments introduction of performance contract.

3.11 Data Analysis

Primary data was first be edited to identify and eliminate errors made by respondents. Coding was done to translate question responses into specific categories. Code numbers were assigned to each answer of survey question and from these a coding list or frame was obtained. Coding was expected to organize and reduce research data into manageable summaries. The coded items were analysed with the aid of a computer on SPSS. Descriptive statistics such as percentages, frequencies and tables were used to describe data. The study used secondary data analysis to analyse secondary data. It is the analysis of data or

information that was either gathered by someone else (e.g., researchers, institutions, Government, other NGOs, etc.) or for some other purpose than the one currently being considered (Cnossen 1997). Presentation of data took the form of tables and graphs.

CHAPTER FOUR

4.0 DATA ANALYSIS, PRESENTATION OF FINDINGS AND DISCUSSIONS

4.1 Introduction

In this chapter data pertaining to the official reasons for requiring performance contract, secondary school teachers view on performance contract, and how the teachers were prepared to accept the performance contract, level of teachers participation developing the criteria and the head teachers views is analysed presented and discussed.

A total of 60 respondents comprising 10 head teachers and 50 teachers from 10 sampled were sampled. Every teacher was given a questionnaire from which 48 responded by completing and returning the questionnaire. This gave a response rate of 80%. The collected data were edited and coded. Data analysis of the responses from the questionnaires was done. The findings are presented in percentages, frequencies, tables on the basis of objectives.

4.2 General information

Respondents were first asked to indicate the names of their schools, types of schools, gender, age bracket, professional qualification and the length of time they have served in their present schools.

4.2.1 School Types

The results of the study as presented in Table 4.1 show that 3 of the respondent schools were girls boarding. The study further shows that another three respondent schools were boys boarding and three mixed day. There was only one mixed boarding.

Table 4.1: School Types

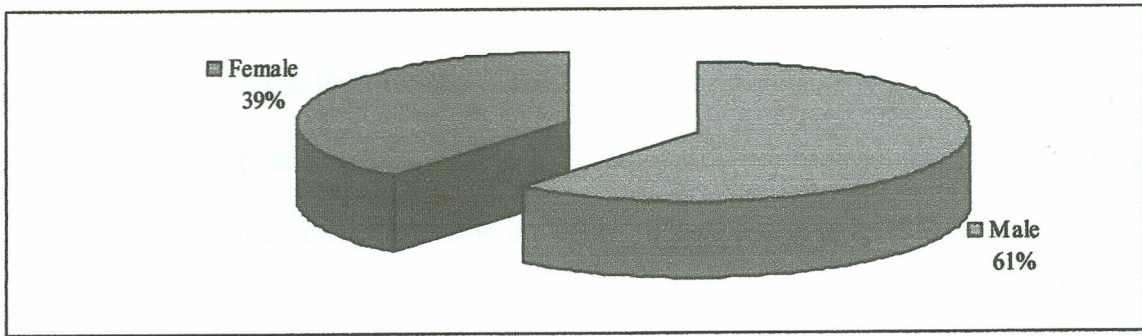
	Frequency	Percent
Girls boarding	3	30
Boys boarding	3	30
Mixed boarding	1	10
Mixed day	3	30
Total	10	100

Source: Researcher (2009)

4.2.2 Gender Composition

Respondents were asked to indicate their gender and according to the results of the study in Figure 4.1 below, 61 percent of the respondents were male while 39 percent were female. This shows that men dominate the teaching profession especially in Masinga Division, Yatta District.

Figure 4.1: Gender Composition



Source: Researcher (2009)

4.2.3 Age Bracket

As presented in Table 4.2, the study shows that 16 (33%) respondents were in the age bracket of 36 to 40 years and 13 (27%) respondents were in the age bracket of 31 to 35 years. According to the study, 11 (23%) respondents were over 40 years and only 2 (4%) were in the age bracket 21 to 25 years. This shows that majority of the respondents are in their middle age while majority also are approaching their retirement age. But younger generation is only represented marginally.

