

REPUBLIC OF KENYA

First Assembly



Third Session

COUNTY ASSEMBLY OF SIAYA

COMMITTEE ON GOVERNANCE AND ADMINISTRATION

REPORT NO. 13, 2015

ON

**ASSESSMENT OF THE ADMINISTRATIVE CAPACITY OF THE SUB-COUNTY
ADMINISTRATION AND ITS EFFECTIVENESS IN THE DECENTRALIZATION
OF DEVOLVED FUNCTIONS**

**CLERK'S CHAMBERS
COUNTY ASSEMBLY OF SIAYA
ASSEMBLY BUILDINGS, SIAYA**

15th MARCH 2016

Table of Contents

| | |
|--|----|
| Preface..... | 6 |
| 1.0. Introduction..... | 6 |
| 1.1. Mandate of the Committee..... | 7 |
| 1.2. Membership | 7 |
| 1.3. Terms of Reference/Guidelines | 8 |
| 2.0. Proceedings..... | 8 |
| 2.1. Meetings..... | 8 |
| 2.2. Procedure Adopted for Evidence Gathering..... | 8 |
| 2.2.1. Presentations and Rebutals..... | 9 |
| 3.0. Findings..... | 9 |
| 4.0. Conclusions | 10 |
| 5.0. Recommendations | 10 |
| Submission..... | 12 |
| CHAPTER ONE | 13 |
| INTRODUCTION AND BACKGROUND | 13 |
| 1.1. Introduction | 13 |
| 1.2. Background..... | 13 |
| 1.2.1. Objectives..... | 13 |
| 1.2.2. Outcome | 14 |
| 1.3. Arrangement of the Chapters..... | 14 |
| CHAPTER TWO | 15 |
| COMMITTEE MEETINGS AND CONSULTATIONS WITH THE COUNTY EXECUTIVE COMMITTEE MEMBER FOR GOVERNANCE AND ADMINISTRATION..... | 15 |
| 2.1. Introduction | 15 |
| 2.2. Committee Meetings on Sub-County Administration..... | 15 |
| 2.3. Conclusion..... | 16 |
| CHAPTER THREE | 18 |
| FIELD VISITS AND ENGAGEMENT WITH THE SUB-COUNTY AND WARD ADMINISTRATORS | 18 |
| 3.1. Introduction | 18 |

| | | |
|---------|---|----|
| 3.2. | Rarieda Sub-County Administration | 18 |
| 3.2.1. | Inception of the Sub-County | 19 |
| 3.2.2. | Key Duties and Responsibilities of the Sub-County Administration | 19 |
| 3.2.3. | Existence of operational quality policy..... | 19 |
| 3.2.4. | Existence of Strategic Plan and Statements at the Sub-County Administration Office/Administrator | 19 |
| 3.2.5. | Existence of Policies and Plans at the Sub-County County Administration for Devolution of Services at the Grassroots | 20 |
| 3.2.6. | Existence of Capacities for the Sub-County Administration Office for Supervision of Decentralized Projects and Implementation of Policies and Plans | 20 |
| 3.2.7. | Efforts Made by the Sub-County Administrator's Office to Enhance the Capacities of Ward Administrators | 20 |
| 3.2.8. | State of Customer Satisfaction in the Context of Consolidation of Public Interest and Feedback Communication | 21 |
| 3.2.9. | Essential Working Tools and Equipment at the Sub-County Office | 21 |
| 3.2.10. | Indicators of Enhanced Citizen Participation in Policy Formulation and Implementation..... | 22 |
| 3.2.11. | Copy/Copies of (a) Work Plan(s) for the Last Two Quarters | 22 |
| 3.2.12. | Explanation for Successes and Failures in the Achievement of the Intended Objectives | 22 |
| 3.3. | Bondo Sub-County Administration..... | 23 |
| 3.3.1. | Inception of the Sub-County | 23 |
| 3.3.2. | Key Duties and Responsibilities of the Sub-County Administration | 23 |
| 3.3.3. | Existence of operational quality policy..... | 23 |
| 3.3.4. | Existence of Strategic Plan and Statements at the Sub-County Administration Office/Administrator | 24 |
| 3.3.5. | Existence of Capacities for the Sub-County Administration Office/Administrator for Supervision of Decentralized Projects and Implementation of Policies and Plans | 24 |
| 3.3.6. | Efforts by Sub-County Administration office done/to Enhance the Capacities of Ward Administrators | 24 |
| 3.3.7. | The State of Customer Satisfaction in the Context of Consolidation of Public Interest and Feedback Communication | 24 |
| 3.3.8. | Essential Working Tools and Equipment at the Sub-County Administration Office | 25 |
| 3.3.9. | Indicators of the Officers' Enhancement of Citizens' Participation in Policy Formulation and Implementation | 25 |
| 3.3.10. | Production of a copy of the Work Plan for the last Quarter | 25 |

| | |
|--|----|
| 3.3.11. Reasons for Successes and Failures in the Achievement of the Intended Objective..... | 25 |
| 3.4. Alego Usonga Sub-County | 26 |
| 3.4.1. Inception of the Sub-County | 26 |
| 3.4.2. Key Duties and Responsibilities of the Sub-County Administrator | 26 |
| 3.4.3. Operational Quality Policy | 27 |
| 3.4.4. Sub-County Strategic Plan/Statements | 27 |
| 3.4.5. Existence of Policies and Plans at Sub-County Level for Devolution of Services at the Grassroots | 27 |
| 3.4.6. Capacities Available at the Sub-County Administration/office/Administrator for Supervision of Decentralized Projects and Implementation of Policies and Plans | 27 |
| 3.4.7. Efforts by Sub-County Administration office to Enhance the Capacities of Ward Administrators | 27 |
| 3.4.8. State of Customer Satisfaction in the Context of Consolidation of Public Interests and Feedback Communication..... | 28 |
| 3.4.9. Essential Working Tools and Equipment at the Sub-County Administration Office | 28 |
| 3.4.10. Indicators of Efforts by the Officers to Enhance Citizens' Participation in Policy Formulation and Implementation | 28 |
| 3.4.11. Production of a Copy of the Work Plan for the last Quarters | 29 |
| 3.4.12. Reasons for Successes and Failures in Achievement of Intended Objectives ... | 29 |
| 3.5. Ugunja Sub-County Administration..... | 29 |
| 3.5.1. Inception of the Sub-County | 29 |
| 3.5.2. Duties and Responsibilities of the Sub-County Administrators | 30 |
| 3.5.3. Operational quality policy..... | 30 |
| 3.5.4. Strategic Plan | 30 |
| 3.5.5. Sub-County Administrator's Efforts to Enhance Capacities of Ward Administrators | 30 |
| 3.5.6. Customer Satisfaction and Feed Back Communication..... | 30 |
| 3.5.7. Working Tools and Equipment..... | 30 |
| 3.5.8. Indicators of Enhancement of Citizen Participation | 30 |
| 3.5.9. Work Plan and Quarterly Report | 31 |
| 3.6. Gem Sub-County..... | 31 |
| 3.6.1. Inception of the Sub-County | 31 |
| 3.6.2. Key Duties and Responsibilities of the Sub-County Administration | 31 |
| 3.6.3. Quality Policy | 32 |

| | | |
|--|--|----|
| 3.6.4. | Strategic Plan | 32 |
| 3.6.5. | Policies and Plans for Implementation and Devolution..... | 32 |
| 3.6.6. | Capacitation of Ward Administrators by Sub-County Administration..... | 32 |
| 3.6.7. | State of Customer Satisfaction..... | 33 |
| 3.6.8. | Essential Tools and Equipment..... | 33 |
| 3.6.9. | Enhancement of Public Participation in Policy Formulation and Implementation 33 | |
| 3.6.10. | Evidence of Work Plans and Quarterly Reports | 33 |
| 3.6.11. | Reasons for Successes and Failures | 34 |
| 3.7. | Ugenya Sub-County Administration..... | 35 |
| 3.7.1. | Inception | 35 |
| 3.7.2. | Key Duties and Responsibilities of the Sub-County Administration | 35 |
| 3.7.3. | Operational Quality Policy | 35 |
| 3.7.4. | Strategic Plan/ Statements..... | 36 |
| 3.7.5. | Sub-County Policies and Plans for Devolution of Services at the Grassroots...36 | |
| 3.7.6. | Capacities of the Sub-County Administration Office/Administrator for Supervision of Decentralized Projects and Implementation of Policies and Plans | 36 |
| 3.7.7. | Efforts of Sub-County Administration Office to Eenhance the Capacities of Ward Administration | 36 |
| 3.7.8. | State of Customer Satisfaction..... | 36 |
| 3.7.9. | Essential Working Tools and Equipment | 36 |
| 3.7.10. | Indicators of Sub-County Administration officers Efforts to Enhance of Citizens' Participation in Policy Formulation and Implementation | 37 |
| 3.7.11. | Copy of Work Plan and Quarterly Report | 37 |
| 3.7.12. | Reasons for Successes and Failures for the Intended Objectives | 39 |
| CHAPTER FOUR..... | | 40 |
| SUMMARY, CONCLUSIONS AND RECOMMENDATIONS..... | | 40 |
| 9.1. | Introduction | 40 |
| 9.2. | Summary of Key Findings..... | 40 |
| 9.3. | Conclusions | 41 |
| 9.4. | Recommendations | 41 |
| ANNEXTURES..... | | 43 |
| Annex I: RETINUE FOR THE COMMITTEE ON GOVERNANCE AND ADMINISTRATION (COUNTY ASSEMBLY OF SIAYA) VISITS TO SUB- COUNTY OFFICES (26 TH -27 TH OCTOBER, 2015)..... | | 43 |
| Annex II: Data Collection Questionnaire/Assessment Tool..... | | 43 |

ASSESSMENT OF THE ADMINISTRATIVE CAPACITY OF THE SUB-COUNTY ADMINISTRATION AND ITS EFFECTIVENESS IN THE DECENTRALIZATION OF DEVOLVED FUNCTIONS

Preface

Mr. Speaker Sir,

The Committee on Governance and Administration has the honour and privilege to present the Report on Assessment of the Administrative Capacity of the Sub-County Administration and Its Effectiveness in the Decentralization of Devolved Functions pursuant to Standing Order 192 (5) (e) and (g).

