

REPUBLIC OF KENYA
COUNTY GOVERNMENT OF MACHAKOS
COUNTY ASSEMBLY OF MACHAKOS



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SEPTEMBER, 2023

REPORT

(COUNTY ASSEMBLY SERVICE BOARD)

TASK: ANNUAL REPORT FOR 2022/23 FINANCIAL YEAR

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EXECUTIVE SUMMARY

Hon. Speaker,

This report is prepared in accordance with the provisions of Section 36 of the County Assembly Services Act, 2017, which requires the County Assembly Service Board to prepare and submit a report on its operations and activities to the County Assembly at the end of each financial year. The report outlines the performance of the Board on its mandate from 1st July, 2022 to 30th June, 2023.

During the financial year 2022/2023, the County Assembly was allocated a total of Kshs. 1,488,346,181 from the exchequer which comprised of recurrent budget of; Kshs. 865,126,181 Development Kshs. 318,500,000, other recurrent transfers (loans) budget estimates of Kshs 304,720,000. The recurrent budget estimates covered Personnel Emoluments of Kshs. 468,919,609 and Operations and Maintenance of Kshs. 396,206,572.

During this period, absorption rate was 100% for the recurrent budget while under the development budget only Kshs. 22,470,208 was received from the County Treasury translating to an absorption level of 7.1%. Under other recurrent transfers, Kshs. 158,000,000 was released to the Assembly translating to absorption level of 91.86%. There was a budgetary allocation of Kshs. 132,720,000 meant for Motor Vehicle Reimbursement and a total of Kshs. 86,244,000 was released to the Assembly translating to absorption level of 65%. Overall, the Assembly total budget estimates were Kshs 1,488,346,181 and Kshs. 1,132,140,391 was released resulting to absorption level of 76.1%.

A conducive work environment and employee welfare programs are prerequisite for enhanced organizational and individual performance and productivity. The County Assembly has put in place the provision of adequate office space through construction of the new office block, provision of both medical and general insurance, ensuring engagement of the Assembly in the CASA games, provision of the cafeteria services and ensuring all staff proceed on their annual leave and are paid their leave allowance.

In line with reporting on the extent to which the values and principles of public service have been adhered to, the CASB developed 10 thematic areas to enable adequate reporting. Interventions towards ensuring higher levels of compliance with the values and principles of public service include promoting high standards of professionalism, ensuring efficiency and effectiveness in service delivery and extending good governance practices among other initiatives.

In the discharge of its mandate, the Board faced a number of challenges key among them being delays in exchequer releases, inadequate funding occasioned by the County Executive not honoring

cash flow releases, lack of a staff scheme of service as no approval of the proposed County's schemes of service has been granted by SRC among others.

To enhance productivity in the County Assembly Service, the Board will pay attention on the following key interventions so as to improve on its mandate:

- a) Review the organogram of the County Assembly to ensure it is aligned to Board's mandate and guarantee that the Service is optimally staffed for effective service delivery.
- b) Human Resource Management policies and guidelines will be consolidated and aligned to the Constitution and other legislative frameworks and impact assessment on policies and guidelines issued to the County Assembly Service will also be done.
- c) To provide feedback on the implementation of the Board's function in the County Assembly, an elaborate monitoring and evaluation framework will be implemented while strategies to ensure the County Assembly Service reviews and complies with the County Assembly Citizen Delivery Service Charter will be carried out.
- d) In order to promote and comply with values and principles in Articles 10 and 232, capacity building on the same will be undertaken.

To meet the expectations of stakeholders and address emerging issues, the Board will continue to work closely with Members, staff and other key stakeholders of the County Assembly.

