

No.

2021

THE MAKUENI COUNTY GOVERNMENT

HIS EXCELLENCY THE GOVERNOR
KIVUTHA KIBWANA

I assent



Governor

22nd June , 2021

**THE MAKUENI COUNTY PUBLIC PARTICIPATION
POLICY, 2021**

REPUBLIC OF KENYA



GOVERNMENT OF MAKUENI COUNTY



DEPARTMENT OF DEVOLUTION, COUNTY ADMINISTRATION, PUBLIC SERVICE &
YOUTH

PUBLIC PARTICIPATION POLICY

2021

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Abbreviations

CAF	County Assemblies Forum
CBEF	County Budget and Economic Forum
CBOs	Community Based Organizations
CDF	Constituency Development Fund
CDFB	Constituency Development Fund Board
CEC	County Executive Committee
CIC	Commission for the Implementation of the Constitution
CIDP	County Integrated Development Plan
CKRC	Constitution of Kenya Review Commission
CoE	Committee of Experts
CRECO	Constitution and Reform Education Consortium
CSOs	Civil Society Organizations
DFRD	District Focus for Rural Development
FBOs	Faith Based Organizations
KLGRP	Kenya Local Government Reform Programme
LASDAP	Local Authorities Service Delivery Action Plan
NSA	Non State Actors
OGP	Open Government Partnership
PLA	Participatory Learning Action
PPA	Participatory Poverty Assessment
PRA	Participatory Rural Appraisal
PWDs	People with Disabilities
UNDP	United Nations Development Programme

Acknowledgement

The public participation policy formulation process started in early 2017 through the county department of Devolution, County Administration, Public Service and Youth. The process was participatory and inclusive through the involvement of the people of Makueni, county staff from every ministry and representatives from the Makueni Civil Societies Network. Members of the County Assembly committee of Devolution and Public Service were very supportive to the policy development process.

The policy outlines various mechanisms, roles and responsibilities that apply in depth and scope, enabling the realization of the specific objectives for effective public participation and civic education in the county. It is therefore our belief that the policy will achieve its intended purpose and ensure the prosperity of Makueni County and engagement of citizens in its governance.

On behalf of the Government of Makueni County, I wish to express my appreciation for the technical support provided by the HIVOs International, Office of the Attorney General, FAHAMU, The Institute of Social Accountability (TISA) and H.E The Governor of Makueni County in making this policy a reality. I also wish to congratulate the people of Makueni, county staff and civil society stakeholders who participated in deliberating and developing this policy.

Julius Musyoka

CHIEF OFFICER: DEVOLUTION, COUNTY ADMINISTRATION, PUBLIC SERVICE AND YOUTH

Foreword

The Government of Makueni County has developed this Public Participation Policy as the county's overarching framework for participatory development, open government, civic and development education initiatives. The main objective of this policy is to provide the framework for the management and coordination of public participation and civic and development education in Makueni County for the fulfilment of the constitutional requirement on citizen engagement in development and governance processes. The residents of Makueni County, county departments and agencies, county leaders and non-state actors shall comply with this policy as a Constitutional requirement.

The *Constitution of Kenya (2010)* restructured and transformed the state-society relations in several positive ways. It places the citizens at the centre of development and related governance processes and provides for public participation as one of the principles and values of governance. The Government of Makueni County recognises that public participation strengthens and legitimises decisions made by the government, actions and development interventions, which are all important elements of good governance and the foundation for true developmental governance in the county.

The County's commitment to public participation has been demonstrated through several efforts, albeit with some challenges. County public participation and civic education guidelines have been in place, and have been reviewed with the aim of strengthening the practice of participatory development based on the lessons and challenges learnt from the last three years of its implementation. Some of the challenges include: the slow pace in operationalization of public participation, access to and provision of the relevant information to the public at the grassroots level, poor coordination and management of public participation data, ineffective community feedback mechanism and inadequate funding for public participation.

This policy is therefore aimed at addressing the noted gaps and challenges thereof, in order to strengthen public participation and civic and development education in development, accountability, transparency and governance processes. The policy

reaffirms the county government's commitment to public participation. It specifies the interventions that the government will take to address the challenges that hinder the realization of effective public participation, including the adoption of best practices. The government acknowledges that good and democratic governance will be achieved in the county if public participation is guided by principles and values which enhance bottom up development and democratic governance through citizen participation in governance and development.

I take this opportunity to appreciate all the individuals who have made an input to this document, and in this regard the County Leadership for its direction.

Joshua W. Wambua (MBS)

**COUNTY EXECUTIVE COMMITTEE MEMBER: DEVOLUTION, COUNTY
ADMINISTRATION, PUBLIC SERVICE AND YOUTH**

CHAPTER ONE: INTRODUCTION

Public participation in Kenya is considered a crucial pillar of the Kenyan Constitution. It attains the objective of promoting democracy by providing the public with the opportunity to take part in decision-making processes within government. It broadly encompasses an interactive process between state and non-state actors of public communication and access to information, capacity building and actual engagement in governance processes.

The right to participate reflects the constitutional notion that sovereign authority belongs to the citizens. It is the very foundation for democracy which not only strengthens the state by legitimizing governmental actions, but is also important for good and democratic governance.

It must also be understood that public participation is both a goal and a process; as a goal, it is important that all citizens are involved in the affairs of government, specifically decision making. As a process, it focuses on the mechanisms or platforms through which the citizenry are involved and decisions reached in the context of governance.

The need for public participation is stressed under article 10 of the Constitution which equally elevates it to a principle that “binds all State organs, State officers, public officers and all persons whenever any of them— applies or interprets this Constitution, enacts, applies or interprets any law, or^T_{SEP} makes or implements public policy decisions”.

Article 174 (c) provides that one object of devolution is: “to give powers of self-governance to the people and enhance their participation in the exercise of the powers of the State and in making decisions affecting them”. Further, the Constitution assigns the counties the responsibility to ensure, facilitate and build capacity of the public to participate in the governance affairs of the county government through function 14 (Schedule 4 Part 2). In that regard, the county governments are required to:

- a. Create mechanisms of engagement by ensuring and coordinating the participation of communities and locations in governance;
- b. Build capacity by assisting communities and locations to develop the administrative capacity for the effective exercise of the functions and powers.

Therefore, the need for concerted efforts to ensure the conduct of effective public participation cannot be overemphasized. Without public participation governments face the danger of citizens becoming cynical, apathetic and withdrawn from participation in matters of governance and thereby endangering our democracy and by extension, the devolved system of government.

The Government of Makueni County recognizes these provisions and has translated them as the basis for effective county development and governance. The County government has an obligation to establish appropriate mechanisms, processes and procedures to enable the local community to participate in the affairs of the County and to ensure greater community participation through development committees, project management committees, open government initiatives, public participation forums, civic education programmes and other bottom up development processes.

In a nutshell, Public Participation and Civic Education achieves the following;

- Inculcating in a people the ideals, principles, practices, habits, skills, opinions, attachments, tasks, values and virtues necessary for the preservation and flourishing of any society or a system of government.
- Creating an understanding that they have a constitutionally grounded right to participate in and influence the affairs of governance at all levels.
- Educating the citizenry on how they can effectively participate in the political process.

Public Participation in Kenya: The Constitution and the Law:

A. International Instruments:

The 2010 Constitution makes all ratified international agreements part of Kenyan law. Kenya has ratified all major international and regional human rights instruments including the International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention on the Elimination of All Discrimination Against Women (CEDAW), Child Rights Convention (CRC) and the African Charter on Human and Peoples' Rights and the African Charter on Democracy, Election and Good Governance. These international instruments guarantee fundamental rights including freedom of association, expression, assembly and access to information, non-discrimination and the right to participation of citizens in public affairs.

B. National and County Level:

a. Constitution of Kenya:

The 2010 Constitution identifies inclusiveness, good governance and involvement of the people in policy making as essential national and public service values and principles. Also, it primes public participation as a foundational pillar of our constitutional democracy, and thus a key object and function of devolved government in Kenya. In recognition of the relevance and importance of public participation, the Constitution and various legislations provide for public participation as follows:

- i. Article 1 (2) of the Constitution of Kenya 2010 states that all sovereign power belongs to the people of Kenya who may exercise their sovereignty directly or through their elected representatives.
- ii. Article 10 (2) indicates that public participation is among the national values and principles of governance.

