

Citizen Guidebook

Sauti yangu edition



Disclaimer

This citizen guidebook is a civic education material on our constitution, our participation as citizens and the understanding of our county governments. The law provides several Acts and guidance on our engagements with various public offices. As such therefore, this guidebook is not a replacement of the law but a simplified version that appreciates the law and breaks it down for You and I to understand our responsibilities, contribute to and provide an oversight role whenever called upon. It also guides us on how we are the watchdogs of all the programmes rolled out in our respective counties.

The views expressed are those of the author(s) and do not necessarily reflect the views of International Foundation for Electoral Systems (IFES) and/or those of our donors contributing to the publication of this guidebook.

All efforts were made to ensure accuracy and completeness of this guidebook. Any information herein deemed inaccurate or incomplete is not intentional and any reader should immediately notify the author(s) for any correction or amendment.

"Nothing for You, Without You".

WELCOME TO YOUR CITIZEN GUIDEBOOK!

We hope that through this book, You will be able to embark on a knowledge journey that will give you important information on, your rights as a citizen, in participating and in making development decisions in your county and also in your country.

Remember that Kenya is a democratic state, and a wise person once said,

"The idea of democracy is, if You have to live with the decisions,
Then You must be able to participate in making them"

(Unknown)

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Why should I attend a public forum?

Those who have nothing to do or kids to attend to can go.



I can't close down my small business to go attend a public participation meeting, that will not even benefit me.



How will it benefit me yet the leaders or organizers won't even remember me once done?

Who will attend, will our Area MP be part of the meeting, because I don't want to be associated with his party that I don't support?

These people/leaders who convene these meetings, never even pick up our calls when we need them, so why should I bother attending?

It's a waste of my time.

They come talk to us about development and we will never see them again or see the development they talk about. They come talk to us about development and we will never see them again or see the development they talk about.

They have been paid to convene such meetings by the government yet will never share anything with us, let those who feel like, attend, I cant.

Why would they listen to a commoner like me, my chama leader can go.





YOUR JOURNEY STARTS HERE

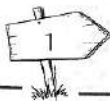
Before you start on your knowledge journey, you first must fill up your travel bag with a few things:

In 2010, over 67% of Kenyan voters approved a new constitution in a referendum that paved way for a historic moment in Kenya's democracy.

The constitution, enacted on August 27, 2010, repealed the old one that had been in place since Kenya's Independence in 1963, making all laws written in the old constitution obsolete.

This marked the end of one of the longest journeys in Kenyan history: a two-decade struggle for reforms.

Some of the key reform issues that were previously not there included marginalization of different communities due to the skewed way of resource allocation as well exclusion and continued marginalization of women, youth and persons with disability as well as other minorities. These groups needed affirmative action to ensure their inclusion in the development agenda of the country. The new constitution thus provided the opportunities previously missing.



Did you know?

1. The Preamble	The Constitution has a preamble that sets out the collective Kenyan spirit recognizing all our aspirations and exercising our sovereignty in determining the form of governance in our country. It provides a vision for future generations having fully participated in its making.
2. Citizenship	Citizen rights are explicit and secured. Dual citizenship is allowed, and women can confer citizenship to their spouses.
3. Devolved Government	Decentralization of power and resources has been provided for, to promote effective participation of the people in governance and accountability. County governments replicate national governance structures at the local level where taxation is levied and supported. This enhances development of different communities at the local level as local communities recognize their right to manage local affairs. This provides more opportunities for citizens to promote their development.
4. Minorities and marginalized groups	Government shall ensure that every citizen participates and is represented in governance and other spheres of life. Including putting in place affirmative action programmes to ensure inclusion, representation, education and economic empowerment activities.

But even as You learn Your rights, remember that rights come with responsibilities.

One of Your biggest responsibilities is to hold Your governments accountable to You as a citizen for what they do and how they do it. Accountability means that the policies and plans that Your government develops should reflect Your priorities and Your needs.

Likewise, accountability means that the government should tell its citizens what it has done to implement those policies and plans as well as the results of its efforts.



Now that You have learnt the facts on the new Constitution, the next question is:



How do you exercise your powers?

This can be done directly or indirectly.

1. Indirect Involvement

Citizens give power to a number of people to act on their behalf mainly through elections. Since we as citizens can not all go to Parliament to discuss issues affecting our constituencies, we instead choose a few Members of Parliament (and other representatives) who will represent and speak on our behalf in Parliament (assembly) and we bestow upon them the responsibility to represent our views in parliament. This is what we did in August 2017.



2. Direct involvement

Citizens participate as owners of the government and provide information on issues affecting them and their communities. For example, when you attend a county planning meeting and share your concerns, you are directly involved in the decisions of the government.

Why you and I matter

“When You are not at the decision-making table, You will be not be on the menu”.

- As long as you are a citizen, decisions made by our leaders affects you in one way or another.
- Do you want someone to make a decision about your future without involving you in any way?
- Each person does his or her part. If one citizen is unwilling to participate, then we will have decisions made by someone else and we can't complain.
- Democracy is about participating and having a say in decisions made by the leaders who you choose.
- Strengthened democracy and governance makes decision-making more representative.
- When citizens actively participate, elected leaders/ government are aware that their citizenry is
- Awake/alert and is watching what they are doing.
- Active citizenry gives an opportunity for government to understand different opinions and concerns And helps in improving the quality of service provision.
- Participation enhances the legitimacy of development projects by building public trust and confidence In decision-making and implementation.
- Participation reduces conflict by bringing different stakeholders together and giving them a chance to agree on different issues.

So how do you participate?

