

COUNTY GOVERNMENT OF KITUI



COUNTY ASSEMBLY OF KITUI THIRD ASSEMBLY – (THIRD SESSION)

JOINT COMMITTEE ON ADMINISTRATION AND COORDINATION OF COUNTY
AFFAIRS AND COMMITTEE ON POWERS & PRIVILEGES REPORT ON TRAINING ON
COUNTY GOVERNANCE AND OVERSIGHT: INTEGRATING ADMINISTRATION,
POWER, AND PRIVILEGE HELD FROM 11TH TO 18TH MAY, 2024 IN UNITED ARAB
EMIRATES - DUBAI.



The Clerks Chambers
P.O Box 694 -90200
Kitui.
County Assembly of Kitui.

MAY, 2024

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LIST OF ACRONYMS/ABBREVIATIONS

- CPST** - Centre for Parliamentary Studies and Training
- UAED** - United Arab Emirate Dirham
- ESAMI** - East and Southern African Management Institute.
- CAK** - County Assembly of Kitui.
- GDP** - GROSS Domestic Product
- JKIA** - Jomo Kenyatta International Airport.
- IT** - Information Technology.
- ICT** - Information & Communication Technology
- UAE** - United Arab Emirates
- MCA** - Member of County Assembly.
- USD** - United States Dollar.

CHAPTER ONE

1.0 PREFACE

Mr. Speaker Sir,

On behalf of the Members of the Joint Committee on Administration & Coordination of County Affairs and the Committee on Powers & Privileges, it is my honour to present this report to the Honourable House. This report details the delegation's training on County Governance and Oversight: Integrating Administration, Power, and Privilege, held from May 11th to 18th, 2024, in Dubai, United Arab Emirates in line with the provisions of Standing Order 152B, 179(6), and 190(5)(g).

The workshop aimed at enhancing the capacity of the Joint Committee, focusing on deriving practical lessons to continuously improve their performance. The training provided valuable insights into effective county governance and oversight practices.

The training was conducted by ESAMI, a Pan African Regional Management Development Centre owned by ten Member Governments from Eastern and Southern Africa, including Kenya, Malawi, Mozambique, Namibia, Seychelles, Swaziland, Tanzania, Uganda, Zambia, and Zimbabwe. ESAMI was selected due to its reputation as a service and market-oriented institution offering high-level specialized management training, consultancy, education programs, and action-oriented management research services, making it an ideal choice for the professional development of our members and County Assembly staff.

1.1. Establishment and mandate of the Committees

A. Committee on Administration and Coordination of County Affairs.

Mr. Speaker Sir,

The Committee is one of the 12 Sectoral Committees established under County Assembly of Kitui Standing Orders No. 190 (1) with a specific mandate. Under Standing Order 190 (5), the Sectoral Committee is charged with distinct responsibilities which include and are not limited 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, access and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- v) 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;
- vi) 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
- vii) Make reports and recommendations to the County Assembly as often as possible, including recommendations of proposed legislation.

B. Committee on Powers and Privileges.

The committee is established under standing order no. 152 B and its mandate is provided under part 3 of the Standing Order which includes:

- a. Inquire into the conduct of a member whose conduct is alleged to constitute a breach of privileges in terms of section 16 of the County Assembly Powers and Privileges Act, 2017; and
- b. Perform such other functions as may be specified in the said Act.

1.2 Composition of the Delegation.

Mr. Speaker Sir,

The delegation, which had a successful visit to learn, explore, and benchmark on their respective sector responsibilities, comprised the following members:

1. Hon. Christopher Nzilu Nzioka - Team Leader
2. Hon. Sammy Musili Munyithya - Member
3. Hon. Elizabeth Ndunge Peter - Member
4. Hon. Dr. Erastus Mbuno - Member
5. Hon. Jacinta Mwoni - Member
6. Hon. Bonface Katumbi - Member

The team was also accompanied by Ms. Yvonne Lele, a clerk assistant, who documented the Committee's findings and recommendations.

1.3 Justification for the Visit to Dubai.

Mr. Speaker Sir,

Benchmarking is an essential strategy that enables organizations to compete globally and helps the public service meet citizens' demands. Despite its versatility, there is a notable lack of effective capacity building, which is crucial for implementing benchmarked strategies and achieving desired outcomes.

Mr. Speaker Sir

Capacity building involves enhancing the skills, knowledge, tools, equipment, and resources that individuals and organizations need to perform their tasks efficiently.

Therefore, the training needs for this joint Committee delegation include a capacity-building program and a benchmarking tour to observe best practices from leading industry players worldwide.

Mr. Speaker Sir,

The concept of devolution, which aims to bring services closer to the people, has gained traction since the promulgation of the 2010 Constitution of Kenya. This Constitution transformed the governance structure from a centralized system to devolved subunits known as County Governments. The expectation was that these devolved governments, established after the 2013 elections and subsequent legislation, would address the development challenges posed by centralized governance since Kenya's independence.

Mr. Speaker Sir,

Devolution in Kenya is rooted in the Constitution's supremacy, the sovereignty of the people, and the principle of public participation. The characteristics of devolution in Kenya are reflected in the principles and objectives outlined in the Constitution, including the establishment of local units with autonomy and independence from the central government, with clearly defined geographical boundaries for exercising authority and performing public functions.

Mr. Speaker Sir,

Article 6(1) of the Constitution divides Kenya into forty-seven (47) counties. Article 6(2) emphasizes that National and County governments are distinct yet interdependent, requiring mutual consultation and cooperation in their relations.

Mr. Speaker Sir,

Twelve years ago, Kenyans voted to decentralize the government, leading to the creation of 47 counties, each governed by elected officials. County governments have since negotiated power and revenue-sharing arrangements with the national

government and faced various political, fiscal, and administrative challenges in service delivery. As new entities, county governments initially lacked the capacity, knowledge, and resources to effectively deliver on the promise of devolution, including shared prosperity, enhanced service delivery, and improved public resource management.

Mr. Speaker Sir,

A World Bank (2012) survey highlighted that the management of state affairs through central and local authorities in Kenya faced numerous challenges over the past fifty years. Successive governments have underperformed due to weak governance, and County Governments continue to struggle with establishing effective governance systems for strategic and independent management.

Mr. Speaker Sir,

The Committee believes that to provide maximum service to citizens, it is imperative to continuously build capacity, engage, interact, and exchange best practices at local, national, and international levels.

