**Disability:IN Global Directory**

**Kenya**

Disability Definition

According to [Kenya Disability Resource](http://www.kenyadisabilityresource.org/Disability-Overview), a disability is “any condition of the body or mind (impairment) that makes it more difficult for the person with the condition to do certain activities (activity limitation) and interact with the world around them (participation restrictions).”

Legislation

The [Persons with Disabilities Act, 2003](https://www.un.org/development/desa/disabilities/wp-content/uploads/sites/15/2019/11/Kenya_Persons-with-Disability-Act.pdf) is “an Act of Parliament to provide for the rights and rehabilitation of persons with disabilities; to achieve equalisation of opportunities for persons with disabilities; to establish the National Council for Persons with Disabilities; and for connected purposes.”

Employer Requirements

The Kenyan [Persons with Disabilities Act](https://www.treasury.go.ke/wp-content/uploads/2020/11/Persons-with-Disabilities-Act.pdf) states the following under Section 12, Employment:

No person shall deny a person with a disability access to opportunities for suitable employment.

A qualified employee with a disability shall be subject to the same terms and conditions of employment and the same compensation, privileges, benefits, fringe benefits, incentives or allowances as qualified able-bodied employees.

An employee with a disability shall be entitled to exemption from tax on all income accruing from his employment.

The following is stated under Section 16, Incentives to Employers:  
A private employer who engages a person with a disability with the required skills or qualifications either as a regular employee, apprentice or learner shall be entitled to apply for a deduction from his taxable income equivalent to twenty-five per cent of the total amount paid as salary and wages to such employee: Provided that,

(i) such an employer shall present proof certified by the Ministry responsible for labour that the persons with disabilities in respect of whom he claims the deduction are under his employ; and

(ii) the persons with disabilities so employed are accredited with the Council as to their disabilities, skills and qualifications.

A private employer who improves or modifies his physical facilities or avails special services in order to provide reasonable accommodation for employees with disabilities shall be entitled to apply for additional deductions from his net taxable income equivalent to fifty per cent of the direct costs of the improvements, modifications or special services.

Accessibility Requirements

"People with disabilities have the right to easily move around and have access to all amenities, which includes reasonable access to buildings and public transportation. This means that it is illegal to charge a person with disabilities more to use public transportation. This also means that all public buildings need to at least have a ramp so that people in wheelchairs can easily access the building. These changes were to be made within 5 years of the implementation of the Persons With Disabilities Act. Most buildings are still inaccessible to people with disabilities. The penalty for not making adjustments in order to accommodate disabilities after receiving an adjustment order is a fine of up to 20,000 Ksh, and/or up to a year in prison."

Reference: [Microsoft Word - Kenya Disability Law Guidebook\_2017.docx (kupenda.org)](https://kupenda.org/wp-content/uploads/2020/01/Kenya-Disability-Law-Guidebook.pdf)

Cultural Norms

Based on [a status report on Disability Inclusion in Kenya](https://www.socialprotection.go.ke/sites/default/files/Downloads/STATUS-REPORT-ON-DISABILITY-INCLUSION-IN-KENYA-2021.pdf), 2021, The Government of Kenya, working with partners, is raising public awareness on disability rights and supporting the involvement of Persons with Disability and/or their representative organizations to demystify disability in the process.

Insights

According to the 2019 census, 2.2% (0.9 million people) of Kenyans live with some form of disability. The census results indicate that 1.9% of men have a disability compared with 2.5% of women. There are more Persons with Disabilities living in rural than urban areas with prevalence rates by residence showing that 2.6% (0.7 million) of people lived in rural areas and 1.4% (0.2 million) of people in urban areas have a disability.

References: [STATUS-REPORT-ON-DISABILITY-INCLUSION-IN-KENYA-2021.pdf (socialprotection.go.ke)](https://www.socialprotection.go.ke/sites/default/files/Downloads/STATUS-REPORT-ON-DISABILITY-INCLUSION-IN-KENYA-2021.pdf)

Supplier Diversity

Additional content coming soon.

Talent Sourcing Resources

[The Kenya Business and Disability Network](https://www.fke-kenya.org/media-center/news/fke-launches-kenya-business-and-disability-network-support-pwds) – “Focused on ensuring that persons with disabilities access opportunities to engage in decent work as a means to ensure their economic inclusion.”

Additional Resources

[Kenya Institute of Special Education](https://www.kise.ac.ke/) (KISE): “To facilitate service provision for persons with special needs and disabilities through human capital development, research, data management, functional assessment, rehabilitation, inclusive education practices, technology and production of educational resources and assistive devices.”

References

[International Labour Organization](https://www.ilo.org/global/lang--en/index.htm)

[Status of Disability in Kenya](https://www.socialprotection.go.ke/sites/default/files/Downloads/STATUS-REPORT-ON-DISABILITY-INCLUSION-IN-KENYA-2021.pdf) – 2021

NGOs

The [Association for the Physically Disabled of Kenya](https://www.apdk.org/) is an NGO that is “committed towards improving the lives of persons with disability through advocating for an inclusive society, provision of rehabilitation services (physio- and Occupational Therapy) provision of appropriate wheelchairs and assistive technology (crutches, walking frames, surgical boots), economical empowered and advocating for rights of persons with disability.”