- Know what are the issues
- Determine which issues are important to You
- Gather all details you need to understand the issue You have identified
- Reach out to Your community members who identify with the issue
- Is there any other group/organization within Your community who may be working on the issue
- Gather support from others that You may have identified i.e. Your chama members, members of your nyumba kumi circle
- Do You know where and how to find Your ward representative
- Write a complaint letter to either Your ward representative or relevant office
- Attend meetings called upon by the County officials from time to time to engage Citizens and seek their opinions on activities, programmes and processes that they undertake on your behalf (Your issue above could just be one of them)
- Read reports from the County and engage Your neighbors in a discussion to understand what the County is doing on Your behalf
- Talk to other community members, they may have information that You don't.

Remember! As mentioned earlier, the Constitution provides for the establishment of County governments. This is important as this is Your first contact of participation as a citizen.

“

You have filled up your knowledge bag with information of your power as a citizen and why it's important to be active, let's move to the next step.

”



LET US BOARD THE COUNTY BUS

We have 47 Counties, each headed by an elected Governor (with his deputy) and consisting of a County Assembly and County Executive. Our Constitution in article 176 provides

'that the County governments shall decentralize its functions and provisions of services to the extent that it is efficient and practicable to do so'.

Each County also elects a Senator and a Women Representative for representation in the National Assembly.



The County Governments were created to achieve the following

- Distribute power and resources equitably to the people.
- Foster national unity and recognize diversity.
- Involve the people in governance and enhance their participation in making decisions affecting them.
- Allow better supervision and implementation of policies at the grass-root level.
- Protect and promote interests and rights of minorities and marginalized communities.

The County Government has two main structures. These are:

- County Assembly (legislature), comprised of Members of the County Assembly (MCA) elected from each Ward within a County and a further 12 nominated MCAs.
- County Executive Committee (executive), comprised of individuals with professional experience appointed by the Governor and approved by the County Assembly.

What are their responsibilities?

County Assembly

- Headed by a County Speaker elected among people that are not MCAs.
- Enact laws at the County.
- Provide oversight on the County Executive.
- Approve plans and policies for the smooth operation and management of resources and County institutions.

County Executive

- Headed by the Governor elected by the people of that County.
- Oversees the administration and delivery of services in the County.
- Carries out budgets and plans for the County.
- Informs the County citizens on the plans the County has.

Our Constitution provides that;

- Participation of the people is one of our national values and principles of governance.
- The object of devolution is to: “enhance the participation of people in the exercise of the powers of the State and in making decisions affecting them.”
- Mechanisms for participation by residents should be included in the national legislation relating to the governance and management of urban areas and cities.
- County governments should pass public participation legislation to facilitate public participation.

County governments give the people an opportunity to be more involved in law making and managing their counties. there are several ways in which you as a citizen can participate in the county government process





**MINISTRY OF TRANSPORT, INFRASTRUCTURE,
HOUSING AND URBAN DEVELOPMENT
(MoTH/HUD)**

THE NAIROBI RAILWAY CITY
 Sustainable, Integrated, Acoustic City for All

PUBLIC NOTICE

**INVITATION TO A PUBLIC MEETING FOR
PREPARATION OF URBAN PLANS, LEGAL
DESIGNS, ECONOMIC/FINANCE AND
IMPLEMENTATION STUDY FOR REDEVELOPMENT
OF THE NAIROBI CENTRAL RAILWAY STATION AND
ITS SUBURBORNS**

Pursuant to Article 173(1)(b) of the Constitution of Kenya, the County Government of Nairobi is entrusted with the responsibility of planning, managing and controlling land use within the Nairobi City Area. The Nairobi City Area is defined as the area within the Nairobi City Area boundaries. The Nairobi City Area is divided into Nairobi City Area Sub-locations. The Nairobi City Area is divided into Nairobi City Area Sub-locations. The Nairobi City Area is divided into Nairobi City Area Sub-locations.

The purpose of the meeting is to discuss the Nairobi Central Railway Station, the surrounding area, the Kenya Railway Corporation Limited, the Railway Holdings, and address the Nairobi Railway's need to redevelop parts of the Industrial Area. The area comprises of about 200 acres of land in the Nairobi City Area. The area is currently used for industrial purposes. The area is currently used for industrial purposes. The area is currently used for industrial purposes.

For further details kindly contact:
 The Public Participation Team for the Nairobi Railway City
 Ministry of Transport, Infrastructure Housing and Urban Development
 P.O. Box 10100-01010
 JICA Street, Nairobi City
 Tel: 011-254-20101010
 Email: pp@nairobi.go.ke

NAIROBI CITY COUNTY


OFFICE OF THE GOVERNOR

PUBLIC PARTICIPATION

Pursuant to Article 173(1)(b) of the Constitution of Kenya, 2010, the Office of the Nairobi Governor is entrusted with the responsibility of planning, managing and controlling land use within the Nairobi City Area. The Nairobi City Area is defined as the area within the Nairobi City Area boundaries. The Nairobi City Area is divided into Nairobi City Area Sub-locations. The Nairobi City Area is divided into Nairobi City Area Sub-locations.