Table 4.2 Age Bracket

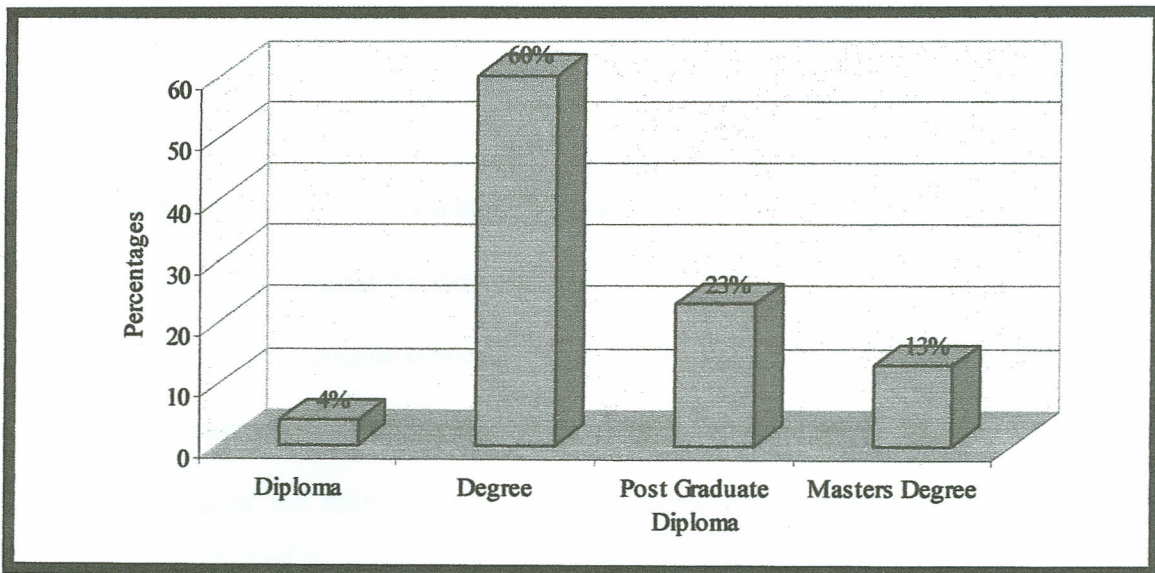
	Frequency	Percent
21 - 25 years	2	4
26 - 30 years	6	13
31 - 35 years	13	27
36 - 40 years	16	33
Over 40 years	11	23
Total	48	100

Source: Researcher (2009)

4.2.4 Highest Professional Qualification

The study sought to establish the respondents' highest levels of qualifications. According to the results as shown in Figure 4.2, 60 percent of the respondents had their first degrees while 23 percent had post graduate diplomas. The study established that 13 percent of the respondents had master degrees while only four percent had diplomas.

Figure 4.2: Highest Professional Qualification

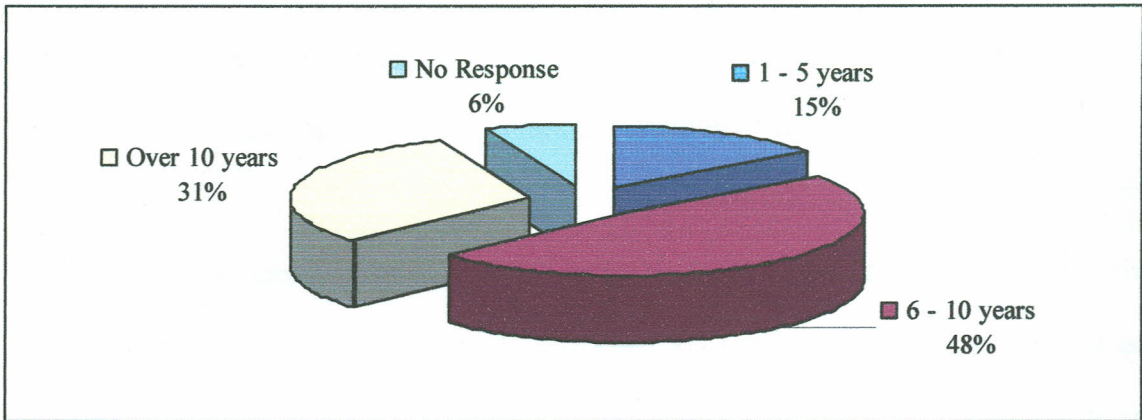


Source: Researcher (2009)

4.2.5 Length of Time been in Current School

Respondents were asked to indicate the length of time they had been at their present schools. According to the study as shown in Figure 4.3, 48 percent of the respondents have been in their present schools for between 6 to 10 years and 31 percent have been in their schools for over ten years.

