

# Kenya Devolution Programme (KDP)

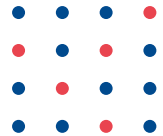
Timiza Ukatuzi  
2021 - 2025

## DEVOLUTION IN KENYA

A BASELINE PUBLIC PERCEPTION SURVEY

### Briefing Report

November, 2022



# **Kenya Devolution Programme (KDP)**

**Timiza Ugatuzi 2021 - 2025**

## **DEVOLUTION IN KENYA**

**A BASELINE PUBLIC PERCEPTION SURVEY**

### **Briefing Report**

## **WHO WE ARE**

Act! is a leading Kenyan, non-profit, Non-Governmental Organization (NGO). The organization was established in September 2001 as Pact Kenya and rebranded in 2011 as a fully-fledged local organization. Act! focuses on building the capacity and resilience of individuals and communities, thus empowering them to get involved in the decisions and management of their own development.

### **Vision**

A prosperous, cohesive and resilient society living in dignity

### **Mission**

To champion lasting positive community transformation.

## **BASELINE PUBLIC PERCEPTION SURVEY, MARCH 2023**

Published by Act Change Transform (Act!)

Copyright ©2023

## **Nairobi Office**

Woodlands Road, Off Dennis Pritt/ Lenana Road Kilimani

P.O. Box 76390-00508, Nairobi-Kenya

Tel: +254 20 8179231/ 8179240

Cell: +254 722203721/ 771634555

## **Mombasa Office**

Kibaki Flats, off Mombasa- Malindi Road

P. O. Box 10042-82100, Mombasa-Kenya

Cell: +254 722 207 088

All rights reserved. This report may be found on the Act! website.

Act! exercises copyright over its information to make sure it is used following its principles. Extracts of the report may be used for learning and knowledge as well as for private study and educational purposes without permission. No part of this publication may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording or by any information storage and retrieval system, without written permission from Act!.

## CONTENTS

WHO WE ARE	iii
Vision	iii
Mission	iii
Abbreviations and Acronyms	ix
FOREWORD	x
PREFACE	xii
ACKNOWLEDGEMENT	xvii
INTRODUCTION	1
The Kenya Devolution Programme (KDP) - Timiza Ugatuzi	1
Survey Methodology and Respondent's Demographic Profiles	2
GENERAL SITUATION OF THE COUNTRY	9
KNOWLEDGE OF DEVOLUTION	14
SATISFACTION WITH DEVOLUTION AND SERVICE DELIVERY	20
PUBLIC PARTICIPATION AND BUDGET MAKING	27
ACCESS TO INFORMATION AND TRANSPARENCY	45
POVERTY ANALYSIS	50
CONCLUSION AND IMPLICATIONS FOR KDP	52

## List of Figures

Figure 1: Respondents' demographics	7
Figure 2: Overall, would you say that the country is going in the wrong direction or going in the right direction?	10
Figure 3: Why do you say that the country is heading in the wrong direction?	12
Figure 4: What would you say is the most serious problem facing your County Government currently	13
Figure 5: On a scale of 1 – 5, where 1 is very low and 5 is very High, how would you rate your overall knowledge of the devolved system of governance as provided for in Constitution of Kenya.	15
Figure 6: What would you say are the key functions of the national government?	16
Figure 7: What would you say are the key functions of the county governments?	17
Figure 8: What would you say are the key functions of County Assembly	19
Figure 9: Based on what you have observed until now, how satisfied are you with the progress of implementation of devolution in Kenya. Would you say you are ...?	21
Figure 10: Overall, how would you rate the performance of your County Government so far?	22
Figure 11: Thinking of a period of the last 12 months, are you aware of any public forum organized by your County Government which was open to all citizens in the area?	29

Figure 12: How did you get to know about the public participation forum?	31
Figure 13: Which of the following statements is closest to your view?	32
Figure 14: During those meetings, which development projects/issues were discussed?	34
Figure 15: How would you rate the following issues	36
Figure 16: Comparison between public meeting attendance organized by the County governments, MCAs and Chiefs	37
Figure 17: How much do you agree that the following officials consider the opinions of ordinary Kenyans into account when making decisions on county development needs	38
Figure 18: Have you ever participated in a county budget making process?	40
Figure 19: How satisfied are you with how the county government has included citizens views in:	43
Figure 21: Please confirm knowledge or existence of the following county frameworks, strategies, and systems for access to information	46
Figure 22: In your opinion how easy is it to do the following ...Is it very easy, easy or not easy	47
Figure 23: In your opinion, how easy is it to do the following ... is it easy or not easy	49

## List of Tables

Table 1: Counties by Regional Economic Bloc and term of the current governor	3
Table 2: Overall, how would you rate the performance of your County Government so far?	23
Table 3: Would you say that you are satisfied or not with the performance of your county government in delivering services in the following areas?	25
Table 4: Do you agree or disagree with the following:	41



## Abbreviations and Acronyms

Act!	Act Change Transform
AHADI	Agile and Harmonized Assistance to Devolved Institutions
CDF	Constituency Development Fund
CEC	County Executive Committee
FCDO	Foreign, Commonwealth and Development Office
GDP	Gross domestic product
KDP	Kenya Devolution Programme (KDP) - Timiza Ugatuzi
KNBS	Kenya National Bureau of Statistics
LASDAP	Local Authority Service Delivery Action Program
MCA	Member of county assembly
REB	Regional Economic Bloc
RTA	Road traffic accident

## FOREWORD



Kenya as one of the fast-growing African countries is faced with multiple governance related challenges that include ineffective intergovernmental relations, ineffective county planning, inadequate engagement between governments and citizens in service delivery and limited integration of evidence, digital technology and learning as enablers of public service delivery. It is in this regard that the Foreign, Commonwealth and Development Office (FCDO) funded the Kenya Devolution Programme (KDP)– Timiza Ugatuzi which seeks to address these issues. The KDP is a 4-year (2021–2025) programme and is being implemented by a non-Profit Consortium led by Act Change Transform (Act!). The programme builds on successes and lessons from previous FCDO and other donor investments on devolution in Kenya, including the Kenya Devolution Support Programme (KDSP) and Agile Harmonised Assistance for Devolved Institutions (AHADI).

In July 2022, Act! commissioned a National Public Perception Survey covering 24 counties target sample of 2,418 respondents across Kenya to understand the public’s perception on service delivery by both levels of government (National and County). The counties that took part in this survey are; Mandera, Garissa, Marsabit,

Samburu, Uasin Gishu, Turkana, West Pokot, Kericho, Kakamega, Trans Nzoia, Bomet, Kisumu, Nyamira, Kwale, Mombasa, Lamu, Kitui, Muranga, Meru, Nyeri, Nakuru, Kajiado, and Nairobi.

The survey mirrored the programme data needs that formed part of the baseline for the programme with bias on the following areas;

- 1) Citizens views on general situation in the country
- 2) Service delivery in the counties
- 3) Public participation in the county governance processes
- 4) Access to information and transparency in devolved government
- 5) Public expenditure management in the counties

The findings of this survey have provided insightful information regarding the state of devolution in Kenya after 11 years of promulgating the Constitution, 2010. Remarkable steps have been made towards delivering the promise of devolution notwithstanding the gaps in the operationalisation of the Constitution. This publication will be useful in informing programming as a reference material to Programmes and institutions in the devolved sector.

**Tom Were**



Chief Executive Officer

## PREFACE



Beginning 2013, Kenya transitioned to a devolved system of government, with the national and 47 county governments discharging a number of specific as well as concurrent functions. The period 2013–2017 marked the on-set of the first generation of county governments,

with the second-generation county governments following during the period 2018–2022. Currently, the country has transitioned to the third generation of county governments and the devolved system of governance.

The period 2013–2022, witnessed a number of changes in the country’s devolution process including but not limited to: establishment of county governments and other constitutionally sanctioned institutions to support devolution such as Commission on Revenue Allocation; Controller of Budget, Council of Governors, the Senate, County Budget and Economic Forum, Intergovernmental Budget and Economic Council, and County Assembly.

The capacity of the various institutions and in particular county governments to deliver on their mandate has over the same period of time increased, but with mixed results. Across the country, counties are opening new frontiers in

service delivery in ways never witnessed from independence. Several devolved functions such as health care, education, agriculture and energy have been implemented with notable impact in the counties. Counties have also put in place systems and structures to enable them discharge their mandates. In spite of this notable progress, a number of challenges remain. Some of the notable challenges include ineffective intergovernmental relations; ineffective county planning, public finance management and staff performance; inadequate engagement between county governments and citizens in service delivery; and limited integration of evidence, digital technology and learning as enablers of public service delivery and reform.

The need to generate evidence to inform interventions around these challenges necessitated the Kenya Devolution Programme (KDP), a devolution support programme funded by the Foreign, Commonwealth and Development Office (UK FCDO) and implemented by the Act Change Transform-led Consortium. One of the KDP activities is to undertake an opinion survey among the citizens and to provide baseline data that can over time be used to measure progress. The goal is to help track progress on what impact KDP investment is making on each of the identified challenges within the programme implementation period (2021–2025) and therefore generate more value for money. This component of the programme was undertaken by the Institute for Development Studies, University of Nairobi which is one of the eight partners in the consortium.

The KDP survey was conducted between 1<sup>st</sup> July and 25<sup>th</sup> July 2022 covering a sample size of 2,418. This sample was randomly selected from the 24 counties which were also randomly selected among all the economic regional blocks in Kenya. The counties were further grouped on the basis of whether the current governor was serving a second term in office or ending a first term in office. In addition, issues of county wellbeing and geographical coverage were considered in selecting the counties where the survey was conducted. The selected counties included Baringo, Bomet, Elgeyo Marakwet, Garissa, Homa Bay, Kajiado, Kakamega, Kericho, Kiambu, Kilifi, Kitui, Lamu, Mandera, Marsabit, Meru, Mombasa, Murang'a, Nakuru, Nyamira, Nyandarua, Siaya, Trans-Nzoia, Turkana, and West Pokot.

In each of the selected counties, interviews were selected using the KNBS sampling framework that considered the population sizes, that is, proportion to population sample size (PPSS). The selected interviews were also then proportionately distributed across the rural and urban segments in each of the counties. The KNBS Enumeration Areas (EAs) were randomly selected and formed the data collection points. In each EA, households and respondents were randomly selected using a scientific randomization formula that gave equal chance to all adults in the EA. This sample of 2,418 yielded results that are generalizable to the 24 counties with a margin error of  $\pm 2\%$  at 95% confidence level. The survey was conducted using face-to-face interviews in the preferred language of the respondent.

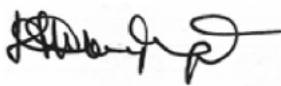
The analysis presented in this report provides useful insights on a number of issues critical in the country's devolution space. First, is Kenyan's views on the prevailing economic situation in the country at the time of collecting data for this report (June 2022). It is noteworthy that some of the issues identified as the main challenges facing the country in June 2022, have persisted to date (2023). One such issue is the high cost of living, a major concern for many households. All the same, many people are in support of devolution but would like to see more accountability in use of funds. But people are not happy with local level leadership and progress in implementation of the devolved functions.

