

**COUNTY GOVERNMENT OF BUNGOMA**

**COUNTY ASSEMBLY OF BUNGOMA**

**COUNTY ASSEMBLY DEBATES**

**THE DAILY HANSARD**

**TUESDAY, 5<sup>TH</sup> NOVEMBER, 2024**

**Afternoon Sitting**

# COUNTY ASSEMBLY OF BUNGOMA

## HANSARD OFFICIAL REPORT

**TUESDAY, 5TH NOVEMBER, 2024**

The House met at the County Assembly Chamber at 2:30 p.m.

(Mr. Speaker [Hon. Emmanuel Situma] in the Chair)

### PRAYER

### PAPER

#### 1. REPORT BY THE HOUSE BUSINESS COMMITTEE

**Mr. Speaker:** Hon. Ipara!

*Report tabled by Hon. Johnston Ipara*

**Mr. Speaker:** Honourable Members, the report by House Business Committee on the Affairs of the County Assembly of Bungoma for the period June –September, 2024 for the third session is hereby tabled and formally becomes the property of the House.

### NOTICE OF MOTION

#### 1. NOTICE OF MOTION BY THE HOUSE BUSINESS COMMITTEE

**Mr. Speaker:** Hon. Ipara, proceed and issue a notice, please!

**Hon. Johnston Ipara:** Thank you Hon. Speaker. I rise to issue a notice of motion that this House adopts the report by the House Business Committee on the Affairs of the County Assembly for the period June-September, 2024 for the third session.

**Mr. Speaker:** Honourable Members, a notice of motion has been duly issued by the House Business Committee on the Affairs of the County Assembly for the period Starting June – September, 2024 for the third session. I urge the Clerks- at- the- Table to share this report with Honorable MCAs. The same will come up as a motion on our Order Paper in the course of the week or once scheduled.

### MOTIONS

#### 1. REPORT BY THE COMMITTEE ON TOURISM, ENVIRONMENT, WATER AND NATURAL RESOURCES ON THE OPERATIONS OF THE COUNTY RIG

**Mr. Speaker:** Yes, Chair of the Committee Hon. Opwora, proceed!

**Hon. Edwin Opwora:** Thank you Mr. Speaker.

It is my pleasure to present the report on the operations of The County Water Rig for F/Y 2021/2022, 2022/2023 and 2023/2024.

Mandate of the Committee; allow me to skip based on Standing Order No. 217

### **Committee Membership**

The Committee on Tourism, Environment, Water and Natural Resources comprises of the following Members:-

1. Hon. Edwin Opwora	Chairperson
2. Hon. Martin Chemorion	Vice Chairperson
3. Hon. Joseph Juma	Member
4. Hon. Anthony Lusenaka	Member
5. Hon. Meshack Simiyu	Member
6. Hon. Milliah Masungu	Member
7. Hon. Sudi Busolo	Member
8. Hon. Vitalis Wangila	Member
9. Hon. James Mukhongo	Member
10. Hon. Orize Kundu	Member
11. Hon. Benard Kikechi	Member
12. Hon. George Kwemoi	Member
13. Hon. Aggrey Mulongo	Member
14. Hon. Benjamin Otsiula	Member
15. Hon. Dorcas Ndasaba	Member

### **Terms of reference**

The Committee concentrated itself on the operations of the County Water Rig with the following terms:

1. The cost of water rig with its accessories.
2. The current number of boreholes sunk across the county to date.
3. The approved budget for rig operations in the F/Y 2023/2024
4. The number of skilled operators operating the rig.
5. The standard costs of upgrading a borehole.

## Background Information

The Bungoma County Water Drilling Rig Policy was informed by various national and international statutory documents. These include the Constitution of Kenya, 2010. Article 43 guarantees access to safe and adequate water as a basic right, and the Water Act, 2016 which provides for the conservation, apportionment, and use of water resources. Additionally, the policy was guided by the National Climate Change Action Plan, Kenya Vision 2030 and the United Nations Sustainable Development Goals (SDGs), which outline a global framework and commitment to sustainable development.

The Bungoma County Rig Policy was developed to provide a policy mechanism to guide the operations of the county water drilling rig, facilitate the adoption and compliance with relevant international and national standards for water drilling, and support the realization of Kenya's Vision 2030.

## Acknowledgment

I would like to thank the Members of Tourism, Environment, Water and Natural Resources Committee for their dedication, commitment, integrity and valuable contributions on the interrogation of the operation of the County Water Rig. The Committee is grateful to the Office of the Speaker and that of the Clerk of County Assembly for the support received.

## CHAPTER TWO

### Operations of the County Water Rig

#### Cost of water rig and accessories

The water drilling rig was procured in the F/Y 2019/2020 at a total cost of Kshs77, 820,000. The drilling fleet components and equipment include; main drilling rig, test pumping unit, support truck, borehole camera, and geological survey tool. Another key component was the supplier sinking 10 number test borehole across the county as follows;

S/No	Borehole name	Ward	Details
1	Drilling of Namirembe dispensary borehole	Bukembe West	Drilled and equipped with a hand pump
2	Drilling of St. peters secondary school borehole	Siboti	Drilled and equipped with a hand pump
3	Drilling of Tunyo Chiefs camp borehole	Malakisi/Kulisiru	Drilled and equipped with a hand pump
4	Drilling of Sitikho secondary school borehole	Sitikho	Drilled and equipped with a hand pump
5	Drilling of Brenda Girls secondary school borehole	Misikhu	Drilled and equipped with a hand pump
6	Drilling of Naitiri Girls borehole	Tongaren	Drilled and equipped with a hand pump

7	Drilling of Bituyu secondary borehole	Kimilili	Drilled and equipped with a hand pump
8	Drilling of Webuye west VTC borehole	Bokoli	Drilled and equipped with a hand pump
9	Drilling of Mechmeru dispensary borehole	Sang'alo East	Drilled and equipped with a hand pump
10	Drilling of Masindet SDA borehole	Elgon	Drilled and equipped with a hand pump

**The number of bores sunk across the County in the F/Y 2020/2021, F/Y 2021/2022, F/Y 2022/2023 and F/Y 2023/2024**

Mr. Speaker Sir, so far the Department has sunk a total of 48 boreholes across the County as indicated below in different financial years.

**F/Y 2020/2021**

S/NO	Borehole name	Ward	Details
1	Drilling of Namutokholo primary borehole	Namwela	Drilled and equipped with a hand pump
2	Drilling of Namwesi primary borehole	Lwandanyi	Drilled and equipped with a hand pump
3	Drilling of Cardinal Otunga TTI borehole	South Bukusu	Drilled and equipped with a hand pump
4	Drilling of Tabani secondary borehole	Ndalu	Drilled and equipped with a hand pump
5	Drilling of Mbakalo primary borehole	Mbakalu	Drilled and equipped with a hand pump
6	Drilling of Kongoli dispensary borehole	Bukembe east	Drilled and equipped with a hand pump
7	Drilling of St. Pauls Maraka secondary borehole	Maraka	Drilled and equipped with a hand pump
8	Drilling of Namboani FYM borehole	Maeni	Drilled and equipped with a hand pump
9	Drilling of Luuhya dispensary borehole	Luuhyia Bwake	Drilled and equipped with a hand pump
10	Drilling of Matulo RC primary borehole	Matulo	Drilled and equipped with a hand pump