Sub-location	Meeting Date	Time	Venue
Industrial Area	17 March 2019	10:00 AM	Hotel Sheraton, Nairobi, Kenya
Industrial Area	18 March 2019	10:00 AM	Hotel Sheraton, Nairobi, Kenya
Industrial Area	19 March 2019	10:00 AM	Hotel Sheraton, Nairobi, Kenya
Industrial Area	20 March 2019	10:00 AM	Hotel Sheraton, Nairobi, Kenya
Industrial Area	21 March 2019	10:00 AM	Hotel Sheraton, Nairobi, Kenya
Industrial Area	22 March 2019	10:00 AM	Hotel Sheraton, Nairobi, Kenya
Industrial Area	23 March 2019	10:00 AM	Hotel Sheraton, Nairobi, Kenya
Industrial Area	24 March 2019	10:00 AM	Hotel Sheraton, Nairobi, Kenya
Industrial Area	25 March 2019	10:00 AM	Hotel Sheraton, Nairobi, Kenya
Industrial Area	26 March 2019	10:00 AM	Hotel Sheraton, Nairobi, Kenya
Industrial Area	27 March 2019	10:00 AM	Hotel Sheraton, Nairobi, Kenya
Industrial Area	28 March 2019	10:00 AM	Hotel Sheraton, Nairobi, Kenya
Industrial Area	29 March 2019	10:00 AM	Hotel Sheraton, Nairobi, Kenya
Industrial Area	30 March 2019	10:00 AM	Hotel Sheraton, Nairobi, Kenya
Industrial Area	31 March 2019	10:00 AM	Hotel Sheraton, Nairobi, Kenya

Members of the Public, including Organizations, Non-Governmental Organizations, Politicians of Nairobi and People with Disabilities, Women, Persons with Disabilities and other vulnerable groups are invited to attend the meeting.

For more information, visit the Nairobi City County website www.nairobi.go.ke or contact the Office of the Nairobi Governor, Nairobi, Kenya.

JICA STREET, NAIROBI CITY
 TEL: 011-254-20101010

Above are notices for a participation forum

- ✓ Meeting date, time, venue and agenda
- ✓ It will have the logo of the relevant office calling for the meeting unit
- ✓ It will have contact details for the relevant office calling the meeting
- ✓ It will have meeting details for all areas to be visited
- ✓ It will be signed by the relevant officer calling for the meeting

Remember all notices have the above information, and is displayed in several public places including your local social hall



Petitions – A formal written request, typically one signed by many people, appealing to authority in respect of a particular cause. Under the new Constitution citizens have a right to petition the county government or even the national government to consider any matter under its responsibility.

MERU COUNTY

HIGH COURT STOPS MERU COUNTY GOVT'S SH2.5BN BUILDING PROJECT AFTER RESIDENTS OBJECT

On February 3, 2016, The High Court in Meru temporarily stopped Governor Peter Munya's government from going ahead with the construction of a Sh2.5 billion commercial building after 11 residents objected, citing lack of public participation.

In an affidavit sworn by Mr Boniface Koome, the residents accused Governor Munya and Lands, Physical Planning and ICT executive Martin Bikuri of conspiring to put up the building on public land without proper consultations.

The residents said the two have violated the County Government Act, 2012 by unConstitutionally initiating key projects without public participation.

"The Governor and the Lands executive conspired and demolished structures at Angaine estate and have plans to put up a 15-storey building, whose development is not provided for in the first Meru Integrated Development Plan 2013-2017," reads the petition.

Source: Daily Nation, February 3, 2016

MAKUENI COUNTY

MAKUENI HEADS FOR DISSOLUTION AS PROBE ENDS

The commission of inquiry chaired by lawyer Mohammed Nyaoga presented its report to President Uhuru Kenyatta who the law requires to act within seven days.

If the President and the Senate agree that Makueni county government be **suspended**, elections for new Members of the County Assembly (MCAs), governor and deputy governor **will be held** within the next four months.

The dissolution proceedings came after Makueni residents petitioned President **Kenyatta** to dissolve the county government which has been hit by wrangling between the governor and members of the county assembly.

The law provides that if the President agrees with the recommendation of the commission, he will forward the report and recommendations together with the petition for suspension to the Speaker of the Senate.

The petition which was signed by 50,000 residents listed 46 grounds for dissolution among them flawed laws passed by the assembly which cannot be implemented as proof that the county government cannot discharge its constitutional mandate. Source: Business Daily, September 3, 2015.

As you can see, the residents from these Counties, decided to participate and hold their leaders accountable. So even You, can make it happen.



A successful participation process depends on how well organized or prepared You, Your support network, or the people interested on the issue are. So, when planning how You will engage Your County government leaders, be it through a petition, letters or social media pages, here is a checklist that can guide You.

✓	Do you know exactly what you want to achieve with the process? Have you utilized all the relevant sources, e.g., the chief's office, your local county representative's office, city council offices, to get hold of the information about Your issue?
✓	Have you clearly stated Your ideas and concerns in a way that can be accessed in Your community through writing or speaking?
✓	Have you contacted interested parties or people and informed them about the idea or concern?
✓	Is it clear who will take on which assignment in the participation process?
✓	Do you have a timeline planned for the participation process?

Remember, although the constitution provides for you to participate in decision making, you also need to be proactive in some of the processes. This can be done through:



1. SURVEYS:

Participating in public surveys whenever called upon. These surveys help to evaluate an issue or provide feedback on a proposed plan. Your participation is free, and citizens are not paid for participating in surveys carried out in the county or the country, such as the national census.

2. REPORTS:

Every year Your Governor provides a report referred to as the 'Governor's Annual Report on Citizen Participation'. It shares with You as a citizen an outview of how the county has performed in the previous year. You can review the report to provide feedback to Your Governor.

This report can be located in the county government's website or official social media accounts when released.

3. REFERENDUMS:

A vote in which all the people in a country/county are asked to give their opinion or decision about an important political or social question. County government is allowed to conduct a referendum on local issues such as county laws and petitions; or planning and investments decisions affecting the county for which petition has been raised and duly signed by at least 25% of the registered voters in the county. Please note that a county referendum is different from a national referendum.