The report also provides useful data on citizen's knowledge of devolution including knowledge of the functions of the national and county governments. Citizens have good knowledge but do not participation in decision making at the local level. Public participation itself is wanting especially because of how the governments – both national and county – organization the forum for participation. The findings are useful especially in informing advocacy work that targets the general citizenry. The view held by the majority of those interviewed regarding the work of the county assemblies as implementation of development projects raises questions on the limits of democratic principle of separation of powers between the county executive and county assemblies in the Kenyan context. Other issues addressed in the report include citizens' satisfaction with the devolution and service delivery; public participation

and budget making; access to information and budget-making; access to information and transparency, and finally analysis of the poverty situation in the surveyed counties.

This analysis benefited heavily from the useful inputs shared by all the partners implementing the Kenya Devolution Programme especially at the time of designing the survey tools. The survey questions followed a co-production process as one way of ensuring greater utility and relevance of the data collected to the partners implementing the Kenya Devolution Programme. Each of these partners and many other actors interested in devolution in Kenya will find this report extremely useful in their programming.

**Prof. Karuti Kanyinga**



Research Professor of Development Studies  
Director of the Institute for Development Studies (IDS) –  
University of Nairobi.



## ACKNOWLEDGEMENT



I take this opportunity to appreciate everyone who took part in this public perception survey. I acknowledge the contribution of the Foreign, Commonwealth and Development Office (FCDO) who funded the assignment through the

Kenya Devolution Programme (KDP) – Timiza Ugatuzi.

I acknowledge the contribution of the KDP Secretariat, the Institute for Development Studies (IDS) – University of Nairobi (UoN) and Infotrack Research for efficiently planning and conducting the survey in the twenty-four counties across Kenya.

In addition, I Would like to appreciate the contribution of other KDP consortium partners in the development of the study framework. They include: Consilient Research, PricewaterhouseCoopers (PWC), International Cooperation Agency of the Association of Netherlands Municipalities (VNG International), West Minister Foundation for Democracy (WFD), Institute for Public

Finance (IPFK), Options and Danish Refugee Council (DRC).

Finally, I thank the everyone who participated in this research as a respondent or other way for supporting us to generate the evidence which is essential for our programming.

**Dr. Michael Karanja**



Monitoring, Evaluation, Reporting and Learning Advisor

## Key Messages

- This brief report highlights the key findings from the baseline public perception survey that was conducted to inform the subsequent implementation of the Kenya Devolution Programme (KDP) - Timiza Ugatuzi. The survey covered 24 selected counties spread across Kenya taking into consideration political transitions that were anticipated as a consequence of the August 9<sup>th</sup>, 2022 general election.
- People's knowledge of the devolved system of governance is moderate at 45 percent with around 40 percent indicating that they have low knowledge of the devolved system of government.
- Overall, the knowledge of the functions of the two levels of government is also low, hence hampering accountability in service delivery.
- The finding that the majority of the respondents (39 percent) pointed at 'implementation of development projects' as the primary function of the county assemblies raises the question on the understanding by the public on the issue of separation of powers between the various arms of government i.e., county executive and the county assembly in the case of county governments.

- There is relative satisfaction among the people with the implementation of devolution (65 percent), but corruption continues to undermine the devolution agenda.
- Around 60 percent of the survey respondents rate the performance of their county governments as good.
- Satisfaction with service delivery in the counties is mixed but notably higher for early childhood education and village polytechnics (55 percent), public works such as street lighting and roads (52 percent), and trade-related services.
- Survey data points to a low level of awareness of public forums organized by their county governments, with even those that are aware of those forums whose participation is low.
- People rate the chiefs highly (67 percent) in terms of taking into consideration people's views in decision-making.
- Only 4 percent of the survey respondents affirmed having taken part in a forum organized by their counties on the budget-making process. There are no major variations across the 24 counties.
- Citizens have concerns on the sharing of information on development projects in their county (70 percent), as well as the level of

transparency in the implementation of county budgets (72 percent), and on sharing of information on county budgets in a format that people can understand (70 percent).

- Additional concerns by citizens on transparency in sharing information are noted in sharing of county audit reports (39 percent), monitoring and evaluation reports (38%), and finally, reports on performance management (38 percent).
- The overall poverty index for households in the sampled counties is estimated at 35.8%.

## **INTRODUCTION**

### **The Kenya Devolution Programme (KDP) - Timiza Ugatuzi**

The Kenya Devolution Programme, (KDP) - Timiza Ugatuzi is a devolution support programme funded by the Foreign Commonwealth and Development Office (FCDO) and implemented by the Act Change Transform-led Consortium (2021–2025). The programme aims to address some of the specific challenges facing devolution in selected counties in Kenya. These challenges are:

- a. Ineffective intergovernmental relations;
- b. Ineffective county planning, public finance management and staff performance;
- c. Inadequate engagement between county governments and citizens in service delivery; and,
- d. Limited integration of evidence, digital technology and learning as enablers of public service delivery and reform.

This report seeks to provide baseline data on a number of KDP indicators in the Results Framework. Progress in each of the indicators will be tracked through subsequent follow-up public perception surveys.

## **Survey Methodology and Respondent's Demographic Profiles**

The public perception survey was conducted in selected counties distributed across Kenya, but with a focus on counties where the KDP is being implemented. The survey targeted adults aged 18 years or older. The interviews were face-to-face. Questions to be asked in the survey mirror the indicator data needs as captured in the programme Results Framework. The overall focus of the survey was citizens' views on devolution in Kenya. Some of the broader issues that were covered in the survey included:

- i. Citizens' views on the general situation in the country
- ii. Knowledge of devolution
- iii. Satisfaction with devolution and service delivery
- iv. Public participation in the county governance processes
- v. Access to information and transparency in devolved government
- vi. Public expenditure management in the counties

To address the specific data needs for the KDP Results Framework and further programme implementation, sampling was done at two levels: first is making a decision on which counties to include in the sample; and once that decision is made, the second issue for determination was how to sample the respondents.

In the investment document Act! Led Consortium spell-out robust criteria for county selection. However, given the prevailing political context in the countries, the dynamics may change and demand the Consortium to rethink counties of intervention. In this regard, the baseline public perception survey was conducted in at least half of the counties. This provides a snapshot of the status of public perception of key devolution issues in the country.

To enable us empirically pick the 24 counties, all the counties were clustered in their respective regional economic blocs (REBs). The counties where the public perception survey was conducted were picked randomly from the REBs.



Table 1: Counties by Regional Economic Bloc and term of the current governor

Regional Economic Bloc and Nairobi City County	Counties in the economic bloc (N= 53, including those with overlapping membership, but excluding Nairobi)	County Governor served two terms	County Governor serving the first term	Randomly selected counties
Frontier Counties Development Council	Garissa, Wajir, Mandera, Isiolo, Marsabit, Tana River, Turkana, Samburu, West Pokot and Lamu	Mandera, Samburu and Turkana	Garissa, Lamu, Wajir, Isiolo, Marsabit and Tana River, West Pokot	Mandera Garissa, Wajir and Marsabit
North Rift Economic Bloc	Uasin Gishu, Trans-Nzoia, Nandi, Elgeyo Marakwet, West Pokot, Baringo, Samburu and Turkana	Trans Nzoia Uasin Gishu, Elgeyo Marakwet, Samburu and Turkana	Nandi, West Pokot and Baringo	Samburu, Uasin Gishu and Turkana West Pokot

Regional Economic Bloc and Nairobi City County	Countries in the economic bloc (N=53, including those with overlapping membership, but excluding Nairobi)	County Governor served two terms	County Governor serving the first term	Randomly selected countries
Lake Region Economic Bloc	Migori, Nyamira, Siaya, Vihiga, Bomet, Bungoma, Busia, Homa Bay, Kakamega, Kisii, Kisumu, Nandi, Trans Nzoia and Kericho	Trans Nzoia, Migori, Siaya, Homa Bay, Kericho, Busia, Kakamega and Kisii	Nyamira, Bomet, Bungoma, Kisumu, Nandi and Vihiga	Kericho, Kakamega and Trans Nzoia Bomet, Kisumu and Nyamira
Jumuiya Ya Kaunti Za Pwani	Tana River, Taita Taveta, Lamu, Kilifi, Kwale and Mombasa	Kwale, Kilifi and Mombasa	Tana River, Taita Taveta and Lamu	Kwale and Mombasa Lamu
South Eastern Economic Bloc	Kitui, Machakos and Makeni	Machakos and Makeni	Kitui	Kitui

Regional Economic Bloc and Nairobi City County	Countries in the economic bloc (N= 53, including those with overlapping membership, but excluding Nairobi)	County Governor served two terms	County Governor serving the first term	Randomly selected counties
Mount Kenya and Aberdare Region Economic Bloc	Nyeri, Nyandarua, Meru, Tharaka Nithi, Embu, Kirinyaga, Murang'a, Laikipia, Nakuru and Kiambu	Embu and Murang'a	Nyeri, Tharaka Nithi, Meru, Nakuru, Kiambu, Nyandarua, Laikipia and Kirinyaga	Murang'a Meru, Nyeri, and Nakuru
Narok and Kajiado Economic Bloc	Narok and Kajiado (2)	Narok	Kajiado	Kajiado
Nairobi City County	Not applicable		Nairobi City County	Nairobi City County

The survey was carried out between 1<sup>st</sup> July – 25<sup>th</sup> July 2022. The overall survey had a target sample of 2418 respondents and recorded a response rate of 92 percent. The margin of error is  $\pm 2\%$  at 95% confidence interval.