II. Membership of the Board

Hon. Speaker, the County Assembly Service Board comprised the following Members during the period under review:

- | | |
|------------------------|---|
| 1. Hon. Anne M. Kiusya | - Speaker (Chairperson) |
| 2. Hon. Felix M. Ngui | - Vice Chairperson/ Majority Party Representative |
| 3. Hon. Johanna Munyao | - Minority Party Representative |
| 4. Hon. Alex N. Kitili | - Member |
| 5. Hon. Janet M. Kimeu | - Member |
| 6. Mr. Joseph Mutisya | -Secretary |

III. Acknowledgement

Hon. Speaker, I take this opportunity to thank all the Members of the Board for their dedication, undivided attention and contributions during the entire report writing exercise. The Board also appreciates the Office of the Honorable Speaker and that of the Clerk to the County Assembly for the administrative support accorded to it during the exercise.

On behalf of the Board and pursuant to the provision of Section 36 of the County Assembly Services Act; it is my pleasure and duty to present to this Honorable House the County Assembly Service Board Report on County Assembly's annual report for the Financial Year 2022/23.

Thank you, Hon. Speaker.

SIGNED:  DATE: 2/10/2023

HON. FELIX NGUI

VICE CHAIRPERSON, COUNTY ASSEMBLY SERVICE BOARD

CHAPTER 1: MANDATE, STRUCTURE AND COMPOSITION OF THE COUNTY ASSEMBLY SERVICE BOARD

1.1 Preamble

Honorable Speaker,

The County Assembly Service Board is established under Section 12 of the County Governments Act, 2012 as read together with section 8 of the County Assembly Services Act, which shall consist of:-

- a) The Speaker of the County Assembly as the chairperson;
- b) Vice chairperson elected by the Board from the members appointed under paragraph (c);
- c) Two members of the County Assembly nominated by the political parties represented in the County Assembly according to their proportion of members in the County Assembly;
- d) One man and one woman appointed by the County Assembly from amongst persons who are experienced in public affairs, but are not members of the County Assembly.

Section 36 (1) of the County Assembly Services Act, 2017, provides that within three months after the end of each financial year, the Board shall prepare and lay before the County Assembly, a report of its operations during that year. Further Section 36 (2) of the Act stipulates that, the annual report shall in respect of the year to which it relates, contain:-

- a) The activities the Board has undertaken;
- b) An evaluation on the extent to which the values and principles referred to in Articles 10 and 232 of the Constitution are complied with in the public service;
- c) Information relating to performance of the Service and attendant challenges; and
- d) Any other information that the Board may consider relevant.

1.2 Mandate of the County Assembly Service Board

Honorable Speaker,

Section 12(7) of the County Governments Act, 2012 as read together with Section 11 of the County Assembly Services Act, 2017, provides the responsibilities of the Board as follows:

- a) Direct and supervise the administration of the services and facilities provided by, and exercise budgetary control over, the Service;
- b) Determine and review the terms and conditions of service of persons holding or acting in the offices of the Service;
- c) Initiate, co-ordinate and harmonize policies and strategies relating to the development of the Service;
- d) Initiate programmes;

- (i) for training and capacity building of members and staff of the County Assembly and other persons;
 - (ii) that promote ideals of parliamentary democracy as set out in Article 127(6)(d) of the Constitution; and
 - (iii) that promote public awareness and participation in the activities of the County Assembly; and
- e) Do such other things as may be necessary for the well-being of the members and staff of the County Assembly.

In the performance of its functions, the Board shall apply the National values and principles of governance set out in Article 10 of the Constitution; and values and principles of public service set out in Article 232(1) of the Constitution.

1.3 Powers of the Board as a body corporate

Honorable Speaker,

In addition to the powers of the Board under Section 12 of the County Governments Act, the Board shall have the power to:

- (a) Acquire, hold, charge and dispose movable and immovable property;
- (b) Sue and be sued;
- (c) Despite the provision of any other written law, establish a pension scheme for officers of the Service and, from time to time, determine
 - (i) the rates of contribution to the scheme; and
 - (ii) the multiple of the annual basic salary for the group life and group personal accident benefits; and
- (d) Do or perform all such other things or acts for the proper discharge of its functions under this Act and any written law, as may lawfully be done or performed by a body corporate

1.4 Committees of the County Assembly of Machakos

Hon. Speaker, the Assembly has the following Committees;

