

THE VOICES FOR CHANGE PARTNERSHIP (V4CP) PROGRAMME/ CENTRE FOR MINORITY RIGHTS
DEVELOPMENT (CEMIRIDE)

FINAL RESEARCH REPORT: SOCIAL AUDIT KAJIADO COUNTY

Presented by,

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Foreword

Public participation is strongly emphasised across the country and is enshrined among the key principles in the Constitution of Kenya 2010. Through the Kajiado County Public Participation Act 2014, Kajiado County has defined its processes and frameworks for enabling meaningful public participation. It sets out the creation of the public participation department and establishes standards. These are followed consistently with the county conducting 2 to 3 public participation meetings per ward every year.

The county typically consults in two phases: the budgeting process and the CIDP. While the CIDP process outlines the county agenda for a longer period of time (5years), the budget making process outlines activities to be undertaken in the current financial year. Information on scheduled activities is published in daily newspapers as well as through county offices distributed in sub-counties. Elected officials are also encouraged to invite participants reachable to them. The meetings take the form of discussions with participants allowed to make short speeches to highlight their proposals. There is neither voting nor way to determine the extent to which each idea is supported. The county officials therefore play a critical role in prioritisation of competing proposals.

Public participation presents citizens with the opportunity to inform the government on their challenges and suggest how these can be overcome. Among the main challenges faced by the pastoralist communities in the face of a changing climate are diminishing quantity and quality of pastures as well as lack of a financial insurance scheme for cushioning against sharp price reductions during dry seasons. Also a challenge is the inadequacy of water supply, disease outbreaks, and competition for diminishing pastures with wildlife. An effective public participation system in which these concerns are brought forth and adopted in the county budgeting processes is expected to enable the county government be more effective in enabling the pastoralists to cope with climate change, hence better resilience.

This social audit process has evaluated the public participation approach by Kajiado County within the context of supporting or enabling climate change resilience and has pointed out its strengths and weaknesses. It has also proposed improvements needed to ensure that future public participation in the county is more meaningful.

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Acknowledgements

This social audit process benefited immensely from the contribution and participation of CEMIRIDE Ag. Chief Executive Officer, Mr. Nyang'ori Ohenjo. Through mobilisation and insights, sampling was effective, enabling the consultant to identify and involve the appropriate sources of information. Members of the provincial administration (chiefs) in the respective areas Kiserian, Kajiado and Loitokitok were helpful in organising for venues.

Special thanks to Kajiado County government officials, especially in the public participation department and livestock department. The county assembly officials in relevant committees including planning and agriculture/livestock were also helpful in not only providing invaluable information but also facilitating the research processes.

Finally, I salute all who participated in this social audit process. Attendance was impressive and contributions were candid and detailed. This made it possible to deliver on the research objectives and impart of relevant skills through the training exercise.

Christopher Juma

Lead Consultant

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Executive Summary

The scorecard on public participation by Kajiado County was derived at 51.91%. This can be translated as an average score. Satisfaction was highest with the forum distribution and accessibility of public participation venues. This was scored at 90%. In spite of the high score on this dimension, it was noted that some residents still find it difficult to access the venues. This is especially the case for expansive wards with residents at the far end of such wards often having to incur considerable transportation costs to join in the public participation forums. Other high scoring elements of public participation in Kajiado County included:

- ✓ Room for balanced participation – 74%
- ✓ Clarity of information on public participation – 72%
- ✓ Education on importance of public participation – 70%

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The county's public participation programme was determined to be weakest in the following dimensions.

- Diversity in forms of public participation including use of online forums – 24%
- Commitment to consult the public before major decisions by government – 26%
- Implementation of government programmes based on the outcome of public participation forums – 28%

On support rendered to pastoralists to enable them cope with climate change, the overall score by Kajiado County was determined at 36.44%. This was an overall low score, signifying that the pastoral communities generally feel that their plight in times of drought does not receive sufficient attention by the county government. This is in spite of these challenges being discussed at length during public participation sessions. The lowest score was with reference to the following:

- Financial support for livestock insurance and credit – 22%
- Improved weather forecasting and information dissemination to pastoralists – 23%
- Veterinary support – 24%

The main recommendations for improved public participation are as follows:

General recommendations

- Involve the public in agenda setting prior to the main consultation meetings as opposed to inviting them to discuss a predetermine agenda
- Clarify planning and prioritisation purposes for understanding on how the ideas generated are evaluated and possibly implemented
- Introduce feedback sessions in which residents can be informed on the fate of the public participation deliberations with reference to timeline of implementation of different projects
- Exploit modern technology including the internet and mobile devices for ease of communication and consultation; Radio Maa should also be adopted as a forum for communication due to its wide reach within the county

Future role of NGOs and CSOs

NGOs and CSOs concerned with the welfare of pastoral communities, led by CEMIRIDE, need to form a **Network for Effective Public Participation (NEPP)** in Kajiado County. NEPP ought to comprise of NGOs and CSOs with a presence in wards where pastoralism is practiced. The total number of NEPP

members should range between 20 and 30 organisations. With a strong presence across the county, the network would have the resources (financial and social) to lobby for the implementation of proposals made by Kajiado County residents. They would also be more effective in agenda setting and policy prioritisation, after consulting both government and the public; informing the public on what is pragmatic under the prevailing circumstances and lobbying government to better prepare for future interventions.

Sustainability of performance evaluation

On performance evaluation, this report recommends that the 20 trained champions be constituted into a performance assessment team that would be responsible for annual performance review. An expanded team would ensure a larger number of participants are involved in the performance assessment and this would inform the validity and reliability of the ratings. Willing donors will be invited to sponsor these annual activities.

1.0 Introduction

1.1. About the Centre for Minority Rights Development (CEMIRIDE).

CEMIRIDE is a non-profit advocacy organisation established in 2001 to strengthen the capacity of minorities and indigenous peoples (pastoralists, hunter-gatherers and fisher peoples) to advocate for and attain their economic, social, political and cultural rights in Kenya. This is achieved through strategic lobbying and advocacy, public interest litigation, capacity building and mobilization, research and information dissemination, as well as strategic partnerships and networking at the national, regional and international levels.