Figure 1: Respondents' demographics

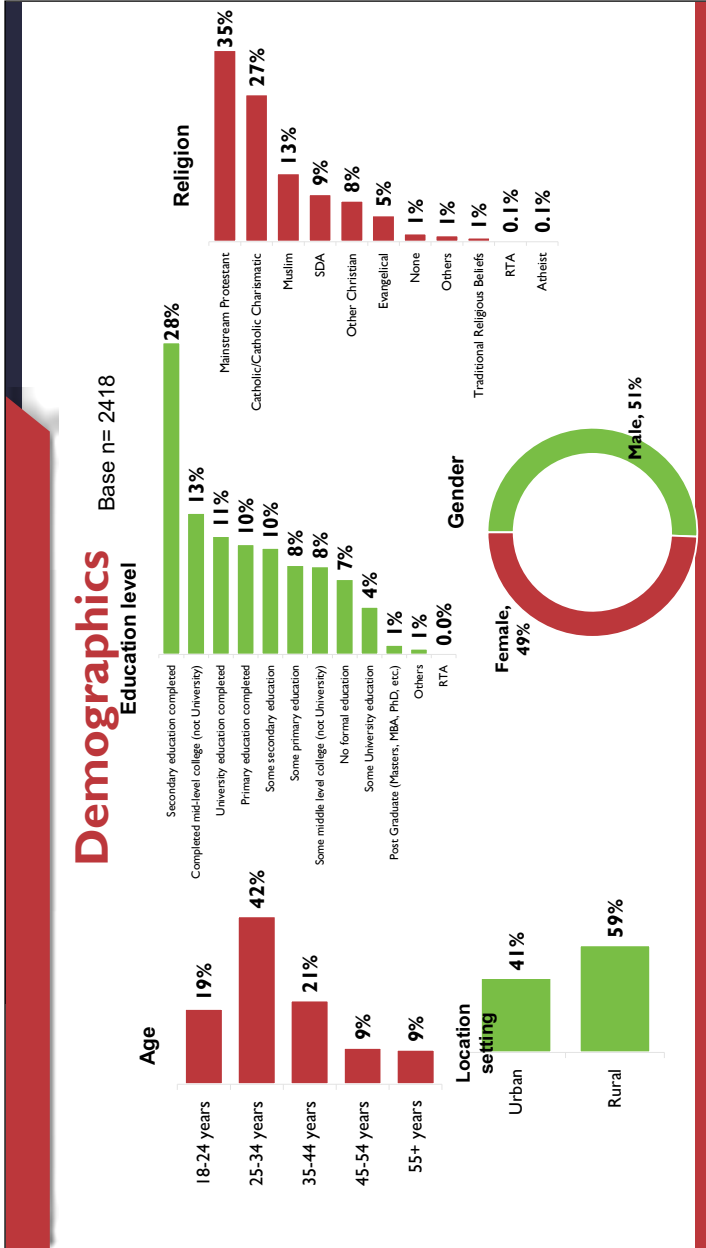


Figure 1 Continued



## GENERAL SITUATION OF THE COUNTRY

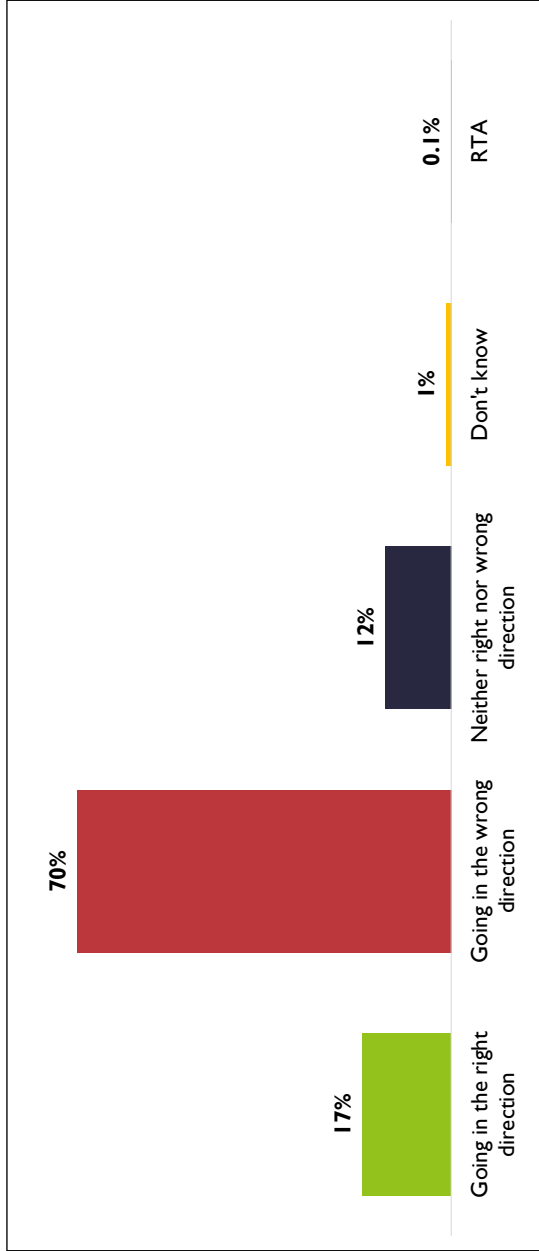
Throughout 2022, Kenyans have had to contend with a weakening economy, the crisis in Ukraine, rising public debt, rising cost of living and worsening drought situation in vast parts of the country. The World Bank estimates that Kenya's real gross domestic product (GDP) is projected to contract to 5.3 percent on average in 2023 – 24, down from 5.5 percent in 2022.<sup>1</sup> The country's stock of public debt as of May 2022 stood at Ksh. 8,563.8 billion, up from Ksh. 7,485.9 billion reported in May 2021.<sup>2</sup> The pressures created by the worsening economic situation in the country are mirrored in the public perception survey with 70 percent of Kenyans feeling that the country is headed in the wrong direction (Figure 2).

---

<sup>1</sup> The World Bank, 'Kenya's growth expected to slow in 2022 due to ongoing drought, Ukraine crisis', Press Release, June 7, 2022

<sup>2</sup> See Enhancing public debt management in Kenya, available at: <https://kippra.or.ke/enhancing-public-debt-management-in-kenya/>

Figure 2: Overall, would you say that the country is going in the wrong direction or going in the right direction?



Data shows that Kenyans are worried about the high cost of living (71%), lack of income earning opportunities or unemployment (37%) as well as corruption in government as the three top reasons why citizens think the country is headed in the wrong direction (Figure 3). However, for a smaller portion of the respondents (17%), the country is headed in the right direction as evidenced by prevailing peaceful co-existence (38%), the handshake between President Uhuru Kenyatta and former Prime Minister Raila Odinga (35%), as well as devolution of government (29%).

Delivery of services by county governments is also impacting positively on people's lives as evidenced by a relatively higher share of respondents who cited 'service delivery by county governments' as what they like most about their county governments (34%). In spite of this perception, citizens are equally concerned with poor services (e.g., water, health, drought and access to information) (Figure 4).



*Figure 3: Why do you say that the country is heading in the wrong direction?*

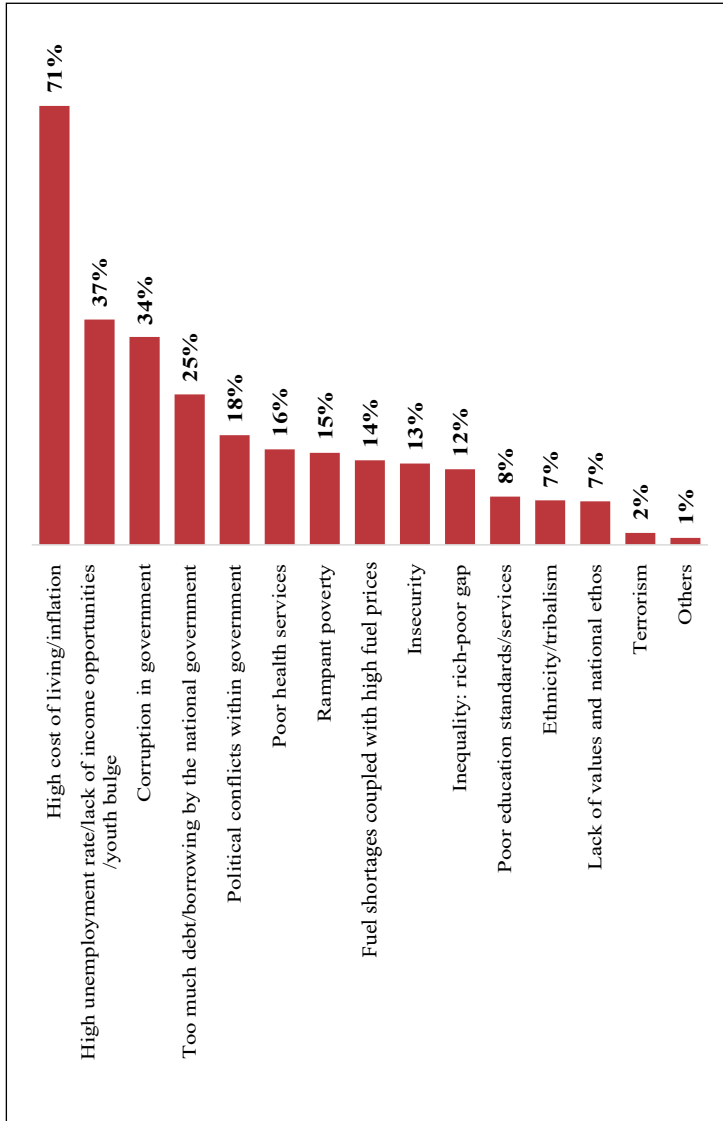
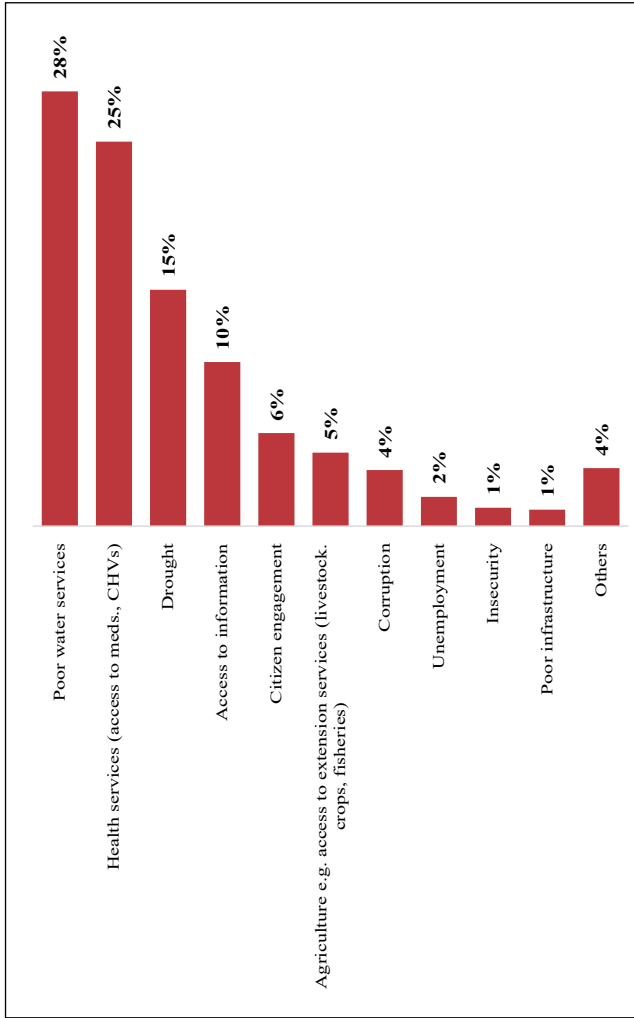


Figure 4: What would you say is the most serious problem facing your County Government currently?



## **KNOWLEDGE OF DEVOLUTION**

The Constitution of Kenya 2010 puts the citizens at the heart of the governance of the country and in particular through devolved governance. This means that citizens require an understanding of the Constitution including not only their rights but also their responsibilities. However, slightly over ten years after the promulgation of the Constitution of Kenya 2010, a substantial portion of Kenyan's knowledge of the devolved system of governance is low (42%, Figure 5). There are no significant variations in citizens' knowledge of devolution across the rural-urban divide but varies with the level of formal education.

To function optimally under the devolved system of governance, citizens also need knowledge of the functions of the two levels of government: national and county governments. Such knowledge among the citizens would help in calls for accountability and enhanced citizens' demand for improved delivery of services. Citizens' knowledge of the functions performed by the national government is low with the highest mention being the national defence services at 26% (Figure 6). On the functions of county government, health services (47%), roads and street lighting (36%) as well as county public works (28%) were frequently mentioned (Figure 7). This low level of awareness of the functions of the two levels of government calls for enhanced awareness creation and building the capacity of the citizens on the devolved system of governance.

