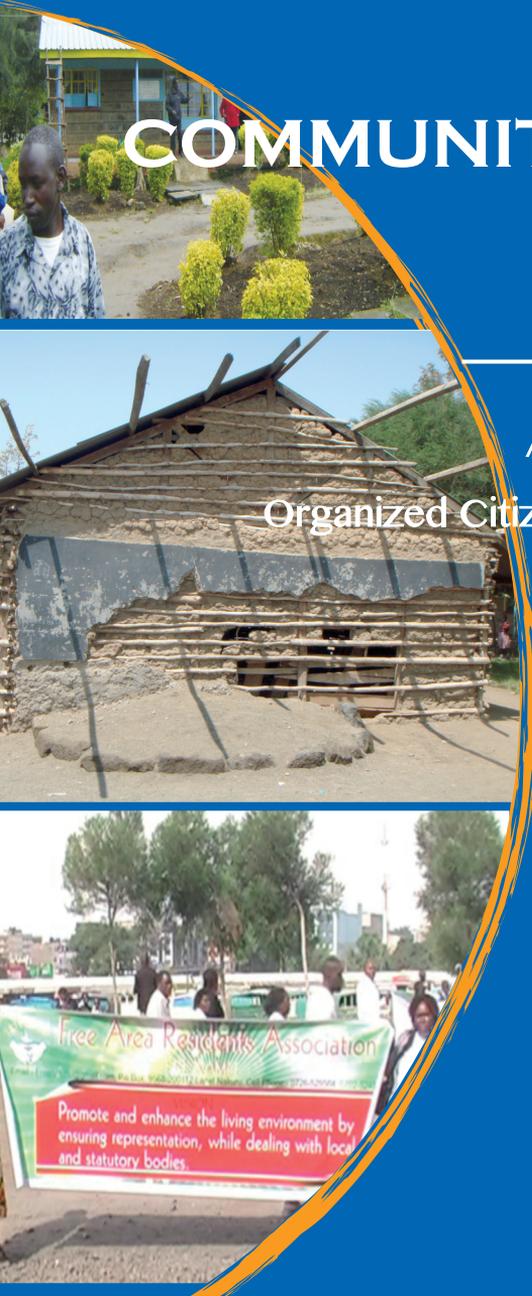


SECURING COMMUNITY PARTICIPATION IN SERVICE DELIVERY

A Report on Social Audits conducted by
Organized Citizens Groups and Residents Associations
in Nakuru Municipality



Eds
CEDGG

CENTRE FOR ENHANCING DEMOCRACY
& GOOD GOVERNANCE

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& GOOD GOVERNANCE**

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2014



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Abbreviations

PMC	Project Management Committee
ECD	Early Childhood Education
NEMA	National Environment Management Authority
BOG	Board of Governance
CDF	Constituency Development Fund
CDFC	Constituency Development Fund Committee
CDP	Development Plan
CEC	County Executive Committee
CEDGG	Centre for Enhancing Democracy and Good Governance
CHW	Community Health Workers
CIDP	County Integrated Development Plan
MCA	Member of County Assembly
SMC	School Management Committee
TSC	Teacher Service Commission
CCC	Comprehensive care centre
HELB	Higher Education Loans Board
NAWASCO	Nakuru Water and Sanitation Company
PWD	Persons with Disability
PLHIV	Persons Living with HIV and AIDs
NACADA	The National Authority for Campaign against Alcohol and Drug Abuse
MNA	Member of National Assembly
LATF	Local Authority Transfer Fund
WRMA	Water Resource Management Authority
APDK	Association of Persons with Disability in Kenya
HSSF	Health Sector Service Fund
FIF	Facility Improvement Fund

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May our Good Lord bless all of you!

Programs Manager

Masese, Kemunche

Programs Manager

About CEDGG

Historical Background

The Centre For Enhancing Democracy and Good Governance(CEDGG) is a grass root Civil Society Organization(CSO) that was founded in 2001.It works to empower vulnerable groups and ethnic communities to realize their governance and development rights.It has its head office in Nakuru Town –Nakuru County,in the Republic of Kenya.

As an organization, CEDGG was first formed AS A Community Based Organization by three members of the Endorois Community to advocate for socio-economic rights for the marginalized groups and communities in Baringo and Koibatek districts.With time,CEDGG expanded its geographical coverage, with a special focus on the Rift Valley and now covers the counties of Nakuru and Baringo and Kericho.CEDGG has since been legally registered as a Non-Governmental Organisation.

CEDGG is a founder member of the constitution and Reform Education Consortium(CRECO);a network of civil society organizations which seek to have just governance,constitutionalism and respect for the law,and the Social Audit Learning Platform(SALG) a network of CSOS promoting social accountability and management of decentralized funds in Kenya.

Program/Key Result Areas

CEDGG has four programs/key results areas. The first is the Governance and Devolution Programme whose objective is to promote participatory issue-based decision making processes in the devolved system of government. The second is the Human Rights and Access TO Justice Programme whose objective is to facilitate vulnerable and marginalized groups and communities to access justice and secure their rights. The third group is the partnership, Networking and knowledge Management programme which is aimed at promoting synergy and leverage with other sector actors in delivering the organization’s mandate. The fourth is the organizational Development Programme whose focus is to build the internal capacity of the organization to adopt and apply Result Based Management in her work.

Current Counties Of Operation

CEDGG currently implements its programs in Nakuru,Baringo and Kericho Counties.

Strategic Direction

CEDGG has prioritized to address the following; the widespread culture of impunity and marginalization of vulnerable communities among the duty bearers, the limited support to livelihoods of the vulnerable communities, the limited awareness among vulnerable communities on their rights enshrined in the Kenya constitution, the lack of strategic policies for partnership development, the limited integration and up scaling of innovations and the short fall on organizational growth strategies.

Vision

A society that respects and protects marginalized and vulnerable people's rights in all social, political and economical development processes.

Mission

To develop the capacity of marginalized and vulnerable communities in Kenya to demand, adopt and implement sustainable best practices in democratic governance through advocacy, information, dissemination, research and networking.

Core Values

Team work, Social Justice, Professional excellence, Integrity, Tolerance

Key achievements

1. CEDGG has established its niche in human rights sector as a successful grass root NGO that empowers disadvantaged communities or groups on democratic governance and human rights through civic awareness, capacity building and advocacy in the North Rift Region. Sector players (state and non-state actors) at national, regional and local level do acknowledge this capability and are continuously seeking partnership with CEDGG.
2. The organization has undertaken innovative brand and product development which has raised its profile as an avant garde civic education provider and capacity building organization on local governance in the mid rift valley region.
3. CEDGG has facilitated the marginalized and vulnerable communities in Baringo and Nakuru counties to articulate a wide range of community level issues through facilitation of the establishment of local community networks. These issues provide the material/ empirical basis that the communities use for developing substantive petitions to relevant decision making authorities. This also has been very important in building partnerships and nurturing trust between CEDGG and the communities.

1.0 Executive Summary

Centre for Enhancing Democracy and Good Governance (CEDGG) entered into a partnership with Trocaire to implement a project *dubbed 'Strengthening the Capacity of the Vulnerable and the marginalised in slum dwellings in Nakuru to engage with the County Government of Nakuru'* so as to promote realization of the rights.

The project objectives included;

- To empower marginalized and vulnerable groups to participate in decision making and development processes in Nakuru County
- To empower duty bearers to respond to citizen demands on basic services of education, health and water.
- To empower communities to monitor devolved funds and service delivery in Nakuru County

The project focused on status of service delivery and implementation of public-projects and programmes within the slum dwelling areas of Nyamarutu, Murogi, Kiratina, Bondeni, Lakeview, Hilton, Rhonda, Kaptembwo and Mwariki. It targeted mostly Women and children Youths, Persons with disabilities as well as persons living with HIV and AIDS. The level of public participation in service delivery and implementation of projects as well accessibility to devolved funds was a great concern in this particular project. Some of the activities undertaken included community sensitisation forums on participation rights and available opportunities in government projects and programmes for social and economic empowerment.

This report is a culmination of an intensive process involving various actors. At the Centre was the Centre for Enhancing Democracy and Good Governance who through support from Trocaire mobilized and sensitized various Citizen Groups constituted by Women, Youth, People with Disabilities, People Living with HIV/AIDS in slum areas within Nakuru Municipality on devolution, public finance, various social protection schemes targeting them, their participation rights and opportunities and mechanisms for them to participate. The Residents Associations were instrumental vehicles through which mobilization and sensitization were undertaken. This initial process provided impetus for community led social audit process that is the basis for the report.