1.0. Introduction

Mr. Speaker Sir,

The Committee of Governance and Administration, in execution of its mandate which grants it authority to oversight the Executive as provided for in Standing Order 192 (5) (a), (b), (d), (e) and (g) assessed the Administrative Capacity of the Sub-County Administration and Its Effectiveness in the Decentralization of Devolved Functions and wrote this report between 4th and 6th November, 2015 at Miriam House Hotel, Kisumu.

As a matter of procedure and methodology for investigations granted by Article 35 and 195 and Part Two of the Fourth Schedule of the Constitution of Kenya and Standing Order 172 and 192 and the Second Schedule of the Standing Orders of this House, the Committee wishes to inform that with respect to Standing Order 41 E, the Committee requested the CEC Member for Governance and Administration through the Interim County Secretary to furnish the Committee with report on the status of Sub-County Administration, specifically progress it had made since the recruitment of the Ward Administrators in April, 2015, following intense pressure by the Committee after unusual delay by the Public Service Board and political interference by the Executive. Under Standing Order 41 D (3) (b), the Committee on Governance and Administration considered the matter.

Mr. Speaker Sir,

Given the inadequate and unsatisfactory report by the CEC Member, the Committee on Governance and Administration sought resolution of the Liaison Committee which authorized it to undertake a visit of all the six sub-counties namely; Rarieda, Bondo, Alego Usonga, Ugunja, Gem and Ugenya to assess the situation guided by the objectives outlined in the section below. This was done from 26th to 28th October, 2015.

1.1. Mandate of the Committee

Mr. Speaker Sir,

The Committee on Governance and Administration is Created by Standing Order 192 read together with the Second Schedule of the Standing Orders and had mandate over and including but not limited to:

“Ensuring and coordinating participation of communities and wards in governance at local level, assisting communities and locations to develop administrative capacity for the effective exercise of the functions and powers and public participation in governance at the local level”.

Furthermore, it is within the mandate of the Committee to ensure the fulfillment of Article 176 (2) of the Constitution which states that, “Every county government shall decentralize its functions and the provision of its services to the extent that is efficient and practicable to do so.”

1.2. Membership

Mr. Speaker Sir,

The Committee comprises 11 Members among which one is Chairman and another, Vice Chairman, and are:

| | | |
|---------------------------------------|-----------------|-------|
| 1. The Hon. Joseph Kawuor, MCA | - Chairman | ..... |
| 2. The Hon. Joshua Osuri, MCA | - Vice Chairman | ..... |
| 3. Hon. Peter Muhula, MCA | - Member | ..... |
| 4. The Hon. James Munda, MCA | - Member | ..... |
| 5. The Hon. Fred Ouda, MCA | - Member | ..... |
| 6. The Hon. Nicholas Aneme, MCA | - Member | ..... |
| 7. The Hon. Mary C. Ajwang, MCA | - Member | ..... |
| 8. The Hon. Anjeline A. Odhiambo, MCA | - Member | ..... |
| 9. The Hon. Anastasia Augo, MCA | - Member | ..... |

| | | |
|---------------------------------|----------|-------|
| 10. The Hon. Sellah Okwako, MCA | - Member | ..... |
| 11. The Hon. Kesia Siwa, MCA | - Member | ..... |

1.3. Terms of Reference/Guidelines

Mr. Speaker Sir,

This Committee was:

1. Assess the administrative capacities of the six sub-county administrations (Rarieda, Bondo, Alego Usonga, Ugenya, Ugunja and Gem Sub-Counties);
2. Find out the progress made by the sub-country administration, since its operationalization, in its functions of the provision of devolved services (devolution of decision making, finances and decentralization of services to the grassroots);
3. Establish the challenges the Sub-County Administration experiences; and
4. Make feasible recommendations to be implemented by the County Executive Committee on Governance and Administration for quick improvement of the sub-county administration, decentralization of devolved functions and enhancement of the participation by the citizens and responsive service delivery at the grassroots.

2.0. Proceedings

2.1. Meetings

Mr. Speaker Sir,

There were 14 meetings on this matter, three before the visits, six during the field visits, one on the sidelines of the Benchmarking Visit in Kwale on Village Units with the CEC Member for Governance Hon. George Okello, and four during the report-writing exercise at Miriam House Hotel, Kisumu (*see various documents attached*).

2.2. Procedure Adopted for Evidence Gathering

The Committee sought written submissions from the CEC Member to be submitted to it through the Office of the Assembly Clerk and after which the witnesses would be invited to be in-attendance in its Sittings to further enlighten the Committee on certain issues based on the Statement, the written response and questions arising there from. Evidentiary documents were Tabled and considered by the Committee (*see relevant annexes*).

2.2.1. Presentations and Rebutals

The Committee, acting as the arbiter, gave the respondents ample time to present their written submissions out of which Members asked questions and raised certain concerns within the subject matter in plenary. The Chair usually gave the every individual an equal opportunity to present their case in verification or counter-reaction to the submission by the CEC Member. The Chair would allow Members to ask further questions based on the presentations. The Questions put were relevant; all ground rules for evidence taking were observed. Summaries of the written submissions were made and specific questions seeking to elicit information/answers to the concerns raised by the Committee in the interest of the people of Siaya. Relevant sections of the law: the Constitution, the County Governments Act No. 17 of 2012, the Standing Orders and other relevant documents such as the Strategic Plan, and the Executive Order were referred to. The Committee Clerk usually recorded the proceedings of the Sittings and prepared minutes highlighting findings.

The main respondents were:

1. The County Executive Committee Member (CECM) for Governance & Administration (incumbent Mr. George Okello) on behalf of the County Executive with the Chief Mr. Amos Okello and Mr. Peter Asuke, Director in the Department of Governance & Administration were actually and potentially answerable.
2. The Sub-County Administrator and Ward Administrators in each Sub-County were actually and potentially answerable.

3.0. Findings

In order to arrive at valid and reliable findings, the Committee conducted meetings according to the Standings Orders, the Constitution and parliamentary procedures and practices.

Key findings from the analyses were:

1. The Administrative capacities of the Sub-County Administration in all the six Sub-Counties were generally poor. They lacked requisite working tools and equipment ranging from:
 - Inadequate office space and lack of them in the Wards in the case of Ward Administrators unless some of them were hosted by the respective Elected Members of the County Assembly;
 - Lack of basic and requisite office furniture, stationery and machines;
 - Lack of on-job training;
 - Lack of transport facilities e.g. vehicles or even bicycles;
 - Lack of communication devices and airtime;

- Lack of support staff in most of the offices the Committee visited
2. The Sub-County Administration in the six Sub-Counties had barely made any progress since their operationalization. They were impaired therefore could not effectively, efficiently and responsively perform their functions and provide devolved services due to:
 - A significant aspect of centralization of administrative decision at the headquarters, anti-devolution of decision making and finances and anti-decentralization of services to the grassroots.
 3. The Committee noted that there was lack of and/ or ignorance of requisite policies, and plans by the CEC Member, Chief Officer and Director, needed for effective, efficient and responsive execution of the duties and responsibilities of the Sub-County and Ward Administrators;
 4. The Sub-County Administrators were assigned responsibility over the supervision and remission of revenue and had actually tried to work towards improvement in revenue collection in the County. However, they were not well trained on public finance and were not facilitated enough to handle the revenue collected.
 5. The Committee noted that the revenue collectors were not yet equipped with ETR machines for documentation and receipting during revenue collection yet these were budgeted for.
 6. The Sub-County Administration is riddled with a plethora of challenges and discouraging experience most of which have been highlighted in 1 and 2 above.

4.0. Conclusions

In view of the entire data presented in the previous chapter, the Committee concluded that the assessment of the administrative capacity of the sub-county administration and its effectiveness in the decentralization of devolved functions, enhancement of the participation of the citizens and identification of challenges the system faced was very essential. The Committee noted poor capacities and poor performance of the Sub-County Administration. The research actually enhanced the knowledge of the Committee on issues of administration from a practical local viewpoint and built its capacity to engage on issues to do with further devolution as provided for in Article 176 (2) of the Constitution, Section 48(1)(d), 48(3) and (4) of the County Governments Act No 17 of 2012. In addition, the Committee found out the true status of capacities and performance of the Sub-County Administration against the background of the Constitution, the County Governments Act, 2012 and the Siaya County FY 2015/2016 budget as well as the provisions of the previous accounting period and is more capacitated and informed enough to put to task the Office of the Governor and the County Executive Member for Governance and Administration for the better.