- iii. Article 118 of the Constitution provides that Parliament shall facilitate public participation and involvement in the legislative and other business of Parliament and its committees.
- iv. Article 174 (c), gives powers of self-governance to the people and enhance the participation of the people in the exercise of the powers of the State and in making decisions affecting them;
- v. Article 174 (d) recognizes the rights of communities to manage their own affairs and further their development.
- vi. Article 184(1) states that a national legislation is to provide for the governance and management of urban areas and cities and shall in particular provide for participation by residents in the governance of urban areas and cities.
- vii. Article 196 of the Constitution provides that the County Assembly shall facilitate public participation and involvement in the legislative and other business of the assembly and its committees.
- viii. Article 232(1)(d) provides for the involvement of the people in the process of policy making and part (f) provides for transparency and provision to the public of timely and accurate information as values and principles of public service.
- ix. Fourth Schedule to the Constitution at Part 2(para.14) stipulates that the functions and powers of the county are to ensure and coordinate the participation of communities and locations in governance at the local level.

b. Public Finance Management Act, 2012 (PFMA)

The Public Finance Management Act provides for public participation in the budget process as follows:

- i. **Section 125(2):** The County Executive Committee member for finance should ensure that there is public participation in the budget process for the county government.
- ii. **Section 207:** County Governments are to establish structures, mechanisms, and guidelines for citizen participation.
- iii. **Section 137** of the Act establishes the County Budget Economic Forum (CBEF) to provide a means of consultation by the county government and comprises representatives nominated by organizations representing professionals, business, labor issues, women, persons with disabilities, and elderly, faith-based groups at the county level

c. The County Government Act, 2012 (CGA)

- i. **Section 47:** The county executive committee shall design a performance management plan which shall provide for among others citizen participation in the evaluation of the performance of county government.

- ii. The requirements for public participation are further provided for under Part VIII that details the need for and conduct of Public Participation at county level. The relevant sections are 87, 88, 89, 90 and 91.
- iii. **Sections 94, 95, 96:** Counties are to establish mechanisms to facilitate public communication and access to information using the mass media with the widest public outreach. Every county shall designate an office for ensuring access to information.
- iv. **Sections 100 and 101:** County governments should create an institutional framework for civic education.
- v. **Section 115** states that Public participation in the county planning processes shall be mandatory.

The above sections recognize that Citizens have a right to petition the county government on any matter under the responsibility of the county government. Additionally, the County government shall facilitate the establishment of modalities, and platforms for participation by citizens.

Importance of Public Participation:

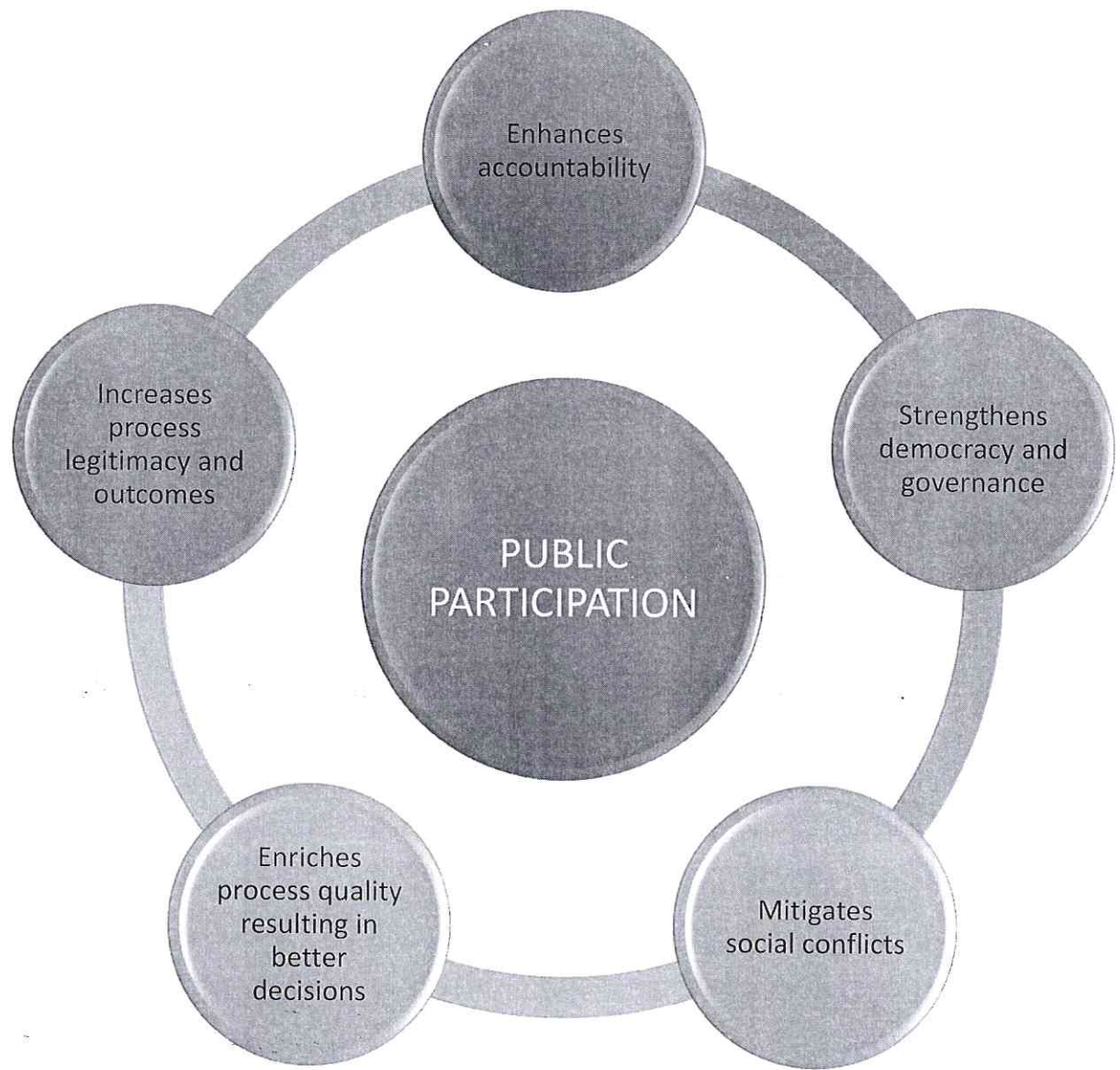
The rationale of public participation is based on the constitutional foundation which places sovereign power on the people of Kenya. It is this power that has been delegated to state actors at the national and county levels. This sovereignty must be respected and institutionalized in all processes of governance.

The benefits of public participation can be summarized as follows:

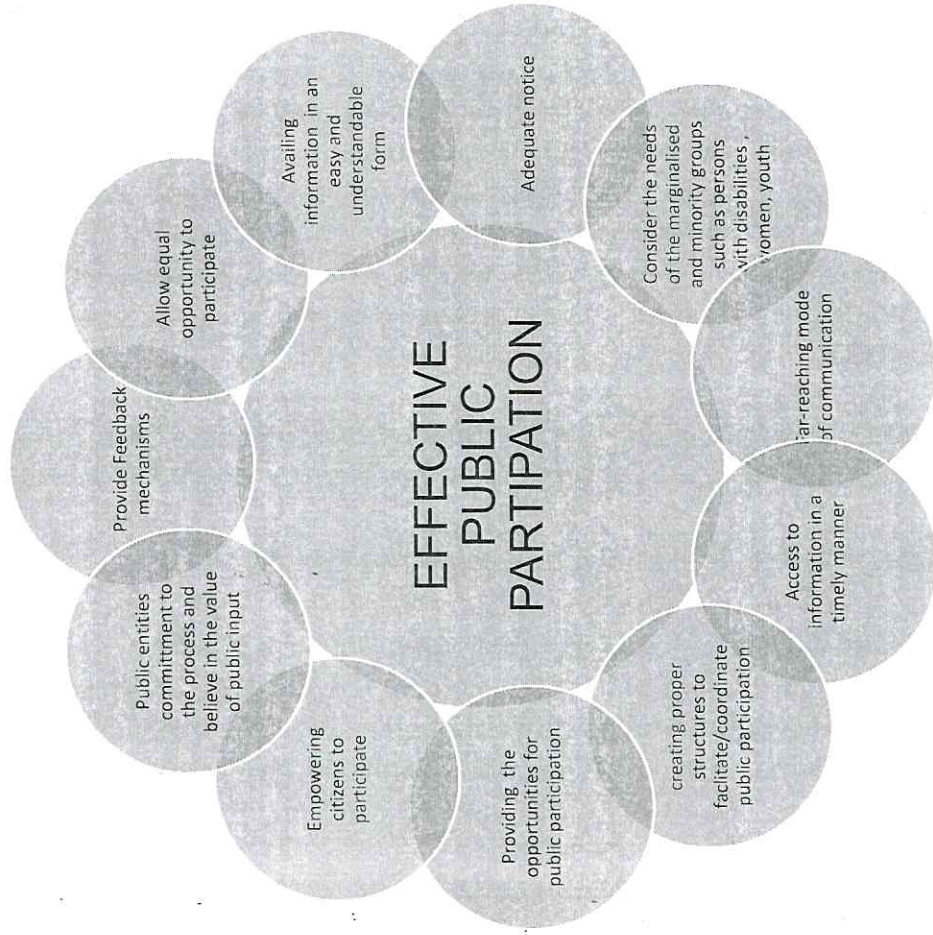
- a. **Strengthens democracy and governance:** By engaging in public participation, the public exercise their constitutional right and the decision making process becomes more representative. Openness to the public provides a platform in which they present their concerns. Insufficient public engagement limits the power of the people to participate in democratic governance.
- b. **Increases accountability:** Participation improves transparency and accountability. The public is able to critically engage in the social, political, cultural, economic, and environmental impacts of policies, laws and development plans. It gives the public a say in deciding how costs and benefits will impact different segments of society. Public participation also ensures that governments are held to account for their actions and are responsive to the interest of citizens. Participation also enhances public confidence and support of the decision making processes.
- c. **Improves process quality and results in better decisions:** Public participation enables governments to understand and appreciate different opinions and concerns. Before policies are approved, they undergo a comprehensive review and revision thus ensuring that policies, laws and development plans are robust. Participation provides additional skills,