1.2 The Voices for Change Partnership (V4CP) Programme

The “Voices for Change Partnership (V4CP) Programme”, is funded by the Dutch Ministry of Foreign Affairs (DGIS), through Netherlands Development Organisation (SNV). The programme seeks to empower CSOs to engage with decision-makers, and those responsible for implementing decisions, by providing sound arguments and a solid evidence base, backing the proposed changes in their country. As a result, they speak with a greater voice about policy design and implementation and better provision of services, both in the public and private sector. The Resilience Thematic Group of the programme, of which The Centre for Minority Rights Development (CEMIRIDE) is part, aims to amplify the voice of pastoralists in decision making policies, legislation and regulations related to the communities’ resilience to climate change. It further seeks to ensure the establishment and strengthening of existing institutions for climate change resilience so as to promote pastoralists’ initiatives, proposals and recommendations.

1.3 Purpose of the Study

The study intended to develop and use a participation and inclusion framework, through social audit, for pastoralist community climate change champions, with a view to identifying opportunities for better engagement of pastoralists in climate related initiatives at the counties.

1.4 Objectives of Study

The specific objectives of the research were to:

- i. Review the integration of climate change priorities within the budgeting process, including as part of the budget planning, implementation, expenditure management and financing;
- ii. Establish the extent and impact of engagement of pastoralists in formulation and implementation of climate change related policies, strategies and plans in the budget planning, implementation, expenditure management and financing processes; and
- iii. Recommend a comprehensive participation and inclusion framework for pastoralists’ Climate Change Champions to engage in the design, implementation and evaluation of climate change related initiatives in Kajiado County.

1.5 Activity rationale

Kajiado County, being dominated by pastoralism is prone to climate change impacts. Specifically, extreme weather conditions, evident through the steady increase in the severity of drought, and floods, increases the vulnerability of the pastoralist communities. This adversely affects their livelihoods over time. Against this reality, their ability to engage

government and influence policy and resource allocation to address their concerns is the focus of this social audit.

2.0 Research Methodology & Limitations

2.1 Methodology overview

Data was gathered using two methods: key informant interviews [\(KII\)](#) and focus group [discussions \(FGDs\)](#). The methodology adopted throughout the process of the study was participatory and consultative and drew upon views and perspectives of key stakeholders in the response, field visits and review of relevant documents. Specifically, the study was structured as follows:

- Team consultation and preliminary meeting – The team met with the CEMIRIDE/ V4CP and implementing partners to gain further understanding and expectations of the consultancy.
- Review of climate change and governance policies and interviews with relevant stakeholders in the target area; County government documents including CIDPs; pastoralism and climate change related legislations; and any other related reports and documents
- Field visits in Kajiado county for interviews with stakeholders at county levels; sector partners' particularly non state actors with mandate on climate related issues - in the context of the specific objectives
- Focus group discussions in three parts of Kajiado County including Kiserian, Loitokitok and Kajiado

2.2 Field visits and data collection

Key informant interviews were conducted on specific sources believed to have detailed information on the issues relevant to this process. They included:

- Representatives of targeted state and non-state actors including the CBOs, FBOs, NGOs among others;
- Relevant county government officials from the line Ministries and government institutions;
- Knowledgeable individuals such as community-leaders, members of different CBOs, women network among others.

A total of 10 key informant interviews were conducted. The focus group discussions we conducted as discussions, but also designed to complete the citizen report card generated (attached in the annexes).

Three focus groups were conducted in regions dominated by pastoralists including Kiserian, Loitokitok and Kajiado. Each focus group contained 7-10 participants drawn from the communities. The selection of participants was purposive with an emphasis on opinion leaders and members of CSOs that were expected to have detailed information on the approaches taken by the county in public participation and climate change mitigation.

Training of champions was conducted to impart knowledge on social audit and the generation of performance scores not just in public participation but in other aspects of performance by the government. The scorecard presented in chapter four of this report was developed during the session under the guidance of the lead consultant.

2.3 Data analysis

The generation of scores from the questionnaires was through quantitative analysis. This entailed generating measures of central tendencies, converting statistics into percentages where appropriate, and generation of weights for purposes of generating the final score.

Other forms of data were analysed qualitatively including feedback from key informant interviews and discussions that accompanied report card completion during the focus group discussions. The findings are therefore reflective of findings made through alternative data collection approaches.

2.4 Limitations

Time was the biggest limitation. This study was conducted within less than one month. Due to this, many would be stakeholders to the process were not included, particularly relevant Voice for Change implementing partners, as well as SNV. For future activities it would be important that enough time be allocated for a more diverse representation in the stakeholder group. The other limitation was the budget, especially relating to logistics support, limiting the reach for the study, in terms of number of people reached and areas visited, especially given the vastness of the target county. The scope of the research was limited. In a future research, it would be advisable to compare views between different population segments in the county with a view to determining where there is equity in prioritisation and distribution of resources by the county government.

3.0 Literature Review

Past studies underscore the use of social audits and public participation as tools for increased accountability by governments. While public participation enables the governments to extract information on changing priorities of the populations, social audits present a platform for the citizens to evaluate the performance of such governments. They present an opportunity for self-evaluation and possible improvement. Also covered in this section is the issue of climate change and its potential impact on pastoralist communities as drawn from Kajiado and other counties across Kenya as well as the region. These provide a basis for understanding the climate change challenges faced by Kajiado County residents. The main considerations made in these concepts are discussed in the sections below.

3.1 Social audit: significance and framework

The growing emphasis of social audit is informed by increasing demand for governments to be more accountable in their decision making processes and use of resourcesⁱ. Citizens are becoming more vocal and assertive in seeking to monitor government activities, and are concerned about the quality of service delivery by government. On the other hand, governments are actively embracing the concept of performance evaluation and are keener than before to involve the citizens to provide feedback on their performanceⁱⁱ. Within this context, CSOs are steadily gaining the capacity to support communities to engage government to evaluate their prioritisation and actual performance. As a result, social audit has become an important tool for ensuring not only evaluating performance but also for legitimation of government programmes.

