

REPUBLIC OF KENYA



THE PRESIDENCY

MINISTRY OF DEVOLUTION AND PLANNING

STATE DEPARTMENT OF PLANNING AND STATISTICS

**REPORT OF THE WORKSHOP ON CROSS-CUTTING ISSUES HELD AT
MACHAKOS UNIVERSITY COLLEGE, MACHAKOS, FROM 22ND TO 24TH JUNE,
2016.**



Participant during a workshop session

JUNE 2016

INTRODUCTION

The Ministry of Devolution and Planning through the department of Social and Governance organized for a three day workshop on cross-cutting issues namely disability mainstreaming, HIV/AIDS, drugs, alcohol and substance abuse, corruption and national values and principles of governance. The workshop was attended by officers from state departments, departments and units of the Ministry of Devolution and Planning (Annex 1).

OPENING REMARKS

The workshop was officially opened on Wednesday 22nd June 2016 at 9.00am by the representative director of Social and Governance department. He thanked members for attending thereby inviting them to briefly introduce themselves. The chair noted that cross-cutting issues touch all sectors of development, departments and units the officers work and therefore need to integrate them in every activity undertaken. It was further noted that the activities for the workshop are key issues in the ministry's PC targets.

The secretariat outlined the activities in the programme of the workshop which was adopted by the participants.

Organization of the Report

This report is organized in the order the session were handled from the first day. At the end of every topic, the report outlines the proceedings of the plenary discussions by the participants. Further notes are found in form of the soft copy of the PowerPoint presentations.

Day 1

Facilitators- Seline Okumu and Faith Mutegi from State Department of Special Programmes- Ministry of Devolution and Planning.

TOPIC 1: HIV/AIDS- Seline Okumu

The objective of the session were as follows:

- Describe the difference between HIV infection and AIDS
- Describe the progression of HIV
- Describe how HIV is spread
- Learn how to prevent and manage HIV/AIDS

Within these objectives, it was learnt that HIV is a germ causing AIDS. AIDS develops into three main stages namely the primary stage which normally takes 2 to 4 weeks, asymptomatic (clinical latency) stage in which latency virus is developing, and finally the symptomatic stage. AIDS is the late stage of HIV infection, when a person's immune system is severely damaged and has difficulty fighting diseases and certain cancers.

HIV/AIDS is mainly spread through sexual intercourse mainly the anal sex and multiple sexual partners, blood transfusion which according to WHO the spread has been minimized to between 5% and 10%, mother to child infection, sharing sharp objects and occupational exposure in which healthcare workers have the greatest risk for this type of HIV transmission.

Prevention methods on HIV/AIDS have in recent years moved to the top of the global HIV/AIDS agenda. It was learnt that the latest report by Michel Sidibe, Executive Director of UNAIDS, indicated that for every two people who start antiretroviral treatment, five are newly infected with HIV. Breaking this vicious cycle, totally dependent on prevention. Prevention methods used include the biomedical and behavioral/current method of prevention, ABC method, sober sex, sterile needles use, faithfulness, getting tested, pregnancy requirements, breastfeeding, and male circumcision, microbicides, PrEP, vaccines use, diaphragm and cervical barriers, ARTs and post exposure prophylaxis use. There was emphasis on use of condom; the reasons and myths. Some reasons included prevention of pregnancies, child spacing, prevent STIs and HIV, facilitates lubrication and stay longer. Myths on rejecting use of condoms include longer ejaculation, ignorance, myths of breaking, fail to buy, noise during sex and that one does not feel the wetness of sex.

PLENARY ON HIV/AIDS

During the plenary discussion, key issues were addressed from the arising questions. The following was noted from the discussion:

- Why is female condom expensive than male condom? It was responded that the female condom comes along with instructions on use and therefore it is sold as a package. It was also noted that female condom is involving in that its procedures of putting it on are involving and that it must take time, an average of 30 minutes to align to the body before use. A demonstration of putting on both condoms was done with involvement of members including the disposal mechanism.
- The cost of female condom is also associated with the branding such that there would not be fear in carrying it or purchasing it from the shop. (The content of

the package is not easily recognized). This condom cost is between Kshs. 150 and 200.