DO YOU KNOW YOUR DRIVERS

Now that You have boarded the bus,
You need to understand who is driving You
through this participation journey.

Remember, every 5 years You "hire"/ elect 6 leaders whom You give the mandate to exercise Your participation rights. Once elected, the leaders are expected to play specific roles and responsibilities as outlined in the Constitution.

The drivers of Your participation are:



1. President (Elected with their deputy)

- Under the new Constitution, the president is elected alongside the deputy president. This means that an aspiring president must identify a running mate before an election.
- Is the head of state and National Government.
- Is the Commander in Chief of the Kenya Defense Forces as outlined in Article 131 of the Constitution.
- Appoints and dismisses cabinet secretaries, attorney general, principal secretaries, and ambassadors;
- Appoints state or public officials as required by the Constitution; and
- Coordinates the functions of ministries and government departments.

2. The Governor (Elected with their deputy)

- During the elections, a Governor runs for elections alongside his or her running mate who becomes the deputy Governor once the aspiring Governor gets elected the head of a County Government. Therefore, there are 47 elected Governors, one from each County.
- Oversees implementation of projects and service provision in the county

3. Senator

- Each county elects one senator. This means there are 47 elected senators in the Senate. The Constitution provides for affirmative seats in the Senate to ensure representation of marginalised groups/special interest seats including 1 male and 1 female representing Persons with disabilities, 2 members both male and female representing the Youth and women nominated by political parties.
- Once elected, the senator sits in the Senate which is one of the two houses that make up the Parliament.
- Oversees revenue allocation to the counties.
- Legislates on any laws affecting the counties.

4. Member of parliament (MP)

Sits in the National Assembly which comprises of 290 elected members from each constituency, 47 women representatives, one from each of the 47 counties and nominated members from political parties taking part in a general election based on proportion of total elected seats won in the Assembly.

- Legislates on laws affecting the nation.
- Represents their constituencies in parliament.

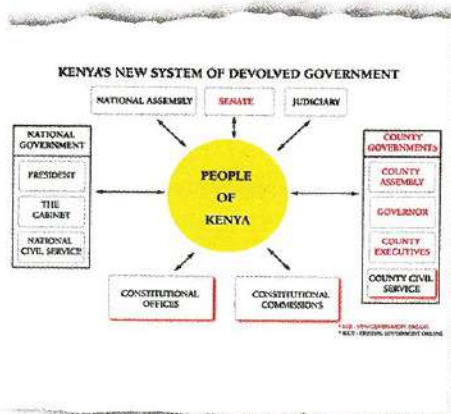
5. One Woman Representative

- Advocate & work for long-term policy intervention to find solutions to challenges facing women and girls.
- Elected to the National Assembly by voters in each county. There are 47 women representatives elected from each of the 47 counties in Kenya.
- Represents the interests of women and girls within their countries who are regarded as a special/marginalized interest group, by supporting policies that favour them.
- Mobilizing constituents to identify projects that women and girls can benefit from.
- Lobby and advocate for equity and equal opportunities for these woman and girls through parliament.

6. Member of County Assembly (MCA)

- Represents a ward in the county assembly.
- Presents views, opinions and proposals of the citizens to the county assembly.
- Provides linkage between the county assembly and the electorate on public service delivery.

Below is a pictorial representation of the devolved government.



As You can see from the structure, You as a citizen are at the center of it, meaning You are the most important element in governance.

And what is the structure of the national government?

The county government works together with the national government to implement programmes for the benefit of all citizens.

The national government has three main arms. These are:

- **Legislature** - National Assembly and Senate
- **Judiciary** - Supreme Court and other courts
- **Executive** - President, Deputy President, Cabinet and the National Civil Service

The executive implements laws enacted by the legislature. The President heads the Executive arm, and delegates the power to other state officers, including County Commissioners and chiefs to carry out their mandate of the national government in the Counties and areas of administration.

County Commissioner

- Directs and coordinates the functions of the national government at the county level as outlined by the Fourth Schedule to the Constitution;
- Chairs the county security committee and ensures the implementation of decisions to enhance peace, security, and the rule of law; and
- Supervises and coordinates performance of the national government departments within the county.