5.0. Recommendations

The most important objective of the assessment made by the Committee was to make feasible recommendations to be implemented by the County Executive Committee on Governance and Administration for quick improvement of the sub-county administration, decentralization of devolved functions and enhancement of the participation by the citizens and responsive

service delivery at the grassroots. The Committee therefore made the following recommendations:

1. There is need for the CEC Member for Governance and Administration, the respective Chief Officer and Director to rid themselves of the culture of centralization of administrative decision at the headquarters, anti-devolution of decision making and finances and anti-decentralization of services to the grassroots.
2. The Ward Administrators be given:
 - i. Adequate office space in the Wards even if it means renting for them within 60 days from the date of approval of this report;
 - (ii) Adequate basic and requisite office furniture, stationery and machines within 60 days from the date of approval of this report;;
3. The CEC Member, Chief Officer and Director for Governance and Administration must each, ensure that all the moneys allocated for the operations of the Sub-County Administration are released to the Sub-County Administrators and Ward Administrators each, for their operations, all for the past two quarters. This be done in 60 days upon the adoption of this report.
4. The Director in charge of Administration to organize on-job training and capacity building activities at least once in 90 days beginning 30 days from the date of adoption of this report;
5. Sub-County Administrators, and for the use of Ward Administrators based on need in the meantime awaiting their own, be procured for, vehicles as provided for in the budget not later than 60 days from the date of adoption of this report;
6. The Executive Committee Member for Governance and Administration and the Chief Officer to move with speed to ensure all requisite policies, and plans needed for effective, efficient and responsive execution of the duties and responsibilities of the Sub-County and Ward Administrators are fast tracked within 60 days from the date of adoption of this Report;
7. The CEC Member for Governance and the Chief Officer in charge to liaise with the respective CEC(s) and Chief Officer so that the Sub-County Administrators and Ward Administrators are well trained on public finance and are facilitated enough to handle the revenue collected.
8. The Sub-County Administrators and the Ward Administrators each to be sent a secretary and senior support staff to assist them in their day-to-day operations within 60 days from date of adoption of this report.
9. The CEC Member and the Chief Officer to liaise with the CEC Member and Chief Officer for Finance and ensure the revenue officers are equipped with ETR kits within 60 days from the date of adoption of this report failure to which debarment from holding his current position.

That the recommendations of this report MUST be implemented within the stated timeframes failure to which the respective CEC Member and Chief Officer and any other officer directly responsible will be held accountable by this House

Submission

On behalf of the Committee, and pursuant to Standing Order 192 (5) (d) and (f), it is my pleasant duty to Table in this Assembly, the Report on Assessment of the Administrative Capacity of the Sub-County Administration and Its Effectiveness in the Decentralization of Devolved Functions, this 16th day of March 2016, and urge that the Report be Adopted by this Honourable Assembly.

1. Signed.....Date.....

Hon. Joseph O. Awuor, MCA,
Chairman, Committee on Public Administration and Governance

2. Signed.....Date.....

Mr Okoth S.,
Committee Clerk, Committee on Public Administration and Governance

CHAPTER ONE

INTRODUCTION AND BACKGROUND

1.1. Introduction

The Committee on Governance and Administration of the County Assembly of Siaya is constituted pursuant to the provisions of Standing Order 192 and the Second Schedule of the Siaya County Assembly Standing Orders and has mandate on among others:-

“Ensuring and coordinating participation of communities and wards in governance at local level, assisting communities and locations to develop administrative capacity for the effective exercise of the functions and powers and public participation in governance at the local level”.

Further, it is within the mandate of the Committee to ensure the fulfillment of Article 176 (2) of the Constitution which states that, “Every county government shall decentralize its functions and the provision of its services to the extent that is efficient and practicable to do so.”

1.2. Background

Against the above background, the County Assembly Committee on Governance and Administration visited the six Sub-County Administration Offices between 26th and 28th October, 2015 and assessed their administrative capacities; monitored the progress made by the Sub-County administration since operationalization with specific reference to provision of devolved functions, decision making, finances and decentralization of services to the grass root; and established the challenges faced by the Sub-County Administration in the execution of its mandate.

1.2.1. Objectives

The Committee sought to:

1. Assess the administrative capacities of the six sub-county administrations (Rarieda, Bondo, Alego Usonga, Ugenya, Ugunja and Gem Sub-Counties);
2. Find out the progress made by the sub-county administration, since its operationalization, in its functions of the provision of devolved services (devolution of decision making, finances and decentralization of services to the grassroots);
3. Establish the challenges the Sub-County Administration experiences; and
4. Make feasible recommendations to be implemented by the County Executive Committee on Governance and Administration for quick improvement of the sub-county administration, decentralization of devolved functions and enhancement of the participation by the citizens and responsive service delivery at the grassroots.

1.2.2. Outcome

The assessment of the administrative capacity of the sub-county administration and its effectiveness in the decentralization of devolved functions, enhancement of the participation of the citizens and identification of challenges the system faces would enhance the knowledge of the Committee on issues of administration from a practical local viewpoint and build its capacity to engage on issues to do with further devolution as provided for in Article 176 (2) of the Constitution, Section 48(1)(d), 48(3) and (4) of the County Governments Act No 17 of 2012.

1.3. Arrangement of the Chapters

The methodology used for information gathering and data analysis including committee meetings and consultations with the County Executive Committee Member for Governance and Administration has been presented in chapter two. Data obtained from engagement with the Sub-County and Ward Administrators and observations made by the Committee have been presented in Chapter Three. In chapter four, summary of core findings, conclusions arising therefrom and key recommendations have been presented in chapter four.

CHAPTER TWO

COMMITTEE MEETINGS AND CONSULTATIONS WITH THE COUNTY EXECUTIVE COMMITTEE MEMBER FOR GOVERNANCE AND ADMINISTRATION

2.1. Introduction

The consultative meetings were held for obtaining the implementer's professional and expert understanding and accounts on the subject matter and for purposes of gaining information formally on the status of implementation of devolved functions by the Sub-County Administration in Siaya County.

In this chapter, the deliberations of the Committee in its engagements with the CEC Member for Governance and Administration on the Administrative capacities of the Sub-County Administration have been presented. Key resolutions arising from the meetings held and further issues warranting deeper insights have been highlighted. Major conclusions from the engagements have been outlined as well.

2.2. Committee Meetings on Sub-County Administration

The meetings were held at reasonable intervals. The resolutions of the Committee to have meetings with the Executive Member for Governance were communicated upon being made and in accordance with Parliamentary practice, 7 days were given for submission of requested written responses and submission of evidence or documents if any. Upon receipt of the responses and/ or documents, the Committee held meetings to deliberate on the responses first before inviting the defense of the Executive.

The Agenda for each meeting were communicated in time to the Members and the expected people invited to be in-attendance. The Agenda for the meetings were well focused and prepared with resolutions of all Members and sent out 7 days to the meeting. The Chairman, Hon. Joseph Oluoch Awuor and in his absence, Hon. Joshua Aggrey Owiti Osuri, Vice Chairman and in his absence, a Member elected in the interim to chair always ensured that all parties had an opportunity to express their opinion and that discussions were not allowed to wander from the subject under consideration. The chairperson also urged the Committee Clerk to take proper records and make follow-ups to ensure the resolutions of the Committee were acted on promptly. The Chairman also asked the Committee Clerk to take responsibilities for:

- gathering items and papers for the agenda
- circulating meeting notices and agendas
- taking and circulating meeting minutes
- dealing with any correspondence concerning the committee
- taking action on matters as instructed by the committee.

In addition, the Committee Clerk took minutes ensuring that they:

- were accurate record of the main points raised and decisions reached
- indicated who was responsible for taking action on particular topics
- were distributed as soon as possible to all committee members and senior managers; copies should also be brought to the attention of all staff either by issuing them individually or putting a copy on a noticeboard
- were used by the chairperson to monitor progress on any action points decided by the committee.

The Committee had three meetings with Mr. George Okello, CEC Member for Governance and Administration. During the meetings, the driving objectives were to: assess the administrative capacities of the six sub-county administrations (Rarieda, Bondo, Alego Usonga, Ugenya, Ugunja and Gem Sub-Counties); find out the progress made by the sub-country administration, since its operationalization, in its functions of the provision of devolved services (devolution of decision making, finances and decentralization of services to the grassroots); establish the challenges the Sub-County Administration experiences; and make come up with feasible strategies that could enable the Department of Sub-County Administration improve the sub-county administration, decentralization of devolved functions and enhancement of the participation by the citizens and responsive service delivery at the grassroots. (*See minutes attached*).

2.3. Conclusion

Although the responses by the CEC Member for Governance and Administration were relatively good and conducted within standard parliamentary rules and procedures, the information the Executive gave was not convincing. In fact, the CEC Member did not provide evidence such as copies reports and work plans and policies even at the County Headquarters. However, the decision by the Committee to visit the six Sub-County Administrators and the Ward Administrators at their work stations for empirical assessment and verification was well

thought and timely. The Committee gained real-time experience the Sub-County and Ward Administrators had been going through.