In this context, the joint delegation of the Committees on Administration & Coordination of County Affairs and Powers & Privileges attended a training workshop in Dubai, guided by the "**seeing is believing**" concept. This initiative aims at observing and learning from the best industry practices globally, thereby enhancing the capacity and effectiveness of our county government.

1.4. Objectives of the Study visit.

Mr. Speaker Sir,

The study visit was conducted in line with the Committees' mandate and their work plan. The visit aimed to achieve the following key objectives:

1. Gain a critical understanding of County government operations and oversight functions.
2. Comprehend the Committee's oversight role and the accountability mechanisms for the utilization of public funds.
3. Develop a general understanding of ethical conduct and integrity within County governance.
4. Explore the impact of environmental sustainability and climate resilience on development within the County government.
5. Understand the legal framework and regulatory compliance related to oversight activities.
6. Enhance knowledge of leadership and governance within committees to improve oversight roles and representation.
7. Foster a general understanding of the role of public involvement in government oversight.

1.5. Acknowledgement.

Mr. Speaker Sir,

The Committee expresses profound gratitude to the various institutions and individuals whose support and cooperation were instrumental in making the training workshop a success.

Firstly, we extend our thanks to the Ministries of Devolution and Immigration for approving the training workshop and ensuring the timely processing of travel documents, respectively. We are especially grateful to the Offices of the Speaker and the Clerk of the County Assembly of Kitui for their invaluable support and facilitation of the training.

Our deep appreciation goes to ESAMI for organizing the training and for providing Mr. Bob Otieno to facilitate the study sessions. Mr. Otieno's expertise has equipped the honourable members with valuable ideologies and practical skills essential for our sessions. We also acknowledge with gratitude the administration of Dubai, UAE, for allowing our members to visit and benchmark best practices.

Lastly, we extend our heartfelt thanks to all the members of the delegation for their enthusiasm and commitment to learning. We also appreciate the organizations we visited and the staff of Al Muraqabat Dubai Hotel for their hospitality, which greatly contributed to the success of our efforts. 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.

Sign: 

Date: 20th June 2024

HON. CHRISTOPHER NZILU NZIOKA
DEPUTY SPEAKER, TEAM LEADER OF THE DELEGATION
COUNTY ASSEMBLY OF KITUI

CHAPTER TWO

2.0. HISTORICAL BACKGROUND OF DUBAI

Mr. Speaker Sir,

The United Arab Emirates (UAE) is a sovereign constitutional monarchy comprising seven emirates: Abu Dhabi (the capital), Dubai, Ajman, Fujairah, Ras Al Khaimah, Sharjah, and Umm Al Quwain. Situated in Western Asia at the eastern end of the Arabian Peninsula, the UAE borders Oman and Saudi Arabia, with maritime boundaries in the Persian Gulf shared with Qatar and Iran.

Dubai, one of these emirates, has a population of 3.57 million people and uses the United Arab Emirates Dirham (AED) as its currency. As the capital city of the Dubai Emirate, it serves as the economic hub of the UAE and is recognized as a global city.

The UAE gained independence from Britain in 1971 and established itself as a sovereign constitutional monarchy. The exploitation of oil and gas reserves has since transformed the region, making the UAE one of the richest countries in the world. The federation includes 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, with one elected as President of the UAE.

Governance and Politics

The UAE's federal system comprises seven emirates, with Abu Dhabi as the dominant entity. Each emirate operates under a traditional patriarchal monarchy led by sheikhs from royal families, who historically held tribal leadership positions. Local governments vary in complexity based on the size and population of the emirates.

The UAE's federal system blends traditional and modern leadership elements, fostering a distinct national identity and political stability. All emirates participate in

the country's civil administration through the Supreme Council and the Cabinet, with significant influence from Abu Dhabi and Dubai. Critical decisions, including the federal budget and the selection of the President and Prime Minister, are typically reached by consensus.

Individual emirates maintain considerable autonomy in managing their economies and social systems. Governance is largely controlled by royal dynasties and their local allies among wealthy merchant and business families. Representative political institutions are absent, but citizens can communicate directly with leaders through traditional consultative forums known as majlis (councils).

Factors Contributing to Dubai's Growth

1. **Strategic Location:** Dubai serves as a time zone bridge between the Far East and Europe on the East-West axis and Africa on the North-South axis.
2. **Political and Economic Stability:** Dubai benefits from a low-crime environment and financial and monetary stability. The UAE's sophisticated banking system features extensive credit facilities and ample liquidity.
3. **Open and Free Economic System:** Dubai's economy remains open and free to attract investors, with minimal government regulation of private sector activities.
4. **World-Class Infrastructure and Service Sector:** Dubai has invested heavily in transport, telecommunications, energy, and industrial infrastructure. The emirate boasts seven industrial areas, one business park, three specialized free zones, two world-class seaports, a major international airport and cargo village, a modern highway network, state-of-the-art telecommunications, and

reliable utilities. Its sophisticated service sector includes top-tier hotels, financial service firms, consultants, and high-quality residential and commercial properties.

5. **Competitive Cost Structure:** International companies in Dubai benefit from:

- i. No foreign exchange controls
- ii. No trade barriers or quotas
- iii. Competitive import duties (4% with many exemptions)
- iv. Competitive labour costs
- v. Competitive energy and real estate costs
- vi. No corporate or personal income tax
- vii. High security

6. **High Quality of Life:** Dubai offers excellent living conditions with investments in real estate, hotels, residential and commercial properties, and leisure facilities. Factors contributing to its high quality of life include superb infrastructure, a clean environment, cultural diversity, a cosmopolitan lifestyle, modern public administration, a wide range of consumer goods and services, mild winters, and beautiful beaches.

7. **Extensive Foreign Trade Network:** Dubai's foreign trade network spans 179 states, providing investors with numerous global marketing outlets for diverse goods and services.

8. Rapidly Developing Manufacturing Sector: Dubai has made significant gains in manufacturing and exporting high-quality products, including fabricated metal products, textiles, ready-made garments, gold and jewelry, prepared foodstuffs, consumer electronics, refined petroleum, chemicals, and non-metallic mineral products.

CHAPTER THREE

3.0. HIGHLIGHTS OF THE PRESENTATIONS DURING THE TRAINING WORKSHOP.

Mr. Speaker,

The workshop facilitator, **Mr. Bob Otieno**, welcomed the members and provided a brief overview of the role of the County Assembly, the objectives of the workshop, and the members' expectations for the training.