Chiefs

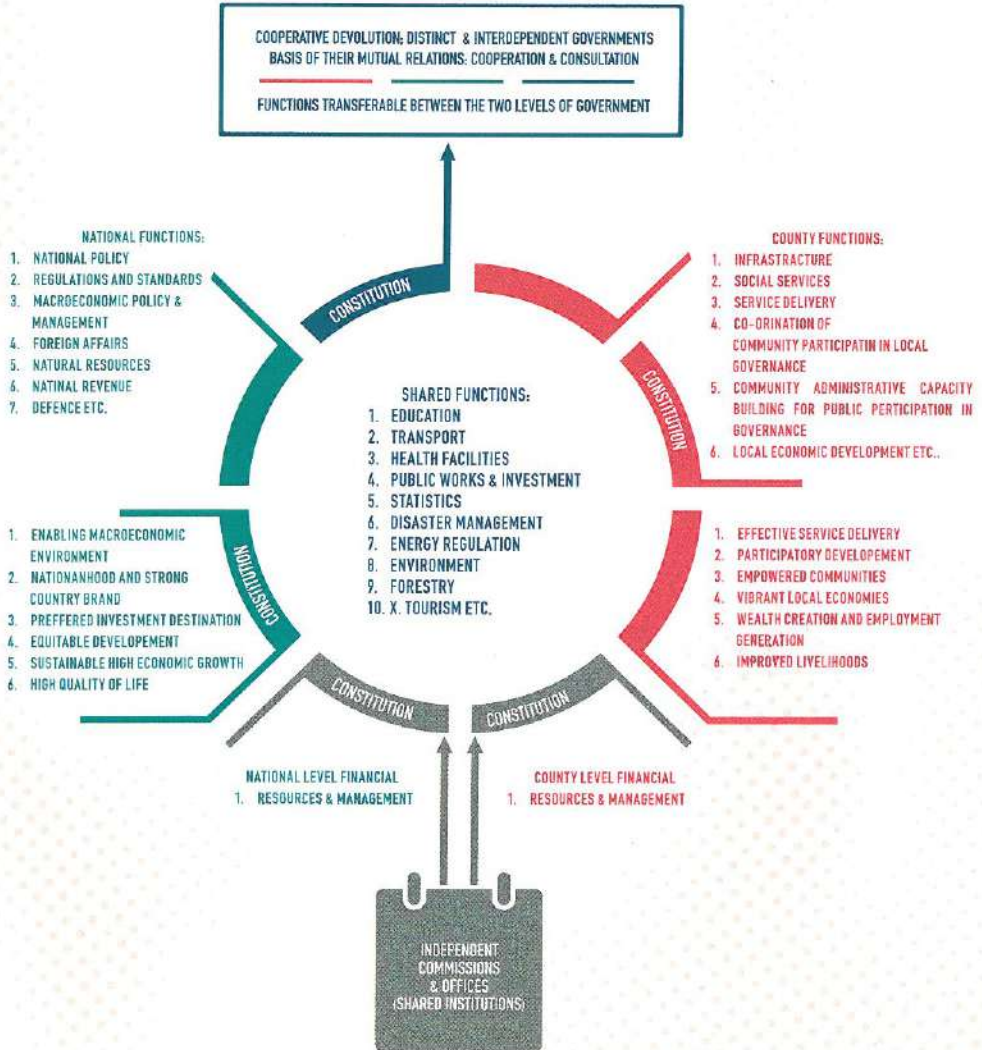
- Communicate all government programmes and policies to the citizens at the location and sub-location levels.



Now that You know our drivers. What is the relationship between the National Government and the County Government?



The structure below will summarize this relationship for you.



By now i am sure, Your travel bag is packed with:

- Information on how our Constitution empowers You as a citizen;
- Knowledge on the two levels of the of government;
- Knowledge on County governments, which by the way, is Your destination; and
- Information about the different drivers and their respective roles.

“

Now that You have packed Your knowledge travel bag, and met the drivers of Your bus, let's start driving.

”

Remember: The two levels of government, though distinct, are not absolutely autonomous or self-ruled, but rather interdependent.

This interdependence means that they rely on each other, and therefore have to work together.



LET US TRAVEL TOGETHER

Section 104 of the County Governments Act states that "a County Government shall plan for the County and no public funds shall be appropriated without a planning framework developed by the county executive committee and approved by the County Assembly"

In this respect, therefore, it is important to put planning in the right perspective and this can only be done when we understand the budget process.

The **planning process** undertaken by counties is guided by the law. It is a coordinated relationship between the national government and the county government. Overall, the Constitution provides the guidance and is the supreme law guiding the planning process. Further, through the Ministry of Devolution and Planning the national government lays out several features and expectations of the county process. The county process is also guided by the County Acts to further guide the process. Below are the provisions from the law of a well-planned process that we should all be aware of:

- It should be County-focused – each County must have its own plans,
- It should be people-centered - focuses on the interests of the County citizens.
- It should use a bottom-up approach - the planning process starts from the village level whereby the County executive has to establish the citizens' priorities first as it goes up.
- It should be participatory – Counties muster their citizens through consultation at the following levels:
 - Community
 - Ward
 - Constituency
 - Sector and cross-sector
 - County

Remember! Planning and Budgeting go hand in hand since no resources can be allocated to Counties without proper plans that involves its citizens.



County planning process starts here

Every County must prepare a five-year long term integrated plan to provide an overall framework for development in the County. To integrate is to join together different parts or elements and combine them into a whole. This long-term plan is referred to as **County Integrated Development Plan (CIDP)**. It starts every period following an election.

The plan is further split into smaller and manageable plans to allow for action referred to as **Annual Development Plan (ADP)** that informs the County's budgeting process and allocation of revenue to the various activities it has planned in a given year.

The main purpose of **CIDP** is to guide, harmonize and facilitate development within each county and to give effect to the county annual budget. The law says that county plans shall be the basis for all budgeting and spending. Citizens give power to the planning process and are required by law to participate, give input and approve the county plans.