Figure 5: On a scale of 1 – 5, where 1 is very low and 5 is very High, how would you rate your overall knowledge of the devolved system of governance as provided for in the Constitution of Kenya?

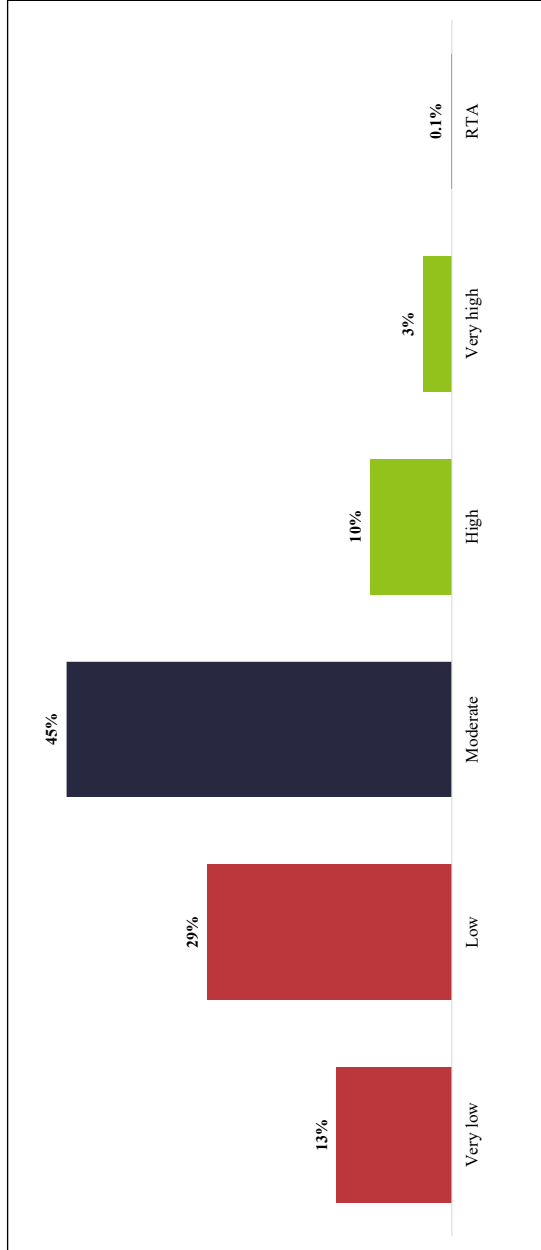


Figure 6: What would you say are the key functions of the national government?

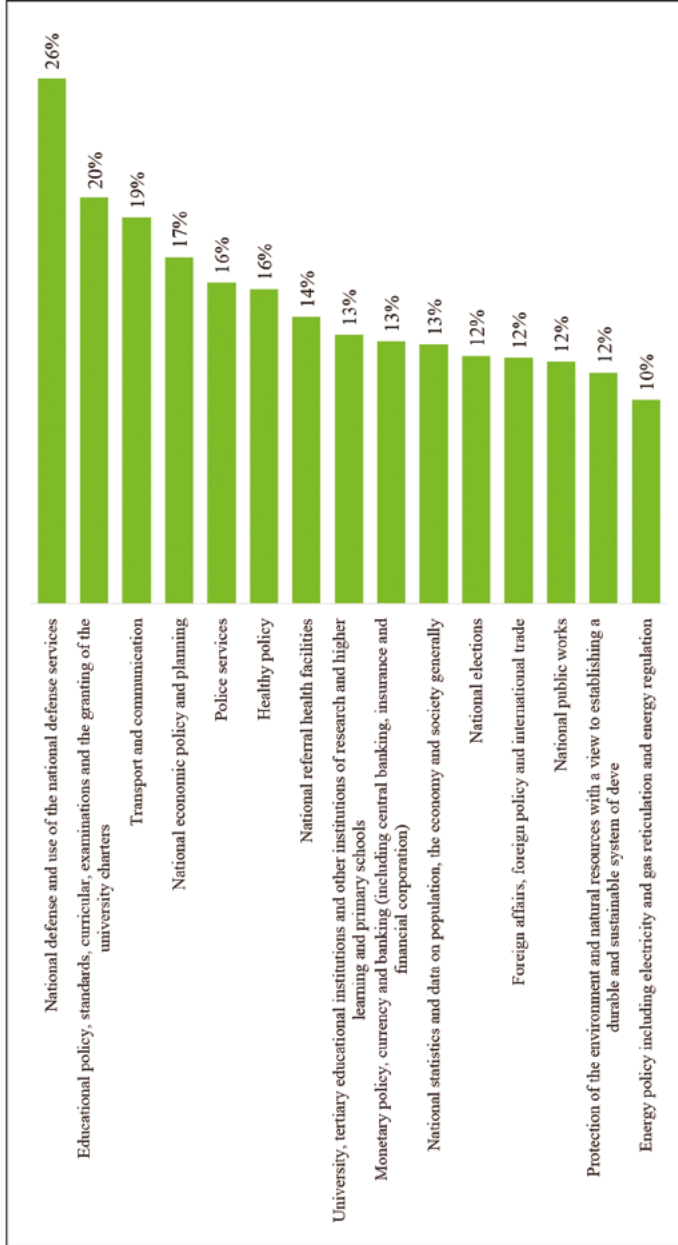
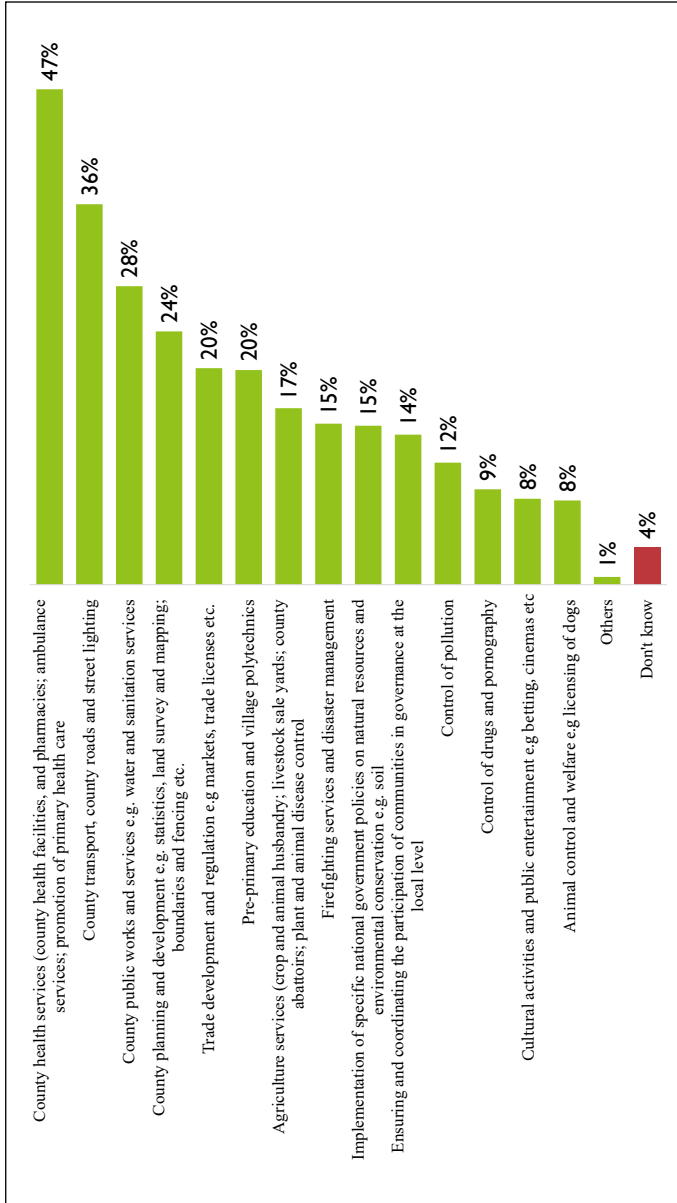


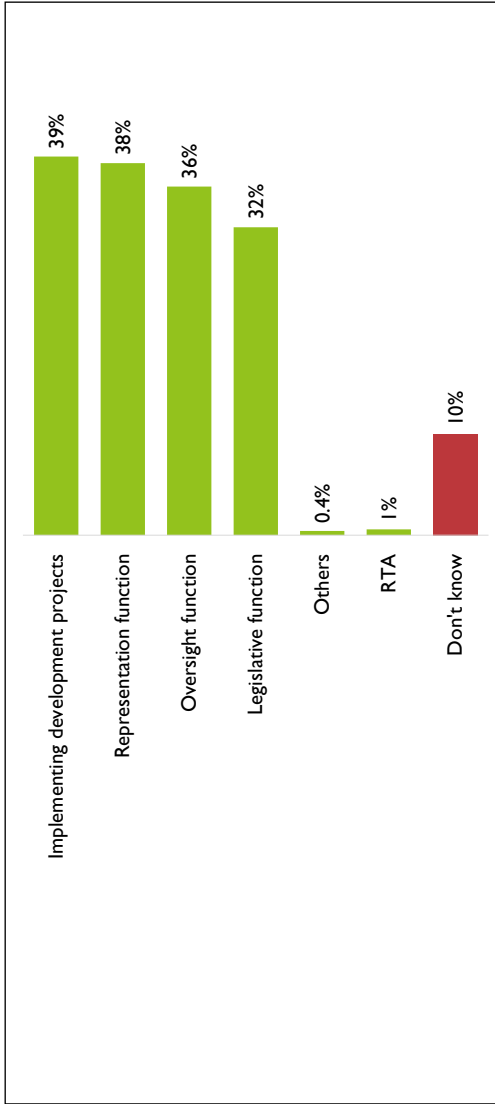
Figure 7: What would you say are the key functions of the county governments?



The way devolution has been implemented in the country also seems to be impacting citizens' knowledge of the function not only of the county executives but also of the county assemblies. The Constitution apportions the functions of representation, legislation and oversight to the legislative arm of the county governments. However, borrowing from the practice of the members of the national assembly through the now-defunct Constituency Development Fund (CDF), the elected legislative leaders are also engaged in the implementation of development projects. This is not in tandem with the principles of separation of powers between the executive and the legislature.

This has influenced people's expectations of the elected members of the County Assembly, as the bulk of the survey respondents pointed to 'implementation of development projects' as the primary function of the county assemblies (Figure 7).

Figure 8: What would you say are the key functions of County Assembly?





## **SATISFACTION WITH DEVOLUTION AND SERVICE DELIVERY**

Devolution is in part meant to promote social and economic development and the provision of proximate, easily accessible services throughout Kenya.<sup>3</sup> Thus peoples' level of satisfaction with devolution mirrors the extent to which the system of governance is fulfilling its function in part by improving the delivery of services to the people. Overall, based on their experience thus far, citizens are satisfied with the progress of the implementation of devolution in the country (65%). People have embraced the devolved system of governance by virtue of the changes that county governments are bringing to various localities. The system of governance has created additional spaces for people's participation in their country's governance processes. Corruption at the county level (55%) continues to undermine the envisioned potential of the devolved system of governance.