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Social audit is a form of citizen participation which, unlike consultations to identify community priorities, focuses on accountability. The social audit process is about evaluating the performance of the government in identified spheres. However, it is unlike financial audits which provide explicit findings based on data. Social audit dwells strongly on perceptions and the extent to which the expectations of the citizens have been met. This essentially means that a government with a lower performance in terms of actual output in a financial audit could score higher in a social audit than a better performing government financially, where the citizens in the case of the former situation have had their expectations effectively managed. This, therefore, underscores the need for government to continuously engage the citizenry and making issues of resource availability and other possible constraints known to them. This is the epitome of participatory governance in which the citizens are consistently aware of what and how their governments are doing.

One of the tools that have been used for effective social audits is the citizen report card. These report cards enable the citizens to put a score on the performance of governments on various aspects of service delivery. The report cards provide an opportunity for collecting qualitative as well as quantitative information that is then used to determine how the performance of a government is perceived. In many cases, this results in an absolute score than provides a basis for subsequent evaluation where subsequent evaluations can be used to determine whether there is an improvement in the performance of such a government. This tool has been exploited in this research as is elaborated later in this report.

3.2 Public participation: practices and standards

Unlike the social audit which restricts citizen participation to accountability and performance evaluation, public participation is more general in its consultative approachⁱⁱⁱ. It focuses on drawing views from citizens on impending priorities and government activities. It seeks to enable citizens to shape the agenda of government by identifying and prioritising needs. This provides a framework that would guide the government or its agencies on allocation of resources. It also helps to legitimise the existence of government as well as its activities. Public participation results in the generation of a social contract. Upon soliciting of views from the citizens, a social contract is created in which the government is expected to perform in accordance with the feedback provided. This results in a situation in which public participation shapes expectations and forms a basis for performance evaluation for the government. But in many cases, the extent to which public participation is binding tends to be in question.

In Kenya, The Constitution of Kenya 2010 outlines public participation as a fundamental principle for legislation and policy making^{iv}. This was underscored in a High Court judgement in which the Machakos County Assembly had sought to alter the standing orders on the procedures for the removal of governors and county executive committee members. In declaring the Act unconstitutional in January 2019, the presiding judge ruled that the matter involved issues of public interest and it was mandatory that opportunities for public participation be provided before further action. Even though there is no precedence in Kenya of government policies being halted due to lack of public participation, the legal developments have provided the moral pressure needed to ensure that the public is involved in setting county agendas.

In Kajiado County, the Kajiado County Public Participation Bill 2014 guides the processes and outlines the requirement that public participation forums be set at the sub-county level^v. The bill outlines certain principles including the need to ensure there is clarity on timeframe and nature of people to be involved. There is also the requirement that the county executive in charge should ensure that there is fair and equal access to the public participation venues. Also among the guidelines is the requirement to ensure that there is no dishonesty, misrepresentation or discrimination. The county has subsequently created a department for public participation which coordinates with county employees and elected leaders to ensure that there are regular public participation forums across the county. The forums mainly target two policy formation cycles: the budgeting cycles and the generation of the County Integrated Development Plan which outlines the development agenda for the county for five years.

In evaluating the effectiveness of public participation, a number of elements need to be considered. The first element is clarity of information with the requirement being that the subject of discussion be made clear^{vi}. The issues need to be simplified to make it easy for participants to grasp. It may also be advisable to set out the agendas for public participation ahead of the meetings. This would help in ensuring that participants are well prepared and can make meaningful contributions into the debates. Clarity of structure and process also needs to be presented with members of the public being aware of what the consultation forums would be like and the form their participation would take. Also important in terms of structure is a clear understanding of how the contributions in the public participation forums are to be translated into decisions at the government level. This is important for motivating participation.

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Opportunities for balanced influence should be provided to limit domination by a section of the society. This is important for purposes of capturing important views from across the area of jurisdiction. This element is closely associated to that of inclusiveness and effective representation. The latter refers to the need to ensure that all important stakeholders are represented. Efforts should therefore be made to ensure that public participation forums are inclusive and that participation is reflective of the various groups and stakeholders within the area of jurisdiction. This safeguards the public participation from being biased towards few sections and losing legitimacy as forums for agenda setting for government.

The capacity to engage refers to the enabling infrastructure for public participation. This needs to be established to guarantee effectiveness and consistency. In Kajiado, the department of public participation oversees public participation with a team of trained employees working with elected officials to ensure public participation is meaningful^{vii}. Insights on whether this has had the desired impact are discussed in latter sections of this report. Transparency and integrity are important elements of effective public participation. Integrity refers to absence of manipulation where there is a genuine commitment to obtain feedback from the participants. This would be contrary to a manipulative approach in which public participation is skewed towards endorsing what the government has already decided to implement. In addition to these elements, it is very important that those conducting public participation sessions have a good understanding of the participants.

The main elements mentioned in this section were adopted in generating a public participation scorecard used to gauge Kajiado County's effectiveness in public participation as presented later in this report.

3.3 Coping with climate change: Government policies and initiatives, Kajiado County

Pastoralism is the main economic activity in Kajiado and accounts for 60% of the county's GDP^{viii}. Average annual milk production per year is 912,721 litres, beef production is 6639 tonnes, mutton production is 642, 750 kgs, chevon production is 536,505, poultry production is 345,600 and egg production is 1,440,000 trays^{ix}. The predominant lifestyle in the county is pastoralism hence the focus on the county's climate mitigation and adaptation plans in this sector. Pastoralists predominantly depend on rainfall for pasture and practice a nomadic lifestyle, traditionally moving with their livestock to find pasture and water in between dry and wet seasons. Through its own initiative and in collaboration with non-state actors, Kajiado County has been able to establish water points in different parts of the county. These help to provide water for livestock and domestic use. However, the pastoralists still depend on rainfall for pasture and are forced to move periodically with their livestock in search of this resource.