Figure 4.3 Length of Time been in Current School



Source: Researcher (2009)

4.3 Official reasons for Performance Contract

The first objective sought to establish the official rationale of the government requiring teachers to sign performance contract. Schools like other public agencies in Kenya have been accused of poor performance thereby hindering the realization of sustainable economic growth. Some of the factors for the poor performance include: excessive regulation and controls, frequent political interference, poor management, outright mismanagement and bloated staff (Opiyo, 2006). The Government responded to public service delivery challenges by undertaking a number of reform measures. One of the reforms was the formulation and implementation of Public Sector Reforms Programme (PSRP) in 1993. The program implementation was in three phases. The first phase focused on cost reduction, in which the government resolved to reduce its workforce (Opiyo, 2006). The second phase of the reform program focused on rationalization of government ministries/departments to determine appropriate structures and optimal size of the civil service for effective performance of the government's core functions which led to further reduction of workforce.

appropriate structures and optimal size of the civil service for effective performance of the government's core functions which led to further reduction of workforce.

Both phases of the reform coupled with the embargo on recruitment reduced the core civil servants size from 272,000 in 1992 to 191,670 in 2003 (GOK, 2005b). While there was a reduction in the size of the core civil service of about 30%, it was noted that productivity and performance in the public service was not as expected (Opiyo, 2006). However these measures did not adequately address management systems that are decentralized. They did not provide a framework for guiding behavior towards attainment of results nor ensure accountability in the use of public resources and efficiency in service delivery. They lacked performance information system and performance evaluation systems besides performance incentive system. They emphasized inputs and conformity to laws, regulations and procedures rather than on outputs, efficiency and cost-effectiveness which was becoming a serious demand in public service delivery.

Further reform initiatives targeting performance improvement and management in the public service were therefore required, thus introducing the third phase of the public sector reforms guided by Economic Recovery policy direction (DPM, 2004). In effort to achieve the objectives and targets of ERS and to manage performance challenges in public service, one of the strategies adopted by the government was the performance contract for all public agencies as a management system that focuses on the attainment of desired results. The contracts are expected to instill accountability for results at the highest levels in the

government. The top-level officials will, in turn, hold those below them accountable for results.

According to the Government of Kenya (GOK, 2005) booklet on performance contract, the introduction of performance contract emanated from the realization that the public agencies have not been clear about their goals as they have several functions with multiple objectives to fulfill their mandates. The lack of clarity of goals may lead to the agency achieving objectives not related to its core mandate. It therefore stated that a performance contract addresses the imbalance in assessing performance by agreeing on the objectives against which performance will be measured. The performance contracts are expected to produce the following:

1. Improve service delivery to the public by ensuring that top-level managers are accountable for results
2. Improve efficiency and ensure resources are focused on attainment of the key policy priorities
3. Institutionalize performance-oriented culture in the public service
4. Measure and evaluate performance
5. Link reward and sanctions to measurable performance

Even though the government never reduced the number of teachers in its first reform initiatives which aimed at cutting down the size of the workforce, the government froze teacher recruitment and only did it where it was necessary. It was therefore on its third phase of reforms that it wanted the teachers to sign the performance contract which was met by stiff resistance from teachers.

4.4 To determine teachers views on government's demand that teachers sign

performance contract

The study then sought to find out the teachers views on signing performance contract as demanded by the government.

The respondents (teachers) were asked to indicate the extent to which they agreed with the following statements concerning the reasons as to why the government wanted them to sign performance contract. Using scale 1 – 5 where 1 is agree to no extent and 5 is agree to a very large extent.

The results are presented in table 4.3 below

4.3 Teachers views on government stand on Performance contract

	No extent %	Small extent %	Moderate extent %	Large extent %	Very large extent %
Hold teachers accountable	0	0	12.5	50	37.5
Improve effectiveness of teachers	0	12.5	50	25	12.5
Institutionalize performance oriented culture	12.5	12.5	25	25	25
Measure and evaluate teachers	12.5	50	12.5	12.5	12.5
Victimize teachers	0	0	12.5	50	37.7

(Researcher 2009)

According to the findings presented in table 4.3 50 percent of respondents indicated that to a large extent the government wanted teachers to sign performance contract so as to hold them

accountable while 37.5 percent indicated that to a very large extent the government wanted to hold teachers accountable by signing performance contract.