**F/Y 2021/2022**

S/NO	BOREHOLE NAME	WARD	DETAILS
1	Drilling of Siloba shine primary borehole	Kimaeti	Drilled and equipped with a hand pump
2	Drilling of Bunambobi primary	Bumula	Drilled and equipped

	borehole		with a hand pump
3	Drilling of Nangeni primary borehole	South Bukusu	Drilled and equipped with a hand pump
4	Drilling of Muunda primary borehole	Khasoko	Drilled and equipped with a hand pump
5	Drilling of Sioya primary	Kabula	Drilled and equipped with a hand pump
6	Drilling of Muyuni dispensary borehole	Milima	Drilled and equipped with a hand pump
7	Drilling of Lungai dispensary borehole	Naitiri/kabuyefwe	Drilled and equipped with a hand pump
8	Drilling of Namunyiri Girls borehole	Soysambu	Drilled and equipped with a hand pump
9	Drilling of Malomonye primary borehole	Ndivisi	Drilled and equipped with a hand pump
10	Drilling of Bunjosi primary borehole	Misikhu	Drilled and equipped with a hand pump
11	Drilling of Khwiroro primary borehole	Kibingei	Drilled and equipped with a hand pump
12	Drilling of Namisi primary	Musikoma	Drilled and equipped with a hand pump
13	Drilling of Ranje primary borehole	West Sang'alo	Drilled and equipped with a hand pump
14	Drilling Kimuguyi primary borehole	East Sang'alo	Drilled and equipped with a hand pump
15	Drilling of Kaborom primary borehole	Kaptama	Drilled and equipped with a hand pump
16	Drilling of Kamkata primary borehole	Elgon	Drilled and equipped with a hand pump
17	Drilling of Kamukuywa AC primary borehole	Kamukuywa	Drilled and equipped with a hand pump
18	Drilling of Milo market	Sitikho	Drilled and equipped with a hand pump
19	Drilling of St Rafaels primary borehole	Bumula	Drilled and equipped with a hand pump
20	Drilling of St Walumoli primary borehole	Mukuyuni	Drilled and equipped with a hand pump
21	Drilling of Sawali primary borehole	West Nalondo	Drilled and equipped with a hand pump

**F/Y 2022/2023**

S/NO	BOREHOLE NAME	WARD	DESCRIPTION
1	Drilling of County water office borehole	Township	Not equipped
2	Drilling of malakisi dispensary borehole	Lwandanyi	Not equipped
3	Drilling of Bukirimo primary borehole	Kimaeti	Drilled and equipped with a hand pump
4	Drilling of Joyvalley Kimatuni borehole	Bumula	Not equipped
5	Drilling of Governors office	Township	Not equipped
6	Kimilili dispensary borehole	Kimilili	Drilled and it is not upgraded
7	Drilling of Bungoma district borehole	Township	Drilled and it is not upgraded

**F/Y 2023/ 2024 Allocation on Rig Operations**

The table below shows the rig operations allocation of Kshs7, 235,754 after the second supplementary budget of F/Y 2023/2024, the rig operations budget was enhanced due to increased demand of boreholes across the county.

Vote	Approved estimates Fy 2023/24	Increase/decrease	Revised estimates Fy 2023/24 (2 <sup>nd</sup> supplementary)
Fuel	2,250,00	2,000,000	4,250,000
Borehole materials	8,810,745	2,000,000	6,810,745

**Number of skilled operators operating the rig**

The number of skilled staff and non- skilled staff attached on the rig is shown as follows;

S/No	Title	Grade	Details
1	Mechanical	P&P	Skilled
2	Geologist	P&P	Skilled
3	Driver- rig	P&P	Skilled
4	Water inspector	P&P	Skilled

5	Driller	3 years contract	Skilled
6	Mechanic	3 years contract	Skilled
7	7 support staff	3 years contract	Non skilled but they provide support during drilling on site

### Standard costs of upgrading a borehole

A borehole is upgraded by installing the following; solar pumping and steel pressed tank/ plastic tanks. The standard rates and costs of the equipment are shown as below.

For steel pressed tank,

Item	Rate	Cost
Steel pressed tank 30,000 litres	2,500,000	2,500,000
Solar pumping system	1,200,000	1,200,000
Distribution pipeline 2km radius	1,500,000	1,500,000
<b>Total</b>		<b>5,200,000</b>

For plastic tanks,

Item	Rate	Cost
Steel pressed tank 30,000 litres	350,000	350,000
Solar pumping system	1,200,000	1,200,000
Distribution pipeline 2km radius	1,500,000	1,500,000
<b>Total</b>		<b>3,050,000</b>

## CHAPTER THREE

### Committee's Observations and Recommendations

#### Committee's Observations

**Mr. Speaker sir**, the Committee made the following observations:

1. The County Water Rig was procured at a total cost of Kshs77, 820,000 which included the main drilling rig, test pumping unit, support truck, borehole and geological survey tool.



2. The County Water Rig has not generated any revenue for the County Government despite the policy outlining that the revenue generated will be utilized for rig maintenance purposes.
3. The County Water Rig had drilled a total of 48 boreholes across the county of which 42 were equipped while six have not been equipped so far.
4. The County Water Rig drilled the highest number of boreholes sunk; 21 boreholes in the F/Y 2021/2022 in comparison with the lowest number of borehole sunk i.e. seven boreholes in the F/Y 2022/2023.
5. The budget allocation for rig operations to drill boreholes across the County is too low; causing the water rig to remain idle at the Department of Water offices.
6. The County Water Rig is being operated by a total of six (6) skilled and Eight (8) non- skilled support staff during drilling on site.
7. The standard cost for upgrading a borehole with plastic tank is cheaper than using steel pressed tank.

### **Committee's Recommendations**

**Mr. Speaker Sir**, the Committee made the following recommendations

1. **THAT** the Rig Policy be reviewed to cater for emerging issues on the effects of climate change.
2. **THAT** the County Executive Committee Member for Tourism, Environment, Water, and Climate Change should develop a guideline on the operationalization of the County Water Rig to generate revenue by hiring it out to the members of the public.
3. **THAT** the County Government of Bungoma to allocate sufficient funds for the operationalization of the County Water Rig to drill more boreholes across the county.

Mr. Speaker Sir, the adoption schedule is signed by all the Honourable Committee Members and on the annexures we have the Bungoma County Water Rig Policy, the Department's response and the adoption minutes.

Allow me call my Vice Chair Hon. Martin to second this report.

**Mr. Speaker:** Hon. Martin Chemorion, kindly proceed!

**Hon. Martin Chemorion:** Thank you Hon. Speaker. First and foremost, I would like to appreciate my Chair for taking us through the motion and I wish to make some comments as I second. Actually, the County Government of Bungoma did a very good thing to procure this machine and maybe the purpose and object of the machine was to increase water access coverage across the County.

With proper usage of this rig, it can contribute into ensuring many households in the County get access to safe drinking water and as highlighted in the report, there are some issues especially in budgeting and if we give an example of the F/Y 2023/2024; most of the time this rig was idle because of low budgetary allocation especially when it came to fuel .Without

fuel definitely the machine cannot move and staff can stay idle while the County incurs costs in paying the wages for the non-skilled labour.

It is worth to note that since this rig was procured, a total of 48 boreholes have been sunk and this is a manifestation that this rig can actually drill many boreholes across the County when adequately facilitated.

I call upon this House and those in charge to increase the budgetary allocation for this in the coming financial year.

Also, this Policy should be reviewed. There are some emerging issues in this Policy. If I give you an example of my ward and the neighbouring ward, there is actually demand for this especially from the institutions.

The Institutions are allocated the capitation amounts; they allocate money for water and they usually seek assistance through our offices so that they can access this facility. They are very ready to provide fuel. With proper management of this rig and regulations or policies being put in place, we can reach so many institutions and these institutions are areas or reservoirs where the members of public can utilise this facility.

With those many remarks, I second the motion.

**Mr. Speaker:** Thank you Hon. Martin Chemorion for seconding the motion beforehand. Honourable members, allow me be able to propose a motion for debate.

*(Motion proposed)*

**Hon. Caleb Wanjala:** Thank you Hon. Speaker. First of all, I would like to laud the member who just read the report and I want to support this motion; being a beneficiary of the County rig. I think this was a very noble idea for the County to have its own rig. This year, just like the seconder has said, I benefited from the same rig at Nzoia Sugar Primary. Due to lack of fuel, the school provided fuel and we were able to benefit. Besides just drilling water, there are some other services which the rig was able to give to us.

