



**MINISTRY LABOUR AND SOCIAL PROTECTION
STATE DEPARTMENT FOR SOCIAL PROTECTION
DEPARTMENT OF SOCIAL DEVELOPMENT**

**GUIDING QUESTIONS FOR DEFINING THE NORMATIVE CONTENT OF THE ISSUES
EXAMINED AT THE TENTH WORKING SESSION OF THE OPEN-ENDED WORKING GROUP**

EDUCATION, TRAINING, LIFE-LONG LEARNING AND CAPACITY-BUILDING

Definition

- 1. What are the definitions of the rights of older persons to education, training, life-long learning and capacity-building in the national legislation in your country? Or how should such a right be defined, considering existing national, regional and international legal framework?**

The right to education in Kenya is enshrined in the Constitution of Kenya, Article 43(1) which states that every person has a right to Education. The Constitution also obligates the state in Article 57(b) to take measures to ensure the rights of older persons to pursue their personal development which includes education, training, lifelong learning and capacity-building. In Kenya, the Basic Education Act, 2013 defines adult and continuing education as the learning processes within the perspective of lifelong learning in which an adult is granted an opportunity in an institution of basic education for purposes of developing abilities, enriching knowledge and improving skills. Adult basic education is offered as a full-time or part-time course and includes education by correspondence, the media of mass communication and the use of libraries, museums, exhibitions or other means of visual or auditory communication for educational purposes and “Adult learning” shall be construed accordingly.¹

The right to education is also guaranteed by other legislations and policies developed in Kenya.

Scope of the right

- 2. What are the key normative elements of the rights of older persons to education, training, life-long learning and capacity-building, including such elements as availability, accessibility, acceptability and adaptability? Please provide references to existing standards where applicable.**

Normative elements of the rights of older person to education;

- i. Access to education on a non-discriminatory basis. - there should be no restriction to older persons to access education. Institutions of learning should not have age restrictions for admissions for the adult learner.**

¹ Basic Education Act, 2013



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- ii. Access to affordable learning opportunities through provision of capitation grants.
- iii. Right to access to educational and training programmes that are specific to the educational needs of older persons².
- iv. Right to access to qualified adult education teachers/facilitators.
- v. Older Persons have a right to access literacy classes. The state should take special measures to provide specific facilities for adult learners.

State obligations

3. What are the measures that should be undertaken by the State to respect, protect and fulfill the rights of older persons to education, training, life-long learning and capacity-building, regarding the normative elements as provided above?

- i. The Government should provide for the establishment of adult and continuing education centers within a reasonably accessible distance within a county³
- ii. Provide equal opportunity to persons of all ages, Older Persons in particular, with respect to continuing education and training.
- iii. Adapt vocational training and ICT programmes to meet the needs of Older Persons.
- iv. Promote the lifelong education and technology that enhances the positive self-esteem and self-reliance amongst Older Persons.
- v. Review functional literacy programmes to ensure that they are responsive to the needs of Older Persons.
- vi. Provide opportunities within educational programmes and community institutions to enable Older Persons act as mentors, advisors, and teachers of cultural studies for the exchange of knowledge and experience with Older Persons as resource persons.
- vii. Support public education campaigns to utilize appropriate communication, media, and languages to meet the needs of Older Persons.
- viii. Leadership should demonstrate goodwill in adult education in provision of resources and pronouncements.

²According to the United Nations principles for older persons, older persons should have access to appropriate educational and training programmes.

³ Basic Education Act, 2013; Article 28(2)



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Special considerations

4. What special measures and specific considerations should be considered in developing the normative content of the rights of older persons to education, training, life-long learning and capacity-building?

- i. Promote scholarship system for older persons (most scholarships give a maximum age of 45yrs)
- ii. Promote adult education and lifelong learning through create awareness creation on the availability of adult education programs.
- iii. Provision of ICT infrastructure to provide online education and capacity building for older persons.
- iv. Integrate the educational programs for older persons into other programmes targeting older persons, e.g. social assistance programs
- v. Develop specific departments in Technical Voluntary ET to cater for vocational training for older persons.
- vi. Reform the adult education training curriculum to reflect the 21st Century skills.

5. How should the responsibilities of non-State parties such as private sector be defined in the context of the rights of older persons to education, training, life-long learning and capacity-building?

Non-state parties have a responsibility in the implementation of the normative elements of the rights of older persons to education, training, life-long learning and capacity-building through;

- i. Provision of resources to adult learners through sponsorship programs, funding of adult education centers.
- ii. Lobby/advocate for the implementation of various legislations and policies on developed by the state. On education and training of older persons
- iii. Undertake initiatives that bring service closer to older persons like capacity building programs to complement what the state is doing.
- iv. Develop programs that encompasses lifelong learning and capacity building for older persons.



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Implementation

6. What are the best practices and main challenges faced by your country in the adoption and implementation of the normative framework on education, training, life-long learning and capacity-building for older persons?

Best Practices

In Kenya, the Directorate of Adult and Continuing Education under the Ministry of Education has over the years established Adult Education centers which have continued to enroll older persons. As at 30th of June 2019, the number of older persons enrolled to the adult education program was 16,739; 4152 males and 12,587 females. The Directorates celebrates the International Literacy Days which serves as an awareness creation platform to encourage older persons to pursue education.

The Kenya Prisons Services, Directorate of Prisons enterprises has over the years been providing technical services and training of inmates in various vocational programmes within the prisons.

Some of the challenges experienced include;

- i. Older persons not being able to access capitation grants because of set age limit.
- ii. Adult education centers do no benefit from the capitation grant hence funding of the centers is inadequate. The adult learners have to pay for the service.
- iii. There is no waiver of exam fees for primary level and secondary level candidates registered under the adult education centers unlike those in the formal education institutions.
- iv. Inadequate adult education teachers/facilitators.
- v. Ageism-stigmatization of older persons who pursue higher education. People do not see the need for the older persons to further their studies. Only see younger persons as those who deserve to pursue higher education for personal and capacity development.