



REPUBLIC OF KENYA

**SECTOR PLAN
FOR
DEVOLUTION
2013 – 2017**

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FOREWORD

During preparation of the Second Medium Term Plan 2013-17, a total of nineteen medium term plan sector working groups and three thematic working groups were formed to prepare detailed sector plans which were used as background documents in preparing the second MTP 2013-17. One of the sector Plans was on devolution which is considered critical for the country's enhanced economic performance over the next five years and beyond arising from its role in unleashing economic potentials of counties.

In order for devolution to work, there will be need for the Constitution (Chapter 11) and the key devolution laws to be effectively implemented. The laws include: County Government Act 2012; Urban Areas and Cities Act 2011; Inter-governmental relations Act 2012; Transition to devolved government Act 2012; and Public Finance Management Act 2012. In addition to these basic legislations, other sector specific laws will be useful in ensuring that devolution issues are properly addressed within the sectors. Also county governments will be expected to enact laws that are relevant to their situations including some to cater for revenue generation and utilization.

In the operationalisation of devolution, there will be need for the process to be properly managed to ensure smooth transition as well as prevent disruption of ongoing development activities at county levels. Conflicts are likely to arise due to resource allocation and utilization concerns; politics; and misinterpretation of mandates for national and county institutions based at county levels. As such, the State Department for Devolution which is one of the two main State Departments in the Ministry of Devolution and Planning will take charge and ensure that such issues are properly handled so as to minimize conflicts, and foster unity.

The Sector Plan has taken on board key issues and priorities outlined in the Manifesto of the Jubilee Government and all issues raised by citizens during county consultation forums which captured views and priorities of Kenyans at the grass roots and local levels.

It is expected that the Transition Authority (TA) will expedite unbundling of functions and ensure that they are transferred to county government in a timely manner as per the provisions of the Constitution. Where there are disputes, the Ministry will work jointly with TA and other relevant MDAs to ameliorate the situation.

This sector plan will also be subjected to Monitoring and Evaluation to ensure that it's effectively implemented and results are not only realized but also demonstrated to the wider citizenry. As such an M & E framework for the sector will be developed and utilized to inform the sectors performance.



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PREFACE

This Devolution Sector Plan has been prepared through a participatory and inclusive process involving representatives from the government, development partners, private sector, NGOs, civil society, faith based organizations, professional associations, research institutions, and organizations representing women and youth, among many others. The Devolution Sector Plan was prepared as an input into the Medium Term Plan 2013-17 alongside other Sector Plans an elaborate consultative process involving all stakeholders. A number of meetings were held at the former Ministry of Local Government Boardroom to initiate and discuss the Terms of Reference and chapter drafts as they emerged.

The technical committee for the preparation of the devolution sector plan held two workshops at Machakos which came up with first and final drafts. The drafts were then subjected to validation meetings in the Boardroom, before being finalized and forwarded to the Ministry of Planning, National Development and Vision 2030 for incorporation into the Medium Term Plan 2013-2017. The sector plan was captured in the MTP II under the Political Pillar as one of the key issues addressed therein, the other one being Governance.

The Sector Plan has sufficiently addressed the following issues: Capacity Building, Civic Education and technical Support for devolution; Change management; policy/ legal support to devolution; Human Resource Management and Development; Resource mobilization and Financial Management Issues; County Infrastructure; and Performance management among others. An implementation matrix has also been provided for purposes of guiding and tracking performance.

The Devolution sector will require continued support from all stakeholders including other government ministries and departments, the private sector, development partners, civil society and the wider public to achieve the goals of this plan. I am hopeful that with the contribution of all stakeholders, the sector will realize its main vision of 'making devolution work'.

We acknowledge the support given to the drafting team by the former Permanent Secretary, Prof. Karega Mutahi, as the chair of the Technical Working Group. The work of all the other permanent secretaries, who were members of the Group, some through representations, is also highly appreciated. Development partners who also participated in the work among them UNDP, World Bank, and European Union are also highly appreciated.

Finally, we acknowledge the work of the technical team led by Mr. James Mwanzia, Chief Economist, and the final technical editorial work by Messrs: Peter Kamau, Regina Waitthaka, Kevin Njuki, Mwendu Mwendwa (KIPPRA), and Joyce Deloge (UNDP). Since it is not possible to list the names of all those who contributed in one way or the other to the preparation of this sector plan, we urge that you accept our appreciation of your efforts and more importantly request for your support in the implementation of the Plan.



Ms. Mwanamaka A. Mabruki
Principal Secretary
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Ministry of Devolution and Planning

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LIST OF ABBREVIATIONS

AG	Attorney General
CEAP	County Environment Action Planning
CPSB	County Public Service Board
CG	County Government
CIC	Commission on Implementation of the Constitution
CoK	Constitution of Kenya
CRA	Commission on Revenue Allocation
DPSM	Directorate of Public Service Management
EMCA	Environmental Management and Coordination Act
IEBC	Independent Electoral and Boundary Commission
ITC	Intergovernmental Technical committee
KNBS	Kenya National Bureau of Statistics
KSG	Kenya School of Government
MED	Monitoring and Evaluation Directorate
MDAs	Ministries, Departments and Agencies
MoDP	Ministry of Devolution and Planning
MoEW&NR	Ministry of Environment, Water and Natural Resources
MoLHUD	Ministry of Lands, Housing, and Urban Development
MoIC	Ministry of Information and Communication
MTP	Medium Term Plan
NACADA	National Authority for the Campaign Against Alcohol and Drug Abuse
NACC	National AIDS Control Council
NESC	National Economic and Social Council
NLC	National Land Commission
NIMES	National Integrated Monitoring and Evaluation System
NT	National Treasury
PC	Performance Contract
PSC (K)	Public Service Commission (K)
RBM	Results Based Management
TA	Transition Authority
TFDG	Task Force on Devolved Government
RDA	Regional Development Agency

EXECUTIVE SUMMARY

The Constitution of Kenya 2010 has restructured the country's governance hierarchy by providing two levels of government; national government and county governments. The Governments' are distinct and interdependent and conduct their mutual relations on the basis of consultation and cooperation. The Constitution, in Article 10 (2), prescribes the national values and principles of governance which include sharing and devolution of power. The objects of devolution that are outlined in Article 174 provide a basis for Kenya's system of devolved government and the framework pursuant to which the relevant laws for the operationalization of county governments have been developed.

Kenya Vision 2030 envisages a globally competitive economy, democratic process in decision-making, more equitable allocation and distribution of resources and a high quality of life for all Kenyans. In order to achieve the Vision, the Second Medium Term Plan of the Kenya Vision 2030 has prioritized several issues, including youth employment, poverty reduction and inequality, improvement in provision of social services, improved agricultural production and food security, improved environmental management, enhanced savings, investment and export growth as well as improved county economies. The county economies are expected to enhance economic growth through higher participation of all citizens in economic activities as envisaged in the Constitution of Kenya 2010. The Devolution Sector intends to achieve this specifically by implementing the proposed sectoral interventions at the county level.