- Members brought out the issue of prostate cancer during the discussion on transmission in relation to medication. It was highlighted that the disease is associated with enlargement of prostate glands and have no relationship with failure to have sex.
- Members were informed that there are cases where partners live together with different status without transmitting the infections though this is a rare case.
- It was noted that condoms degradable and therefore if exposed to heat would cause expiry, wear and tear when used. This explains why it is not advisable to wear two condoms.
- Members were discouraged from putting on condoms in triple darkness- lights off, under blankets and closed eyes.
- It was observed that the prevention method involving abstinence has a challenge of the concept of spirituality.
- Concern was raised on how partners with different status/ infected get children. It was responded that they are able to get a child who is not infected though the timing is always given by the doctor depending on the level of CD4 count (done when the CD4 count is high preferably above 600).

TOPIC 2: PREVENTION OF ALCOHOL, DRUGS AND SUBSTANCE ABUSE- Faith Mutegi

The introduction on this topic started with a note that alcohol, drugs and substance abuse is a global threat and problem affecting development. In Kenya it cuts across all areas. Drug is any substance, when absorbed in the body of living organism alters feelings and bodily function and therefore consequences on individual behavior. A substance is naturally synthesized/manufactured product. Addiction is behavior gone wild. Substance abuse is recurrent to damaging consequences.

Drugs are classified into stimulants, depressants and hallucinogens. Within this classification, the commonly used drugs are:

- Alcohol. In children, alcohol could be a generational aspect and may start at any age.
- Tobacco.
- Marijuana and the methods of administration and the way carried out particularly in schools. This is the most addictive and rarely have consequences that involve death of the victim.
- Others include the painkillers, RX stimulants, cocaine, RX seductive, steroids and contraceptive, and heroin.

On the overall facts on prevention, it was noted that alcohol, drugs and substance abuse is a chosen behavior which is self-perpetuating, gradual, not addictive immediately and there is no clear moment when one is addicted. Whenever addiction sets in, the victim becomes dependent and therefore it is easier to back out of drugs earlier than later. Abstinence should be at the bottom of one's priority.

Drugs problems do not occur in isolation, addiction doesn't take life of their own and therefore addressing one system of drug problem is ineffective.

For adults, drug abuse occurs along with violence, elevated family discord, health problems, unemployment, poverty and financial problems, homelessness, crime, injury, child behavior, abuse and neglect, psychological and emotional problems.

On the key facts on prevention there is need for the effectiveness of the following:

- Unilateral intervention by & to family members,
- Motivational counselling and advice have all been shown to instigate change in seemingly unmotivated individuals."
- Self-motivation is central to prevention and intervention
- Developing a rewarding life that does not rely on drug use."
- Providing clear incentives for abstinence often yields rapid reductions in drug use.

PLENARY DISCUSSIONS

During the plenary discussion, the following was noted:

- Members wanted to know how a parent can note that a child is under influence of drugs and substance abuse. It was responded that most of the signs are observable and mostly involves changes in decency, behavior, becoming unfriendly with water, withdraw from people, irritable reactions though on this there is need to distinguish its social problems.
- There was a further discussion on understanding why marijuana is the most abused drug yet with no death effect to the victim. It was noted that the cost of marijuana is relatively cheap and that it can be taken in various forms which include dissolving in liquids, baking in cakes and cooking in food, smoking and chewing. This can lead to depression and hallucination but will rarely kill.
- It was observed that steroids and contraceptives could have extreme effect of interfering with the woman's reproductive system, which may make a woman fail to conceive. Particularly, steroids were cited to have extreme consequences of development of steroids.
- Members wanted to know where the facilitators were based and the nature and target population of their mandate. It was responded that the team is currently based in extelcom building, five floor RM 505. The team is employed to counsel public servants and those referred should have consented to having knowledge

in advance and willingness. There are no charges for civil servants though term and conditions apply.