knowledge, concerns, and ideas that might have been overlooked had the process been limited to government officials. Overall, this should result in a better decision and greater ownership by all stakeholders.

- d. **Manages social conflicts:** Public participation helps alleviate social conflicts, by taking care of the interests of different stakeholders and building consensus. Investment in public participation at an early stage minimises the number and magnitude of social conflicts arising over the course of the implementation of policies, laws and development plans.
- e. **Enhances Local Development:** Public Participation has great potential to facilitate communities to drive the own development hence contribute to poverty reduction. It gives the local communities the opportunity to contribute towards identifying, planning and managing their development.
- f. **Enhances process legitimacy:** Without significant public participation, citizens may become suspicious and feel manipulated. This would undermine effective dialogue and create distrust. Public participation therefore legitimizes implementation processes.



Key Components of Public Participation:



CHAPTER TWO:

SITUATION ANALYSIS:

Many efforts have been made in the past to improve Public participation in Kenya's governance affairs. The Local Authority Service Delivery Action Plans (LASDAPs), the District Focus for Rural Development (DFRD) and the Constituency Development Fund (CDF) had important mechanisms for engaging the public. However, prior to 2010, public participation was largely nominal, took after a top bottom approach and was based on the goodwill of the government. The Constitution changed this situation by vesting all sovereign power in the people of Kenya (Article 1, Kenya Constitution) and has made public participation a mandatory provision.

National Context of Public Participation and Civic Education.

The promulgation of the 2010 Constitution ushered a new era for citizen participation in Kenya by embedding public participation as a principle of governance which binds all state and public officials. Prior to this, development processes were largely centralized using top-down approach to planning with major decisions made from the capital city, Nairobi. The involvement of decentralized agencies including the provinces and districts was largely limited to transmitting to the public information and decisions already agreed upon in Nairobi. Such decisions were implemented through local authorities and provincial administration with minimal input and participation of the public.

Despite tremendous benefits witnessed in improving livelihoods of the communities through CDF and LASDAP, public participation in development remained minimal.

Context of Public Participation and Civic Education.

Makueni County is one of the forty seven Counties in Kenya. The County is situated in the South Eastern part of the Country, covers an area of 8,008.7 Km² and has population of approximately 1million people. The County has made significant efforts in the implementation of public participation and civic education.

Among the key milestones include:

- i. The establishment of development committees from a cluster of households at the lowest devolved level to county level development committee units for engagement of citizens in county planning, legislative process and project implementation.
- ii. Establishment of project management committees and project sustainability committees at the project level to enhance the participation of the people in project implementation and monitoring while enhancing sustainable utilization, management after handing over.

- iii. Establishment of the units responsible for enhancement of public participation and civic education through integrated development officers that educate and animate the participatory processes to the people.
- iv. Devolution of powers for decision making and planning to the development committees and grassroots communities for effective participatory development.
- v. Establishment of a directorate for effective coordination, management and documentation of public participation and civic education.
- vi. Capacity building opportunities for development committees and communities to spur decision making and community development initiatives.
- vii. Strengthening of the County Budget and Economic Forum (CBEF) to enhance public participation in decision-making as pertains to the county's budget process.

Challenges facing Public Participation in Makueni County:

Despite the county's efforts at the implementation of public participation and civic education since FY 2014/15, the process has faced a number of challenges. Therefore, the review of this policy is driven by the major challenges experienced during the course of practice, management and coordination of public participation and civic education since the onset of devolved governance.

Each challenge is briefly summarized below:

- i. **Absence of Standard Operating Procedures:** Lack of harmonization of public participation across departments leading to compartmentalization and duplication of efforts. Lack of operationalization of the framework of public participation, Presence of a structured framework for citizen engagement but limited powers and finances devolved to enable their operationalization. The only active structures of participation are to be found at the Sub ward, Ward, sub county and county-level.
- ii. **Inadequate coordination among providers:** Inadequate coordination among government agencies as well as gaps in collaboration between government and the NSAs and development partners, has hindered effective public participation in the County. In some cases, these gaps have led to duplication and competition amongst diverse agencies. The result has been disjointed methods of engaging citizens and overlapping activities which lack synergy among actors. Such outcomes overburden citizens and nurtures cynicism and disinterest in public participation.
- iii. **Ineffective Inclusion of special interest groups:** Important segments of society, especially the special interest groups, minorities and the marginalised have not been effectively included even on issues that affect them. Some of the factors that have contributed to this gap are generalized public participation without adequate stakeholder mapping and targeting, low awareness of public

participation events and limited understanding by large sections of the populace on their rights and responsibilities due to inadequate civic education and the widespread assumption that the leaders understand concerns of the marginalized groups and therefore represents their needs.

- iv. **Disjointed participation logistics:** Communication relevant for effective participation and related logistics has been a challenge. In some cases, organizers shift dates or venues for consultative meetings on short notice without consulting citizens; flout procedures, fail to provide relevant information and documents, or hold meetings in inaccessible places. Public participation has also been conducted to legitimize decisions already made and has failed to fully include NSAs and others capable of contributing to decisions outcomes.
- v. **Poor Communication:** Challenges are being experienced in communication. This has resulted in slow, late, inaccurate or incomplete communication. On the side of citizens, newspaper adverts, internet and social media platforms are used to announce for public participation even in areas with low literacy levels and low newspaper distribution and access. The sharing of materials and documents on planning and budgeting is limited, while most documents remain too bulky and technical for citizens to understand.
- vi. **Citizen Apathy:** Inadequate implementation of the citizens' priorities and feedback to them on the decisions taken on their proposals have discouraged many people from engaging in public participation processes. The result has been the onset of the perception amongst the citizenry that their involvement in such events is not helpful to their situations. This has led to negative perceptions about public participation and the emergence of demand for payment and reimbursement for their attendance.
- vii. **Limited Civic Education:** Majority of citizens lack adequate awareness of their rights and responsibilities and the few, who do, lack the requisite understanding, knowledge or skills for processing the issues at stake. These deficits require civic education that has largely been inadequate.
- viii. **Inadequate Funding:** Inadequate funding for public participation and other financial and budgetary constraints have reduced the frequency and quality of participation. Funding levels also determine the availability of materials, documents and support for logistics for participation.
- ix. **Ineffective M & E Systems, Poor Learning and Feedback Mechanism:** Monitoring, evaluation, learning and feedback mechanism for public participation are weak and inadequate. Supervision and documentation of programs, their content and achievements have also been weak, while citizens also complain that their inputs are not incorporated into decision making and governance processes.
- x. **Minimalism and "Compliance Only" Attitude:** Despite Constitutional and legal requirements for public participation, a number of duty bearers have a "compliance only" attitude and a "minimalist approach", where efforts are only put to ensure compliance with the law without effectively advancing public

participation. Furthermore, participation seems to take place either at the beginning or the tail end of development processes without continuity.

- xi. **Inadequate community capacity for development:** Low capacity of development committees and project management committees. Despite the establishment of development committees to represent the communities in decision making processes there is lack of capacity to facilitate their ability to make decisions for the wellbeing and that of their communities. This has been fuelled by lack of funds to facilitate their capacity building and a proper capacity-building plan for the development committees and facilitators of public participation
- xii. **Marginalization:** Persistence of exclusion and marginalization: discrimination against youth, women, older members of society, persons with disabilities and marginalized groups undermines a culture of respect which is essential to fostering public participation

CHAPTER THREE: POLICY RATIONAL AND FRAMEWORK

The purpose of the policy is to provide a framework that guide departments, the people of Makueni, the private sector and NSAs in their engagements with the public on development and governance issues. The policy is based on the need to achieve the constitutional directive on public participation and is driven by the acknowledgment that Makueni County is a model in the country on participatory development which practice has been subject to continuous development and review.