County governments are, therefore, expected to play a pivotal role in planning and implementation of projects and programmes that are aimed at translating national goals and aspirations into highly productive ventures. Of key importance is the enactment and enforcement of supportive legislations, creation of strong governance institutions, allocation of adequate budgetary resources, and enhancement of human and technical capacities in all Counties. The overall goal of devolution is to empower citizens to exercise their democratic rights both at national and county levels in order to realize social, political and economic development.

During the Second MTP period, citizens will be continuously engaged in development discourse through Civic Education and Capacity Building programmes spearheaded by MDAs and all other key stakeholders with a view to empowering them to exercise their democratic rights both at national and county levels. This will lead to realization of social, political and economic development both within the county and the country.

The most important function of the sector is to ensure that the Constitution of Kenya is effectively implemented as well as all the county laws including; The County Government Act 2012; Urban Areas and Cities Act 2011; Intergovernmental Relations Act 2012; Transition to Devolved Government Act 2012; and Public Finance Management Act 2012. Other important legislations will be enacted especially to cover devolved functions under schedule 4 of the Constitution. The sector Plan will pursue a strategy of ensuring the devolved system of Government Works.

The sector will focus more on:

- i). Establishment and operationalisation of County Government through implementation of the County Government Act 2012
- ii). Establishment and operationalisation of Urban Areas and Cities through the Urban Areas and Cities Act 2012
- iii). Ensuring proper cooperation, consultations and dispute resolution between the two levels of governments and within the county governments themselves through implementation of the Intergovernmental relations Act 2012.
- iv). Enhancing management of transition to devolved government through implementation of the

Transition to Devolved Government Act 2012

- v). Prudent management of public finances through implementation of the PFM Act 2012
- vi). Facilitate provision of public services by national government by ensuring that the National Government Coordination Act 2012 is properly implemented

In the new dispensation, there will also be regional integrated plans for programmes/projects transcending several counties as well as the County Integrated Development Plans. All county Governments will be expected to develop these plans and more so the CIDPs which are the basis for them to be allocated resources by the National Treasury. The Constitution provides that at least 15% of the nationally raised revenue shall be shared among the 47 counties. CRA has developed a formula on recommendations for both the vertical and horizontal sharing of revenue.

The devolution process is characterized by a number of challenges that the sector will have to address. The legal and institutional framework in place may pose implementation challenges some of which are highlighted below:

- a). Concurrent functions are likely to present conflicts in terms of interpretation of mandates. There may be need for policy and legal guidance in this regard;
- b). Devolution represents a major paradigm shift in the governance system and many people, including public sector employees, may resist change, thus, presenting obstacles to the implementation of devolution; and
- c). The current legislative and institutional framework may have some gaps especially because regulations intended to operationalise key laws are yet to be approved.
- d). Funding of county governments may prove to be a challenge given the enormous resources required at the start

In respect to human resource management and civic awareness the following emerging issues and challenges are also envisaged:

- a). How to deal with any excess staff after rationalization in both levels of governments;
- b). Financial implications of early, voluntary and compulsory retirement if necessary;
- c). Unclear reporting system in execution of mandates given the distinctiveness and interdependence of governments as well as the need for mutual communication, consultation and cooperation;
- d). Initial Capacity gaps of staff in county Public Service;
- e). Low levels of awareness of the devolved system of governance in both the public sector and the general public

In spite of these challenges, the devolved system of government is expected to function properly and to lead to higher socio-economic development for the country as a whole.

1 INTRODUCTION

The First Constitution of Kenya was quasi-federal and supported a fairly elaborate decentralized system of government. However through numerous amendments, of the Constitution Kenya's system of governance evolved into a highly centralized system of government. Limited delegation of authority by the Central Government, to non-executive local authorities became the norm, and thus Local Authorities (LAs) assumed special importance in running the affairs of the country. It was envisioned that this arrangement would avail to Kenyans proximate access to basic goods and services by the citizens. Despite these good intentions, however, LAs, and other deconcentrated and supported central government organs were unable to efficiently and effectively deliver services to the people. This, along with other considerations such as the people's right to manage and contribute to their own affairs and to further their development, led to the agitation for a new constitution particularly in early 1990's. Kenyans' continued to fight for a devolved system of government, which was seen as capable of contributing to the enhancement of service delivery and citizens' participation in governance, and, therefore, an improvement of people's welfare. It is within this context that the Constitution of Kenya 2010 came to fruition. The Constitution restructured the existing governance hierarchy by providing two levels of government; national government and county governments, which are distinct but interdependent.

The Constitution, in Article 10 (2), prescribes the national values and principles of governance which include sharing and devolution of power. The objects of devolution that are outlined in Article 174 provide the basis for Kenya's system of devolved government and the framework pursuant to which the relevant laws for the operationalization of county governments have been developed. These principles include:

- Promotion of democratic and accountable exercise of power;
- Fostering of national unity by recognizing diversity;
- Giving powers of self-governance to the people and the enhancing of participation of the people in the exercise of the powers of the state and in making of decisions affecting them;
- Recognition of the right of communities to manage their own affairs and to further their development;
- Protection and promotion of the interests and rights of minorities and marginalized communities;
- Promotion of social and economic development and the provision of proximate, easily accessible services throughout Kenya;
- Facilitation of the decentralization of state organs, their functions and services from the capital of Kenya; and
- Enhancement of checks and balances and separation of powers.

The Government, through, the Ministry of Local Government, commissioned the Task Force on Devolved Government (TFDG) and the Steering Committee in October 2010. Their mandate was to advise the Government on policy and legal frameworks for devolving resources and responsibilities to the people of Kenya for effective local development. The Report by the Task Force describes Kenya's form of devolution as one that "creates a system that combines a measure of autonomy and inter-dependence, leading to a cooperative system of devolved government that assigns each level of government exclusive and concurrent functions as per article 186 and schedule 4 of the constitution, thus, establishing mandates for each level of government".

Kenya Vision 2030 envisages a globally competitive economy, democratic process in decision-making, more equitable allocation and distribution of resources and a high quality of life for all Kenyans. In order

to achieve the Vision, the Second Medium Term Plan of the Kenya Vision 2030 has prioritized several issues, including youth employment, poverty reduction and inequality, improvement in provision of social services, improved agricultural production and food security, improved environmental management, enhanced savings, investment and export growth as well as improved county economies. Other key priorities include implementation of high impact flagship projects, improvement in the security situation, promotion of national values and ethics and implementation of the Constitution. The Devolution Sector intends to achieve the Vision specifically by implementing the proposed sectoral interventions at the county level.