Also the borehole that they drilled at Kongoli hospital has changed the lives of so many people. I remember in the last budget, I put in some money for upgrade and as we speak, people are just getting water in their homes and that has added me a lot of political *bonga* points. If indeed the budget is increased on the rig, many lives will change.

Another issue is maintenance. You realise that we have some boreholes that were drilled. A good example should be Kimaeti Ward. There was a borehole that was drilled but that pump is not working. If we can also set aside money for maintenance, this will help a lot. I think this is a noble idea and besides that, we also need to take advantage of the rig.

When it comes to own source revenue, so many members in this House have allocated some money for drilling of boreholes; and you realise that we are getting contractors as far as Nairobi and other places coming in with their machines to drill wells here. Why can't they

come up with a program that our machine can be commercialised so that people can hire in turns when we are not using it so that we get money out of it. I support the report. This is a very noble idea and I hope that other members who did not benefit shall also benefit from the same rig. I support.

**Mr. Speaker:** I will have Hon. Hentry then Hon. Kirong’

**Hon. Hentry Nyongesa:** Thank you Hon. Speaker. For the first time the Department of Water and Natural Resources has come out clearly on some issues that are in reference to the rig. What I will emphasize on is that the Chair has read that the members of staff attached to that rig are a good number and most of them are technical personnel. So when the rig is not operational for a whole financial year it means that those technical staff are earning without work.

I want to echo the sentiments raised by Hon. Caleb that we have a lot of money and the suggestion that this rig can be commercialized, as members are saying, will earn this County some money and the rig will sustain itself. It will not be business, but we shall be having a rig as a source of raising money for this County. So if we can engage the Department so that this Policy is approved we can have a lot of money which can also facilitate some other drilling in areas where we had little funds like Bumula. One of the constituencies that is worst hit in terms of Water is Bumula. When the Department talks about natural water, it is found in the hills of Mt. Elgon and all the donors are attracted there. When you see a Constituency like Bumula, you will realize that it does not have any donor funding in that perspective and so if we have a rig, then it can be the only donor fund towards Bumula Constituency.

I support that we commercialize the rig so that the monies which are within ourselves under the Ward based programmes; instead of contractors hiring rigs from outside, they can use ours and pay some money. For example the water that was drilled in Kimatuni using the County Rig and the adjacent project that we did with the funds for Ward based programme that is at Mitua Primary; for the drilling machine at Mitua primary, the contractor paid almost Kshs600, 000 just for two days and now you see the one at Kimatuni our rig did for just one day. That means that in one day, we could have received the Kshs600, 000 from the Mitua Primary project and other projects. So I support the report that we can have the rig commercialized so that the members of staff can be busy and bring income.

**Hon. Joan Kirong':** Thank you Mr. Speaker for giving me this chance to contribute on the motion before us. First of all, allow me to applaud the Committee that came up with this report and also applaud the mover of the motion. As some Honourable Members are celebrating about this rig, I am not feeling it because people of Kapkatenyi have not felt this rig. They have not tasted water drilled by this rig and when they procured this machine, I was there, when they tested it, I was there; but now I am just witnessing people celebrating like Hon. Caleb my neighbor here. He is celebrating and he came during this regime and so I don't know the plan of this Department. Even the criteria they used to drill this bore holes, I think the Chair will take note of it and what I will urge this county is that let us have equity because we want this rig to benefit people across the County.

Sometimes it is hard for some of us to talk about the rig when we are outside because people will ask us where this rig is; they have not witnessed it drilling water in my Ward and that is my worry. I urge the Department to do something about Kapkatenyi Ward.

**Mr. Speaker:** Yes Hon. Ipara

**Hon. Johnston Ipara:** Thank you Hon. Speaker. I would like to laud the Committee for being the first Committee to conduct self-evaluation and appraisal. This is the best way to inform people on the performance of a department and maybe this should be the beginning point for all of us. Let us emulate what has been done by this Department. What it has done is to inform us what the cost of the rig was and what has been done by the rig since it was purchased and this is good.

For Hon. Joan who is worried, Benjamin said *‘in one drop of water are found all secrets of all oceans.’* This is the beginning and they are spreading across. I am also not a beneficiary but I am proud that with the development, we are going to get value for money. The price that was used to purchase this rig was not only from Kapkatenyi, it was also from Tongaren, Naitiri, Bwake and Kamukuywa, so all of us should celebrate when some achievement is being done; 48 boreholes is not a joke. What I want to appeal to the Honourable Chair for Tourism is that this should be the beginning of good history and you should make sure that you leave some traces so that when we come, we shall find that once upon a time, there lived a man who made sure that every part of this County gets a drop of water.

We should not be worried about what has been allocated to the Department right now for the use of the rig; but we should be worried of how we put in use what has been allocated to that rig. We will use the same report to make an appeal because we also have the Chair of Budget here and Finance or members of the two committees. As you go back and retreat, kindly make sure that you consider the Department and particularly the rig. Benjamin who was in love with water said this; ‘love is like water, we can’t fall in it, we can’t drown in it and we can’t live without it’. If we can’t live without water then it demands that we must be very cautious when allocating budgets, let us increase the budget for this so that Kapkatenyi can benefit, Kaptama can benefit and also Tongaren/Kiminini Ward can also benefit. One thing the Chair could clarify when he offers a reply is, did you say Naitiri Girls is in Tongaren Ward or you said Tongaren Sub County? It must be in Naitiri/ Kabuyefwe Ward. Otherwise I commend you and today you have my support for this report.

**Hon. Francis Chemion:** Thank you Hon. Speaker, I have read the report as ably moved by the Member and duly seconded. I have only two queries which the mover will respond to. First, it was a very noble idea to have this water rig; it has assisted very many Wards; not all of them. I have looked at the number of workers, the Chair should tell us, are they permanently employed and if so because we have six skilled workers and eight non skilled totalling to 14. If they are permanently employed and we don’t have money to ensure the rig works for one year, what will they be doing? We will be paying salaries for people who are idling in the offices. We must find a balance as an Assembly and as a government of ensuring

that we provide finances to ensure that this rig works so that we utilize these people whom we are already engaging.

Finally, we have had issues the geologist, sometimes they say this is where water is the rig comes, drills and eventually there is no water and you know the person who guides the operators is the geologist. I propose that we continue training these people so that we equip them with more skills; especially the six skilled workers. Let them go to class, be equipped with more knowledge so that whenever they make a decision that in Mukuyuni Ward if you want this water you could find it here in this school; and when they drill they find it there. Those are the two issues I wanted to speak to but it is one of the noble ideas.

Finally on maintenance, we must also be thinking about how we can maintain those boreholes. We must have a guideline so that we know as a county we have drilled 48 boreholes that are functional. Now if they start having issues, how are we going to ensure that they are operational? Do we have a way of allocating finances through the department or where do we get these finances to ensure that they are operational so that people get services!

**Mr. Speaker:** Thank you Hon. Chemion, next is Hon. Aggrey Mulongo.

**Hon. Aggrey Mulongo:** Thank you Mr. Speaker Sir for giving me this chance to contribute towards this noble motion. I take this opportunity to thank the Committee on Tourism for coming up with this report. I will start with maintenance. All these boreholes have been drilled but the problem is some of them are not operational and one of the reasons is these technical people; three quarters are casuals, they are just hired and if they are hired they then just do it haphazardly so that they can go back and maintain those boreholes. We need to have permanent workers so that they can work and if we continue with those casuals then we are not going anywhere.

When it comes to hiring the rig, I am of the opinion that we need to have a proper plan. It is just like the Roads Department. They usually hire machines but do we see the impact in terms of revenue? What type of account do we have for hiring these? We need to have a proper work plan for that rig; otherwise we will hire out but we will not see the money. Therefore it is a noble idea for us to have that rig but what plan do we have for it to continue operating?