CHAPTER THREE

FIELD VISITS AND ENGAGEMENT WITH THE SUB-COUNTY AND WARD ADMINISTRATORS

3.1. Introduction

In order to elicit information from the target respondents and for purposes of site-seeing and verification for empirical purposes, the Committee visited the Six Sub-County Offices: Rarieda, Bondo, Alego-Usonga, Ugunja, Gem and Ugenya Sub-Counties between 26th and 28th October, 2015. (*See programme, minutes and attendance sheets attached*). During the visits, the Committee explained to the Sub-County Administrator and the Ward Administrators and other staff in attendance the purpose of the visit and outlined the objectives out of which specific questions aimed at soliciting their responses were drawn. The Committee Clerk was invited by the Chair to take the meeting through the interview guide step by step as the Sub-County Administrator and Ward Administrators responded to the issues verbally.

To validate the data obtained by the Committee through one-on-one engagement with the Sub-County Administration, the Chair authorized the Committee Clerk to leave behind, a questionnaire to be filled out by the Sub-County Administrator, which was sent to the Office of the Clerk for consideration by the Committee.

It must be noted from the outset that the questions asked by the Committee other than probing questions and those arising from the insights obtaining from the deliberations, were asked from the Budget for the department of Administration for the current financial year. This was done due to the budget was informed by the needs, activities and programmes of the department against which their capacities would be assessed. This chapter therefore presents information collected from the field by the Committee with respect to the objective and outcome outlined in Chapter One.

3.2. Rarieda Sub-County Administration

The Committee visited Rarieda Sub-County on 26th October, 2015 at 9.00 am. During the visit, the Committee had engagements with the Sub-County Administrator and the five Ward Administrators namely:

- | | |
|------------------------|---|
| 1) Mrs. Rebecca Opondo | -Sub-County Administrator, Rarieda Sub-County |
| 2) Mr. Bernard Ogeta | -Ward Administrator, South Uyoma Ward |
| 3) Mr. Tobias Opiyo | - Ward Administrator, West Uyoma Ward |
| 4) Mr. Daniel Okongo | -Ward Administrator, North Uyoma Ward |
| 5) Mr. Daniel Ogambi | -Ward Administrator, West Asembo Ward |
| 6) Mr. Jesse Akungu | -Ward Administrator, East Asembo Ward |

3.2.1. Inception of the Sub-County

The Committee, for purposes of records and gauging the benchmark, sought information on when Rarieda Sub-County actually came to being. From the Sub-County Administrator assisted by the five Ward Administrators, the Committee found that Rarieda Sub-County was created by the Transitional Authority on 1st June, 2013. During the transitory period, it was run under the headship of the Sub-County Manager appointed by the Transitional Authority. However, the Transitional Authority handed over the administration and governance of the Sub-County Administrator upon her appointment, on 1st July, 2014.

3.2.2. Key Duties and Responsibilities of the Sub-County Administration

The Committee, for purposes of clarity and setting the ideal mirror line evaluated the knowledge of the Sub-County Administrator and the Ward Administrators on their duties and responsibilities. By this, the Committee also expected to obtain information regarding the actual duties and responsibilities the Sub-County Administrator and Ward Administrators had been carrying out that might not have been ideally defined but are the actual things they engaged in officially.

Among the duties and responsibilities performed by the Sub-County Administrator and Ward Administrators in Rarieda Sub-County were:

- Coordination, Supervision and Management of the devolved functions within the Sub-County
- Promotion of county government policies
- Supervision of projects, supervision of market cleanliness and revenue.
- Creating platforms for Public participation

3.2.3. Existence of operational quality policy

The Committee investigated existence of policy guideline on quality of services the Sub-County Administration was offering to the people. In response to relevant questions the Committee asked on quality policy, the Sub-County Administrator and the five (5) Ward Administrators informed that at then, there was none. This made the Committee to question the quality of service delivery at the Sub-County. The Committee, while expressing the great concern on behalf of the people, noted the need to follow up on this.

3.2.4. Existence of Strategic Plan and Statements at the Sub-County Administration Office/Administrator

The Committee, informed by the standard practice, had in mind that the services of the County Government to the people of Siaya County should be guided by the Strategic Plan and as such, its domesticated version at the Sub-County level. However, upon inquiry, the Committee learnt that broadly, the Department of Administration at the County Headquarters was yet to domesticate the County Strategic Plan. When it sought credible accounting for the gap, the Committee was informed that there were issues beyond the Sub-County Administration. The Committee promised to look into the matter.

3.2.5. Existence of Policies and Plans at the Sub-County County Administration for Devolution of Services at the Grassroots

Every department of the County Government may not operate if they do not have policy guidelines that are unique to them for purposes of execution and fulfillment of the specific functions assigned to it. In addition, the operations of an organization or its department require efficiency, effectiveness, transparency, openness and more importantly, responsiveness. At the end accountability comes in. Against these requirements, the monitoring and evaluation on the basis of the objectives, inputs, outcomes and impact anticipated can be done. It therefore goes without saying that the Sub-County Administration must have policies and plans otherwise it may not achieve anything worth noting. Against this background, the Committee, having found from the Sub-County Administrator and the staff that there were none of such, advised them to ensure they do everything possible to formalize their operations by way of policies and plans.

3.2.6. Existence of Capacities for the Sub-County Administration Office for Supervision of Decentralized Projects and Implementation of Policies and Plans

In the 2015/2016 financial year, the Department for Administration was allocated significant amount of money for this. (*See the copy of the budget attached*). The Question being straightforward and self-explanatory, the Committee having presented it to the respondents was informed that the office had not been capacitated to carry out supervision of devolved functions within the sub-county. Although the Sub-County Administrator and Ward Administrators were already employed, the Committee was informed, they were yet to be given working office space with requisite furniture, working tools and equipment. They only had one laptop assigned to the Sub-County Administrator and lacked basic furniture and stationery, no transport or facilitation for the same, no reimbursements for the costs incurred on official duty for example on the supervision of projects, contractors, tourism officers, revenue officers and others.

3.2.7. Efforts Made by the Sub-County Administrator's Office to Enhance the Capacities of Ward Administrators

As the supervisor and coordinator at the Sub-County Level, the Sub-County Administrator ought to ensure that the Ward Administrators are well capacitated and facilitated to undertake their duties and responsibilities in accordance with the principles of administrations and administrative functions in accordance with the tenets of good governance. In view of this, the Committee inquired into the efforts made by the Sub-County Administrator to enhance the capacities of the Ward Administrators.

In response, the Sub-County Administrator and the 5 Ward Administrators informed as follows:

- Mentorship from the Sub-county Administrator and provision of enabling environment to liaise with their counter parts from the national government.
- Holding of staff meetings to share experiences and make monthly reports

3.2.8. State of Customer Satisfaction in the Context of Consolidation of Public Interest and Feedback Communication

The Department of Governance and Administration was allocated resources for improving customer satisfaction. In addition, it is the duty of the Sub-County Administrator and the Ward Administrators to ensure customer satisfaction with County Government Administration. However, Rarieda Sub-County Administrator and the Ward Administrators informed the Committee that the state of customer satisfaction in the Sub-County is wanting and the feedback is limited due red-tape as most issues and decisions had to be made from the county headquarters.

3.2.9. Essential Working Tools and Equipment at the Sub-County Office

Every public office must have essential working tools and equipment and indeed, the 2015/16 budget catered for working tools and equipment for the six sub-counties ranging from stationery, furniture and vehicles, just to mention a few. It is on this basis that the Committee sought verification of and information on essential tools and equipment for Sub-County Administrators and Ward Administrators.

The Committee discovered that there was only one laptop and one mobile phone assigned to the sub-county administrator; one executive table and one executive chair (broken); one desktop computer which did not accept flashdisk and modem; a photocopier machine which is dead and a printer. In addition, the officers did not have internet connection, office space, and basic office staff-cleaners and a secretary provided by the county executive.

The administrators also added that they lacked a number of essentials as stated in verbatim as below:

“The Ward Administrators are squatting in the office of the Sub-County Administrator who is also a squatter; the Building is cracked and possess occupational health, environment and health risks; that electricity was previously paid for by the CDF which has notified them of discontinuity; the supervision of revenue collection and remittance (banking) of them is hampered by lack transport and thus risky to keep the revenue awaiting transport; there is no maintenance and repair facilitation for two vehicles and a tractor; the fuelling of vehicles is done at certain central points far away from the sub-county so that the fuel is used for movement to and from the tall station rather than the intended service; there is no facilitation to and from meetings in the wards, sub-county and headquarters.”

They also remarked that:

“There is authoritarian tendency by the CEC during meetings such that the sub-county administrators are not allowed to outrightly express their views and grievances and even not allowed to go to the washrooms). They also charged that there was:

“Lack of proper communication channels specifically top-down e.g. in many case they are surprised to learn that the Governor is in their jurisdiction, the contractor is on the site, goods have been delivered or dumped.

3.2.10. Indicators of Enhanced Citizen Participation in Policy Formulation and Implementation

In Rarieda, the following were reported to the Committee as indicators:

- Monthly reports submitted to the Chief Officers,
- Project Management Committees formed
- Minutes of the public barasas
- Partly Involvement in the 2015/2016 budget making process

However, the administrators were not able to quantify them nor were the so called indicators verifiable, more so because empirical evidences were not attached for verification purposes.

3.2.11. Copy/Copies of (a) Work Plan(s) for the Last Two Quarters

Of great concern to the Committee, the Sub-County Administrator and the Ward Administrators could not produce copies of their work plans even for the 1st Quarter which had actually ended on 30th September, 2015 almost one month before the visit. However, they promised to but had not delivered copies of the same by 23rd November, 2015.