The changing climatic conditions have been responsible for significant reduction in wet spells across Kajiado County and this has reduced the amount of pastures available to the pastoralists. Their vulnerability has also been increased by the collapse of the group land ownership with organised ranches reducing from 56 to 10 in the past 10years^x. The absence of shared land resources makes it difficult for pastoralists to effectively manage the diminishing pasturelands which would in the past be organised effectively to sustain livestock during dry periods. The county is currently implementing

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a programme for training 30 ranch workers on effective management of the shared resources for the remaining group ranches. However, little progress has been made to bring together pastoralists to increase the ranches across the county.

An additional impact of climate change and the gradual drying of the county is increased human-wildlife conflict. Where pastoralists manage to set up pasture paddocks for use when need arises, the herbivorous wildlife breaks out of the parks and reserves to consume the pasture. In a typical scenario where pastures could last 4 months, the shared consumption with wildlife reduces this to less than a month^{xi}. This puts a strain on the ability of the pastoralists to cope with climate change. Apart from consumption of pastures, the wildlife may carry with them diseases which affect livestock and this leads to significant loss of livestock or at the very least, considerable expenses in restoring the livestock to good health. There has subsequently been rising tension between residents and the agencies responsible for protecting wildlife; a matter that is yet to be fully resolved.

Efforts to empower pastoralists to pursue alternative income sources have been made by the county government with vocational training institutes being operated across the county^{xii}. Kajiado County has five operational polytechnics (Olekasasi in Kajiado North; Isinya in Kajiado East; Oltiasika and Namelok in Kajiado South; and Entasopia) in Kajiado West. These focus on imparting practical skills especially targeting the young people who would then secure alternative employment opportunities and ease the level of dependence on pastoralism. In addition, there have been efforts to empower the community to embrace agriculture in sections of the county with reasonable rainfall levels.

Some of the initiatives planned for implementation in the current financial year 2018/2019 include^{xiii}:

1. Dairy project- Purchase of heifers, equipment and construction at Kshs.26M
2. Hay Production Project at Kshs.96M
3. School Shamba System at Kshs.40M for effective resource sharing
4. Isinya Tannery totaling Kshs.15M

Nevertheless, additional measures may be recommended based on practices across the region. These may include operationalizing insurance plans to cushion pastoralists against price falls during droughts, effective market information sharing systems, establishing meat processing plants to boost demand, and rolling out free veterinary services, especially during outbreaks. Additional insights on the performance of the county government and additional recommendations are as contained in the social audit section in latter sections of this report.

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4.0 Social Audit Report

The social audit activities included use of key informant interviews, focus groups to administer the scorecard tool and training of champions. Key informant interviews provided information in depth regarding the issues relevant to the social audit.

The focus groups were used to obtain quantitative and qualitative data to complete the citizen report card. Administering of the scorecard tool obtained information on the performance of the county government in two aspects:

1. Public participation
2. Climate change mitigation

The results from the key informant interviews and focus groups are contained in the results and recommendation sections of this report.

The training of champions sought to impart skills in three key areas: effective social audit, framework for effective/efficient public participation and generation of scorecard results from feedback obtained from focus groups.

4.1 Training activity and outcomes

The training was conducted on 20 participants from across the county. These included selected members of the county assembly, county government employees, national government employees with a local presence, opinion leaders, and members of CSO. The list of participants is attached in the annexes.

The training exercise was conducted in Kajiado town on Friday 6th December 2019. The training was divided into 3 sessions including a morning session (8.30am-10am), a mid morning session (10.30am-12.30pm), and the afternoon session (2pm-3.30pm). The mode of delivery was discussion and lecture, the trainer acting as a contributor, moderator, and lecturer where appropriate. Pictorial captions of sections of the training sessions are in the annex section of this report.

The schedule was as displayed in the table below. The slides used for the training are contained in the annex section of this report.

Session	Time	Content
morning session	8.30am-10am	Social audit Principles and best practice
late morning session	10.30am-12.30pm	Public participation Recommended best practice
afternoon session	2pm-3.30pm	Review of findings of social audit research Scorecard generation Recommending improvements on public participation and government initiatives for enabling pastoralists cope with climate change

The outcomes of the training were as follows:

1. Demonstrable understanding of the concept of social audit, its significance, and application in Kajiado County.

The participants were able to contextualise best practices and demonstrate how social audit can be conducted effectively within the county, essentially making recommendations for improvement in the social audit approach adopted for this exercise.

2. Improved clarity on the framework adopted for public participation in Kajiado County was realised.

The participants, drawing from recommended best practices, were able to point out areas of improvement in the County's public participation approach. These recommendations were incorporated in the appropriate section of this report.

3. A scorecard for both public participation and government performance in climate change related initiatives was developed jointly with the participants.

The database derived from the citizen scorecards was shared and a demonstration done on how to derive scores. This joint participation entrenched an understanding and this was demonstrable from the feedback presented by the participants.

Details on the deriving of scores were as contained in the section below. The results have also been analysed as appropriate.

4.2 Results and analysis

4.2.1 Public participation scorecard

From the key informant interviews, Kajiado County was determined to take public participation seriously and has set up a full department to guide county officials and employees in effective public participation. The department not only designs the processes but also keeps record of deliberations. These are then forwarded to the relevant departments within the county government for consideration and prioritisation. But the role of the department stops at the information sharing stage. It has no mandate to follow up to ensure that suggestions shared are implemented.

Public participation cycles are consistent and tend to be held at the ward level. This distribution makes it easy to ensure that all residents of a county are incorporated. In some cases such as in the cosmopolitan wards, residents are divided into groups in view of their priorities being likely to be different. Such a scenario was established to be practiced in Kiserian in which the interests of the town residents are bound to be significantly different from those of the pastoralists. About three meetings are held each year. These conform to the budgeting process as well as the general of the CIDP.