Citizens' rating of the performance of their county governments largely compares well with their satisfaction with the process of the implementation of devolution. Survey data shows that 60 percent of the respondents rate the performance of their county governments as 'good' (Figure 10). The perception of the performance varies by county (Table 2).

---

<sup>3</sup> Constitution of Kenya, Article 174f.

Figure 9: Based on what you have observed until now, how satisfied are you with the progress of the implementation of devolution in Kenya. Would you say you are ...?

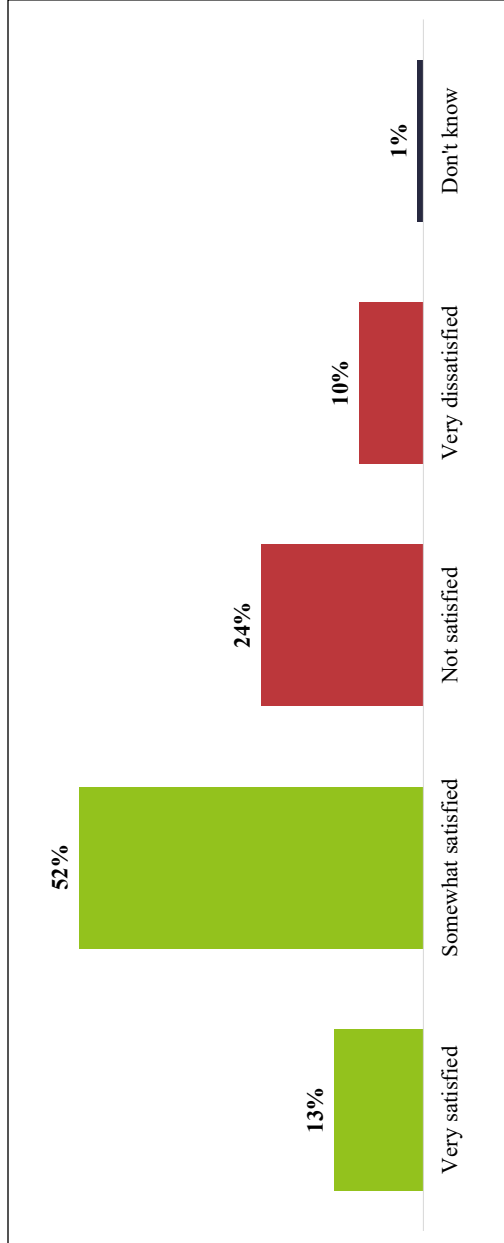


Figure 10: Overall, how would you rate the performance of your County Government so far?

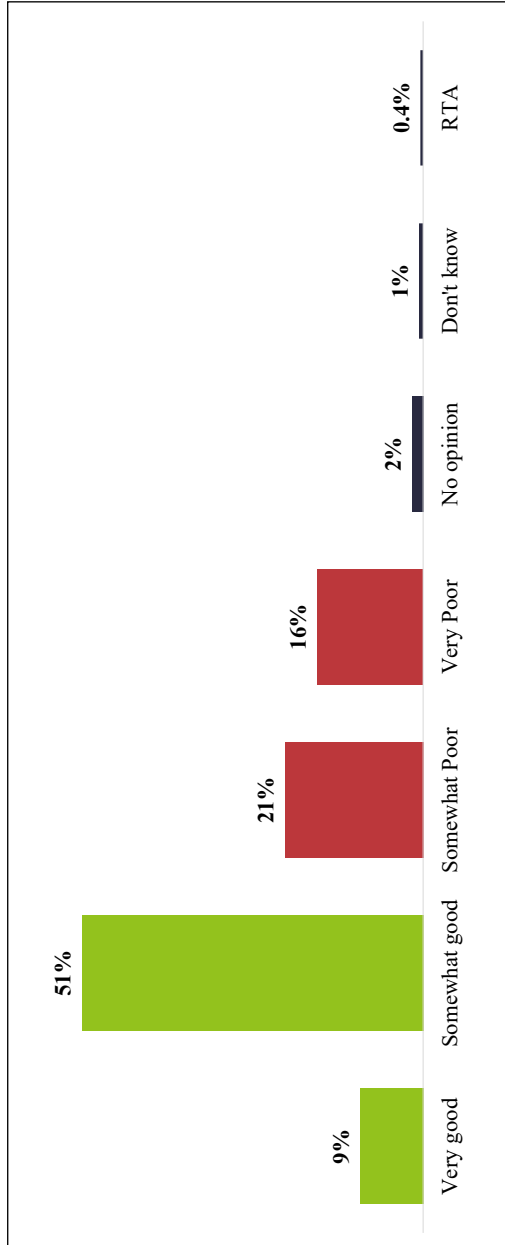


Table 2: Overall, how would you rate the performance of your County Government so far?

County	Base (n)	Very good		Somewhat good		Somewhat poor		Very poor		No opinion	Don't know	RTA
Kakamega	154	32%	55%	8%	5%	-	-	-	-	-	-	-
Bomet	72	30%	38%	18%	14%	-	-	-	-	-	-	-
Uasin Gishu	107	30%	52%	12%	5%	2%	-	-	-	-	-	-
Mandera	53	19%	50%	8%	19%	4%	-	-	-	-	-	-
Turkana	72	16%	61%	4%	13%	4%	4%	-	-	4%	-	-
West Pokot	43	13%	65%	15%	8%	-	-	-	-	-	-	-
Kwale	68	12%	60%	14%	13%	-	-	-	-	-	-	-
Kisumu	101	12%	71%	10%	7%	1%	-	-	-	-	-	-
Wajir	53	10%	33%	19%	38%	-	-	-	-	-	-	-
Nyamira	53	10%	44%	19%	25%	1%	-	-	-	-	-	-
Nakuru	196	8%	63%	21%	7%	1%	-	-	-	-	-	-
Nairobi City	470	6%	62%	18%	11%	2%	1%	-	-	1%	0.4%	-
Garissa	62	5%	26%	34%	34%	2%	-	-	-	-	-	-
Murang'a	106	4%	44%	30%	22%	1%	-	-	-	-	-	-

County	Base (n)	Very good		Somewhat good		Somewhat Poor		Very Poor		No opinion	Don't know	RTA
Mombasa	125	4%	44%	28%	23%	1%	1%	-	-	-	1%	-
Nyeri	80	3%	71%	21%	3%	1%	3%	-	-	-	-	-
Trans Nzoia	80	3%	29%	26%	40%	1%	1%	-	-	-	1%	-
Meru	148	2%	40%	31%	23%	2%	2%	-	-	-	-	1%
Kitui	97	2%	16%	27%	34%	10%	4%	-	-	-	4%	7%
Kericho	79	1%	65%	28%	5%	-	-	-	-	-	-	-
Kajiado	103	1%	45%	26%	25%	2%	1%	-	-	-	1%	-
Lamu	30	-	59%	38%	3%	-	-	-	-	-	-	-
Marsabit	34	-	13%	38%	45%	3%	3%	-	-	-	3%	-
Samburu	33	-	39%	48%	13%	-	-	-	-	-	-	-
<b>Total</b>	<b>2418</b>	<b>9%</b>	<b>51%</b>	<b>21%</b>	<b>16%</b>	<b>2%</b>	<b>1%</b>	<b>0.4%</b>	<b>1%</b>	<b>2%</b>	<b>1%</b>	<b>0.4%</b>

*Table 3: Would you say that you are satisfied or not with the performance of your county government in delivering services in the following areas?*

County function	Satisfied	Neither satisfied nor dissatisfied	Dissatisfied	Don't know	RTA
Pre-primary education and village polytechnics	55%	18%	25%	2%	0%
County transport, county roads and street lighting	52%	16%	31%	1%	0%
Trade development and regulation e.g., markets, trade licenses etc.	44%	21%	33%	3%	0%
County health services (county health facilities, and pharmacies; ambulance services; promotion of primary health care etc.)	43%	20%	37%	0%	0%
County public works and services e.g., water and sanitation services	38%	21%	39%	1%	0%
County planning and development e.g., statistics, land survey and mapping; boundaries and fencing etc.	37%	22%	35%	5%	1%
Implementation of specific national government policies on natural resources and environmental conservation e.g., soil	37%	25%	32%	5%	0%

County function	Satisfied	Neither satisfied nor dissatisfied	Dissatisfied	Don't know	RTA
and water conservation; forestry					
Control of pollution	35%	20%	41%	4%	0%
Cultural activities and public entertainment e.g., betting, cinemas etc.	35%	24%	33%	7%	1%
Firefighting services and disaster management	35%	22%	37%	6%	0%
Agriculture services (crop and animal husbandry; livestock sale yards; county abattoirs; plant and animal disease control; fisheries)	34%	27%	35%	5%	0%
Animal control and welfare e.g., licensing of dogs	31%	22%	36%	10%	1%
Ensuring and coordinating the participation of communities in governance at the local level	30%	23%	42%	5%	0%
Control of drugs and pornography	24%	19%	51%	6%	0%

## **PUBLIC PARTICIPATION AND BUDGET MAKING**

Public participation is an integral part of Kenya's devolved system of governance. Article one of the Kenya Constitution affirms that all sovereign power belongs to the people of Kenya laying critical importance on self-governance and the right of the people to participate in the exercise of the powers of the State and in making decisions affecting them.<sup>4</sup> While extensive work has been undertaken to lay the legislative and policy frameworks around public participation which is anchored in the Constitution of Kenya 2010,<sup>5</sup> effective participation has not been fully realized at either the national or county level.

In addition, the county governments face challenges in entrenching a culture of public participation in the managing of public affairs in their areas of jurisdiction. This is evident in works by The World Bank (2017)<sup>6</sup> as well as Lakin (2013).<sup>7</sup> In particular, the World Bank (2017) study in Makueni and West Pokot Counties single out pitfalls the two counties are grappling with as they implement public participatory budgeting processes. Lakin (2013) on the other hand identifies critical lessons that the

---

<sup>4</sup> The Futures Bulletin March 2015 Issue no 19, Institute for Economic Affairs.

<sup>5</sup> Article 10(2)(a) of the Constitution of Kenya, 2010.

<sup>6</sup> World Bank (2017). Inclusive and effective citizens engagement: Participatory budgeting in Makueni and West Pokot Counties, p. 1 – 2.

<sup>7</sup> Lakin, J. (2013). Toward public participation in the county budget process in Kenya: Principles and lessons from the former Local Authority Service Delivery Action Program (LASDAP).



then-nascent county governments could borrow from the former Local Authority Service Delivery Action Program (LASDAP). Further, the County Capacity Assessments by the Agile and Harmonized Assistance to Devolved Institutions (AHADI, 2016, 2017, 2018) show that the systems for public participation in the counties remain weak. This is especially so for “mechanisms to facilitate access to information”.

As the findings from the public perception survey show, a significant proportion of the citizens (85%) have limited awareness of public forums organized by their county governments which are open to all citizens in their areas. On this particular issue, only a paltry 15 percent alluded to being aware of such forums (Figure 11).