The representatives of the Residents Associations were trained on Social Audit methodology and community score carding. The knowledge and skills imparted to them was used to undertake social audit of sample CDF and County Government funded projects and status of service delivery in selected health and education institutions within their localities. The audit process involved visits to project sites to collect data through interviews with management committees, labourers,

contractors and neighbours and to review project files. It also involved visits to various national and county government offices to interrogate and verify findings. The preliminary report was discussed during community social audit meetings in which some of the duty bearers from both the National and the County government were present. Further, the draft was subjected to a validation forum that was attended by key health and education sector players in the county in a meeting held at the Kenya Red Cross, South Rift Hall on 19th September 2014. The forum was also used to get commitments from duty bearers to address the various findings in the report.

In Summary, the social audit found out that the following factors, among others, impede effective service delivery: stalled and incomplete projects, low level of public participation, limited and untimely access to public information, public apathy and ignorance on available opportunities largely due to overindulgence in drug and other substance abuse especially among the youth; weak accountability mechanisms in education and health facilities leading to corrupt practices, inadequate funding, inadequate facilities and equipment, and low staffing. In addition, the audit established that there has been very low uptake of affirmative action programs such as Uwezo Fund and Youth Enterprise Development Fund largely due lack of awareness on their operations and, among a substantive number, fear of not being able to pay. At the same time, there were low awareness levels on social protection schemes such as cash transfers for the elderly and People with Disability. As a result, only a small percentage of those targeted by these schemes are benefiting from them. Allegations of abuse by those administering the schemes are rife.

Some key recommendations include;

- A policy that allows for easy access to public information should be formulated
- The country government should come up with proper mechanisms and legislation for effective public participation in all governance and development processes. These should include mechanisms to further sensitize the vulnerable and marginalized persons on the various government programs targeting them
- The health department should undertake harmonisation process as far human resource management and institutional supplies is concerned.
- The department in charge of social services should come up with effective mechanisms for empowering especially youth and women socially and economically. In addition the National and the County Governments should collaborate and ensure there is no production of illicit brews within residential areas.
- The County Government should take up and revive all the stalled projects especially those that were initiated by LATF in various primary schools. These were identified mostly as toilet projects.
- The CDF offices should ensure maximum public participation in projects implementation to enhance ownership successful project completion rate. This should begin from appointment of the CDF representatives at the ward level as well as Project Management

Committees.

- A thorough audit of social protection schemes, especially cash transfers for the Elderly should be commissioned and findings made public. A sensitization campaign targeting beneficiaries of these schemes should also be undertaken so as to increase uptake and ensure accountability in their administration.
- Policies to guide operationalization of Uwezo Fund, Youth Enterprise Development Fund and Women Enterprise Fund should be streamlined to increase uptake and maximize benefits accruing to target beneficiaries.

2.0 General Findings

2.1 Cross-Cutting Issues

The following are some of the issues affecting the residents of Nakuru Municipality;

- Insecurity
- Increasing rate of HIV and AIDS
- High level of unemployment amongst the youth
- Drugs and substance abuse among the youth
- Limited access to devolved funds targeting women, youth and People With Disabilities
- Environmental degradation
- Stalled projects especially those initially funded by LATF
- Poor Infrastructure- water, electricity, roads, classroom including facilities in hospitals
- Production of illicit brew in residential areas

2.2 Health Sector

Social audit findings based on Human Rights principles

Accessibility of health care services by all	<ul style="list-style-type: none">• All Citizens have access to health centre within 5 kilometres. Even then, citizens in Mwariki claim to walk for relatively longer distance to access Langalanga Health Centre, Barut Dispensary or Ronda Clinic.• Community Health strategy, which was designed to enhance access to health care, is increasingly declining. Community Health Workers and Community Health and Extension Workers interviewed claimed not have received their monthly stipend since the function of health was fully devolved. This has greatly lowered their motivation. Already, the number of bed-ridden HIV/AIDS patients is on the rise.
Availability, quality affordability	<ul style="list-style-type: none">• Most facilities in the locations are ill equipped and lack essential pharmaceutical and other supplies. For Example, there are hardly enough kits and reactors to facilitate voluntary testing of HIV/AIDS. This has significantly affected efforts to curb spread of the virus.

	<ul style="list-style-type: none"> • Low motivation among health workers: Devolution of health function saw transfer of Human Resource from the National Government Systems to the County Government Systems. This did not augur well with most of the medical personnel as they expressed fears on the capacity of the County Government to deliver on the function. To date most of them are still dissatisfied thus less motivated to carry out their duties. During the interviews some even pointed out discrimination in the terms of reference between the staff from the defunct local authorities and those from the national government. This has in turn affected quality of services they provide to residents
<p>Citizen Participation</p>	<ul style="list-style-type: none"> • All health facilities audited have established Health Facility Management Committee as per the Health Sector Policy guidelines. However, it was found out that Public meetings at the facility were not regular and in some instances, citizens could not even remember the last time they were called for a meeting.
<p>Accountability</p>	<ul style="list-style-type: none"> • None of the facility had an accountability board displayed • The social auditors also reported impeded access to facility records. • Kenya has adopted fiscal decentralisation through strategies such as HSSF, FIF. Even then procurement is still done centrally. This limits the level of public participation in procurement processes. • Though Citizen charters are displayed in most facilities, they are seldom followed • Health workers in some facilities report late to work and leave early • Facility management committees complained of not being adequately involved. Instead, it is the in-charge that unilaterally makes decisions

2.2.1. Recommendations

- All health facilities should adopt open tendering and procurement as required by law. .
- The County Government in partnership with Non-state actors, working in health should revive, strengthen and fast-track the Community Health Strategy
- The county Government of Nakuru should consider employing more health workers to reduce the doctor-patient ratio.
- As different health centres are at different levels in terms of infrastructure, budgetary allocation to health sector facilities should be guided by the principle of equity. The county Governments should also move with speed in addressing the serious infrastructural concerns such as the leaking roofs. Urgent steps need to be taken to ensure adequate supplies of both pharmaceutical and non-pharmaceuticals to facilities.

- There is need to strengthen accountability in management of health sector in Nakuru County. The members of facility management committees should be sensitized on participatory methodologies, the operational health sector strategic plan and the entire policy and legal framework for the sector. This shall ensure that they become more effective in their duties
- County government of Nakuru should increase budgetary allocation to promotional and preventive services. This shall include more allocation to community health strategy
- The County Government should undertake harmonisation of the Human Resource Policies

2.3 Education Sector

Standards/ principles	Findings
Accessibility to Educational Services	<ul style="list-style-type: none"> • The average distance covered by pupils to access schools is generally fair in all target locations except Menengai and Kiratina where residents of Kiratina complained that their children have to cross the Busy Nakuru- Nairobi Highway to access Madaraka Primary in Free area. A number of children have been involved in accidents as they cross the road. • The only primary school in Menengai is Hyrax which is hardly accessible from the far end of the area.
Quality	<ul style="list-style-type: none"> • Congestion in classrooms was observed. For examples Kibowen Komen Primary School had up to 120 Children in one classroom. Hyrax Primary school was equally congested. • The quality of infrastructure varies from one School to another but most of the classrooms in schools in slum-dwelling areas had broken windows, rough blackboards and breaking furniture. • The pupil-toilet ratio is very high in all schools • There is a general admission that the quality of education in the County is declining. The County Government recently commissioned a taskforce to inquire into factors leading to this state of affairs. • A number of schools had their piped water disconnected due to huge water bill balances thus compromising the level of sanitation. • Most schools have had no perimeter wall hence exposing school property to security risk

<p>Equality</p>	<ul style="list-style-type: none"> • The general gender ratio in the enrolment rates in schools is balanced. • Provision of sanitary towels for the girl child is limited to well-wishers and in most cases the burden of providing the commodity for children from poor family background is borne by teachers. This leads to truancy among adolescent girls which translates to low academic performance and even rise in drop out cases for girls.
<p>Non-discrimination</p>	<ul style="list-style-type: none"> • Most of the schools audited were not sensitive to pupils with special needs. For example none of them had special toilets/ latrines for physically disabled. • Some posters schools contain alarmist messages about HIV/AIDS (AIDS KILLS etc.) that causes anguish and psychological torture to children living with HIV/AIDs. Since positive living is currently being encouraged, such messages claws. • Some Teachers were reported to be promoting stigmatization of children living with HIV/AIDS through careless statements/ Comments.
<p>Citizen Participation</p>	<ul style="list-style-type: none"> • All schools visited had SMCs. Even then Parents have delegated all their powers • Decisions on the County-funded projects (ECDE construction) were done centrally. For example in Kimathi Primary the Head teacher claimed that he was only instructed to allocate space for construction of the ECDE classrooms.
<p>Accountability</p>	<ul style="list-style-type: none"> • Though there are notice boards in all schools, the information displayed was very limited. Even on request, there was difficulty in accessing information relating financial matters. • The election of members to school management committees follows guidelines provided by the ministry of education. However, very little attention is given to qualifications of individuals elected into committees • There were allegations that head-teachers collude with the executive committee members to siphon school funds. Some SMC members alleged that they were hardly consulted by the chairman, Treasurer and head-teachers in procurement matters

2.3.1. Recommendations

- The National Government, County Government and CDF should collaborate and equip schools with desks, chairs and all required items to ensure a conducive teaching and learning environment. All special schools need modern equipment in order to perform better
- At least 2 teachers (male and female) in every school should be trained to handle children

with special needs.