The workshop covered topics such as '*County Governance and Oversight*' and '*Integrating Administration, Power, and Privilege.*' Additionally, site visits were conducted to enable comparisons with our County. The key topics included:

3.1.0 Understanding County Oversight and Governance

Mr. Speaker,

The delegation received an introduction to the oversight role and governance within the County. The key points discussed were as follows:

3.1.1 County Assembly Structures and Functions

The members were briefed on the structures and functions of county assemblies, including:

1. County assemblies are legislative bodies responsible for enacting laws, approving budgets, and overseeing the County executive.
2. Specialized committees, such as those on administration and power dynamics, play a crucial role in shaping county governance.
3. County assemblies ensure diverse representation from wards, ensuring local interests are addressed.

3.1.2 Integrating Administration, Power, and Privilege

Mr. Speaker,

For effective functioning, members were informed of the importance of understanding the administrative functions, powers, and privileges of County Assembly committees. Key points included:

1. **Administrative Efficiency:** Streamlining administrative processes to deliver services effectively and equitably.
2. **Power Dynamics:** Identifying and addressing power imbalances to promote inclusive decision-making.
3. **Privilege Considerations:** Ensuring marginalized communities have a voice and access to county resources.

3.1.3 Committee on Administration and Coordination of County Affairs

Mr. Speaker,

This committee plays a crucial role in the Assembly and the County. Its key roles include:

1. **Policy Development:** Drafting and reviewing policies to enhance county administration and service delivery.
2. **Oversight and Monitoring:** Overseeing the implementation of county programs and holding the executive accountable.
3. **Intergovernmental Coordination:** Facilitating collaboration between the county and national government for effective governance.

4. Public Engagement: Ensuring citizens' voices are heard and their needs addressed in county decision-making.

3.1.4 Committee on Powers and Privileges

Mr. Speaker,

This County Assembly committee has several important roles:

1. Balancing Power by ensuring equitable distribution of power and decision-making authority among stakeholders.
2. Promoting Inclusion by advocating for the participation of marginalized groups in county governance.
3. Enhancing Accountability by holding the county executive accountable for fair and transparent governance.
4. Empowering Citizens by enabling citizens to actively engage in county decision-making processes.

3.1.5 Oversight and Accountability Mechanisms

Mr. Speaker,

The delegation was introduced to the concept of oversight and the accountability mechanisms necessary for the proper expenditure of public funds in service delivery.

Key issues discussed included:

1. Internal Audits; This involves conducting regular audits to ensure financial transparency and responsible use of resources.
2. Public Participation; whereby citizens are engaged in monitoring and evaluating county government performance.

3. Grievance Redressal; establishing effective channels for citizens to voice concerns and seek remedies.

These aspects are very vital in ensuring that the citizens' priority needs are addressed thus ensuring prudence in the use of public resources.

3.1.6 Challenges and Opportunities in County Governance.

Mr. Speaker Sir,

It is important to note that members of the delegation were taken through some of the challenges that the Counties in Kenya are going through in providing services to their citizens as well as some opportunities that could be used to help address these challenges. Below are some aspects that came out clearly from the discussions;

1. Inadequate resources and underfunding of the County government by the national government. An opportunity to leverage this challenge was proposed that Counties are encouraged to embrace Private-public partnerships kind of engagement for development.
2. Political interferences and power struggles. This challenge could be addressed by strengthening citizen engagement and oversight by the County Assembly.
3. Capacity gaps in the County administration. This could be solved if counties could invest in professional development for the County staff.

3.2.0. Accountability, Mechanisms, Investigative Techniques and Evidence Handling.

Mr. Speaker Sir,

Members of the delegation were informed that effective oversight and accountability are crucial for ensuring transparency, preventing abuse of power, and promoting good governance in county assembly operations. The learning experience enabled the delegation to understand the key principles, frameworks,

and best practices for establishing robust oversight mechanisms. The following topics were covered under this topic;

3.2.1. Enhancing Oversight and Accountability Mechanisms.

Mr. Speaker Sir,

Members were taken through ways to enhance oversight in the County. These included but were not limited to;

1. Establishing clear reporting lines and independent oversight bodies to monitor county assembly operations.
2. Implementing robust financial controls, audits, and transparency measures to prevent misuse of public funds.
3. Empowering citizens and civil society groups to participate in oversight and hold elected officials accountable.

3.2.2. Monitoring and Evaluation Frameworks.

Mr. Speaker Sir,

The delegation was informed that developing rigorous monitoring and evaluation frameworks was essential for assessing the performance and effectiveness of county assembly oversight activities. These frameworks should track key metrics such as compliance with policies, timely investigation of complaints, and the impact of corrective actions taken.

Mr. Speaker Sir,

Regular reviews and data-driven analysis will help identify areas for improvement, promote transparency, and ensure that oversight mechanisms are truly holding elected officials accountable to the public they serve.

3.2.3. Building Proficiency in Investigative Techniques

Mr. Speaker Sir,

Members were taken through the steps that they should take in building their investigative techniques. These include;

1. Evidence Gathering; this involves physical, digital and testimonial evidence to build a strong case.
2. Witness interviews include honing interview strategies to develop skills in collecting, preserving, and documenting comprehensive, reliable, and viable information from witnesses while maintaining impartiality.
3. Forensic analysis; this involves leveraging scientific techniques and specialized tools to thoroughly examine and interpret evidence uncovering hidden insights.

3.2.4. Ensuring Fairness, Impartiality and Due Process.

Mr. Speaker Sir,

For these aspects to be realized, the following ought to be done;

1. Upholding fairness to ensure that all parties involved in an investigation are treated equitably, with equal opportunities to present evidence and share their perspectives.
2. Maintaining impartiality; Investigators must remain objective and unbiased, setting aside personal opinions or affiliations to reach uncompromised conclusions.
3. Adherence to due process; established protocols and procedures should be followed to guarantee the integrity of the investigation and protect the rights of all stakeholders.

4. Transparency and accountability; Ensure the investigation process is transparent, with clear communication and opportunities for oversight to uphold accountability.

3.2.5. Surveillance Methods and Covert Investigations

Mr. Speaker Sir,

Members were informed that conducting effective investigations often requires the strategic use of surveillance techniques to gather critical evidence and uncover hidden wrongdoings. This should be done while upholding ethical standards and respecting the privacy of all stakeholders.

3.2.6. Reporting and Documentation Procedures

Mr. Speaker Sir,

This process includes several aspects;

1. Comprehensive Reporting; it involves establishing detailed reporting protocols to thoroughly document all investigation activities, findings, and outcomes.
2. Transparency and Accessibility; here members should develop clear guidelines for the appropriate sharing and disclosure of investigation reports, balancing transparency and privacy.
3. Secure Documentation; members shall implement robust systems to store and protect sensitive investigation records, ensuring confidentiality and integrity.
4. Continuous Improvement; there is a need to review and refine reporting procedures based on feedback and lessons learned, fostering a culture of accountability. This will ensure that the changing trends are accommodated to ensure a watertight environment.

