

Bungoma Legislator

A BIWEEKLY PUBLICATION

THE



JUNE 1ST 2025 - JUNE 15TH 2025

Digital

17TH EDITION



Inside this edition

County Assembly Resumes Sittings After Long Recess

Committee Seeks Accountability over Revenue Management at Mabanga Agricultural Training Centre

Commission on Administrative Justice visits Bungoma County Assembly to Assess Grievance Redress Mechanisms

Vihiga County Delegation Visits Bungoma County Assembly For Benchmarking Ahead Of New Chamber Construction

The Bungoma County Public Participation And Civic Education Act No. 4 Of 2024 And The Bungoma County Access To Information Act No.5 Of 2024

Transforming Kenya's Counties: How KDSP II is Revolutionizing Devolution Through Results-Based Financing

County Assembly Resumes Sittings After Long Recess

By Erick Ngobilo

The County Assembly of Bungoma officially resumed its sittings on Tuesday, June 3, 2025, following the end of the long recess, with a packed agenda awaiting Members of the County Assembly (MCAs).

Top on the Assembly's to-do list is the consideration of the County Budget for the Financial Year 2025/2026. The budget is currently under review by the Liaison Committee, which has already concluded public participation and sector

hearings. The committee is now compiling its final report, expected to be tabled before the House next week.

In addition to the budget, the House will deliberate on a number

of critical reports. These include the Bungoma County Receiver of Revenue Quarterly Report and Financial Statements, as well as the Disaster and Emergency Management Fund report for the period ending March 2025.

Sectoral committee reports are also scheduled for tabling and debate. These come from the committees of Gender, Culture and Social Welfare; Finance and Economic Planning; Roads, Transport and Infrastructure; and Agriculture, Livestock and Fisheries. The reports will be introduced to the House as motions for further discussion and possible adoption.

MCAs have also lined up a series of Questions and Statements on key issues affecting their wards. Among them is a query by Kaptama Ward MCA Hon. Francis Chemion on the management and financial status of the Cheriwet Coffee Factory. Musikoma Ward MCA Hon. George Makari will also be seeking answers on the implementation and status of the County Bursary and Scholarship Programme.



County Assembly members deliberate during a plenary session

Committee Seeks Accountability over Revenue Management at Mabanga Agricultural Training Centre

By Rosemary Wachiye

The County Assembly Committee on Implementation has called for increased transparency in the management of public resources at the Mabanga Agricultural Training Center (ATC). This request follows a report exposing unlawful spending uncovered during a review of the implementation status of the House resolutions.

During a hearing on Thursday June 12, 2025 the committee interrogated the County Department of Agriculture over the expenditure of revenue collected at the facility,

which is contrary to Public Finance Management Regulations.

Chief Officer for Agriculture Ms. Dinah Makokha appeared before the Committee to address concerns regarding KSh 852,194,429 that was spent at source at Mabanga ATC. The expenditure violates Regulation 63(4) of the Public Finance Management (County Government) Regulations, 2015, which stipulates that money collected by County Government entities must be banked in designated accounts rather than utilized at the point of collection.

Committee Chairperson Hon. Aggrey Mulongo led the inquiry, seeking detailed explanations on the authorization procedures for the funds spent, the revenue sources at Mabanga ATC, current status of revenue collection and mechanisms to curb future spending at source violations.

Ms. Makokha defended the facility's potential, describing it as capable of generating profit. She revealed that a Bill has been submitted to the County Assembly that, if passed, would grant Mabanga ATC semi-autonomous status.

The facility currently retains 70% of collected revenue for operations, while the remaining 30% is remitted to the County Revenue Fund (CRF). However, operations face significant challenges including electricity supply issues, dried-up fish ponds, and unproductive cattle.

The Chief Officer requested additional allocation by the County Assembly to improve the facility's operational efficiency.