- County government should intervene to enhance the completion of various projects e.g. installing piped water and in the completing toilet blocks initiated by LATF.
- County Government and CDF should adopt further fiscal decentralisation and devolution of power. For instance School management Committees should be involved in the management of school projects.
- There is need for construction of more toilets in all schools so as to cater for the increasing number of pupils. More ECD classrooms need to be constructed in schools such Rhonda and Hyrax primary schools.
- The County Government should ensure that all schools have access to clean, safe and adequate water.
- There should be a minimum qualification requirement for School Management Committee members
- Schools should be compelled to share all information regarding financial expenditure through notice-boards and upon request.
- All schools should pull down posters and any alarmist and potentially discriminative literature regarding HIV/AIDS to support positive living efforts. In addition measures should be put in place to ensure teachers do not make statement that will stigmatize children who are living positively.

2.4 Constituency Development Fund (Cdf) Projects

- There was very limited access to project documents for most of the project under implementation.
- There were notable inconsistencies, delays in communication of information on Bursary allocation at the CDF offices and in schools. For example a student in Free Area had his name missing in the school list even though it was on the list pinned on CDF notice-board
- There is lack of proper consultation and coordination among stakeholders. A case in point was proposed Tekira Primary school in Menengai Ward where a project has never taken off due to disagreements around ownership of the proposed construction site. There was no consent on User Change to the plot where the school was meant to be constructed. The community petitioned this and insisted on the transfer of the funds to another project. In Rhonda police post, funds were diverted into painting the staff quarters in the same station. The project had no PMC and no project files were available.
- Lack of involvement of the community in Project management - Most projects especially in Nakuru town west did not have Project Management Committees. Where there were PMCs, the community members were not involved in establishing them. For example the PMC of London water project was handpicked but even then it's only the executive (Chairman, Secretary and treasurer) that participated in the management of the project.

2.5. County Government Funded Projects

- Some projects were never implemented and there was no apparent reason or explanation as to how the allocated funds were used. Two examples stood out: the construction of Langalanga primary and secondary school classrooms worth 10 million and a project in Bondeni maternity worth KES 30 Million (upgrading the facility and construction of paediatric wards.)
- There was limited access to information even after several visits to the authorities involved.
- In most instances, it was the members of County Assemblies that were involved in actual implementation of projects

2.6 Recommendations

- The level of public participation in management of Public projects should be increased.
- There is need to review the composition of PMCs and CDFC especially in Nakuru Town West Constituency
- The CDFC and the County Government should come up with mechanisms to ensure access to all the documents related to project implementation.
- The criteria being used for distribution bursaries should be reviewed to allow for openness and public participation. Community members should be mobilized to participate in selecting deserving cases.

2.7 Other Findings

2.7.1 Production of alcohol within Residential Areas.

Several legislations and policies have been enacted both at the national and county level to curb drug and substance abuse in Kenya. Nevertheless implementation/ enforcement of the same has not been effective. During the social audit, alcohol and substance abuse in slum areas emerged as a great impediment to development in the slum-dwelling areas in Nakuru County. The most affected segments of the population are children, youth and women. The activities are commonly found in areas such as Rhonda-Kaptembwa, Mwariki, Freearea and London (Hilton.). Community members blamed it on the reluctance by the National Government Administrative Officers (especially chiefs) some of whom were said to have been compromised while others were partakers of the crime. On the other hand, community leaders including the chiefs and MCAs were quick to point out weaknesses in the legal instruments against the crime. Even then, it was clear that lack of coordination and cooperation among the County Government, National Government and NACADA was bolstering the business.. Consequently, the practice has

had adverse effects in the lives of residents of this area some of which include:

- Deteriorating academic performance in schools with these areas as their catchment
 - There has been notable increase in school drop-out rates, unwanted pregnancies and early marriages amongst the youths
- Rise in cases of domestic violence and Family break-ups
- Environmental degradation and slowed development
- High public apathy in local decision making and development processes.
Majority of the youths and young women have become addicts and cannot be part their community's development; not even their personal lives. Only a handful of residents, who can easily be compromised make decisions on behalf of others and hence corruption is the order of the day here
- Increased insecurity manifested in mugging, robbery and mysterious cases of murder.
- Low uptake of social-empowerment programmes such as the Youth Enterprise Development Fund, Women Enterprise Fund
- Rise in social immorality/prostitution which has led to increase in prevalence of HIV / AIDS and Sexually Transmitted Infections
- Distribution and consumption of illegal drugs such as Cannabis Sativa.
- Rise in Social crimes such as prostitution,
- Emergence of gangs and militia groups.



Figure 1: A mini distillery at Hilton, London Ward.

2.7.2 Illegal Sand Harvesting at Rhonda

The area in which the quarry is located is adjacent to plot LR.NO. Block 29/797 and Block, 29/788, Kaptembwa ward of Nakuru Town West Constituency. The quarry is dug over 30 metres deep and poses the risk of houses collapsing due to weakening of the walls. It has become a den of thugs who terrorise people at night. Several people, young and old including school children have lost their lives in the place. A recent case involved a father and his son. In 2012, the members of Rhonda community petitioned the Director of Environment to address their plight but unfortunately the problem has not been dealt with accordingly. They have since followed up with the County Government of Nakuru as well as National Environment Management Authority but nothing substantial has been done so far. The NEMA Control Audit Team Conducted an environment audit between 14th and 17th April 2014 and made the following recommendations;

1. That sites where there is degradation of private properties and public utilities such as road reserves should not be allowed for sand harvesting (Action by the Nakuru County Government and NEMA)
2. That NEMA in consultation with lead agencies should provide guidelines for sustainable sand harvesting techniques, such as gentle slope quarrying, securing the site and buffer zone provision (Action by WRMA, Nakuru County **Government, Mines and Geology and NEMA.**)

It is yet to be seen if the above recommendations shall be implemented.



Figure 2: Illegal Sand Harvesting at Rhonda Kaptembwa Ward.

3.0 Methodology used to conduct the Social Audit

3.1 Key informant interviews

The social auditors interviewed community leaders among them Sub county Administrators, MCAs, Chiefs, CDF officials and community health workers. They also visited the offices of other national and County Government officials to verify some information as indicated in documents such as CDF disbursement schedules (2013/2014) for Nakuru East and West Constituencies and Nakuru County Development Expenditure schedule for 2013/2014.

3.2. Focus Group Discussions

The representatives of the Residents associations were taken through thorough training on Social audits. The social audit tools were developed and tested after which mapping was done for projects and institutions to be audited according to the target areas where the resident associations exist. They then held organized Focus group discussion in their localities where community members shared vital information on the development profiles of the target areas. They identified development gaps in their localities as far as projects implementation is concerned. They raised various issues affecting them and how they would want them addressed by the relevant authorities.

3.3 Analysis and review of existing Documents

Some information was extracted from Nakuru County Executive Budget for 2013/2014. The project schedules for Constituency Development Fund Disbursements for 2013/2014 for both constituencies were also analysed.

3.4 Community Social Audit Forums

These were held in the target areas in order to validate the social audit findings. Leaders from both the County and National Government attended the forums. They included the offices of area MCA, Chiefs, Members of the National Assembly and the CDF Offices. The head of various institutions, committee members and some project management committee members were also in attendance.

4.0 Summaries of Individual Projects Reports

CDF Funded Projects

4.0.1. London/Gioto water kiosks project

Introduction

The London Gioto Water Kiosk Project was identified and initiated by the residents of London/Hilton of London Ward, Nakuru Town West Constituency together with the area member of the National Assembly. The community initially wanted a revival of a 4 Million water tank project but through the guidance of the area M.N.A and scarcity of resources they all settled on the Kes 1 Million water kiosks project. (This was meant to build three water kiosks)

The team implementing the project consisted of the following executive members; Mr. James Mwangi - chairman, Simon Maina – Secretary and Josephine Adero as the treasurer. The other members of the committee were Ken Ogolla, Fridah Wasembe and Jackline Auma and Mary Nankai.

It was reported that the PMC members were handpicked by some representatives of the CDFC. The community was not involved in the process. Allegedly some two members of the PMC are relatives of the Constituency Development Committee members representing London Ward.

