

**COUNTY GOVERNMENT OF KITUI**



**THE COUNTY ASSEMBLY**

**THIRD ASSEMBLY- SECOND SESSION**

---

**COMMITTEE ON FINANCE AND ECONOMIC PLANNING**

**REPORT ON**

**TRAINING ON THE ROLE OF LEGISLATURE IN THE BUDGET PROCESS:  
ACCOUNTABILITY IN THE PUBLIC SECTOR**

**HELD FROM 6<sup>TH</sup> TO 10<sup>TH</sup> MARCH, 2023 IN DUBAI, UNITED ARAB  
EMIRATES (UAE).**

**CLERK'S CHAMBERS,  
COUNTY ASSEMBLY BUILDINGS,  
P.O BOX 694-90200  
KITUI.**

**MARCH, 2023**

# TABLE OF CONTENTS

ABREVIATIONS	3
ANNEXETURES	4
CHAPTER ONE	5
1.0 PREFACE	6
1.1 COMMITTEE COMPOSITION AND MANDATE	8
1.2 THE DELEGATION	8
1.4 JUSTIFICATION FOR THE TRAINING	9
1.5 OBJECTIVES OF THE TRAINING	10
1.6 THE PROFILE OF THE UNITED ARAB EMIRATES	14
1.7 ACKNOWLEDGEMENT.	16
CHAPTER TWO	16
2.0 HIGHLIGHTS OF THE PRESENTATIONS DURING THE TRAINING WORKSHOP.	16
2.1 Public Budget process	21
2.2 Accountability in the public sector	22
2.3 Management techniques for parliamentary effectiveness	24
2.4 The role of committees	25
2.5 Effective scrutiny of budget documents Inquiry and investigations	27
2.6 Public expenditure reviews	28
2.7 Public policy analysis and management	31
CHAPTER THREE	31
3.0 LESSONS LEARNT	34
CHAPTER FOUR	34
4.0 COMMITTEE'S RECOMMENDATIONS	36
5.0 CONCLUSION	37
CHAPTER FIVE - PHOTO GALLERY	

## ABBREVIATIONS

<b>ADP</b>	-Annual Development Plan
<b>AED</b>	-Arab Emirates Dirham
<b>CBROP</b>	-County Budget Review Outlook Paper
<b>CFSP</b>	-County Fiscal Strategy Paper
<b>CG</b>	-County Government
<b>CoK</b>	-Constitution of Kenya
<b>ESAMI</b>	-East Southern African Management Institute
<b>MCA</b>	-Member of County Assembly
<b>PFM</b>	-Public Finance Management
<b>S.O</b>	-Standing Orders
<b>UAE</b>	-United Arab Emirates
<b>UN</b>	-United Nations

## **ANNEXETURES**

- i. Signed Members List
- ii. Programme from ESAMI
- iii. Copies of Members Passports and boarding passes

## CHAPTER ONE

### 1.0 PREFACE

#### **Mr. Speaker,**

On behalf of the Members of the Committee on Finance and Economic Planning and pursuant to the provision of Standing Order (S.Os)179(6) and 190(5) (g), it's my privilege to present to the Assembly, the Committee's report on training on the role of legislature in the budget process: accountability in the public sector conducted by Eastern and Southern African Management Institute, (ESAMI) in Dubai, United Arab Emirates (UAE). It took place from 6<sup>th</sup> to 10<sup>th</sup> March, 2023 and focused on the budget making process, accountability by public servants and public policy formulation among others.

#### **Mr. Speaker,**

ESAMI is a Pan African Regional Management Development Centre owned by ten Member Governments from the Eastern and Southern African regions. These are Kenya, Malawi, Mozambique, Namibia, Seychelles, Swaziland, Tanzania, Uganda, Zambia, and Zimbabwe.

The centre is a service and market-oriented institution offering high level specialized management training, consultancy, education programmes and action- oriented management research services.

#### **Mr. Speaker,**

In May, 1997 the United Nations (UN) Economic Commission for Africa officially designated ESAMI as The African Centre of Excellence in Management Development. This recognition has necessitated ESAMI to extend its services to all countries in Africa. To meet Africa's management challenge in the new millennium, ESAMI continues to provide high quality, client centered management development interventions throughout Africa

which informed the committee's choice of the institute in facilitating the training.

The delegation in addition to the training was given an opportunity to undertake a guided tour of one of the tourist investments within Dubai as part of the study tour programme namely the Desert tour. The desert tour enabled the delegation to learn on how the UAE has been able to exploit her misfortunes of unproductive sandy hills for Economic gains through booming tourism. This was a precise indication that every geographical area is endowed with specific resources what matters is the realization of occurrence and a strategic decision and plan to convert the same to reasonable wealth that can impact economy positively.

## **1.1 COMMITTEE COMPOSITION AND MANDATE**

### **Mr. Speaker,**

The Committee on Finance and Planning is established pursuant to S.O 190. It is the forms part of the first Sectoral Committees that were formed on inauguration of the Third Assembly. As currently constituted, it comprises of the following members: -

- |                           |                 |
|---------------------------|-----------------|
| 1. Hon. Munyoki Mwinzi    | - Chairperson   |
| 2. Hon. Waziri Bakari     | - V/chairperson |
| 3. Hon. Muthengi Ndagara  | - Member        |
| 4. Hon. Mary P. Ndumbu    | - Member        |
| 5. Hon. Sammy Munyithya   | - Member        |
| 6. Hon. Paul Maluki       | - Member        |
| 7. Hon. David M. Munyau   | - Member        |
| 8. Hon. Mary Mbithe       | - Member        |
| 9. Hon. Peter Mwanza      | - Member        |
| 10. Hon. Munira Mohammed  | - Member        |
| 11. Hon. Grace S. Mulandi | - Member        |

S.O. 190(5) outlines the functions of the Committee as follows: -

1. Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
2. study the programme and policy objectives of departments and the effectiveness of the implementation;
3. study and review all county legislation referred to it;
4. study, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
5. investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
6. to vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 185 (Committee on Appointments); and
7. make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

In addition, the Committee operates in the following subject area as indicated in the Second Schedule of the County Assembly S.O.s;

- i Developing and implementing financial management and economic planning policies,
- ii generating county finance management bills,
- iii mobilizing resources for funding the county budget,
- iv issuing circulars with respect to finance matters,
- v preparing annual budgets and all documents in support of the budget,
- vi custodian of county assets,
- vii assisting county government entities to develop capacity,
- viii managing county's public debt,

ix reporting regularly to the county assembly on the implementation of county budget.

## 1.2 THE DELEGATION

**Mr Speaker,**

The delegation comprised of the following seven Members nominated by the Assembly who had a successful training during the period;

S/no.	Name	Designation
1	Hon. Munyoki Mwinzi	Leader of the Delegation
2	Hon. Waziri Bakari Baraka	Deputy Leader of the Delegation
3	Hon. David Masaku Munyau	Member
4	Hon. Judith Wanza	Member
5	Hon. Kalamba Musau	Member
6	Ms. Boniface Maundu Katumbi	Member
7	Mulandi Kavali	Committee Clerk

## 1.4 JUSTIFICATION FOR THE TRAINING

**Mr. Speaker,**

The Constitution of Kenya (CoK), 2010 and the PFM Act, 2012 has both placed significant responsibilities on the County Assemblies as relates to financial management in particular regarding to resource mobilization, allocation, monitoring and control. Section 130 and 131 of the PFM Act, 2012 bestows the fundamental responsibility of the County Budget approval and the relevant appropriations law to the County Assemblies.