We have 48 bore holes and 23 or 40 were done in 2021/22 then for 2022/23 we only have maybe seven. Why? The budget must be constant and make them have money so that they can drill many boreholes. We need to have equity the same way my neighbor Deputy Leader of Majority has talked about. There are some Wards that have two or three, there is discrimination! I think we need to have equity. Let us not drill three or four in one Ward and other Wards have nil. I support the report.

**Mr. Speaker:** Thank you, mover to reply

**Hon. Edwin Opwora (The mover):** Thank you Mr. Speaker. I want to laud all the Honourable Members who have contributed. If I may start with Hon. Hentry Nyongesa since he is always very critical. For the first time I think Bumula has appeared and it

shows that it was considered since we have around three schools where the rig did a borehole. I also laud the bit of commercialization as all the members have said, it is an idea that will enable not only the staff to be busy but at least some revenue to be earned.

A concern was raised by Honourable Members especially Hon. Chemion about these skilled workers being idle. If adequate funds are provided, the rig is going to be busy throughout the year. I want to assure Honourable Members especially Hon. Joan Kirong' and Hon. Mulongo that even when God was creating the world, He did not do it in a single day. I believe once funds are availed, this rig is going to work in all the Wards. Let them present their issues to the Department and we shall ensure that there is equity because water is a natural resource and water is life and we want to bring life in this County.

When you look at the report, we have also highlighted the cost of digging a borehole and this should also inform the members in their planning, as they plan for utilization of CEF money. They have the average cost and it will enable not only the county rig operating in the Wards but even those private contractors. This should give us a guide in our budgeting of the CEF money.

I would like to request the House to adopt this motion with all the recommendations and we believe that once we have the Rig Policy in place, all the issues raised will be adequately addressed.

**Mr. Speaker:** Thank you Hon. Opwora for your reply to the motion before the House. Members allow me be able to put a question so that we make a decision.

*(Question put and agreed to)*

Next item

## 2. REPORT BY THE COMMITTEE ON LABOUR RELATIONS, MEMBERS' SERVICE AND FACILITIES

**Hon. Hentry Nyongesa (Chairperson, Labour Committee):** Thank you Hon. Speaker, on behalf of members of Labour Relations, Members' Service and Facilities; I hereby table a report on the County Assembly Service Board for the period January to December, 2023.

**Mr. Speaker:** Honourable Member, you are supposed to move the motion; it is not to be tabled! Get him enough water to move the motion and we are prepared to listen to him to the end.

**Hon. Hentry Nyongesa:** Thank you Hon. Speaker, I withdraw the first statement...

*(Loud consultations)*

**Mr. Speaker:** Honourable Members, he is protected, let him be!



**Hon. Hentry Nyongesa:** Thank you Hon. Speaker. As I have said, I have withdrawn the first statement. I hereby move the following motion on behalf of the Committee on Labour.

### **Executive Summary**

The County Assembly Service Board is mandated by Section 36 of the County Assembly Services Act, 2017 to prepare a report containing the activities of the Board in respect to a calendar year under review for submission to the House. In the report, the Board submits information related to achievements and challenges in fulfilling the principles of good governance as envisioned in the Constitution of Kenya Articles 10 and 232.

On Thursday 28<sup>th</sup> March, 2024 during the afternoon sitting, the CASB annual report for the year 2024 was Tabled and committed to the Committee Labour Relations, Members Service and Facilities for processing and reporting back to the House. It is for this reason that the Committee retreated to Aturkan Hotel, Kitale from the 29<sup>th</sup> March 2024 to 1<sup>st</sup> April, 2024 to analyze the report which led to this compiled report which exhibits the Committee's observations and recommendations for consideration by the Honourable House.

### **Hon. Speaker,**

This report highlights the following aspects:

- a) Fulfilment of Articles 10 and 232 of the Constitution of Kenya, 2010 and Section 36 of the County Assembly Services Act, 2017. It expounds on the establishment, composition and functions of the CASB and its secretariat.
- b) Accountability mechanism; indicates the programs delivered during the period; career progression guidelines, appointments, manuals and policies, confirmation in appointment, promotions, re-designations, staff exits, staff training and development, attachments, litigations, service charter and strategic plan.
- c) Financial position and analysis of activities facilitated by the Board as at 31<sup>st</sup> December, 2023.
- d) Achievements and challenges during the period.
- e) Committee observations and probable recommendations.

The Committee did not entirely rely on the written report but had consultations with the Board to seek clarity on pertinent issues for accurate reporting.

## **CHAPTER ONE**

### **Introduction**

On behalf of the Labour Relations, Members Service and Facilities Committee and in accordance with Section 36 of the County Assembly Services Act, 2017 and pursuant to the provisions of Standing Order No. 217 (5) (a), it is my pleasant duty to present this report on the 2023 Annual Report of the Bungoma County Assembly Service Board.

## Legal Framework

The preparation and submission of annual report by the CASB is a requisite by law enshrined in the Kenyan Constitution and various Acts.

It is a pre-requisite of good governance as espoused in Articles 10 and 232 of the Constitution of Kenya, for the County Assembly Service Board to prepare annual report of its operations and submit to the County Assembly after every calendar year.

The mandate of the County Assembly Service Board is drawn from Section 11 of County Governments Act, 2017 read together with Section 11 of the County Assembly Services Act, 2017.

The provision of submission of annual report by CASB is espoused in Section 36 of the County Assembly Services Act, 2017 which provides that:

1. *Within three months after the end of each Calendar year, the Board shall prepare and lay before the County Assembly, a report of its operations during that year.*
2. *The annual report shall in respect of the year to which it relates contain:*
  - a) *The activities the board has undertaken;*
  - b) *An evaluation on the extent to which the values and principles referred to in Article 10 and 232 of the Constitution are complied with in the public service;*
  - c) *Information relating to performance of the service and attendant challenges;*  
*and*
  - d) *Any other information that the Board may consider relevant.*

## Committee Membership

The following are the Members of the Committee on Labour Relations, Members' Service and Facilities Committee:

1. Hon. Hentry Nyongesa	Chairperson
2. Hon. Catherine Kituyi	Vice Chairperson
3. Hon. Anthony Lusenaka	Member
4. Hon. Joan Kirong	Member
5. Hon. Milliah Masungu	Member
6. Hon. Everton Nganga	Member
7. Hon. Charles Nangulu	Member
8. Hon. Jerusa Aleu	Member
9. Hon. Linda Kharakha	Member
10. Hon. Polycarp Kimeta	Member
11. Hon. Metrine Wilson	Member
12. Hon. Everlyne Anyango	Member
13. Hon. Alice Kibaba	Member
14. Hon. Brigid Katasi	Member
15. Hon. Caleb Wanjala	Member



## **Acknowledgement**

I take this opportunity to thank the office of the Speaker and the Office of the Clerk for facilitating the Committee while it discharged its mandate.

Additionally, I wish to appreciate Honorable Members of this Committee for their input and valuable contributions to the report.

The Committee also takes pride in the secretariat for their commitment and devotion in the compilation of this report.

It is therefore my pleasant duty on behalf of the Committee to present this report on compliance to the provisions of Section 36 of the County Assembly Services Act, 2017 by the County Assembly Service Board for approval by this Honorable House.

Hon. Hentry Nyongesa- MCA Bumula Ward; Chairperson, Labour Relations, Members' Service and Facilities Committee.

## **CHAPTER TWO**

### **Establishment, Composition and Functions of the Board**

#### **Establishment**

The County Assembly Service Board is established vide Section 12 of the County Governments Act, 2012 and Section 11 of the County Assembly Services Act, 2017 as a body corporate with perpetual succession and a seal; and capable of suing and being sued in its corporate name.