The committee recommended that the Accounting officer to cease spending revenue collected at the facility due to lack of legal authorization. The County Treasury must ensure all revenue is properly channeled to the County Revenue Fund as mandated by the Public Finance Management Act. They urged the Department to develop comprehensive marketing strategies to attract business opportunities and generate sustainable income for the facility.

The committee's findings highlight the need for stricter adherence to public finance management regulations while balancing the operational needs of county facilities. The proposed semi-autonomous status for Mabanga ATC could provide a legal framework for more flexible revenue management, pending legislative approval.

This investigation underscores the County Assembly's commitment to ensuring lawful and effective use of public resources across all county facilities.



Chief Officer of Agriculture Ms. Dinah Makokha appears before the County Assembly Implementation Committee

Commission on Administrative Justice visits Bungoma County Assembly to Assess Grievance Redress Mechanisms

By Erick Ngobilo

On Tuesday, June 10, 2025, the Commission on Administrative Justice (CAJ), commonly known as the Ombudsman, paid a courtesy call to the Speaker and Clerk of the County Assembly of Bungoma as part of its ongoing assessment of grievance redress mechanisms and social safeguards within the county.

Led by CAJ Vice Chairperson Ms. Dorothy Jemator, the team is in Bungoma to evaluate how residents file complaints and how the county government processes them. The visit focused on under-

standing the structures in place for addressing public concerns, particularly about service delivery and project implementation.

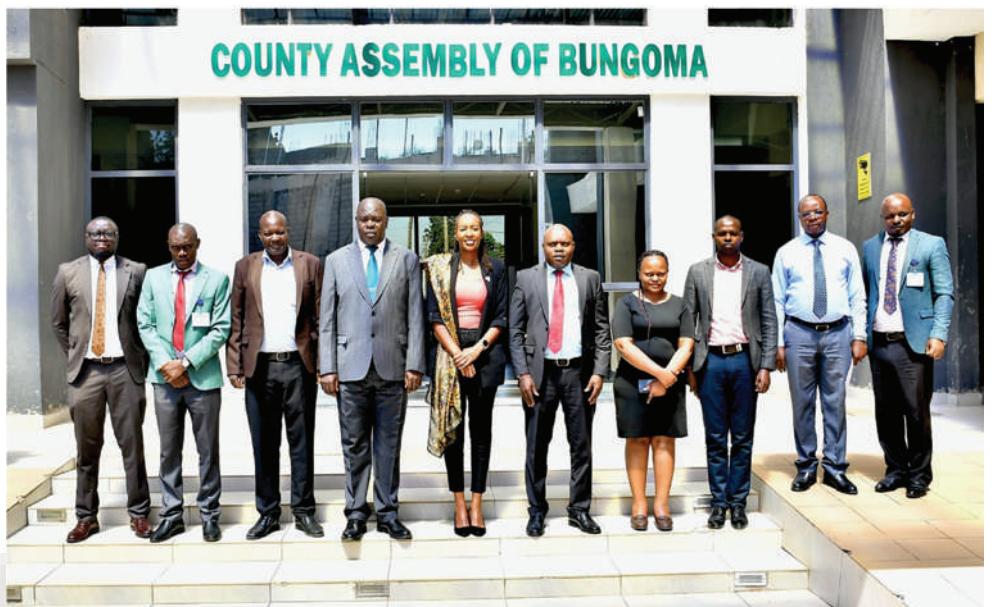
During the meeting, CAJ officials, including Ms. Njeri Kinyagia and Mr. Mathew Kaka, noted that Bungoma residents appear well-informed about how to file complaints, especially concerning the implementation of development projects. However, they observed that while donor-funded projects have clearly defined frameworks, public projects often lack structured implementation mechanisms.

Ms. Jemator urged the county to enhance civic education initiatives to promote a more informed and proactive citizenry. She also emphasized the importance of promoting alternative dispute resolution methods as a means of addressing grievances effectively and amicably.

Speaker of the County Assembly, Hon. Emmanuel Situma, welcomed the visit and reiterated the Assembly's commitment to strengthening mechanisms for handling public complaints. However, he noted that there are instances where the information requested by citizens

cannot be disclosed due to legal or administrative limitations.