The County governments are, therefore, expected to play a pivotal role in planning and implementation of projects and programmes that are aimed at translating these national goals and aspirations into highly productive ventures. Of key importance is the enactment and enforcement of supportive legislations, creation of strong governance institutions, allocation of adequate budgetary resources, and enhancement of human and technical capacities in all Counties. This is the first time that the Devolution Sector has been created in Kenya for the purposes of budgetary planning hence, its dedicated chapter in the Second MTP. It is, therefore, important to ensure that during the Second MTP period, citizens are informed properly through civic education and the devolution process is accorded the necessary political good will from all players at National and County levels. The overall goal of devolution is to empower citizens to exercise their democratic rights both at national and county levels in order to realize social, political and economic development.

2 SITUATIONAL ANALYSIS

This section provides information on the extent to which decentralization has been operationalized, both prior to and post promulgation of the Constitution in 2010. In the First Medium Term Plan of the Kenya Vision 2030, there was no Devolution Sector even though issues concerning decentralization were addressed in various sections of the document. In the Second Medium Term Plan 2013 – 2017, as stated above, a major section of the Chapter on political Pillar has been devoted to devolution issues due to the critical role this will play in national development.

2.1 Legal and Institutional Framework

Prior to the promulgation of the Constitution, on August 2010, Kenya's administrative structure was of a highly centralized system of government consisting of some decentralized units. At the center were Government Ministries, Departments and Agencies (MDA's), Provincial Administrative Units and Local Authorities. In order to enhance governance, and to strengthen institutional capacity that would lead to satisfactory delivery of services, Kenyans' agitated for constitutional changes which culminated in the adoption of the new system of devolved government in the Constitution.

Following the work of the TFDG and the Steering Committee, and subsequent thereto, several policies, legal and institutional measures were undertaken to operationalize and implement devolution. They include:

- Preparation of a report on the Implementation of Devolved Government in Kenya (2011);
- Formulation of a Policy Paper on Implementation of Devolution under the Constitution of Kenya 2010;
- Enactment of key laws needed to operationalise devolution namely: Urban Areas and Cities Act, 2011; The County Governments Act, 2012; The Transition to Devolved Government Act, 2012; The Intergovernmental Relations Act, 2012; The Public Finance Management Act, 2012; and County Government Act, 2012.
- Enactment of other relevant laws in the different sectors to support implementation and operationalization of devolution including the National Government Coordinating Act 2012 is also being undertaken;
- Establishment of the Transition Authority (TA), as provided for by the Transition to Devolved Government Act 2012, to coordinate and facilitate the process of transitioning to the new system of government; and
- Establishment of several institutions at the national level, to support implementation of the new system of government, amongst them the Commission on Implementation of the Constitution (CIC) and the Commission on Revenue Allocation (CRA).

Implementation of the devolved system of government requires a well thought out road map if Kenyans are to fully benefit from the opportunities availed by the Constitution. It was imperative that a legal framework be put in place to facilitate a smooth transition. The initial five devolution laws that were enacted are meant to address devolution and transitional issues identified as key for the proper functioning of a devolved system.

i. County Governments

The governments of Kenya at the national and county levels are distinct and interdependent and shall conduct their mutual relations on the basis of consultation and cooperation. Therefore both arms of government need each other in order to successfully undertake their Constitutional mandates. There is need to ensure clarity in the understanding of the powers, functions and responsibilities for the County

Governments to minimize interruption in service delivery. There ought to be a mechanism to establish county level structures that will facilitate proper functioning of County Governments. The structures put in place must entrench public participation as required by the Constitution. It is therefore imperative that citizens are fully engaged in the decision making process.

The County Governments Act 2012 was created and passed in a bid to contextualize Chapter Eleven of the Constitution and provide functions, responsibilities and powers to the County Governments. The Act is detailed in the intuitions that shall be present in the county governments, the planning structures that will be employed by the county governments and the mandates when building human resource capacity.

County Governments are composed of the County Executive Committee and County Assemblies. The County Executive Committee is expected to supervise county administration and delivery of services to citizens. It will conceptualize and implement policies and county legislation. The County Assembly is a legislative organ and will play an oversight role over all County public institutions including urban areas and cities within the county. It will approve County Government policies, budget outlook paper, and Budget Estimates, review the County Fiscal Strategy Paper, and vet officers nominated by the Governor.

ii. Urban Areas and Cities

Urban areas and cities have been identified as engines of growth. For example, national statistics indicate that Nairobi contributes between 40-50 per cent of the Country's GDP while all the other urban areas combined produce nearly three quarters of Kenya's total wealth. The management of urban areas and cities has experienced major challenges in the past, with politics taking centre stage at the expense of service delivery. Consequently, the Urban Areas and Cities Act, 2011 provides a legislative framework for classification of areas as cities, municipalities or towns and prescribes appropriate governance structures. It sets the criteria for conferment of status of towns, municipalities and cities. Under this Act, we now have three cities namely, Nairobi, Mombasa and Kisumu. Special Cities, may, however, be established such as the proposed Konza Techno City. Further, out of the current 46 municipalities only Nakuru and Eldoret qualify to hold the said status. The management of cities, municipalities and towns is vested in the County Governments. The previous municipal and county Councils ceased to exist once the County Government Act 2012, which repeals the Local Government Act Cap 265 establishing them, came to effect after March 4th 2013 general elections.

Under the new dispensation, the management of cities and municipalities will be by management boards comprising of professionals, the private sector and neighborhood associations while the towns will be managed through town committees nominated by the Governor and approved by the County Assembly. This is a departure from the previous management system where elected leaders interfered with the management affairs of urban areas with no due consideration to professionalism.

iii. Intergovernmental Relations:

The two levels of government are not subordinate to each other. They are distinct and interdependent and are expected to conduct their affairs on a mutual basis based on consultation and cooperation (Article 6(2), of Constitution. The Intergovernmental Relations Act, 2012 provides a framework for cooperation, consultations and dispute resolution between the two levels of governments and the county governments themselves. The National and County Government Coordinating Summit ('The Summit') is the apex body. It comprises of the President, the Deputy President and the 47 County Governors. On the other hand, the Council of County Governors provides a platform for consultation and sharing experiences among County Governments. There will also be an Intergovernmental Technical Committee (ITC), which will be responsible for facilitation and implementation of decisions of the Summit and the Council. The ITC shall take over the residual functions of the TA once the latter is dissolved after the 3 year transition period.