3.2.7. Ethical Considerations in Investigations.

Mr. Speakers Sir,

It is important to note that while doing investigations, members of the County Assembly shall ensure that they consider ethical issues during the process. These ethical issues should include;

1. Respect for privacy; investigators must balance the need for evidence gathering with safeguarding the privacy and civil liberties of all individuals involved.
2. Objectivity and fairness; this maintains impartiality throughout the investigation process, ensuring all parties are treated equitably and conclusions are not influenced by bias.
3. Transparency and accountability; establish clear protocols for sharing investigation findings while protecting sensitive information and upholding the rights of affected individuals.
4. Minimizing harm; consider the potential consequences of investigative actions and take steps to mitigate any unintended negative impacts on individuals or the community.

3.2.8. Collaboration with Law Enforcement and Regulatory Agencies.

Mr. Speaker Sir,

Members of the joint delegation were taken through the importance of collaborating with law enforcement and regulatory agencies to ensure that there is;

1. Coordinated Investigations which establishes collaborative protocols with law enforcement to conduct joint investigations, leveraging complementary expertise and resources.

2. Regulatory Compliance; this involves partnering with oversight bodies and regulatory agencies to ensure county assembly operations adhere to all applicable laws and standards.
3. Information Sharing Facilitates the timely exchange of relevant information and evidence to support effective enforcement and remedial actions.
4. Transparency and Accountability ensure open communication and provide transparent reporting to government stakeholders to uphold public trust.

3.2.9. Continuous Improvement and Best Practices.

Mr. Speaker Sir,

The delegation was also taken through the importance of continuous improvements and borrowing from the best practices. This should involve regularly assessing the effectiveness & impact of oversight mechanisms (monitoring and evaluation), investing in training and skill development for investigators & oversight personnel (capacity building), and fostering collaboration & feedback loops with citizens, civil society & public officials (stakeholders' engagement) and continuously review & update policies, procedures & guidelines based on lessons learned (policy and Process Refinement).

Mr. Speaker Sir,

The delegation was educated that fostering a culture of continuous improvement is essential for enhancing the effectiveness and credibility of oversight and accountability mechanisms. By regularly evaluating performance, building institutional capacity, engaging stakeholders, and refining policies and processes, county assemblies can strengthen their ability to prevent and address abuses of power, promote transparency, and uphold the highest standards of public service.

1.3. 0. Ethical Conduct and Integrity in County Governance & Administrative Processes and Procedures.

Mr. Speaker Sir,

It is important to note that members of the delegation were taken through this topic. Some of the key issues as trained are discussed below.

1.3.1. Promoting Ethical Conduct and Integrity in County Governance

Mr. Speaker Sir,

Members were informed that upholding the highest standards of ethical behaviour and administrative integrity is crucial for effective county governance.

This includes ensuring transparency in decision-making, accountability for actions, and fairness in the exercise of powers and privileges within the County Assembly.

1.3.2. Strategies for Upholding Ethical Standards and Integrity in the County Assembly.

Mr. Speaker Sir,

Strategies for upholding ethical standards and integrity in the Assembly were discussed as follows;

1. Establish a robust code of conduct that clearly outlines ethical principles, prohibited behaviors, and accountability measures for all county assembly members.
2. Implement transparent decision-making processes with public disclosure of deliberations, voting records, and justifications for key decisions.
3. Empower an independent ethics committee to oversee compliance, investigate alleged violations, and recommend appropriate disciplinary actions.

3.3.3. Key Principles of Ethical Conduct

These include;

1. Transparency; that is ensure open and honest decision-making processes, with clear communication of policies, procedures, and rationale for actions taken by the County Assembly.
2. Accountability; Establish robust mechanisms to hold county officials and representatives accountable for their decisions and actions, with defined consequences for ethical breaches.
3. Fairness; Uphold principles of equity and impartiality in the application of laws, regulations, and policies, treating all stakeholders with respect and without bias.

3.3.4. Procurement Process and Procedures.

Mr. Speaker Sir,

Members of the delegation were taken through the process and the procedures that are undergone in the procurement department in the counties. The steps were discussed as follows;

1. Competitive bidding to ensure a fair and transparent bidding process that encourages competition among qualified vendors to secure the best value for the county.
2. Contract management to establish robust contract management practices to monitor vendor performance, ensure compliance with terms and make timely payments.
3. Ethical procurement meant to implement strict conflict-of-interest policies and anti-corruption measures to maintain the integrity of the procurement system.
4. Records and audits to maintain detailed procurement records and undergo regular audits to ensure accountability and compliance with regulations.

3.3.5. Human Resource Management and Employee Conduct.

Mr. Speakers Sir,

It is important to note that members were taken through this important aspect of human resource management and employee conduct in public service. Many issues around this topic were discussed during the training. Of importance to note were;

- a. Recruitment and selection to maintain a transparent and merit-based hiring process to attract top talent and build a skilled, diverse workforce.
- b. Professional development where county government should invest in ongoing training and learning opportunities to enhance employee competencies and promote career growth.
- c. Code of conduct; this establishes a comprehensive code of conduct that clearly outlines expected ethical standards and behavioral norms.
- d. Performance management where the County government should implement a fair and transparent performance evaluation system to provide employees with constructive feedback.

3.4.0. Environmental Sustainability and Climate Resilience.

Introduction to Environmental

Mr. Speaker Sir,

The facilitator began by introducing the two elements that;

Environmental sustainability refers to the ability to meet the needs of the present without compromising the ability of future generations to meet their own needs. It's about finding a balance between human activity and the natural world. This includes protecting ecosystems, conserving resources, and minimizing our impact on the environment. whereas Climate resilience refers to the ability of a system, community, or person to adapt to the effects of climate change. Climate change is

already having a significant impact on the planet, and these impacts are expected to become more severe in the future. Building resilience helps us to prepare for these changes and minimize the damage they cause.

3.4.1. Addressing Environmental Sustainability and Climate Resilience in County Governance.

Mr. Speaker Sir,

Members of the delegation were taken through the importance of environmental sustainability to achieve climate resilience. Some of the measures that could be taken by the County government to address these challenges were as discussed below;

1. Resource conservation: Using resources like water, energy, and raw materials efficiently and minimizing waste.
2. Biodiversity protection: Maintaining the variety of life on Earth, from ecosystems to individual species.
3. Pollution control: Reducing air, water, and soil pollution to protect human health and the environment.
4. Climate change mitigation: Reducing greenhouse gas emissions to slow down global warming.