Clerk of the County Assembly, Mr. Charles Wafula, thanked the Commission for their support and encouraged continued capacity building for the Assembly's internal Ombudsman Committee. He stressed the importance of exploring and utilizing internal institutional structures to resolve issues before escalating to punitive measures. Mr. Wafula also called on the commissions to exercise discretion and fairness, especially when considering sanctions for non-compliance.



Officials from the Committee on Administrative Justice(CAJ) led by the Vice Chairperson, Ms. Dorothy Jemator pay a courtesy call to the Speaker and Clerk of the County Assembly of Bungoma

Vihiga County Delegation Visits Bungoma County Assembly For Benchmarking Ahead Of New Chamber Construction

By Marsh Misiko

The County Assembly of Bungoma hosted a delegation from Vihiga County Assembly for a benchmarking visit as the latter prepares for the construction of its new debating chamber. The delegation, led by Minority Leader Hon. Atsiaya Vincent, was warmly received by Bungoma County Assembly Speaker Hon. Emmanuel Situma and Clerk Mr. Charles Wafula.

Addressing the visiting delegation, Hon. Situma shared insights about establishing a debating chamber, emphasizing that it is not a simple undertaking. He commended

Vihiga County Assembly for their initiative and encouraged the delegation, noting that while the project requires significant effort and commitment, it is achievable and will yield positive results.

Hon. Situma revealed that Bungoma County Assembly plans to occupy its new debating chamber by March next year. He added that beyond construction, the Assembly is also committed to improving its operations and performance management by strengthening staff training and enhancing work schemes.

"We look forward to completion and occupying our new chamber by March next year," said Hon. Situma.

The Clerk of Bungoma County Assembly, Mr. Charles Wafula, informed the delegation that chamber construction would bring significant infrastructural improvements to Vihiga County Assembly. He urged them to focus on proper execution from the outset to ensure the successful transformation of their institution.

Hon. Atsiaya Vincent expressed gratitude to the host County

Assembly for their warm reception and the opportunity to learn. He emphasized that the visit underscores the importance of collaborative exchanges between County Assemblies.

"We appreciate the warmth of hospitality and the wisdom offered. This visit has been very useful in planning the upcoming undertaking in Vihiga," stated Hon. Atsiaya.





Speaker of the County Assembly of Bungoma Hon. Emmanuel Situma hosts a delegation from Vihiga County Assembly during a benchmarking visit

The Bungoma County Public Participation And Civic Education Act No. 4 Of 2024 And The Bungoma County Access To Information Act No.5 Of 2024

By Rosemary Wachiye | County Assembly Communications Team

Bungoma County residents now have enhanced rights to access information and public participation following the enactment of two critical pieces of legislation: the Bungoma County Access to Information Act No. 5 of 2024 and the Bungoma County Public Participation and Civic Education Act No. 4 of 2024.

The Access to Information Act ensures transparency by guaranteeing citizens' right to request and obtain information from County Government institutions, enabling them to monitor public resource utilization and hold leaders accountable. It is a landmark legislation that strengthens democracy and by ensuring transparency and accountability in governance by empowering citizens with the right to access public information.

Meanwhile, the Public Participation and Civic Education Act create

structured mechanisms for meaningful citizen engagement in decision-making processes at the County while educating residents about their rights, responsibilities, and governance structures.

Bungoma County Access to Information Act No. 5, 2024 allows citizens or individuals to obtain data and records held by the County government. This helps in promoting and enhancing transparency and accountability, it also means that the public can inquire about government services, request for information and action to take in case the request is ignored.

The Bungoma County Access to Information Act was introduced to give effect to the right access to information by citizens as provided under article 35 of the Constitution of Kenya. It also provides for the protection of persons who disclose information of public interest in

good faith and a frame work to facilitate public education on the right to access information under the Act.