However, it was established that certain aspects of public participation are yet to be streamlined. For instance, when suggested projects do not fall within the resource scope of the county for a particular year, there is no established mechanism for communicating the limitation to the public. This potentially leads to misconception by members of the public who may perceive the county government as being oblivious of their needs and interests. Such weaknesses were also cited in the scorecard process discussed below.

The scorecard on public participation by Kajiado County was derived at 51.91%. This can be translated as an average score. Satisfaction was highest with the forum distribution and accessibility of public

participation venues. This was scored at 90%. But in spite of the high score on this dimension, it was noted that some residents still find it difficult to access the venues. This is especially the case for expansive wards with residents at the far end of such wards often having to incur considerable transportation costs to join in the public participation forums. Other high scoring elements of public participation in Kajiado County included:

- ✓ Room for balanced participation – 74%
- ✓ Clarity of information on public participation – 72%
- ✓ Education on importance of public participation – 70%

The detailed results are as displayed below.

	Individual Element Score	Adopted weight	Adjusted Score	Overall score
2.1 There is clear information on public participation and procedures for decision making	72.00%	0.1057692	0.07615385	51.91%
2.2 There is diversity in forms of public participation including use of online forums	24.00%	0.0673077	0.01615385	
2.3 The public is effectively educated on public participation and its importance in decision making	70.00%	0.0625	0.04375	
2.4 Information on subject of public participation is clearly defined before public participation meetings	42.00%	0.0865385	0.03634615	
2.5 Major decisions by government are only made after public participation in decision making	26.00%	0.0528846	0.01375	
2.6 The decision making structure and process is clear	44.00%	0.0913462	0.04019231	
2.7 Public participation forums are well distributed and can be accessed with ease (distance to forum venue is reasonable)	90.00%	0.0817308	0.07355769	
2.8 Public participation forums provide room for balanced influence (opinions are shared not from a select interest group)	74.00%	0.0576923	0.04269231	
2.9 Participation in public participation is unrestricted and open to all residents	56.00%	0.0769231	0.04307692	
2.10 Information on county planning and prioritisation structure is readily accessible	44.00%	0.0480769	0.02115385	
2.11 There is a genuine commitment to ensure that recommendations from public participation processes are implemented	36.00%	0.1009615	0.03634615	
2.12 There is no manipulation of the outcome of public participation forums	58.00%	0.0961538	0.05576923	
2.13 There is transparency in monitoring translation of suggestions in public participation forums into government strategies and plans	28.00%	0.0721154	0.02019231	

The county's public participation programme was determined to be weakest in the following dimensions.

- Diversity in forms of public participation including use of online forums – 24%
- Commitment to consult the public before major decisions by government – 26%

- Implementation of government programmes based on the outcome of public participation forums – 28%

Further findings indicated a general laxity by residents in attending public participation forums. This was explained as being associated with apparent failure by the government to implement recommendations generated in these forums. One participant described the forums as “mahali ya kuongea tu” (a place for idle talk); a sentiment that appeared to resonate with other participants in the focus groups. Also noted to be absent was mechanisms for following up with government to ensure suggested initiatives are implemented. The residents depend on their elected representatives who may apparently opt to support projects not hitherto generated through the forums. A participant explained this as follows:

“MCA ndiye anafuatilia na saa ingine akienda huko juu anabadilisha anaweka vitu yake. Ile yetu tumesema inatupwa nje” (The MCA ‘elected member of county assembly’ is the one that does follow up and sometimes will opt to disregard what has been discussed with the public and push for implementation of his/her own projects).

Such sentiments are expected to discourage participation as county residents may fail to appreciate the importance of public participation.

On diversity of information on upcoming consultations, it was noted that the county appears to favour use of newspapers. According to the participants, few residents obtain their news from newspapers. Instead, local radio stations such as Radio Maa and Nossim were suggested as likely to be more effective. The failure by government to consult the public before major decisions was also noted. An example was a recent altercation in which residents of Eldamat had come out to strongly oppose the setting up of a dumpsite in their location. No public participation forum had been set up to discuss this development and there were concerns that such a dumpsite would adversely affect human and livestock health.

Also notable was the need for information on the forum agenda to be distributed beforehand. It was noted that the common practice was for people to be invited without a clear outline of the issues to be discussed. This means that they attend the forums without the benefit of critical thought on the matters. It inhibits the value of their contribution, granting more voice to the few that may have been privy to the issues. This could limit the requirement for balanced influence. Related to this is the question of manipulation. Though not prevalent, it was noted that there were incidents in which forum organisers would seek to influence debate to arrive at a predetermined conclusion. In addition, there is a fundamental flaw in a process in which agenda setting is almost exclusively done by the forum organisers. This creates possible doubts on the extent to which the public participation forums are geared towards what is important to the residents.

4.2.2 Policies and initiatives for coping with climate change

On support rendered to pastoralists to cope with climate change, the overall score by Kajiado County was determined at 36.44%. This was an overall low score, signifying that the pastoral communities generally feel that their plight in times of drought does not receive sufficient attention by the county government. The lowest score was with reference to the following:

- Financial support for livestock insurance and credit – 22%
- Improved weather forecasting and information dissemination to pastoralists – 23%

- Veterinary support – 24%

On the other hand, the higher ranked elements were as follows:

- ✓ Education to facilitate career diversification – 70%
- ✓ Facilitate establishment of social networks for resource pooling and sharing – 54%
- ✓ Establishment of water points – 50%

The detailed report card is as below:

	Individual Element Score	Adopted weight	Adjusted Score	Overall score
1.1 Veterinary support	24.00%	0.1030303	0.02472727	36.44%
1.2 Financial support for livestock insurance and credit	22.00%	0.1151515	0.02533333	
1.3 Market structure to facilitate quick sale of livestock when need arises	30.00%	0.1212121	0.03636364	
1.4 Establishment of water points	50.00%	0.0969697	0.04848485	
1.5 Help with access to fodder	42.00%	0.1090909	0.04581818	
1.6 Support to diversify livestock to drought resistant species	34.00%	0.0787879	0.02678788	
1.7 Facilitate establishment of social networks for resource pooling and sharing	54.00%	0.0727273	0.03927273	
1.8 Education to facilitate career diversification	70.00%	0.0909091	0.06363636	
1.9 Breeding support to make animals more drought resistant	29.00%	0.0666667	0.01933333	
1.10 Improved weather forecasting and information dissemination to pastoralists	23.00%	0.0848485	0.01951515	
1.11 Price information to reduce information asymmetry and enable pastoralists to sell at improved prices	25.00%	0.0606061	0.01515152	

On the whole, government performance in the outlined area of service delivery was below average. It is an indication of a fundamental flaw in the approach towards public participation as the research process indicated that issues on support for pastoralists have featured prominently in past public participation forums. This reiterates the low rating (28%) on the government's tendency to translate public participation deliberations into actual projects.