As a common practice, most of Legislative Assemblies across the world and by virtue of their oversight mandate play a crucial role in budget making and financing. Implementation and of essence, the accountability to members of the public. It thus a common spectacle in the two levels of the Governments.



**Mr. Speaker,**

Section 9(1)(e) of the County Government Act, 2012 provides that;

*“A member of a county assembly shall—extend professional knowledge, experience or specialised knowledge to any issue for discussion in the county assembly”.*

As a legislative Assembly, the responsibility charged with the Members in delivery of their mandate is intricate notwithstanding their education, professional and experience backgrounds. This demands the institution to organize for continued capacity building to equip them with the requisite knowledge to handle matters that come on their way as individual legislators, Committees or as an Assembly.

**Mr. Speaker,**

It is in light of this that the Committee deemed it imperative to pursue this training to enhance the Members' skills which will equip the delegation with requisite knowledge to develop mechanisms and methodologies on how to navigate in the light of changing development, financial landscape, budgeting process and improve their levels of accountability to the public.

## **1.5 OBJECTIVES OF THE TRAINING**

**Mr. Speaker,**

Pursuant to Article 185 of the Constitution of Kenya 2010, and Section 8 of the County Government's Act, the County Assembly of Kitui is mandated to conduct; Legislative, Oversight, and Approval functions on behalf of the County Government of Kitui. It is in the view of the above that the Committee intends to attend the workshop whose objectives are to: -

- i. Provide comprehensive understanding of the current perspectives, expectations and practices in development of finance.

- ii. Comprehend the dynamics of new development of finance landscape and opportunities of scaling up the rate of structural fund absorption.
- iii. Develop professionals, build and upscale core skills and competences in budget making process and accountability that will ensure greater success of projects and investments promoted.
- iv. Grow skill capacity of County Chiefs as in promoting the efficacy of structural funds and development.

## **1.6 THE PROFILE OF THE UNITED ARAB EMIRATES**

**Mr. Speaker Sir,**

Bordering Saudi Arabia to the south and Oman to the east, the United Arab Emirates is a relatively small country on the Persian Gulf. Following independence from Britain in 1971, the successful exploitation of oil and gas reserves has completely transformed the entire region, and the UAE is amongst the richest countries in the world. The UAE is a federal state, with the emirates: Abu Dhabi, Ajman, Dubai, Fujairah, Ras al-Khaimah, Sharjah and Umm al-Quwain, each ruled by a hereditary monarchy. The seven emirs form the UAE's supreme council, and one is elected President of the UAE. The country's landscape consists mostly of gravel plains and sand dunes desert; its main cities and urban centers are located mainly along its coasts.

**Mr. Speaker Sir,**

Dubai is a bustling capital that is home to diverse populations. From its humble beginning as fishing village in the 19<sup>th</sup> century, it has grown into a thriving city that is home to people from all over the world. According to Dubai Statistics Center, the current resident population is three million, five hundred and sixty-five thousand, eight hundred and seventy-seven (3,565,877) by March, 2023. It is the most populated constituent in the UAE, surpassing Abu Dhabi which is the largest emirates by area. The official

religion of Dubai is Islam, but the area is tolerant and respectful of other faiths, as well. Minority religions practiced within Dubai include Christianity, Hindu, Sikh, and Buddhism, amongst others.

**Mr. Speaker,**

In Dubai, Arabic is the official language, and English is often spoken as well. Additional common spoken words include Hindi, Urdu, Bengali, Tamil, Tagalog, Persian, Chinese and others. The Government of Dubai is the subnational authority that governs the Emirate of Dubai. The executive authority and head of the government is the Ruler of Dubai, Sheikh Mohammed bin Rashid Al Maktoum. The Ruler of Dubai appoints the Dubai Executive Council, which is led by the Crown prince of Dubai and is responsible for the day-to-day management of Dubai Government agencies such as the Dubai Municipality. The currency of United Arab Emirates Dirham (AED).

**Governance and politics**

**Mr. Speaker,**

The UAE is a loose federal system consisting of seven emirates, dominated by Abu Dhabi. Within each emirate, local governments are based on traditional patriarchal monarchies and ruled by sheikhs from royal families who long held the leadership position of tribal confederations. Each emirate has its own local government, the complexity of which varies according to the size and population of the emirates.

The federal system of the UAE combines traditional and modern elements of leadership and government and has been responsible for giving the country a distinct national identity and political stability. Every emirate has a voice in the civil administration of the country, in both the supreme council and the cabinet, though the status and power of the powerful emirates of Abu Dhabi and Dubai are apparent. Critical decisions, such as approving the

federal budget and choosing the President and Prime Minister, are usually reached by consensus.

**Mr. Speaker,**

Individual emirates reserve considerable power and autonomy in running their own economies and social systems. The governments are largely in the hands of royal dynasties and their local allies from other rich and powerful merchants and business families. In both the federation and the individual emirates' governments, there are no genuinely representative political institutions. Ordinary people are able to communicate their problems to local leaders by talking to them directly in the traditional consultative forum the leaders hold regularly, known as the *majlis* (council).

**Mr. Speaker,**

The following factors are attributed to Dubai's unmatched growth over the last three decades;

- i **Strategic Location-** Dubai is a time Zone bridge between the Far East and Europe on the East-West and Africa on the North- South axis.
- ii **Political and Economic Stability-** Dubai is part of the UAE which is a low crime and politically stable country. Also, the UAE enjoys financial and monetary stability. It's well developed, sophisticated banking system features extensive credit facilities and ample liquidity.
- iii **Open and Free Economic System-** Dubai's economy has been kept open and free to attract investors and business. Government control and regulation of private sector activities has been kept to a minimum.
- iv **World Class Infrastructure and service sector-** Dubai's deliberate policy of investing heavily in transport, telecommunications, energy and industrial infrastructure has enabled it to have one of the best infrastructure facilities

in the world; it also contributed significantly both to its ongoing prosperity and attractiveness to international business. The Emirate features a network of seven industrial areas, one business park and three highly successful, specialized free of international distinction, two world class seaports, a major international airport and cargo village, a modern highway network, state-of-the-art telecommunications and reliable power and utilities all of which deliver efficiency, flexibility, reliability, reasonable cost and size. Complementing its world class infrastructure is a sophisticated service sector that features leading regional and international hotels, banks and financial service firms, lawyers, accounting firms, consultants, advertising agencies, international exhibition and conference facilities, high quality office and residential accommodation, first class hospitals, schools, shopping centres and recreational facilities.

v **Competitive Cost Structure-** International companies setting up in Dubai can obtain significant cost advantages not generally available internationally. The major factors are:

- i. No foreign exchange controls,
- ii. No trade barriers or quotas,
- iii. Competitive import duties (4% with many exemptions)
- iv. Competitive labour costs- labour force is multi- lingual and skilled,
- v. Competitive energy costs,
- vi. Competitive real estate Costs,
- vii. Competitive financing costs and high levels of liquidity,
- viii. No corporation profit or personal

vi **High Quality of Life, Excellent Living Conditions-** Dubai's private sector has invested heavily in real estate such as hotels, residential and commercial properties and leisure facilities. In addition, a number of factors have contributed to the Emirate's high quality of life and superior living conditions making it a model location for many to emulate. Those

factors include excellent infrastructural facilities, clean environment, tolerance and cultural diversity, cosmopolitan life style, modern public administration, availability of a wide range of consumer goods and services, mild winters and clean and palm fringed beaches.

vii **Extensive Foreign Trade Network and Major Achievements in Export and Re-Export Performance-** Dubai boasts an extensive foreign trade network extending to 179 states thus offering the investors an extensive choice of potential global marketing outlets for a diverse portfolio of goods and services.

viii **Rapidly Developing Manufacturing Sector Producing a Wide range of high Quality, Competitive Export Products-** Major gains have already been made in the profitable manufacture and export of fabricated metal products, textiles and readymade garments, gold and jewellery, prepared foodstuffs, consumer electronics, refined petroleum, chemical and non-metallic mineral products.