DAY 2:

SESSION 1: UNDERSTANDING DISABILITY- Agnetta from NCPWD

The session started with an interactive session on individual understanding of one being normal. After the discussion, it was noted that there exists no standard to normalcy. Members were engaged on the various names their community use to refer persons with disability. It was clear that each name used has the negative perception towards the persons with disability. Members discovered that there has not been specific names used in different tribes to refer to person with albinism. Further, persons with disability were not regarded as people, particularly evidence in use of Kiswahili language.

Disability is the loss or limitation of opportunities to take part in society on an equal level with others due to social and environmental barriers. It is a physical, sensory, mental or other impairment (any loss to a bodily function) including any visual, hearing or physical incapability which impact on social, economic and environmental participation. According to the constitution of Kenya (2010), disability includes any physical, sensory, mental, psychological or other impairment, condition or illness that has, or is perceived by significant sectors of the community to have, a substantial or long term effect on an individual's ability to carry out ordinary day-to-day activities.

There are generally, there are three causes of disability namely accidents, illness and disability by birth. There is a difference between impairment and Disability. Impairment is loss/abnormality of bodily functions. Disability is interaction between impairment and environment in terms of barriers and perceptions.

During the presentation, members were taken through categories of impairment, types of disability and barriers preventing the full participation of persons with disability in social and civic life. The barriers include the environmental, institutional, attitudinal and inaccessible formats/modes of communication barriers. The most difficult barrier to deal with is attitudinal barrier including that from the persons with disability side.

It was emphasized the need to have officers knowledgeable in sign language for the persons who are deaf. Institutions need to put into consideration that sign language is the third language in the nation of Kenya.

It was learnt that disability is linked to poverty. Different approaches have been used in relation to persons with disability such as the era of gods, charity models (Victims of circumstance, deserving of pity and charity), medical model (viewed/ understood with reference to what is 'wrong': differ from the 'norm'), social model (Impairment described as being an individual/personal factor), and human rights approach or principles (rights-based discourse). View of the will of god, charity and medical model are exclusive while

the human-rights based approach and social model are inclusive, in terms of accommodating persons with disability in the environment.

Design-for all approach method is an all-inclusive concept used and includes making modes of communication and all buildings friendly and accessible by persons with disabilities. It is related to provision, accessibility and legislation/policy. The presentation included the sensitization on the NCPWDs programme areas which are registration of PWDs, National development funds for PWDs, disability mainstreaming, job placements, legal aid, sunscreen provision and support programme for persons with disability, facilitate tax exemption and import of vehicles, procurement in government for PWDs and sensitization; legal framework of international conventions and certain articles on disability; PWDs act which has 49 acts that are operational but now under review; and the constitution on disability issues.

Disability etiquette

These are the tips on interacting with Persons with Disabilities and the basics are:

- Ask before help
- Be sensitive to physical contact
- Don't make assumption,
- Respond graciously to requests,
- Think before you respond,
- Always put the person first.

Ten key messages on disability

- Disability is everyone's business.
- Persons with disabilities are not necessarily sick.
- Persons with disabilities have sex too.
- Access means more than ramps.
- Persons with disabilities want the same things in life that everyone wants.
- For persons with disabilities, prejudice can be the biggest barrier.
- Everywhere and always, persons with disabilities are entitled to self-determination, privacy, respect, and dignity.
- It is best and usually easy to mainstream health services that accommodate persons with disabilities.
- Persons with disabilities are a crucial constituency in all programmes.
- Programmes best suit persons with disabilities when persons with disabilities help to design them. "Nothing about us without us" is a key principle.