3.2.12. Explanation for Successes and Failures in the Achievement of the Intended Objectives

The Sub-County Administrators and her staff responded that some of their major achievements were due to their ability to maintain clean markets in the case of rise in revenue collection. The Sub-County had been staffed with cleaning staff and evacuation tractor although fuelling and maintenance centralized and this poses a challenge as it hampers the services. They also argued that they had been very resilient.

However, they cited:

- Lack of finances to facilitate operations at the sub-county and ward level;
- Lack of basic personnel at the sub-county e.g. clerical officers, secretary, support staff and ward levels;
- Lack of adequate training on job
- Political interference and conflict of interest by some MCAs and Contractors; and
- Communication breakdown and intentional bypassing of the ward offices in project implementation especially on roads

3.3. Bondo Sub-County Administration

The Committee visited Bondo Sub-County on 26th October, 2015 at 11.00 am. During the visit, the Committee had engagements with the Sub-County Administrator and the six Ward Administrators namely:

- | | |
|------------------------------|---|
| 1. Mr. Vitalis Ochieng Ogola | -Sub-County Administrator, Bondo Sub-County |
| 2. Mr. Oliver Otieno | -Ward Administrator, Yimbo East Ward |
| 3. Mr. Philip Mbindio | - Ward Administrator, North Sakwa Ward |
| 4. Mr. Jactone Omamo | -Ward Administrator, South Sakwa Ward |
| 5. Mr. Vincent Oti | -Ward Administrator, Yimbo East Ward |
| 6. Mrs. Susan Milongo | -Ward Administrator, Central Sakwa Ward |
| 7. Mrs. Roselyn Ngige | -Ward Administrator, West Sakwa Ward |

3.3.1. Inception of the Sub-County

The Committee, for purposes of records and gauging the benchmark, sought information on when Rarieda Sub-County actually came to being. From the Sub-County Administrator assisted by the six Ward Administrators, the Committee was informed that Bondo Sub-County was inceptioned in July, 2014, from the time the Sub-County Administrator effectively reported. They did not recognize the prior existence under the Sub-County Managers.

3.3.2. Key Duties and Responsibilities of the Sub-County Administration

The Committee, for purposes of clarity and setting the ideal mirror line evaluated the knowledge of the Sub-County Administrator and the Ward Administrators on their duties and responsibilities. By this, the Committee also expected to obtain information regarding the actual duties and responsibilities the Sub-County Administrator and Ward Administrators had been carrying out that might not have been ideally defined but are the actual things they engaged in officially.

Among the duties and responsibilities performed by the Sub-County Administrator and Ward Administrators in Bondo Sub-County were:

- General administration and management
- Coordination of devolved units
- Service delivery to the public
- Revenue collection
- Organizing public participation
- Enhance service delivery

3.3.3. Existence of operational quality policy

The Committee investigated existence of policy guideline on quality of services the Sub-County Administration was offering to the people. The Sub-County Administrator and the six

(6) Ward Administrators informed that they drew theirs from the departmental strategic plan. This made the Committee to question the quality of service delivery at the Sub-County. The Committee however urged them to draw up one of their own but within County Headquarter policy guidelines.

3.3.4. Existence of Strategic Plan and Statements at the Sub-County Administration Office/Administrator

The Committee, informed by the standard practice, had in mind that the services of the County Government to the people of Siaya County should be guided by the Strategic Plan and as such, its domesticated version at the Sub-County level. However, upon inquiry, the Committee was informed that plans are underway.

3.3.5. Existence of Capacities for the Sub-County Administration Office/Administrator for Supervision of Decentralized Projects and Implementation of Policies and Plans

The Committee sought to investigate the capacities the sub-county administration had for the effective and efficient execution of devolution at the grassroots. Bondo Sub-County Administrator responded thus:

- Able Staff, some are holders of Master's degree in specific fields.
- We have qualified accountants
- Lack transport and facilitation is inadequate.

3.3.6. Efforts by Sub-County Administration office done/to Enhance the Capacities of Ward Administrators

The Sub-County in response to questions by the Committee as regards effort made by the Sub-County Administrator's Office to enhance the capacities of Ward Administrators in the performance of their duties and responsibilities stated that:

- The Sub-County Administrator trained the Ward Administrators through orientation meetings;
- Both the Sub-County Administrator and Ward Administrators however need specialized training.

3.3.7. The State of Customer Satisfaction in the Context of Consolidation of Public Interest and Feedback Communication

In response to the question on whether the public was satisfied with the services provided by the Sub-County Administrator and the Ward Administrators, the Bondo Sub-County Administrator and his staff remarked that in some cases, customers were happy when their issues are sorted. In other cases they are not satisfied because of delays.

3.3.8. Essential Working Tools and Equipment at the Sub-County Administration Office

The Committee investigated the availability of essential working tools and equipment for execution of the duties and responsibilities due to the Sub-County Administrator and the Six Administrators. The Sub-County Administrator confirmed availability of the following:

- Tractors for garbage collection
- Computers for office operations
- Offices at the Sub-County Headquarters

3.3.9. Indicators of the Officers' Enhancement of Citizens' Participation in Policy Formulation and Implementation

Although there were no statistically verifiable indicators presented by the Sub-County Administrators and his staff, even the qualitative information provided was not sufficient, however, in response to the questions asked by the Committee, they charged that they had had several public participation meetings and minutes have been filed. In addition, they opined that they had involved the public on budget process, finance bill 2015, project implementation meetings.

3.3.10. Production of a copy of the Work Plan for the last Quarter

The Sub-County Administration did not produce either.

3.3.11. Reasons for Successes and Failures in the Achievement of the Intended Objective

Bondo Sub-County Administrator argued that they had registered some success which they attributed to:

- A committed staff that is mainly made up of Ward Administrators and staff of former local Authority
- Regular receipt of salaries which has enabled us to undertake some of our duties particularly on transportation and daily subsistence.

However, they cited the following challenges:

- Poor working conditions due to limited resources. The staffs do not take tea nor have access to newspaper it has been difficult to get water since the water system in the office is completely down. It calls for sacrifice to have water and detergent.
- The facilitation is too little for office operation. There is need to facilitate the Sub-County office and the ward offices.
- There is need to train the administrators

3.4. Alego Usonga Sub-County

The Committee visited Alego Usonga Sub-County on 27th October, 2015. During the visit, the Committee had engagements with the Sub-County Administrator and the six Ward Administrators namely:

- | | |
|----------------------------|--|
| 1. Mr. George Francis Aola | -Sub-County Administrator, Alego Usonga Sub-County |
| 2. Mr. Collins Odanga | -Ward Administrator, South East Alego Ward |
| 3. Mr. Grace Obongó | - Ward Administrator, North Alego Ward |
| 4. Mr. Martin Ndege | -Ward Administrator, Usonga Ward |
| 5. Mrs. Nicholas Okola | -Ward Administrator, Central Alego Ward |

Absent were:

- | | |
|-----------------------|------------------------------------|
| 1. Mr. Nashon Hayombe | -Ward Administrator, Township Ward |
| 2. Mr. Benson Gwada | - Ward Administrator, West Alego |

3.4.1. Inception of the Sub-County

In response to this question, Mr. Aola informed the Committee as follows:

- From 2013 after the election (general election) thus it should be noted that is;
- During 2013 there was Acting Sub-County Administrator drawn from the defunct Local Authority by the name Mr. Silas Odhiambo currently the Director for Department of Trade.
- There was also supportive staff including the Sub-County Administrative Officer running the day to day activities.
- The substantive Sub-County Administrator was appointed into the office on 1st July, 2014.
- Although the Sub-County Administrator and the supportive staffs are in place, there was no budgetary allocation for effective operation of the office.

3.4.2. Key Duties and Responsibilities of the Sub-County Administrator

Mr. Aola and his administrators informed the Committee that the main duty and responsibilities of the Sub-County Administrator and his Ward Administrators included but were not limited to the coordination, management and supervision of the general administrative functions in the Sub-County Unit including:-

- The development of policies and plans
- Service delivery
- Developmental activities to empower the community.
- The provision and maintenance of infrastructure and facilities of public service.
- The County Public Service
- Exercise any functions and powers delegated by the County Public Service Board under section 86.

- Facilitation and coordination of citizen participation in the development of policies and plans and delivery of services.

However, Mr. Aola and his staff added, it is worth noting that any responsibility and duty assigned must go with facilitation which has been a mirage.

3.4.3. Operational Quality Policy

The Sub-County operational quality policy had not been developed due to absence of County operational quality policy, which should serve as a blue print for the former to be developed.

3.4.4. Sub-County Strategic Plan/Statements

There was none at the time but the County Strategic Plan 2015-2020 is at an advance stage. This strategic plan once in place will form the blue print for the development of Sub-County Strategic Plan.

3.4.5. Existence of Policies and Plans at Sub-County Level for Devolution of Services at the Grassroots

In the absence of budgetary provision at the Sub-County level the development of the policies/plans and implementation of the same may not be realized.

3.4.6. Capacities Available at the Sub-County Administration/office/Administrator for Supervision of Decentralized Projects and Implementation of Policies and Plans

The Sub-County office currently had Ward Administrators decentralized at all the wards level. However, however:

- The Ward Administrators did not have offices at the ward level.
- There is no mobility hence frustrating supervisory capacity of the administrator.
- No facilitation i.e. for any supervision of projects and implementation of policies are directly affected by budgetary allocation and capacity building.
- The Sub-County office has never been provided with the information about projects in various wards for his prompt supervision.