## **1.7 ACKNOWLEDGEMENT.**


**Mr Speaker,**

On behalf of the delegation, I take this opportunity to greatly thank various institutions and individuals for the support and cooperation they have provided that made the training workshop a success. These includes and not limited to the Ministries of devolution and Immigration for approving the training workshop and timely processing of travel documents respectively. The team is very grateful to the Office of the Speaker and that of the Clerk to the County Assembly for finding it important for the delegation to undertake the said training and facilitating the same.

I lastly and sincerely acknowledge ESAMI for organizing the visit and dispatching Professor Esther Wangui Mbugua to facilitate the study sessions

and also representatives of the various places visited by the delegation for the warm reception accorded.

It is now my pleasant duty and privilege, on behalf of the delegation to table this report and recommend it to the house for adoption.

SIGNED BY:   
HON. MUNYOKI MWINZI (M.C.A)  
CHAIRPERSON,  
COMMITTEE ON FINANCE AND PLANNING  
&  
LEADER OF DELEGATION.

DATE: \_\_\_\_\_

## CHAPTER TWO

### 2.0 HIGHLIGHTS OF THE PRESENTATIONS DURING THE TRAINING WORKSHOP.

#### **Mr. Speaker,**

The training took place at Hilton Garden Inn Al Muraqabat Hotel as indicated above with effect from 6<sup>th</sup> to 10<sup>th</sup> March, 2023. During the raining, the following topics were covered;

- ✓ Public Budget process
- ✓ Accountability in the public sector
- ✓ Management techniques for parliamentary effectiveness
- ✓ The role of committees
- ✓ Effective scrutiny of budget documents Inquiry and investigations
- ✓ Public expenditure reviews
- ✓ Public policy analysis and management

#### **2.1 Public Budget process**

#### **Mr. Speaker**

Chapter twelve of the Constitution 2010 is the principal piece of legislation that guides all government Institutions on Public Finances. This Chapter contains six Parts that with various Articles that gives guidance on all public financial matters that involve;

- i. Principles and Framework of Public Finance
- ii. Other Public Funds
- iii. Revenue-Raising Powers and the Public Debt
- iv. Revenue Allocation
- v. Budgets and Spending
- vi. Control of Public Money
- vii. Financial Officers and Institutions



### **Mr. Speaker**

The above Chapters of the Constitution in a nut shell provides for best principles, practices and prudence expected in handling public finances. The law sets out the broad policy and guidelines in resource mobilization, sharing among the two levels of the Government, budgeting, borrowing, institutions charged with different responsibilities in matters public finances etc. It is the law that also envisages the critical need for legislation of all other relevant Acts that deal with public finances by the two levels of the Government.

### **Mr. Speaker**

The budget process in Kenya is very elaborate and is majorly prescribed by the following pieces of legislation:

- i. The Constitution
- ii. PFM Act (2012)
- iii. Public Finance Management Regulations (2015)
- iv. County Governments (CG) Act, 2012.

To align it with the constitution, and the international best practice, the process is guided by three principles

- a. Transparency
- b. Accountability
- c. Public Participation

### **Mr. Speaker**

Budget making in Kenya involves three major milestones/stages namely; formulation, approval, execution and oversight.

### **Budget formulation**

The formulation stage falls under the Executive Arm of the government. Both the National and County level handle budget formulation. This stage involves the following;

- i. Integration of both long-term and medium-term plans into the budget process
- ii. Planning and determining financial and economic the policies and priorities over the medium term
- iii. Preparing overall estimates in the form of:
  - the Budget Policy Statement of national government revenues and expenditures
  - estimates in the form of the County Fiscal Strategy Paper for the County governments
- iv. preparing the budget estimates

The Members of the public play a very critical role in this stage through public participation as provided in Article 196 & 232 of the Constitution, the PFM Act, 2012 and the County Governments Act, 2012.

The following are the statutory documents that are required at the formulation stage for the County level budgeting–

- i. The County Integrated Development Plan- (five years plan)
- ii. Departmental strategic plans – (five years plan)
- iii. The Budget circular from the County Treasury
- iv. The Annual Development Plan (ADP)
- v. The Outlook Section of the County Budget Review and Outlook Paper (CBROP)
- vi. the County Fiscal Strategy Paper (CFSP), and
- vii. the Annual Budget Estimates.

## **Approval**

### **Mr. Speaker,**

The approval stage falls under Parliament and the County Assemblies. Parliament handles the approval at the national level. The County Assemblies handle the approval stage at the county level. This bring in the

significant roles that are played by the legislature in the budget making process to include;

- i. reviews of the budget proposal
- ii. makes any necessary amendments
- iii. Enacts it into a law

As a basis for future deliberations,

- Parliament adopts the Budget Policy Statement; and
- Each County Assembly adopts their respective County Fiscal Strategy Paper.

Amending and approving the budget estimates after–

- the National Executive tables them before Parliament; or
- the County Executive tables them before the County Assembly.

Enacting the–

- Appropriation Bill, and
- any other Bills required to carry out the budgetary proposals eg. the Finance Acts.

### **Execution/Implementation**

The implementation stage involves executing the budget proposals passed at the approval stage. The Executive at the national and the county level is in charge of the implementation stage.

The legislative oversight also takes place at this stage which involves evaluating and accounting for the budgeted revenues and expenditures for–

- the national government, and
- the county governments.

At this stage reviewing and reporting on those budgeted revenues and expenditures every three months is done which normally are referred as quarterly reports.

The budget documents that belong to this stage are–

- the quarterly budget implementation review reports by the Controller of Budget, and
- the quarterly budget implementation reports by the national and county governments.

### **Audit and Evaluation**

This is usually the last stage of the budget process and it follows the implementation stage.

The Office of the Auditor-General established pursuant to Article 229 is in charge of audit. It audits and reports on the financial accounts of–

- the national government, and
- the county governments.

The audit reports should confirm whether the expenditure of public funds was prudent.

The Auditor-General should table the reports before Parliament or the relevant county assembly. Parliament or the County Assemblies should consider the reports through the Public Accounts Committees, debate and thereafter take appropriate action.

The Office of the Controller of Budget established pursuant to Article 228 is in charge of evaluation. It reviews the budget expenditure for the previous fiscal year for–

- the national government, and
- the county governments.

The documents that belong in this stage are:

- the Auditor General’s reports for both levels of government; and
- the ‘review’ section of the Budget Review and Outlook Paper (BROP and CBROP). The review section forms the basis for evaluation.

The Controller of Budget should table the quarterly budget implementation reports to–

- Parliament (National Assembly and Senate), and

- the County Assemblies.

It is evident from the practices and the procedures highlighted above that the two levels of the government have a lot in common as pertains budget handling as public institutions.