S.N	Committees	No. Of Members	Code
1.	Trade, Economic Planning and Industrialization	13	Sectoral

2.	Agriculture	13	Sectoral
3.	Labor, Public Service and ICT	13	Sectoral
4.	Education and Social Welfare	13	Sectoral
5.	Environment and Natural Resources	13	Sectoral
6.	Finance and Revenue Collection	13	Sectoral
7.	Transport and Public Works	13	Sectoral
8.	Justice and Legal Affairs	13	Sectoral
9.	Health and Emergency Services	13	Sectoral
10.	Social Welfare and Sports	13	Sectoral
11.	Culture and Tourism	13	Sectoral
12.	Lands and Energy	13	Sectoral
13.	Decentralized units and County Administration	13	Sectoral
14.	Water and Irrigation	13	Sectoral
15.	Committee on Selection	13	Select
16.	Liaison Committee	21	Select
17.	Public Accounts and Investments Committee	7	Select
18.	Assembly Broadcasting and Library	5	Select
19.	Procedure and House Rules	9	Select
20.	Budget and Appropriations	9	Select
21.	Devolution and Intergovernmental Relations	7	Select
22.	Committee on Appointments	9	Select
23.	House Business Committee	15	Select
24.	Powers and Privileges	5	Select
25.	Implementation	13	Select

26.	General Oversight Committee	All Members	Select
27.	Delegated Legislation	13	Select

1.5 Structure and Functions of the Secretariat

Hon. Speaker,

In the discharge of its mandate, the Service Board is assisted by a Secretariat headed by the Clerk/Secretary/CEO appointed under Section 13 of the County Governments Act.

The Secretariat is organized into the Office of the Clerk/Secretary and five technical directorates.

The office of the Secretary/Clerk comprises the following Departments:

- a) Procedure and Committee Services
- b) Human Resource and Administration
- c) Finance Accounting and Budget
- d) Supply Chain Management
- e) Legal, Library and Research Services
- f) Audit

1.6 Functions of the Clerk/Respective Technical Departments

Hon. Speaker the functions of the Clerk as provided for in Sections 17, 19 and 20 of the County Assemblies Services Act, 2017 include;

- a) the chief executive officer of the Board;
- b) the accounting officer of the Board;
- c) the administrative head of the Service;
- d) the custodian of the Board's records;
- e) responsible for—
 - i. the execution of the decisions of the Board;
 - ii. assignment of duties and supervision of the staff of the Board;
- f) the preparation and submission of the Programmes necessary for the achievement of the Board's mandate for approval by the Board;
- g) causing to be kept records of the proceedings and minutes of the meetings of the Board and such other records as the Board may direct;
- h) ensuring staff compliance with public service values, principles and ethics;
- i) responsible for the day-to-day management and functioning of the county assembly
- j) the rendering of expert, non-partisan and impartial advice to the members of the county assembly on the legislative process, and parliamentary procedure and practice; and

- k) the carrying out such other duties and exercising powers as may be conferred on him or her by law or by the Standing Orders and practices of the county assembly.

1.6.1 Procedure and Committee Services Department

Hon. Speaker, the Department of Procedure and Committee Services consists of six sections namely:

- (a) Committee Services
- (b) Table Office
- (c) Hansard,
- (d) Serjeant – At – Arms
- (e) ICT
- (f) Research

2. The key functions of the Department of Procedure and Committee Services are:

- (i) Providing legislative and procedural support to the House and Committees.
- (ii) Drafting motions and statements and processing bills and statements.
- (iii) Preparing and processing of weekly programme of business, order papers, minutes, votes and proceedings for the House and Committees.
- (iv) Providing technical advice on parliamentary procedure, tradition, practice and etiquette.
- (v) Marshalling all decisions arrived at by the County Assembly in accordance with the Constitution, statutes, Standing Orders, precedents, traditions and practices.
- (vi) Public participation in the legislative process including responding to inquiries from Members, staff, the public and other legislative bodies.
- (vii) Recording and keeping custody of Assembly journals, records and archiving them.
- (viii) Provision of ICT services and support to the Assembly.
- (ix) Providing research services to Members and staff of the Assembly.
- (x) Ensuring security of Members, staff and the precincts of the Assembly.