Parliament, which comprises the National Assembly and the Senate, shall, also, play a key role in intergovernmental relations. The National Assembly will represent the people at the constituencies and deliberate on and resolve emerging issues. The Senate will represent the Counties and protect their interest.

iv. Management of the Transition

The Devolved system of government is a major departure from the current centralized system which Kenyans have been accustomed to over the years. There is limited knowledge on how the new system will operate in addition to several transition issues that need to be addressed. Key amongst these is ensuring that county governments have the capacity to competently undertake all their functions, as they progressively get allocated to them by the Transition Authority in line with the Constitution.

The Transition to Devolved Government Act 2012 establishes the Transition Authority whose overall mandate is to facilitate the realization of a devolved system of government through effective and efficient coordination of the transition process. The process will however be subject to the interests of the government expected to be in place by March 4th, 2013.

v. County Public Finance Management.

Management of public finances must adhere to the principles of prudent management of public resources as set out in Article 201 of the Constitution. These principles apply at both national and county governments. Prudent management of public finances will ensure that Counties operate optimally and effectively in order to deliver quality services to the people.

The Public Finance Management Act 2012 provides a framework for effective management of public finances. It provides for the oversight responsibility of Parliament and the County Assembly and the different responsibilities of Government entities on issues related to public finance. The oversight on County Government spending will be provided by Controller of Budget and Auditor General through the State Department responsible for devolution and the Treasury will provide oversight on some of the key financial management issues.

vi. Provision of National Government services at the National and County Levels

The distribution of functions between the National and County Governments as provided for in the Fourth Schedule of the Constitution provides a clear delineation between the functions and responsibilities that are to be undertaken by the National and County Governments respectively. Arising from this, the National Government Coordination Act 2012 was enacted to facilitate the delivery of services by the National Government.

The National Government Coordination Act 2012 is meant to facilitate the exercise of executive authority as provided for under Article 131 and Article 132, of the Constitution, and to ensure effective coordination of national government functions. It also establishes an administrative institutional framework for efficient and effective provision of national government services. This, though not a purely devolution law, ensures clarity in the mandate of national and governments administrative functions.

2.2 Human Resource Management, Capacity Development and Civic Awareness

There are currently several cadres of government / public officers deployed in the Provincial and District offices as well as in LAs, the various boards and state corporations who are performing functions that have been devolved to county governments. The functions of county government, according to Section 5 of the County Governments Act, 2012, includes among other things, establishment and staffing of its public service Departments as mandated by Article 235 of the Constitution. Each county government

will have its own Public Service Board for purposes of human resource management.

Human resource audits to identify skills for redeployment in the counties have been carried out by the TA in Phase One of the transition period with the aim of assisting counties to staff their establishments particularly with regard to establishment and abolition of offices and appointment of persons to those offices. The current Public Service Code of Regulations has been reviewed to reflect requirements of the new Constitution. A report on structuring of county governments has been prepared and will provide job descriptions and specifications for key positions in their management.

The following general principles apply to all levels of government:

- Recruitment and placement based on the needs of the service;
- Objective, fair and competitive recruitment criteria;
- Results based performance management and evaluation systems;
- Fair and consistent disciplinary processes; and
- Fair remuneration, pensions and other terminal benefits.

i. Staffing and Capacity Development of County Governments

The Constitution of Kenya 2010 Article 235 (1) states that a “A county government is responsible, within a framework of uniform norms and standards prescribed by an Act of Parliament, for–

1. Establishing and abolishing offices in its public service;
2. Appointing persons to hold or act in those offices, and confirming appointments; and
3. Exercising disciplinary control over and removing persons holding or acting in those offices.

(2) Clause (1) shall not apply to any office or position subject to the Teachers Service Commission.

The County Public Service Board will take over the responsibilities that were hitherto performed by Public Service Commission (PSC) in respect of the County Governments (Article 235) which states that the PSC may, pursuant to Article 234 (2) (i) hear and determine appeals in respect of County Governments’ public service. Members of the Public Service Board will be appointed by the County Governor with the approval of the County Assembly and should be representative of the diverse communities in the County including professionals. The re-orientation of public officers that will be recruited or seconded to county governments will need to ensure that there are no skill gaps in the undertaking of functions by county governments.

ii. Civic awareness

The level of awareness on devolution is still low both in the public service and among the general public. There is need to ensure that public officers and the general public are adequately informed of devolution and its implementation through Civic Education.

2.3 Integrated Development Planning and Funding Mechanisms

Integrated Development Plans are required to enable county governments to prioritize local socio-economic development issues and to facilitate effective linkage with national issues in the Kenya Vision 2030 through the implementation of the Medium Term Plans (MTP). According to Section 108 (1) of the County Governments Act 2012 the five year county integrated development plan shall have clear goals and objectives, and implementation plan with clear outcomes, monitoring and evaluation and clear reporting mechanisms. Although there lacks a legal mandate linking the two, the county integrated

development plan should take into account the medium term plan and by content, the Kenya Vision 2030. The County Governments Act 2012 also mandates in Section 104 (1) that a county government shall plan for the county and no public funds shall be appropriated outside a planning framework developed by the county executive committee and approved by the county assembly.

i. Integrated Development Planning

Integrated development planning is key to enhancing the efficiency and effectiveness of public policy as a mechanism for addressing the mandates of the Constitution and the aspirations of Kenya Vision 2030.

At the National level, Kenya Vision 2030 is the blue print that guides national development. The Kenya Vision 2030 is implemented through five-year Medium Term Plans based on sectoral plans and previously, the District Development Plans. The Vision delivery mechanism is now institutionalized through Sessional Paper No. 10 of 2012 on Kenya Vision 2030 and will be a useful instrument in the implementation of key Vision 2030 projects.

In the new dispensation, there will be regional integrated plans for programmes/projects transcending several counties as well as the County Integrated Development Plans. The TA, during the transition period will facilitate counties in developing initial county development plans, strategic plans and resource mapping.

The County Governments Act 2012 has detailed the planning frameworks and procedures that each County shall be required to follow in coming up with their County Integrated Development Plans. These include:

County Sectoral Plans: These are ten-year plans which are programme based and shall be the basis for budgeting and performance management.

County Spatial Plans: These provide spatial expressions of the social and economic development programmes of the County, with clear statements of how the plan is aligned to the regional and national programmes in a manner that harmonizes sustainable development of both the county and national levels.

City or Municipal Plans: These will comprise of city or municipal land use plans, city or municipal building and zoning plans, and location of recreational areas and public facilities.

ii. Financial Resource Management

The Constitution and the Public Finance Management Act 2012 provide for effective and efficient management of public resources in order to promote equitable development of the country. The Commission on Revenue Allocation (CRA) will make recommendations on how revenue raised nationally shall be equitably shared between the national and county governments and among the county governments. The Controller of Budget shall oversee the implementation of the budgets on National and County Governments while the Auditor General will audit utilization of resources of both the National and County governments.

