



COUNCIL OF GOVERNORS

THE COUNCIL

MONTHLY

DECEMBER 2021

STOP REDUCING THE RECURRENT EXPENDITURE BUDGET, COG TELLS CRA

Governors have raised concerns on the reduction of the recurrent expenditure budget from over Ksh 62 billion (62, 364, 247, 754) in the last financial year, FY2021/22 to Ksh 61, 965,331, 620 for the financial year 2022/23 by the Commission on Revenue Allocation.

The Council of Governors deliberated on the matter and others including Managed Equipment Service (MES) project, upgrade of maternity and newborn facilities, and establishment of Level 3A hospitals by the Ministry of Health in a full council meeting held on December 20.

According to CoG's Finance and Economic Planning Committee Chairperson, H.E. Ndiritu Muriithi, the Commission has been making blanket ceilings without considering the uniqueness of every County Government.

However, in the budget, the costs of public participation, operations, and maintenance have remained constant for the past four financial years.

"We note with concern that CRA's presentation did not consider that certain Counties have a larger landmass than others and therefore, the cost incurred in the conduct of public participation and sensitization may differ from one County to the other," he said.

Similarly, CoG Chairman H.E Martin Wambora raised concerns over failure by county assemblies to provide a budget for induction of new leadership in the counties after the 2022 General Elections.

"Induction is a key component for onboarding of the new county leadership to ensure that there is a seamless transition," he added.

On health matters, particularly the Managed Equipment Service (MES) Project, CoG's Health Committee Chairperson, H.E Anyang' Nyong'o, informed the Council that the current seven year MES contract was coming to an end on various dates between December 2022 and May 2023.

Based upon the findings of a survey conducted by the MES review committee to assess the status of MES equipment in the Counties, the council resolved to seek expert opinion to analyze the committee's report and provide guidance to the Ministry on whether or not to extend the contract for an additional three years and the best course of action going forward.

The Council expressed discontent with the Ministry of Health's proposal to acquire a KSh2.4 billion loan to upgrade 20 maternity and newborn facilities in 12 counties, namely, Narok, Nyamira, Kisii, Embu, Elgeyo Marakwet, Nyeri, Kwale, Makueni, West Pokot, Murang'a, Samburu and Nyandarua without the input of the Council yet Health is a devolved sector. The Council called upon the Ministry of Health to convene an urgent consultative meeting to address all the issues

arising from the proposal on upgrading maternity and newborn facilities in the selected counties.

Following the recent presidential directive during the Mashujaa Day celebrations that the National Treasury releases Sh3.2 billion for the construction of 50 new level III health facilities in all the Counties, Governors called for an orderly and systematic process in undertaking the exercise per the constitution, taking cognizance that Health is a devolved function.

In his address to the media after the meeting, H.E Martin Wambora, alongside Governors H.E Kiraitu Murungi - Meru, H.E Lee Kinyanjui - Nakuru, H.E Ali Muktar - Wajir, H.E Stanley Kiptis - Baringo, H.E Samuel ole Tunai -Narok, and H.E Cornel Rasanga – Siaya, stated that the Council plans to hold its annual elections on Thursday, January 27, 2022.

This will be the last election under the current regime and is instrumental in facilitating a smooth transition of the leadership of the Council.



Ms. Mary Mwti addressing the media after her appointment as the Council of Governors Chief Executive

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HEALTH IS DEVOLVED, ALLOW COUNTIES THE MANDATE TO IMPLEMENT THE POLICIES AND LEGISLATIONS

Why stick to other areas in the health docket with some functions overlapping between the two levels of governments (National government and the county governments) yet the sector is devolved, wonder the governors.

This emerged after the governors noted with concern the persistent Policy and Legislative barriers that have hindered the implementation of the devolved function to Kenyans.

The areas affected included the Health Financing for Universal Health Coverage (UHC), Provision of adequate essential health commodities and Emergency service delivery preparedness.

Due to the controversies that surrounds the sector, the Council of Governors, Ministry of Health, Senate, National Assembly, County Assemblies and other stakeholders, with support from USAID, held a two days high level consultative meeting on December 15 and 16, 2021, to deliberate on policy and legislative barriers that hamper implementation of devolved Health services.

From the meeting, it came out that certain laws and regulations that are currently in force were developed before the promulgation of the 2010 Constitution. These include the Public Health Act, NHIF Act, Mental Health Act, Malaria Prevention Act as well as the HIV/AIDS Prevention and Control Act among others.