PLENARY DISCUSSION

During the plenary discussion of the session on disability, the following were noted:

- Members raised the concern on measures taken on the language (Kiswahili) used to refer to persons with disability. On this issue the council has sought to change the curriculum through KICD as well as doing the mainstreaming on the matter.
- Concern was raised on what the council is doing for persons with disability a lesson drawn from the street family rehabilitation fund programme. There was found need to explore the idea and find ways of better dealing with the persons with disability particularly those in urban centers.
- Question was raised on the classification and treatment of people with visual impairment and other terminal illness that may not necessarily have visible body challenge. It was clarified that the council classify the magnitude of disability and that disability is classified into two namely the temporary and the permanent disability. Some of the disability are classified as intellectual disability such as Down syndrome etc.
- Members were informed that persons with short stature- below 4 feet 10 inches are classified as persons with disability. Other challenges such as slow learners or any other need to be examined and the council will appropriately advise.
- It was noted that the council need to intensify sensitization and awareness to the public since many do not understand most issues of disability and the help they can get.
- There is tax exemption for persons with disability with the approval of the council.
- Concerns of giving to persons with disability in the streets was raised since many believed that this is done for business purposes. It was advised that there are institutions dealing with issues of disability and have the information on who is genuinely deserving. It was advised that giving to the PWDs in the streets encourages the persons to continue with the habit and as such people should refrain from giving. Better ways of giving is through identified organization for persons with disability such as children homes etc.
- Members raised the issue of allocation of funds for PWDs and it was noted that the impact of the fund has but not felt. It was responded that the funds are given to registered groups of persons with disability though the council has no mandate to prosecute until the underway bill is effective.
- The council seems concerned with urban areas and less in rural area. It was responded that the council has offices in every county with average of 4-5 officers and works with the ministry of labor and therefore the concentration is uniform.
- Members wanted to know what the council was doing for the rising number of PWDs in the streets. It was found out that there exists a law gap that make persons get in streets.

- A member noted that the ministry had written to the council to do disability environment audit to the ministry environment but there has not been response to date. The facilitator promised to take the matter and follow up.
- Why the council is more concerned with the construction of public building as opposed to private structures. It was responded that the government signed law on the establishing of structure friendly to persons with disability but it should be noted that the law is crosscutting.
- Members raised the concern that in as much as the officers are sensitized on disability, PWDs should also be sensitized since many are aggressive in character. This was taken up as a way forward but it was noted that they could be aggressive as a mechanism of defense owing to the environment they found from childhood/ time of the challenge. It was found important to treat persons with disability like any other person right from the childhood. However, it was noted that people take advantage of PWDs and this should be shunned.
- Discussion why most of the PWDs are of single mothers. It was found out during the discussion that men will draw away from association.
- Members discussed the difficulties of accepting persons with disability and cited the example of one marrying a person with disability. How should the parents react? There should be equal treatment to all persons.
- Members wanted to know the treatment in terms of law for person who become challenges in the course of the duty and probably incapacitated and how to treat them in terms of rank. It was responded that on severe cases the individual retires on medical ground otherwise a right not to be dismissed. Related to this issue was the case of indiscipline of officers where it was reported that the officer is counselled or dismissed from the service (new human resource policy and procedure) owing to pressure of public interest.
- It was noted that there should be a clear identified platforms where officers could be disclosing to their seniors of the environment surrounding them (disability related) since officers may fail in duty because of the challenges they face either directly or indirectly.
- There was a question of the effectiveness of the counseling officers in the place of work particularly in the ministry. It was responded that the officers are available but there is need to sensitize officers on the availability and services of the counseling officers in the ministry.
- The participants were informed that there is assistive device for the blind when using the computer and consultation should be made to Africa braille center located in Nairobi West.