5.0 Conclusions

This social audit focussed on examining the public participation processes in Kajiado County with reference to the government's approach to planning and prioritisation of climate change mitigation. The focus was on the pastoralist community which is responsible for 60% of the county's GDP. The process entailed fact finding on the public participation framework and government policies/initiatives for enabling pastoralists to cope with climate change using a range of methods which included key informant interviews and focus group discussions. Further feedback was derived through the training of champions' sessions. The latter also entailed training of participants on social audit, public participation, and generation of scorecards to gauge the performance of the county government on relevant fronts.

Based on the Kajiado County Public Participation Act 2014, the county has set up a department of public participation and has consistently conducted public consultation forums since its enactment. There are 2 or 3 public consultation forums at the ward level conforming to county planning and budgeting cycles. The citizen report card rated the county's performance in public participation as average at 51.91%. The dimensions in which the county performed best include accessibility of public participation venues (90%), creating of opportunities for balanced participation (74%), clarity of information on public participation processes (72%) and education on importance of public participation (70%). This means that there is generally a high level of awareness of the existence of public participation processes and what it would take for interested residents to take part.

The main area of weakness was the approach adopted in informing members of the public about upcoming public participation sessions. The approach currently in use is predominantly the use of newspapers and this has a low reach especially among the non-elites. The second weakness was the apparent lack of commitment to consult the public before major decisions, especially where such decisions are not directly related to the formal budgeting process. This negates the very essence of public participation and could discourage future exercises. Related to this is the failure of government to follow through the suggestions made in public participation processes. These two weaknesses, when read together, mean that the government tends to make major decisions without public input and also fails to follow through the recommendations of the public participation forums. This translates into the government being uncommitted to the process; hence the likelihood of residents to disregard the sessions.

To further underscore this finding, reference can be drawn from the scorecard on climate mitigation by Kajiado County. A score of 36.44% is considerably low. Further findings indicated that the issues relevant to the pastoralists have been dominant in past public participation forums. The low score would therefore further reveal a weakness in the county's public participation system with a possible failure by the county to implement suggestions made by the public. This makes it necessary to point out areas of possible improvement which have been detailed in the recommendations below.

Commented [NO10]: There are no climate change related conclusions which is the main reason for the social audit

6.0 Recommendations

Considering feedback in each of the three phases of the social audit exercise, the following improvements can be recommended.

Commented [NO11]: Should have a climate change bias/ focus

6.1 The public participation process

Agenda setting: The public participation forum organisers should have a pre-meeting phase in which they can invite suggestions from the public. The proposed ideas can then be summarised and constituted into an agenda item which is communicated in good time to allow critical thought before the actual meeting. The public should own the agenda. Where the county government intends to have discussions on certain subjects, this should be added to the publicly generated agenda instead of being the core agenda item.

Planning process clarity: The residents need to be aware of the planning processes undertaken by the county. They should be able to understand what further considerations are to be made before their suggestions can be converted into projects. Decision making criteria including resource consideration and prioritisation between programmes proposed by different wards should be made clear. This would make the public participation sessions more meaningful.

Feedback sessions: After the public participation forums have been held and suggestions made for programmes, there needs to be further meetings to present feedback. This is where the county officials inform the public on which of the demanded projects can be implemented immediately. A timeline for the possible implementation of the rest of the projects can be provided. This would create a stronger link between the public participation exercise and the delivery of services by government.

Incorporate radio in inviting the public for the consultation forums: Radio Maa is widely listened to in Kajiado County. From the findings in the social audit activities, a majority of Kajiado residents listen to this radio station with a smaller number being listeners of Nossim. Inviting participants through Radio Maa and Nossim was described as likely to be more effective than the current approach of using the dailies.

Exploit technology for effective public participation: It was established during the social audit exercise that a vast majority of residents have smartphones and utility phones. They are therefore reachable by phone. The county may opt to invite residents to volunteer their phone numbers for possible information via SMS on planned activities in their residential areas. These can be highly effective as forums for providing information and feedback.

The county's use of online platforms such as websites was also found to be poor with the official site being inaccessible most of the time. The platform needs to be reinstated and updated regularly. This platform can be very important in providing information on county activities and planned consultative forums across the county. It can also be helpful in providing detailed information on projects approved per sub-county and ward.

Reimbursements: Participation ought to be voluntary. However, residents of expansive counties may be forced to incur transportation expenses when travelling to attend the sessions. The county ought to consider providing reimbursements to cover such costs. This would motivate participation and ensure that each public participation forum is well attended with views across the county effectively captured.

6.2 Building strong partnerships with NGOs and CSOs

Commented [NO12]: Should be climate change bias/ focus

NGOs and CSOs are better equipped than the general population in terms of policy advocacy and evaluation of implementation progress. Their contribution towards agenda setting and prioritisation can be very helpful. NGOs and CSOs concerned with the welfare of pastoral communities, led by CEMIRIDE, need to form a **Network for Effective Public Participation (NEPP)** in Kajiado County.