However, some provisions in these laws do not conform to the provisions of the Constitution with some functions overlapping between the two levels of Government, a scenario not envisioned in the supreme law of Kenya.

Speaking during the event, Cabinet Secretary Ministry of Health Hon. Sen. Mutahi Kagwe expressed his concern on the issue stating among other legislations: The Medical Practitioners and Dentists Act, Clinical Officers Act, Nurses Act, Medical Laboratory Technicians and Technologists Act, Pharmacy and Poisons Act, Physiotherapy Act and the Nutritionists and Dieticians Act, that have resulted to overlapping functions in registration of health facilities.

Aside from the laws touching on the professionals in the health sector, there are challenges plaguing other areas as well. For instance, the Public Finance Management Act which is the principal law on the management of funds under the National Government and the Counties.

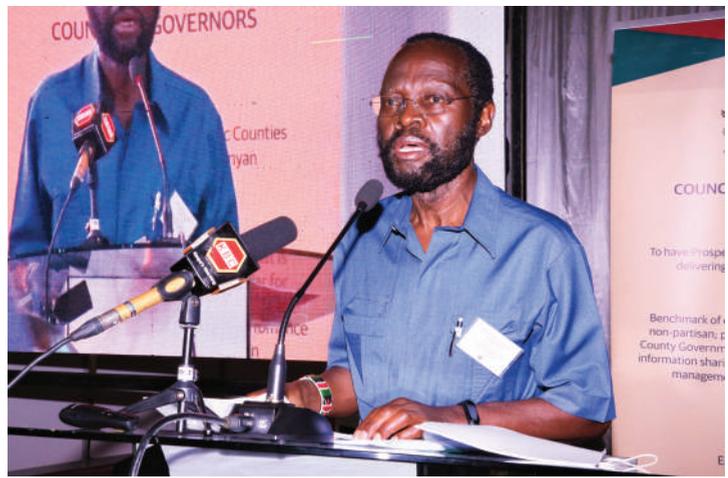
The Act provides for the establishment of a County Revenue Fund for each County Government and the establishment by each County treasury of a single account through which payments by the various County Government entities are to be made.

Time and again, the Council of Governors has advocated for revision of guidelines on procurement and distribution of drugs and medical supplies, while calling for an overhaul of the Kenya Medical Supplies Authority. At the height of COVID-19, County Governments called on involvement of key players in the health sector to help fill the gap and meet inadequacies in the supply of medical drugs.

This is yet to be implemented, the KEMSA Act still states that a National and County public health facility shall, in the procurement and distribution of drugs and medical supplies, obtain all such drugs and medical supplies from the Authority.

To this end, the high level meeting concluded with a 20-point communique that will see most of the policy and legislative barriers in the health sector collaboratively addressed by relevant stakeholders in the sector.

Read the communique [here](#)



WORK WITH THE COUNTIES DIRECTLY TO TRANSFORM AND IMPROVE SERVICE DELIVERY IN THE AGRICULTURE SECTOR, COG TELLS THE DEVELOPMENT PARTNERS

The Council of Governors held a two-day high level consultative meeting to make necessary changes in the agricultural and cooperative sectors with an aim of ensuring that the small holder farmers benefit and counties empowered to effectively offer services.

The meeting held from December, 16 to 17, 2021 at the Sarova White Sands Hotel and Spa in Mombasa County, brought together the Council of Governors, Ministry of Agriculture, Livestock, Fisheries and Cooperatives, USAID and World Bank Kenya to discuss among other things ways of forging partnerships with a view of improving service delivery at the County level.

The Council Chairman of the Agriculture Committee H.E Dr. James Nyoro, in his remarks urged the County Governments to understand the available opportunities within the USAID and World Bank in Kenya for sustainable partnerships on increasing productivity and income growth; enhanced food security and equity among others.

“In today’s meeting, it’s imperative that we examine the policy and legal reforms in the agriculture sector to make the necessary changes required for the benefit of the small holder farmers and ensure that Counties are empowered to effectively offer services,” Dr Nyoro said.

Speaking on behalf of the USAID Kenya Mission Director Mark Meassick, Deputy Mission Director Bert Ubamadu, gave their assurance that USAID and other Development Partners will continuously cooperate and consult in the conceptualization, management, financing, implementation, monitoring and evaluation of all projects and programmes under devolved functions.

