



The Clerk,
Baringo County Assembly.

Attention: Budget and Appropriations Committee

5th April 2022.

Dear Madam,

RE: MEMORANDUM ON APPROVAL OF THE BARINGO COUNTY BUDGET ESTIMATES 2022/23 BY THE BARINGO CIVIL SOCIETY ORGANISATIONS FORUM SUBMITTED ON 5TH APRIL 2022

BACSOF is a network of civil society organizations operating in Baringo with a shared vision of promoting effective county governance and participatory development. BACSOF exists to provide a coordinated framework for civil society organizations to undertake activities, projects and programs that further and enhance effective and participatory county governance and development. Among the interventions of the forum include; Civic Education, capacity building of various stakeholders in governance and development process, mobilizing citizens to participate in key county governance process, initiating social accountability initiatives such as community social audits, community scorecard, participatory budget analysis and Public Expenditure Tracking

Pursuant to the call for submissions dated **30th March 2022**, and in fulfilment of our mandate BACSOF hereby presents our submission for your consideration in the review, amendment and approval of the Baringo County Budget Estimates for FY 2022/2023.

This memo has been prepared through a joint analysis and consultation forum for BACSOF members and select Budget Champions (see annex 1 for the list of participants).

1. IMPROVING EXPENDITURE PERFORMANCE

Increasing Roll Over/ Slow Budget Implementation:

In 2020/21, Baringo County spent Kshs. 887 Million out of Ksh. 3.261 billion earmarked for development i.e. **27% of the total development budget**. Thus approximately Ksh. 2.4 billion was not spent. Even worse, the 2nd quarter budget implementation report for FY 2021/22 indicated that budget absorption was at 23% as at December 2021.

This implies delayed implementation or stalled development projects and programmes, which continues to deny the people of Baringo the much needed services.

Key Asks to County Assembly:

Therefore as the County Government plans for FY 2022/23, a strategy to improve budget absorption should be a **top priority** for Baringo County. Therefore County Assembly should interrogate the underlying **budget allocation-related issues** including, among others:

1. Adequate allocation to the operations and maintenance budget-line to facilitate technical staff to design and supervise implementation of development projects in an efficient manner. In 2021/22, the County Assembly recommended allocation of **at least 25 % of the departmental budget to O&M.**
2. Adequate allocation to ensure timely completion of all development projects informed by feasibility studies, historical costs and departmental project cost reference documents.

2. STRENGTHENING THE OPERATIONS AND MAINTENANCE BUDGET FOR SUSTAINED SERVICE DELIVERY

Service delivery is highly dependent on Operations and maintenance budget. However continuous over expenditure on personnel emoluments constrains the O& M budget thus limiting the counties' ability to provide services.

In 2020/21 overall expenditure on personnel emoluments was 2.674 Billion out of a total expenditure of 4.596 Billion, translating to about 59 % of the total expenditure and 36.5% of the revenue. Clearly, this contravenes the PFM regulation section 25 (1) (a)(b)- *"...the County Executive Committee Member with the approval of the County Assembly shall set a limit on the county government's expenditure on wages and benefits for its public officers pursuant to section 107(2) of the PFM Act... the limit set under paragraph (a) above, shall not exceed thirty five (35) percent of the county government's total revenue.* This has been consistently flagged by the evaluation reports of the auditor general and controller of budget.

In the Water and Irrigation Department, low budget allocation to O&M, coupled with the low numbers of technical staff, leads to slow completion of development projects, low budget absorption and ultimately derailed service delivery. In 2020/21, the department absorbed **only 20% of its development budget** compared to **100% absorption of the recurrent budget**, as per the County Budget Implementation Reports.

In the 2022/23, we note that the Department of Water and Irrigation has been allocated Ksh. 47 M for operations and maintenance. Out of this a whopping **27 M goes to payment of electricity bills** (In the first place, is this sustainable?), about Ksh. 10 M goes to office supplies/ meetings/ workshops, about Ksh. 5 Million is allocated for routine maintenance and **only Ksh. 5 M is left to facilitate technical officers** to implement the Ksh. 506 M development budget, rolled over projects notwithstanding. This limits capacity of the department for *timely design (data collection), quality control (supervision) and routine maintenance.*

As per the County Health Strategic Plan 2018-2020, the department of health services undertook a comprehensive quantification exercise in March 2017 using and extrapolating data collected from 25 county health facilities (5 hospitals, 9 health centres and 11 dispensaries) and established that the **annual commodity requirements¹** for Baringo County is **Ksh. 430 million**.