Scope of the Public Participation Policy Framework:

- The policy framework applies to the full range of citizen and civic organizations operating within Makueni County;
- The policy concerns the manner in which the County Government of Makueni interacts with its residents in the context of public participation including working towards their civic empowerment;
- The policy is concerned with deliberative democracy, and supports a culture of open debate and dialogue on issues of public concern based on the experiences of the residents of Makueni County;
- The policy applies at the county level, and is intended for adaptation by all county entities, departments and institutions on the basis of prioritization and context.

GUIDING VALUES AND PRINCIPLES.

The policy promotes the following values and principles:

- i. Sovereignty of the people.
- ii. Dignity: the inherent dignity and worth of all individuals as provided for under the Constitution of Kenya.
- iii. Empowerment: People are agents of their own development and should be empowered and supported by government to realize their potential.
- iv. Democratic citizenship: Citizens are the owners of development and democratization processes, which should enlarge their freedom, dignity and prosperity.
- v. Equity and equality for all.
- vi. Right of every individual, group, community and organization to be involved in the decision-making processes of government.
- vii. Inclusion of minorities and the marginalized groups, including women, youth, elderly, PWDs and children.
- viii. National Values under Article 10, the Bill of Rights and the principles of leadership and integrity.
- ix. Provision of adequate funding for public participation.

- x. Adequate monitoring, evaluation, learning and feedback mechanisms for public participation, civic education and capacity building.
- xi. Adherence to the principles of devolution and separation of power between the County assembly and the executive
- xii. Access to remedial measures in cases of dispute, community petitions and feedback.

POLICY OBJECTIVES:

The policy has the following specific objectives, which the County Government will ensure, namely:

- i. Provide a framework for coordination, management and documentation of public participation across the county.
- ii. Ensure citizens continually access timely information in a language and format that is easy to understand;
- iii. Integrate civic education units with public participation practice, project management and community development modeling of devolution
- iv. Institutionalize civic and development education programs and collaboration with civic society organizations in the county.
- v. Promote effective participation of minorities and marginalized groups at all levels within the county;
- vi. Guarantee adequate, secure and sustainable funding for public participation;
- vii. Promote well-resourced, updated and effectively implemented monitoring, evaluation and learning systems for effective public participation;
- viii. Promote responsive, functional and timely feedback and reporting mechanisms in order to build confidence in public participation process and;
- ix. Promote effective grievance redress mechanisms on public participation processes

POLICY STRATEGIES AND ACTION AREAS:

1. Access to Information

The right to access information is crucial to public participation and to the well-functioning of a democracy. It is a right under the Constitution (Article 35 (1)), which is operationalized through the Access to Information Act, 2016. The Constitution guarantees citizens access to information held by the state and relevant private entities. Other legislation also provides for access to information which is vital for the achievement of meaningful and effective public participation. Access to information enables citizens to hold the duty bearers to account. Governments have obligation to disclose information to the people through appropriate media and format, in particular areas with high illiteracy levels.

Policy Concern:

The constitution guarantees access to information held by the state. However, citizens often experience challenges accessing such information. In most cases, information held by the state is not published or publicized. Furthermore, even when the law requires that information be made public, quite often that is not done in time using appropriate media. In cases where documents are available, they are sometimes bulky or in a technical language which citizens cannot understand or in places where they cannot be easily accessed when needed. Newspaper adverts have been the commonly used medium for announcing public participation events even in areas with low literacy levels and low newspaper circulation and access.

The constitutional mechanisms for public participation have not been fully open to the public. Most population of the County do not access county information, reports, plans and policies. It is the responsibility of the county government to comply with Section 6 of the Access to Information Act, 2016.

Policy Objective

The county government will ensure citizens access timely information on public issues including decisions, plans, policies, budgets and reports in a language and format that is easy to understand both in a digital and library form at the grassroots of the County.

Policy Standards:

The government will:

- i. Ensure establishment of integrated community resource centers including Community libraries and resource centers to make information available and accessible at the grassroots.
- ii. Ensure timely publication and dissemination of all information needed by the citizens in a language(s) and media that are appropriate, including both digital and hard copy provisions in official and local languages, braille and visual formats.
- iii. Establish a user-friendly system for information dissemination.
- iv. Establish public participation billboard/actorial participation mechanisms.
- v. Ensure any limitation on access to information is in conformity with the Constitution and other laws related to access to information.
- vi. Ensure a collaborative approach to information sharing.
- vii. Ensure that records are accurate and authentic.

2. Civic Education:

The County Government Act (2012) Part X mandates country governments to ensure the conduct of civic education in line with the principles of devolved governance as

provided for under the Constitution. Section 101 provides for County legislation to provide the requisite institutional framework for purposes of facilitating and implementing civic education programmes. Civic education is therefore an important prerequisite for effective public participation by the citizens. Civic education informs the public, creates awareness and empowers them to make informed decisions. It ensures that a critical mass of citizens, are endowed with knowledge and skills that embody the values, norms and behaviour that accord with the principles of democracy.

Policy Concern:

While civic education is acknowledged as a powerful tool for engagement of citizens in development, multiplicity of actors and different coordination mechanisms have made it challenging to implement. The NSAs have been the major providers of civic education but their programmes have not been sustainable due to challenges of funding. Furthermore, civic education tends to concentrate on urban areas and cities leaving a major gap in rural areas. Coverage of the minorities and the marginalised groups is also limited and there are no special measures dedicated to reach out to these groups in the delivery of civic education. More so, Civic Education has construed to mean waking up citizens against the establishment hence met with resistance.

Policy Objective

The County government will provide the framework for coordination and enabling environment for CSOs and NSA's involved in civic education to ably drive forward the public participation initiative.

Policy Standards:

The County government will:

- i. Formulate NSA/CSO/FBO engagement Frameworks for synergy and provide enabling environment for engagement.
- ii. Develop curriculum for civic education in collaboration with all actors and customize the same for specific needs.
- iii. Establish a civic education information printing centre
- iv. Establish citizen education mechanisms for the minorities and marginalised groups in line with the Constitution and other related laws.
- v. Develop and popularize Charters, specifying how, and when to participate, and the available opportunities for participation.
- vi. Allocate adequate funds for civic education.
- vii. Provide an enabling environment that allows NSAs Engagement.
- viii. Ensure civic education programs promotes a participatory culture driven by integrity, national values and principles of good governance.

3. Capacity Building:

Capacity building for public participation is important to all actors engaged in development, including government agencies and NSAs, who need the relevant skills

and experience to manage and coordinate public participation effectively. The actors require skills on planning for public participation; management of the actual engagement processes which include stakeholders' identification and mobilization, facilitating and documenting public participation, analysis, communication, and monitoring and evaluation; and preparation of public participation reports. Capacity building at different levels equally endows NSAs and citizens with relevant skills for participating in development processes. For citizens, it further removes the fear of intimidation and encourages them to hold service providers and leaders to account. Capacity building is also important for ensuring uniformity in the management of citizen engagement processes as well as the standardization of approach and tools for engagement in public participation.

Policy Concern:

Capacity building for public participation has also been affected by inadequate funding which has hampered ability of the county's ability to effectively plan for, manage and coordinate the function. The development partners and NSAs have filled this gap however the coordination among them and public agencies has not been adequate. The public agencies and NSAs engaged in capacity building need comprehensive capacities, skills, knowledge and experience to meaningfully engage citizens on development issues.

Policy Objective:

To undertake coordinated and integrated capacity building towards empowering responsible citizens, public institutions and NSAs for effective participatory development.

Policy Standards:

The County government will:

- i. Develop capacity of the institutions, people, public service, county assembly and NSAs on matters of public participation and participatory development in general.
- ii. Engage adequate human resources with appropriate skills and competencies to manage public participation and community development functions.
- iii. Allocate adequate budget for capacity building of all actors involved in public participation.
- iv. Collaborate in capacity building on public participation.
- v. Establish and strengthen coordination mechanisms in capacity building on public participation.
- vi. Promote and safeguard NSAs operational environment for public participation.
- vii. Embed monitoring, evaluation and learning mechanisms in public participation processes as part of capacity building.

4. Participation in Policy Development, Planning and Budgeting:

The realization of responsive and people driven development requires effective public participation in all stages of project cycle. Active involvement of the citizens often legitimizes identification with development programmes and projects and ownership of the implemented interventions.