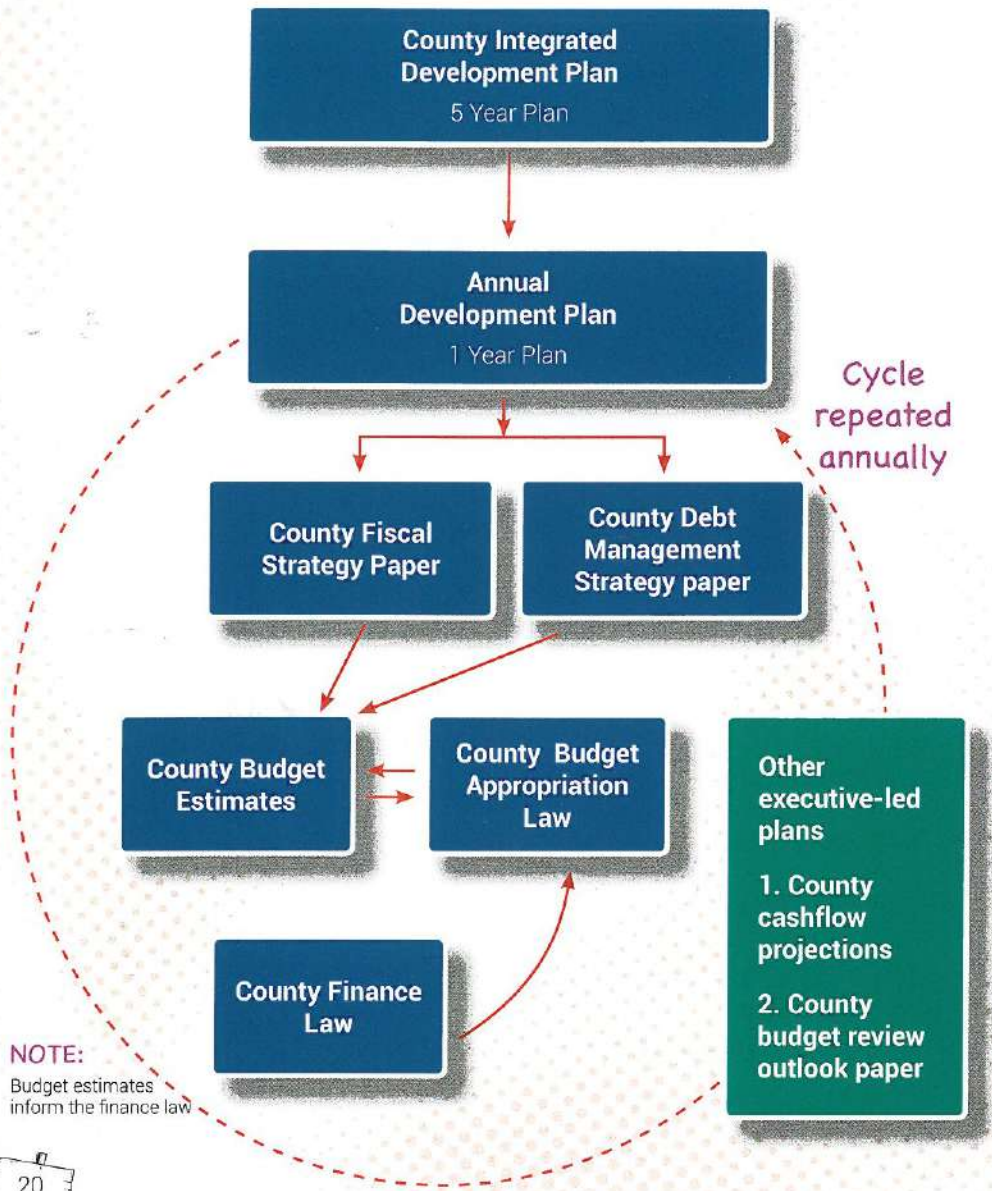
Similar to what the county governments do when preparing the CIDP, they join together the different proposed needs of citizens and combining them as a whole to inform their 5 year plans that they have for their County residents.

Development planning therefore, involves "a process through which efforts at national and devolved levels of government and other relevant public institutions are coordinated at local level, and through which economic, social, environmental, legal and spatial aspects are brought together to produce a plan that meets the needs and targets set for the benefit of local communities."

The Ministry of Devolution has defined what should make up the CIDP process. As citizens, we should be aware of the below:

- Simple, realistic (achievable), comprehensive, consistent, precise and facilitative in terms of policy and resource outlay for project implementation.
- Must be all-encompassing and broad in addressing issues that affect the livelihoods of the people
- Should have "a broad review of the past sector performance in the County which should include an analysis of the situation at the beginning of the plan, any changes realized and constraints encountered and the lessons learnt."
- Should speak to the vision agreed upon by all stakeholders
- The County vision must be linked with the national vision, i.e., Vision 2030.
- Should present strategies through which the sectoral objectives are translated into specific targets. For example, an agriculture objective can be translated into increased yield of tea per acre by a certain percentage within a specific time period.
- Finally, a good CIDP "fulfills its function as a superior information base for decision making hence an instrument for monitoring the development process" in the County.

The table below presents the various processes that the CIDP undertakes. It is then linked to annual plans and every year they must be reviewed and citizens are given reports by their Governors. We are then required to critique and give input and understand how our County performed in the year.



NOTE:
Budget estimates inform the finance law

1. Annual development plan by **1st July**.
2. Strategic priorities that reflect the County government's priorities and plans.
3. Description of how the County is responding to changes in financial and economic environment.
4. Programmes to be delivered - priority areas, indicators of performance, budget allocated.
5. Payments to be made, any
6. Capital developments.
7. Budget summary.
8. Submitted annually on the 1st September.

CADP

CBROP

1. Submitted to CA by **30th September annually**.
2. Provides the County's performance against the previous year budget.
3. Provides reason for deviation from the fiscal paper.
4. Provides the budget background.

BUDGET

1. County Exec Committee – finance lays out budget guidelines by **30th August**.
2. Schedule for budget preparation with key dates to remember.
3. Policy areas for consideration.
4. Procedures for public participation in the budgeting process.

DMS

1. County Treasury submits to CA on the **28th Feb** annually a debt management strategy in relation to the County's liabilities and how it plans to deal with those liabilities.
2. Includes total loans made to the County
3. Risks associated with those loans.
4. Assumptions underlying the strategy.
5. Sustainability of the debt – actual and potential.
6. Submitted to the Commission for Revenue Allocation and.