## **2.2 Accountability in the public sector**

### **Mr. Speaker,**

Accountability in the public sector is a scenario where the decision-making power is transferred from a principal to an agent. Under the leadership and Integrity (responsibilities of leadership) one of the key guiding principles is accountability to the public for decisions and actions as envisaged in Article 73 (2) of the Constitution.

In the situation therefore there must be a mechanism in place for:

- i. Holding the agent to account for their decisions
- ii. When necessary, for imposing sanctions, by removing the agent from power

The public service is the (accountor) who makes decisions and provide services to the members of the public (the accountee) who in turn holds the public sector accountable for quality services.

Accountability is thus an important element of good government. It is about the relationship between the State and its citizens, and the extent to which the State is answerable for its actions.

### **Mr. Speaker,**

Public sector accountability is not led by any one agency but by a range of entities, agencies, and institutions. For example, accountability for overseeing how public resources are used involves:

- Members of Parliament/County Assembly
- Public entities,
- Courts and tribunals,

- Inquiry agencies,
- Often, monitored by civil society groups and the media.

The principles and concepts important to public sector accountability includes transparency, fairness, integrity and building of trust by demonstrating competence, reliability and honesty. These attributes allow the public to judge the trustworthiness of the public sector in using public money and resources. Importance of accountability in public sector can be outlined as follows;

- i. It instills confidence in the government
- ii. Makes the government responsive to its people
- iii. Facilitates ethical compliance
- iv. Optimum Utilization of resources (*value for money*) It facilitates transparency.

### **2.3 Management techniques for parliamentary effectiveness**

#### **Mr Speaker,**

Parliaments/Assemblies like any other institutions charged with the responsibility to deliver timely and quality services to the citizenry. To attain institutional efficacy, there is need to undertake the following;

#### **a. Infrastructural approach**

To improve parliaments' infrastructure to enhance comfort and capacity which includes;

- i. Physical- Basic provisions office furniture good ambience
- ii. Functional – Provision of tools of work like computers, audio recording equipment, information systems, library and research
- iii. Psychological – Management support like support staff, freedom from fear of victimisation and recreation facilities.

## **b. Procedural approach**

This relates to the powers and procedures of the parliament as an institution, it involves:

- i. Adherence and respect for the laid down procedures
- ii. Improvement of those procedures to:
  - Develop an appropriate framework for both committees and plenary sessions,
  - Strengthen the powers of parliament over legislation or scrutiny of the executive.

## **c. Functional approach**

This entails improvement of Members of the County Assembly ability to understand and effectively perform their functions through;

- Training
- Induction

It also includes remedial training for old members of parliament (if any).

## **d. Creating a common Parliamentary culture**

Establishing a common parliamentary culture is very critical since all members have shared responsibilities of service provision to the electorates.

This can be attained through;

- i. Establishing acceptable standards of behaviour
- ii. Establishing a code of conduct and encourage adherence
- iii. Mentoring by, or discussion with, politicians from similar Parliaments/Assemblies,
- iv. Reinforcing positive and ethical conduct

## **e. Guarding against political interference**

- i. Create incentives for politicians to act as “parliamentarians”

- ii. Developing cross-party initiatives that work regularly across party boundaries. This is critical in attaining a common venture notwithstanding the different political party affiliations.

**f. Identify and addressing the causes of parliamentary weakness.**

It important for any Assembly to also carry a study on the underlying causes of the underperformance. This will allow early mitigation and normalize performance standards.

## **2.4 The role of committees**

### **Mr. Speaker,**

Committees are a vital tools or organs in the working processes of a legislative assembly as contemplated in Section 14 of the County Government Act, 2012.

- i. Without them, the proceedings of an assembly could grind to a halt
- ii. This is due to the volume of activities that would have to be considered at the plenary.

Committees are the agents that enable parliaments/assemblies to organize their work in such a way as to perform numerous activities simultaneously and expeditiously. The structure is also important in that it offers an avenue for the legislators to extent their expertise/professionalism in legislative matters and an opportunity to interrogate them in depth.

The following are some of legislative businesses that fall under scrutiny of committees: -

- i. Reviewing legislation
- ii. Reviewing and approving the budget and expenditures for the execution of governance
- iii. Scrutinizing governance activities, policies and programmes, assessing whether they meet the intended objectives
- iv. Conducting investigations on special issues



- v. Vetting and approving executive appointments etc.

**Mr. Speaker,**

Committees are also important in that they provide a platform for public participation in the execution of specified business as required of it by the law. Committees are an efficient way of running the business of the House as they focus attention on specific issues and carry out meaningful deliberations. With defined mandates and memberships, they can study an issue or set of issues in depth, technically and in a professional way. They perform functions which the House is not fitted to perform in its corporate form, such as: -

- Summoning persons to present evidence
- Sitting as frequently as is desirable, including, sitting away from the precincts of parliament/assembly
- Providing an environment that can facilitate presentation of details, sifting through evidence and formulating reasoned conclusions,
- Conducting inspection tours, inquiry on matters out of which reports with recommendations are submitted to the House
- Forming sub-committees for the effective and efficient discharge of varied issues within the mandate of the committees.

### **2.5 Effective scrutiny of budget documents Inquiry and investigations**

**Mr. Speaker,**

This is an assessment of the extent to which the legislature scrutinizes, debates, and approves the annual budget. It includes the extent to which the legislature's procedures for scrutiny are well established and adhered to.

The scrutiny process covers four dimensions: -

- i. The scope of the scrutiny
  - The review of fiscal policies
  - The medium-term fiscal forecasts

- The medium-term priorities
  - Specific details of expenditure and revenue estimates.
- ii. The internal procedures for scrutiny

This dimension assesses the extent to which review procedures are established and adhered to.

- a. This includes public consultation arrangements,
  - b. Internal organizational arrangements, such as legislature committees,
  - c. Technical support, and negotiation procedures.
- iii. Timing of budget approval

This dimension assesses the timeliness of the scrutiny process in terms of the legislature's ability to approve the budget before the start of the new fiscal year. The deadline is important so that budgetary units know at the beginning of the fiscal year what resources they will have at their disposal for service delivery

- iv. Rules for budget adjustments by the executive

This dimension assesses arrangements made to consider in-year budget amendments that do not require legislative approval. Such amendments constitute a common feature of annual budget processes and must follow clearly defined rules and procedures.

**Mr. Speaker,**

Budget scrutiny can serve many purposes, but there are four fundamental areas where effective scrutiny can add value;

- i. To establish how resources have been are allocated,
- ii. To establish the integration between Budget allocations and service planning,
- iii. To establish whether the resources are being used effectively, and
- iv. Providing a different perspective on decision making.

Budget scrutiny can be done with the aim of challenging the executive thinking and decision making. Audit confirms compliance and assurance and

scrutiny should go beyond this, to come up with new ideas that would support the intended outcomes, and escalate more strategic issues.

**Mr. Speaker,**

For budget scrutiny to be effective, then the members need to: -

- i. Have access to background information that is used to inform the budget proposals,
- ii. Accurate and robust predictions,
- iii. Access to monitoring and audit reports,
- iv. Access to any other forensic reports, and
- v. Institutional capacity

**2.6 Public expenditure reviews**

**Mr. Speaker,**

Public expenditure reviews is an examination of the implementation efficiency and effectiveness of existing government policies. It analyses the quantity and quality of the spending over time against Policy goals and performance indicators. It is an integral part of public financial management and can cover all government expenditure or focus on one or more priority sectors, such as Health, Education, Water and sanitation etc. The evidence provided by the review can be utilized to improve both allocative and operational efficiency.