2.0 PERFORMANCE OF THE DEPARTMENT IN THE FY 2022/2023

2.1 STRATEGIC OBJECTIVES

The Department sought to meet the following strategic Objectives during the financial year

- (i) To Facilitate MCAs to effectively carry out their mandate
- (ii) To promote information sharing with the Public

- (iii) To enact legislations that are responsive to the people's needs
- (iv) To enable the public and stakeholders own the legislative process
- (v) To promote prudent stewardship
- (vi) To embrace Information Communication Technology

2.2 ACHIEVEMENTS OF THE DEPARTMENT

Under each of the functions and guided by the six strategic objectives the Department achieved the following during the FY 2022/23:

(i) Providing legislative and procedural support to the House and Committees

1. Facilitated vetting and approval of 167 nominees who include: 10 County Executive Committee Members(CECM), 5 members of Selection Panel for County Public Service Board (CPSB), 30 Chief Officers, 2 members of CPSB and 120 Members of County bursary committees.
2. Facilitated the Assembly in developing Calendars of the Assembly for the First and Second sessions of the Third Assembly.
3. Facilitated the House and Committees in placement of Members to various House Committees.
4. Facilitated conducting of 35 site visits by various Committees. (*Site Visit annexed to this report- Annexure 1*)
5. Facilitated tabling of 16 reports on monitoring and evaluation of county and state agencies namely:
 - (a) Report of Justice and Legal Affairs Committee on operations of micro – finance institutions on 5th December, 2022.
 - (b) Financial Statements of the County Executive for the year ending 30th June 2022 on 29th March, 2023;
 - (c) Audit report for Mwala Water and Sewerage Co. for the ending on 30th June 2018 on 6th December, 2022.
 - (d) Audit report for Mwala Water and Sewerage Co. for the ending on 30th June 2019 on 6th December, 2022.
 - (e) Controller of Budget (CoB) report on Annual County Budget Implementation Review for the FY 2021/222 on 21th February, 2023.
 - (f) Report of the Committee on Lands and Energy on an inquiry into the regularization program for the parcels of land under the management of East African Portland Cement Company tabled and approved on 22.3.2023.
 - (g) Status report of Machakos level 5 Hospital on 15th March, 2023.

- (h) Status report on Barabara mashinani grading program on 15th March, 2023.
 - (i) Audit report on Assembly Housing Scheme report for the year ending 30th June, 2019 and tabled in the House on 15th March, 2023.
 - (j) The Environment and Natural Resources Committee report on the half year performance for the FY 2022/23; for the Directorate of Environment and Natural Resources tabled and approved on 18th April, 2023.
 - (k) Report of Finance and Revenue Collection Committee on receiver of revenue for the 2nd quarter of the financial year 2022/2023 tabled and approved on 26th April, 2023.
 - (l) Report of the Budget and Appropriations Committee on the Machakos County Budget Review and Outlook Paper, 2022 tabled and approved on 18th April, 2023.
 - (m) Report of the select committee investigating the allegations on removal from office of three members of the Machakos County Public Services.
 - (n) Report of the Education and Social Services Committee on the eighth (8) Annual Education Summit by Competence Building Society of Early Childhood Education for Kenya (CBSECEK) tabled in the House and approved on 22.2.2023.
 - (o) Report of the Justice and Legal Affairs Committee on an inquiry into the Kithimani Jaw Crusher tabled and approved on 18.4.2023.
6. Prepared 26 committee work plans and tabled in Liaison Committee for approval.
 7. Facilitated approval of the County Budgets through interrogation of:
 - (a) Scrutiny of 1st supplementary budget.
 - (b) Interrogation of CFSP 2023 on 6th and 7th March, 2023.
 - (c) Scrutiny of 2nd supplementary budget fy 2022-2023
 - (d) Scrutiny of Budget Estimates for FY 2023-2024.
 - (e) Interrogation of Annual Development Plan (ADP) and County Integrated Development Plan (CIDP).
 8. Facilitated enactment of three bills namely:
 - (a) First Machakos County supplementary Appropriation Bill 2022; approved on 6th January, 2023.
 - (b) Second Machakos County supplementary Appropriation Bill 2023; 23rd May, 2023.
 - (c) Machakos County Appropriation Bill 2023; Approved on 20th June, 2023.