CFSP

1. Submitted by **28th Feb**.
2. Specifies broad strategic priorities and policy goals guiding the County in preparing its budgets.
3. Includes the County's financial outlook – revenue, expenditure & borrowing.

CIDP

Long term County plan that's spell out both the long term and medium term plan the County has

SENATE

1. Oversee revenue allocation to the County
2. Makes the laws that affects the Counties
3. Oversight on the County

OTHER AGENCIES SUPPORTING THE PLANNING AND BUDGETING PROCESS

COMMISSION OF REVENUE ALLOCATION

This commission recommends on both the division of revenue bill and the County allocation of revenue bill that determines how much money reaches each County.

AUDITOR GENERAL (AG)

This office audits and ensures controls, lawful usage of public money and reports to both the **National and County Assemblies**.

KENYA REVENUE AUTHORITY

It is responsible of collection of government revenue accruing from taxes.

SALARIES AND REMUNERATION COMMISSION (SRC)

The Commission assesses and recommends **on the suitability** of various public offices, their emoluments and job specifications and sets the salary scales to go with the various positions.

CENTRAL BANK OF KENYA (CBK)

This is the repository of all public funds received and collected in respect of both County and National governments. It serves as the banker for public funds.

ACCOUNTING STANDARDS BOARD (ASB)

This board provides frameworks and sets generally accepted standards for the development and management of accounting and financial systems by all state organs and public entities as stated in Section 194 of the PFMA (2012). Intergovernmental Budget and Economic council



LEGISLATURES

(Senate, National Assembly and the 47 County Assemblies): These institutions interrogate and review policies, scrutinize and eventually approve budgets.



NATIONAL TREASURY AND COUNTY TREASURIES

They initiate, formulate and manage the budget making process.



INTER-GOVERNMENTAL ECONOMIC AND BUDGET COUNCIL

This Council provides a forum for consultation and cooperation between the national government and County governments on matters relating to budgeting, the economy and financial management.



THE COUNTY BUDGET AND ECONOMIC FORUM

Section 137 of the PFMA (2012) provides for the establishment of a forum for consultation by County governments to be known as "County Budget and Economic Forum" when practically possible.

CITIZENS(What is your role)

As citizens we have a responsibility to:

- Attend forums called by the County officials – budget forums
- Read reports i.e. Governor's report
- Voice their priorities either at the meeting or even on County social media forum
- Know their MCA's and ward reps and engage them
- Review and understand County reports
- Make oral presentations at the County meetings
- Celebrate plans that speak to their priorities
- Understand their responsibilities
- Understand the responsibility of the County and national government
- Understand County projects from national projects
- Understand the budgeting cycle and know what is possible and not
- Check whether the leadership is gender balanced



Did You know that all the above planning results into a budget?

Kenya currently invests over Ksh 230 billion to the 47 Counties to facilitate service provision and projects implemented, it is now more important for You as a citizen to play an active oversight role in these devolved units to safeguard these resources.

As You participate in the county organized budget forums, do You know what to look out for? Here are some clues.

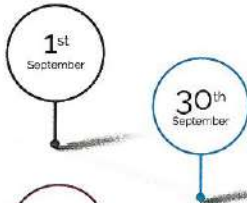
- What are the priority areas in my county budget?
- How much money does my county expect to get from National government?
- How much of the budget is for administrative costs versus core service delivery costs?
- What are the reasons given for choices my leaders made in the budget?
- Does my budget tell me where development projects will be located?
- Does my budget have a deficit and how will it be paid for?
- Does my budget properly distinguish between recurrent and development expenditure?
- Does the budget contain estimates for the coming three or four years or only for this year?
- At the ward level, does the budget spend resources on areas that the National government is responsible for instead of the county government?

The budgeting cycle is one of the other most important activities that a citizen should be involved in. It takes a year long process. Some dates to keep in mind when You hear them being mentioned in our news include:



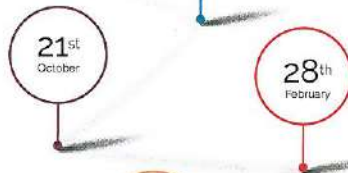
Don't forget these important dates

The County Executive Committee member responsible for planning shall submit the County Annual Development Plan (CADP) to the County Assembly for its Approval.



The County treasury submits the County Budget Review and Outlook Paper (CBROP) for approval to the County Executive Committee who must approve within fourteen days after its submission with or without amendments.

The County treasury submits the approved County Budget Review and Outlook Paper to the County Assembly.



The County treasury further submits the County Fiscal Strategy Paper and the County Debt Management Strategy Paper to County Assembly for approval.

The County Assembly approves the County Fiscal Strategy Paper with or without amendments.



The County treasury submits Budget estimates to County Assembly for approval.

The County treasury further submits to the County Assembly for approval the cash flow projections.