**Mr. Speaker,**

Public expenditure review can be done in different approaches as indicated below: -

- i. By sector – Health, education water, agriculture etc,
- ii. By population group – Women, youth, people living with disabilities, HIV, aged,
- iii. By government program – Housing, Roads, Energy, early childhood education,

- iv. Issue based - Human wildlife conflict,
- vi. Rights based -Human rights, Minority rights, economic and social rights, or
- vii. Policy based- The extent to which policy goals have been met.

Public expenditure review involves an assessment of public spending trends and identifying any challenges or opportunities. It also entails comparison of expenditure and performance information such as;

- Unit costs
- Expenditure per capita
- Input mix
- Distribution of spending and Making recommendations for improvement.

The review aims to answer questions such as;

- i. Are policy priorities clear?
- ii. Are budget allocations and spending in line with these policy priorities?
- iii. What has the spending achieved,
- iv. How effective and efficient has spending been, and
- v. How can the financial management be improved?

The information obtained from public expenditure review exercise can be used to inform strategic planning, budget preparation and to identify ways in which to improve the efficiency and effectiveness of government resources.

## **2.7 Public policy analysis and management**

**Mr. Speaker,**

A policy is a statement of government's intention which articulates basic principles to be pursued to attain specific goals and actions. In the context of legislation, a policy is a document which outlines what a government aims

to achieve for a society as a whole. It can be simply defined as a system of laws, regulations, and courses of action developed and implemented by government, to serve the public interest. There are five categories of public policy which include: -

- i. Regulatory,
- ii. Distributive,
- iii. Redistributive,
- iv. Restrictive or prohibitive, and
- v. Facilitatory.

Policy Analysis is the process of evaluating policies in terms of their ability (or potential ability) to achieve their stated policy goals. It focuses on those variables that are likely to influence a given policy and affect its outcome.

Policy analysis can be divided into two;

- i. Analysis of existing policy
  - Understanding the existing policy,
  - Analyzing its strengths and weaknesses
  - Analyzing the costs and benefits of any suggested improvements
  - Recommending changes and how they should be implemented
- ii. Analysis for new policy
  - It starts with identifying the need for policy
  - Formulating new policy or new policy proposals
  - Assessing new policy approaches,
  - Identifying opportunities for advocacy though the steps of the process are not always linear.

**Mr. Speaker,**

The purpose of policy analysis is to help policy makers in choosing the best cause of action from among complex alternatives under conditions of

uncertainty. Policy analysis is a critical area of expertise for the key actors.

Key competencies for policy analysis include capacity to:

- i. Analyze data,
- ii. Conduct literature reviews,
- iii. Compiling best practices, and
- iv. Identifying where new policies are required.

Policy analysis at agenda setting stage includes the following;

- i. Identifying the actual problem situation or setting.
- ii. Defining the nature, size and the distribution of the problem
- iii. Differentiate between the actual problem and the symptoms
- iv. Identify the root causes of the problem

Some issues of concern in policy formulation may include but not limited to the following;

- i. Loss of revenue by the public administration,
- ii. Heightened ethnic polarization,
- iii. Increased tension between public administration and the community,
- iv. Loss of biodiversity, and
- v. Frequent human – wildlife conflict

Policy analysis **at formulation stage** aims at offering insights on what makes a policy applicable, sustainable and effective. It is a process that requires stakeholders involvement perspectives. It involves doing a policy **SWOT** analysis.

At implementation stage, the analysis seeks to address issues that that revolve around the following questions:

- Who are the constituents,
- Are the resource available and can they be accumulated,
- What kind of organizations are needed to implement the policy,
- What will be their design,
- Who will mobilizing actions, and

- How will monitoring and evaluation be done.

### **Mr. Speaker**

The purpose of policy analysis is:

- To pinpoint the extent to which the policy goals are achieved,
- Identify the constraints associated with the policy,
- Suggests changes in the policy in order to obtain the desired results, and
- Suggests those policy programmes that need to be scrapped or added, for policy to be effective.

Policy analysis at the at evaluation stage is done for the following purposes;

- To identify policy strengths
- Identify and improve on the weaknesses
- To justify the use of resources
- Increase emphasis on accountability

It helps determine whether the policy should be adjusted or terminated.

A policy can be terminated due to the following reasons;

- The policy is no longer effective.
- The need for the policy programs no longer exists.
- Budgetary requirements force the end of the policy.
- The political environment may no longer support the goals of a policy.

## **CHAPTER THREE**

### **3.0 LESSONS LEARNT**

#### **Mr. Speaker,**

The training that was undertaken during the trip can strongly be recommended for every MCA. The information contained is cardinal for it covers very basic and significant details that every MCA is required to have for the day-to-day legislative responsibility. It carries information that is basic and important for an effective and efficient legislative Assembly too.

The training was comprehensive in impacting good knowledge to legislators to carry out their mandate effectively as envisaged in Article 185.

Cognizant of specific issues that came out during the training, the delegation learnt on different issues that the assembly may require to address to enhance its performance in effective service delivery;

- i. There is some critical information regarding budget formulation, approval, implementation and evaluation that the Members of County Assembly require to be in full knowledge for effective oversight role. This entails a clear understanding of all the laws that guide on the budget making process. Understanding of all steps involved in budget making process as indicated above is paramount; an effective oversight role can be done by members who have a full understanding of all material information.
- ii. Accountability in the public sector is paramount. Public service works as an agent for the electorates/citizenry who in turn holds them accountable for delivery of quality services. You are aware of the high members turnover in the last two elections. This could be attributed to a poor perception by the public. A sound accountability makes the government responsive to its people which in turn instils confidence in the government. This is one of a sure way of a positive reflection to our electorates as it not only facilitates ethical compliance but also promotes transparency and value for money.
- iii. It is the desire of every legislative Assembly to undertake her mandate in the most effective and competent manner. The topic; Management techniques for parliamentary effectiveness was a topic that covers explanation of wide range of assorted activities that results to excellent performance of a legislature. These includes different approaches such as infrastructural, Procedural, functional, creating a common



Parliamentary culture, guarding against political interference and identifying and addressing the causes of parliamentary weakness.

- iv. The role of committees in a legislative assembly is a fact that is known to every legislator. As explained above in this report, the system has a lot of benefits as outlined and is the basic principle behind the success of an Assembly. Committees operate through the laid down procedures as contained in various pieces of legislation and the County Assembly Standing Orders that also guides on their membership and mandate.
- v. Effective scrutiny of budget documents, Inquiry and investigations and public expenditure reviews are more or less geared at achieving a common goal. In every government institution, allocations and expenditures are anchored to various public policies that are earlier predetermined. Appraisals, controls and scrutiny are prerequisite exercises that are critical in assessing success, positive direction and failures that need to be mitigated to achieve desired results. This will enable an institution to make corrective recommendations before reaching an irrecoverable level. Prudence in public expenditure is incontestable.
- vi. Public policy analysis and management is critical. It is vital to remember that public institutions owe provisions of quality service to its citizenry. As explained above following the good principle of accountability, it is important to undertake public policy analysis and management. Policy analysis at agenda setting, formulation, implementation and evaluation stages is key in ensuring that the purposes intended to addressed by such policy are met and in any case of failure to review, suspend or terminate. We ought to remember

that as public officers we act as agents for the County citizenry and as such we have the responsibility to offer the best.

