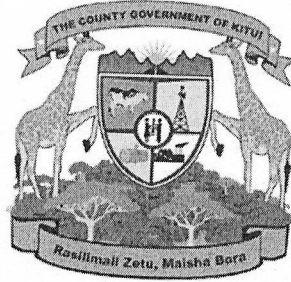


COUNTY GOVERNMENT OF KITUI



**THE COUNTY ASSEMBLY
THIRD ASSEMBLY- THIRD SESSION (2024)**

COMMITTEE ON LABOUR AND SOCIAL WELFARE

**RESPONSE TO STATEMENT REQUEST BY HON. CYRUS MUSYOKA
KISAVI ON RECENT LAY-OFF OF SOME COMMUNITY HEALTH
PROMOTERS IN IKANGA/KYATUNE WARD.**

**The Clerk's Chambers,
County Assembly of Kitui,
Assembly Buildings,
Kitui, Kenya**

DECEMBER, 2024

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ABBREVIATIONS & ACRONYMS

CECM	County Executive Committee Member
CHP	Community Health Promoter
CGA	County Governments Act
CHA	Community Health Assistant
CHIS	Community Health Information System
CHO	Community Health Officer
CHU	Community Health Unit
CPSB	County Public Service Board
MCA	Member of County Assembly
NHIF	National Health Insurance Fund
NSSF	National Social Security Fund
SHA	Social Health Authority
SHIF	Social Health Insurance Fund

1.0 PREFACE

1.1 Introduction

Mr. Speaker,

During the afternoon Sitting of 12th July, 2024, Hon. Cyrus Musyoka Kisavi, M.C.A for Ikanga/Kyatune Ward requested for a statement from the Chairperson Committee on Labour and Social Welfare, on recent Lay off of some Community Health Promoters in Ikanga/Kyatune ward, pursuant to the provisions of Standing Order No. 41 (2c).

The committee on Labour and Social Welfare deliberated on the issues raised in the statement and prepared this report on its consideration of the same pursuant to the provisions of Standing Order No. 41 (2C) (C).

1.2 Mandate of the Committee

Mr. Speaker,

The Committee on Labour and Social Welfare is established under Standing Order No. 190(5) and is mandated to:

- i. Investigate, inquire into and report on all matters relating to the mandate, management, activities, administration, operation and estimates of the assigned department;
- ii. Study programs and policy objectives of departments and the effectiveness of the implementation;
- iii. Study and review all county legislation referred to it;
- iv. Study, assess and analyse the relative success of 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 No.185(Committee on Appointments); and

vii. Make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

The Second Schedule of the Standing Orders stipulates that the Committee is mandated to oversight all matters relating to Labour trade union relations, employment, man power or human resource planning and social welfare;

1.3 Committee Membership.

Mr. Speaker,

The Committee was constituted by the House on 23rd November, 2022 and comprises of the following Members:

1. Hon. Joseph Kasungi Kavula	Chairperson
2. Hon Charity Kathathi Musyoka	Vice Chairperson
3. Hon. Frida M. Mutinda	Member
4. Hon. Cornelius Ngumbau Muthami	"
5. Hon. Mary P. Ndumbu	"
6. Hon. Antony M. Musyoka	"
7. Hon. Zacchaeus I. Syengo	"
8. Hon. Mary M. Musili	"
9. Hon. Elizabeth N. Peter	"
10. Hon. Pricilla Martha Makumi	"
11. Hon. Jeremiah M. Mutua	"

1.4 Committee Secretariat

1. Onesmus M. Mbwang'a-Clerk Assistant

1.5 Acknowledgement

Hon. Speaker;

On behalf of the Committee on Labour and Social Welfare, I extend my gratitude to the Hon. Speaker, Members of the Committee, office of the Ag. Clerk of Assembly and the staff attached to the Committee for their continuous support, assistance, and commitment in executing their duties. I wish to extend my gratitude to the CECM for Health and Sanitation for her response which enabled the Committee to compile this report.

On behalf of the Committee on Labour and Social Welfare, and pursuant to the provisions of Standing Order No.41 (2C) (C), it is my pleasant duty and pleasure to present this report of the Committee on the response to statement for consideration and adoption.

SIGNED: _____



DATE: _____

26th Nov. 2024

HON. JOSEPH KASUNGI KAVULA
CHAIRPERSON, COMMITTEE ON LABOUR AND SOCIAL WELFARE

2.0 BACKGROUND

Mr. Speaker,

During the afternoon Sitting of 12th July, 2024, Hon. Cyrus Musyoka Kisavi - M.C.A for Ikanga/Kyatune Ward requested for a Statement response from the Chairperson, Committee on Labour and Social Welfare on the recent lay off of some CHPs in Ikanga/Kyatune ward (*see Annexure 2*).