Policy Concern:

Communities are insufficiently prepared to participate in planning meetings. The voice of citizens in various planning forums would be more effective if the citizens were organized in groups to present their priorities collectively. The election of development committees as representatives of the people ensures collaborative decision making processes. However, the constitutional promise of citizen engagement in public planning and budgeting is yet to be fully realized due to diverse challenges that include gaps in planning for citizen engagements, inadequate notification, inadequate financing of the processes, and minimal coordination and collaboration among government agencies and with stakeholders. These challenges have therefore affected the realization of participatory development processes as anticipated in the Kenyan constitution and relevant laws.

Policy Objective:

Promote effective participatory planning and budgeting
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Policy Standards:

The county government will:

- i. Integrate public participation action plans in all development plans and budgeting processes.
- ii. Operationalization of participatory development units through adequate resources for public participation.
- iii. Adopt and implement effective stakeholder identification, analysis and engagement.
- iv. Prescribe for adequate notification of public participation, and provision of timely and accurate information in accessible formats.
- v. Integrate national and international environmental and social protection standards in public participation during planning, budgeting and implementation processes.
- vi. Establish or strengthen collaboration with development partners and Non-State Actors for effective participatory development.
- vii. Promote framework for community action planning and a community driven development policy to further the provisions

5. Participation in project design, management and sustainability of investments.

The ownership, transformation and growth of a community is based on its ability to manage the investments entrusted to them. Effective participation of communities is

based on the capacities and skills of their representatives- project management committees and that of the development officers and departmental project managers.

Policy Concern:

Project management committees and beneficiary communities have limited knowledge to manage and sustain their projects.

Policy Objective:

Promote effective participatory project management and sustainability of County investments.

Policy Standards:

The County Government Commits to

- i. Enhance public participation in project management through capacity building of project management committees and beneficiary communities.
- ii. Ensure public participation in project sustainability through capacity building of project sustainability committees, departments and beneficiary communities.
- iii. Ensure project sustainability planning and implementation including environmental and social considerations.
- iv. Ward development profiling and review mechanisms.
- v. Development of Community based monitoring and evaluation system.
- vi. Establish guidelines for PMC and PSC operations
- vii. Strengthen project hand over through mechanisms for community based asset management

6. Inclusion of Minorities and Marginalized Groups:

The Constitution recognizes the need to build an inclusive and equitable society. It provides for the participation of minorities and marginalized groups in Articles 53, 54, 55, 56, 57 and 100. This group include women, children, PWD, youth, People living with HIV/AIDs, the elderly, ethnic, other minorities, special interest groups, vulnerable groups and marginalized communities.

Policy Concern:

Lack of a relevant and functional mechanisms for engagement of the minorities and marginalised groups in the development and democratic processes has led to inadequate representation of their views and needs. Although the Constitution require inclusive participation and development, implementation of mechanisms for ensuring their participation and leveraging their contribution has been slow. Often, they are incapacitated and not able on their own to effectively participate in development processes and demand for inclusion in participation and provision of services and infrastructure. **Women's** participation has been affected by gender-based barriers

originating from attitude, customs, and traditions. **Children** are often ignored as having no contribution to make due to their level of maturity status even in policies that affect them. **PWDs** and **minority** groups, religious and political groups have special needs and can make substantive contribution to development processes but they are rarely facilitated to participate in these processes. **The CSOs** cannot be ignored for their potential in information dissemination, community mobilization and development activities at the grassroots level.

Policy Objective

Promote effective participation of minorities and marginalised groups at all levels.

Policy Standards:

The County government will:

- i. Provide guidelines for meaningful participation of minorities and Marginalised Groups;
- ii. To provide a framework for collaboration with Civil Society organizations for effective participatory development
- iii. Carry out a comprehensive and continuous stakeholder analysis considering the influence and importance so as to decide the levels of participation for each stakeholder to control, partner with, consult or inform accordingly.
- iv. Undertake stakeholder mapping to identify the minorities and marginalised groups for effective participation and engagement;
- v. Ensure public participation processes have plans for engagement of the minorities and marginalised Groups, including provisions for appropriate hours, and venue for meetings;
- vi. Ensure children participation frameworks are set up and operational including children assemblies and Child public participation systems.
- vii. Tailor communication to meet the needs of minorities and marginalised groups
- viii. Provide disability friendly infrastructure for PWDs during public participation processes, and
- ix. Provide adequate budgetary resources for the engagement of minorities and marginalised groups.

7. Funding:

The realization of public participation in governance processes needs adequate budgetary allocation to finance the necessary infrastructure, public participation planning and activities such as actual engagements, monitoring and evaluation, community outreach, capacity building and civic education, feedback and coordination mechanisms. These activities require resources which should be allocated and protected. It is therefore important that the county government plans for and adequately budget for public participation and civic education.

Policy Concern:

Funding for public participation by the government has often been inadequate, unpredictable and unreliable. This shortfall has affected effective planning for and engagement of the citizens and stakeholders in the county's governance. While the development partners and NSAs have often filled the funding gaps, their contribution has been inadequate, unpredictable and a last resort since they are largely project driven and short term. The funding gap has therefore affected public participation processes and activities which require regular and reliable funding for advertising, civic education, logistics, printing, duplicating materials and information dissemination.

Policy Objective

The County government will guarantee adequate, secure and sustainable funding for public participation and civic education.

Policy Standards:

The County Government will:

- i. Provide guidelines on funding for public participation to ensure adequate and timely budgetary allocation ;
- ii. Provide adequate funding for public participation as a going concern;
- iii. Provide framework for conditional grants for strengthening of public participation at the household clusters, block level and village levels of development committees to enhance grassroots participation in economic activities;
- iv. Provide a framework for conditional grants for strengthening civic education with non-state actors and civil society collaborative activities
- v. Provide mechanisms for collaboration with development partners and NSAs to facilitate sourcing of adequate resource mobilization for public participation and civic education;

8. Monitoring, Evaluation and Learning (MEL) systems for Public participation and civic education:

MEL is an important component of project cycle and continual implementation of outputs and activities of Public participation. Public participation plans should provide for indicators that are tracked during the public participation and civic education activities. MEL objectively tracks implementation of outputs and activities of Public participation and civic education. It measures the effectiveness of projects and programmes. Through monitoring and evaluation -objective evidence-based facts are generated for learning and effective implementation of development programmes. In respect to public participation, MEL information assist both duty bearers and citizens to assess outcomes and counter-check whether outcome is in line with the expected outputs, and to learn and recast participatory development processes as necessary. This is the basis for the Annual Public Participation Report.

Policy Concern:

Public participation indicators have not been well defined and integrated into a MEL framework, and the few MEL outputs are not well published and disseminated for public consumption and improvement of development processes. These factors are further intensified by inadequate capacity, especially at county level to effectively carry out MEL functions. The gap undermines citizen confidence in governance processes, since people are likely to have confidence in development processes and outcomes when they receive feedback on their inputs and experience change to their livelihoods in a transparent manner.

Policy Objective

Promote well-resourced updated and effectively implemented monitoring, evaluation and learning systems for public participation and civic education

Policy Standards:

The County Government in collaboration with other stakeholders will:

- i. Put in place MEL systems for public participation and civic education with clear indicators linking the annual development circular(budget circular) with the annual public participation plan and annual public participation report
- ii. Integrate public participation within every MEL program in Government;
- iii. Publish and disseminate annual public participation reports with indicators met, lessons learned and challenges
- iv. Establish structured communication and feedback mechanisms to ensure that MEL initiatives are disseminated to the citizens and policy makers; and
- v. Strengthen community based monitoring and evaluation Framework
- vi. Development of public participation charters.
- vii. Facilitate county score card development, social audit, participatory development review and peer learning activities

9. Community Feedback and Reporting Mechanisms:

An efficient feedback and reporting mechanism is a pre-requisite for transparent and accountable interaction and dialogue between the government and citizens on development matters. Regular feedback and reporting enable the citizens to appreciate the value of their participation through enhanced access to information on how the views they give are considered and progress in implementation of development programmes. The existence of functional feedback and reporting mechanisms enhances the citizens' confidence in government and encourages public participation.

Policy Concern:

Inadequate feedback and reporting mechanisms have discouraged public participation and, in some instances, contributed to apathy among citizens. This has been intensified by the low levels of citizen awareness, and the negative attitude among the citizens that feedback and reporting mechanisms have not been very effective. Consequently, a large proportion of the citizens consider public participation as processes merely meant to satisfy the constitutional threshold for the benefit of the government with no value to their lives and therefore demand for payment for attending such events.