Mr. Speaker Sir,

In addition to the measures that could be taken, members were also educated on how the assembly could assist in enhancing climate sustainability and resilience as follows;

1. Integrate sustainability and climate resilience as key considerations in considerations in all County Assembly decision-making processes.
2. Establish robust environmental impact assessment frameworks to evaluate the long-term implications of policy decisions

3. Strengthen governance oversight to ensure accountability and transparency in addressing sustainability and climate change

Mr. Speaker Sir,

Other proposals that were made during the training session included;

1. Developing comprehensive sustainability plans with clear goals, metrics, and accountability measures.
2. Incentivize renewable energy adoption, energy efficiency, and green building practices through tax credits and other policies.
3. Invest in ecosystem restoration projects to protect natural habitats, improve biodiversity and enhance carbon sequestration.

3.4.2. Renewable Energy Solutions.

Mr. Speakers Sir,

Transitioning to renewable energy sources is crucial for sustainable development and mitigating climate change. County governments can lead by investing in solar, wind, and geothermal power generation projects to power public facilities and incentivize private adoption.

Implementing smart grid technologies and energy storage solutions can further enhance the resilience and efficiency of the county's renewable energy infrastructure.

Therefore, the County Assembly has several tools at its disposal to encourage and ensure the use of renewable energy within the county. Here are some key strategies:

1. Policy and Regulation:

- a. Renewable Energy Targets: Set ambitious but achievable targets for renewable energy use in the county. This could be a percentage of total

energy consumption or a specific amount of installed renewable energy capacity.

- b. **Building Codes and Zoning:** Update building codes and zoning regulations to incentivise or even mandate using renewable energy technologies in new construction and renovations. This could include requirements for solar panels, energy-efficient appliances, and green building practices.
- c. **Streamlining Permits:** Simplify the permitting process for renewable energy projects to reduce red tape and encourage investment.

2. Financial Incentives; these include:

- a. **Tax Breaks and Rebates:** Tax breaks or rebates to residents and businesses installing renewable energy systems. This could help offset the upfront costs of these technologies.
- b. **Grants and Loans:** Create grant or loan programs to support the development of renewable energy projects, particularly for low-income residents and communities.
- c. **Feed-in Tariffs:** Implement feed-in tariffs that allow individuals and businesses who generate renewable energy to sell excess electricity back to the grid at a premium price.

3. Public Awareness and Education:

- a. **Public Information Campaigns:** Launch public information campaigns to educate residents about the benefits of renewable energy and available resources.
- b. **Community outreach programs:** Organize community outreach programs to educate and support residents interested in installing renewable energy systems.

- c. Partnerships with schools and businesses: Partner with schools and businesses to promote renewable energy education and workforce development programs.

4. Collaboration and Partnerships:

- a. State and federal programs: Work with state and federal agencies to leverage existing renewable energy programs and funding opportunities.
- b. Utilities and energy providers: Collaborate with utilities and energy providers to develop programs that promote renewable energy use and integrate it into the grid.
- c. Regional Cooperation: Partner with neighbouring counties share resources, expertise, and best practices in promoting renewable energy.

3.4.3. Sustainable Urban Planning Design.

Mr. Speaker Sir,

Members were also privileged to be taken through the above sub-topic where they were told that the County governments play a crucial role in shaping sustainable urban environments that are resilient to climate change. This involves;

- 1. Integrating green infrastructure;
- 2. promoting mixed-use development and;
- 3. Prioritizing walkable, transit-oriented design.

Mr. Speaker Sir,

By fostering compact, high-density cities with ample green spaces, Counties can reduce greenhouse gas emissions, enhance biodiversity, and improve residents' overall quality of life.

3.4.4. Protecting and Restoring Natural Ecosystems.

Mr. Speaker Sir,

Safeguarding and restoring natural habitats are crucial for maintaining biodiversity, enhancing carbon sequestration, and building climate resilience. County governments can lead efforts to protect forests, wetlands and other critical ecosystems through strategic land use policies and targeted conservation initiatives. Investing in ecosystem restoration projects, such as reforestation and wetland rehabilitation, not only improves ecological health but also provides valuable co-benefits like flood mitigation, water filtration, and recreational opportunities for residents.

3.4.5. Circular Economy and Waste Management.

Mr. Speaker Sir,

Four issues came out clearly from this sub-topic;

1. Recycling and upcycling: Implement robust recycling programs to divert waste from landfills. Encourage upcycling by repurposing materials into new products, reducing resource consumption and waste.
2. Organic waste composting: Develop composting initiatives to convert food and yard waste into nutrient-rich soil, reducing methane emissions from landfills and improving soil health.
3. Extended producer responsibility: Enact policies that hold manufacturers accountable for the end-of-life management of their products, incentivizing eco-friendly design and sustainable packaging.
4. Waste-to-energy solutions: Explore technologies that convert non-recyclable waste into electricity or fuel, recovering energy while diverting materials from landfills.

3.4.6 Adapting to Climate Change Impacts.

Mr. Speaker Sir,

Members of the delegation were further taken through ways in which the County government could adapt to climate change impacts. The following were discussed;

1. Assess vulnerabilities by evaluating the county's susceptibility to climate change risks like floods, droughts, heatwaves, and sea level rise. Identify vulnerable populations and critical infrastructure.
2. Promote Adaptation by encouraging climate-smart agricultural practices, incentivizing home weatherization, and developing heat island mitigation strategies to help residents and businesses adapt.
3. Enhance Resilience by implementing robust early warning systems, strengthening emergency response capabilities, and investing in protective infrastructure like seawalls and levees to mitigate climate impacts.

3.4.7. Engaging Communities in Sustainability Efforts.

Mr. Speaker Sir,

Members of the delegation were informed that for the sustainability efforts to yield there was a need for involvement of the members of the public in the whole process. These engagements were categorized as follows;

1. Community engagement: Empower residents to take an active role in sustainability initiatives through community gardens, cleanup events, and educational workshops that foster environmental stewardship.
2. Youth outreach: Engage young people as agents of change by incorporating sustainability lessons into school curricula and supporting student-led projects that address local environmental challenges.

3. Collaborative partnerships: Foster strong partnerships with local businesses, nonprofits, and community organizations to leverage resources, share best practices, and amplify the impact of sustainability efforts.
4. Public Awareness campaigns: Organize public events, media outreach, and targeted campaigns to raise awareness about sustainability, inspire behaviour change, and celebrate the community's environmental achievements.