Facts about the Project

Project proposal written by:	No proposal was written. An oral submission was given to the Area Member of the National Assembly
Project proposal initiated by	The community members and the area MP.
Estimated cost (Ksh)	1 Million
Year (s)of funding	2013- 2014
Total amount allocated	1 million
Total amount spent	NOT KNOWN
Project status	INCOMPLETE
Documents received/accessible	NONE

Findings

- The social audit team was unable to access the project documents. The PMC refused to avail the project file to them.
- Unconfirmed reports indicated that the first withdrawal of the project fund was Ksh 600,000. It was reported that each water kiosk was built using the following materials 1s3 bags of cement, 1 lorry of stones, 1 roll of Y8 metal rods, 1 lorry of sand, 1 lorry of ballast, 1 lorry of hardcore. This information was validated by the masons involved in the construction.
- According to one of the Fundis, the estimated cost of constructing one kiosk inclusive of labour was said to be Ksh 40,000. No piping has been done and there is no water in the three kiosks. Some PMC members wrote a protest letter to the CDF Fund account Manager and copied the same to the CDFC chairman complaining about the manner in which the project was being implemented. Among the issues they raised included lack of
- Labourers were paid without signing for the payments.
- There were allegations that money was shared out to PMC and CDF members

Recommendations

- The PMC should be compelled to avail all the project documents to necessitate a thorough audit of the project.
- All the project implementers, namely the two CDFC representatives and the Executive PMC members should be investigated.
- The community should be given an opportunity to select PMC of their choice who can exercise transparency and accountability. The PMC should also hold regular meetings with the community to report on the progress of the Project.



Figure 3: London residents assessing the quality of work done at one of the London Gioto Water Kiosks.

4.0.2 Re-roofing and floor screeding at Milimani Primary School 2013/2014

Introduction

The project was proposed by the London community after a wide consultation with the school management. The school was in a pathetic condition in the sense that the roofs initially made of asbestos were dilapidated and the floors were unbearable for teaching and learning activities. The window panes were also broken allowing in wind and thus exposing the pupils to lots of dust and cold. Other than exposing children to illnesses, it posed a security threat to school property. It also portrayed a very bad image to the school fraternity and the community in which it exists.

The team implementing the project consisted of the following executive members; Mr. Paul Kimani as the Chairman, Winfred Machila, Secretary and Samwel Otama as Treasurer. The other members of the committee were, Elias Mwalili, Norah Olweny, Maurice Ojwang, Tom Nandi, Susan Wairimu, Michael Ochieng, Marylyne Cherotich, Elly Ngetich and Maureen Pacho. They are the school management committee appointed community and consisting of the parents and the head teacher as the secretary. The gender principle was adhered to.

Facts about the Project

Project proposal written by	Community members through the school management committee
Project proposal initiated by	The Secretary to the SMC/ PMC,- Head teacher
Estimated cost (Ksh)	2,000,000
Year (s)of funding	19 th May 2014 - 2,000,000
Total amount allocated	2,000,000
Total amount spent	2,000,000
Project status	Complete
Documents received/accessible	Minutes for meetings held, BQ of the project, receipts and payment vouchers, authority to withdraw money from the bank, bank statements and an inspection report for the project from the department of public works.

Findings

- The project file was easily available and contained all the documents as per the required standards.
- The project was complete within the specified time and is in use. It was well done according to the Bill of quantities and as per the recommendations given by the Assistant Chief Architect in the Ministry of Lands, Housing and department of Public

Works Mr. Gordon Kougo Nyateng.

- The project committee held regular meetings as indicated by the minutes in the file, including meetings to authorise withdrawal of funds for the project use. These included meetings organised by the London Community residents Association in order to give feedback on the progress of the project.
- There was high level of community ownership of the project since they were involved in every stage of project implementation.
- Broken window panes were replaced and some extra-walls painted using the same allocation.

Recommendations

- The CDF Office should consider allocating more funds the school. The 2 million took care of nine classrooms only. The others including the kitchen need to be face lifted too.



Figure 4: The new face of Milimani Primary school after re-roofing.



Figure 5: Dilapidated ceiling board at Langalanga Health Centre in Nakuru Town East Sub-County.

4.0.3 Construction of classrooms at Mwariki Secondary School

Introduction

The project is known as Mwariki secondary school which is in Mwariki/Rhonda ward. The project was proposed by the members of the community with the guidance of Mwariki Farm Company, who are the original land owners. For a long time, Mwariki estate which is Rhonda ward had only one public primary school. Residents felt their children needed a secondary school to transit to, since most public secondary schools in the region are a distance away. The members of the community had made several requests to the relevant authorities without any success.

Due to the magnitude of the need, Mwariki Farm Company took the initiative and started constructing the school with the help of the community members. They then approached the Constituency Development Fund office who accepted Kes.2 Million for the construction of two classrooms.

The project was being managed by Mr. Jimmy Kariuki Kairu, as the chairman; Head teacher Mr. Gitonga who is the secretary and Pastor Kimani as the treasurer. They were all appointed by the community members.

Facts about the project

Project proposal written by	Community members through the school management committee
Project proposal initiated by	Mwariki Farm Company
Estimated cost (Ksh)	24,000,000 (the cost of the whole school)as per the BQ
Year (s)of funding	2013/2014
Total amount allocated	2,000,000
Total amount spent	2,000,000
Project status	Ongoing
Documents received/accessible	BQ of the project

Findings

- The project responds to the needs of the community since it is the only one in that ward. The school had received an influx of students and this has made the school to be incapacitated in terms of the number of classrooms needed for effective

teaching and learning processes. Land ownership is clear since it was initiated by the community members.

- The project does not have an accountability board and there was very limited project information. The social auditors managed to get only the BQ of project which was given to them by the Head teacher. The other details were provided verbally by CDF and the Principal’s office respectively.
- There were no financial records to show how Kes. 2 Million was utilised. The head teacher as well as the CDF Office communicated that an additional amount of Kes. 600,000 had been disbursed to the school to help finish the project. There was no record to confirm this transaction. The classrooms are incomplete and not in use.
- PMC held regular meetings to share the progress of the project with the community members.

Recommendations:

- All the project documents should be made available and all the financial information shared with the members of the community and any other stakeholder.
- It was not possible to state whether the project had met certified standards since there was no document to verify project inspection.

4.0.4 Rhonda Market – Construction of additional sheds, roofing, murraming and completion of toilets

Introduction

The project was initiated in 2012 by the members of the community. It is situated in Rhonda estate, Kaptembwa ward of the Nakuru Town West Constituency.

Facts about the project

Project proposal written by	Community members
Project proposal initiated by	The community
Estimated cost (Ksh)	6.5 Million
Year(s) of funding	2013/2014
Total amount allocated	4,000,000
Total amount spent	4,000,000
Project status	Ongoing
Documents received/accessible	None

Findings

- The project is incomplete and it does not have an accountability board. There was very limited access to project information. No single document could be traced.
- The project did not have a PMC that could be identified by and with the community. There only person belonging to the implementing team and is known by the members of the community was the chairman Mr. Ronald Mboya. He doubled up as the chairman for Small Business Management Committee. This chairperson and his team were only known for allocation of market stalls whose work ended on 18th March 2014.
- The members of the community who succeeded to secure the market stalls were making payments to the County Government even though they were not using them. There were allegations that the project was being fully implemented by the Constituency Development Fund Committee. All decisions were made at this level, including withdrawal of funds and award of tenders. The community was completely not involved in the implementation of this part of the project.
- It was reported the project was handed over to the County Government though it is not complete

Recommendations

- The CDFC should avail all the relevant documents, financial or otherwise related to the project for public scrutiny.
- The CDFC should explain why there is no PMC, appointed by the community for management of this project.
- The CDFC should explain how the transition from the previous PMC to the current team implementing the project was done.
- A financial audit should be conducted to verify alleged misappropriation of funds.
- If the Market was fully and officially handed over to the County Government, then concerned department should move with speed to complete the project.

4.0.5 Bursary – A case of Nakuru Town East Constituency

Findings

- Nakuru Town East constituency received a total of 8 million shillings during the year 2013/2014. The Money was disbursed in four equal tranches. The idea is to facilitate access to education to needy and bright students.
- The list of supposed beneficiaries was displayed at the sub-county Offices. The list was however not complete as it did not contain wards and where the beneficiaries came from. There was also a black book where all the names of students who applied for the bursary was recorded. The records pertaining to payments n could

not be traced.