(ii) Drafting motions, statements, processing bills and petitions

9. Facilitated approval of 5 policies and regulation namely:
 - (a) The Machakos County Government Executive Staff car and mortgage Regulation 2022; approved 16th November, 2022.
 - (b) The County Fiscal Strategy Paper (CFSP) 2023; approved on 14th March, 2023.

- (c) The County Budget Review and Outlook Paper (CBROP); Approved on 18th April, 2023.
 - (d) The County Integrated Development Plan for 2023 – 2027; approved on 6th June, 2023
 - (e) The County Development Plan 2023 – 2024; approved on 6th June, 2023.
10. Facilitated 2 reviews of House Rules through amendments to Standing Orders on 8th November, 2022 and 6th December, 2022.
 11. Drafted 7 motions on various thematic areas and 82 on procedural matters and adoption of various reports –(*Motion Tracker annexed- Annexure 2*)
 12. Drafted 13 statements and forwarded to the House for deliberations. –(*Statement Tracker annexed- Annexure 3*)
- (iii) **Preparing and processing of weekly programme of business, order papers, minutes, votes and proceedings for the House and Committees**
13. Updated motions, petitions, bills and statements trackers on weekly basis.
 14. Published weekly schedules of Committee meetings and presented business to the House Business Committee for balloting.
 15. Facilitated the House and Committees through:
 - (a) Preparation of order papers.
 - (b) Preparation of minutes and attendance registers and forwarding to payment cashier for processing of Members allowances for Committees.
 - (c) Maintenance of chamber seats.
 - (d) Preparation of Votes and proceedings.
 - (e) Preparation of Chamber and committee board rooms for meetings.
 - (f) Leading procession of the Speaker to and from the Chamber.
 - (g) Availing communication materials to Members’ dispatch boxes/pigeon holes.
- (iv) **Providing technical advice on parliamentary procedure, tradition, practice and etiquette**
16. Prepared 22 communications for the Chair.
 17. Prepared briefs and questionnaires for Committees.
 18. Guided satisfactorily 57 plenary sittings and various sittings of Committees.

(v) **Marshalling all decisions arrived at by the County Assembly in accordance with the Constitution, statutes, Standing Orders, precedents, traditions and practices.**

19. Drafted correspondences conveying House and Committee resolutions to various stakeholders for implementation.

(vi) **Public participation in the legislative process including responding to inquiries from Members, staff, the public and other legislative bodies**

20. Devised mechanisms for communicating feedback from the Assembly to the public through:
 - (a) Circulating House reports by uploading them in the Website;
 - (b) Disseminating information about Assembly Activities by live streaming of 57 plenary and 20 committee proceedings.
 - (c) Updating the Website regularly with public information such as Committee reports, Hansard reports, Bills, Annual Development Plan, and Acts.
 - (d) Creation of digital presentation themes during public fora such as ASK exhibitions.
21. Facilitated 4 public participation fora in conformity with Covid -19 protocols on:
 - (a) CFSP in all the eight sub-counties on 8th March, 2023.
 - (b) CIDP in all the 40 wards on 19th and 20th April, 2023.
 - (c) ADP in all the 40 wards on 19th and 20th April, 2023.
 - (d) Budget Estimates in the forty wards on 8th and 9th June, 2023.
22. Facilitated holding of five consultative fora with County Executive and stakeholders on:
 - (a) Supplementary budget.
 - (b) CFSP 2023.
 - (c) ADP 2023-2024.
 - (d) CIDP 2023-2027.
 - (e) Gender policy.
 - (f) Budget Estimates FY 2023-2024

(vii) **Recording and keeping custody of Assembly journals, records and archiving them**

23. Archived video recordings of 57 plenary sittings and 20 committee sittings in the Assembly YouTube channel and Assembly broadcast server.
24. Accurate recording, transcription and editing of 57 plenary sittings and 21 committee sittings and produced Hansard reports of the same.
25. Retrieved Hansard reports of 57 plenary sittings and forwarded to various offices upon request and maintained a retrieval register.