According to the findings the respondents to large extent agreed with GOK (2005) that intention of the governments introduction of performance contract was hold teachers accountable, improve efficiency and ensure resources were focused on attainment of priorities, to institutionalize performance oriented culture. The findings also concur with Mann (1995) who observed that performance contracting is among the multiple ways of improving efficiency of public enterprises. But according to the finding 50 per cent of respondents indicated to a moderate extent that the government wanted to measure and evaluate teacher's performance. All the respondents (teachers) indicated that teacher's performance as an individual and the schools performance was adequately evaluated through the existing evaluation measurers such as the internal and national examinations, syllabus coverage and frequent inspection by the quality Assurance and Standards officers in the field. The study revealed that according to 50 percent of respondents to a moderate extent government want to improve the effectiveness of teachers by demanding them to sign performance contract. The study further revealed that 50 percent of the respondents (teachers) to a large extent the government wanted to victimize teachers.

The findings reveal that the teachers were not involved in setting stage for the signing of performance contract between them and their employer, hence they were suspicious of the governments intention. The findings contradicts the opinion of Shirley and xu (1997) where he argues that managers are the ones to be held accountable for results and in this case top education management body.

Further the findings contradict Kreitner and Kinicki (1997) that managers need to develop and communicate performance standards to employees. They advocate for participative goals and self setting goals. And in this case therefore teachers were supposed to be involved as clients and key players in successful implementation of performance contract.

4.5 To determine how teachers were prepared to accept performance contract

The investigator sought to determine if at all the teachers were sensitized on terms and conditions of performance contracts. The results of the findings are presented in table 4.4 below

Table 4.4
Teachers' awareness of the terms and conditions of performance contract

Responses	No of respondents	%
Aware	1	2%
Not aware	45	90%
No response	4	8%

(Researcher 2009)

The findings indicate that 45(90%) of the respondents (teachers) were not aware of the terms and conditions of the performance contract while 1 (2%) indicated that they were aware of the terms and conditions of the performance contract. While 4(8%) had no response.

Asked where they got the information that teachers were to sign performance contract 13 percent indicated that they got the information from the union officials while 80 percent indicated that they got information from the mass media. 7 percent had no response

The study showed that the government had not prepared teachers to sign performance contract by sensitizing on the rationale for signing the same as expected through official communication (circular). This findings contradicts Blasi (2002) which stated that performance contract does not impose targets on employees but simply lists the key results areas. The employees then freely negotiates the targets with his employer on what he can achieve. Therefore teachers were supposed to be part of negotiating party on terms and conditions of the performance contract.

4.6 To determine the level of teachers participation in developing the criteria

The study sought to establish the teacher's participation in developing the criteria of evaluating the performance of teachers. In an answer to the question on whether the government negotiated the signing of the performance contract to the teachers. The findings were as follows:-

Table 4.5: Level of teachers' participation in developing the criteria

Responses	No of respondents	Percentage
Yes	1	2%
No	45	90%
No response	4	8%

(Researcher 2009)

The findings indicate that 90 percent of the respondents (teachers) did not participate in developing the criteria of evaluating teachers' performance through signing performance contracts. 2 percent of the respondents indicate that teachers participated in developing the criteria while 8 percent had no response.

It can be concluded from the findings that teachers never at all participated in coming up with the idea nor the terms and conditions of the performance contracts. The findings contradict the opinion of Trivedi (2004) that the success of contract depends on how effectively the contract team and the client's staff work together. Omitting key players from the discussion can seriously affect the successful implementation of the contract. This is one of the reasons as to why teachers were opposed to the signing of performance contract.

4.6 Head Teachers' View on Performance Contract

The study sought to establish the head teachers' views on performance contract. The results of the study in this section are presented in the sections that follow.