The Constitution provides that at least 15% of the nationally raised revenue shall be shared among the 47 counties. CRA has developed a formula on recommendations for both the vertical and horizontal sharing of revenue. The horizontal and vertical formulas will however require approval by Parliament. In recognition of the marginalized groups and areas the Constitution provides for a 0.5% of the revenue raised nationally to go towards equalization fund. CRA has drafted a marginalization policy that provides a procedure for identifying marginalized areas which is at the stakeholder consultation stage.

The objective of fiscal decentralization is to improve access, efficiency and promote participation and empower citizens to demand accountability and effective service delivery. To achieve these objectives, the envisaged devolution under Constitution is for both the functions and powers to make necessary policies and operational decisions regarding revenue sharing and spending. It also requires appropriate

and adequate operating systems and procedures, to provide effective mechanisms for citizen participation, revenue enhancement both at national and county levels as well as fiscal discipline in the management of the available resources.

iii. Regional Development Authorities

In the new dispensation there will be regional integrated plans for programmes/projects transcending several counties as well as the County Integrated Development Plans. Six integrated regional development master plans have been developed which are key to integrated development planning, natural resource mapping and exploitation of investment opportunities at both regional and county levels. The regional development plans are based on resources that transcend counties. In the last MTP, Regional Development Authorities were earmarked to implement large capital projects in form of multipurpose dams (High Grand Fall, Magwagwa, Nandi Forest, Aror and Mwache dams) which are key to national and county development. The role of the Regional Development Authorities needs to be clearly redefined to conform to requirements of the Constitution and county governments.

iv. Physical Infrastructure:

The County Governments require physical infrastructure in form of office space, equipment, internet connectivity, among others. The TA has already identified offices where county governments will initially be hosted before re-location, if necessary, to other more suitable and agreed locations. The identified offices are to be refurbished in readiness for occupation by governor and other County assembly's staff. This activity will continue until all county governments are fully established.

3 EMERGING ISSUES AND CHALLENGES

The devolution process is characterized by a number of challenges that the sector will have to address. The legal and institutional framework in place may pose implementation challenges some of which are highlighted below:

- Concurrent functions are likely to present conflicts in terms of interpretation of mandates. There may be need for policy and legal guidance in this regard;
- Devolution represents a major paradigm shift in the governance system and many people, including public sector employees, may resist change, thus, presenting obstacles to the implementation of devolution; and
- The current legislative and institutional framework may have some gaps especially because regulations intended to operationalise key laws are yet to be approved.
- Funding of county governments may prove to be a challenge given the enormous resources required at the start

In respect to human resource management and civic awareness the following are some of the emerging issues and challenges:

- How to deal with any excess staff after rationalization in both levels of governments;
- Financial implications of early, voluntary and compulsory retirement if necessary;
- Unclear reporting system in execution of mandates given the distinctiveness and interdependence of governments as well as the need for mutual communication, consultation and cooperation;
- Initial Capacity gaps of staff in county Public Service;
- Low levels of awareness of the devolved system of governance in both the public sector and the general public;

To ensure enhanced performance management, there will be need to continue spearheading public sector reforms including Results Based Management, Performance Contracting, National Audit and implementation of the National Integrated Monitoring and Evaluation System at devolved levels. In pursuit of these objectives or goals, the following challenges are foreseen:

- Where to place the coordination role of RBM, PC, and NIMES
- Availability of adequate resources for such programmes
- Reduction in momentum arising from operationalisation of devolution
- Likely failure of the national government to meet capacity building demands from county government, especially in the initial stages.

Integrated development planning and financial management for county activities is a major component of devolution that may potentially face the following issues and challenges:

- Competition for resources and influence between counties, and counties and national government, leading to high demand for resources;
- Possibility of conflicts between the National and County Governments in exercising their powers and executing their mandates;

- Weak or inadequate financial and performance management systems in counties;
- Inadequate county profiling; and
- Inadequate capacity for planning, implementation, monitoring and evaluation both at national and county levels.

Cross Cutting Issues

In the process of operationalising devolution through the various acts, a number of cross-cutting issues are likely to impact on its implementation and, as such, need to be properly dovetailed into the Sector. They include:

(i) Land Reforms: The Fifth Chapter of the Constitution has focused entirely on land issues, which gives an indication of the importance of this matter. Additionally, new laws that have been passed, namely the Land Act, Land Registration Act and National Land Commission Act have effectively done away with the old regime of land legislation.

The Land Registration Act envisages County Land Registries at the county level. Every county will be required to have its own Land Register taking into account that land has been classified into three categories namely; public land, community land and private land. Every county will be responsible for its own land administration. The Land Registration Act provides that County Land Registers shall progressively be established and hence, the need to harmonize these instruments across the country and to build the necessary capacities.

(ii) The Judiciary: Administration of Justice/ Judicial Institutions is critical for the success of devolution. The High Court of Kenya is being decentralized to fit into the devolved system hence the Judiciary Transformation Framework. The Judiciary's medium term, four yearplan, is to have a High Court in every County. High Courts have recently been established in Homa Bay, Muranga and Garissa, while infrastructure is being set up in Narok and Migori. In January 2013 Courts of Appeal were set up in the regional hubs of Nyeri, Nairobi, Kisumu and Malindi. This process will need to be enhanced and sustained.

(iii) Gender and Equity Issues: Article 27 of the Constitution provides for equality and freedom from discrimination. Both men and women have the right to equal treatment and shall not be discriminated against on any grounds including race, sex, pregnancy, marital status, health status, ethnic or social origin. Article 27 (6) provides that the State shall take legislative and other measures, including affirmative action and policies designed to redress any disadvantage suffered by individuals or groups because of past discrimination. Article 27 (8) provides that the State shall take legislative and other measures to implement the principle that not more than two thirds of the members of elective or appointive bodies shall be of the same gender. These requirements will need adequate planning, resources and implementation capacities in order to realize desired goals.

On the 11th of December, 2012, the Supreme Court, in Advisory Opinion No. 2 of 2012, In the Matter of the Principle of Gender Representation in the National Assembly and the Senate took the view that to 'take legislative and other measures, including affirmative action programmes and policies designed to redress any disadvantage suffered by individuals or groups' 'presupposes open-ended schemes of decision-making and programming which can only be effected over a span of time'. With regard to the gender principle as relates to membership to the National Assembly and the Senate, the Supreme Court set a date for developing the facilitative framework as on or before the 27th of August 2015.

Section 65 (e) of the County Governments Act provides that 30% of the vacant posts at entry level in the County Public Service shall be filled by candidates who are not from the dominant ethnic community

in the County. This outcome is of immediate realization when County Governments begin to hire staff. However, to realize this goal requires public education in order for the public to appreciate the logic and own the process.