## CHAPTER FOUR

### 4.0 COMMITTEE'S RECOMMENDATIONS

**Mr. Speaker,**

The message emerging from the training session is that much more needs to be done by the assembly to help steer our county and residents forward. We owe it to ourselves to borrow a lot from the training conducted as contained above and the spirit envisaged in Chapter Six of the Constitution. This is important if we are to develop to an effective legislature that will always keep the executive at check to ensure quality service delivery.

**Mr. Speaker,**

Developing effective leadership requires engagement and commitment at the highest level since there is no blueprint for understanding leadership. To this extend, the committee makes the following recommendations;

i. Training and Capacity building.

Our leaders are one of the most valuable resources we have so it will be prudent to invest in them and make their training and development an ongoing process. Training is essential in equipping leaders and members of staff with the pertinent knowledge and skills in discharging their responsibilities more efficiently.

Our County Assembly should ensure both members of staff and members of County Assembly undergo various legislative trainings to enhance their capacity. Legislation is very dynamic and verse knowledge for that matter is significant.

ii. Enhanced public participation.

Article 10, 196 and 232 of the Constitution provides for the participation of the people in policy making and implementation of

the law. It is through public participation that the public gets an opportunity to air out their reservations and recommendations in the management of their affairs.

It is commendable that the County Assembly of Kitui is in the forefront in supporting public participation through their regular ward public forums. However, the budgetary allocations for these forums should be increased in order to reach a wider number of residents and also increase the number of forums held in a year.

iii. Improving Access to information.

One of the main obstacles that hinders citizen participation is the failure to access information. There should be free and easy access to information by the people on matters of governance. This will enable them to be in a position to participate in policy making and make decisions on matters affecting them with a clear understanding of the issues under consideration.

iv. Benchmarking

This is another very important activity the Assembly ought to put into consideration. County Assemblies are replica of the National Parliament where we can borrow a lot of legislative skills and experiences.

v. Formation of inter party initiatives

The County Assembly should develop cross-party initiatives that work regularly across party boundaries. This is key as public service delivery supersedes party interests.

vi. Increased collaboration with the executive

There should be increased consultations between the two arms of the Government. Information sharing is paramount to enhance common understanding and shared knowledge on matters that affect our

people and possible solutions. This can reduce stalemates that have been experienced before.

vii. Enhancing Media presence.

The media plays a crucial role in shaping a healthy democracy. The media makes the public aware of the current happenings of society and in turn creates awareness on all socio –economic and political issues. The County Assembly needs to look into the issue of establishing a broadcasting unit as provided for in the First schedule of our Standing orders in order to enhance the public’s access to information.

## **5.0 CONCLUSION**

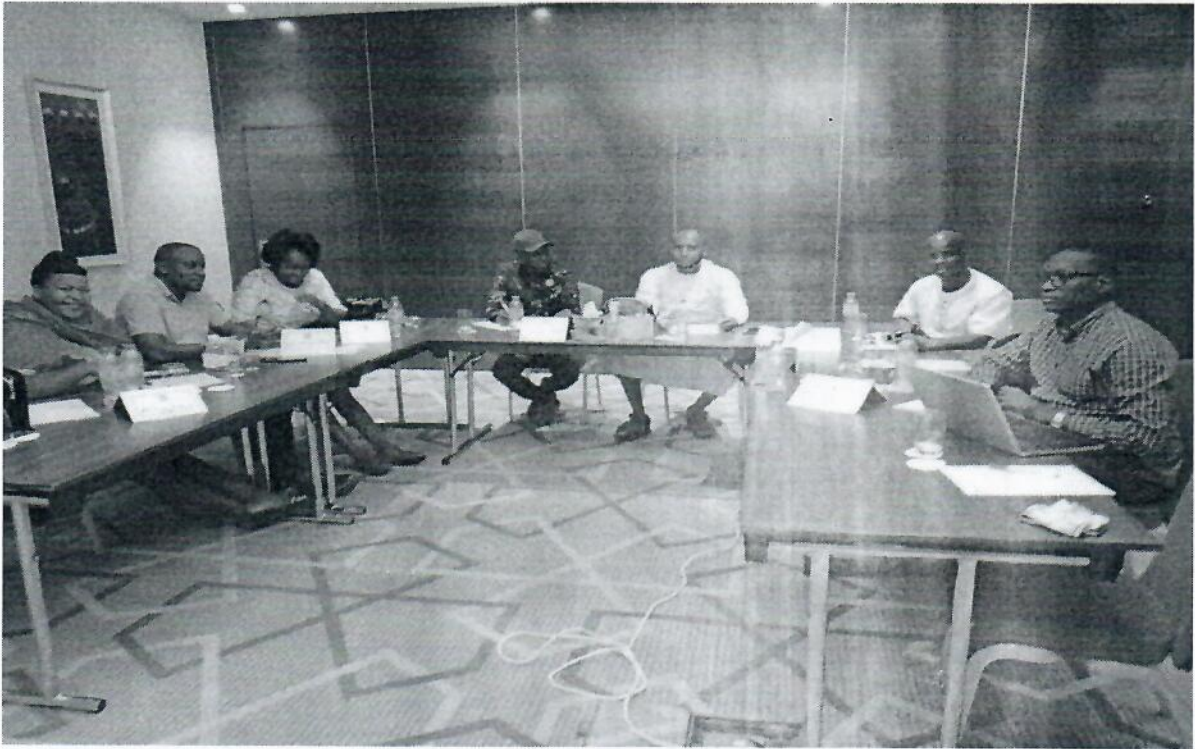
### **Mr. Speaker,**

Legislature is charged with a very significant responsibility of ensuring quality service delivery to the electorates. This training has been an eye opener to the delegation and to the entire Assembly through this report. It is important that members conceptualize the information contained as they look forward to overcome the various development challenges that the County face. As leaders, we are accountable to the citizens who have entrusted us for quality lives and this calls for every member to work for an extra mile with a deliberate desire to positively impact on their livelihood. The responsibility to put the executive on check as implementers of policies and annual budgets rests with the Assembly and without proper structures in place and enhanced capacity, it might be a little bit an up-hill task to attain the desired results.

### **Mr. Speaker,**

It is therefore my pleasant duty and pleasure and on behalf of the delegation and the Committee to table this report and the recommendations for adoption by the Assembly.

## CHAPTER FIVE - PHOTO GALLERY



*Figure 1; Members of the delegate attending a session during the training held at Hilton Garden inn – UAE Dubai*



*Figure 2 ; Members of the delegate outside the entrance of the training venue*



*Figure 3; Members posed for a photo with the facilitator from ESAMI*



*Figure 4; Delegate members at desert tour at Dubai*

## ANNEX I

### SIGNED LIST OF MEMBERS OF THE COMMITTEE ON FINANCE DELEGATION AUTHENTICATING THE REPORT ON TRAINING ON THE ROLE OF LEGISLATURE IN THE BUDGET PROCESS: ACCOUNTABILITY IN THE PUBLIC SECTOR HELD IN DUBAI, UNITED ARAB EMIRATES (UAE).