4.6.1 Reasons why government want teachers to sign performance contract

As part of answer to research question number four, respondents were asked to indicate the extent to which they agreed with the following statements concerning reasons as to why government demand that teachers sign performance contract using scale of 1-5 where 1 is agree to no extent and 5 is agree to very large extent. The answers are as presented in Table 4.6 below:-

4.6 table below

Table 4.6: Head Teachers views on government stand on performance contract

	No extent (%)	Small extent (%)	Moderate extent (%)	Large extent (%)	Very large extent (%)
Hold teachers accountable	0	12.5	0	50	37.5
Improve effectiveness of teachers	0	12.5	12.7	37.5	50
Institutionalize performance-oriented culture	12.5	12.5	25	25	25
Measure and evaluate performance	0	0	0	25	75

Source: Researcher (2009)

According to the findings as presented in Table 4.6, 50 percent of respondents indicated that to large extent, the government wanted teachers to sign performance contract so as to hold them accountable, while 37.5 percent indicated that to very large extent the government wanted to hold teachers accountable by signing performance contract. The study revealed that according to 50 percent of the respondents, to very large extent, the government wanted to improve the efficiency of teachers by demanding that they sign performance contract. The study further revealed that 75 percent of the respondents indicated that to very large extent the government wanted to hold teachers accountable.

According to these findings, the respondents to large extent agree with GOK (2005) that the intention of the governments' introduction of performance contract was to hold teachers accountable, improve efficiency and ensure resources were focused on attainment of priorities, to institutionalise performance-oriented culture and to measure and evaluate the

teachers' performance.

The findings of the study therefore concur with those of the government.

4.6.2 Head teachers' views on teachers signing performance contract.

The research question number four sought to establish the head teachers views on performance contract. Respondents were therefore asked to indicate in their own opinion what their views were concerning teachers signing performance contract. According to the study, 75 percent of the teachers indicated signing performance contract would be unnecessary since the output of teachers and students was constantly monitored through the national examination and even the quality assurance and standards assessments. According to 37.5 percent of the respondents, it would be unfair for teachers to sign performance contract due the imbalances in terms of inputs such as entry behaviour of students, endowment in learning facilities and staffing status of schools. These findings contradict Fitzgerald et al., (2003) opinion that schools are increasingly using performance appraisal to evaluate the performance of teachers.

CHAPTER FIVE

5.0 SUMMARIES, CONCLUSION AND RECOMMENDATION

5.1 Introduction

The previous chapter involved data analysis, presentation and discussion of the findings. This chapter will summarise the main findings and conclusions based on research conducted in this project. Finally, recommendations for action by stakeholders, and suggestion for future study are presented.

The overall purpose of the study was to investigate the reasons as to why the public secondary school teachers were opposed to the introduction of performance contract. The first research question was; what is the official rationale for requiring performance contract? What are the teachers' views on performance contract? The third research question was; how the teachers were prepared to accept performance contract? what was the level of teachers participation in developing the criteria, the fifth was what are the head teachers views?

Out of the 60 public secondary school teachers and head teachers sampled, 48 responded. This gave a response rate of 80%. Thirty percent of the respondent schools were girls boarding and another 30 percent boys boarding and mixed day. Sixty one percent of the respondents were male while only 39 percent were female. Only one respondent school was mixed boarding. The respondents were mainly first-degree holders (60%) while 23 percent had postgraduate diplomas. Forty eight percent of the respondents have been in their present schools for a period of between 6 – 10 years, and 31 percent indicated that they have been in the schools for over 10 years.

5.2 Summary of the Findings

The study established that according to 50 percent of the respondents the performance of teachers and the school administration was good, and therefore 49 percent respondents rated the performance of their schools as very good. All the respondents opposed the idea of placing public secondary schools on performance contract. They gave reasons such as imbalances in input such as entry behaviour of students and endowment of learning facilities that existed in schools. The head teachers indicated that already teachers were being evaluated by other methods of performance evaluation such as national examination and assessment by quality assurance and standards officers. According to 75 percent indicated that it was not possible to objectively measure the performance of teachers.

The study established that main reason for introduction of performance contract was to address the poor performance in service delivery in the public service sector. This was mainly contributed by bureaucracy, political interference, poor management, outright mismanagement and bloated staff. The performance contract was introduced as a result of absence of clear goals in the public sector. The performance contract was expected to improve service delivery, improve efficiency, institutionalize performance culture, measure and evaluate performance and link performance to reward and sanctions.

The study further established that according to 50 percent to a large extent the government wanted to victimize teachers. According to the study 50 percent of the respondents to a large extent the government wanted to hold teachers accountable.