Facilitator delivering a presentation on understanding disability

SESSION 2: CROSS-CUTTING ISSUES AND PC TARGET AND REPORTING- Douglas Manyara

Participants engaged on the best ways to ensure improvement in realizing the targets on cross-cutting issues in the performance contracting. There was identified key challenges to realizing the targets in the performance contracting, which when dealt with, the process would be efficient and effective. Following issues were identified and the consequent solutions were proposed by the officers as follows:

- There has not been specific officer in the ministry spearheading HIV issues as it used to previously be. Consequently, there has not been an independent office whose main duty is counselling and procurement of the related HIV item. The challenge was addressed and the solution was identified to be exploring the possibility of outsourcing the officer from within the ministry, preferably within the Department of Planning and Statistics. There is need to reactivate the unit of HIV/AIDS and its mandate allocated to one officer who will be all round in handling policy matters of HIV.
- There need to be taken strict measures on meeting attendance for all the cross-cutting issues since there has not been quorum in previous meetings. There should be call for change of actions by the ministry officers to becoming more dedicated to this mandate assigned.

- The matter of the budget allocation on these issues was found to be a great challenge. It was agreed that the matter be taken up and engage the Principal Secretary. A formal reference letter on this challenge should be done before the start of the next financial year.
- Noted that the units/department in rented premises have not been able to carry out the activity on condom distribution. It was proposed that the lead officers on HIV issues to get in touch with the committee member in charge of condom distribution from the ministry.
- Members proposed that the target group on cross-cutting issues committee meetings to include all the cadre of staff in order to facilitate inclusive approach and improve the attendance.
- The participants proposed that in order to realize the PC target on numbers who are sensitized, the activity should include sensitization days for staff members, staff and their spouses and children of the staff.
- There is need to explore the possibility of including secretaries, technical staff, accountants and support staff in nomination letters appointing committee members on cross-cutting issues in various department. This will need further consideration to avoid duplication between the ministerial and sub-committee activities, and having too large committees.
- Since most of the cross-cutting issues do not have a budget line, it was proposed that activities on these issues be combined.
- Disability mainstreaming secretariat had sent forms on person with disabilities assessment which are yet to be received back. Participants were encouraged to ensure that filled forms are returned to the secretariat.

DAY 3: UNDERSTANDING NATIONAL VALUES AND PRINCIPLES OF GOVERNANCE-ARTICLE 10(2) OF THE CONSTITUTION

Facilitators: Directorate of National Cohesion and National Value

Participants were informed that the directorates was in the previous Ministry of Justice, National Cohesion and Constitutional Affairs but now Directorate of National Cohesion and National Values under the Ministry of Interior and Coordination of National Government. The directorate to be moved to the executive office of president effective July 2016.

The overview of the presentation was:

- Definition of key terms.
- Categories of values.
- The Constitutional provisions on National Values.
- National Values and Principles {Article 10 (2)}.
- Role of Ministries, Departments and Agencies (MDAs) in the promotion of National Values.

Values are important and lasting beliefs or ideals shared by the members of a culture about what is good or bad and desirable or undesirable. National Values are beliefs of a nation guiding the actions and behavior of its citizens. Principles of Governance are principles that oblige the state to perform its functions in a manner that promotes the general well-being of its people.

Values are categorized into seven namely:

1. **Individual/ Personal Values:** Honesty, hard work, cleanliness, self-discipline.
2. **Family Values:** Passed to children and youth by parents e.g. obedience, honesty, hard work, respect.
3. **Cultural/ Communal/ Societal Values:** Respect of elders, love, hard work, honesty.
4. **Religious/ Spiritual Values:** Righteousness, humility, peace, chastity, faithfulness.
5. **Institutional/ Organisational Values:** Core Values e.g. Customer focus, integrity, professionalism, transparency and accountability, teamwork.
6. **Public Service Values and Principles:** Article 232(1) of the Constitution, and
7. **National Values and Principles of Governance:** Are a summary of all Values and are 17 {Article 10(2)}.

Participants were taken through the constitutional provision on national value and national values and principles of governance found in Article 10 (2) of the constitution of Kenya. The article highlights the following National Values and Principles of Governance:

- a. Patriotism, National Unity, Sharing and Devolution of power, The rule of law, Democracy, Participation of the people;

- b. Human dignity, Equity, Social justice, Inclusiveness, Equality, Human rights, Non-discrimination, Protection of the marginalized
- c. Good governance, Integrity, Transparency, Accountability; and
- d. Sustainable development.