Figure 11: Thinking of a period of the last 12 months, are you aware of any public forum organized by your County Government which was open to all citizens in the area?

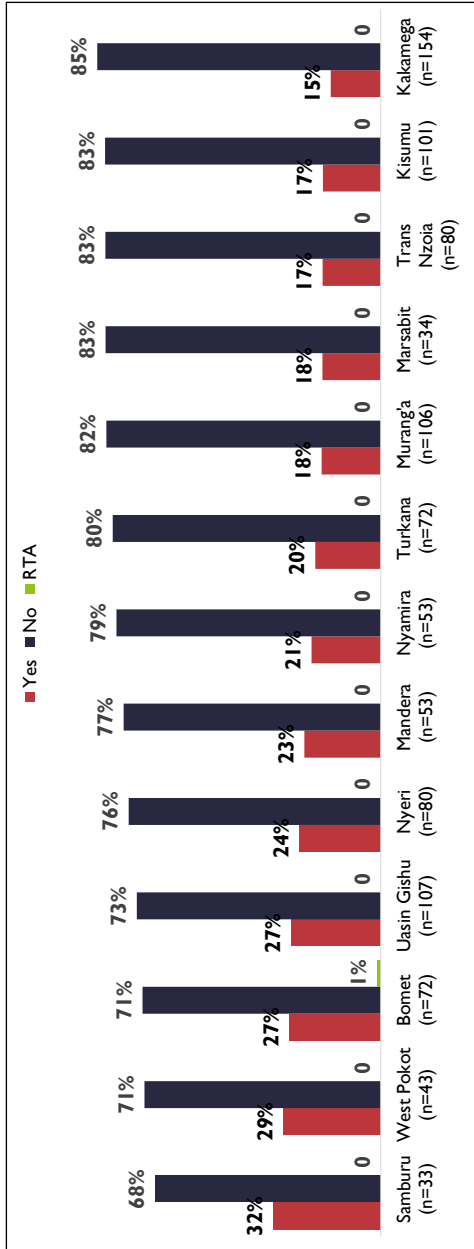
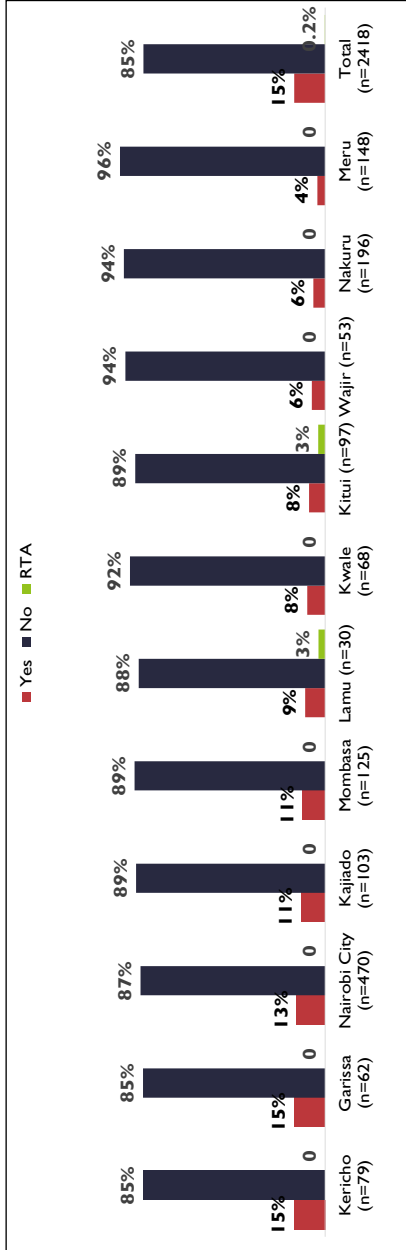
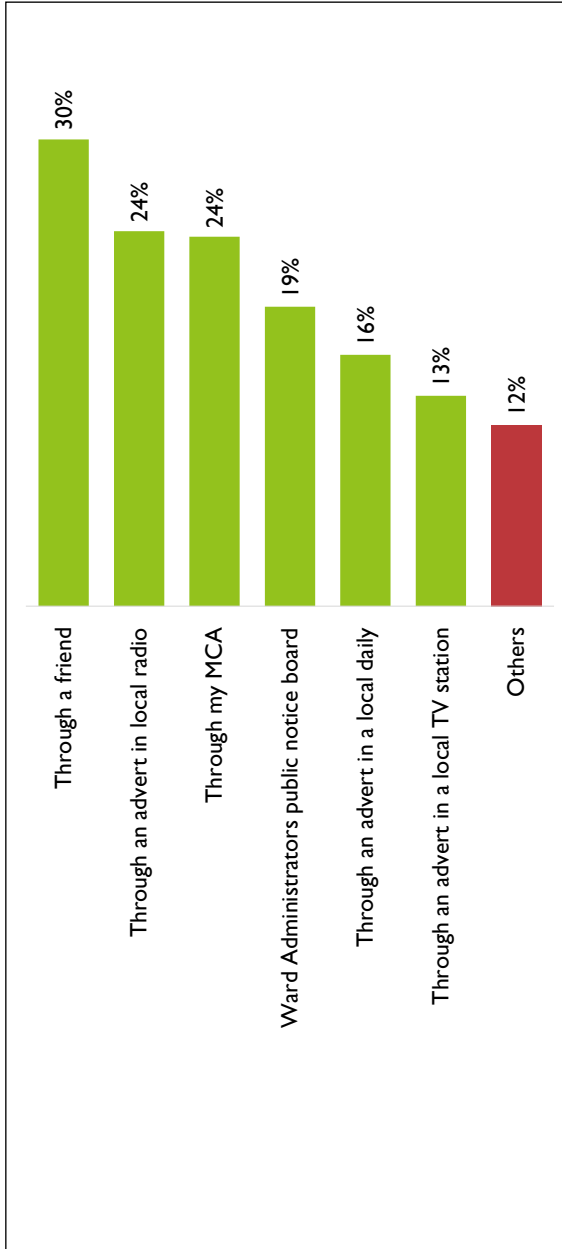


Figure 11 continued



Even for those that are aware of such forums, attendance is also relatively low. Survey data shows that 43 percent of the respondents had attended a public forum within a period of 12 months, preceding the survey, that was organized by their county government and which was open to all citizens in the area. Friends, adverts through local radio stations, and the MCA were the three main sources of information regarding public participation forums (Figure 12).

Figure 12: How did you get to know about the public participation forum?



Despite the primacy accorded to people's participation in the development process in the country, citizens feel that those in public office do not in practice adhere to this legal provision. As Figure 13 shows, the bulk of the respondents disagrees with the view that those in office solicits peoples' view on which projects to be supported in the county; and views on budgets for the county government. This raises questions on how county governments are actually implementing constitutional and legal provisions on public participation.

The public forums organized by counties focus largely on devolved sectors such as health services, agriculture services, and county public works (Figure 14). Critical services such as trade development and regulation and county planning do not feature prominently among those sectors where people are called upon to participate. This is in spite of the conflicts between citizens especially in the collection of counties' own source revenue that in part comes through payment of user fees and trade licenses.

Figure 13: Which of the following statements is closest to your view?

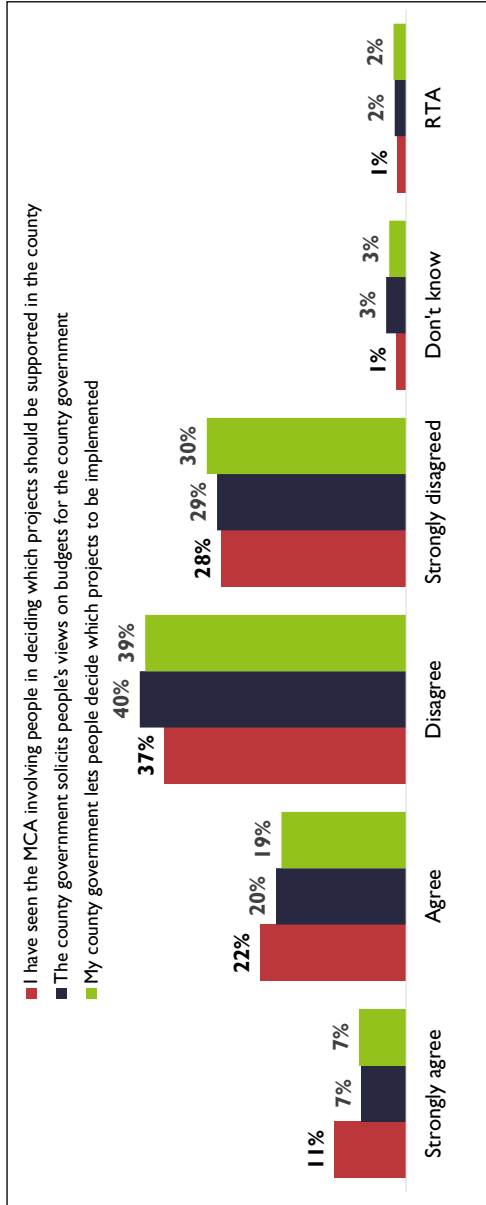
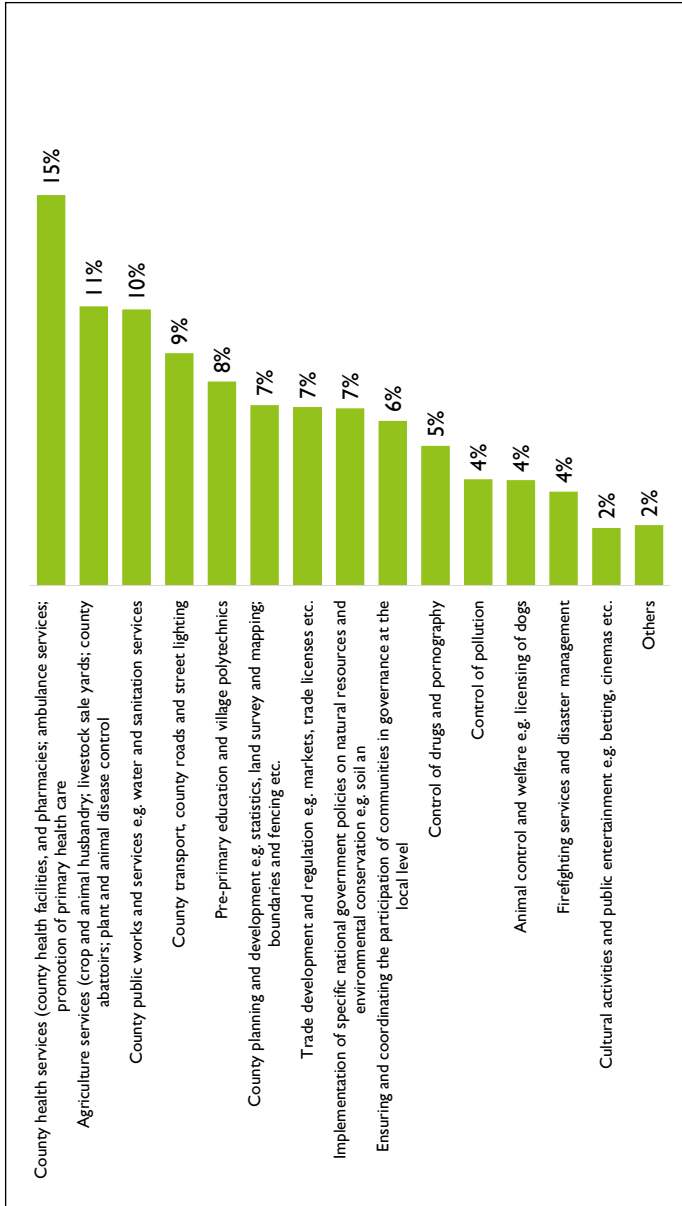


Figure 14: During those meetings, which development projects/issues were discussed?