The study established 45 (90%) were not involved in developing the criteria on the signing of performance contract and 45(90%) of the teachers were not aware of the terms and conditions of the performance contract.

5.3 Conclusion

The fact that all the respondent teachers were opposed to signing of performance contract and the fact that they believed that their schools performed well in school administration and the general performance of the school, clearly show that teachers are not ready to sign the performance contract.

Despite the good intention by the government to improve the performance of the schools by ensuring accountability, efficiency, a performance oriented culture and to link performance with rewards and sanctions, teachers were opposed to signing performance contract stating that they were already being evaluated using other forms of performance evaluation such as both internal and national examinations, quality assurance and standards assessments, making of schemes of work and completion of syllabus. Respondents added that it would be unfair to use performance contract to evaluate their performances since there existed imbalances in schools in terms of inputs such as learners entry behaviour and endowment of learning facilities.

The study established that difficulty in target setting and misplaced priorities were the major factors that made it difficult for teachers to sign performance contract. Others included phobia. The study also established that different environments under which teachers performed their duties made it difficult to set standard parameters under which teachers are

evaluated. These included conditions such as overcrowding and inadequate teachers in schools.

5.4 Recommendations

The study recommends that all the stakeholders in the education sector such as the school administration, teachers, students, parents and the community be involved in the management of the school to achieve meaningful performance.

The government must make sure that before the signing of performance contract by teachers, the environments under which they are working are equal.

Other methods of performance evaluation should be sought are the performance of student is influenced by several factors such as social, psychological, different abilities of students among others.

5.5 Recommendations for Future Research

This study was done on the secondary schools in Masinga Division in Yatta District only. The study recommends that similar study should be done on other parts of Kenya to establish why teachers are opposed to introduction of performance contract. The study also recommends that similar studies should be carried out in other countries especially in Africa. This should be done with the aim of comparing the methods used to evaluate the performance of secondary school teachers in other African countries to the Kenyan case.

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APPENDICES

Appendix 1: Letter of introduction

October, 2008

Dear Respondent

REF: PERMISSION TO CARRY OUT RESEARCH

I am a Master of Education (M.Ed) student at Kenyatta University. I am required to submit as part of my course work assessment a research project report on **“Investigation on why teachers are opposed to introduction of performance contract in public secondary schools in Masinga Division”**. To achieve this, you are one of those selected for the study. I kindly request you to fill the attached questionnaire to generate data required for this study. This information will be used purely for academic purpose and your name will not be mentioned in the report. Findings of the study, shall upon request, be availed to you.

Your assistance and cooperation will be highly appreciated.

Thank you in advance.

Yours faithfully

Boniface Mbithi Nzyoka

Appendix 2: Questionnaire

SECTION 1: GENERAL INFORMATION

1. Name of school _____

2. Type Girls boarding []

 Boys boarding []

 Mixed boarding []

 Mixed day []

3. Gender Male []

 Female []

4. Age bracket

 21 – 25 years []

 26 – 30 years []

 31 – 35 years []

 36 – 40 years []

 Over 40 years []

5. What is your highest professional qualification?

 Diploma []

 Degree []

 Post graduate diploma []

6. How long have you worked in your current position?

1-5 years []

6 -10 years []

Over 10 years []

7. Are the teachers Performance in your school evaluated? Yes [] No []

8. If yes in 7, explain _____

9. Are the school performance evaluated? Yes [] No []

10. If yes in 9, explain _____

11. Do you think these forms of performance evaluation are adequate?

Yes [] No []

11. Should the school like the rest of the state institutions be placed on performance contracting? Yes [] No []

12. Give reasons to your answer in 10 above

13. How would you rate the performance of your school a scale on scale of 1 to 5 where; 1 is excellent, 2 very good, 3 good, 4 satisfactory, 5 poor.

14. Is it possible to objectively measure performance of teachers?

Yes [] No []

15. Give reasons for your answer in 12 above?

16. State the extent to which factors listed below are the reasons why the teachers are opposed to introduction of performance contract on a scale of 1-5, where; 1 = to no extent, 2 = to a small extent, 3 = to some extent, 4 = to a large extent and 5 = to a very large extent.