Parts (a) and (b) highlights the national values while parts (c) and (d) highlights the principles of governance.

Role of Ministries, Departments and Agencies (MDAs) in the promotion of National Values

The role of MDAs in the promotion of National Values include:

1. Submission of reports for the preparation of the Annual President's Reports on National Values.
2. Mainstreaming issues on National Cohesion and National Values issues into the performance contracting systems.
3. Aligning policy and legal frameworks to Article 10 of the Constitution.
4. Capacity building of Officers and Staff on the provisions of Articles 10, 132 and 232 of the Constitution.
5. Aligning the Customer Service Delivery Charters to Article 10 of the Constitution.
6. Dissemination of copies of Sessional Paper No. 8 of 2013 on National Values and Principles of Governance and the 2013, 2014 and 2015 Annual President's Reports.
7. Recognition, honouring, rewarding and celebration of staff who are exemplary values carriers and drivers in the institutions.
8. Fair administrative and civil actions like warnings, suspensions, interdictions for staff who violate the provisions of Article 10.
9. Operationalisation and strengthening of National Values and Principles of Governance compliance Committees internally to: mainstream; promote; monitor and evaluate National Values Programmes, Projects and Activities in the institutions.
10. Liaising with the Directorate of National Cohesion and National Values for experience sharing on matters of mainstreaming and reporting on National Values.

Understanding National Cohesion and Integration

Participants were taken through concepts of national cohesion and integration. The session did focus on definition of national cohesion and associated terms, attempts made towards national cohesion in Kenya, indicators of a cohesive society, benefits of a cohesive society, political, economic and social challenges to national cohesion and integration, and interventions for promoting national cohesion after PEV.

Plenary Discussion on National Cohesion, National Values and Integration

During the plenary discussion, the following were raised:

- Participants needed a guidance on national values target reporting during the PC. Facilitators noted that there needs some guidelines on the reporting since it has always been a challenge to measure and prove the realization of specific target. The directorate of national cohesion informed that there are guidelines being developed and will be shared once the process is complete.
- Members requested to know difference between social justice and equity. It was noted that some of the values are difficult to differentiate since they are cross-cutting. However, efforts should be made when pictures are used to capture each value.
- Participants proposed that there need to ensure fair ways of promoting the value of equality in appointment. There is need to explore on the intersection in gender, geographical endowment and deliverables realized.
- Members felt that the presidential address to the nation has been viewed to be more economic development rather than focusing on the values. However, it was noted that the values are inclusive of development and cannot be explained without economic development. Development and the values are interlinked. In the public service, these values are realized in aspects such as the length for the determination of indiscipline cases for public servants which has now been reduced to six months from two years.
- Participants were encouraged to fully understand the national values and principles of governance particularly to understand their entitlement in various case such as encounter with security forces, an area that members felt there has been gross violation of the values.
- It was noted that though challenges exist when reporting the targets of national values, it is important for the ministry/department/agency to recognize whether they are developing the values, implementing or reviewing.
- During the discussion, it was identified that citizens mostly come together during time of tragedy and difficulties, save recreation, a situation that each person should endeavor to change.
- National cohesion challenges were identified to have mostly emanated from parenting and therefore children should be taught on the values right from the childhood.
- It was cited that there was a report previously done by EACC on corruption in government offices. The findings were that that 60% of government officials are corrupt and only 10% are clean. In between another category there a category of 30% who given the opportunity would participate in corruption. The 60% will report to work to look for opportunities to steal.

- Participants were encouraged to access the information act of April 2016 on transparency and accountability and the sessional papers on national values and national cohesion.

Closure

The workshop was officially closed at 12.30pm on Friday 24th 2016. The chair thanked all the participants for their active participation.

Report by:
NaftalyNg'ang'a.

Annex 1
(List of participants)

Annex 2:



Participants in a session.