- A balloting criterion was used to shortlist applicants. The CDFC then worked with the community to verify
- It was noted that students in secondary schools, especially boarding received more cash than even the colleges’ reason being that colleges get loans from HELB.
- Challenges
- There were reported cases of some needy children who missed out on this bursary allocation
- There was poor and untimely public communication with regard to when and where the process of distribution would be taking place
- All the constituents who were not registered as voters and belonged to this constituency did not benefit
- The balloting methodology locked out many deserving cases

Recommendation

- The CDF office should come up with a bursary committee in every ward appointed by the members of the community. The appointees should have good knowledge of the constituency and social dynamics therein.
- The bursary committee should keep proper financial records for bursary allocation and avail them to the public as a good practice for enhancing transparency and accountability.
- A list of beneficiaries per ward should be prepared to necessitate easy follow up and validation.
- The CDF Office should come up with better mechanisms for disbursing bursary funds, right from public communication to criteria for identifying the beneficiaries.
- Most tertiary colleges do not benefit from HELB and therefore should be treated fairly.

Beneficiaries for the fourth tranche of the bursary allocation in Nakuru Town East Constituency

Type of institution	Number of beneficiaries	Amount
College	32	Ksh 5,000
Secondary School (Day)	31	Ksh 2,000 - 3,000
Secondary School (Boarding)	19	Ksh 5,000 - 8,000
Total	82	2,043,000

5.0 County Government Funded Projects

5.0.1 Street lighting -Menengai ward

Name of the project	Constituency	Ward	Year of funding	Amount allocated	Amount spent	Project status
Street lighting	Nakuru Town East Constituency	Menengai	2013 /2014	4.5 million	Not Known	Ongoing

About the Project

The project was proposed by the community members during the year 2013/2014 budgeting process. The project was allocated 4.5 million and was to be erected at Menengai Ward, along F.Muhoro road and the road from St. Mary Pastoral Centre to Nakuru Teachers Primary School. The community was totally left out in the implementation of this project, regardless of their efforts to determine the progress of the project. They made several requests and visits to the relevant offices including the office of the Member of County Assembly but they could not get any information.

Findings

- The street light poles to be erected were 16 in number. This meant that every pole would cost Ksh 281,250 including labour.
- Project details were not available to the members of the public even upon request. During the social Audit visit to The County Engineer, Mr. James Ochieng who mentioned that project files were confidential documents between the Contractor and the Ministry of Public Works and thus cannot be made available to the public. He could not share any other information other than the cost of the project and the number of the poles. He added that his work involves offering technical advice to the contractor but anything concerning project files or monetary terms is beyond his reach. Financial information or details were so confidential and could not be shared in the public domain.

- The project responds to the needs of the community with regard to insecurity and especially small businesses are the biggest beneficiaries.
- The project had two contractors of none of them is willing to disclose any of the project file. The project does not have a management committee and everything is done by the County authorities.

Recommendation

- To enhance transparency and accountability, the County Government should avail all the project documents.
- The community should be involved not only during project prioritisation but also throughout project implementation.

5.0.2 Construction of ECD Classrooms in Mwariki Primary School

Name of the project	Constituency	Ward	Year of funding	Amount allocated	Amount spent	Project status
Two Classrooms	Nakuru Town West Constituency	Rhonda	2013/2014	2.5 million	1.2 million	Ongoing

About the Project

This project was an initiative of the County Government, through the Ministry of Education. Since Early Childhood Education and development is a function of the County Government under the Fourth Schedule of the County Government, it was decided that at least two classrooms would be constructed in all the Public schools offering ECD education. In Mwariki Primary School, the 2.5 Million used to the classrooms was part of the Kes .10.5 million meant for installation of the High mast floodlights within the Ward.

Findings

- The project does not have a management committee and everything is done by the County authorities. The community as well as the school management is not aware of the project details
- The time frame within which the project was to be implemented was not known
- It was difficult to tell whether funds were being well utilised or even if the project was being implemented according to the specified standards since no single document could be accessed. The County Executive in charge of Finance mentioned that the documents were private and confidential.

5.0.3 Other Findings

Project	Constituency	Ward	Estimated cost	Status of implementation	Documents Accessed	Other remarks
Construction of classrooms at Langalanga Primary and secondary Schools	Nakuru Town East	Flamingo	10,0000	Not started	None	The number of classrooms to be constructed not known
Bondeni Maternity	Nakuru East	Kivumbini	30,000,000	Not started	None	Inception period is not known
Construction of ECD Classrooms in Menengai Ward	Nakuru East	Menengai	9,600,000	Not started	None	It was not clear in which school these classrooms were supposed to be constructed
Youth Empowerment centre at Kamkunji grounds	Nakuru East	Kivumbini	10,000,000	Not started	None	Inception period is not known



Figure 6: Old ECD Classrooms at Mwariki Primary School



Figure 7: New ECD Classrooms under construction at Mwariki Primary School.



Figure 8: An ECD Classroom at Rhonda Primary School.

6.0 General Service Delivery

6.0.1 Health Facilities

1. Forest Dispensary

Administrative information:

The facility is popularly known as FITC. It is located in Nakuru Town West Constituency, Nakuru District and in Viwanda Location. It is an outpatient facility.

Observation

Infrastructure:

The condition of the infrastructure is stable. The facility is accessible to all patients and is well secured. No stretchers to receive casualties but the waiting benches are patient-friendly. The level of sanitation is up to the mark. There are some chairs in the consultation room.

The staff is trained and experienced. There is no staff member with a disability and their gender ratio is 2:3 i.e. 2men against 3 ladies. In regard to tenure of office, 2 staff members are on contractual basis while 11 of them are permanently employed. The staff turnover is quite good. In terms of service delivery, average time taken in queues is between 10-20 minutes. Attitude of the staff towards the patients is friendly and empathetic. The facility had got relevant operational equipments and there are enough qualified personnel to handle them.

Findings:

The facility had 6 nurses, 2 clinical officers, 2lab technicians, 1 public health officer, and 2 support staffs.

Some of the services offered include; Outpatient services, family planning services, Child Welfare (CC), Comprehensive Care Clinic (CCC), Laboratory services, Ante-natal Care Services, Pharmacy, Community Strategy, and TB Services.

The facility opens from 8 am in the morning and closes at 5pm in the evening from Monday to Friday. During weekends it is opened from 8am in the morning and closes at noon. All services are free of charge. The facility serves around 300 patients per day.

Drugs are supplied by the government supplier KEMSA. The supply is done after every 3 months.

The land where the facility lies belongs to the Ministry of Environment Department of Forest. The space at which the facility lies is too small for expansion. Laboratory is poorly equipped for it is without equipments such as Centrifugal, Fridge, Shaker, and Microscope

Recommendation:

- Working space should be expanded by constructing more rooms to cater for a big number of patients.
- Laboratory should be equipped with modern equipments.

2. Rhonda Clinic

Administrative information

Rhonda/Maternity dispensary is located in Kaptembwa Ward. It is meant only for outpatient services.

Infrastructure:

The condition of the structure is good and it is accessible to all patients. Security measures had been beefed up well There are 15 beds in normal wards but they are not well equipped. There are no chairs in the consultation room. There is no sharing of beds. The facility has a maternity wing which is not fully equipped hence not operational.

The average time taken in queues depends with the number of patients. Attitude of the staff is friendly and empathetic. The facility has a procurement board. The community members are involved in the procurement board. There is an accountability board which contains necessary information and records which the community members can access. Average time taken in the queue is 20-30 minutes. After payments of a service you are issued with a receipt.

Recommendations

- Additional staff members should be a priority to cope with the population.
- Staff should be housed.
- There is need for the provision of drugs and other equipments like wheelchairs, trolleys etc.
- There should be children clinic within the establishment.
- Maternity wing should be completed and be operational. Its services are so much needed by the community members.

3. Bondeni health centre

Administrative information

The facility is found in Kivumbini ward of Nakuru Town East Constituency

Observation

Infrastructure

The facility is accessible to all members of the community. The officer in-charge and the nurses are friendly. Their conduct and good relationship with the CHWs has increased the number of patients visiting the facility. There are 20 beds in the facility. Patients do not share beds. There are some chairs in the consultation room and the level of sanitation is not bad. There are two ambulances which are in good state.

There are two wards at the facility with poor infrastructure – leaking roofs, broken floor and are not well illuminated. The facility has the required tools and equipment. However they are not enough and some of them are not PWD friendly. The centre gets enough supply of the required drugs sufficient to serve the community.

Governance Structure

The facility is headed by Health facility Committee composed of Facility Officer in charge, who is the secretary, chairperson, treasurer, all elected from the community, youth representative, representatives of the PWDs and PLHIV, representatives of the Community based organization and Faith based organizations and the Chief who is an Ex-offio member.