A gender responsive and equitable outcome in the implementation of devolution is not possible without the taking urgent measures to establish the human resource capacity needs that must be fulfilled in order to meet the Constitution's prescriptions, particularly with respect to administrative decentralisation. Gender disaggregated data is an imperative first step as it will provide an empirical basis for determining whether both genders are equitably involved in the governance of the county, at all levels.

Articles 54 to 57 of the CoK, 2010 specify the groups of persons who qualify for special application of rights, namely, children, person with disabilities, youth, minorities and marginalized groups and older members of society.

Under Article 177 (1), the Constitution provides that membership of County Assembly shall include members of marginalized groups, persons with disabilities and the youth. Youth is defined as persons aged 18 but have not attained the age of 35 years. Further, there is some policy intervention by the Ministry of Youth Affairs and Sports that will facilitate youth groups and individuals to access loans and grants at subsidized rates for income - generating projects.

(iv) Disability Issues: Article 54 of the CoK, 2010 provides for special rights for persons with disabilities. There is already some legislative framework for this special group of persons. The Persons with Disabilities Act, 2003 was amended in 2007 to provide for the establishment of the National Council for Persons with Disabilities. Some of the functions of the Council include the achieving of equal opportunities for persons with disabilities by ensuring (to the maximum extent possible) that they obtain education and employment, and participate fully in sporting, recreational and cultural activities and are afforded full access to community and social services.

(v) Environment and Climate Change: The County Environment Action Planning (CEAP) Manual 2012 was launched on 4th October 2012 and its main objective is to guide the counties and the sub-counties to take charge of environmental management in order to realize sustainable development. Integration of environmental concerns into national economic development planning process is included in national environmental management through the Environmental Management and Coordination Act (EMCA) of 1999.

(vi). HIV/AIDS: HIV/AIDS is a contagious viral illness, which when running unchecked, affects health policy and population numbers. Fortunately over the years, with more research and understanding, Kenya has preventative means of controlling the illness as well as adequate medical care to sustain those who have contracted it. The National Aids Control Council (NACC) is currently formulating a county strategy that is awaiting legislation. Once in place counties will need capacity building in order to implement it.

(vii). Drugs and Substance Abuse: The National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA) was established by an Act of Parliament on 24th July 2012. The Authority's main focus is to reduce the use of drugs and substance abuse among the Kenyan population. Specifically it involves providing preventive education, public awareness, life skills, treatment, rehabilitation and psychosocial support to the general public. It also contributes towards supply suppression through policy formulation and capacity building. County governments will need capacity building if they are to implement NACAD programmes.

4 PROGRAMMES AND PROJECTS FOR 2013-2017

Successful devolution of functions and powers to county governments relies on well thought out and clearly mapped strategies, plans and programmes. This section identifies the sectoral programmes and projects to be undertaken in the Medium Term Plan 2013-2017 in order to establish solid foundations for county governments.

4.1 Flagship Projects

The following flagship projects will be implemented during the Plan period

- Study on the actualization of the implementation of devolved system of
- Government in Kenya;
- Functional analysis and competency assignment and transfer of functions;
- Development of County Infrastructure;
- Programme on reform of relevant policy and legal and institutions;
- Development of County Integrated/ Development Plans;
- Review and implementation of regional integrated master plans; and
- Capacity building in county governments.

4.2 Other Programmes

a. Capacity building (Training and System Development)

In order for the County Governments to fully become operational, there is need to build human capacities of public servants to fully embrace and implement devolution. Training and public education on the tenets of the devolved system of government for both national and county government staff will demystify devolution. The training will need to target staff earmarked to support operationalisation of county assemblies and county executive committees.

b. Civic education on devolution

The general citizenry and key stakeholders need to be fully sensitized on devolution with a view to enhancing their knowledge and support to the Kenyan devolution process. Section 100 of the County Governments Act requires each county to implement an appropriate civic education programme. The civic education programmes are aimed at empowering citizens and public sector employees on principles and values of devolution. During the transition period, the Transition to Devolved Governments Act requires the TA and State Department for Devolution to ensure and coordinate civic education on devolution.

c. Change management, institutional development and coordination

County governments will require a human resource which is fully prepared to embrace new and revolutionary ways of doing things. There is a possibility that workers who are being deployed to the county governments may resist change and, will, therefore need to be targeted for reforms and civic education on change management. County Governments will be encouraged to take up existing staff as opposed to fresh recruitment except in those cadres which are unavailable.

d. Policy, Legal and Institutional review

The TA and State Department for Devolution are carrying out an analysis of all current laws relating to devolution to identify gaps and make recommendations on reforms. The Policy Paper on Devolved

Government under the Constitution outlines the various sectors and priority areas on devolution. Strategic sector plans will be formulated so as to provide guidance and a roadmap in the overall implementation of devolution for the second MTP period.

e. Human Resource Management and Development

County governments will continue to be guided by various policy and legislative frameworks to ensure that Human Resources are productively managed and that they are facilitated to acquire requisite skills for better delivery of public services. At the county level, County Public Service Boards will provide guidance on HR issues including recruitment, training, disciplinary and retirement. However, owing to the many staff being inherited from local authorities and other devolved level structures, which are to be wound up; there will be need for a rationalization programme in the medium term i.e in the transition period.

The Government will develop and implement a rationalization programme before any other measures are considered to ensure that the right size of personnel and institutions are maintained. A voluntary early retirement scheme may be considered as part of this programme if the need to retire some staff arises.

Removal of public officers from the public service should not, however, be done without having regard to the provisions of Article 41 on Labour Relations, Article 235 on Staffing of County Governments and Article 236 on Protection of Public Officers. The scheme should also provide for reporting arrangements between public officers performing national government functions in counties and administrative/technical leadership in county governments. A human resource audit will be undertaken to establish staffing and skill levels and gaps at national and county levels to guide Human Resource Management and Development issues under the new dispensation.

f. Resource Mobilization and Utilization

A resource mobilization programme for financing devolution will be developed and operationalized. This is due to the need to ensure availability of sufficient resources for effective implementation of the devolution process. It is proposed that a Devolution Fund be established by the Government but, also, with the support of development partners.

g. County Infrastructure and other Facilities

An assessment of existing infrastructure has been conducted by TA to ascertain adequacy of facilities to accommodate county governments. Once this is finalized, the national government will be required to build, refurbish/ repair existing facilities/infrastructure to facilitate county governments to take off.