Policy Objective

Formulate open government plans to promote responsive, functional and timely feedback and reporting mechanisms for public participation

Policy Standards:

The County Government will:

- i. Prepare open government plans for the county
- ii. Ensure implementation of the open government plans and reporting
- iii. Establish mechanisms for timely feedback and reporting on public participation at all levels;
- iv. Review, formulate and implement plans on feedback on public participation;
- v. Ensure innovation and ICT Integrated mechanisms for community feedback, analysis sharing and incorporation into development processes.
- vi. Ensure reports provide justification for decisions made.

10. Complaints and Redress Mechanisms:

A functional complaints and redress mechanism is important in ensuring effective public participation. The citizens of Kenya have a Constitutional and legal right to petition the government on any matter under the law.

Policy Concern:

The county has not fully embraced complaints management mechanisms that would effectively engage the communities throughout the processes. In some instances, where it exists, the primary focus is compliance rather than improvement of service delivery. These deficits have undermined the institutional and utilisation of other available mechanisms besides the courts to redress of complaints.

Policy Objective

To promote effective handling of community complaints

Policy Standards:

The County Government will collaborate with other stakeholders to:

- (i) Establish and strengthen complaints and redress mechanisms and procedures that are simple, available, publicised and understandable by users;
- (ii) Promote alternative dispute resolution mechanisms;
- (iii) Establish office ombudsman
- (iv) Revamp the petition process
- (v) Put in place a documentation system of how complaints were redressed
- (vi) Ensure internal complaints and redress mechanisms are established at all levels of government;
- (vii) Ensure compliance with existing laws and complaints reporting mechanisms;
- (viii) Sensitise citizens on complaints and redress mechanisms; and
- (ix) Provide for the development of a service delivery charter and ensure they are regularly reviewed and updated.

CHAPTER FOUR:

POLICY IMPLEMENTATION FRAMEWORK:

The policy will be implemented through an integrated, coordinated and consultative process by various actors both at the county level. The implementation of the policy, and the roles and responsibility assigned to each implementing agency will accord with the principles of public participation and civic education as set out in the law.

Accordingly, public participation and civic education shall be undertaken in a consultative, cooperative and coordinated manner at the county level whilst also appreciating the role of the national government as stipulated in law. Public participation will take place at all levels including the lowest possible level of governance and will be conducted in both official and relevant languages commonly used in each specific locality or group of people. The public participation strategies and action plans will be reviewed regularly to address any emerging issues.

A. Institutional Framework for Policy Implementation:

The existence of a cohesive and well-functioning institutional framework for public participation and civic education is essential for the attainment of the objectives of this policy. More important, the people, in exercise of their sovereignty, will have the overall role of managing their decisions and advancing their vision for the growth and prosperity of their communities.

The County government has modeled public participation within two main tiers for purposes of ensuring adequate participation in governance by the residents of Makueni County. The first tier is made up of public participation by whole communities through provision of platforms, space and opportunities for their participation in decision-making processes of the county, namely public participation forums.

The second tier of public participation model is brought about by the establishment of grass root democracy through elections of development committees as representatives of the grass root communities. They represent the larger forums to ensure greater people's participation in decision making processes and advancement of their affairs. These are units of local self-government that are instrumental in socio-economic transformation. The devolution of powers to the development committees and project management committees are a means of empowering people and involving them in decision-making process, leading to sustainable development, a responsive government and can make better use of resources.

The public participation model demonstrated in this policy aims at enabling communities to be equal partners in development through delegated power and citizen control, in accordance to the CGA 174 (C) This model will enable:

a) **Partnerships:** the community to influence, direct, control and own developmental

objectives via the representative development committees at the village, village cluster, sub ward, ward, towns and urban centers, sub counties' and county levels;

- b) **Delegated power:** joint inputs to be given by communities, analyzing of information and proposing of strategies via representative development committees;
- c) **Citizen control:** communities to take initiative to form groups or sectors to interact with the county government via development committees. Communities to take responsibility and control over projects done to them via project management committees, to influence or direct decision-making processes and community-based planning.

1. Establishment and Functions of Development Committees:

There shall be established development committees/units at every levels of the county for the exercise of the powers laid out in article 61 above. The committees shall be named as:

- i. **Area Development Committees** – they represent the households within an area in the identification of their needs and priorities as well as championing for their development. Undertaking of community action planning and implementation through community participation mechanisms.
- ii. **Cluster Development Committees/Units** – they represent the areas within their clusters in harmonization and consolidation of their priorities and championing their prioritization in budgeting, policy formulation and development. Consolidate the villages' community action plans and manage their implementation and linkages with other plans and budgets.
- iii. **Sub ward/Village Development Committees** – they represent the clusters within the village/sub ward in appraising their priority programs and ensuring equitable development. Promote social accountability.
- vi. **Ward Development Committees/Units** – they represent the villages/sub wards within the ward in equitable allocation of resources, project proposal development and tracking implementation of ward development.
- vii. **Sub County/Towns and Urban Development Committees/units** – they represent the town/urban centers/sub counties in participatory development processes pertaining the development of the town/urban center/sub county.
- viii. **County Development Committee/unit:** They provide leadership

towards the effective annual people's assembly and confirmation of the people's development agenda.

- ix. **Diaspora Development Committee:** They represent the diaspora communities in decision making processes at the county level.
- x. **Project Sustainability Committee:** These committees shall be established for every project handed over to the community. The County Directorate in charge of public participation shall formulate guidelines for the proper and efficient operations of these committees.
- xi. **Participatory development Advisory Board:** these includes technical experts in support for research, capacity building and modeling of community driven development in the County.

Features of Development Committees and Project Management Committees:

The basic features of the elected representatives of the people either in the development committees and the project management committees include the following:

- i. They form a self-governing body for the actualization of the constitutional provisions of self-governance and exercise of their sovereignty the management of their development.
- ii. They provide a development communication framework upon which formal communication channels and co-operative partnership between the County government and the communities within a unit (County, Sub County, towns & urban centers, ward, Village/sub ward, Village Clusters and Mini-villages).
- iii. Creating harmonious relationships between the residents of various units, the geographic community and the county.
- iv. They serve as the officially recognized and specialized participatory development structures and units of the County.
- v. They are elected on the basis of third gender rule, inclusion of the youth, women, PWD, marginalized and most vulnerable communities.
- vi. Provision for the devolution of powers and responsibilities upon the development committees at appropriate levels with respect to the preparation/implementation of plans for economic development, social justice and action plans.
- vii. The powers of electing to the development committees or project management committees is vested on the people themselves.
- viii. They all serve as mobilizing agents for community action and assist in facilitating county programs.
- ix. Promote identification of community priorities, needs and defending the poorest among the communities.
- x. Promote accountability of the County to the people of Makueni.
- xi. Promote community-based monitoring and Evaluation.

2. The Directorate in Charge of Participatory Development (Public Participation and Civic Education):

The County directorate in charge of Public Participation and civic education shall be responsible for:

- i. Execute and manage the day to day running of public participation and civic education.
- ii. Facilitate technical capacity building and support to county departments, non-state actors and communities on public participation processes, tools and methodologies.
- iii. Maintain a data bank of the issues affecting communities, their priorities and aspirations for socio-economic transformation.
- iv. Develop and execute appropriate civic education programs in the county
- v. Strengthening the county's civil society movement.
- vi. Establishment, Operationalization and Capacity building of participatory development committees/units towards poverty eradication and sustainable development.
- vii. Facilitation of Community Action Planning and Implementation.
- viii. Ensure linkages between Community Action Plans to mainstream participatory development processes.
- ix. Facilitation of social accountability and Community based monitoring systems.
- x. Facilitation of community feedback and grievance redress mechanism
- xi. Development of participatory research tools and methodologies for effective decision making
- xii. Enhanced Non-State Actors/ FBOs and CBOs engagement.
- xiii. Capacity building and strengthening of Project management committees and sustainability committees for effective ownership, management and sustainable utilization of investment results.
- xiv. Reengineering development committees and community-based organizations, Civil Society groups and Faith based Organizations towards community led local development (LED).
- xv. Establishment of participatory development Centres/Integrated Community Resource Centres.
- xvi. Pro-poor policy development.
- xvii. Preparation of Annual Public Participation Plans and reports.

3. Participatory Development Officers:

These are integrated development officers keen on animating, modeling and guiding public participation, community development and civic education in the field for effective development of the county. They enrich the participatory development process through the following roles and responsibilities:

- i. Facilitation of Public Participation, Civic & Development education, participatory development review and project management forums.
- ii. Capacity building of development committees, project management committees, project beneficiary committees and communities.
- iii. Continuous consolidation and profiling of development needs, issues and considerations to inform the village, cluster, sub ward and ward development planning and participation.