Gender ratio of the staffs is 5:16 i.e. five gentlemen against sixteen ladies. Staffs are permanently employed and their recruitment is done yearly. None of them is disabled. Attitude of the staff is empathetic and friendly and they have tag names for easy identification. Average time taken in queues is over one hour due to high number of patients. After a patient pays for any service, he/she is issued with an authentic receipt. Available systems i.e. internal management system, financial systems are in place and indicators such as board manuals, Human Resource manuals and finance manual are also available. There is no procurement board hence members of the community are not involved in procurement processes. There is no accountability board and members of the public cannot access the facility records.

The nature of the facility does not allow the set up of the procurement board. Being a municipal facility, procurement is done at higher a level that is at the County level. The only Information available is about client intake and records of consumables.

The Key challenges observed.

- Poor infrastructure – The floor and the roofs, are in pathetic conditions and need to be renovated as soon as possible
- The facility does not have enough subordinate staff to do cleaning especially groundwork.
- The security lights around and in the facility are not enough.
- There is no proper control of movement in out of the facility, given that there is a residential area within and it may be impossible to tell whether one is a patient or just a mere visitor. This is a security threat.

Recommendations

- The roofs and the floor should be renovated. The facility should be fitted with enough lighting gadgets for security purposes
- The movement in and out of the facility should be monitored and controlled.

6.0.2 Education Sector

1. Hill special school

Administrative information

It is located in Nakuru Town West Constituency, Nakuru District, and Viwanda location and in Northern zone—London Ward

Observation

Infrastructure:

The structures erected there are permanent and accessible to all pupils. It is secure and the condition of the toilets is good. The school enrolment for now is about 200 pupils. The school management only helps pupils up to the age of 22-25 years. Admission is only carried out by the Local Area Chief. The ratio of usage Vis a Vis the number of pupils is 25 pupils against 1 toilet. No provision of sanitary towels. Staffroom is spacious for the preparation of lessons and also for staff meeting which is held once a week.

Governance

The level of the education among the staffs is P1, they are all experienced, professional in their conduct and they have all signed the code of conduct. They are all employed by the TSC and their staff turnover quite low. The ratio of the staff against the pupils is 35:1. Attendance of the lessons is quite good and the attitude of the teachers in relation to the pupils, subordinate staffs, and the parents is also quite good. Teaching equipments is available though there is no public accountability board. The facility had got a procurement board which is selected through the

school committee.

Recommendation

The institution is striving to deliver due to the poor equipments in the facility. If assisted with the modern equipments, and housing facilities, they could perform better.

2. Hyrax Primary School

Administrative information

Hyrax primary school is located in Nakuru Town East Constituency, Municipality division, Free-area Estate

Observation

Infrastructure

The condition of the facility is quite good though it is not accessible by all pupils and especially the disabled. There is a guard at nights and during school vacations, another guard is engaged aided by the policemen and neighbours. The school does not have a library neither a computer but only a store. The ratio of books Vis a Vis the pupils is 1:3 though they are relevant to the curriculum. The school buys water for its day to day routine, level of hygiene and especially toilets is bad. The ratio of toilet usage 1:35. There is provision of sanitary towels. The school itself is not sensitive to pupils with special needs.

Governance structure of the school:

The level of education of the staff is P1 and above. Staffs have got experience and they have all signed code of conduct. No staff member is disabled and their ratio is 1:4 i.e. one man four ladies while the teacher to pupil ratio is 1:42. Attendance of lessons among teachers and their attitude upon the pupils and the subordinate staff is quite good. Teaching staffs carry out their exercise easily due to fair provision of teaching aids. There is no Public Accountability Board but Procurement Board is established. This procurement board is selected by the School Committee Members. In addition to that, the school does not have an accountability board but the information and records is accessible to the members of the public.

Head teacher had no information concerning the ECD fund that was disbursed for the construction of ECD classes.

Recommendations

- This institution needs more toilets
- There should Construction of one stream classes to decongest the number of pupils per class and especially the ECD pupils.
- There should Continuous provision of water to enhance hygiene.

- The school should acquire furniture to enhance good learning environment.
- The buildings in the schools should be made disability friendly

3. Lions Hill Primary School

Administrative information:

Lion Hill Primary School is located in Nakuru Town East Constituency and in Free Area Estate

Observation

Infrastructure

The condition of the infrastructure is below average. The facility is not accessible and is congested. The school does not have perimeter wall, water and even electricity. The school is two streamed with 18 classrooms and a population of 1,017 pupils including ECD section.

The condition of the infrastructure is not appealing due to poor planning. The facility is not accessible and is not in a good position to accommodate many children. The school is generally congested. There is only one night guard.

General Findings

- Some children do not take lunch because their parents cannot afford. This affects their concentration especially in the afternoon.. The school did not have an accountability board. The procurement documents could also not be accessed.
- Procurement is done by the school committee and the head teacher. However, procurement information is not easily accessible.
- The school had pit latrines. It was also noted that female pupils were not supplied with sanitary towels. Teachers are 32 in numbers but they only share 2 toilets.
- Performance of the school is not badly off.
- Some of the classes are permanent but its floors are not cemented.



Figure 9: Sanitary block in pathetic condition at Lion Hill Primary School in Freeara.

Recommendations

- The school together with the parents should come up with mechanisms for school feeding programme
- The school should come with ways of seeking for ways of having sustainable sources of water.
- More classrooms should be constructed

4. Kaptembwa Primary School

Administrative information

Kaptembwo primary school is in Nakuru Town West Constituency, Western Division and in Western zone.

Observation

Infrastructure:

- The condition of the infrastructure is quite good and accessible to all pupils. Security situation is good.
- Toilets are clean and well kept Play-ground is hardly spacious enough for the number of pupils.
- Staff gender ratio is 8:26 i.e. 8 men against 26 ladies. . Attitude of the teachers in relation to students, subordinate staff and parents is good.
- There is a public accountability board which is accessible to all

The school has in place a procurement board and members of the community are involved in the procurement process.

Recommendations:

- There is need for constructing more toilets.
- The school also needs more lockers, desks and benches for the pre-unit pupils.
- The school also requires special teacher who will be catering for pupils with special needs.

5. Bondeni ECD classes

Administrative information

Kivumbini Cluster is in Nakuru Town East Constituency, Municipality Division and in Southern Zone. It was scheduled for year 2011/2012

Observation

Infrastructure

The condition of the infrastructure is good and it is accessible to all children. The school had got no library.

- Condition of the toilets in terms of hygiene is up to the mark
- The ratio of the toilet usage is 1:8.
- The facility is not sensitive to pupils with special needs.
- Playing ground is adequate for the pupils.
- There is no laboratory.
- Staffroom for the teachers is spacious where they hold staff meetings once per month.

Governance structure

The school is governed by School management Committee composed of one man and one woman. They are elected into the office during an AGM. The qualifications include being parents in the school and form four certificate. The committee meets once a term or when need arises. There are two teachers; both of them female. Both hold diplomas. The teachers are employed by parents. Teacher/pupil ratio is 1 teacher against 20 pupils. There is no public accountability board and procurement board.

Service delivery

Teachers go to school well prepared with the teaching and learning resources. The school records include, attendance, income and expenditure, scheme of work, lessons plans and record of work covered which are inspected by the head teacher. The school management committee also inspects work done by the teachers.

6. Langalanga primary school

Administrative information:

Langalanga primary school is located in Nakuru East Constituency, Nakuru District and in Flamingo ward

Observation

Infrastructure

The condition of the infrastructure is not quite good because the roofs of 18 classes are leaking. The facility is accessible to all children though its perimeter fence needs to be repaired to beef up security. The number of toilets is not proportional to the population of the school. There is provision of free sanitary towels but it is not adequate. Staff meetings are held regularly however the staffroom is not spacious. Teachers are well trained though they have not signed the code of conduct. No staff member is disabled and their gender ratio is 28:10 i.e. 28 ladies against 10 gentlemen. They are all employed by the government and their attendance of lessons is very good. The school had got a procurement board which is selected by the parents. It also has an accountability board.

Recommendations:

The school needs a hall, a kitchen and extra toilets for the staff and pupils as well.

The school's specific challenges include;

- The school does not have a perimeter wall hence posing insecurity to the school
- In event that parents do not pay school fees then teachers do not earn any income. In terms of compensation they normally share the proceeds from the parents
- Lack of relevant facilities for PWD for both pupils and teachers for instance, toilets, entrances to the classrooms are not fit for them
- During rainy seasons the roofs leak
- Lack of water leading poor sanitation and hygiene
- There were some toilets (latif) incomplete and posing some health hazards and are life threatening.
- The school does not have a school library and the play ground is bushy.

7. St .Teresa Primary School

Administrative information

The School is located in Nakuru Town East Constituency, Municipality Division and Southern Zone. The school serves the community of Paul Machanga, Kivumbini Estate and Manyani.