26. Uploaded Hansard reports of 57 plenary sittings on the Website and also forwarded the same to the Library for uploading in the LMS.
27. Classified 57 plenary sittings and 21 committee sittings according to the months and time of sitting and archived.
28. Maintained the Hansard equipment quarterly as follows:
 - (a) First quarter – technical firm;
 - (b) Second and fourth quarters – audio officer;
 - (c) Third quarter – external technician whereby earthing was done.
29. Development of basic Hansard stylebook first draft.

(viii) Provision of ICT services and support to the Assembly

30. Automated segmentation of Hansard audio recordings for 35 plenary sittings and operationalized.
31. Maintained ICT equipment and infrastructure and software regularly including:
 - (a) Support and Upgrade of the SMS system.
 - (b) Request to ICT Authority to provide the Assembly with a dedicated sub-domain <https://sms.mksassembly.go.ke> to serve as the official web address for the sms portal.
 - (c) Support of Internet Access to Staff and Members.
 - (d) Requisitions for service, repair and maintenance of computers, laptops, printers, CCTVs.
 - (e) Support and Upgrade of the Cafeteria Point of Sale (POS) system.
 - (f) Support of the Biometric system.
 - (g) Daily generation of staff attendance reports
 - (h) Support of staff in printing and photocopying.
 - (i) Posted various tenders (construction of ward offices assortments/iPads/Laptops/Toners/printers/ABU Equipment/Media Center) for procurement of various services and goods.
 - (j) Supported the setup of new configurations to staff on Internet Banking (IB) and the Integrated Financial Management System (IFMIS).

(ix) Providing research services to Members and staff of the Assembly

32. Conducted 4 legislative research by preparing information and sharing with Committees on:
 - (a) Governor’s manifestos for consideration and generation of business during Members’ workshop held in Mombasa from 27th February to 4th March, 2023.

- (b) Governor’s speech delivered on 27th September 2022 for consideration and generation of business Member’s workshop held in Mombasa from 27th February to 4th March, 2023.
 - (c) A motion on tree planting in Machakos County.
 - (d) A motion to create a fund to provide credit facilities to boda boda operators
 - (e) A Motion to fast-tracks the conferment of Matuu, Kathiani, Masii, Mwala and Masinga towns to Municipalities.
 - (f) Motion to undertake the exercise of marking boundaries of all access roads in Mwala Sub-county; and Facilitate public participation in the Sub-County when carrying out the exercise of marking boundaries of all rural access roads.
 - (g) Motion, on consideration initiating *Kazi Mtaani* Programme by engaging the public in maintenance of feeder roads with the supervision of the resident Sub-county Engineers.
 - (h) Motion on development of inputs distribution and issuance policy to guide procedure of issuance and ensure effective use of inputs by farmers for utmost realization of food security in the County.
 - (i) Motion urging the Department of Water, Irrigation, Environment and Climate Change to formulate and forward for consideration by the County Assembly regulations to operationalize the Machakos County Water and Sanitation Act, 2014 with a view of creating borehole management Committees to manage the existing public boreholes in the County.
33. Analyzed 5 policies and presented briefs and advisory to committees namely:
- (a) Gender Policy committed to the committee on Social Welfare and Sports to process which was developed by the Department of Social Welfare and Sports.
 - (b) Food Safety policy developed by the Department of Agriculture, Food Security and Cooperative Development and committed to the committee on Agriculture.
 - (c) The Machakos County Horticulture Policy developed by the Department of Agriculture, Food Security and Cooperative Development and committed to the Committee on Agriculture.
 - (d) The Machakos County Livestock policy developed by the Department of Agriculture, Food Security and Cooperative Development and committed to the committee on Agriculture.
 - (e) Machakos County Agriculture sector policy.
34. Assisted different entities of the Assembly and external institutions to collect data namely:

- (a) Health and Safety Committee, to analyze questionnaires which was developed by NACADA.
- (b) Committee on Appointments by drafting correspondences to Public universities for verification of academic credentials submitted for vetting of nominees to position of County executive committee members and responses filed with the office of the Clerk
- (c) Various Committees by drafting correspondences to Public universities for verification of academic credentials submitted for vetting of nominees to position of Chief Officer- due diligence.
- (d) Kenya Institute of Public Policy Research and Analysis (KIPPRA) on Climate Change by acting as a link for coordination and collection.

35. Published 8 articles on research and information services as follows:

- (a) Prepared materials for sensitization of staff on transition from the second to the third Assembly.
- (b) Prepared orientation and induction materials for Members of third County Assembly.
- (c) Prepared pamphlet on research information services for inducting Members of the third County Assembly of Machakos.
- (d) Prepared 3 status reports on transition and presented to BOM on various dates.
- (e) Prepared talking notes for members' debate on governor's address delivered during the opening of the third County Assembly
- (f) Prepared an analysis of documents presented by 2 CEC nominees for Water, Irrigation Environment and Climate change; and Education for use by Appointments Committee during vetting process.
- (g) Developed Machakos County Assembly Research Services brochure.

(x) **Ensuring security of Members, staff and the precincts of the Assembly**

36. Worked closely with police and guards in the Assembly to ensure security of Members and staff while in the Assembly precincts.

3.0 CHALLENGES

Some of the challenges faced by the department during the period under review include the following:

- (a) Budgetary constraints.
- (b) Inadequate resources such as laptops, printers and internet connectivity.
- (c) Inadequate Training of the staff.

- (d) Limited attachment to other legislative bodies.
- (e) Inadequate time during meetings and retreats.
- (f) Lack of quorum in meetings and retreats
- (g) Inadequate security equipment

WAYFORWARD

- (a) Seek for revision of ceilings by the Commission on Revenue Allocation (CRA).
- (b) Encourage and facilitate Inadequate attachment to other legislative bodies. The National Parliament, Senate and Benchmark with other Assemblies
- (c) Inadequate time during meetings and retreats.
- (d) Put in place a biometric machine and ensure members are paid only when they attend meetings
- (e) Request the National Police Service/Officer in Charge of the Machakos Police Station to facilitate provision of fire arms.

4.0 FINANCE, ACCOUNTS AND BUDGET DEPARTMENT

Honorable Speaker,

During the year under review, the Department realized the following milestones:

Finance, Accounts And Budget Departmental operational Report For Year Ending 30th June 2023

The department is organized under three sections namely;

1. Examination and Payments section
2. Reporting section
3. Budget section

The main objective of the department is to ensure prudent and responsible management of resources with a view to facilitate smooth delivery of cost effective services. All payments are executed on the IFMIS platform as guided by the PFM Act 2012.

The Report gives highlights on the activities, achievements and challenges of the department during the year under review.

Performance Report For Fy 2022/2023

1. Budget Performance

During the financial year 2022/2023, the County Assembly had an approved budget of Kshs 1,488,346,181 which comprised of a Recurrent budget of; Ksh. 865,126,181, Development

budget Kshs. 318,500,000, and other recurrent transfers budget estimates of Ksh 304,720,000.

The recurrent budget estimates covered Personnel Emoluments of Kshs. 468,919,609 and Operations and Maintenance of Kshs. 396,206,572.

- a) During this period, the Assembly received Ksh. 865,426,183 for the recurrent vote giving an absorption rate of 100%.
- b) Under the development budget only Ksh 22,470,208 was received from County treasury translating to an absorption level of 7.1%.
- c) Under other recurrent transfers, the Assembly received funding as indicated below;
 - i) Car loans and Mortgages- This was allocated a budget of Ksh. Ksh.172,000,000, and a total of Ksh. 158,000,000 was released to the Assembly translating to absorption level of 91.86%.
 - ii) Motor Vehicle Reimbursement- There was a budgetary allocation of Ksh. 132,720,000, and a total of Ksh. 86,244,000 was released to the Assembly translating to absorption level of 65%.