#### **Composition of the County Assembly Service Board and its Secretariat**

Section 12 (3) of the County Governments Act, 2012 provides the composition of the County Assembly Service Board as follows: -

- a) The Speaker of the County Assembly, as the chairperson;
- b) Two Members of the County Assembly nominated by the political parties represented in the County Assembly according to their proportion of members in the County Assembly one of whom is the Vice Chairperson; and
- c) One man and one woman appointed by the County Assembly from amongst persons who are experienced in public affairs, but are not members of the County Assembly.

At the start of the calendar year under review, the CASB was not fully constituted since it lacked a female member representing the Public up to June when employment was done through a competitive process. After the employment, the Board was fully constituted as

shown below until at the end of 2023 when one member, male representative of the public's term expired.

- |                         |   |
|-------------------------|---|
| a) Hon. Emmanuel Situma | Chairperson/ Speaker                          |
| b) Hon. Joseph Juma     | Vice chairperson/ Leader of Majority Party    |
| c) Hon. Ali Machani     | Member representing Minority Party            |
| d) Mr. Anthony Mabele   | Member/ Male Gender representing the Public   |
| e) Ms. Jessicah Mayabi  | Member/ Female Gender representing the public |
| f) Mr. Charles Wafula   | Secretary/ Clerk of the County Assembly       |

The Board is supported by a Secretariat which is headed by the Clerk who is the secretary to the Board.

### **Functions and Powers of the Board**

The mandate of the CASB is stipulated in Section 12 of the County Governments Act, 2012 and Section 11 of the County Assembly Services Act, 2017 and outlined as follows:

- a. Providing services and facilities to ensure the efficient and effective functioning of the County Assembly;
- b. Constituting offices in the County Assembly Services, and appointing and supervising office holders;
- c. Preparing annual estimates of expenditure of the County Assembly service and submitting them to the County Assembly for approval and exercising budgetary control over the services;
- d. Undertaking singly and jointly with other relevant organizations, programs to promote the ideals of parliamentary democracy; and
- e. Performing other functions necessary for well-being of members and staff of the County Assembly; or prescribed by National Legislation.
- f. Direct and supervise the administration of the services and facilities provided by, and exercise budgetary control over, the Service;
- g. Determine and review the terms and conditions of service of persons holding or acting in the offices of the Service;
- h. Initiate, co-ordinate and harmonize policies and strategies relating to the development of the Service;

Initiate programs —

- i. for training and capacity building of members and staff of the County Assembly and other persons;
- ii. that promote ideals of parliamentary democracy as set out in Article 127(6)(d) of the Constitution; and
- iii. that promote public awareness and participation in the activities of the County Assembly; and

j) Do such other things as may be necessary for the well-being of the members and staff of the County Assembly.

In the period under review, the Board held regular meetings to deliberate on various subjects as per its mandate. The deliberations and decisions arrived at, instructions and guidelines were communicated by the secretary to various stakeholders.

## **CHAPTER THREE**

### **Delivery of Programs**

#### **The Board Committees**

During the years under review, the Board discharged its functions through the Board committees as provided for in Section 13 of the County Assembly Services Act, 2017 and regulation 12 of Bungoma County Assembly Service Regulations.

In line with these provisions, the Board established four (4) sub-committees responsible for specific mandate(s) and each comprising three (3) Board members, one being the chairperson, and the secretariat. The four (4) sub-committees are as follows;

- (a) Finance Committee;
- (b) Human Resource and Administration Committee.
- (c) Procurement and Development Committee
- (d) Legal Audit and Compliance Committee

Each committee is responsible for specific core mandate(s) of the Board and they convene meetings at their own level. These meetings generate Board papers that form the agenda of the Board.

During the period under review, the committees dully discharged their mandate as enshrined in the law.

### **Organizational Structure and Staff Establishment of the Board**

#### **Organizational Structure**

Section 24 of the County Assembly Service Act 2017 provides that the Board shall establish such offices in the service as it consider necessary or expedient for the efficient performance of the functions of the service. It further provides that the offices established shall be set out in the organizational structure established by the board.

To improve efficiency and guarantee staff an opportunity for career progression, the new structure during the period under review constitutes the following departments and sections.

1. The Administration and Management (Clerks' Section) which include;

- (i) The Clerk of the County Assembly
- (ii) The Deputy Clerk – Legislative Services and;
- (iii) The Deputy Clerk – Administration Services

2. Departments

The County Assembly Service comprises of nine (9) departments as Follows:

- (i) Legislative and Procedures Services
- (ii) Committee Services
- (iii) Serjeant- At -Arms Services
- (iv) Legal Services
- (v) Hansard Services
- (vi) Human Resource and Administration Services
- (vii) Finance and Accounts Services
- (viii) Fiscal Analysis Services (County Assembly Budget Office) and
- (ix) Internal Audit Services

3. Sections in the service;

The County Assembly Service has three (3) sections namely;

- (i) Procurement Section;
- (ii) Research and Library Section and;
- (iii) ICT and Public and media relations Section

### **County Assembly Establishment of the Board**

The establishment of the County Assembly in the year 2023 was at 347

### **Staff Establishment**

The County Assembly of Bungoma had a staffing level of 282 during the period under review categorized as below:

- 124 on permanent and pensionable terms
- 14 Casuals
- 2 Seconded officers
- 7 partisan staff
- 135 ward staff

### **Honorable Members and Members of the Board Establishment**

During the period under review, the County Assembly had a total of 63 members of the County Assembly.

Further, the County Assembly Service Board was fully constituted with two members of the Board male and female representing the public however, at the end of the year the term for the male representative had expired and therefore there was only one female member representing the public.

### **Audit committee**

The Audit Committee forms a key element in the governance process providing an independent expert assessment of the activities of the top management , the quality of risk management, financial reporting, financial management and internal audit to the Board of Directors and in this regard the County Assembly Service Board.

The Committee is formed in compliance with the Public Finance Management Act, 2012 and Public Finance Management Regulations, 2015 which requires that each entity shall establish an Audit Committee.

The members of the Audit Committee are; the Chairman, the two members recruited from the public, and one member appointed by the Speaker from among the members of staff.

The members of the Internal Audit Department form part of the secretariat.

### **Recruitment, Staff exits, Promotions and Re- designations, Attachments and Discipline**

#### **Recruitment**

In the year under review, there was recruitment for the Deputy Clerk Administration, Principal Finance Office and a female member of the County Assembly Service Board which was seamless during the month of June. Staffing concerns have been addressed with ease due to efficient collaboration with all parties.

#### **Staff exits**

Public servants exit service through resignation, termination, expiry of contract, dismissal, death, retirement under the ‘50 year’ rule; attainment of mandatory retirement age, medical grounds and abolition or reorganization of office structure. During the period under review, the service had one officer exit due to dismissal on disciplinary grounds and one male member of the County Assembly Service Board representing the public due to expiry of term of service.

## Promotions and Re-designations

During the period under review, there were no promotions by the County Assembly Service Board.

## Advisory and Discipline

Pursuant to Section 27 of the County Assembly Service Act, 2017 (amendment 2020), the Board exercises disciplinary control as an integral part of human resource management function in the County Assembly. It is intended to contribute to performance improvement and productivity, maintenance of high standards of integrity and upholding the dignity of office to which public servants are appointed.

The Board handled three disciplinary cases and as a result, one led to dismissal of an officer.

## Industrial Attachment

The County Assembly provided opportunities to students in Colleges and Universities in line with the County Assembly Attachment Policy, 2020 and also upon requests received from students and learning institutions; as a partial fulfillment of the requirements for their relevant academic programs. It is an essential part of a student's academic programme which normally lasts for a minimum period of eight weeks and a maximum of twelve weeks.

An Industrial attachment should challenge the student to examine the values of the organization involved in the experience, and to assess the student's education as it relates to the work environment.