Projects and programmes being implemented by county governments will incorporate physical facilities/ infrastructure components including information technology (IT) to help in realization of the infrastructure demands of counties. Necessary evaluation or assessment will need to be undertaken to identify the gaps before prioritizing identified projects.

h. Kenya National Spatial Data Infrastructure

The issue of land is very central to the implementation of the devolution process for this can enhance or dampen counties' development process, depending on how it is handled. County government will need to develop integrated plans which will also include spatial planning. The spatial planning process will require spatial data infrastructure which will be useful in minimizing land disputes and enhancing its utilization.

i. Comprehensive Data Management System

The need for data, including gender-disaggregated data, as discussed above, cannot be overemphasized owing to its usefulness in planning and tracking of performance nationally and at county levels. As such, there will be need to develop a comprehensive data compilation and management system to cater for all sectors of the economy. The system should be managed through the coordination of Kenya National Bureau of Statistics or its equivalent in matters of Monitoring and Evaluation.

j. Performance Management

Kenya has been implementing reforms in the public service, aimed at improving efficiency and effectiveness in delivery of public services and ultimate increase in overall economic growth. The country aims to build a public service that is citizen-focused, ethical, professional and results-oriented as reflected in the entrenchment of national values and principles of governance in the Constitution.

In order to meet the aspirations of the people of Kenya, as set out in the Vision 2030, an efficient, motivated and well-trained public service is a prerequisite. During the Second MTP, the country will deepen performance-management reform initiatives that are already in place and initiate new programmes and projects aimed at improving public service delivery. In view of the above, it will be necessary to develop a performance management programme to facilitate improvement of public service delivery for both national and county governments. This will be achieved through the Performance Contracting process that all line ministries and parastatals are subjected to. This will guarantee efficient and effective delivery of services as per their mandates and functions.

The national audit function will also need to be devolved to facilitate transparency and accountability in resource utilization at the county and sub-county levels. This will ensure that there is value for money for all public expenditure. The Audit function will be enhanced through a Performance Management programme.

k. Mainstreaming cross-cutting issues

There are key cross-cutting issues that need special focus under a devolved system of government. They include:

- Land Reforms;
- The Judiciary
- Gender and Equity issues;
- Disability issues;
- Environment and Climate Change concerns;
- HIV/AIDS; and
- Drugs and Substance Abuse

5 POLICY, LEGAL AND INSTITUTIONAL REFORMS

The Constitution of Kenya 2010 has ushered in a new system of governance which calls for numerous reforms for it to be fully operational. Some of the reforms are being actualized through various legislations including the five devolution laws and other sector specific laws including the National Government Coordinating Act 2013. There will be need for policies and regulations to operationalise these legislations, and institutions to drive their execution. Some of the institutions are already in existence but require reforms for them to effectively deliver on their mandates. All the reforms will strictly be in line with the Constitution and will take into consideration the cost of their implementation. Participation of citizens and all stakeholders will be critical for the proposed reforms to be effectively implemented.

An analysis of the various laws on devolution has revealed some policy and legal gaps, which have to be addressed if county governments are to effectively execute their mandates. Issues which need to be addressed include decentralization beyond the county level; reporting mechanisms; relationships between counties and sub-counties; and other administrative units such as Wards, Divisions, locations, and sub-locations as well as citizens' participation.

The TA has been created to guide the transition process on issues of governance, human and financial resources, infrastructure, assets and liabilities, integrated planning, civic education, functional assignments, transfer of functions, among others, during the transition period. The TA will therefore be a critical institution in the initiation and actualization of some of the required reforms.

Conflicts have been noted in the implementation of a number of laws, for example, the gender principle requiring that in any public institution there shall not be more than two thirds of either gender. Implementation of the gender principle requires immediate attention if we are to achieve this goal. Restructuring of Provincial Administration has been initiated to accommodate the devolved structure of government. The following areas will require special focus as far as reforms are concerned within the sector:

- Human resource management and development;
- Land;
- Public financial management for example procurement, revenue collection and sharing; and
- Performance management including mainstreaming public service values and ethics.

The State Department responsible for reforms will continue to provide guidance in issues of reforms at national and county levels. Efforts will continue to be made to develop a culture of performance management and ensure that the gains realized earlier through the Results Based Management programmes in public service are leveraged.

IMPLEMENTATION MATRIX

Goals		To empower citizens to exercise their democratic rights and realize their social, political and economic development potentials								
Strategic Objectives		To promote democratic, and accountable exercise of power and promote good governance through devolution								
		To foster national unity by recognizing diversity and the right of communities to manage their own affairs and to further their development.								
		To give powers of self governance to the people and enhance participation of the people in the exercise of the powers of the State and in making decisions affecting them.								
		To promote social and economic development and the provision of proximate and easily accessible services throughout the country.								
		To ensure equitable sharing of national and local resources and to facilitate decentralization of state organs, their functions and services.								
Programme/ Project	Objective	Outcome/ Output	Lead Imple- menting Agency	Time Frame	Source of funds	Budget (Kshs.Millions)				
						2013/14	2014/15	2015/16	2016/17	2017/18
1.Capacity Building										
a) Training and Provi- sion of Equipment	Increase skills and knowledge for public servants to effectively implement devolution	Enhanced skills and improved service delivery	MoDP PSK, TA, MSPAIS, CPSB	5 yrs	Gok, Development Partners	220	94	94	94	94
	Provide tools and equipment to capacitate officers to effectively provide services	Improved service delivery		5yrs	Gok, Development Partners	1,000	700	500	100	50
	Training and induction for leadership and governance skills	Enhanced Leadership and coordination skills	KSG	3 yrs	Gok and Development partners	500	300	300	300	300
b)Civic Education	To increase awareness and sensitize citizens on devolved system of government	Increased public/citizens participation	MoDP TA, MOJNCA, MSPAIS, IEBC	5 yrs	Gok, Development Partners	1,000	1,000	700	500	800

Programme/ Project	Objective	Outcome/ Output	Lead Imple- menting Agency	Time Frame	Source of funds	Budget (Kshs. Millions)				
						2013/14	2014/15	2015/16	2016/17	2017/18
3) Legal, Policy and Institutional Review	Review and Develop legal, regulatory and institutional/policy framework for implementation of devolution	Harmonized legal, regulatory and institutional framework	AG, MoDP, TA, Judiciary NESCC	5yrs	GoK, Development Partners	200	47	47	47	47
4) Human Resource management and development: -Human resource audit -Rationalization: Deployment -Recruitment -Training/skills development -Retirement /retrenchment	To ensure adequate staff with requisite skills for efficient and effective service delivery	efficient service delivery in the counties/optimal serving level	TA, MoDP, PSC (K), CPSB, KSG, All MDAs	5yrs	GoK, Development partners	500	500	5,000	3,000	1,000
5) Resource Mobilization: -development of resource mobilization strategy, resource mapping and investment profiles -capital/facilities -funding mechanism	To ensure sufficient resources for social economic development in the counties	Sustainable services/ Sufficient resources mobilized	MoDP, National Treasury, TA, County Govt, CRA.	5 Years	GoK, Development partners	94	47	47	47	47