For public members who have attended forums organized by their county governments, their overall assessment is positive on a number of parameters (Figure 15). For instance, a majority feel that the forums they attended were conducted in a language that the majority of the participants were familiar with (86%), while people were also given time to submit their contributions or raise their opinions. It is also noteworthy that the documents shared in the meeting were in a format and language that participants were conversant with. Concerns on public participation forums have been labelled around the technical language and format of the documents to be discussed in those meetings, and the late sharing of such documents with the meeting participants.

County governments have often cited the cost as a deterrent for involving the public in the decision-making processes in the county. This could in part be linked to the framing of the practice of public participation where participants in the meeting have a certain expectation of getting some reimbursements either in form of transport or other allowances. The effect is that those coming to a meeting organized by the county government have developed this expectation. This is indicative of a weak civic culture where people should feel obligated to voluntarily take part in informing decisions on matters that impact their community. It may be useful for counties to rethink their practice of public participation not only due to cost implications, but also building a culture of civic responsiveness on the part of the citizenry as they do when local Chiefs call for public meetings (see Figure 16). In addition, a significant proportion of the citizens feel that Chiefs take into consideration the opinion of the people in informing their decisions (Figure 17).

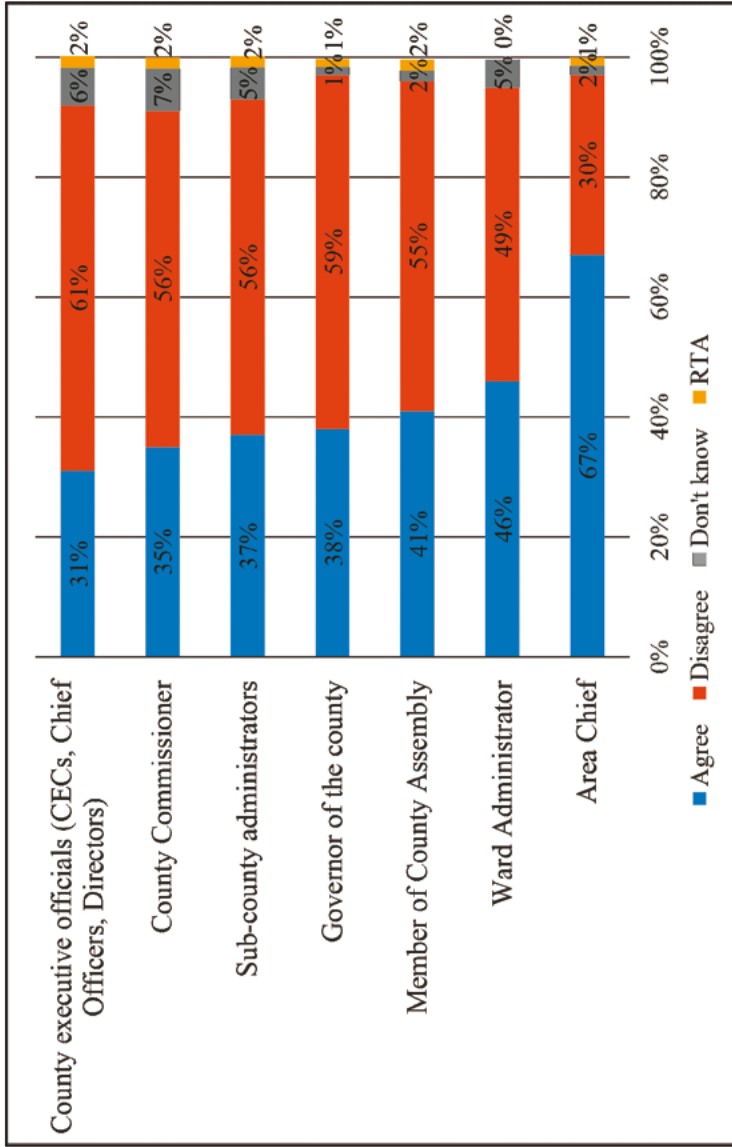
Figure 15: How would you rate the following issues

	Strongly agree	Agree	Disagree	Strongly disagreed	Don't know	RTA
The public participation forum was conducted in a language that majority of the participants could understand	50%	36%	8%	5%	-	-
During that meeting people were given time to submit their contributions or raise their opinions	37%	44%	12%	7%	-	1%
The documents discussed during that meeting were in a language that most of the public members could understand	29%	45%	17%	6%	2%	1%
The documents discussed during that meeting were in a format that most participants were comfortable with	24%	47%	17%	8%	2%	3%
The documents discussed in the meeting were shared well in advance for the public to read before the meeting	16%	46%	25%	12%	1%	1%

Figure 16: Comparison between public meeting attendance organized by the County governments, MCAs and Chiefs



Figure 17: How much do you agree that the following officials consider the opinions of ordinary Kenyans into account when making decisions on county development needs?



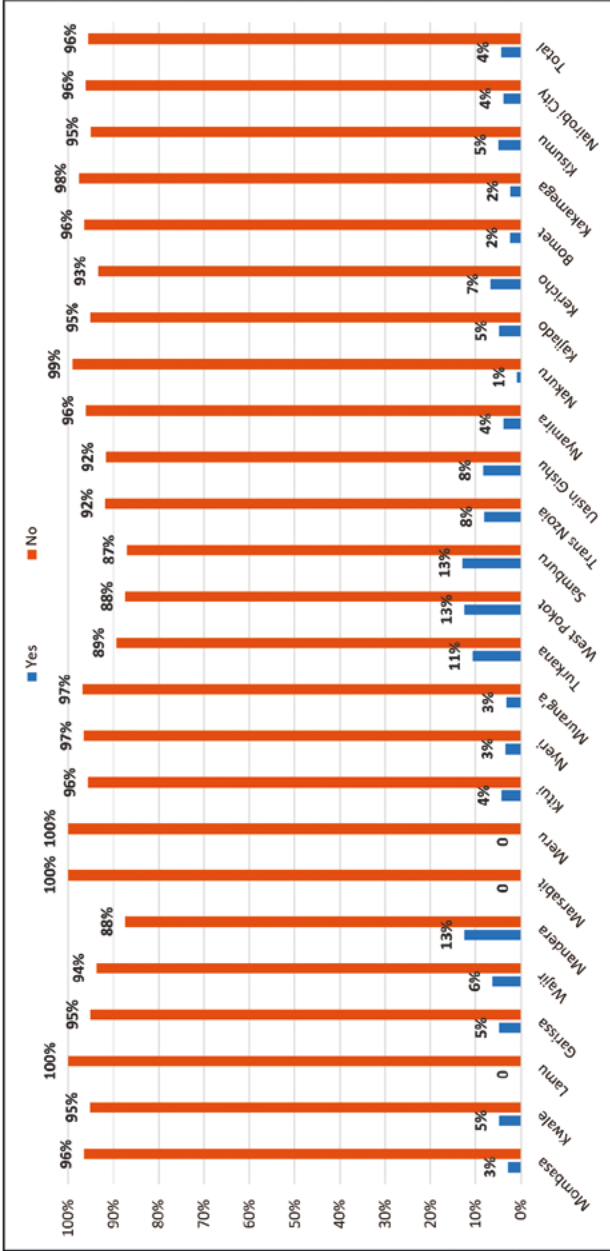
The public has a right to participate in the public finance matters of the Republic of Kenya including budget making as explicitly required through Article 221 of the Constitution of Kenya.<sup>8</sup> Through such a process members of the public can influence the mobilization, allocation and prudent utilization of public money both by the national and county governments. However, citizens' participation in the budgeting-making process in their counties is low. Survey data shows that only 4 percent of the respondents have ever participated in a county budget-making process (Figure 18). This however varies with the county with higher levels of involvement mentioned in Mandera, West Pokot and Marsabit counties.

---

<sup>8</sup> The National Assembly of Kenya, Role of the Public in the budget making process.

[http://www.parliament.go.ke/sites/default/files/201804/31\\_Role\\_of\\_the\\_Public\\_in\\_the\\_Budget\\_Process.pdf](http://www.parliament.go.ke/sites/default/files/201804/31_Role_of_the_Public_in_the_Budget_Process.pdf)

Figure 18: Have you ever participated in a county budget-making process?



The low level of involvement of citizens in the county budget-making processes is in part informed by their limited understanding of the budget-making process. Survey data shows that 68 percent of the respondents do not understand the county budget process (Table 4). There are also concerns about sharing with the public information on county development projects, and transparency in budget implementation.

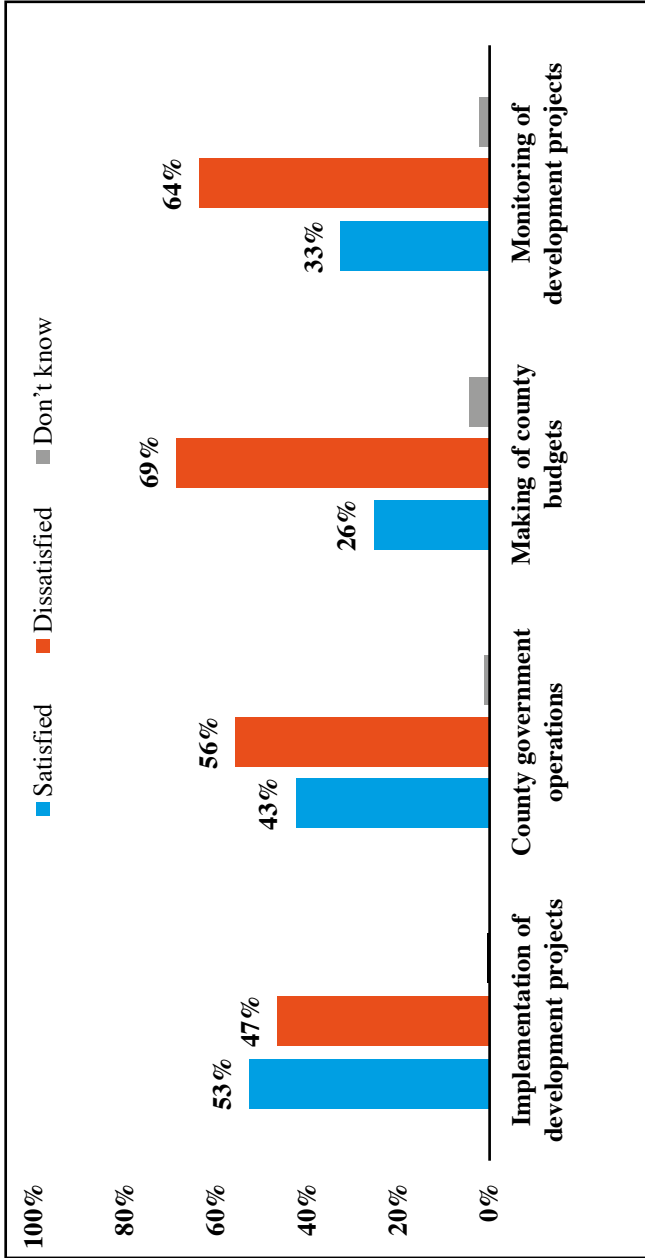
Citizens' satisfaction with the inclusion of their views by their county governments is mixed. Major inclusion gaps are notable in the 'making of county budgets' (69%) as well as in 'monitoring of development projects' (64%) (Figure 19). People's perception of the involvement of young people, women and persons living with disabilities is low. For instance, 29 percent of the respondents agree with the view that their county governments involve young people in decision-making, while the proportion is 32 percent and 33 percent for women and persons living with disabilities respectively.