In the Budget Estimate 2022/23, the County Executive has allocated **for Ksh. 166 M for health commodities** (i.e. 156 M for medical drugs and 10 M dressings and other non-Pharmaceutical medical items) which is only **39%** of the estimated requirement. This is also drawback compared to Ksh. 193 M allocated in the approved budget 2021/22 and implies that the **perennial shortage of drugs** in Baringo County as observed through social audits and community scorecard will persist.

Information shared by the department Health Services shows that **71 Health facilities in Baringo County** are not operational due to **lack of staff, drugs and equipment**. **The 9 M allocated as flagship project to equip of 28 health facilities is not viable**. Some of these facilities are in locations where their services are needed and therefore their operationalization is not only necessary but urgent. However BACSOFF also notes **arbitrary allocation** to construction of new dispensaries, construction of laboratory building and maternity wings, under the ward resource envelope, which not only ties up capital but also strains the limited health personnel in the county.

74 M has been allocated to Facility Improvement Fund. If the spirit of the recently FIF law was to plough back all the revenue from health facilities to support service delivery, why are we not allocating the full amount of Ksh. 123 M expected of hospital revenue? ***How is the department of health services going to sustain the services that were supported under the conditional grant, 'user-fee foregone'- that was collapsed into the equitable share?***

Several cattle dips are non-operational exposing livestock keepers to vector-borne disease which is a major cause for low productivity in Baringo County. The same applies to water sector where **over 100 boreholes are not operational**.

On page 237, the ADP 2022/23 estimates the funding requirement for the ECDE meals to 550 schools at **Ksh. 75 M** and thus the budget allocation of **Ksh. 13 M** is far below the requirement.

Key Asks to the County Assembly of Baringo:

1. The County Assembly should increase allocation to operations and maintenance Budget for the water, health and agriculture sectors to sustain service delivery. Specifically the County Assembly should **interrogate the adequacy of the O&M budget for water and irrigation in relation to the demand for water services in Baringo County**.
2. The County Assembly should increase allocation to procurement of drugs and medical commodities **to at least 250 M if not the Ksh. 430 M required annually**.
3. The County Assembly should seek to understand how Budget Estimates 2022/23 sustains the services that were earlier funded under the abolished conditional grant i.e. ***user-fee foregone***
4. The County Assembly should demand **for a costed plan for equipping, operationalization of health facilities and expansion of existing health facilities based on data for demand for**

¹ https://www.baringo.go.ke/index.php?option=com_jdownloads&view=summary&id=1:baringo-health-sector-strategic-plan&catid=2

services and the WHO norms and standards for health service delivery. This should be the basis budget allocation both at the ward level and departmental level.

5. Emergent diseases and trends calls for strengthening of community health strategy. Provision of stipends for CHVs, equipment and training should be prioritized.
6. The County Assembly should sustain the budget line for repair of boreholes in Baringo County allocated Ksh. 11.5 M in the Budget Estimates 2022/23. Even then the County Assembly should demand for a **list of boreholes to be repaired, the required amount for each borehole, the location and target number of beneficiaries.**
7. BACSOFF also commends the allocation of Ksh. 18 M in the Budget Estimates 2022/23 for operationalization of the drilling rig. In promoting equity and budget transparency, the County Assembly should demand for a **schedule of movement of the rig, in order of priority and the justifications.**

3. REVENUE PERFORMANCE

Until 2018/2019, there had been steady increase in the own source revenue in Baringo County as indicated in table 1. While COVID-19 accounts for decline of revenue in the last 2 years, the County Government is still far from reaching its potential. According to CRA Own Source report² 2019, Baringo County raised about 50% of the total revenue potential in last 6 years i.e. between 2013/14 and 2019/20.

Table 1: Analysis performance of own source revenue in Baringo County

Local Revenue Performance in Baringo County

FY	Target (Ksh.M)	Actual (Ksh. M)	Variance (Ksh. M)	Growth
2015/2016	300	279	(21.00)	
2016/2017	330	286	(44.00)	3%
2017/2018	350	308	(42.00)	8%
2018/2019	371	359	(12.00)	17%
2019/2020	393	301	(92.00)	-16%
2020/2021	346	205	(141.00)	-32%
2021/2022	258			
2022/2023 (Target)	312			
Source: OCOB/ CBIRs				

² <https://cra.go.ke/download/counties-efforts-towards-revenue-mobilisation-report/?wpdmdl=2411&refresh=6218e052035ec1645797458>

On the basis of the analysis on table 1 above, unless County Treasury gives **a good justification**, the target of **Ksh. 312 M** from Own Source Revenue in the FY 2022/23 may not be realistic.