3.5.0. Legal Framework & Regulatory Compliance.

Mr. Speaker Sir,

County Assembly being a legislative body, this topic was very dear to the members of the delegation. Therefore, they were taken through the legal framework and the regulatory compliance on various issues as discussed in these highlights.

3.5.1. Understanding relevant laws, regulations, and procedural guidelines governing county governance and oversight.

Mr. Speaker Sir,

County governments in Kenya operate within a complex legal and regulatory framework. This includes the Constitution of Kenya, the County Governments Act, the County Standing Orders, the Public Finance Management Act, and various other laws and regulations. County officials must strictly adhere to these guidelines to ensure transparent and accountable governance.

3.5.2 County Regulations.

Mr. Speaker Sir,

Members of the delegation were informed that several regulations and requirements guide the operations of the County government;

1. Funding requirements: Strict guidelines on the use of county money and subsidies. Detailed reporting and auditing procedures.
2. Privacy and data security: Compliance with the Data Protection Act, GDPR, and other county laws protecting sensitive citizen information.
3. Civil Rights protections: Ensuring fair and equitable access to county services and programs to prevent discrimination.

3.5.2. County-Level Requirements.

Mr. Speaker Sir,

These were discussed as follows;

1. Licensing and certification: Mandatory credentials for County employees in specialized roles like social workers, inspectors, and IT professionals.
2. Environmental regulations: Compliance with county laws on waste management, pollution control, and sustainability initiatives.
3. Financial transparency: Detailed public reporting on County budgets, expenditures, and financial audits.
4. Citizen engagement: Requirements for county agencies to solicit public feedback and input on policies and programs.

3.5.3. Compliance Requirements Overview.

Mr. Speaker Sir,

There are requirements that the County government should comply with to enable smooth operations. Some of them were discussed during the training exercise as follows;

1. Financial reporting: Strict guidelines form accounting, budgeting, and auditing to ensure responsible use of public funds.
2. Ethics & transparency: Policies to prevent conflicts of interest and promote open decision-making processes.

3. Human resources: Compliance with labour laws and fair employment practices for county staff.
4. Procurement: Regulations to ensure fair and competitive bidding for county contracts and services.

3.5.4. Roles and Responsibilities of Oversight.

Mr. Speaker Sir,

Several bodies play key roles in day to day running of the operations of the County.

These include;

1. County council: Enacts laws, approves budgets, and provides general oversight of county administration.
2. County Auditor: Conducts independent audits to ensure financial integrity and compliance.
3. Ethics Commission: Investigates and enforces ethical standards for county officials and employees.

3.5.5. Compliance requirements for the exercise of powers and privileges.

Mr. Speaker Sir,

Several issues were discussed under this sub-topic. Some of these included

1. Legislation Laws and regulations that define the compliance requirements for a specific jurisdiction.
2. Regulators Government agencies responsible for enforcing compliance and monitoring adherence to the rules.
3. Standards County-specific guidelines and best practices that committees can voluntarily adopt to demonstrate their commitment to compliance.

3.5.6. Scope of Powers and Privileges.

Mr. Speaker Sir,

The scope of the Committee revolves around;

1. Clearly defined limits identifying the specific powers and privileges granted to the committee and its leaders, and understanding their boundaries.
2. Responsible exercise ensuring that powers and privileges are exercised in a manner that aligns with the Committee's values and objectives.
3. Accountability by establishing mechanisms to hold the committee and its leaders accountable for the use of their powers and privileges.

3.5.7. Fiduciary Duties and Responsibilities.

Mr. Speaker Sir,

Members of the delegation were enlightened on the fiduciary duties and responsibilities. Some of them include:

1. Duty of care: exercising reasonable care and diligence in decision-making and oversight.
2. Duty of loyalty: Prioritizing the organization's interests over personal or conflicting interests.
3. Duty of obedience: Ensuring adherence to the organization's governing documents and applicable laws.

3.5.7. Consequences of Non-Compliance.

Mr. Speaker Sir,

Members of the delegation were taken through the consequences of non-compliance with the law in the spending of public funds. Some of them include;

1. Legal penalties such as fines, sanctions, and potential criminal charges for violations of laws and regulations.
2. Reputational damage which may include loss of trust and credibility among stakeholders, leading to reputational and financial consequences.

3. Operational disruptions including regulatory enforcement actions, such as license revocations or business suspensions, that disrupt the organization's operations.
4. Personal liability: Individual leaders and executives may be held personally responsible for compliance failures, facing civil or criminal liability.

3.5.8. Continuous Improvement and Best Practices.

Mr. Speaker Sir,

For effective operations of Committees, there is a need for various measures that have to be undertaken to strengthen the oversight role of County Assembly Committees. These include;

1. Benchmarking: Comparing county performance against the set standards and peer counties.
2. Employee Training: Providing regular compliance training to ensure staff understand and follow policies.
3. Stakeholder Feedback: Regularly soliciting input from citizens, businesses, and community groups.
4. Technology Solutions: Leveraging data analytics and automation to enhance compliance monitoring and reporting.

CHAPTER FOUR

4.0. LESSONS LEARNED.

These lessons were noted from the main elements of the study tour which included presentations, briefings, meetings, and discussions with the resource persons/experts as well as a review of relevant literature. From the interface, the delegation learned the following lessons: -

1. **Importance of transparency and accountability in decision-making:** The delegation learnt that the Committee's decisions should be made openly and with clear justification. This fosters public trust and allows citizens to hold the committee accountable for its actions.
2. **Identifying and avoiding conflicts of interest:** Committee members should be aware of potential conflicts of interest and recuse themselves from decisions where such conflicts arise. This ensures impartiality and prevents personal gain from influencing decisions.
3. **Upholding the law and following proper administrative procedures:** The committee must operate within the legal framework and established procedures. This ensures fairness, consistency, and avoidance of legal challenges.
4. **Using public resources responsibly and efficiently:** The Committee should be mindful of how public funds are used. This means being cost-effective and prioritizing spending that benefits the county as a whole.
5. **Earning and maintaining public trust:** The Committee's actions should be ethical and demonstrate a commitment to serving the public good. This builds trust and legitimacy for the committee's work.

6. Fostering a culture of ethics within the committee and county government:

The Committee can set a positive example by promoting ethical conduct throughout the county government. This can involve developing clear ethical guidelines, providing staff training, and creating mechanisms for reporting unethical behavior.