NEPP ought to comprise of NGOs and CSOs with a presence in wards where pastoralism is practiced. This includes all wards in Kajiado with the exception of township wards in Ongata Rongai, Ngong, Kitengela, and Kajiado Town. The total number of NEPP members should range between 20 and 30 organisations. With a strong presence across the county, the network would have the resources (financial and social) to lobby for the implementation of proposals made by Kajiado County residents.

NEPP members would have the advantage of having continuously analysed emerging challenges to the pastoralists over time and would have the capacity to contract experts to analyse the possible impact policy proposals designed to help them cope with climate change. Without a framework for monitoring implementation, public participation sessions cannot be considered to be effective. The current system in which elected members of the county assembly monitor performance was also found to be ineffective with observations that some leaders would disregard the views of the public and decide on which projects to lobby for.

NEPP members would non-partisan and would be bound only by the commitment to ensure that the decision of the residents is adhered to. Besides, NEPP members would appear to be objective and believable by both the public and the county government. Their role would therefore be crucial in trust building between government and the public.

Moreover, the NEPP members would be able to generate a pre-public participation consensus for emphasis on what needs to be implemented at the county level. This would give residents a stronger voice in determining policy and initiatives to be implemented in their respective areas.

The suggested annual timeline for the activities of The Network would be as below.

January	Sensitisation of the public and needs assessment
February	Feasibility study to estimate the budgetary allocations needed to implement different project proposals
March	Engagement with county government to identify what may be included in the next year's budget
April	Engaging the public in priority setting in consideration of resource constraints at the county government level Possible lobbying for funding to complement government resources to implement key projects
May	Facilitate previously engaged members of the public to participate in public participation sessions organised by the county governments and held in May every year

It would be expected that prioritisation sessions will have generated consensus on what residents want most in the event that resources available are not enough to meet all their needs

- June Monitor translation of suggestions into budget items and provide feedback to members of the public
- Identify the implementation schedule by government to inform further lobbying to ensure implementation is efficient
- July onwards Monitor implementation and keep the public informed.
- Monitor developments and challenges for consideration in the next budgeting cycle

6.3 Sustainability of performance evaluation

Performance evaluation can provide a basis for continuous improvement in service delivery. The champions trained in December 2019 should be constituted into a service delivery evaluation team. Each of the 20 champions trained should be tasked with facilitating performance assessment among members of the public. 20 carefully selected geographical areas for data collection across the county would ensure that the findings are representative and reflective of the performance of the county government.

The team (to be financed by willing donors) would repeat the performance assessment exercise to be conducted every year. The annual event would help to inform the county on areas of improvement and what is yet to be achieved. Such feedback would enable the county government to improve continuously and ensure that the benefits of public participation are realised.

The expanded performance evaluation would not need to be restricted to government initiatives helping pastoralists cope with climate change. The mandate could be expanded to also cover service delivery in other aspects of service delivery. This would make the exercise more relevant to the county government's information needs as it seeks to evaluate its own performance and identify areas for improvement. A comprehensive performance assessment of county government services would also be expected to motivate the county government to come up with a budgetary allocation which would enable the team work more efficiently.

Annexes

Annex 1: Data collection instrument



Centre for
Minority Rights
Development

KAJIADO COUNTY

Involvement of Pastoralists in Formulation and Implementation of Climate Change Related Policies

The Scorecard – Performance Assessment

Performance Rating for Kajiado County in Climate Change Related Policies and Initiatives

The questionnaire below contains multiple choice options which, please, answer by ticking as appropriate.

Rating: 1 – very poor 2- poor 3- average 4- Good 5- Very good

	1 – very poor	2- poor	3- average	4- Good	5- Very good
1.1 Veterinary support					
1.2 Financial support for livestock insurance and credit					
1.3 Market structure to facilitate quick sale of livestock when need arises					
1.4 Establishment of water points					
1.5 Help with access to fodder					
1.6 Support to diversify livestock to drought resistant species					
1.7 Facilitate establishment of social networks for resource pooling and sharing					
1.8 Education to facilitate career diversification					
1.9 Breeding support to make animals more drought resistant					
1.10 Improved weather forecasting and information dissemination to pastoralists					
1.11 Price information to reduce information asymmetry and enable pastoralists to sell at improved prices					

Performance Rating for Kajiado County in Public Participation

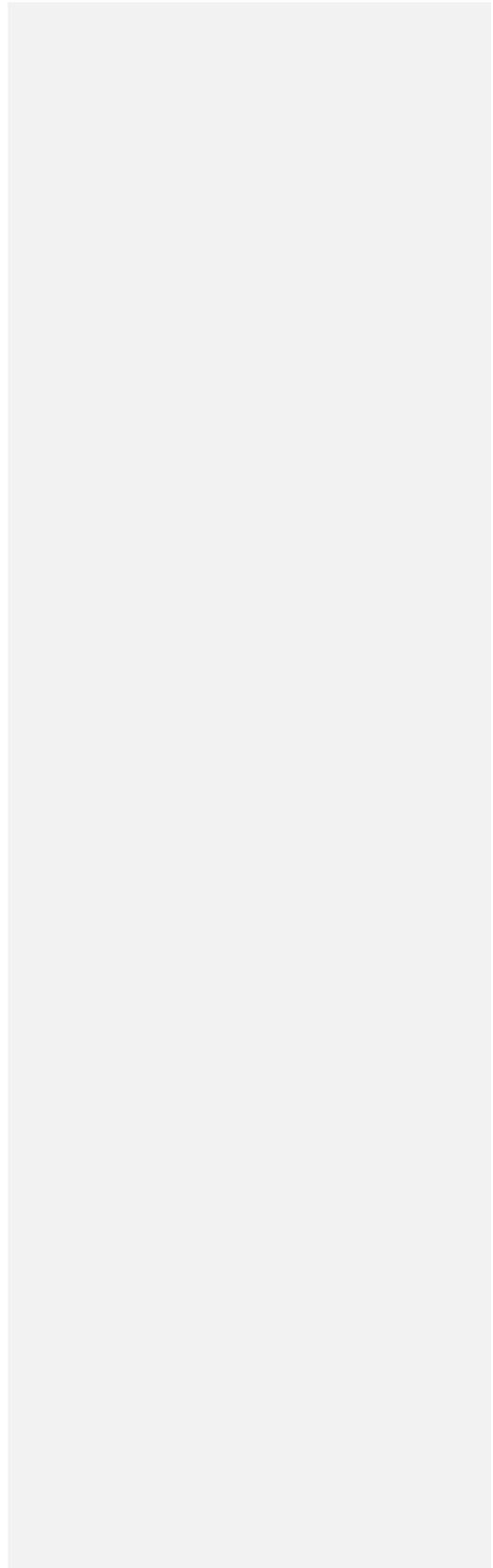
The questionnaire below contains multiple choice options which, please, answer by ticking as appropriate.