Key Asks to the County Assembly of Baringo:

1. The County Assembly should seek for a justification from county treasury for the increase in the Own Source Revenue target to avoid budget deficits during budget implementation.
2. The County Assembly should demand for measures by County Treasury to address the **under-collection, non-collection and under-estimation** for specific sources which have featured in the Office of the Auditor General Reports for Baringo County since FY 2013/14- 2018/19 including:
 - Under performance of property revenue – especially the Marigat AMS
 - Non-collection of Business Permits and Land rates
 - Untapped ready revenue sources e.g. Lake Baringo
 - Underestimation of land rates due to use of old valuation role dating back to 2009 developed by the defunct county council
3. Game park being a key source of revenue for Baringo, **renovation of Lake Bogoria Game Park Gate, offices as well as diversification of the products therein**, should be our top priority in terms of strategic revenue generation projects.
4. The County Assembly should as interrogate the intended impact of the projects amounting to **8.8 M** under the programme **Revenue Services Development**.
5. The County Assembly should demand of County Treasury to publish and implement citizens' recommendations on revenue raising measures as suggested during formulation of the previous County Fiscal Strategy Papers.
6. Service delivery in health facilities should be improved accompanied by public sensitization and training of service providers on NHIF requirements in order to increase the hospital revenue.

4. PROMOTING EQUITABLE DEVELOPMENT

2. Development of major rural water supplies

The sector has categorised areas in terms of water resource availability and reliability. **There are locations that lack the essential resource in quantity and quality. Therefore needs an affirmative action in allocation of funds and development of available water resources to promote equality in water service provision and socio- economic development**

Figure 1: Water Sector Flagship Projects- CIDP 2018-2022 pg. 192

With the practice of equal allocation of resources across wards observed in the last 8 years, then the situation may have remained the same and in some sectors worsened. Data by KNBS from Census 2019 on water access shows glaring inequalities in water access among sub-counties in Baringo County.

Table 1: Distribution of population by sources of water in Baringo County as at 2019

Subcounty	Piped into dwelling	Piped to yard/ plot	Public Tap/ stand pipe	Borehole	Protected Well	Protected spring	Rain/ Harvested Water	Bottled Water	Total Improved sources (%)	Pond	Dam/ Lake	Stream/ River	Unprotected spring	Unprotected well	water vendor	Total unimproved sources (%)
BARINGO	3.60	9.10	3.40	10.10	3.20	1.60	3.40	0.30	34.70	2.20	10.40	46.50	1.90	1.20	3.20	65.40
BARINGO CENTRAL	8.10	20.80	3.60	3.60	0.50	2.60	4.10	0.30	43.60	1.00	2.40	49.10	2.80	0.30	1.00	56.60
BARINGO NORTH	0.80	1.60	1.40	7.00	0.70	2.20	3.30	0.20	17.20	1.60	8.10	68.70	3.30	0.40	0.90	83.00
EAST POKOT	0.40	0.40	0.30	6.30	1.60	0.70	0.60	-	10.30	8.10	11.00	65.70	1.40	1.50	2.00	89.70
KOIBATEK	7.40	20.50	8.20	6.70	11.50	1.40	5.10	0.90	61.70	0.20	1.80	29.20	1.20	1.80	4.20	38.40
MARIGAT	1.10	2.30	3.50	20.50	1.30	1.10	0.80	0.30	30.90	0.50	7.80	49.50	1.50	1.10	8.70	69.10
MOGOTIO	2.40	4.00	1.30	22.30	1.00	0.90	6.60	0.30	38.80	5.60	13.60	36.30	0.60	0.90	4.10	61.10
TIATYEAST	0.20	0.50	1.60	6.60	0.30	1.90	0.40	-	11.50	2.10	51.30	29.90	2.10	2.90	0.30	88.60

Source: 2019 Kenya Population and Housing Census- Volume IV: Distribution of population by socio-economic characteristics

KNBS-SID 2013 survey established that only 0.2 % of the residents of Silale had access to clean water. While the County Government has made effort to address this problem, the residents of Silale continue to suffer. This is largely due to **weak feasibility studies, low allocations and other environmental factors**.

A rapid survey by BACSOF to profile inequalities at Silale Ward (in October 2021) established that most of the boreholes drilled in the ward are hot and with very high concentration of metal components (Fluoride, magnesium etc.). Examples include: **Toplen, Natan, Napeikore, Nalekat, Nasorot and Riongo Borehole** whose yield have been declared not fit for human and animal consumption. This has been attributed to location of the ward along the geothermal belt. A borehole that was recently **drilled at Nakoko Centre** was also found to dry.