The key provisions of the Act are the right to access information by every citizen of Bungoma County and disclosure of information by public entities. The Act further states that government offices must publish their essential records and facilitate access to information held by such entities. This information includes the powers and duties of officers and employees, salary scales organized by grade, and details of the organization's structure, functions, and duties.

Limitations of this Act are access to sensitive information such as matters concerning the national security may be exempt from disclosure. Citizens can also access information easily from the Access to Information officer through

formal application and if the request is denied, an individual can appeal the decision through a review process. This Act also provides protection for those who disclose the information encouraging the reporting of misconduct without the fear of retaliation.

The Bungoma County Public Participation and Civic Education Act, 2024 establishes mechanisms and platforms for citizen engagement in county governance and creates a framework for implementing civic education throughout the county.

Under the Act, the Clerk of the County Assembly will oversee public participation and civic education activities. The Clerk may delegate these responsibilities to a Public Participation and Civic Education Officer who possesses the requisite expertise and skills within the County Assembly. This designated officer will be tasked

with several key responsibilities, including facilitating and coordinating County Assembly committee activities during public participation and civic education programs. Additionally, the officer will manage information and communication technology-based platforms and perform other functions as assigned by the County Assembly Service Board.

The legislation states that the Public Participation and Civic Education Officer must ensure timely notification to the public to facilitate their input on relevant issues. The Act mandates the establishment of mechanisms to achieve the widest possible reach through various media channels, including television stations, websites, community radio stations, newspapers, information communication technology centers, and other prescribed media. Furthermore, the County

Assembly is required to install notice boards in strategic locations across villages to enhance effective communication.

Beyond the platforms stipulated in the County Governments Act, the County Assembly may employ additional methods of public engagement, including citizen forums, open day exhibitions, focus group discussions, workshops, surveys, and other mass media approaches.

The County Assembly is obligated to engage relevant stakeholders and provide continuous reporting and communication regarding the process, outcomes, and impact of policies, programs, and services delivered. The County Assembly must also develop and implement a stakeholder engagement plan outlining the objectives of stakeholder consultations, timeframes for public consultations, and

methods for disseminating information to the public.

The Act further recognizes that residents and members of the public with an interest in county affairs have a duty to constructively participate in the platforms and forums established by the county government. Citizens are encouraged to share information and submit proposals during the law, policy, and decision-making processes. Where appropriate and practicable, they may contribute resources toward developing or implementing public service delivery processes.

Additionally, the County Assembly is required to prepare an annual report on public participation and civic education programs. This report must detail the implementation level of the stakeholder engagement plan, the number of public participation and civic

education forums facilitated by the County Assembly, and the extent to which proposals and issues raised by stakeholders or the public have been incorporated.

The Act stipulates that petitions submitted to the County Assembly will be processed according to the provisions outlined in the County Assembly Standing Orders and relevant laws.

Together, these acts foster an informed citizenry that can actively participate in democratic processes, promote accountability and transparency in county operations, reduce corruption through increased oversight, and ensure that county policies and programs reflect the genuine needs and priorities of Bungoma residents.

Transforming Kenya's Counties: How KDSP II is Revolutionizing Devolution Through Results-Based Financing

By Martha Alaka

Kenya's Devolution journey has reached a pivotal moment with the launch of the Kenya Devolution Support Program II (KDSP II), a groundbreaking initiative that promises to reshape how County governments manage resources, deliver services, and remain accountable to their citizens. This ambitious four-year program, launched in March 2024, represents a new era of performance-driven governance that could serve as a model for devolution across Africa.

A Strategic Partnership for Change
KDSP II stands out as a hybrid program combining results-based financing with investment project financing, backed by the World

Bank in partnership with the Government of Kenya. With a conditional grant of Kshs. 37.5 million from the State Department of Devolution and matching counterpart funding from county governments, the program demonstrates a commitment to shared responsibility and sustainable development.

The program is innovative through its focus on measurable outcomes rather than traditional input-based funding. Counties must demonstrate real progress across key performance indicators to unlock additional funding, creating powerful incentives for improved governance and service delivery.