Rating: 1 – very poor 2- poor 3- average 4- Good 5- Very good

	1 – very poor	2- poor	3- average	4- Good	5- Very good
2.1 There is clear information on public participation and procedures for decision making					
2.2 There is diversity in forms of public participation including use of online forums					
2.3 The public is effectively educated on public participation and its importance in decision making					
2.4 Information on subject of public participation is clearly defined before public participation meetings					
2.5 Major decisions by government are only made after public participation in decision making					
2.6 The decision making structure and process is clear					
2.7 Public participation forums are well distributed and can be accessed with ease (distance to forum venue is reasonable)					
2.8 Public participation forums provide room for balanced influence (opinions are shared not from a select interest group)					
2.9 Participation in public participation is unrestricted and open to all residents					
2.10 Information on county planning and prioritisation structure is readily accessible					
2.11 There is a genuine commitment to ensure that recommendations from public participation processes are implemented					
2.12 There is no manipulation of the outcome of public participation forums					
2.13 There is transparency in monitoring translation of suggestions in public participation forums into government strategies and plans					

Thank you

Annex II: Participants' lists



Annex III: Field visit pictures

Training session: Kajiado



Field visits and Focus Groups: Kiserian, Loitokitok and Eldamat, Kajiado







Annex IV: Training session slides

Social Audit

Public participation

SOCIAL AUDIT

- A form of public participation
- Focused on performance evaluation
- Based on perceptions or on actual data on performance

Importance

- Increased accountability in decision making
- Enables citizens to monitor government performance
- Tool for government to evaluate its own performance
- Creation of social contract on expected performance

Challenges

- Performance evaluation based on perception, and the extent to which expectations have been met
- A government better in managing expectations could be rated better than one with a much greater input
- Nevertheless, this underscores the need for democratic and inclusive decision making

Public participation

- ❖ Consultative by nature
- ❖ Focuses on establishing concerns of the citizens for purposes of planning
- ❖ Consultation outcome not binding and government could disregard or delay implementation

PP success factors

- ❖ **Legal and physical infrastructure:** Should be enshrined in law, there should be persons responsible for overseeing and implementing PP. Guarantees sustainability
- ❖ **Infrastructure:** A department for public participation with performance guidelines on how to effectively execute their duty
- ❖ **Legal basis:**
 - ❖ The constitution of Kenya 2010
 - ❖ The Kajiado County Public Participation Act 2014

PP success factors

- ❖ **Predictability:** Should be regular, creating an opportunity for future forums being used to clarify progress made on previous deliberations
 - ❖ E.g. have a consultative cycle 3 times a year at a designated venue
- ❖ **Inclusivity:** Views ought to be representative. There is no obligation on participants to be fair. They just have to bring out what is of importance to them

PP success factors

- ❖ **Integrity:** The forums should focus on obtaining information from the public. There should be no attempt to manipulate public presentations to arrive at a desired conclusion
- ❖ **Commitment:** PP sessions give rise to a social contract. The public expects proposals made to be adopted and implemented.
- ❖ **Process transparency:** Clear understanding on role to be played during the public participation forums and also processes to be followed in implementing proposals

PP success factors

- ❖ **Feedback:** Where proposals are not implemented, feedback is essential or the public could interest in future consultative forums
- ❖ **Diversity of information platforms:** Media platforms have different audiences. Use of multiple platforms guarantees effective information sharing.
- ❖ **Reimbursement:** What would be the appropriate reimbursement for PP in Kajiado?
 - ❖ Discuss

Scorecard generation

- Adopt average scores from the database generated
- Generate weights for each of the elements
 - Methodology for weight generation demonstrated in session
- Moderate scores for each element against the weights generated
- Generate the overall score for county government performance

ⁱ UNDP, 2011, Transparency and accountability in local governments, <http://www.undp-aci.org/publications/ac/books/practicalguide-socialaudit-e.pdf>

ⁱⁱ Ibid

ⁱⁱⁱ ICPAK, 2018, *Citizen participation in finance management in Kenya*, <https://www.icpak.com/wp-content/uploads/2018/05/Concept-Note-on-Effective-Citizen-Participation-in-Budget-Monitoring-and-Governance.pdf>

^{iv} Constitution of Kenya 2010

^v Kajiado County Public Participation Bill, 2014

^{vi} Ministry of Devolution and Planning & Council of Governors, 2016, *Public Participation Guidelines*, <http://www.hakijamii.com/wp-content/uploads/2016/05/County-Public-Participation.pdf>

^{vii} CIDP Kajiado County, 2017-2022

^{viii} CIDP Kajiado, 2018-2023

^{ix} Ibid.

^x CIDP Kajiado County, 2017-202.

^{xi} Okoti, 2019. How Kenya's pastoralists are coping with changes in weather patterns. [https://theconversation.com/how-kenyas-pastoralists-are-coping-with-changes-in-weather-patterns-115921?utm_source=twitter&utm_medium=twitterbutton&ct=t\(Weekly_news_review_COPY_01\)](https://theconversation.com/how-kenyas-pastoralists-are-coping-with-changes-in-weather-patterns-115921?utm_source=twitter&utm_medium=twitterbutton&ct=t(Weekly_news_review_COPY_01))

^{xii} Ibid.

^{xiii} Kajiado Budget Estimates, 2019/20