7. Developing clear guidelines and procedures for ethical conduct: A code of conduct that outlines expected behavior can guide Committee members and county staff. This promotes consistency and reduces ambiguity.

8. Establishing mechanisms for reporting and addressing ethical violations: There should be a clear process for reporting suspected ethical misconduct. This ensures that allegations are investigated fairly and appropriately.

9. Holding themselves and others accountable to ethical standards: The committee members learnt that they should hold themselves and each other accountable for ethical conduct. This requires a commitment to ethical leadership and a willingness to address ethical lapses.

10. Understanding the Legal Landscape: A strong grasp of relevant laws and regulations is crucial. The committee learnt how to identify the legal boundaries within which they operate, ensuring their decisions have a sound legal basis and reducing the risk of legal challenges.

11. Effective Policymaking: The delegation learnt that it is important for members to have an understanding of legal frameworks and that the Committees be allowed to draft and implement policies that comply with existing laws. This ensures policies are enforceable and achieve their intended goals.

12. Risk Management: Further, the Committee learnt that studying legal frameworks helps the members identify potential legal risks associated with

their decisions. This will help them develop strategies to mitigate these risks, protecting the County from legal and financial repercussions.

CHAPTER FIVE

5.0 COMMITTEE'S RECOMMENDATIONS

Mr. Speaker Sir,

Having undergone this training successfully and learnt many lessons from the presentation made and the experience obtained through site visits, the Committees delegation categorizes its recommendations into two categories as follows: -

A. Recommendations to the County Assembly;

1. Article 10 of the Constitution identifies public participation as a National Value and principle of governance. Decision-making needs to recognize the rights of communities to representation and engagement in processes that affect them, the community values, goals, and aspirations.

Thus, the Committee recommends that the County Assembly ensures that all programs and project identification, implementation and evaluation are subjected to public Participation by conducting their public hearing up to the lowest units of decentralized government (villages) to ensure that the proposals included in all the County Planning documents are sourced from the citizens. By so doing, there will be project ownership by the communities.

2. That the County Assembly continues investing in training for MCAs on public finance management, auditing, and policy analysis. This could be done by collaborating with professional bodies or universities for specialized training programs. This will ensure that the MCAs acquire training and expertise that is necessary for executing their oversight role thus ensuring prudence in the use of public funds.
3. That the County Assembly Committees charged with the mandate of oversight of various County government departments focus on outcomes and

Impact. Oversight should go beyond just reviewing expenditures. Committees should assess the effectiveness of programs and identify areas for improvement.

4. County Assembly committees to consider scheduling regular meetings with County Executive officials. Regular meetings with county executive officials would ensure timely information flow and facilitate proactive oversight thus ensuring that the needs of the citizens are underscored in these meetings which will lead to equity in the sharing of the County's meagre resources.
5. That the County assembly collaborates with Stakeholders such as civil society organizations, community groups, and the Auditor General's office. Working with them will provide valuable insights and strengthen oversight efforts. This will go a long way in ensuring that public funds are utilized prudently.
6. That the County Assembly Utilizes Technology. Mountains of data are generated daily. Technology like data visualization tools and advanced analytics software would help sift through this data to identify trends, patterns, and correlations. This could inform decision-making across various sectors. Overall, by effectively utilizing technology for data analysis, performance tracking, and communication, the Assembly would make better decisions, improve efficiency, and foster a more informed and engaged public.

B. Recommendations to the executive arm of county government.

The executive arm of the county government can play a significant role in strengthening the oversight function of the county assembly. The Committees recommend that:

1. The County executive, through the relevant departments exercises transparency and proactive information Sharing, whereby, the information shared with the Assembly should be timely and complete.

The information should include budget implementation reports (quarterly reports), performance data, and program evaluations. This proactive approach fosters a collaborative oversight environment. Thus, ensuring that budget absorption and implementation are kept on track to ensure prudence and accountability of public funds.

2. The County executive, through all the departments makes Clear and Measurable Goals. Establishing clear and measurable goals for County programs and services will allow the County Assembly to effectively assess performance and identify areas for improvement. This will enhance service and development delivery to the people of Kitui.
3. All County departments to embrace respectful engagement. Treating oversight inquiries and requests for information with respect fosters trust and cooperation between the two arms of government. Further, this ensures the departments do not lose track of their plans to deliver services to the citizens of Kitui.
4. All departments avail key Personnel to answer questions and provide information to the County Assembly Committees. Many times, key personnel in various County departments are not available during engagements between the County Assembly and County Executive which limits information sharing since they are the key persons with the required information. This limits the ability of Assembly Committees to make decisions from an informed point of view. The availability of these key personnel would ensure efficient oversight processes.

5. The County executive maintains open communication channels with the County Assembly leadership. This will go a long way in addressing any concerns raised to ensure a smooth working relationship.

CONCLUSION

Mr. Speaker Sir,

It is important to note that the devolved units in Kenya have an enormous duty as provided for in the Constitution of Kenya to make sure that their development goals and objectives marry those in vision 2030, sustainable development among other development plans to make sure that they are not left behind by what the rest of the world is doing.

In so doing the County government should involve all stakeholders from all levels by contacting public participation on all the development projects and programs before they are implemented. This will go a long way to ensure that the priority needs of the citizenry are taken into consideration during the preparation of the County Planning documents.

Mr. Speaker Sir,

A strong collaborative effort between the County Assembly and the County Executive is the cornerstone of effective oversight. This partnership fosters transparency, accountability, and ultimately, improved service delivery to the citizens. By working together, they can leverage technology for data analysis, performance tracking, and public communication, ensuring efficient use of resources and a more responsive government. This collaborative approach strengthens the pillars of devolved governance, leading to a brighter future for the people of Kitui County.

ANNEX I: ADOPTION OF THE REPORT.

We, the Members of the delegation to the Committees on Administration & Coordination of County Affairs and Committee on Powers & Privileges have, under Standing Order 179, adopted this report and hereby affix our signatures to affirm our approval and confirm its accuracy, validity and authenticity.

NAME	DESIGNATION	SIGNATURE
1.Hon. Christopher Nzilu Nzilu	-Team Leader.	
2. Hon. Sammy Musili Munyithya	- Member.	
3. Hon. Jacinta Mary Mwoni	- Member.	
4. Hon. Elizabeth Ndunge Peter	- Member.	
5. Hon. Dr. Erastus Mbuno	- Member.	
6. Hon. Bonface Katumbi	- Member.	

ANNEX I: PHOTO GALLERY



Fig 1: Members of the delegation together with the trainer.