Infrastructure

The condition of the infrastructure is fair but it needs repair. The facility is accessible to all pupils and there are reported cases of insecurity. The school has no library. The level of sanitation pertaining toilets is poor reason being that there is no water in the school. The ratio of usage Vis a Vis the number of pupils is 1:6 i.e. one toilet is being used by six pupils. There were reported cases of girls not going to school in some days of the month due to lack of sanitary towels.

Governance Structure

The school is governed by member committee composed of two people, male and female. They are elected into the office during an AGM. The qualifications include being parents in the school and form four. The committee meets once a term or when need arises.

Their qualification range from certificate to DIPLOMAS and they are well experienced. Teachers are professional in their conduct..No staff is disabled and their gender ratio is 2:0 i.e. two ladies against zero gentlemen. . Attitude of the teachers to pupils, subordinate staffs and parents is good. Attendance of lessons is also good and the ratio of teachers to pupils is 1:18 i.e. one teacher against eighteen pupils. The facility has enough teaching aids. There is a public accountability board and it is accessible to all. The major sources of funds for the school include; Free Primary education, CDF Fund, Rent paid by Telecommunication providers, Safaricom and Orange.

On the contrary it was found that there is some level of stigma against pupils who are living with HIV or related to HIV cases. Some teachers discriminate such kind of pupils causing great impact on those pupils performance. A case in point involves a class two pupil identified to be performing poorly due to discrimination with regard to his status. There are allegations that the boy is always sent home by the class teacher on grounds that he is not feeling well.

The school's specific challenges include;

- In event that parents do not pay school fees then teachers do not earn any income. In terms of compensation they normally share the proceeds from the parents
- Lack of relevant facilities for PWD for both pupils and teachers for instance, toilets, entrances to the classrooms are not fit for them
- During rainy seasons the ECD classrooms 'roofs leak
- Lack of water. The school has a debt of 1.1m NAWASCO due delayed disbursements from both national and county government leading poor sanitation and hygiene.
- The school does not have a school library and the play ground is bushy

Recommendations

- The leaking roofs should be repaired. They can be used for harvesting water during rainy seasons.
- The County government should come up with the mechanisms for compensating the ECD teachers.
- The school management should renovate some of the school facilities especially the toilets so that they are easily used by the pupils with disabilities.
- The school should follow-up with governments at both levels and work out ways of restoring water in the school. The school head should also ensure the bushes are cleared.

7.0. Issues affecting Persons with Disability

1. Business Permits

The process of acquiring business permits is usually long that most people give up on the way. The Kenya Revenue Authority's demand for the audit report is unrealistic since most of these people engage in small-scale businesses. Most PWDs are also subjected to harassment by municipal authorities, in demand for various documents of trade. There in need to come up with proper measures that will ensure they are able to get the necessary documents as and when required. When allocating market stalls and sheds, a certain percentage should be reserved for the PWDs. In addition, the tools of trade procured through the National Fund for the Disabled in Kenya are reported to be of inferior quality and do not serve the intended purpose.

2. Renewal of Tax exemption

The process is quite tedious. People who are permanently disabled should not be required to renew the certificate.

3. Medical assessment

The assessment fee of Kes. 600 charged by PGH is quite high for most PWDs and has become a hindrance towards the achievement of the intended goal. A way should be found to make it more affordable.

4. Recruitment opportunities for PWDs

-While we appreciate the efforts made by the County Government towards this end, it was noted that PWDs are still not adequately considered during recruitment exercises as per the provision of the Constitution, which states that at least 5% of the positions should be reserved for the PWDs. Article 54 para. 2 should be put into consideration at all levels of employment including casual jobs.

5. Representation of the PWDs

The PWDs need to be represented in all decision making organs such as the Constituency Development Committees, and even County Development Committee. This would enable them to articulate the issues affecting the PWDs and hence take necessary measures to solve them. This would also inform projects and programmes targeting people with disability. For instance, in

bursary allocation, there should be a special percentage reserved for children with disabilities. In cases of appointment and nominations there should be slots reserved for people with disability.

6. The County budgetary allocation

The criteria for allocating and disbursing the 55 million to the special groups as indicated by The County Assembly should be clearly defined. Persons with disability are one of the beneficiaries. There should be an all inclusive and well defined structure from the ward level for making decisions with regard to disbursement of those funds.

7. Sanitary Blocks

Most public and even private sanitary blocks are not suitable for PWD. This is with regard to the way they are built. There is need to construct public sanitary blocks fit for PWDs. They should also be managed by the same people.

8. County Disability Mainstreaming and Relationship Committee -

There is need to establish a committee to deal with disability issues as required by the CRPD and The Disability Act 2014 to carry out among others,

- A. Ensuring that no child with disability is hidden at home
- B. Taking census of all persons with disabilities for ease of planning by the county government.
- C. To compile and submit periodic reports to the county government on the progressive implementation of the said laws by the various departments in the county

8.0. Issues affecting Persons Living with Hiv and Aids

- There is **stigmatization** upon pupils who are living with HIV or related to HIV cases. Some teachers discriminate such kind of pupils causing negative impact on those pupils' performance. A case in point involves a class two pupil in a certain primary school who is said to be performing poorly due to discrimination. Information has it that the boy kept on being sent home more often by his teacher claiming that the boy is not feeling well.
- There is only **one CD4 Machine** in the whole county. There is need to have at least one for every sub-county. The machine is meant for testing 70 people only in a day. The reality on the ground being the only one in the county it's normally overloaded due to testing more than the required number of people. In most cases the machine is broken down. The effect is that the PLHIV never get to know their immunity levels which sometimes lead to wrong prescription. This leads to improper administration of drugs before accurate testing is done, especially of the liver. The health of the persons with HIV and AIDs is then affected negatively.
- There is **insufficient number of test-kits** in government hospitals regardless of the fact that the members of the public are willing to be tested. For instance during outreach activities the health worker are given around 15 test- kits which is way below the expected number of people willing to be tested.
- **Most health centres are understaffed.** You may find a case whereby a single health worker is attending to all the types of patients including children. This gives an opportunity for some health related incidences to occur. Perhaps the government needs to consider recruiting more health workers. The county should also consider employing and empowering community health workers who are living positively to take care of both new and bedridden cases. In addition The CCCs should be located in suitable places for PLHIV in order to avoid Stigma. A case in point is the CCC at Langalanga health Centre.
- **There is also notable reluctance** while handling new mothers who are HIV Positive. The Bondeni Maternity should be equipped with a complete Comprehensive Care Centre. This would reduce cases of default by expectant mothers hence increasing the rate at which mothers transfer the virus to unborn children.
- **The County budgetary allocation** - The criteria for allocating and disbursing the 55 million

to the special groups including PLHIV as indicated by The County Assembly should be clearly defined. There should be an all inclusive and well defined structure from the ward level for making decisions with regard to disbursement of the funds. In addition, students whose parents are HIV Positive especially those that are bedridden should be given special consideration since their parents cannot avail themselves for balloting during bursary meetings.

- There are **challenges with regard to nutrition**. Currently there are nutrition desks only. The county government should consider reviving nutritional support especially to new cases especially in the slum dwelling areas.

Conclusion

It is clear that although there are elaborate constitutional, legal and policy frameworks for the protection and fulfilment of the rights of the target marginalized and vulnerable peoples and groups, a lot needs to be done to ensure that the said groups realize their rights. Importantly, it is urgent that mechanisms are put in place to optimize their representation and participation in decision making platforms and processes. The various social protection schemes should be streamlined as to ensure maximum participation of not just the target groups but also the general public for strengthened transparency and accountability.

County, National Government and Public Benefit Organizations should develop mechanisms to work together towards addressing the stated findings. This would promote effectiveness and ensure optimal results.

The community, on its part must be proactive in governance and development processes. This is their constitutional Right. They should at all times hold leaders to account on the responsibilities bestowed upon them through democratic processes.

ANNEX 1:

REPORT OF THE SOCIAL AUDIT PUBLIC ACCOUNTABILITY FORUM HELD ON 19TH SEPTEMBER 2014 AT RED-CROSS HALL

Summary of The Deliberations during The Citizen Engagement Meeting held at The Redcross Kenya on 19Th September 2014.

‘Strengthening the Capacity of the vulnerable and the marginalised to engage with the County Government of Nakuru’ is a project whose goal was to contribute to an accountable, transparent and participatory county governance in Nakuru County.

The civic engagement forum is one of the activities of the Social Audit process also referred to as Social Audit public meetings. The public meeting brought together stakeholders from various sectors i.e. Education, health, County Public Works, CDF, Youth, Culture and Gender, National Council for Persons with Disabilities etc. with a view to share the key findings of the social audit exercise.

Specific Objectives of the forum

- To share social audit report with relevant stakeholders
- To seek the government’s commitment towards addressing the service delivery gaps identified during the social audit exercises.
- To discuss gaps in public policies, laws and regulations governing service delivery especially those targeting, Women, youths, Persons with disability and Persons living with HIV/AIDs.