	1	2	3	4	5
1. Institutional resistance					
2. Individual resistance					
3. Phobia (fear)					

4. Traditions/ inertia					
5. Strategic plan					
6. Misplacement of priorities					
7. Difficulty in target setting					

17. List other factors that would make it difficult for the teachers to sign performance contract? _____

18. In your own opinion, what should be done to evaluate the teachers' performance more objectively? _____

19. Please indicate the extent to which you agree with the following statements concerning the reasons why the government demand that teachers sign performance contract.

	No extent %	Small extent %	Moderate extent %	Large extent %	Very large extent %
Holding teachers accountable					
Improve effectiveness of teachers					
Institutionalize performance oriented culture					
Measure and evaluate teachers					
Victimize teachers					

20. Are you aware of the terms and conditions of the performance contract between teachers and the government?

Responses	No of respondents	%
Aware		
Not aware		

21. How did you get information that government wanted teachers to sign performance contract?.....

.....

.....

21. Did the teachers participate in negotiating the criteria for evaluating teachers through performance contract?

Responses	No of respondents	%
yes		
no		

THIS IS TO CERTIFY THAT:

Prof./Dr./Mr./Mrs./Miss..... NZYOKA
MBITHI BONIFACE

of (Address)..... KENYATTA UNIVERSITY
P.O.BOX 43844 NAIROBI

has been permitted to conduct research in.....

.....Location,

.....YATTA.....District,

.....EASTERN.....Province,

on the topic..... AN INVESTIGATION INTO

TEACHERS OPPOSITION TO INTRODUCTION

OF PERFORMANCE CONTRACT; A CASE

OF PUBLIC SEC. SCHOOLS IN

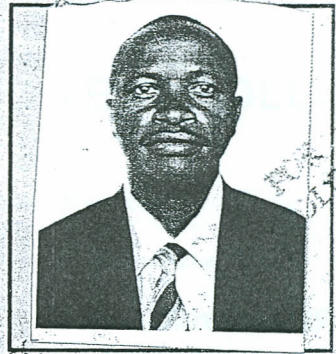
MASINGA DIVISION YATTA DISTRICT

for a period ending 31ST JANUARY 20..... 10.....

Research Permit No. NCST/5/002/R/082

Date of issue 25.3.2009

Fee received SHS.500



SECRET
NATIONAL
SCIENCE

Applicant's
Signature

Secretary
National Council for
Science and Technology



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P. O. Box 30623-00100
NAIROBI-KENYA
Website: www.ncst.go.ke

Our Ref: **NCST/5/002/R/082/5**

Date: **25th March 2009**

Mr. Nzyoka Mbithi Boniface
Kenyatta University
P.O.Box 43844
NAIROBI

RE: RESEARCH AUTHORIZATION

Following your application for authority to carry out research on, '*An Investigation into Teachers Opposition to Introduction of Performance Contract: A Case of Public Secondary Schools in Masinga Division Yatta District*'

I am pleased to inform you that you have been authorized to carry out research in Yatta District for a period ending 31st January 2010.

You are advised to report to the District Commissioner and the District Education Officer Yatta District before embarking on your research.

On completion of your research, you are expected to submit two copies of your research report to this office.