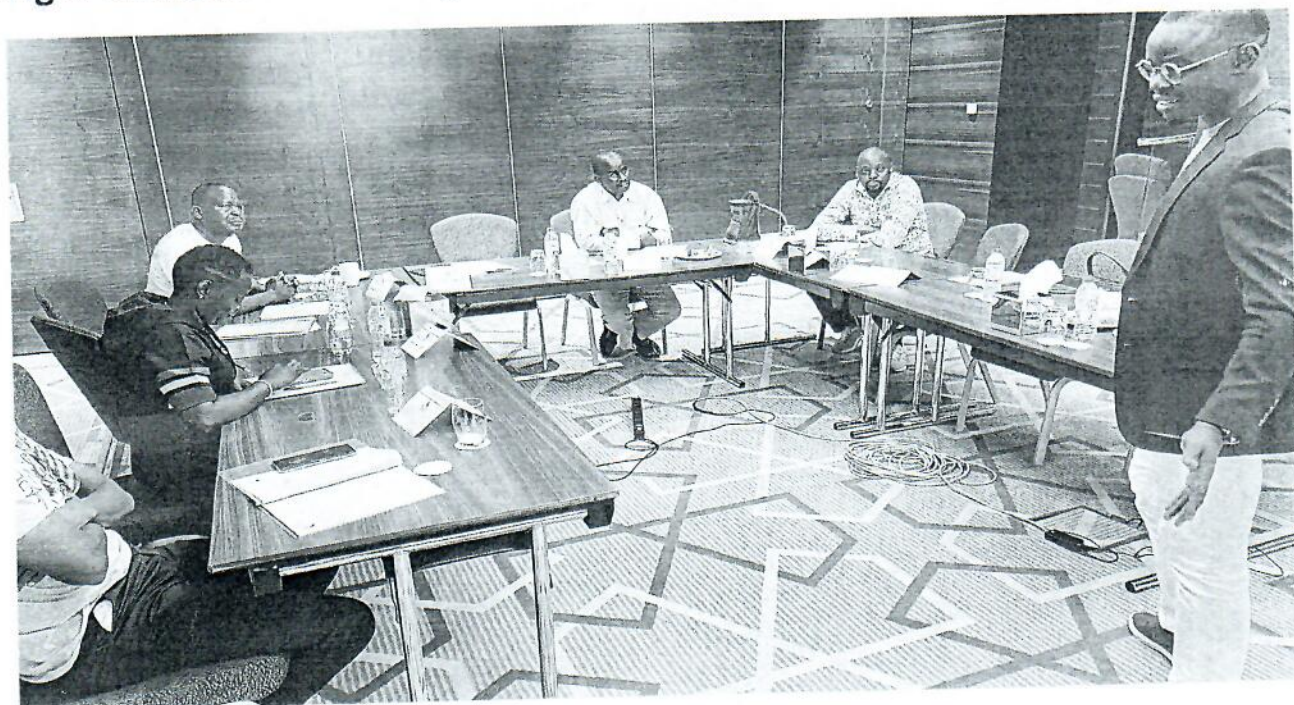


Fig 2. Members of the delegation have an interactive session during the training session.

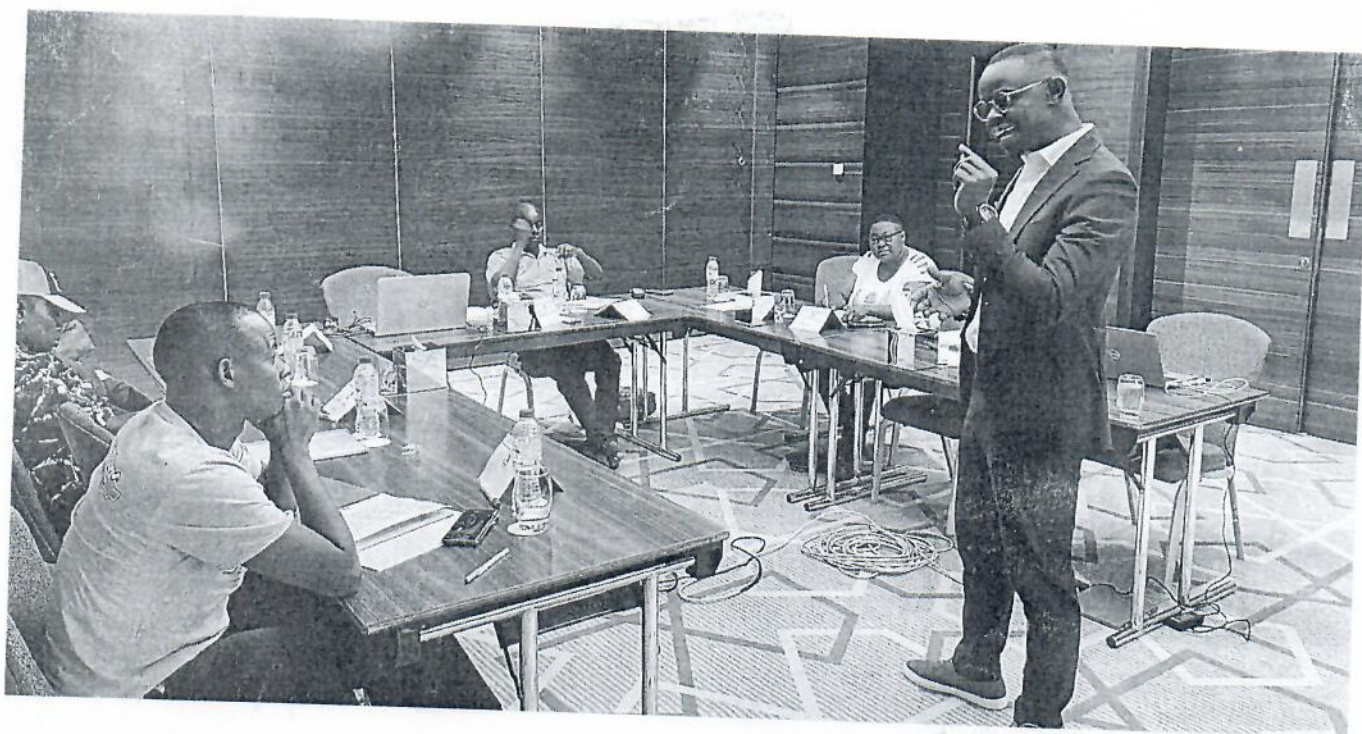


Fig 3: Members of the delegation discussing matters of powers during the training session.



Fig 3: Members of the delegation have a heated debate on the oversight role during a training session.