3.4.7. Efforts by Sub-County Administration office to Enhance the Capacities of Ward Administrators

Various attempts have been advanced by the Sub-County Administrator's office to have the capacities of ward administrators enhanced including the following:

- Holding meetings with ward administrators to discuss general issues affecting the sub-county;
- Accompanying the ward administrators to their wards when faced with serious concerns that calls for hard/important decisions to be made;
- Delegating to the ward administrators some duties to perform, for instance attending a meeting on behalf of the sub-county administrator when faced with a clash of several meetings at the same time;

- Mentoring ward administrators on how to tackle common problems related to administrative responsibilities;

However there will always be gaps in terms of enhancement of capacity for ward administrators in the absence of the following:

- (i) Funds have not been devolved.
- (ii) Personnel to ward levels from various departments and secretariat have not been devolved.
- (iii) Capacity building for sub-county and ward administrators on how to plan and manage projects and policy implementation continue to be ignored.

3.4.8. State of Customer Satisfaction in the Context of Consolidation of Public Interests and Feedback Communication

This was rated as poor. However much can be done if we can establish structure and system for capturing processing, implementation and giving feedbacks on petitions and complains raised by general public as envisaged in Section Article 96 (1, 2) of the County Government Act 2012.

3.4.9. Essential Working Tools and Equipment at the Sub-County Administration Office

They confirmed availability of the following:

- Telephone lines for communicating to various departments;
- Internet connectivity;
- Two computers;
- Stationeries;
- Office desks and chairs;
- One tractor for garbage collection for the whole sub-county;

Mr. Aola and the Ward Administrators also admitted lack of the following essential working tools and equipment:

- Vehicles to aid the sub-county administrator in his managerial supervisory and coordination duties;
- Motor cycles/vehicles for enforcement officers;
- Vehicles/motor cycles for revenue collectors; and
- Insufficient equipment/materials for market cleaners.

3.4.10. Indicators of Efforts by the Officers to Enhance Citizens' Participation in Policy Formulation and Implementation

- Formulation of policies is currently undertaken at the higher level i.e. Assembly & Cabinet hence the participation of the officer (Sub-County Administrator is limited).

3.4.11. Production of a Copy of the Work Plan for the last Quarters

Mr. Aola responded as follows:

- The Sub-County had one initially but currently, there is none because there are no resources to implement the work plan.
- This has been difficult because the Sub-County is still being micro-managed from the central pool (Headquarters).

3.4.12. Reasons for Successes and Failures in Achievement of Intended Objectives

Accounting for their success, the Sub-County Administrator and the Ward Administrators argued that despite no budget, the Sub-County Administrator has tried his best to ensure the sub-county activities are undertaken using his resources. Indeed this is painful although the government activities **must run**.

However, the informed the Committee that:

- The budget is not devolved.
- The County Assembly has not enacted the necessary legislation.
- The Sub-counties are partly involved in policy formulation

Further to these, they noted that:

- For the sub-counties to be run effectively, the **Sub-County Accounts** must be created to help in the timely and effective management and coordination of county activities and departments at the sub-county level.
- There should be a well-defined legislation on enforcement to help in implementing certain county government programs.
- Provision for mode of transport for Sub-County Revenue Officer.

3.5. Ugunja Sub-County Administration

The Committee visited Ugunja Sub-County on 27th October, 2015. During the visit, the Committee had engagements with the Sub-County Administrator and the three Ward Administrators namely:

1. Mr. Richard Kodindo -Sub-County Administrator, Ugunja Sub-County
2. Mr. Wilson Ochieng -Ward Administrator, Sigomre Ward
3. Mr. Garson Ochieng - Ward Administrator, Sidindi Ward

Absent were:

-Ward Administrator, Ugunja Ward

3.5.1. Inception of the Sub-County

Mr. Kodindo Richard, the Sub-County Administrator and his team reported that UgunjaSub-county administration was operationalized by June 2013.

3.5.2. Duties and Responsibilities of the Sub-County Administrators

These they reported that include but not limited to:

- Coordination of devolved functions at the Sub-county level.
- Enhancing citizen participation.
- Supervising Sub-county leads of department and public service.
- Initiation of Sub-county plans and policies.
- Providing strategic direction and leadership at the county level.
- Administration of Sub-county staff
- Making reports and submission on sub-county progress to relevant chief officers

3.5.3. Operational quality policy

For Ugunja Sub-county, there was none but:

- The Sub-county operators within the wider strategic plan for the department of Governance and Administration.

3.5.4. Strategic Plan

The Sub-county has no general plan for all the devolved functions but has a plan for governance and Administration department.

3.5.5. Sub-County Administrator's Efforts to Enhance Capacities of Ward Administrators

Mr. Kodindo and Ward Administrators responded that the Sub-county office has identified office spaces for all the three ward administrators and all of them are stationed in revenue offices in their respective ward.

3.5.6. Customer Satisfaction and Feed Back Communication

Customer satisfaction was generally below average since services are currently not provided in time and sufficiency as reported by the Sub-County Administrator. Feedback fairly good but a good proportion of citizen still does not understand devolution.

3.5.7. Working Tools and Equipment

The office had sufficient furniture, computers, offices and internet. However, it lacked motor vehicle, printers, stationery, tonner, detergents and airtime. In addition, there was zero financial facilitation of all programme to enhance all the functions of the office.

3.5.8. Indicators of Enhancement of Citizen Participation

Although the responses from Mr. Kodindo were not adequate to exhaust the question, they reported as follows:

- Attending national days and dissemination of the County agenda on barazas.

- Membership of project management committee
- Daily attendance to citizen enquiries complains and complements.

3.5.9. Work Plan and Quarterly Report

They argued they had monthly working plan for Quarter 1 of 2015 but did not Table evidence.

3.6. Gem Sub-County

The Committee visited Ugunja Sub-County on 27th October, 2015. During the visit, the Committee had engagements with the Sub-County Administrator and the six Ward Administrators namely:

- | | |
|-----------------------|---|
| 1. Mr. Joseph Onyango | -Sub-County Administrator, Gem Sub-County |
| 2. Mr. Benson Okeno | -Ward Administrator, Yala Township Ward |
| 3. Mr. Sammy Ojenge | - Ward Administrator, West Gem Ward |
| 4. Ms. Linet Oyola | - Ward Administrator, North Gem Ward |
| 5. Mr. Elisha Owiyo | - Ward Administrator, South Gem Ward |
| 6. Mr. John Oduge | - Ward Administrator, East Gem Ward |
| 7. Ms. Phoebe | - Ward Administrator, Central Gem Ward |

3.6.1. Inception of the Sub-County

Gem Sub-County administration was operationalized with effect from 1st June 2013 when Sub-County managers were deployed to manage the affairs of the sub counties. On 1st July 2014, substantive Sub-County Administrators were appointed by the public service board and later in March 2015 the ward Administrators were appointed. Gem Sub-County got six ward administrators.

3.6.2. Key Duties and Responsibilities of the Sub-County Administration

The key duties of the Sub-County and Ward administrators are to coordinate, supervise and manage the devolved functions at the Sub-County unit. Other duties include:

- Facilitation and coordination of public participation in formulation of policies, plans and participation in Governance
- Ensuring effective and efficient service delivery
- Ensuring proper maintenance of public facilities and their provisos
- Preparing Sub-County budget and ensuring its effective implementation
- Facilitating public awareness on policy and Governance issues

3.6.3. Quality Policy

There were a number of policies that had been prepared to guide the departmental administration namely according to Mr. Joseph Onyango, the Sub-County Administrator:

- Administration
- Transport
- Project management policy

The Sub-County Administrator was not sure whether they were in operation since they had not received final copies nor seen the tenets stressed in them operationalized.

3.6.4. Strategic Plan

The department prepared an elaborate strategic plan and subsequently a performance contract plan, but there had been no resource allocation to ensure its effective implementation. The PC coordination unit which was key to ensuring the strategic plan is realized was yet to be formed and made public. However, the Sub-County administration was merely awaiting direction from the department leadership to actualize the strategic plan.

3.6.5. Policies and Plans for Implementation and Devolution

The only policies but which had not become operational are public administration, transport and project management. So far, devolution of services had not taken off as most activities are still ran from the headquarters e.g. tractor plough services, procurement catering services, vehicle maintenance just to mention a few.

3.6.6. Capacitation of Ward Administrators by Sub-County Administration

The Sub-County Administration had not been capacitated to undertake its supervisory mandate of the decentralized units and ensuring effective implementation of policies and plans. This was due to centralization of all facilities at the headquarters. At the Sub-County there was no vehicle or at the worst a bicycle to be used for the above purposes.

The financial support either had not been forth coming since the operationalization of the Sub-County administration. The monies that have been used by the officers on the ground had not been refunded since 2013 and no one seemed to think there were officers at the Sub-County charged with the management of county affairs at the grass root.

Other offices like Agriculture, livestock and veterinary have no power in their offices. It is imperative as it is urgent to note that the Sub-County administration has been substantially ignored and people only tend to think of the headquarters.

Public participation activities for example were managed from the headquarters.

Revenue officers are left on their own but money is expected to be collected when no one is interested on how it should be collected and what is required for revenue collection to go up.