We, the delegate Members of the Committee on finance and planning do hereby affix our signatures to this report to affirm its accuracy, validity and authenticity; -

1. Hon. Munyoki Mwinzi -Chairperson 
2. Hon. Waziri Bakari Baraka -Vice Chairperson 
3. Hon. David Masaku Munyau -Member 
4. Hon. Judith Wanza -Member 
5. Hon. Kalamba Musau -Member 
6. Ms. Boniface Maundu Katumbi -Member 







**The Role of legislatures in the Budget Process Accountability in the Public Sector  
For the County Assembly of Kitui**

06 -10 March 2023

Dubai, UAE

**Timetable**

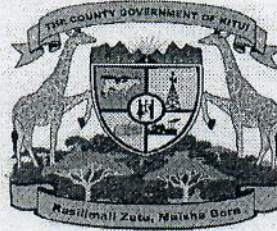
Time	Monday 06/03/2023	Tuesday 07/03/2023	Wednesday 08/03/2023	Thursday 09/03/2023	Friday 10/03/2023
09.00 to 11.00	Registration, introductions, and expectations Programme overview	Accountability in the public sector	23/06/21 Management techniques for parliamentary effectiveness	24/06/21 Effective scrutiny of budget documents Inquiry and investigations	Public policy analysis and management
<b>TEA/COFFEE BREAK</b>					
11.30 to 13.30	Public Budget process	Accountability in the public sector	The role of committees	Public expenditure reviews	Course Evaluation and closing
<b>LUNCH BREAK</b>					
15.00 to 16.00	Reflections	Reflections	Private study	Reflections	Departure



ANNEX - IX

## COUNTY ASSEMBLY OF KITUI

TEL: (044)22914  
Email: [kituiassembly@gmail.com](mailto:kituiassembly@gmail.com)  
Website: [www.kituicountyassembly.org/](http://www.kituicountyassembly.org/)



Clerk's Office,  
Kitui County  
Assembly,  
P.O. Box 694-90200,  
Kitui, Kenya.

### OFFICE OF THE CLERK

---

13<sup>TH</sup> FEBRUARY, 2023

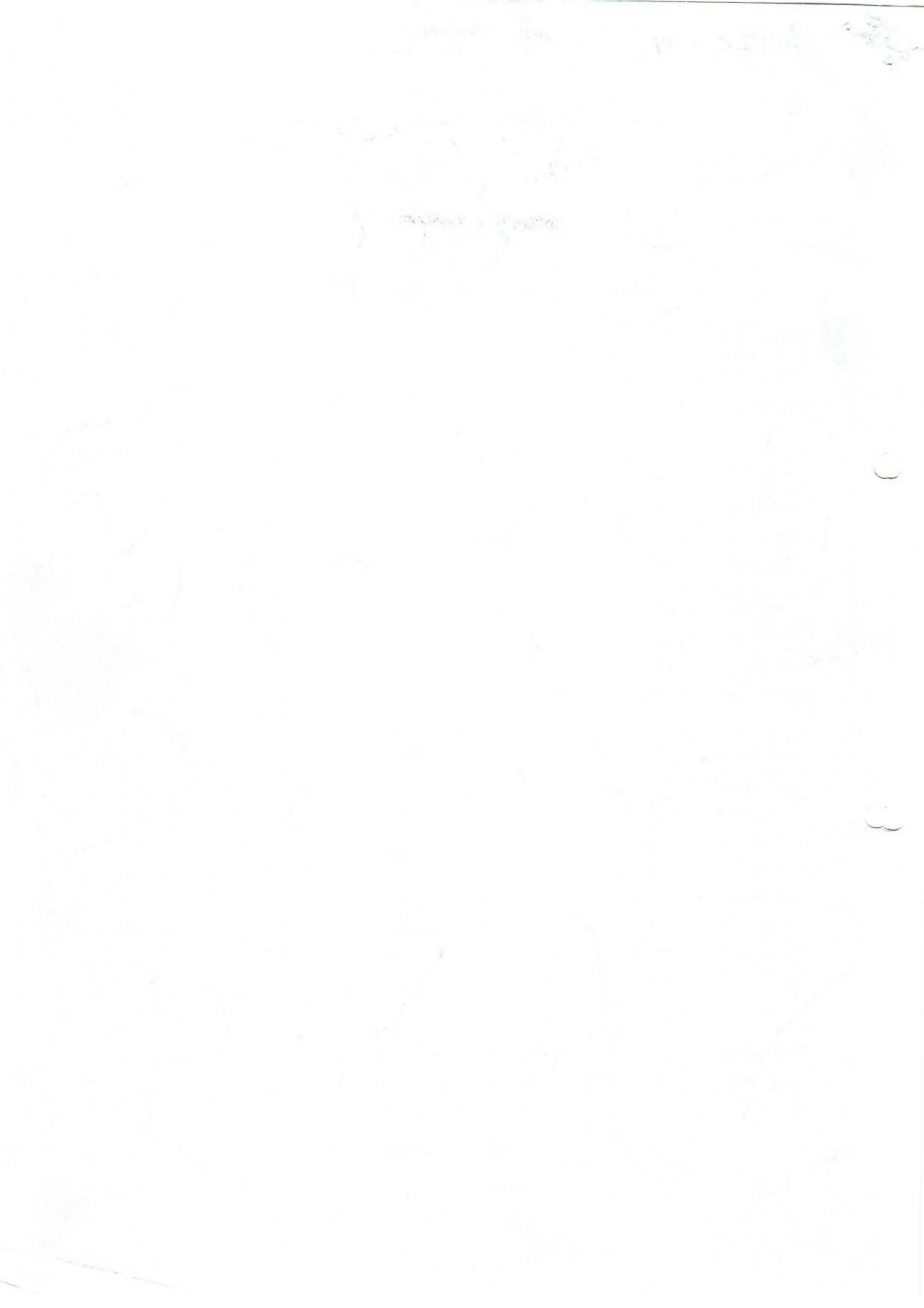
THE PRINCIPAL SECRETARY  
STATE DEPARTMENT OF DEVOLUTION,  
TELEPOSTA TOWERS,  
P.O BOX 30004- 00100  
NAIROBI, KENYA

Dear Sir/ Madam

**RE: CONCEPT LETTER BY COMMITTEE ON FINANCE AND PLANNING.  
(COUNTY ASSEMBLY OF KITUI)**

I humbly write to inform you that the Committee on Finance and Planning intends to attend a workshop on the Role of Legislature in the Budget Process and Accountability in the Public to be hosted in Dubai, UAE. The programme is scheduled to take place as from 6th to 10th February, 2023. The main aim of the workshop is to develop financial skills which will equip the delegation with requisite knowledge and skills to develop mechanisms and methodologies on how to navigate in the light of changing development, financial landscape, budgeting process and improve the level of accountability.

The committee is one of the Sectoral Committees established under Kitui County Assembly Standing Orders No. 190 and currently comprises of the following Members.