While we boast of almost achieving the 5kms radius to the nearest health facilities, there are locations where residents still travel for long distances etc. *Insecurity along Tiaty, Baringo South and Baringo North borders has led to closure of some facilities worsening situation.*

Key Asks to the County Assembly of Baringo:

1. The County Assembly should interrogate the status of **the affirmative action programme committed in the CIDP 2018-2022** (see figure 1) and how the Budget Estimates 2022/23 promotes the principle of equity especially as regards access to clean safe and adequate water.
2. In the 2021/22 Budget Estimates BACSOF notes a huge investment in excavation of water pans and desilting existing water pans in Tiaty Sub-county. This should be accompanied by other **strategic water projects** to ensure that the residents have access to **clean and safe water**.
3. **Operationalization (equipping and staffing) and expansion of services (including upgrading) and deployment of more staff in remote health facilities** will go a long way in promoting equitable access to health care. The technical teams in the health sector should be consulted in identifying **strategic health facilities for upgrading**.

4. Across the departments, there are **several flagship projects** which the County Assembly should demand for the criteria for distribution and the justifications for the same.
5. In reviewing the Budget Estimate 2022/23, the County Assembly should find out why there are no allocations for programmes for PWDs empowerment in Tiaty Sub-County.

5. BUDGET TRANSPARENCY

Baringo County has been inconsistent in publishing budget information. For instance even as the County Government called for public input in the formulation and approval of the Budget Estimates 2022/23, the County Fiscal Strategy Paper 2022 was not published as at 5th April 2022. ***How were citizen expected to know the sector ceilings and the proposed sector priority areas?***

The Budget Estimates should be prepared in line with the Programme Based Budget 2022/23 and thus should have clear **outcome level targets/ programme objectives**, contributing projects, specific locations, timelines and unit costs. All key priorities should be accompanied by **adequate justifications**. The document shared for public engagement is incomplete and **very weak on non-financial information**.

There are several budget-lines that lack details of the specific locations, the scope of works and unit costs. For example in the department of Education, under the programme Early Child Hood Education, there are budget lines amounting to Ksh. 72M marked as **'all wards'** e.g. *Construction of model ECDE centres in each sub-county (23 M), Equipping of ECDE classrooms (10 M), Supply of ECDE teaching and learning resources (7.5 M), Supply of ECDE stationery (7.5 M)*. **Without details of the project location, number of projects, unit cost and scope of work, how will the County Assembly and citizens monitor this budget line during implementation?** There is also a risk of duplication and diversion of funds since there several similar projects at the ward level.

Key Asks to the County Assembly of Baringo:

1. The County Assembly should demand for publishing of a **Programme Based Budget** in the format prescribed in law and in the **Baringo budget circular for MTEF period 2022/23-2024/25 dated 17th August 2022- paragraph 13- 15 and Annex 4A**.
2. In reviewing, amending and approving the budget estimates, the County Assembly should ensure that all budget lines are detailed enough to facilitate official and civilian oversight i.e. *with details of the specific project location, unit cost, scope of work etc.* Where need be, e.g. for county-wide programmes such as operationalization of the drilling rig, repair of boreholes, equipping of ECDEs etc., the approved budget should be accompanied by annexes of lists of *specific projects, the locations, amount allocated and the justification*.
3. The County Assembly should enforce the legal requirements for publishing and publicizing budget documents. As a matter of urgency, the County Budget Review and Outlook Paper 2020/21 and the County Fiscal Strategy Paper 2022 should be published.
4. The County Assembly Public Accounts and Investment Committee should conduct an audit of specific projects such as the Surgical Block at Baringo County Referral Hospital and other mega infrastructure projects in Marigat Sub-county Hospital and Kabartonjo sub-county hospital which have been funded year in year out, yet the citizens are yet to get the services.