Three Pillars of Transformation

The program's development objective is clear and ambitious: to strengthen county performance in financing, management, coordination, and accountability for resources. This transformation will unfold through three interconnected Key Result Areas (KRAs):

Sustainable Financing and Expenditure Management (KRA 1) addresses one of the most critical challenges facing county governments. By requiring counties to increase their own source revenue by at least 5% annually above inflation rates and implement action plans to reduce pending bills, the program tackles the twin challenges of revenue generation and fiscal discipline. This approach moves counties away from over-dependence on national

government transfers toward self-sustaining financial models. **Intergovernmental Coordination, Institutional Performance and Human Resource Management (KRA 2)** recognizes that effective governance requires more than good intentions—it demands professional systems and skilled personnel. The integration of HR records, authorized staff establishments, and payroll systems through the Human Resource Management Information System (HRMIS) represents a quantum leap toward professionalized county administration. **Oversight, Participation and Accountability (KRA 3)** perhaps represents the most revolutionary aspect of the program. The requirement for counties to maintain

public investment management dashboards with citizen feedback mechanisms transforms the relationship between government and citizens from passive service delivery to active engagement and co-creation of development outcomes.

Innovation Through Measurement

The program's seven Disbursable Linked Indicators (DLIs) create a comprehensive framework for measuring and rewarding performance. While DLI 1 focuses on improving the speed of fund disbursement from national level institutions, (national treasury, office of the Controller of Budget and CBK) DLIs 2-7 directly target county-level improvements in governance, financial management, human resources, and citizen engagement.

This results-based approach represents a departure from traditional development financing, where funds are often disbursed based on inputs rather than outcomes. Under KDSP II, counties must demonstrate tangible progress to access funding, creating powerful incentives for institutional reform and performance improvement.

Governance Architecture for Success

One of KDSP II's most significant innovations lies in its governance structure, which creates multiple layers of oversight and coordination. The County Program Steering Committee, chaired by the Governor and including key executive committee members and the Speaker of the County Assembly, provides strategic direction and policy guidance. This high-level political commitment ensures that the program receives the attention and resources necessary for success.

The County Program Technical Committee, led by the County Secretary, handles the technical aspects of implementation, while the County Program Implementation Unit serves as the operational engine of the program. This three-tier structure ensures that

strategic vision, technical expertise, and operational execution are all aligned toward common objectives.

The inclusion of the County Assembly through the Speaker's participation in the steering committee and the Clerk in the technical committee is particularly noteworthy, as it strengthens the constitutional role of county assemblies in oversight and accountability, directly supporting KRA 3's objectives.

Beyond Funding: Building Institutional Capacity

While the financial resources are important, KDSP II's true value lies in its emphasis on institutional capacity building. The program requires counties to establish robust governance arrangements, implement integrated performance management frameworks, and develop citizen engagement mechanisms. These requirements go far beyond simple compliance—they represent fundamental shifts toward more professional, accountable, and responsive county governments.

The focus on human resource management through HRMIS integration addresses one of the most persistent challenges in county administration: the lack of accurate, up-to-date personnel records and payroll systems. By requiring clean, integrated HR data, the program tackles issues of ghost workers, unauthorized recruitments, and payroll irregularities that have plagued many counties.

A Model for African Devolution

KDSP II's innovative approach to results-based financing and comprehensive governance reform positions it as a potential model for other African countries pursuing devolution. The program's emphasis on measurable outcomes, citizen participation, and institutional capacity building addresses common challenges faced by decentralized governments across the continent.

The integration of environmental and social safeguards, along with specialized officers for gender and grievance management, demonstrates a holistic approach to development that considers not just economic outcomes but also social and environmental sustainability.