During the period under review, 77 students were enrolled on attachment as shown below:

Department	Males	Females	Total
ICT	7	4	11
Human Resource	4	3	7
Finance	8	9	17
Audit	4	5	9
Works	3	1	4
Committee services	1	2	3
Procurement	2	4	6
Research & Library	0	1	1
Budget	4	2	6
Legal	0	2	2
Hansard	3	2	5
Public Communications	2	2	4
Records	1	0	1
<b>TOTAL</b>	<b>37</b>	<b>40</b>	<b>77</b>

## **Medical Insurance Cover**

The County Assembly Service Board took a significant step in prioritizing the health and well-being of its members and staff by securing medical insurance coverage with CIC Insurance, operational from January to August, 2023. This initiative aimed to provide Assembly members and staff with access to various healthcare services, ensuring coverage for medical treatments and hospitalization. This insurance coverage also played a pivotal role in fostering a healthy and supportive working environment within the County Assembly of Bungoma.

However, there was a significant delay occasioned by prolonged procurement process that resulted in members of County Assembly and staff going for a month without insurance coverage in the month of September. Despite the initial success of securing medical insurance with CIC Insurance, the subsequent lapse in coverage due to the extended procurement process posed a challenge to the continuity of healthcare benefits for assembly members and staff.

In October 2023, the Assembly once again secured medical insurance coverage with APA Insurance to run for 12 months.

## **Litigations**

Dispute resolution mechanisms in the public service allow public servants not satisfied with internal processes to proceed to court of law.

During the year 2023, the County Assembly was involved as a party in 12 cases, some of which were concluded in favor of the County Assembly whilst one was determined in favor of the petitioners. Two matters are pending hearing.

- i) The case of Francis Simiyu versus the County Assembly on wrongful dismissal and reinstatement. As at the time of reporting the matter had been determined.
- ii) The matter on Hon. Psero who had been sued for construction of a road in Chesikaki Ward.
- iii) One matter by Mr. Wamukota versus the County Assembly on matters wrongful dismissal and reinstatement. The suit was determined by way of dismissal.

## **The County Assembly Strategic Plan (2022-2031)**

The Board during its operation in the year under review, through a consultative process managed to institutionalize for the first time a ten (10) year Strategic Plan (2022-2031) for Bungoma County Assembly; in its effort to contribute to the recognition of devolution and its objects as brought out in the Constitution of Kenya (2010).

It is aligned to the Vision 2030, the Constitution of Kenya, 2010, the County Governments Act, 2012 and County Assembly Services Act, 2017

The County Assembly in its strategy envisions having a model County Assembly through eight (8) pillars as follows;

1. Effective representation, legislation and oversight;
2. Excellence in service delivery;
3. Public trust and need for enhanced public engagement with County Assembly;
4. Embrace and implement an e-County Assembly and need to leverage on ICT for improved performance and communication;
5. Provision of modern facilities and secure working environment for members and staff of County Assembly;
6. Strengthen knowledge and evidence-based decision making in the legislature and mainstreaming monitoring and evaluation of legislation and oversight;
7. Effective organizational structure; enhanced staff capacity and strengthens coordination and teamwork between the board, departments and staff.
8. Enhanced and sustained financial resource base.

### **Implementation Status Report**

The Strategic Plan is implemented through the Performance Management Framework.

The CASB is in the process of conducting a Mid Term Review of its Strategic Plan (2022-2031) through the Strategic Implementation Committee to align to the Medium-Term Plan IV of the Kenya Vision 2030. This will include review of the achievements of the plan and identification of gaps in the implementation process; documentation of emerging issues and proposed interventions; and development of strategies and activities to accommodate the operational gaps identified with accompanying targets over the remaining period of the plan. This review will provide a basis to inform the review of the organization structure, staffing needs and financial resource requirements to support the implementation of the second and final phase of the plan.

### **The County Assembly Service Charter**

During the year under review, the County Assembly Service Board, developed and approved the Bungoma County Assembly Service Charter which is an expression of the commitment by the County Assembly to provide high quality services to our clients.

The Service Charters are displayed in different floors of the administration Block. In the expedition of efficient service delivery, the County Assembly will observe the service standards as prescribed under the provision of information to clients. The Board is also in the process of preparing the Board Charter that sets standards, obligations and timelines for service delivery and conduct of County Assembly Service Board business.

### **Approved Policies**

The Board developed 23 policies and manuals to guide human resource management in the County Assembly service. The policies and manuals are periodically reviewed to capture changes in structure, legislation and respond to emerging real life situations at the work place. They include the following;–



1. Communications Policy, 2023
2. ICT Policy and Manual, 2023
3. Procurement Policy Manual, 2023
4. Hansard Production Guide, 2023
5. Finance Policy and Procedures Manual, 2023
6. Committee Operational Manual, 2023
7. Standard Operating Procedure and Conduct, 2023
8. Security and Safety Policy, 2023
9. Bribery and Anti-Corruption Policy, 2023
10. Disability Mainstreaming Policy, 2023
11. Environmental Management and Sustainability Policy, 2023
12. National Cohesion Mainstreaming Policy, 2023
13. Alcohol, Drug and Substance Abuse Policy, 2023
14. Whistle Blowers' Policy, 2023
15. Road Safety Policy, 2023
16. Gender Mainstreaming Policy, 2023
17. Occupational Health and Safety Policy, 2023
18. Ward Operations Policy, 2023
19. Casual and Contract Policy and Procedure Manual, 2023
20. Discipline Manual, 2023
21. Corporate Social Responsibility Policy, 2023
22. Career Planning and Succession Management Policy, 2023
23. Separation Procedures Policy Manual, 2023.

## **Feedback Mechanism**

### **Hon. Speaker,**

In facilitating complaints handling and access to information the County Assembly has the following registers in place; complaints register, conflict of interest register, whistle blowers register, gifts received registers and gifts given register.

There are suggestion boxes together with customer feedback forms to encourage reporting and compliments.

## **Jitume Programme**

Jitume Program is an initiative under the Ministry of Information Communication and the Digital Economy being implemented by the Konza Technopolis Development Authority (KoTDA). The program seeks to empower the youth socially and economically and facilitate them to access digital job opportunities both locally and internationally.

Bungoma County Assembly was considered as a beneficiary of the Jitume Program as a result of the directive by the President of the Republic of Kenya, Dr. William Samoei Ruto during his visit to the County Assembly on 27<sup>th</sup> August, 2023 to commission the new Administration Block. As at the time of compiling this report, the County Assembly had

received 100 desktop computers from the Ministry of Information Communication and the Digital Economy. The computers are to pave way for the commencement of digital library in the County Assembly.

### **Stakeholder Collaboration and Partnerships**

The MOU with Kibabii University was initiated during the year under review with the following areas of collaboration:

- a) Joint research programmes in areas of mutual interest.
- b) ICT services and support
- c) Mutual training programmes
- d) Arrangements and delivery of consultancy services in line with Government to Government guidelines.
- e) Exchange of E-Library and other E-resources of interest
- f) Joint resource mobilization.

### **Office Space and Mobility**

The County Assembly Service Board has one Office Block accommodating all the staff and Honourable Members. The Board plans to construct new chambers and Speakers residence. The Board has eight (8) motor vehicles and one Yamaha motorbike.

### **Devolution Conference and CASA Annual Festival**

**Hon. Speaker,**

The Board facilitated the participation of Honorable Members in the Devolution Conference-2023 from 15<sup>th</sup> – 19<sup>th</sup> August, 2023 at Eldoret Sports Club, Uasin Gishu County. The Conference which marked a decade since the coming into force of sub-national governments was themed: 10 Years of Devolution: The Present and the Future and whose Sub-theme was Driving Transformation from the local level: County Governments as the Centre of economic development.

The Board further facilitated Members of the County Assembly and staff to attend the County Assemblies Sports Association (CASA) Games that took place from 19<sup>th</sup> to 27<sup>th</sup> August, 2023 in Nakuru County. The CASA Games served as a platform to promote talents and sportsmanship among County Assemblies.

## **CHAPTER FOUR**

### **Institutional Capacity**

**Hon. Speaker,**

Human resource management is critical in boosting organizational goals. The Board strived to ensure that there is adequate staffing, proper management, placement and proper utilization of human resource management.