The Sub-County Administrator has not been able to assist, enhance the capacities of ward Administrators. Its substantive to take cognizance of the fact that the Sub-County Administrator does not have a proper office or the necessary equipment required for its effective operation. The Ward administrators equally do not have offices and those who have make shift offices do not have chairs. The Sub-County administrator has made requisition for office equipment, office space and even the financial support to be able to run both offices effectively but no action has ever been taken. There is no filing system, HR officers, and secretary for the Administrator, computers or office phones or telephone. Before these facilities are availed at the Sub-County headquarters it would be a fallacy to start imagining equipping ward offices which are not even there in the first place. Urgent action need be taken to resuscitate the Sub-County Administration

3.6.7. State of Customer Satisfaction

The state of customer satisfaction was below average as reported by the Sub-County Administrator. This they said, needed a customer satisfaction survey to come up with scientific baseline. But, conflict between the public and revenue collections and also administrators over pro – service delivery or poorly implemented projects points to dissatisfaction but a few cases of public appreciation through letters show that there is customer satisfaction at another level.

3.6.8. Essential Tools and Equipment

The Sub-County Administrator's office had a laptop and desk top computer. There was also internet service and a few broken chairs and tables on the other than, a vehicle for mobility which was very essential was lacking; a secretary, files for staff, projects and other correspondence are lacking; basic office equipment are still not available.

3.6.9. Enhancement of Public Participation in Policy Formulation and Implementation

The officers against all odds had, Mr. Onyango argued, had managed to ensure public participation in formulation of policies and plans and their implementation. Indicators to such effect were letters of appreciation for projects successfully implemented, minutes of site meetings in projects, budget meetings held in various wards, existence of PMCs for various projects. All point to public participation. However, the Committee had not obtained copies for verification.

3.6.10. Evidence of Work Plans and Quarterly Reports

The Sub-County Office had a work plan but did not have the capacity to execute it due to lack of resource allocation. There was no vehicle or finances to aid its execution effectively. No one seemed to be interested on how the Sub-County administration executes its mandate but reports are required at the end of every month.

3.6.11. Reasons for Successes and Failures

Despite all the challenges the Sub-County administration has faced, some success has been realized as follows:

- The Sub-County offices had run successfully since its inception without financial assistance from the department.
- The public had continued to get services and appreciation letters have come to our offices and to the Governor.
- The county Government had initiated many successful projects which have been closely monitored by the Sub-County and Ward administrators
- The internet services had now been decentralized to Sub-County levels
- An airtime allowance was then being factored into our salaries which had helped ease communication difficulties.

On the other hand, there are a number of areas that required very urgent attention according to Mr. Onyango. These were the areas that were grossly dragging decentralized of services to the people. In fact they were a stumbling block to real devolution. These were:

- Urgent need to decentralize finances to the sub counties by opening Sub-County accounts to control use of Sub-County funds which currently we don't use yet we budgeted for. Every time funds are disbursed the sub counties were told their vote heads have been used.
- Decentralization of procurement to avoid wastage of public funds chasing very small items which could be purchased at the grassroots e.g. a vehicle or a tractor having to go to Ugunja or Bondo for fuel to be used in Gem or minor repairs to be done at the headquarters.
- Tea being taken in Yala to be brought all the way from Siaya, just to mention a few, when this is happening the Sub-County (Ward administrator) don't even have a coin for office operations.
- Decentralization of tractor, plough/harrow services. This should be done to cost effectively meet the needs of farmers at the grass root currently such services are centralized at the headquarters.
- There is urgent need to streamline project implementation to meet the needs and aspirations of the people through public participation. Ideally all projects in every Sub-County should be channeled through the Sub-County administrators' office for recording. Then the contractor is handed over to the relevant ward administration who then organizes for the launch/ground breaking ceremony where the public is involved. A PMC made at the time and the contractor declares to the public the details of the project and what is expected during implementation.
- Approved for payment should be made by the PMC chair, ward Administration and verified by Sub-County Administrator for accountability and to avoid duplication or approval of nonexistent projects for payment
- The other devolved units like Agriculture, veterinary, livestock health and cooperatives need to be re existed through resource allocation at the grass root to be able to serve the people effectively.

- The executive need to recognize the existence of Sub-County Administration and support the system by making use of them through proper resource allocation.

The department has performed dismally in the above areas there by staffing the operations of the Sub-County Administration, Mr. Onyango concluded.

3.7. Ugenya Sub-County Administration

The Committee visited Ugenya Sub-County on 28th October, 2015. During the visit, the Committee had engagements with the Sub-County Administrator and the four Ward Administrators namely:

- | | |
|--------------------------|--|
| 1. Mr. Richard Ojwang | -Sub-County Administrator, Ugenya Sub-County |
| 2. Mr. John Paul Wanyasa | -Ward Administrator, Ukwala Ward |
| 3. Mr. SSamwel Oketch | - Ward Administrator, North Ugenya Ward |
| 4. Ms. Vincent Oduor | - Ward Administrator, East Ugenya Ward |

Absent were:

- | | |
|---------------------|----------------------------------|
| 1. Mr. George Obare | -Ward Administrator, West Ugenya |
|---------------------|----------------------------------|

3.7.1. Inception

The Sub-County Administration was created on 1st July, 2014 upon recruitment of the Sub County Administrator which they described as “ One year three months ago”.

3.7.2. Key Duties and Responsibilities of the Sub-County Administration

- Coordinating supervising and managing of the general administrative functions in the Sub-County unit.
- The administration at this level ensured efficient and effective service delivery through public participation in development of policies and plans.

3.7.3. Operational Quality Policy

There was none at the time of the visit.

3.7.4. Strategic Plan/ Statements

The Sub-County Administrator reported non-existence of one.

3.7.5. Sub-County Policies and Plans for Devolution of Services at the Grassroots

In response, Mr. Ojwang informed the Committee that the administrative structure linking the ward administration and project implementation on the ground. Strategic plan on facilitation of public participation ---not operationalized fully because of lack of finance.

3.7.6. Capacities of the Sub-County Administration Office/Administrator for Supervision of Decentralized Projects and Implementation of Policies and Plans

Administrative Structure including but not limited to a few heads of departments- ward administrators lacking village administrators and councils of elders on ground.

3.7.7. Efforts of Sub-County Administration Office to Enhance the Capacities of Ward Administration

- Induction of the administrators
- Staff briefs to equip them with policy guidelines as they arise from the executive
- Extending invitations to attend departmental meetings as they arise at the headquarters to equip them with the departmental demands that require attention.
- Provision of minimal Office /office equipment
- Constant awareness creation on work environment challenges especially the political climate.

3.7.8. State of Customer Satisfaction

This, Mr. Ojwang rated as fair citing of improved public participation in project implementation and policy development across the Sub-County

3.7.9. Essential Working Tools and Equipment

Although Mr. Ojwang reported that they had internet at Sub-County offices, old office furniture and office, he cited:

Lack adequately furnished Office space, stationery, computers ,copiers, internet for ward

- Administrators lacked facilitation (transport) and legal structures to reinforce decisions made, facilitation of office operations.
- Lack adequate staff to fully operationalize functions at Sub-County level

3.7.10. Indicators of Sub-County Administration officers Efforts to Enhance of Citizens' Participation in Policy Formulation and Implementation

- Improved attendance in public fora in the various wards as they arise.
- Improved competition arising from Sub-County applicants on advertised county jobs
- Improved engagement of youth, women and people with disability in county tender applications

3.7.11. Copy of Work Plan and Quarterly Report

Attached below, Mr. Ojwang explained to the Committee, were copies of the Ugenya Sub-County Report as at 7th October, 2015 and as 6th August, 2015 respectively.

SIAYA COUNTY

UGENYA SUB-COUNTY MONTHLY REPORT SEPTEMBER 2015

DEPARTMENT OF GOVERNANCE AND ADMINISTRATION

Date: 07/10/2015

SUB COUNTY REPORT

| ITEM NO | ACTIVITY | OBJECTIVE(S) | OUTCOME(S) | REMARKS |
|----------------|--|---|--|----------------------------------|
| 1. | Attend cholera mitigation meeting at the governors boardroom in Siaya | To strategize on the impending outbreak in Siaya | Areas worst hit identified and temporary measures put in place | Very successful meeting |
| 2. | Attend a site meeting at Ukwala hospital | To evaluate the X-RAY project development by stakeholders | Progress of project moving on well | Project on right course |
| 3. | Attend a performance contracting signing ceremony by the governor and CEC members at the Governors compound in siaya | To enhance service delivery | Departments flagship projects identified | Well-coordinated depts. expected |
| 4. | Disaster committee meeting in preparation for the el-nino rains | To strategize on the expected El-nino rains | Prone areas identified and temporary measures put in | Preparedness fully expected |

| | | | | |
|----|--|---|--|------------------------------|
| | | | place | |
| 5. | Attend advisory meeting by the ukwala children's department at Rangala . | To deliberate on status of vulnerable children in Ugenya Sub-county | Cases identified mitigation strategies put up | Quite informative meeting |
| 6. | Attend report writing session organized by the county public service board in Kisumu | To place staff of defunct local authority staff for absorption by county Government | All cases completed except three Duncan Owuoche Joseph Ligare and Penina Oyombra | A comprehensive report done. |