The Road Ahead

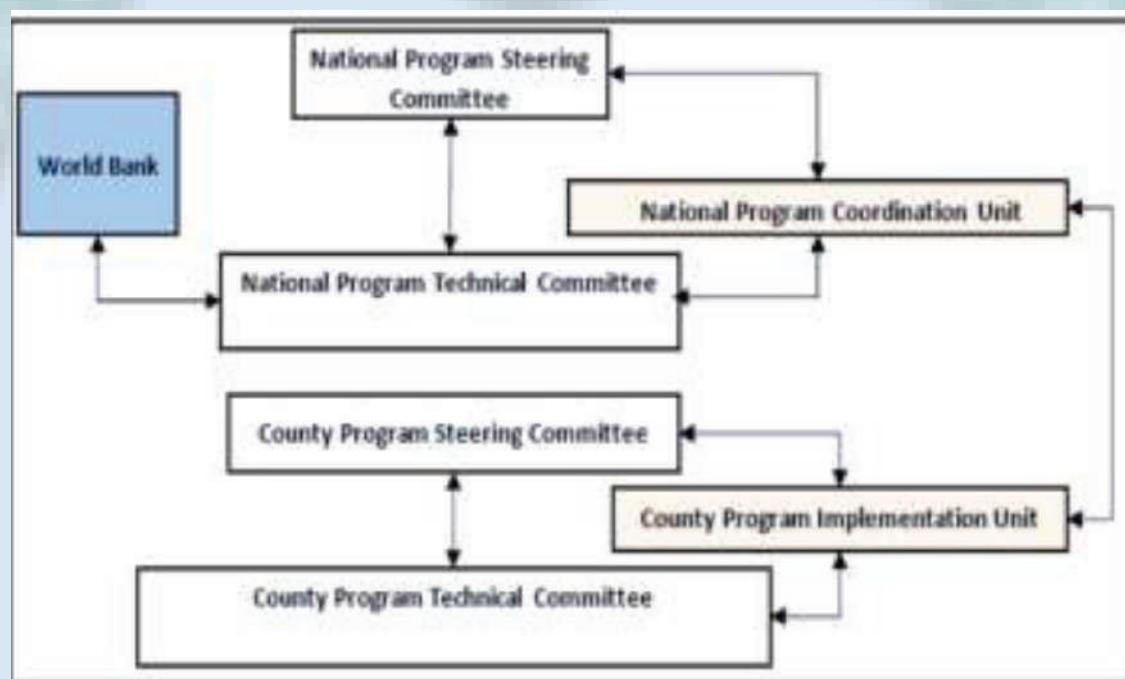
As KDSP II enters its implementation phase, the success of this ambitious program will depend on the commitment of county governments to embrace the required reforms and the capacity of the implementation structures to deliver on their mandates. The program's emphasis on annual performance assessments and continuous improvement creates opportunities for learning and adaptation throughout the four-year implementation period.

For Kenya's 47 counties, KDSP II represents both an opportunity and a challenge. Those that successfully implement the required reforms and demon-

strate improved performance will not only access additional funding but also build the institutional foundations for long-term sustainable development. More importantly, they will strengthen the social contract between government and citizens, making devolution truly meaningful for ordinary Kenyans.

The Kenya Devolution Support Program II is more than a funding mechanism—it is a comprehensive reform agenda that has the potential to transform how county governments operate and deliver services. As implementation progresses, KDSP II may well prove to be the catalyst that finally unlocks the full potential of Kenya's devolution system, creating more responsive, accountable, and effective county governments that truly serve their people.

This transformation of county governance through results-based financing represents a bold experiment in public sector reform that deserves close attention from development practitioners, policymakers, and citizens alike. The outcomes of KDSP II will likely influence the future direction of devolution not only in Kenya but across Africa.



KDSP II implementation Arrangement



A PUBLICATION OF THE COUNTY ASSEMBLY OF BUNGOMA

©Copyright 2025

 www.bungomaassembly.go.ke
 info@bungomaassembly.go.ke
 Bungoma County Assembly
 @Assembly Bungoma

Team Leader: Mr Charles Wafula

Writers: Erick Ngobilo

Rosemary Wachiye

Marsh Misiko

Martha Alaka

Photography: Public Communications Section

Designer: Shelton Nyongesa