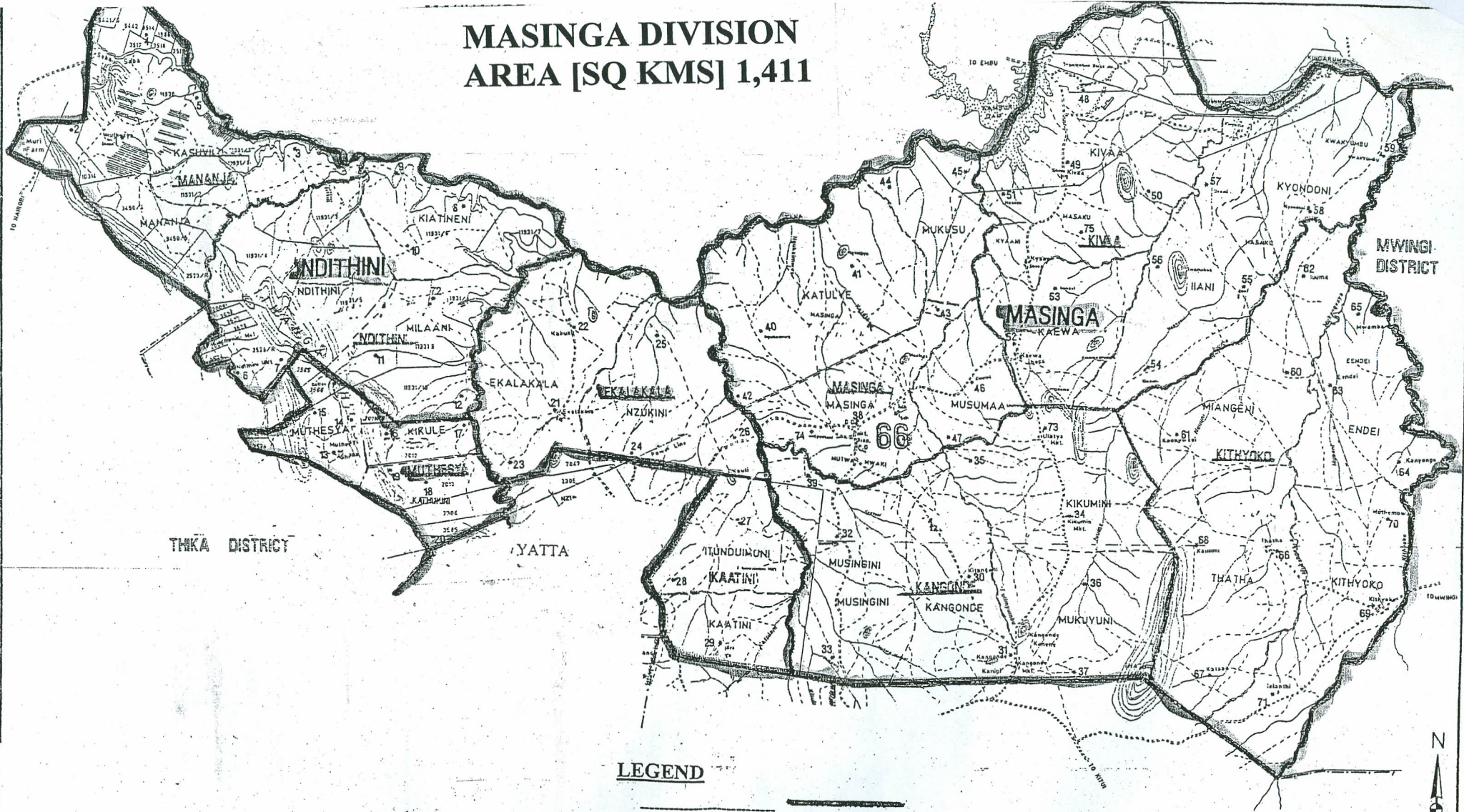

for **PROF. S. A. ABDULRAZAK Ph.D, MBS**
SECRETARY

Copy to:

The District Commissioner
Yatta District

The District Education Officer
Yatta District

MASINGA DIVISION AREA [SQ KMS] 1,411



LEGEND

- Division Boundary
- Division Name
- Location Boundary
- Location Name
- Roads
- Trading Centres
- Rivers

MASINGA

MASINGA

* 13



KITUI DISTRICT



KENYATTA UNIVERSITY
DEPARTMENT OF EDUCATIONAL ADMINISTRATION,
PLANNING AND CURRICULUM DEVELOPMENT

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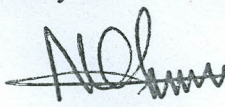
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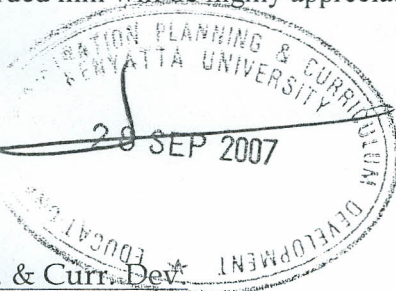
REF: INTRODUCTION LETTER - NZYOKA BONIFACE MBITHI

This is to certify that NZYOKA BONIFACE MBITHI who is a student in the Department Reg. No. - E55/CE/12779/05 specializing in the area of Economics of Education has completed his coursework, examination and is in the process of writing his project, which will lead to attainment of M.Ed. Degree of this University.

Any assistance accorded him will be highly appreciated.

Thank you.


Dr. S. N. Waweru
Chairman,
Educ. Admin. Plan. & Curr. Dev.



/ck.