UGENYA SUB-COUNTY MONTHLY REPORT JULY 2015

Date: 06-08-2015

| ITEM NO | ACTIVITY | OBJECTIVE(S) | OUTCOME(S) | REMARKS |
|---------|--|--|--|--|
| 1 | Attending a consultative meeting at kogelo resort | To develop a strategic plan for the department | Strategic plan2015-2019 draft document | Exhaustive draft report developed |
| 2. | Attending an omburdsman meeting at Namsagali resort | To create awareness and develop interrogative strategies to foster good governance | Improved service delivery. | Quite informative meeting. |
| 3. | Attending an inauguration ceremony of the award of youth, women and pwds tenders | To create an all inclusive tender process for the county. | 1. Efficient service delivery and policy implementation by the county government . | Special groups awarded promised to give back quality projects. |
| | Submission of monthly report to the hqts | To comply with dept set deadlines | Effective and efficient service delivery | Unavoidable delay in submission. |
| 5. | Staff Brief | To disseminate policies and plans focused on project handing over and | Quality projects | Quite informative meeting |

| | | | | |
|----|---|--|-----------------------------|--|
| | | monitoring | | |
| 7. | Field visit to kanyumba market east ugenya ward | To meet stakeholders and start market operations that had stalled. | Improved revenue collection | Conflict resolution mechanisms useful. stakeholders happy. |

3.7.12. Reasons for Successes and Failures for the Intended Objectives

The Sub-County Administrator attributed their success to:

- Improved participation witnessed in the budget 2014/2015 by the citizens
- Improved participation in finance bill 2015/2016 by the citizens
- Improved level of participation of citizens in project supervision

Mr. Ojwang highlighted that their failures occurred due to:

- Slow change in mindset among citizens about their being the key stakeholders in decision making to the determination of development projects .
- Slow rate of devolution of functions and finances key to the realization of objectives set.

3.8. Conclusion

The Committee generally observed that the Sub-County Administrators and Ward Administrators

CHAPTER FOUR

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

4.1.Introduction

4.2.Summary of Key Findings

Key findings from the analyses were:

1. The Administrative capacities of the Sub-County Administration in all the six Sub-Counties were generally poor. They lacked requisite working tools and equipment ranging from:
 - Inadequate office space and lack of them in the Wards in the case of Ward Administrators unless some of them were hosted by the respective Elected Members of the County Assembly;
 - Lack of basic and requisite office furniture, stationery and machines;
 - Lack of on-job training;
 - Lack of transport facilities e.g. vehicles or even bicycles;
 - Lack of communication devices and airtime;
 - Lack of support staff in most of the offices the Committee visited
2. The Sub-County Administration in the six Sub-Counties had barely made any progress since their operationalization. They were impaired therefore could not effectively, efficiently and responsively perform their functions and provide devolved services due to:
 - A significant aspect of centralization of administrative decision at the headquarters, anti-devolution of decision making and finances and anti-decentralization of services to the grassroots.
3. The Committee noted that there was lack of and/ or ignorance of requisite policies, and plans by the CEC Member, Chief Officer and Director, needed for effective, efficient and responsive execution of the duties and responsibilities of the Sub-County and Ward Administrators;
4. The Sub-County Administrators were assigned responsibility over the supervision and remission of revenue and had actually tried to work towards improvement in revenue collection in the County. However, they were not well trained on public finance and were not facilitated enough to handle the revenue collected.
5. The Committee noted that the revenue collectors were not yet equipped with ETR machines for documentation and receipting during revenue collection yet these were budgeted for.
6. The Sub-County Administrators and Ward Administrators did not have money despite the budgetary allocations for their function, to execute the more than enough duties and responsibilities they were expected to undertake, not even petty cash for basic operations.

7. The Sub-County Administration is riddled with a plethora of challenges and discouraging experience most of which have been highlighted in 1 and 2 above.

4.3.Conclusions

In view of the entire data presented in the previous chapter, the Committee concluded that the assessment of the administrative capacity of the sub-county administration and its effectiveness in the decentralization of devolved functions, enhancement of the participation of the citizens and identification of challenges the system faced was very essential. The Committee noted poor capacities and poor performance of the Sub-County Administration. The research actually enhanced the knowledge of the Committee on issues of administration from a practical local viewpoint and built its capacity to engage on issues to do with further devolution as provided for in Article 176 (2) of the Constitution, Section 48(1)(d), 48(3) and (4) of the County Governments Act No 17 of 2012. In addition, the Committee found out the true status of capacities and performance of the Sub-County Administration against the background of the Constitution, the County Governments Act, 2012 and the Siaya County FY 2015/2016 budget as well as the provisions of the previous accounting period and is more capacitated and informed enough to put to task the Office of the Governor and the County Executive Member for Governance and Administration for the better.

4.4.Recommendations

The most important objective of the assessment made by the Committee was to make feasible recommendations to be implemented by the County Executive Committee on Governance and Administration for quick improvement of the sub-county administration, decentralization of devolved functions and enhancement of the participation by the citizens and responsive service delivery at the grassroots. The Committee therefore made the following recommendations:

1. There is need for the CEC Member for Governance and Administration, the respective Chief Officer and Director to rid themselves of the culture of centralization of administrative decision at the headquarters, anti-devolution of decision making and finances and anti-decentralization of services to the grassroots.
2. The Ward Administrators be given:
 - i. Adequate office space in the Wards even if it means renting for them within 60 days from the date of approval of this report;
 - ii. Adequate basic and requisite office furniture, stationery and machines within 60 days from the date of approval of this report;;
3. The CEC Member, Chief Officer and Director for Governance and Administration must each, ensure that all the moneys allocated for the operations of the Sub-County Administration are released to the Sub-County Administrators and Ward Administrators each, for their operations, all for the past two quarters. This be done by 31st December 2015.
4. The Director in charge of Administration to organize on-job training and capacity building activities at least once in 90 days beginning 30 days from the date of adoption of this report;

5. Sub-County Administrators, and for the use of Ward Administrators based on need in the meantime awaiting their own, be procured for, vehicles as provided for in the budget not later than 60 days from the date of adoption of this report;
6. The Executive Committee Member for Governance and Administration and the Chief Officer to move with speed to ensure all requisite policies, and plans needed for effective, efficient and responsive execution of the duties and responsibilities of the Sub-County and Ward Administrators are fast tracked within 60 days from the date of adoption of this Report;
7. The CEC Member for Governance and the Chief Officer in charge to liaise with the respective CEC(s) and Chief Officer so that the Sub-County Administrators and Ward Administrators are well trained on public finance and are facilitated enough to handle the revenue collected.
8. The Sub-County Administrators and the Ward Administrators each to be sent a secretary and senior support staff to assist them in their day-to-day operations within 60 days from date of adoption of this report.
9. The CEC Member and the Chief Officer to liaise with the CEC Member and Chief Officer for Finance and ensure the revenue officers are equipped with ETR kits within 60 days from the date of adoption of this report.
10. That the recommendations of this report MUST be implemented within the stated timeframes failure to which the respective CEC Member and Chief Officer and any other officer directly responsible will be held accountable by this House.

ANNEXTURES

Annex I: RETINUE FOR THE COMMITTEE ON GOVERNANCE AND ADMINISTRATION (COUNTY ASSEMBLY OF SIAYA) VISITS TO SUB-COUNTY OFFICES (26TH-27TH OCTOBER, 2015)

The Table below outlines the itinerary of the Committee on Governance and Administration for its visits to Sub-County Administration from 26th to 27th October, 2015.

| Date | Sub-County | Time | Activity |
|--------------------------------|----------------------|---------------------|---|
| 26 th October, 2015 | Rarieda (Aram) | 9.00 am – 10.00 am | Assessment/Engagement with S.C Admin & W. Admins |
| 26 th October, 2015 | Bondo (Bondo) | 11.00 am – 12.00 pm | Assessment/Engagement with S.C Admin. & W. Admins |
| 27 th October, 2015 | Alego Usonga (Siaya) | 2.00 pm – 3.00 pm | Assessment/Engagement with S.C Admin. & W. Admins |
| 27 th October, 2015 | Ugunja (Ugunja) | 11.00 am – 12.00 pm | Assessment/Engagement with S.C Admin. & W. Admins |
| 27 th October, 2015 | Gem (Yala) | 2.00 pm – 3.00 pm | Assessment/Engagement with S.C Admin. & W. Admins |
| 28 th October, 2015 | Ugenya (Ukwala) | 9.00 am – 10.00 am | Assessment/Engagement with S.C Admin. & W. Admins |

Annex II: Data Collection Questionnaire/Assessment Tool

A. Introduction

1. When was the sub-county administration operationalized?

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

2. What are the key duties and responsibilities of the Sub-County Administrator?

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

3. Is there operational quality policy?

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

4. Does the Sub-County Administration Office/Administrator have strategic plan/statement?

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

5. Does the Sub-County Administration Office/Administrator have policies and plans for devolution of services at the grassroots?

.....
.....
.....
.....
.....
.....

.....
.....
.....
.....

6. What essential working tools and equipment does the Sub-County Administration Office/Administrator have/lack?

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

7. What capacities does the Sub-County Administration Office/Administrator have for supervision of decentralized projects and implementation of policies and plans?

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

8. What has the Sub-County Administration Office done/is doing to enhance the capacities of Ward Administrators?

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

9. What is the state customer satisfaction in the context of consolidation of their interests and feedback communication?

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

10. What are the indicators that prove the officer's enhancement of citizens' participation in policy formulation and implementation?

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

11. Kindly produce a copy of the work plan for the last two quarters.

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

12. Account for the success and failures to in the achievement of the intended objectives.

.....

.....

.....
.....
.....
.....
.....
.....
.....
.....