In his Statement request, the Honourable Member raised concerns that some Community Health Promoters in Ikanga/Kyatune ward had been laid down without any unjustifiable reasons.

The Honourable Member asserted that the County Department for Health and Sanitation was sufficiently funded to meet the cost of paying stipends to the CHPs among other expenditures as appropriated by the County Assembly in the annual budget while the national Government had partnered with the County Government to offer financial top ups to the contracted CHPs.

Owing to the above state of affairs, the Honourable member requested the Chairperson, Committee on Labour and Social Welfare to respond to the following issues;

1. What necessitated the recent lay off of some CHPs in Ikanga/Kyatune ward and any other ward in Kitui county.
2. The criteria used to determine the CHPs to be laid off.
3. Why the CHPs have never been issued with appointment letters specifying their terms of engagement.
4. Whether the CHPs have been receiving financial top ups from the national government.
5. An up-to-date declaration of the NSSF and NHIF deductions and remittances to the relevant statutory bodies for the CHPs.

Mr. Speaker,

Upon receipt of the statement request, and Pursuant to the provisions of Standing Order No. 41 2C(B), the Committee on Labour and Social Welfare through the office of the Ag. Clerk forwarded the Statement request to the CECM Department of Health and Sanitation to respond to the issues raised in the Statement on 1st October, 2024. (see Annexure 3).

Mr. Speaker,

The CECM for the Department of Health and Sanitation responded to the issues contained in the Statement on 17th October as follows;

Introduction;

Community Health Services were established in Kenya in 2006 as one of Vision 2030 flagship projects and placed under the stewardship of the health sector reforms secretariat to revitalize primary health care as an approach to address the poor health indicators and declining health trends through community empowerment.

H.E the Governor's vision and transformation agenda to the Kitui residents "**the Kitui Promise**" committed to recruit 10 Community Health Promoters (CHPs) per village, totaling to 2,470 for the 247 villages. To utilize this, the County Ministry of Health and Sanitation committed to engage 10 CHPs in the 247 county devolved villages to ensure provision of basic health services at the community level.

2.1. QUERY ONE: What necessitated the recent lay off of some CHPs in Ikanga/Kyatune ward and any other ward in Kitui county

Mr. Speaker,

Kitui South Sub County has forty-one (41) established community health units (CHUs) and expected to have a total of 410 community health promoters. Before the County Government formerly the CHPs in July, 2023, Catholic Medical Mission Board(CMMB) was supporting CHPs in Kitui South with stipend up to July 2022. During this period, the number of CHPs

engaged per CHU was either less or more contrary to the MOH guidelines which stipulate engaging 10 CHPs per CHU. Other legislations which provide for the engagement of 10CHPs per CHU are

- i. The primary Health Care Act 2023
- ii. The Community Health Strategy 2020-2025

The Strategy provides that; one CHA/CHO oversees 10 CHVs who are in charge of up to 500-1000 households.

Table 1. following table shows the number of CHPs in Kitui South Sub County before the reorganization

S/N	WARD	VILLAGES /CHUs	EXPECTED NO OF CHPs	NO. OF CHPs ENGAGED	DISCREPANCY
1.	MUTOMO	6	60	58	-2
2.	IKUTHA	7	70	63	-7
3.	IKANGA	7	70	89	+19
3.	KANZIKO	5	50	45	-5
4.	MUTHA	7	70	68	-2
5.	ATHI	9	90	87	-3

Owing to the above provisions of the law and the need to comply with the above guidelines and ensuring equity in the engagement of the CHPs across the County necessitated dropping of some CHPs in Kitui South sub county where Ikanga/Kyatune lies.

2.2. QUERY TWO: The criteria used to determine the CHPs to be laid off

The data provided in table 1 above indicates that Ikanga/Kyatune ward had 19 more CHPs. The excess CHPs had to be laid down to ensure equity in the number of CHPs allocated to the six wards in Kitui South Sub County and ensure compliance with the community Health Services guidelines.