Programme/ Project	Objective	Outcome/ Output	Lead Implementing Agency	Time Frame	Source of funds	Budget (Kshs. Millions)				
						2013/14	2014/15	2015/16	2016/17	2017/18
7) Integrated development planning	-Review of six regional master plans -Development of 47 county integrated / development plans	Reviewed regional master plan and county integrated master plan	MoDP MoL, County Governments	5 years		188	47	47	47	47
8) County Spatial and land use Planning	Development of county spatial and land use plans.	Functional county/ Spatial Planning developed.	MoL, NLC, MoDP MoEW&NR, RDA(Where applicable)	5 years	GOK Development Partners	50	50	50	50	50
9a) Kenya National Spatial Data Infrastructure	To develop a national Spatial Data infrastructure system for access of geospatial information at county and national levels	A functional system developed and operationalized	MoL, NLC, RDA (Where applicable)	5 years	GOK, Development Partners	1000	1500	1000	500	500
b) A comprehensive data management system (statistical data, surveys, gender disaggregated data)	Establish a comprehensive data management system	Comprehensive data management system Established	MoDP KNBS			250	47	24	24	24
10a) Mainstreaming of cross cutting issues related to devolution	To integrate cross cutting issues into devolution implementation process	Cross cutting issues integrated into devolution implementation process	TA, MoDP County Governments,	5 Years	Gok, Development partners	50	50	50	50	50

10b) Performance management	To provide a framework for performance management in national and County Governments	Enhanced service delivery through effective management of County Governments Efficient and effective utilization of resources by county governments	MoDP	5 Years	GOK, Development Partners	240	240	240	240	240	240
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7.0 MONITORING AND EVALUATION

In the Kenya Vision 2030 development process monitoring and evaluation is considered as a critical tool for tracking implementation of public sector policies, programmes and projects. The National Integrated Monitoring and Evaluation System (NIMES) was established to perform this task, starting with the Medium Term Plan of Kenya Vision 2030. In the spirit of NIMES, a midterm evaluation of devolution sector issues will be conducted 2 ½ years after commencement of the Second MTP implementation, and a final evaluation at the end of the five years.

Monitoring will also be conducted on a regular basis with the support of key stakeholders in the sector including:

- Relevant Government Ministries, Departments and Agencies;
- County governments;
- Development partners;
- Citizen representatives; and
- Civil society organizations.

Stakeholders in the Devolution Sector will jointly develop an M & E framework including; Key actors, Outcomes/ outputs, Indicators, Baseline data, Targets, a reporting framework and ways of utilizing the reports. All M & E work will be anchored on NIMES and especially its newly developed M & E policy. The M & E framework will also benefit from the proposed eNIMES for real time reporting.

The M & E information will be used to improve implementation of the policies, programmes and projects, for demonstration of results to citizens and provision of feedback to all producers of the information. The M & E will support management in carrying out evidence based decision making and ensure transparency, accountability and value for money in execution of government business.

In the first year of implementation of the Medium Term Plan 2013-2017, baseline surveys will be conducted to generate data on various M & E indicators for use in subsequent reporting on performance. Targets will then be set on the basis of the baseline information and the envisaged growth for the indicators. The Government will also spearhead development of M & E systems at county and sub-county levels for purposes of ensuring efficient and effective implementation of policies, programmes and projects.

M & E requires substantial resources, which will be sourced from government and various development partners. M & E budget lines will be established to promote monitoring and evaluation of public policies, programmes and projects as per the NIMES guidelines. Monitoring and Evaluation will be conducted by all stakeholders as indicated in the 'responsibility' column of the M & E Matrix provided here below.

Monitoring and Evaluation Plan

	Programme	Outcome	Indicators	Baseline	Target	2013/14	2014/15	2015/16	2016/17	Responsibility
1.0	Capacity Building Training and Provision of Equipment	Increased skills and knowledge for public servants to effectively implement devolution	Counties whose staff have been trained (No.)	0	235	47	47	47	47	
		Tools and equipment provided to capacitate officers to effectively provide services	Counties provided with tools provided (No.)	0	47	27	20	-	-	
2.0	Civic Education	Increased awareness to citizens on devolved system of government	Counties participating in public programmes (No.)	47	235	47	47	47	47	
3.0	Institutional Development Coordination Programme	Established and operational coordination structures	Counties with Institutions fully operational (No.)	0	47	25	23	-	-	
4.0	Legal, Policy and Institutional Review	Legal, regulatory and institutional/policy framework for implementation of devolution developed	Laws, regulations and Institutions in Place (%)	30	100	70	80	90	100	
5.0	Human Resource development; 5.1 Human resource audit 5.2 Rationalization: 5.2.1 Deployment 5.2.2 Recruitment 5.2.3 Training/skills development 5.2.4 retirement /retrenchment	efficient service delivery in the counties	Counties with requisite establishment and skills (%)	HR audit, surveys.	100	50	80	100	100	TA, DPSM, PSC (K), CPSB, MED.

6.0	Resource Mobilization: 5.1 development of resource mobilization strategy, resource mapping and investment profiles 5.2 capital/facilities 5.3 funding mechanism	Sustainable/ Effective Delivery of services	Counties sufficiently funding their budget (%)	Resource mapping budgets and plans.	100	60	80	100	100	MoDP, NT, TA, CG, CRA, MED.
7.0	County Development Infrastructure and requisite facilities:(County headquarters, assembly halls and offices)	Adequate facilities for all Counties	Counties with adequate facilities and operational offices (%)	TA audit.	100	50	70	90	100	Public Works MoL-HUD, TA, MoDP, NT, CG, Private Sector, MED.
8.0	Conduct County Spatial and land use Planning	Optimal land use realized.	Land Optimally utilized (%)	100	30	70	90	100	100	MoLHUD, NLC,RDA
9.0	Development Kenya National Spatial Data Infrastructure	Readily accessible geo-spatial information at county and national levels.	Operational County spatial data systems (%)	100	30	70	90	100	100	MoLHUD, NLC,RDA
10.0	Integrated data management (statistical data, surveys, gender disaggregated data)	Readily accessible information at county and national levels	Availability of information (%)	100	30	70	90	100	100	KNBS, MoDP, Development Partners
11.0	Performance management	Efficient utilizations of resources and effective management of the County Government.	Counties implementing key RBM requirements including Performance Contracting Requirements (%)	100	50	100	100	100	100	PCD, MoDP (State Devolution and MED) (NIMES)
12.0	Mainstreaming of cross cutting issues relating to devolution	Cross cutting issues Mainstreamed	Counties with effective M & E Systems (%)	100	30	70	80	100	100	MoDP, NT, TA, CG, CRA, MED.
			Counties sufficiently funding their budget (%)	Resource mapping budgets and plans.	100	60	80	100	100	