### **Staff Training and Development**

The County Assembly Service Board enhanced professional skills and knowledge of its staff through a varied array of training programs involving over a hundred staff and Members of the County Assembly. These training initiatives encompass both individual and group sessions, ensuring a comprehensive approach to addressing various areas of expertise. The following trainings and workshops were undertaken:

- Secretaries Workshop,
- Kenya Institute of Supplies Management (KISM),
- Government Protocol training,
- Drivers' Refresher course,
- ITAX and NSSF training,
- Public Finance

Leadership courses undertaken included:

- Trainer of Trainer,
- Strategic Leadership,
- Senior Management; and
- Trainings by the professional bodies of Institute of Human Resource Management (IHRM), the Institute of Certified Public Accountants of Kenya (ICPAK), and the Public Relations Society of Kenya (PRSK) which ensured that members of staff are well-equipped with industry-specific expertise.

The Service Board also placed importance on employee well-being through Guiding & Counselling programme.

The table below shows the type of courses as well as number of officers who took part in the trainings

<b>Type of Training and Institution Offering Training</b>	<b>Number of Officers</b>
Transformative Leadership for Board Members	5
Strategic Leadership and Development Programme –KSG	2
Senior Management Course –KSG	8
Trainer of trainers –CPST	3
Tax filing & Compliance –KESRA	9
Parliamentary Procedures –CPST	15
Security Management- CPST	7
Supervisory Skills –KSG	3
Public Procurement- KISM	5
Social Risk Management –KSG	13

IHRM Conference – IHRM	4
ICPAK Training	5
Integrated Library Management – KSG	2
Public Policy Making – KIPPRA	1
Drivers Refresher and First Aid Course - - KIHBT	4
Electronic Record Management- KARMA	1
PR Customer Care & Government Protocol - KSG	3
Records Management - KARMA	1
<b>TOTAL</b>	<b>91</b>

Subsequently, the Service Board was able to capacity build Hon. Members of the County Assembly on how to discharge their respective mandates both in committees and plenary. The courses undertaken included the following;

- a) Strategic Leadership and Development Programme
- b) Budget making process
- c) Parliamentary practice/procedure
- d) Leadership and integrity training (chapter 6 of COK)
- e) Committee management and operations
- f) Personal financial management skills
- g) Preparation for retirement training
- h) Investment skills
- i) Effective communication and grooming
- j) Interpersonal relationship skills

## **Performance Management**

### **Hon. Speaker,**

The County Assembly Service Board achieved a significant milestone on August 11<sup>th</sup>, 2023 by launching its first-ever performance management system. This initiative reflects the Assembly's dedication to realizing its vision of becoming a model County Assembly.

The introduction of performance management represents a strategic shift towards a more structured and results-oriented approach to evaluate and enhance the efficiency of the Assembly's operations.

By establishing clear performance goals, monitoring progress, and conducting regular evaluations, the Board aims to cultivate a culture of accountability, transparency, and continuous improvement among its staff. This endeavor is in line with the broader vision of transforming the County Assembly of Bungoma into a model institution, setting benchmarks for excellence and governance within the County.

The implementation of performance management is a pivotal step in ensuring that the Assembly operates at the highest standards of professionalism, contributing significantly to the overall development and success of Bungoma as a model county.

### **Quality Management System ISO 9001-2015**

The County Assembly Service Board initiated Quality Management System (QMS) in alignment with the ISO 9001:2015 standard, demonstrating its commitment to excellence in governance and service delivery. The QMS at the Assembly is a systematic framework designed to ensure the consistent provision of high-quality services and the continual improvement of its processes. By adhering to the ISO 9001:2015 standards, the Assembly will establish internationally recognized best practices for quality management.

## **CHAPTER FIVE**

### **Financial Report**

#### **Hon. Speaker,**

Allocation of the County Assembly financial resources was guided by activities, programs and target outputs identified, formulated and approved in the annual development plan in line with the Assembly Strategic Plan 2022-2031.

The County Assembly of Bungoma was allocated a recurrent ceiling of Kshs890, 983,497 in the financial year 2021/2022 as per the County Allocation of Revenue Act, 2021. In the financial year 2022/2023, it was allocated a ceiling of Kshs873, 284,854 through the County Allocation of Revenue Act of 2022. There was a reduction in the ceiling of Kshs17, 698,643 in Financial Year 2022/23 as compared to the amount allocated in the financial year 2021/2022.

In the financial year 2021/22, the County Assembly approved a total of Kshs107, 000,000 for development expenditure while only Kshs106, 793,185 was approved in the financial year 2022/23.

In the current financial year 2023/24, the County Assembly was allocated Kshs1, 154,263,678 comprising of Kshs1, 071,362,230 recurrent component and Kshs82, 901,448 for development programs. There was an increment of Kshs157 million on recurrent allocation in the current financial year as compared to the recurrent allocation in the financial year 2022/2023. The budget increment was meant to cater for Motor Vehicle reimbursement to Honorable members as provided for by the salaries and remuneration commission.

### **Budget Utilization and Absorption Trends in the Financial Year 2021/22 and Half Year Period for Financial Year 2022/23**

The County Assembly of Bungoma implemented its financial year 2021/22 approved budget by spending a total of Kshs959, 626,230 against an allocation of Kshs1, 028,179,505 translating to 93.3 per cent absorption rate.

Actual expenditure on personnel emoluments in the period amounted to Kshs532, 626,189 while operations and maintenance consumed Kshs385, 433,820. The actual expenditure on development component was Kshs41, 566,221 in the same period of financial year 2021/22.

### **Major Interventions Undertaken by the County Assembly Service Board in the Period under review**

The Board in its own wisdom implemented without a provision in the approved budget, some of the key benefits to Honorable Members as provided for in the Salaries and Remuneration Commission gazette notice No. 8795 dated 27<sup>th</sup> July, 2022.

The Board equally implemented monthly Car maintenance allowance of Kshs30, 167 each per month for Hon. Deputy Speaker and all members of the County Assembly immediately after their swearing in ceremony.

Furthermore, a provision of Kshs.68, 572,000 was factored and approved during processing of first supplementary budget of the financial year 2022/2023 to cater for Motor Vehicle Reimbursement for thirty one (31) members. A provision of a similar amount was factored in the financial year 2023/2024 budget to ensure all the members are catered for. Eight (8) Honourable Members benefited from motor vehicle reimbursement during the period under review with more set to benefit during the 2024 calendar year.

The Board addressed the salary payment delays as occasioned by delays in exchequer releases by the National Treasury by way of resolution, where Kenya Commercial Bank was requested and agreed to pay monthly Net salaries for the Assembly Honorable Members and employees.

### **Approved Budget vs. Actual expenditure trend Analysis**

Budget trend analysis over a period of four financial years

Items	2019/2020	2020/2021	2021/2022	2022/2023
Personnel emoluments	338,775,062	401,956,408	531,062,016	482,978,090
Operations	536,203,069	505,138,563	390,117,489	600,864,145
Development	110,102,353	168,758,630	107,000,000	106,793,185
<b>TOTAL</b>	<b>985,080,484</b>	<b>1,075,853,601</b>	<b>1,028,179,505</b>	<b>1,294,353,579</b>

### **Approved budget allocations vs Actual expenditure**

Items	FY 2020/2021		FY 2021/2022		FY 2022/2023	
	Budget	Actual	Budget	Actual	Budget	Actual
Salaries	401,956,408	351,190,799	531,062,016	532,626,189	482,978,090	404,258,139

Operations and maintenance	505,138,563	494,024,387	390,117,489	385,433,820	600,864,145	783,297,934
Development	168,758,630	114,857,601	107,000,000	41,566,221	106,793,185	68,711,337
<b>Totals</b>	<b>1,075,853,601</b>	<b>960,072,995</b>	<b>1,028,179,505</b>	<b>959,626,230</b>	<b>1,294,353,579</b>	<b>1,256,267,410</b>

## CHAPTER SIX

### Promotion of Values and Principles under Articles 10 and 232 of the Constitution

#### Hon. Speaker,

Sections 36 (2) (b) of the County Assembly Services Act No. 24 of 2017 requires the County Assembly Service Board to promote in the County Assembly Service, national values and principles referred to in Articles 10 and 232 of the Constitution of Kenya 2010; and evaluate and report to the County Assembly on the extent to which the values and principles therein have been complied with.