The following criteria was used to identify the CHPs who were to be dropped;

- i. Ability to use the electronic community Health Information System (eCHIS) platform for reporting.
- ii. Age of the CHPs (limit CHPs movement during household visitation)
- iii. The CHPs previously under PATUMA were given first priority
- iv. Availability of a CHP to offer services at community level
- v. Distribution of CHPs in the villages
- vi. Ability to read and write and report appropriately

Table 2. shows how the reorganization was done in Ikanga/ Kyatune Ward in kitui South Sub County

S/NO.	VILLAGE /CHU	TOTAL CHPs ENGAGED	EXPECTED NO. OF CHPs	NO. OF CHPs ENGAGED TO FILL DEFICIT	NO. OF CHPs DROPP ED
1.	ITHUMULA	14	10	0	4
2.	KATHUNGU	12	10	0	2
3.	KYATUNE	12	10	0	2
4.	MAKELE	14	10	0	4
5.	NDUU NDUNE	14	10	0	4
6	NDATANI	11	10	0	1
6.	YONGELA	12	10	0	2
TOTAL		89	70	0	19

(see annexure 4 for the reorganization of the CHPs in the other wards in Kitui South sub county)

2.3. QUERY THREE: Why the CHPs have never been issued with appointment letters specifying their terms of engagement.

The Primary Health Care Act assented in November, 2023 provides for a legal framework for implementation of community health services in the county.

The Act clearly stipulates duties of CHPs and detail the process of engagement.

With the guidance provided by the Act, the county Ministry of Health and Sanitation will engage the Public Service Board to guide the provision of appointment letters to CHPs considering CHPs are not employees but volunteers.

2.4. QUERY FOUR: Whether the CHPs have been receiving financial top ups from the national government.

The County Government in collaboration with the National Government support payment of stipend to CHPs. In Kitui County, a total of 2373 CHPs are supported with a stipend of Ksh. 2500 top up per month from the national Government against the 2470 CHPs engaged by the County Government of Kitui.

The County Government of Kitui provides each CHP with a stipend of Kshs. 3000 per month. The payment of stipend from the National Government has been faced with the following challenges;

- i. Delay in payments.
- ii. CHPs missing their stipend without any feedback provided to the County Ministry of Health and Sanitation.
- iii. Delay in updating the CHPs list at National level considering the community level dynamics arising from deaths or CHPs returning the offer.
- iv. Allocating stipend to 2373 CHPs which is less than number engaged by the County Government.

The County and National Governments are working together to address the challenges by undertaking the following measures;

- i. The County has opened a special purpose account where the National and County Government will deposit funds for payment of CHPs stipend.

- ii. Considering using digital platform for payment of CHPs stipend. A pilot of the platform is currently on going in Migori and Nairobi Counties
- iii. A complaint on CHPs who have missed stipend has been made to the National Government for action.

2.5. QUERY FIVE: An up-to-date declaration of the NSSF and NHIF deductions and remittances to the relevant statutory bodies for the CHPs.

The employment Act of 2007 Part 1, Preliminaries state that 'employee' means a person employed for wages or salary.

Community Health Promotors are provided with a stipend and not wages. Provision of stipend to CHPs is stipulated in the following Sections of the Primary Health Care Act 2023.

Section 13 (c) stipulates that the County Government shall ensure that Community Health promotors are adequately supported to perform their functions, including through;

- i. Training at least once a year
- ii. Provision of working tools
- iii. Stipend and
- iv. Supervision

Section 16(c) of the same Act provides that the County Government shall allocate adequate funds and resources necessary for the facilitation of the Community Health Promotors, including payment of stipends within the respective county.

It is therefore imperative to note that CHPs are not deducted any amount to pay for NSSF or SHA/SHIF because they are volunteers who are on stipend to facilitate their transportation as they provide basic health services at the household level and they are not on a minimum wage.

Owing to the above, CHPs do not qualify for the statutory deductions applied to other County Government workers.

(See Annexure 5 for individual CHPs specific reason/s for being dropped)

3.0 COMMITTEE OBSERVATIONS

Mr. Speaker,

Having noted and considered the issues raised in the statement, the responses from the CECM for Health and Sanitation as well as the documentary evidences available, the committee makes the following observations;

1. The issues raised in the Statement request were sufficiently responded to.
2. The County Ministry of Health and Sanitation has kept her promise in paying stipends to the CHPs however, the National Government's share has not been forthcoming and is faced with numerous challenges.