“As USAID, we will ensure that all new projects and programmes are aligned to the respective County Integrated Development Plans (CIDPs) to avoid duplication and wastage of valuable resources. Therefore, we support the Council in ensuring that it is included in the development cooperation agreement between the Government and Development Partners’, said Mr. Ubamadu.

Principal Secretary, State Department for Crop Development & Agricultural Research Prof. Hamadi Boga, reiterated the Ministry’s commitment to working together with County governments.

“As a Ministry, we are looking to deliberate on various policies with County Governments so as to incorporate your recommendations effectively. This includes the Cooperatives Bill 2021, the National Livestock Policy, the National Agriculture Insurance Policy and National Livestock Master plan, that seeks to increase targeted investment in the Livestock field for improved national income, food and nutritional security”, said PS Boga.

In his remarks, Council of Governors Chairman H.E Martin Wambora, thanked the Ministry of Agriculture, Livestock, Fisheries and Cooperatives, USAID, World Bank Kenya and all other stakeholders in the sector for fully supporting this meeting to find a lasting solution for issues ailing the sector and the County Governments for their unwavering enthusiasm to deepen devolution in line with Country’s national aspirations.

“As a Council, we shall take the lead in bringing together all the other players in the sector including National Government and the Private Sector to develop a roadmap for the transformation of County food systems”, said H. E Wambora.

According to Governor Wambora, Covid-19 pandemic, the recurrent droughts and climate change among other shocks has severely strained the already limited resources available at the county level

hence affecting provision of services such as agricultural extensions and farmer training.

In view of this, Governors are calling upon Development partners in the agriculture sector to directly work with the County Governments to transform and improve service delivery at the county level.

The two-day meeting ended with a joint communique that called for implementation of key recommendations such as; enabling market systems to drive growth and create jobs, build capacity to increase trade as well as accelerating investment not only in Kenya but in the regional and global markets.

“We also need to focus on value addition, the need for broader cooperation between the National and County Governments and a reduction of the 16 per cent tax imposed on the importation of agricultural equipment among other resolutions,” Mr Wambora said.



PUTTING A SMILE ON A FACE OF A CHILD, OUR MOTIVATION

Putting a smile on a child's face can change the world, Maybe not the whole world but at least their world.

The last two years have been tough for many families and because of the Covid-19 pandemic that was first reported in the country two years ago, many families including children and women have had it rough.

In order to put a smile on a child's face, the Council of Governors and the County Pension Fund organized a day with the children at Nairobi remand and rehabilitation school as part of corporate social responsibility. The Council organized activities including sharing games, inspiration talks, and interactive children engagements.

The CSR activity also gave children a platform to showcase their talents, including dancing and singing. Further, the Council donated various food and other items to ensure that the children receive the best possible care.

Despite the challenges the children face in life, they still forge ahead for a better tomorrow, hence the need for the Council to share with the young women and men.

The visitors were welcomed by the school's administration who later requested the guest to give the children a listening ear as they interact and showcase their kits and poems.

However, given the uniqueness of the children since they come from different backgrounds, there was need to be cautious when handling them.

The administration at the facility expressed their gratitude towards the Council and the CPF for their immense support for the Nairobi remand and rehabilitation school. Further, they called for joint efforts among all stakeholders to ensure the children successfully finish their rehabilitation and reunite with their families.

Speaking during her opening remarks, the Council of Governors Chief Executive Officer, Ms. Mary Mwititi, thanked the school's administration for the opportunity to interact and have fun with children at the facility while emphasizing the importance of values such as hard work and discipline.

"Nothing in life comes easy. You need to work hard and adopt positive social behaviors to achieve your dreams. Strive to become a better and responsible individual who can positively impact the community," she said while addressing children in the facility's assembly hall.

She added: "While here, ensure you come out a better person than you came in for your own growth since by coming here we are contributing to your development. We want to see a better person. So ensure you don't disappoint your people."

The school that was established in 1957 is currently home to many children who are in conflict with the law and have been confined for committing both serious crimes, and petty offenses.

Additionally, the facility hosts children in need of reformation and correctional behavior and acts as a temporary home for lost children as their families are being traced.

The school, run through collaborative efforts between the Ministry of Labour and Social Protection, only caters to under-age children since they require delicate nurturing and equal access to education.

The Council wishes to thank all those who contributed to this noble cause.



KEY EVENTS OF THE MONTH



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HIGHLIGHTS OF 2021



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