Target Participants:

- I. County Government officials
- II. National Government officials
- III. Residents’ association and Organized Citizens, groups
- IV. The general public

KEY DISCUSSION POINTS

Clarifications on contextual issues

- Public participation in County procurement processes is still very low. Despite pronouncements of the 30% procurement preference policy for women, youth and PWDs, the practice in Nakuru County is far from the promise. The highly anticipated

training on entrepreneurship targeting youth and women organised by the Ministry of industrialisation has since not taken off even after frantic efforts at mobilisation. The government needs to inform the public about the progress of this particular exercise.

- The trending Solid Waste management Bill: It is not yet clear on which principal Act the bill is anchored and why the Bill was emanating from the County Assembly instead of County Executive as the constitution prescribes.
- Construction of Youth empowerment centres- The empowerment centres shall have a range of services/ facilities within it including indoor games, internet, clinic, library, guidance and Counselling. As at the time of social audit, there were only 3 youth empowerment centres **Nakuru County: Naivasha, Njoro, Kuresoi, but are not well equipped.**

NOTABLE OBSERVATIONS

Issues affecting PWDs

- Business Permits - The National Council for Persons with Disability observed that the process of acquiring the Business permits is long and tedious something that has emerged as an obstacle for the PWDs interested in initiating businesses. The situation may persist for long since the preferential treatment accorded to PWDs has, in the past ended up being abused by associates of PWDs. Even then, the National Council for Persons with Disability is looking into the matter with a view to find a lasting solution.
- Market Stalls – PWDs in Nakuru Municipality still have to pay equal amount for goodwill and rent for stalls in Nakuru Town as other citizens. A County Disability Mainstreaming and Relationship Committee should be formed so as to lobby for waivers for PWDs.
- Tax Exemption certificate -The life span of the tax exemption certificates for permanent disabilities has been extended to 5 years from 3 years. The concerned departments will have to meet to discuss how to invalidate the renewal of certificates.
- Medical Fee for PWDs– the Medical Superintendent at the Nakuru Provincial General Hospital was already allowing waivers for deserving cases i.e. those who cannot afford the KES. 600 fees.
- On 5% requirement for employment – There is a task force in place working towards compliance with to the 5% requirement in employment for PWDs in the Public Sector as provided in Article 54 (2) of the Constitution.
- Bursary allocations for PWD – There are at least seven departments initiated by the County Government to mainstream issues of disabilities.

Water, environment and natural resources

- It was noted that there was an acute shortage of water in schools due to huge debts. Approximately 20 schools were reported as the most affected.
- The issue of the illegal sand harvesting has been taken up by NEMA and other relevant county government authorities and the search for a solution is underway.

Health

- The department of health in Nakuru County acknowledges a shortage of staff and there are commitments to recruit more staff in the near future to address the gap.
- The department has adopted an open door policy as a tool for effective service delivery. Citizens are encouraged to report any cases of irregular conduct including failure to observe punctuality. (The working hours are strictly 8.00am to 5.00 pm)
- There has been a serious shortage of drugs especially during the transition period due to the transitional challenges. However, from the start of the 1stquarter of 2014/15 the supply of drugs is said to have improved.
- Public Health officers have prepared a report on the state of service delivery in health facilities in the county meant to improve service delivery in the facilities. The report has already been tabled at the Governor's office but is yet to be shared
- The Bondeni maternity project worth 30 million could not be implemented as planned. The money was reallocated to do other activities in the facility. The master plan for improving the facility was ready. The Health Facility Management committee has been requested to open an account to facilitate deposit in order for the Project to commence
- A Comprehensive Care Centre will be soon be set up at Bondeni Maternity. This is expected to reduce rates of mother to child transmission of HIV/AIDs.
- The County Government is finding an isolation room for TB defaulters at the provincial general hospital as opposed to taking them to prison.

Social Protection Funds for the youth, women and PWDs

- Uwezo Fund Programme, a revolving fund targeting the youth and women, has been rolled out in Nakuru Town East and Nakuru Town West Constituencies. Even then, the number of applicants overweighs the available resources.
- The county government of Nakuru is considering initiating a County Revolving Fund for Women, Youth and PWDs. It will share the document on the fund with all the stakeholders in order to enhance county ownership.

Education Sector

- A total of KES 150 million has been set aside to construct new ECD Classrooms. A circular has been sent out indicating that all the stalled projects related to ECD shall be revived beginning October 2014.
- The County Government has a leeway to fix any issue on education whether it belongs to county or National Government. Therefore construction of classrooms in *Langalanga Primary school by the County Government was in order.*

Recommendations:

- I. A survey should be conducted to find out the number of youth, women and PWDs who have benefited from the 30% procurement preference policy as well as factors leading to low consumptions of the same.
- II. The next phase of social audit should focus on polytechnics as their standards are wanting.
- III. The social audit report should provide specific details of the stalled projects to facilitate prompt action.
- IV. The County government should improve on Public communication. They should employ variety of media to furnish citizens with adequate, accurate and timely information as provided for in the County Government Act i.e. Print and Electronic media, Notice Boards, Traditional media, ICT platforms, Citizen Forums.
- V. Civil Society Organisations and Community need to step up advocacy on the Sand Harvesting menace in Kaptembwa Ward to ensure that the matter is addressed to its logical conclusion.
- VI. Representatives of the National Council for Persons with Disability should form part of the Social audit teams and government inspectors visiting public institutions with a focus on the level of adherence to disability-friendly requirements.
- VII. PWDs should be proactive and take up their position in all committees, appointive, elective and recruitment positions.
- VIII. The county government should strengthen the community health strategy so as to make their work effective. For example Community health volunteers can track defaulters of TB medication.
- IX. PLHIV should organise into support groups that would enable them improve their livelihoods especially nutrition.
- X. Every Sub county in Nakuru county needs to have adequate CD4 Machines
- XI. Community members should volunteer land for construction of the youth empowerment centre.
- XII. The county government should leverage openness, accountability and public participation in the procurement processes. For example names of successful tenders should be publicised as well the value of each tender.

Action Points agreed upon by participants

- I. Representatives from the department of water committed to follow up with the concerned office on the water shortage in schools.
- II. Residents' associations will be given tree seedlings to plant within their localities as part of the County Government effort to conserve the environment.
- III. A public launch of a task force report on Education was slated for 26th September 2014 at the Old Municipal Hall and thereafter the dissemination of the report will be done through various channels including Residents' Association.
- IV. A Memorandum will be drafted by PWDs networks to be presented to the office of the Governor on the commemoration of the International day for PWDs in 30th December 2014.
- V. The County Government will conduct an inspection of all schools to check on the level of sanitation and quality of infrastructure

Conclusion:

The forum was generally a success both as learning and an engagement meeting. However, attainment of more results is depended on the commitment of the participants to follow up on the resolutions or action points agreed upon in the meeting and the social audit report recommendations in general.



Figure 10: Honourable David Gikaria, M.N.A Nakuru Town East Constituency addressing residents of Freearea during a Community Social Audit Meeting

Annex 2:

UNIVERSAL DECLARATION OF HUMAN RIGHTS

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, Therefore THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1.

- All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2.

- Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3.

- Everyone has the right to life, liberty and security of person.

Article 4.

- No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5.

- No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6.

- Everyone has the right to recognition everywhere as a person before the law.

Article 7.

- All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8.

- Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9.

- No one shall be subjected to arbitrary arrest, detention or exile.

Article 10.

- Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11.

- (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.
- (2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12.

- No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13.

- (1) Everyone has the right to freedom of movement and residence within the borders of each state.
- (2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14.

- (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.
- (2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15.

- (1) Everyone has the right to a nationality.
- (2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16.

- (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
- (2) Marriage shall be entered into only with the free and full consent of the intending spouses.
- (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17.

- (1) Everyone has the right to own property alone as well as in association with others.
- (2) No one shall be arbitrarily deprived of his property.

Article 18.

- Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19.

- Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20.

- (1) Everyone has the right to freedom of peaceful assembly and association.
- (2) No one may be compelled to belong to an association.

Article 21.

- (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
- (2) Everyone has the right of equal access to public service in his country.
- (3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.
- Article 22.
- Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23.

- (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
- (2) Everyone, without any discrimination, has the right to equal pay for equal work.
- (3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary,

by other means of social protection.

- (4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24.

- Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25.

- (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
- (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26.

- (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
- (2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
- (3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27.

- (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
- (2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28.

- Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29.

- (1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

- (2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
- (3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30.

- Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

Pictorial



Mwariki residents association



Free Area Residents Association



Rhonda community residents association



Menengai residents association



London Community Residents Associations



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