- iv. Formulation and further development of community needs and wish lists into strategic interventions, project profiles, project proposals and programs including facilitating participatory planning and budgeting.
- v. Modelling participatory development appraisals and research methods for effective decision making.
- vi. Management of integrated community resource centres.
- vii. Open government initiatives and implementation.
- viii. Non-state Actor/CSO/FBO engagement.
- ix. Civic education and development education programs.
- x. Participatory project management and sustainability support to PMCs and departments.
- xi. Participatory research, learning and development (community engaged scholarship initiatives).
- xii. Enhancing community planning, budgeting and development prioritization.
- xiii. Community complaints management/grievance redress mechanisms and Community feedback mechanisms.
- xiv. Community based monitoring and evaluation initiatives-citizen voice and action mechanisms.
- xv. Public participation and civic education MEL systems.
- xvi. Support and Animating of the community led development processes

4. County Administration:

The administration enriches the participatory development process through the following roles and responsibilities;

- i. Overall coordination of the administrative units.
- ii. Chairing Government and Community meetings.
- iii. Enhancing administrative capacity of the Wards, sub wards, villages and sub counties.
- iv. Monitoring, Evaluation and Reporting of county government programmes.

5. County Planning Unit:

The County planning unit enriches the participatory development process through the following roles and responsibilities;

- i. Ensuring integrated development planning within the county
- ii. Ensuring linkages between county plans and the national planning framework
- iii. Ensuring the collection, collation, storage and updating of data and information suitable for the planning process; and
- iv. Ensuring the establishment of a Geographic Information System (GIS) based database system.
- v. Indicator Tracking

6. County Budget and Expenditure:

The County Budget and Expenditure unit enriches the participatory development process through the following roles and responsibilities;

- i. Issuance of the County Budget Circular
- ii. Preparations of County budgets, fiscal strategy paper, budget review and

- outlook papers
- iii. Tracking of budget implementation and expenditure

7. Project Management Committees:

Public participation at the implementation level is made possible through the project management committees. Their roles and responsibilities are as follows:

- i. Represent the Community in overseeing projects during implementation;
- ii. Act as the link between the community and project implementers and other stakeholders;
- iii. Documentation of project progress including views of community beneficiaries/experiences and Community based monitoring systems;
- iv. Ensure project social and environmental sustainability mainstreaming throughout the project management cycle;
- v. Ensuring access to information, Grievance redress mechanism and feedback of the project to communities and other stakeholders;
- vi. Educating the communities on project implementation, benefits, plans and strategic goals for increased ownership;
- vii. Exercise any other power or role as is necessary for the discharge of functions under the Guidelines for project management committees.

8. Project Sustainability Committees:

They serve as a mechanism of public participation for sustainable project exit, phasing off and management of projects handed- over to communities in Makueni County. The operationalization of the PSCs is clearly demonstrated in the guidelines of community based asset management and sustainability. Their roles and responsibilities are as follows:

- i. Ensure that the project runs smoothly and gives the intended services to the community.
- ii. Link to the Ward development committee for effective management of all projects financial records and audited books of accounts for prudent management of ward investments.
- iii. Ensure routine repairs and maintenance of the project.
- iv. Ensure frequent reporting to the ward development committees on the progress (positive or negative) and financial status of the project on monthly basis.
- v. Recruit, supervise and enumerate of the project staff where applicable.
- vi. Sign a three years performance contract with the stakeholders and can be eligible for re-election for only two terms of service.
- vii. Hold regular executive committee meetings.
- viii. Organize Annual General Meeting for all stakeholders before the end of each financial year.

9. Centres for Participatory Development Learning (Integrated Community

Resource Centres).

The Centers for Participatory Development shall be established at the County, Ward levels including an e-centre as well. They shall be utilized as integrated community resource centers for strengthening open government initiatives, research community capacity building and strengthening, and community libraries as per the following:

- i. Enhancing the right to access to information through storing all government documents for citizens.
- ii. Serves as the remote centres for the county school of development studies, learning towards poverty eradication and related capacity building for self-governance and sustainable development.
- iii. Serves as a centre for research and development including providing library services for scholars, development practitioners and communities seeking to study concerning the County.

10. County Level Public Participation Forums:

There shall be various county level public participation forums.

Members of the County government, National Government, Members of the County Assembly, County Members of Parliament, the Senator, the County Women Representative and any other officer from county or national government or from any registered organization addressing the relevant agenda issues are ex-officials. This ensures that the forums are maximized on the views, control and pulse of the communities and reduces control and power by the governments.

The county level forums can take up frameworks that manifest the following characteristics:

- i. **Cultural frameworks** that promote the cultural dimension of development. These include forums such as the Kamba Clan Council of Elders and County Faith based/religious Forums. They play a critical role in enhancing cohesiveness and value systems for Citizen Participation.
- ii. **Socio-Economic Frameworks** – these are decision-making forums whose solemn duty is to validate development decisions made at the lower levels. Others include: climax of community planning initiatives, budget validation, Public performance management review forums (scorecard release), and county development forums held with the Non-state actors and Civic societies, Annual people's forums and others.
- iii. **Globalization Frameworks** – These forums focus on young professional groups that cut across the county. This framework extents to youth in the rural areas, University and college youth and children e.g. are the M-Yes forums, Diaspora forums, Teachers association forum, women association forums among others.

- iv. **Special frameworks**- include networks of special groups recognized by the county government such as Men groups, women groups and PWD groups
- v. **Child participation Frameworks** -Include child led forums across the county and the establishment of child movement/assemblies for the advancement of development and governance with the view of children's perspectives and voices.
- vi. **Online Interactive Forums** – these are forums held through e-participation and include the County and People's website, Facebook, twitter and emails

The County directorate responsible for participatory development shall ensure a data base or stakeholder register for all the forums. Further, the directorate shall continuously update the non-state actors' data base.

Further, the County government shall develop a culture of public participation that complements a system of participatory governance, and for this purpose, shall: -

1. Encourage and create conditions for local communities to participate in the affairs of the county, including-
 - i. The preparations, implementation and review of community action plans, integrated development plans and long terms strategic visions and their linkages;
 - ii. The preparations, implementation and review of county policies, bills and regulatory frameworks;
 - iii. The establishment, implementation and review of the county's performance management systems;
 - iv. Participatory Budgeting;
 - v. Public participation at the service delivery level including project beneficiaries, management committees and sustainability committees;
 - vi. The monitoring and review of County's performance including the outcomes and impacts through social accountability and community oversight forums;
 - vii. Public participation in environmental Governance and development including environmental and social safeguards);
 - viii. Issues of interest in the village, cluster, sub ward, ward, urban center, sub county or county as the case may be;
 - ix. Strategic decisions related to the provision of county services and functions, including:
 - a. Bursary allocations
 - b. Vetting of Appointed public servants in the County
 - c. County Policing
- 2) Contribute to building the capacities of the local communities for their effective participation.

Public Participation Forums: Public participation shall take place all across the county through the listed forums and at their respective levels;

- i. Area public participation forums;

- ii. Cluster Public Participation Forums;
- iii. Sub ward public participation Forums;
- iv. Ward Public participation Forums.
- v. Sub county/Urban public participation Forums/Town Hall Meetings.
- vi. County People's Forums.
- vii. County Annual Prayer breakfast.
- viii. County Annual performance review;
- ix. County Annual County development symposium.
- x. County Oversight Forums.
- xi. County Non-state Actors Engagement Forum.
- xii. Interreligious Forums.
- xiii. Diaspora Forums.
- xiv. Regional blocks Forums.
- xv. Child Participation Forums.
- xvi. People With Disability Forums (PwDs forums).
- xvii. E- participation Forums.

In setting up the forums above, the county shall take the following into consideration:

- i. People who cannot read or write
- ii. People with Disabilities
- iii. Women
- iv. Youth
- v. Marginalized and other disadvantaged groups.

The county shall use the following avenues and platforms for the conduct of public participation:

- i. Workshops;
- ii. Citizen advisory or consultation committees;
- iii. Participatory surveys;
- iv. Focus groups;
- v. Bulk SMS
- vi. Direct mail;
- vii. Newsletters;
- viii. Invitations for public submissions and community project proposals;
- ix. Partnerships and collaboration Forums for NSA/FBOs/CSOs;
- x. Joint auditing and evaluation of county
- xi. Government performance including projects audits;
- xii. Internet based interactive platforms.
- xiii. Open Contracting portal
- xiv. Any other form of mass media

11. Sub-County Level Public Participation Forums:

There shall be sub- county level public participation forums. These forums vary in nature but should take into considerations of the following:

The Sub county development committee plans and acts as the secretariat of the

County level forum

Members of the County government, National Government, Members of the County Assembly, County Members of Parliament and any other officer from county or national government or from any registered organization addressing the relevant agenda issues are ex-officials. This ensures that the forums are maximized on the views, control and pulse of the communities and reduces control and power by the governments.