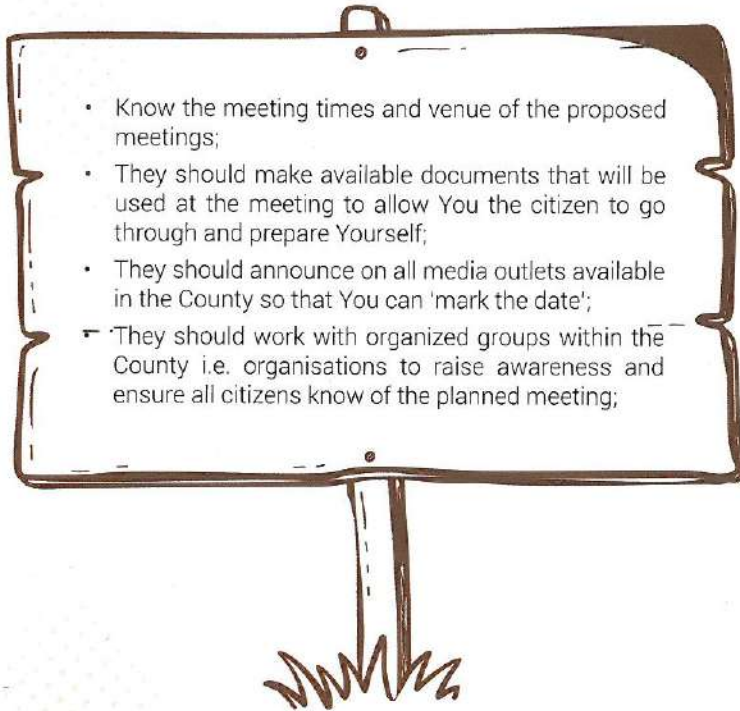


Appropriation Law is enacted.

Finance bill submitted to County Assembly which has ninety days to approve and enact the Finance Act. Ninety days give the enactment a deadline of 30th September.



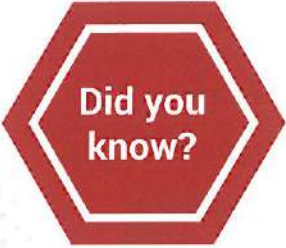
Planning is the first critical stage of the County budget process. As Your County plans, they should ensure that You – the citizen is engaged at all times in all the stages. Some of the things they should let You know include:



After all these, it's time to monitor Your resources.


Once the county assembly approves the budget, it must be implemented and now Your focus must shift to monitoring its implementation.

Often, budgets are not implemented properly due to corruption or misappropriation. This is why the Constitution requires that every three months, the County finance secretary prepares a report on the implementation of the budget to be sent to the County Assembly. These reports are produced to help the County Assembly members provide oversight of the budget implementation process. The reports are produced as the budget is implemented, so that problems with spending can be identified and corrected before the year is over. It is important to note that these reports should be public and also should provide an opportunity for citizens to raise questions about budget implementation.



**Did you
know?**

Ordinary citizens like you were able to come together & go to court to ensure that their issues were addressed? Here is what happened.



Kiambu County - Court nullifies controversial Kiambu County law

On April 17th, 2014, the High Court Judge George Odunga declared the controversial gazetted Kiambu County Finance Bill which sought to introduce a range of taxes null and void as it was passed without public participation.

Justice George Odunga in his ruling said there was no clear indication that public participation was involved in the passing of the Kiambu Finance Bill 2013 and brushed off the County Government's claim that it had advertised and held a meeting as part of consultation.

"There was no public participation as required by the Constitution; I hereby declare the Kiambu Finance Act gazetted by supplement number 8 violates the Constitution as it ignores the people of Kiambu's public participation, as null and void," the judge said.

"One newspaper advertisement and to handle a few people in a five star hotel do not amount to public participation as required by the Constitution, while putting into consideration literacy levels, there is no doubt a bill was tabled," he said. Source: Daily Nation, April 17, 2014

**Sometimes the law is not followed even when
You participate.**

It's every individual's right to raise any matter on the manner in which public funds are managed

YOUR DESTINATION

We have arrived at our destination and You are about to get off the bus. I am sure You have learned a lot on public participation. But remember:

- All public officers should fulfill provisions of Chapter Six of the Constitution on leadership and integrity.
- Public officers are to be selected on the basis of personal integrity, competence and suitability.
- The public can submit sworn affidavits, memoranda or participate as audience throughout the vetting process.



You - the citizen- may be involved in Constitutional and legislative oversight through the following processes and/or offices:

- Through the Controller of Budget's office that oversees and reports on implementation of the budgets of both the national and County governments.
- When the Senate exercises oversight over revenue and public officers. Senate protects the interest of the Counties and determines County revenue allocation.
- When the National Assembly summons one to give evidence. National Assembly oversees matters relating to national revenue and expenditure.
- When the County Assembly exercises oversight over County executive.



OUR CALL TO ACTION

Development starts with voting in good leaders. You need to think carefully about the kind of leader that You elect.

It is Your duty as an eligible citizen to:

- register as a voter;
- participate in elections and referenda by coming out to vote;
- participate in forums called by county leaders to disseminate information on the county plans;
- monitor the performance of political leaders while in office; and
- petition for action on bad leadership.

If You do not elect good leaders, You may end up with bad leaders who will not fulfill Your wishes as a citizen. If You do not get involved, You end up not knowing the priority areas of Your County and how Your role in the identification process is important.

DO NOT FORGET

- You hold the most important office as a citizen, and nothing can change or improve without Your involvement.
- Your participation in elections is the beginning of a journey of accountability.
- You can shape the future and push for social and political progress through Your involvement

**You have reached Your knowledge destination
but before You disembark, remember**

**During elections, “Your Vote, Your Voice”,
Now know that.**

“the most important political office, is that of the private citizen”.



REFERENCE AND RESOURCES

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Pass me on!

When you've learnt all you need to know, pass me on to someone who will benefit from what's inside. Follow your county new on its official website, social media pages and public notices placed in the newspapers and at your local county offices.

CITIZEN ENGAGEMENT GUIDE

Developed by International Foundation for Electoral Systems (IFES)
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Canada



International Foundation
for Electoral Systems