6. OTHER SECTOR SPECIFIC RECOMMENDATIONS

Social Protection

- Monthly Grants and NHIF for elderly and PWDs currently benefiting 370 people should be increased from Ksh. 12.1 M to at least Ksh. 15 M - to benefit more people and pay **pending bills** to ensure that the health service are not interrupted. (In excel document one sheet speaks of 12 M another speaks of 15 M)
- Establishment of Gender Rescue Centre committed in the CIDP 2018-2022 and in the ADP 2022/23 (Page 258) is long over-due. **BACSO is concerned that there is no allocation to this project in the Budget Estimates 2022/23** despite the rise in the cases of SGBV in Baringo County.
- Funding to marking and celebration of international gender days needed e.g. *the International women's day , Zero tolerance against FGM, International Peace Day, International youth Day, Day of the African Child and the 16 days of activism against gender based violence that has within the campaign, international Aids Day, International Day for persons with Disability , Elimination of violence against Women and Girls*, all which **offer an opportunity to create awareness and sensitize the public on merging gender concerns**. Such activities have hitherto been funded by CSOs and the county needs to allocate a fund for the same for sustainability.
- While the citizens have variously prioritized youth, women and PWDs empowerment programmes i.e. *poultry project, galla goats, car wash, salon etc.*, most of these projects fail to achieve the intended objectives due to lack the requisite skills among the beneficiaries. Therefore in approving the budget, the county assembly should ensure that all social protection programmes are linked with the relevant departments **for sustainability** e.g. for poultry projects proposed in various wards should be linked to the department of livestock for **extension and veterinary services**, department of trade and industry for **enterprise training and market linkages** etc.

'Hiyo Project ilinyonya pesa zetu sana hadi tukaamua kugawana hao kuku, na wengine wetu walifika mahali wakaigive up.' a young lady in Eldama Ravine FGD on impact of county government social protection programmes

'When Government was designing this poultry project, did they ask questions such as do these groups have technical capacity to manage it, did they have shelter for the chicks , did they have the knowledge required, did they have feeds, d?' social development officer

Education and Vocational Training

- There is need to continue equipping Vocational Training Centres to improve the quality of training. The allocation of 12 M is too small specially noting that the collapse of the conditional grant **Rehabilitation of Village Polytechnics which Baringo had been receiving up to 35 M.**
- Staffing levels in VTCs and ECDEs should be enhanced- Recruitment of new ECDE teachers should give priority to individuals with expertise in special education to help cater for the interest of **special needs learning institutions** in the county,

Agriculture, Livestock and Fisheries

- BACSOF lauds the allocation to completion of flagship projects initiated to promote value addition i.e. Maoi Abattoir (11.5 M) and Eldama Ravine Milk Processing Plan (10 M) Cooling Plants and Tanneries and thus the County Assembly should interrogate the status of the project and adequacy of the allocations to **complete, equip and operationalize the project.**
- The county assembly should interrogate the value of budget allocation of Ksh. 5.5 M for acquisition of one vehicle to support extension services county-wide. BACSOF continues to recommend recruitment of **more extension officers**, availing at least a **motorbike each** and **facilitating their operations.**

Environment Protection and Natural Resources

- Sustainable development calls for environment protection and conservation. Therefore the allocation of Ksh. 1.5 M to protection of rivers and streams is too small considering the level of environment destruction in Baringo County.
- **The department targeted to increase tree and vegetation cover from 33% in 2018/19 to 39% in 2021/22.** In the Budget Estimates 2022/23 there is **no allocation to this end.**
- **Mainstreaming of green economy and climate change financing** – The allocation of Ksh. 12 M, to County Climate Change Fund (Financing climate change actions in the county), though little, is a good start. The County Assembly should seek details of the actions proposed.
- The allocation of Ksh. 22.5 M to emergency fund is too little given the magnitude of disruption of livelihoods brought about by disasters in Baringo County. ***What lessons are we picking from COVID-19 pandemic, the swelling of lakes, prolonged drought, floods and insecurity recently witnessed in Baringo County?***
- There is need for a rapid response initiative to support communities that were affected by swelling of Lake Baringo and Lake Borogea. This should include reconstruction or relocation of **Health Facilities, ECDE Centres and Water Sector Projects that submerged.** (*Lamalok, Chemoonge, Mbaricho, Lusua ECDE centres, Ngambo Health Centre, Loropil Water Pan, Sintaan Water Pan, Bunyaki Water Pan, Ngambo and Sintaan Well, Lobo Health Centre etc*)

Conclusion:

Submission of this memorandum to you is in good faith and in the best interest of the people of Baringo County. It is therefore our prayer that you deem it necessary to incorporate our recommendations in your review, amendment and approval of the Baringo County Budget Estimates 2022/23. Baringo County Civil Society Organizations Forum shall continue to support the County Assembly of Baringo in executing your budget oversight mandate through Civic Education, dissemination of budget information, monitoring of the budget processes and analysis of the Budget Documents and proffering of feedback.

Annex 1: List of participants in the BACSOF joint analysis of the Baringo County budget Estimates 2022/23 held on 4th April 2022 from 2.00 pm to 5.00 pm via ZOOM.

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