- |                           |                 |
|---------------------------|-----------------|
| 1. Hon. Munyoki Mwinzi    | - Chairperson   |
| 2. Hon. Waziri Bakari     | - V/chairperson |
| 3. Hon. Muthengi Ndagara  | - Member        |
| 4. Hon. Mary P. Ndumbu    | - Member        |
| 5. Hon. Sammy Munyithya   | - Member        |
| 6. Hon. Paul Maluki       | - Member        |
| 7. Hon. David M. Munyau   | - Member        |
| 8. Hon. Mary Mbithe       | - Member        |
| 9. Hon. Peter Mwanza      | - Member        |
| 10. Hon. Munira Mohammed  | - Member        |
| 11. Hon. Grace S. Mulandi | - Member        |

### **Committee's Mandate**

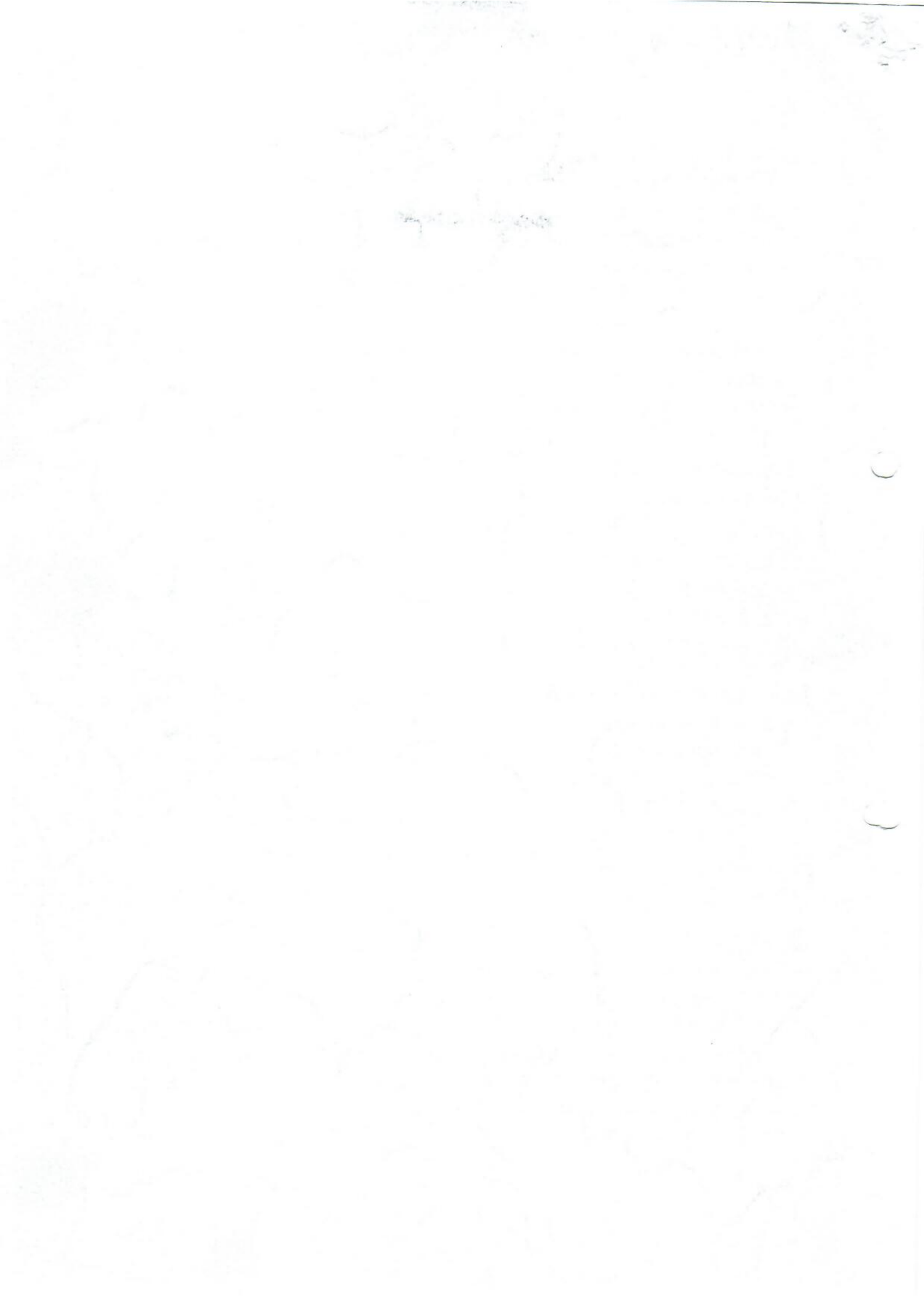
The Committee is charged with the distinct responsibilities as stipulated in our Standing Orders No.190(5) which include among others to;

- i) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- ii) study the program and policy objectives of departments and the effectiveness of the implementation;
- iii) study and review all county legislations referred to it;
- iv) study, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- v) Make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation;

It is in pursuit of the above mandates, that the committee finds it vital to undertake this important exercise.

### **BACKGROUND**

Over the period covering the last five years, Kitui County government has been experiencing revenue budgetary pressures from the rising spending on devolution, flagship infrastructural projects and persistent increase in the Public Wage Bill. The bigger challenge is, the pressure has extended to constraining of the public expenditure and financial management particularly in the allocation and utilization of available resources prudently.



Other challenges have been occasioned by inability by the public officers and leaders not only to budget within established limits, but also keep expenditures within the budget. This raises the need to develop better means of managing, controlling and ensuring proper utilization of public resources/revenue consequently the calls for accountability have become increasingly louder.

It is on this basis that the committee intends to attend a training workshop on the roles of legislature in the budget making process and accountability in the public sector. The training is meant to enhance members' oversight skills and mastery of budgetary making process, revenue management process and ensuring prudent use of public resource as enshrined in Kenya Constitution 2010.

### **OBJECTIVE**

Pursuant to Article 185 of the Constitution of Kenya 2010, and Section 8 of the County Government's Act, the County Assembly of Kitui is mandated to conduct; Legislative, Oversight, and Approval functions on behalf of the County Government of Kitui. It is in the view of the above that the Committee intends to attend the workshop whose objectives are to: -

- i. Provide comprehensive understanding of the current perspectives, expectations and practices in development of finance.
- ii. Comprehend the dynamics of new development of finance landscape and opportunities of scaling up the rate of structural fund absorption.
- iii. Develop professionals, build and upscale core skills and competences in budget making process and accountability that will ensure greater success of projects and investments promoted.
- iv. Grow skill capacity of County Chiefs as in promoting the efficacy of structural funds and development.

### **JUSTIFICATION OF THE SEMINAR**

The workshop will enable the Members to build capacity in: -

- i. Formulating and implementing appropriate financial policies and standards on project implementation and excellent service delivery to the citizenry.
- ii. Executing their duties under criticism and political pressure, high expectations from the electorates and limited budgetary allocations,
- iii. Mastering crisis management techniques and enforcing them effectively;





iv. Formulating and implementing sound public participation policies and regulations;

**DELEGATION**

The committee nominated the following delegation of Honorable Members to attend the workshop.

1.	Hon. Munyoki Mwinzi	Chairperson of the delegation
2.	Hon. Waziri Bakari Baraka	Member
3.	Hon. Kalamba Musau	Member
4.	Hon. Judith Wanza	Member
5.	Hon. David Masaku Munyau	Member
6.	Hon. Boniface Maundu Katumbi	Member
7.	Mr. Mulandi Kavali	Committee Clerk

The committee's travel and upkeep expenditures during the exchange programme exercise shall be financed by the County Assembly of Kitui. Further, during the exercise, all members and the secretariat shall be under full medical cover and travel insurance catered for by the travelling agency contracted by County Assembly of Kitui.

The committee hereby looks forward to your office to fast-track travel approval to facilitate the planned exercise.

Attached to this letter, kindly find the invitation letter and a copy of the Committee's minutes for ease of reference.

Regards,

**E.M.A MUTAMBUKI**  
**THE CLERK OF ASSEMBLY**  
**COUNTY ASSEMBLY OF KITUI.**