4.0 COMMITTEE RECOMMENDATIONS

Mr. Speaker,

Owing to the above observations, the Committee recommends as follows;

- i. The County Government should set aside funds to provide medical coverage for the CHPs under the SHA/SHIF as many of them cannot afford getting private medical covers.
- ii. The County Government should initiate income generating ventures for the CHPs so as to supplement what they get in form of stipends.
- iii. The County Government should seek partnership with development partners to provide and enhance mobility of the CHPs e.g. provision of bicycles or motorbikes.
- iv. The County Ministry of Health and Sanitation should provide regular tailored capacity building trainings to the CHPs to enhance their effectiveness.

CONCLUSION

Mr. Speaker Sir,

In conclusion, the Committee appreciates Hon. Cyrus Musyoka Kisavi for coming up with the Statement request on the lay-off of some CHPs in Ikanga/Kyatune ward which enabled the committee to get to the bottom of the subject matter. It is imperative to note that the success of any good health sector lies with the effectiveness of its ability to prevent diseases level where the Community Health Promoters belong.

A weak disease prevention capacity for any health sector will leave its citizens prone to disease outbreaks which are ultimately very expensive to treat. It is therefore imperative for the County Ministry for Health and Sanitation to have an effective, vibrant and highly motivated group of CHPs so as to ensure effective disease preventive measures as it is commonly and widely acceptable that **'prevention is better than cure'**.

The Committee shall remain steadfast in providing proper oversight in all matters under her mandate as provided under the County Assembly Standing Order No. 190(5) and the Second Schedule.

ANNEXTURE 1**ADOPTION PAGE**

We the members of the Committee on Labour and Social Welfare hereby append our signatures as proof of the authenticity, accuracy and correctness of the report on the response to the Statement request by Hon. Cyrus Musyoka Kisavi, M.C.A for Ikanga/Kyatune Ward on the recent lay-off of some Community Health Promotors in Ikanga/Kyatune ward.

NAME	DESIGNATION	SIGNATURE
1. Hon. Joseph Kasungi Kavula	Chairperson	
2. Hon Charity Kathathi Musyoka	Vice Chairperson	
3. Hon. Frida M. Mutinda	Member	
4. Hon. Pricilla M. Makumi	Member	
5. Hon. Mary P. Ndumbu	Member	
6. Hon. Antony M. Musyoka	Member	
7. Hon. Zacchaeus I. Syengo	Member	
8. Hon. Mary M. Musili	Member	
9. Hon. Elizabeth N. Peter	Member	
10. Hon. Cornelius K. Muthami	Member	
11. Hon. Jeremiah M. Mutua	Member	

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ANNEXURE 2

STATEMENT REQUEST ON THE RECENT LAY OFF OF SOME COMMUNITY HEALTH PROMOTERS IN IKANGA/KYATUNE WARD

Mr. Speaker Sir,

Pursuant to the provisions of Standing Order No 41 (2) (c), I would like to request for a statement from the Chairperson for the Committee on Labour and Social Welfare on recent lay off of some Community Health Promoters in Ikanga/Kyatune ward,

Aware that the Committee on Labour and Social Welfare is mandated under Standing Orders No. 190(5) as read together with the Second Schedule to oversight all matters relating to Labour, trade union relations, employment, man power or human resource planning and social welfare,

Further aware that the County Department of Health and Sanitation and in particular Public Health, contracts the Community Health Promoters (CHPs) in all wards who are based at the community health units;

Concerned that the CHPs offer crucial services at the community level which include preventive and promotive services among others,

Cognizant that the County Department for Health and Sanitation is sufficiently funded to meet the cost of paying stipends to the CHPs among other expenditures as appropriated by the County Assembly in the annual budget,

Further Cognizant that the National Government has partnered with Kitui County Government to offer financial top ups to the contracted CHPs.

Further Concerned that the County Department for Health and Sanitation has recently laid off some CHPs in Ikanga/Kyatune ward without any justifiable reasons,


THAT, a joint Committee for Labour and Social Welfare and Health and Sanitation carries out an inquiry and report back to this house within 21 days with facts on the following issues:

1. What necessitated the recent lay off of some CHPs in Ikanga/Kyatune ward and any other ward in Kitui county.
2. The criteria used to determine the CHPs to be laid off.

Mr. Speaker
for your approval
27/3/2024

Clara
Approved.
27/3/2024

3. Why the CHPs have never been issued with appointment letters specifying their terms of engagement.
4. Whether the CHPs have been receiving financial top ups from the national government.
5. An up-to-date declaration of the NSSF and NHIF deductions and remittances to the relevant statutory bodies for the CHPs.

Signed 

Hon. Cyrus Musyoka Kisavi - MCA

Date 26/3/2024