Table 4: Do you agree or disagree with the following?

Issue	Agree	Disagree	Don't know	RTA
<b>I understand the county budget process</b>	24%	68%	5%	2%
<b>Citizens are involved in the identification of priority programmes and projects to be implemented by my county government</b>	25%	70%	3%	2%
<b>My county government openly shares information on development projects</b>	23%	70%	4%	2%
<b>My county government is transparent in budget implementation</b>	20%	72%	5%	2%
<b>Information on the county budget is available in a format that ordinary citizens understand</b>	21%	70%	6%	3%
<b>My county government publicizes all planning, budgeting and budget execution documents</b>	22%	69%	6%	2%
<b>My county assembly reviews the county budget effectively</b>	24%	65%	9%	2%



Figure 19: How satisfied are you with how the county government has included citizens views in?



## **ACCESS TO INFORMATION AND TRANSPARENCY**

Access to information by citizens on both private and public entities is one of the hallmarks of open governance, transparency and accountability. It is in view of this that the Constitution of Kenya is explicit on access to information. This is aptly captured in Article 35 of the Constitution of Kenya and further operationalized through Access to Information Act No. 31 of 2016. The Act, which took effect on September 21, 2016, gives citizens an opportunity to track what is going on within the government, exposing corruption and mismanagement. The 2010 Constitution provided new impetus for the place of access to information as a new tool for increasing openness and transparency in the conduct of public affairs by both the national and county governments.

Citizens need information on development initiatives to be undertaken by the two levels of government. Specific information could be on budgets, development plans, proposed legislation, and vetting of public officers among others. This information should be availed promptly and in a format that the public can consume. Regarding county governments, such information may be availed at various county departments, county officials, project notice boards, county information office, and county website among other channels.

However, as the survey data shows a significant proportion of the public has no knowledge of the existence of various county frameworks, strategies and systems for access to information (Figure 20). More

citizens are aware of access to information through various county departments, county officials, as well as a county office responsible for access to information. Public knowledge is however limited in regard to county digital platforms on complaints and grievances redress mechanisms, as well as county public participation office. Such capacity gaps on the part of the public limits their ability to claim their right access to information.

Citizens can also access public information through meetings with their leaders at both the national and county levels. As is the case with access to information, citizens find it difficult to access top leaders in their counties (e.g., Governor, County Commissioner, Senator, and other top county officials such as County Executive Committee Members (Figure 21). At the local level, citizens find it more difficult to access their Ward Administrator and Member of the County Assembly as compared to the area Chief.

Citizens' perception of the ease with which one can get access to various forms of public information from county governments varies partly with the kind of information being sought. As the survey data shows, the top three issues for which the citizens reported relative ease in getting access to information include: access to information on county projects (44%), access to information on county laws (44%) and getting feedback on matters of interest to oneself from the county government officials (42%). On the converse, getting access to county performance contracts; information on county audit reports; and access to county procurement documents are the top three issues for which the citizens feel it's not easy to get access to information (Figure 22).

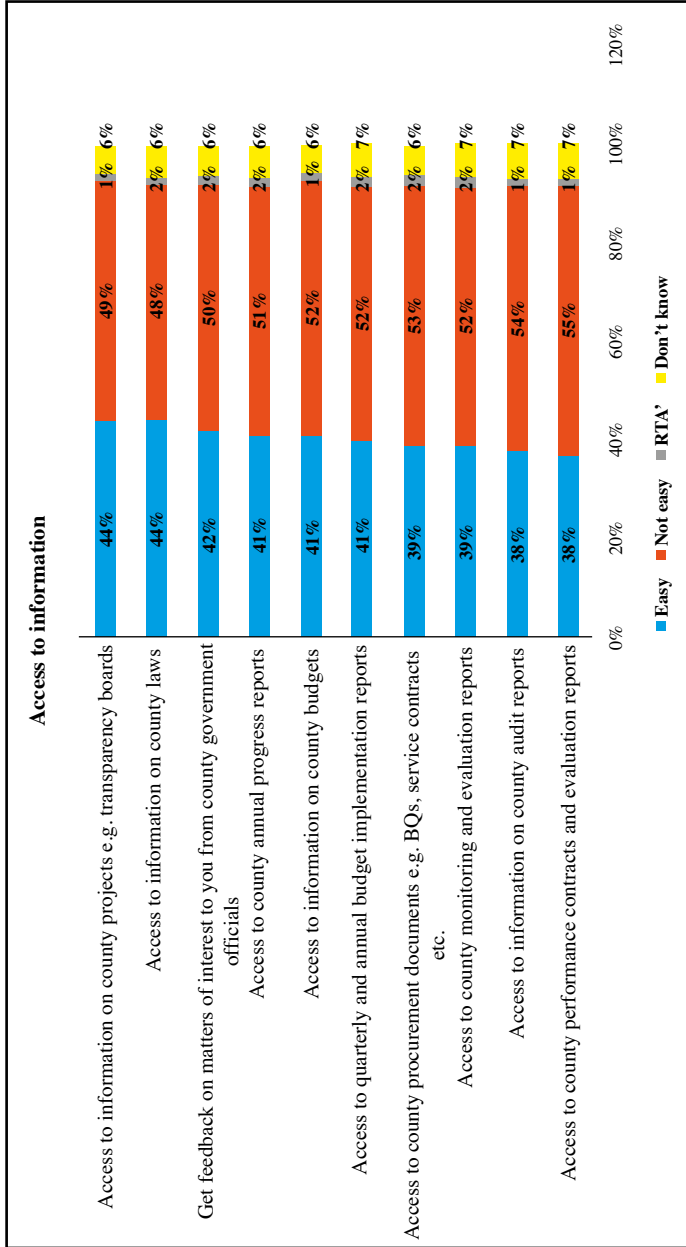
*Figure 20: Please confirm knowledge or existence of the following county frameworks, strategies, and systems for access to information*

	Yes	No	Don't know
Various county departments	49%	41%	10%
County official e.g. ward administrator	47%	42%	11%
Existence of county offices responsible for access to information	41%	51%	9%
Project notice board	40%	47%	13%
Existence of county offices for complaints and grievances redress mechanisms	37%	52%	11%
County website	36%	48%	16%
County public participation office	31%	56%	13%
Existence of county digital platforms on complaints and grievances redress mechanisms	29%	57%	14%

Figure 21: In your opinion how easy is it to do the following...Is it very easy, easy or not easy?

	Very easy	Easy	Somewhat easy	Not easy	Don't know	RTA
Meet the area Chief	48%	26%	12%	12%	1%	0.4%
Meet the Ward Administrator	21%	27%	21%	27%	3%	1%
Meet your MCA	18%	23%	24%	33%	2%	0.3%
Meet the Assistant County Commissioner	16%	22%	23%	34%	4%	1%
Meet Other top county government officials (e.g. CEC, Chief officer, Directors)	9%	16%	23%	47%	4%	1%
Meet Governor of your county	7%	11%	17%	63%	2%	0.5%
Meet the County Commissioner	7%	15%	23%	51%	4%	1%
Meet Senator	7%	11%	18%	60%	4%	1%

Figure 22: In your opinion, how easy is it to do the following... is it easy or not easy?



## POVERTY ANALYSIS

One of indicators of the impact of KDP interventions is percentage improvement on poverty index in target counties. In estimating the baseline for poverty index in the survey counties, the focus is on household expenditure. The calculations are on the basis of the established overall rural and urban poverty lines at Ksh. 3,252 and 5,995 per month per person (in adult equivalent terms) and include minimum provisions for both food and non-food expenditures (KNBS, 2018). In this regard, to generate one estimate for a poverty index from the KDP survey data, we get an average poverty line (Z) that was calculated as:

$$Z = \frac{3252 + 5995}{2} = 4623.50$$

Further, poverty estimates are calculated for individuals and not households. In this case, our survey considered responses from 2635 individuals and hence our sample size  $n = 2635$  in both rural and urban settings. The next task is to sort from our data all those individuals whose total household expenditures falls below the average poverty line  $Z = 4623.50$

To determine the Poverty Gap ( $G_i$ ) then the formula  $G_i = Z - y_i$  where  $y_i$  is the individual household per capita income. This formula further helped sort the individuals from 2635 to 944 who were considered in the calculation of the poverty index as they had positive poverty gaps. That is,  $G_i = Z - y_i > 0$  (was positive). This

then means using this data, we now calculate the Head Count Poverty Index (HPI) as follows:

$$HPI = \frac{N_p}{N} * 100$$

Where  $N_p$  is the number of poor based on their per capita incomes and N is the total population (or sample and in our case 2635). Hence,

$$HPI = \frac{944}{2635} * 100 = 35.83\%$$

This then leads to a conclusion that **35.8%** of people in the sampled counties live below the poverty line. This figure compares well with the overall national poverty headcount rate (proportion of poor individuals) that stands at 36.1% (KNBS, 2018:9)<sup>9</sup>.

---

<sup>9</sup> Kenya National Bureau of Statistics, 2018: Basic Report on Well-Being in Kenya.



## **CONCLUSION AND IMPLICATIONS FOR KDP**

Slightly over ten years of the implementation of the devolved system of governance in Kenya, the country has made considerable progress in putting people at the centre of the country's governance and development process. The findings of this survey suggest that citizens are conscious when service delivery improves and when they are engaged by their respective county governments in the decision-making process. The findings also point to areas where more work should be done to bridge the gap between the rights holders and the duty bearers in terms of rights and responsibilities and also help nurture a general citizenry that proactively engages in the country's development process and public decision-making.

The findings from the public perception survey also point to the need to not only build the capacity of the government institutions, but equally important, invest in enhancing the capacity of the people to actively play their role in the governance of the country. People need information on the provisions in the Constitution to enhance their functionality as they engage with the devolved units. People should also be availed of information in various tools and mechanisms through which they can engage with the devolved units e.g., public complaints and feedback mechanisms.

**PUBLISHED BY:**



**KENYA  
DEVOLUTION  
PROGRAMME**  
Timiza Ugatuzi  
2021-2025