The promotion of the national values and principles of public service creates a positive influence on work ethics and productivity, and further instills professionalism and responsiveness in service delivery

In the year 2023, the Board carried out sensitization on the national values and principles in different fora including during the induction of over 50 newly recruited officers in the County Assembly Service Board.

The National Values and Principles of Governance under Article 10 of the Constitution of Kenya 2010 include: -

- Patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people;
- Human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized;
- Good governance, integrity, transparency and accountability; and,
- Sustainable

The Values and Principles of Public Service outlined in Article 232 of the Constitution of Kenya 2010 include:

- a) High standards of professional ethics;
- b) Efficient, effective and economic use of resources;

- c) Responsive, prompt, effective, impartial and equitable provision of services;
- d) Involvement of the people in the process of policy making;
- e) Accountability for administrative acts;
- f) Transparency and provision to the public of timely, accurate information;
- g) Subject to paragraphs (h) and (i), fair competition and merit as the basis of appointments and promotions;
- h) Representation of Kenya's diverse communities; and,
- i) Affording adequate and equal opportunities for appointment, training and advancement, at all levels of the public service, of:
  - i) men and women;
  - ii) the members of all ethnic groups; and
  - iii) Persons with disabilities.

## CHAPTER SEVEN

### Achievements and Challenges

#### Achievements

The following are the achievements that the County Assembly Service Board takes pride in for the year under review:

**1. Office space:** In the year under review The County Assembly Service Board furnished and equipped the administration block thus providing conducive working environment for both Honourable Members and staff. The Board further appreciates Honourable Members for setting aside funds for equipping the offices and furnishing *Pascal Nabwana* auditorium that has been used to host public participation forums. The administration block was officially commissioned on 27<sup>th</sup> August, 2023 by H.E. Dr. William Samoei Ruto.

**2. SRC Benefits:** The SRC in its gazette notice No. 8795 dated 27<sup>th</sup> July, 2022 provided a number of benefits to members of the County Assembly. These include car loan, mortgage, motor vehicle purchase reimbursement, medical cover and group life insurance. In its effort to ensure Hon Members are remunerated as provided for by SRC, the Board advanced Car Loan and Mortgage to all Hon Members as a benefit provided by the Commission.

**3. Medical cover and group life insurance:** The County Assembly Service Board procured medical cover for both Honourable Members and staff from APA insurance.

**4. Organized capacity building training for both Staff and Members:** The Service Board made a conscious decision to invest in the training of Honourable Members and Staff. During the period under review, most of the Honourable Members had undertaken training either individually or through Committees. Some also had an opportunity to attend other conferences in relation to execution of their mandate.



**5. Policies and Manuals:** The Board developed 23 policies and manuals in line with the attendant Acts, Regulations and the Strategic Plan in order to improve efficiency and effectiveness. This creates an environment of accountability and measurement of performance in the service.

**6. Assembly Website:** The County Assembly of Bungoma created a new functional and interactive Website hosted by ICT Authority of Kenya. This has enabled visibility, security of information and accessibility.

**7. CASB PROJECTS:** the County Assembly service board initiated and concluded the tendering processes of the following projects:

i) Ultramodern debating chambers

ii) Honourable Members car ports

**8. Catering services:** The management of catering affairs of Members and Staff is up and running. To this end, the Board outsourced the running of the catering services to the Bungoma County Assembly SACCO that is in charge of Members and Staff meals and coordinates those affairs.

**9. Ward Offices:** The CASB procured and delivered new furniture to all 45 Ward offices.

## **CHAPTER EIGHT**

### **Committee's General Observations and Recommendations**

#### **Committee's Observations**

From the report, the Committee made the following observations:

1. The Committee takes cognizance of the Board's effort in compliance with the provisions of Section 36 of the County Assembly Services Act, 2017; in submission of the Annual reports to the County Assembly.
2. By the time of preparing this report it was reported that the County Assembly Service Board was not fully constituted since the expiry period of the male member of the Board representing the public.
3. As espoused in Section 4 of the County Assembly Services Act, 2017, the County Assembly Service Board of Bungoma has strived to be an exemplary service of both administrative and technical competence evidenced by low staff turnover.
4. There was recruitment that aimed at boosting service delivery through efficiency and effectiveness.
5. There are critical policies, manuals, Charter and Strategic Plan in place to provide strategic direction within the service.

6. The completed ultra-modern administration block for members of the County Assembly and staff was fully furnished to address the office space challenges that have been experienced previously over the years.
7. In the current financial year 2023/24, the County Assembly was allocated Kshs1, 154,263,678 comprising of Kshs1, 071,362,230 recurrent component and Kshs82, 901,448 for development programmes. There was an increment of Kshs157 million on recurrent allocation in the current financial year as compared to the recurrent allocation in the financial year 2022/2023 to cater for motor vehicle reimbursement to Honourable Members as provided for by the Salaries and Remuneration Commission.
8. The County Assembly Service Board had made notable efforts towards addressing the problem of salary delays for honourable Members and Members of Staff in conjunction with the Banks.
9. There was no promotion of staff members during the period under review.
10. There was a notable lapse in the procurement for Medical Insurance cover for Honourable Members and Staff which led to members and staff going for two months without the medical cover.
11. By close of the calendar year 2023, eight members had received their motor vehicle reimbursement.
12. The CASB has made efforts to train and build capacity for Members of the County Assembly and members of staff even though not extensively.

### **Committee's Recommendations**

Hon. Speaker,

The Committee recommends as follows:

1. THAT, the County Assembly Service Board makes necessary plans to curb salary delays for Honourable Members and members of staff.
2. THAT, the County Assembly Service Board should initiate the procurement process for the medical cover in time to avoid experiencing a lapse in the cover for Honourable Members and members of staff.
3. THAT, the County Assembly Service Board should strive to ensure all members of the County Assembly benefit from the motor vehicle reimbursement owing to the fact that there was sufficient provision during the first supplementary budget towards the same.
4. THAT, the Members of County Assembly and the members of staff within the service should be considered for training and capacity building courses to various institutions to sharpen their professional prowess.

Mr. Speaker, we have the adoption schedule fully signed by all the members of the Committee. Among the attachments are minutes of the Labour Relations, Members' Services and Facilities of the County Assemblies Committee held on Monday 1<sup>st</sup> April, 2023 in Aturkan Hotel. I wish to request Hon. Caleb Wanjala to second the motion. Thank you Hon. Speaker

**Mr. Speaker:** Yes Hon. Caleb Wanjala; you have the honour to second the report on behalf of the Committee. Thank you Chair for moving the report so well, Proceed.

**Hon. Caleb Wanjala:** Thank you Mr. Speaker I laud my Chair for reading the report. Allow me to second the report.

**Mr. Speaker:** Honourable Members, allow me to propose a motion for debate,

*(Question proposed)*

Honourable Members, the report appears self-explanatory, it does not require any contributions

*(Applause)*

I appreciate that you have spent the whole of your morning session doing sector committee interrogation and to that extent you are tired. Let me proceed and put the question for a decision to be made.

*(Question put and agreed to)*

The report of this Committee is hereby adopted by the House accordingly.

## **ADJOURNMENT**

Honourable Members, that was the last motion on our Order Paper; we adjourn our sitting and resume tomorrow Wednesday, 6<sup>th</sup> November, 2024 at 9:30 a.m.

***The House rose at 4:37 p.m.***