The Sub-County People's Forums shall perform the following:

- i. Discuss the state of the sub county performance and legislation initiatives.
- ii. Basis for local urban people's forums planning.
- iii. The Sub-county development committee presents and receives feedback from citizens on the progress and interventions being under taken at the Sub-county level.
- iv. Flagships and cross cutting plans for the sub-county are presented in these forums.
- v. Annual Prayer breakfast.
- vi. County Accountability week.
- vii. Urban and towns development planning and feedback mechanisms.

12. Ward Level Public Participation Forums:

There shall be Ward level public participation forums. These forums vary in nature but should take into considerations of the following:

The Ward development committee plans and acts as the secretariat of the Ward level forum

Members of the County government, National Government, Members of the County Assembly and any other officer from county or national government or from any registered organization addressing the relevant agenda issues are ex-officials. This ensures that the forums are maximized on the views, control and pulse of the communities and reduces control and power by the governments.

The Ward Public Participation Forums shall perform the following:

- i. Discuss the state of the Ward.

- ii. The Ward development committee presents and receives feedback from citizens on the progress and interventions being under taken at the Sub-county level.
- iii. Future plans for the Ward are presented in these forums.
- iv. Annual Prayer breakfast.
- v. Ward project management conferences.
- vi. Ward development planning, budgeting and feedback mechanisms.

13. County Budget and Economic Forum: (CBEF)

CBEF should ensure there is public participation when carrying out its mandate under the Public Finance Management Act. As such “the principal role of the CBEF should be to convene public consultations, rather than to represent the public.

In organizing public consultations throughout the budget cycle, the CBEF shall work through organized citizen groups in the county, including the constituent groups within the CBEF namely: women, business, youth, professionals, labour, people with disabilities, elderly, religious groups, and so on.

The non-state members of the CBEF have a responsibility to regularly engage with their constituents, both through sharing information from the CBEF with constituencies, and representing the interests of constituencies within the CBEF. This is a primary mechanism to facilitate ongoing engagement with county planning and budgeting.

Beyond regular communication between the members of the CBEF and their constituents, there should also be other public fora held at village, ward and Sub-county level. These fora should follow the budget calendar.

STAKEHOLDERS and their Responsibilities:

Stakeholder	Responsibility
County Government (executive branch)	<ul style="list-style-type: none"> • Provide direction, guidance and leadership; • Overall coordination, driving strategic planning and partnerships and linking stakeholders; • Protecting and enabling the environment for public participation. • Maintaining long term relationships with civil society to ensure sustained engagement and delivery on civic education strategies and priorities;

Stakeholder	Responsibility
	<ul style="list-style-type: none"> • Support to stakeholders, capacity and skill development and ensuring county departments and entities are able to implement the policy; • Ensuring transparency and accountability; • Enabling the building of technical and financial capacities of CSOs.
Directorate in Charge of Public Participation	<ul style="list-style-type: none"> • It is the entity charged with day to day matters pertaining to public participation, community development and civic education at county level. • The Directorate shall inter alia, prepare guidelines on public participation indicating how engagements with the public is to be undertaken including linkages with departments and sector working groups (Technical and community sectors). • It shall also prepare the Citizen Participation Charters. • Establishment of community resource centers • Prepare an annual public participation plan that feeds into the Annual Public Participation Report, which shall detail public participation as undertaken, the challenges experience and how the views of the citizens were integrated into plans and implemented.
Government (legislative branch)	<ul style="list-style-type: none"> • Oversight and holding the executive to account for for policy implementation; • Conveying citizen needs, aspirations and concerns with respect to civic education.
Citizens	<ul style="list-style-type: none"> • Citizens are the main pillars of the policy and have to actively be involved in the implementation of this policy including being actively engaged in monitoring, evaluation and learning. • They have a duty to attend public participation meetings and to contribute effectively. Being the overall consumers of public participation, citizens are expected to exercise their sovereignty by

Stakeholder	Responsibility
	<p>holding duty bearers and all other agencies to account.</p> <ul style="list-style-type: none"> • Proactively engage with county institutions and also convey their critical needs, concerns and opinions; • Actively contribute to program design for civic education and its implementation;
Civil Society	<ul style="list-style-type: none"> • Based on consultation with citizen and CBOs, cooperate on public participation, civic education policy design and implementation; • Contribute to set the policy discourse, and ensure a response to priority issues emerging from citizen consultation; • Provide specific sectoral expertise; • Enable/empower, support, train and partner with CBOs, grass roots organisations and citizens groups to actively engage in issues affect them; • Act as check and balance, informed constructive critic, watchdog and scrutiny, hold government to account.
Think tanks and academia	<ul style="list-style-type: none"> • Conduct monitoring and evaluation, validation of public participation and civic education methods and their results and provide relevant M&E expertise to the county government and CSOs; • Design planning and support of public participation and civic education exercises.
Media	<ul style="list-style-type: none"> • Support the cultural and attitudinal shift required for constructive engagement and participatory processes around public participation and civic education; • Convey citizen views and concerns to decision makers and convey county government positions and responses to public; • Cover relevant deliberative processes appropriately;

Stakeholder	Responsibility
Multilaterals and bilateral development partners	<ul style="list-style-type: none"> • Technical support and advice; • Identify, collate and facilitate cross-fertilization of international good practices; • Linking to key stakeholders with relevant expertise internationally; • Support the building of the technical and financial capacities of CSOs.
Business and private sector	<ul style="list-style-type: none"> • Support technological innovations that promote public participation and civic education; • Funding NSAs and civil society led initiatives.

MONITORING AND EVALUATION:

The key to success of any implementation plan is the ownership of the process and the results. The institutional arrangement has to factor-in a number of issues: the marrying of 'demand' for information with 'supply'; strong commitment from the upper echelons of the administration together with a strong sense of 'inclusiveness' at the level of different departments; and keeping the implementation structure simple with the various entities enjoying as much autonomy as possible.

The realization of the objectives of this policy will require consistent monitoring, evaluation and learning that will help policy makers to;

- Quantify achievements gained in civic education and citizen awareness leading to a more informed citizenry during civic education and development process;
- Identify critical success factors and both international and national best practices for civic education; and
- Enhance and support access to information of the citizenry to government procedures and operations; and,

Therefore, there is need to facilitate the application of this policy through engagement and collaboration with stakeholders in implementation strategies as well as creating awareness around the document.

Some of the critical activities that shall define the implementation phase include;

- Development of an Implementation Plan that outlines the respective roles and activities to be undertaken by county entities and other stakeholders.
- Develop tools to assess the readiness of county departments to commence the administration of the Policy.
- Engage civil society;

- Develop educational materials for both public officials and the general public;
- Develop a broad training strategy for civic education in the public service.
- Develop a communication strategy to sensitize civil servants of the value of the Law, and increase public awareness and understanding of the civic education law and their rights under it.

Lastly, the County will strengthen the County Monitoring and Evaluation Framework as outlined in the Guidelines for Preparation of County Integrated Monitoring and Evaluation System (CIMES) and include Public Participation indicators. The sector programs will be proactive by planning for evaluation right from the initial stages.

The M&E planning accountability will entail an effort to meet the diverse information interests and expectations of all those who have a stake in the programs (e.g. beneficiaries/ citizens, Executive, Assembly, development partners, State Actors & Non-state Actors. This approach will seek to maximize on citizens' participation. The evaluation will be a human centered assessment of the extent of citizens' participation and the effect of the Programme on improving the citizens' livelihoods.

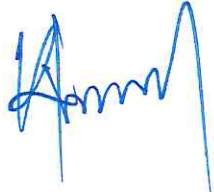
Resource Mobilization:

The successful implementation of this Policy will depend on the availability of sufficient financial, human and infrastructural resources. In order to demonstrate commitment to implementing the Constitution, relevant laws and the policy, the county government shall integrate budgetary processes and resources towards the implementation of this Policy.

Review of the Policy:

The Policy on Public Participation will be reviewed every three years shortly before the reelection of development committees. This will enable the summative evaluation of the life cycle of the development committees and learning that would trigger improvement in policy development.

I certify that this printed impression is a true copy of the Policy passed by the County Assembly on the **24th Day of March, 2021.**



Kevin Mutuku,
Clerk of the County Assembly.

Presented for assent in accordance with the provisions
of the Constitution of Kenya on the ^{15th}..... Day of
^{June}....., 20²¹....., at ^{17⁰⁰}..... HOURS.



Hon. Douglas Mbilu,
Speaker of the County Assembly.