Overall, the Assembly total budget estimates were Ksh 1,488,346,181 and Ksh 1,132,140,391 was released resulting to absorption level of 76.1%.

2. Preparation Budget Estimates for FY 2023/2024

The Department prepared budget estimates for FY 2023/2024. This was presented before the CASB and later on forwarded to the County Executive for consolidation with the entire county budget.

3. Preparation of the Assembly Supplementary budget estimates for FY 2022/2023.

The department prepared two supplementary budget estimates for the assembly guided by the CRA ceiling and the same were tabled to the CASB for approval and thereafter forwarded it to the County Treasury for consolidation with the Executive budget Estimates.

4. Preparing monthly requisition of funds

The department prepared several monthly requisitions for the year ending 30th June 2023 and submitted to the County Treasury to facilitate the funding of programs and made follow up of the same at the Controller of Budget for final approval.

5. Processing of payments.

The department was able to process payments to Suppliers/Contractors/ Service Providers/Salaries/Allowances that fell due and were dully documented during the reporting period. All these payments were processed through IFMIS (Integrated Financial Management Information System) and the final payment was done through Internet Banking.

6. Preparing Annual Financial Statements for the assembly and the Funds Accounts

The department prepared three sets of financial statements for the financial year ending June 2022 and the same were forwarded to the Kenya National Audit Office (KENAO) by 30th September 2022. These sets of accounts are:

- a. Assembly financial statements.
- b. MCAs Housing and Car Loan Scheme Fund Account
- c. Staff Housing and Car Loan Scheme Fund Account
- ❖ The department also co-ordinated external audits conducted by KENAO for Financial statements for the FY ending 30th June 2022.

7. Preparation of financial reports.

These included management reports for use by the CASB as well as monthly and quarterly reports on revenue and expenditure.

8. Preparing books of accounts

The books maintained by the department were as follows:

- a. General Ledger,
- b. Creditors' Ledger,
- c. Assets Register,
- d. Salary Advance Register,
- e. Imprest Register,
- f. Cash Books,
- g. Bank Reconciliation Statements,
- h. Vote Book.
- i. Staff loan ledger cards

9. Coordinating interrogation of reports

The Assembly received reports from the Controller of Budget and County Treasury and the department was involved in the analysis. These reports were;

- 1st and 2nd Supplementary Budget Estimates for FY 2022-2023,

- Budget Estimates for FY 2023-2024
- Annual development plan (ADP) for FY 2022-2023
- County Integrated Development Plan (CIDP) for the period 2023-2027
- County Budget Review and Outlook Paper (CBROP) for the year 2022
- County Fiscal Strategy Paper (CFSP) for year 2023-2024
- County Financial reports for FY 2021-2022 (Income and Expenditure reports)
- Annual Controller of Budget report for FY 2021-2022
- 1st and 2nd Quarter expenditure reports for FY 2022-2023
- 1st half expenditure report for FY 2022-2023
- Budget circular for FY 2023-2024

10. Providing professional advice and guidance to committees

The department provided professional advice to budget committee, finance committee and loans management committee during the period under review.

11. Managing the car loan /housing loan scheme for both MCAs/staff.

The department was involved in processing both members and staff loan applications for consideration and approval by the loans committee and later forwarding to the bank for funds disbursement.

During the period under review, we disbursed loans to staff amounting to Ksh.29,356,469.

For the members of County Assembly, we processed applications for 53 Honorable members and which totaled to Ksh. 280,000,000.

12. Processing and payment of motor vehicle reimbursement benefit for MCAs

The SRC approved a motor vehicle reimbursement of Ksh. 2,212,000 for the deputy speaker and the honorable members. During the FY under consideration, the department received and processed 39 motor vehicle reimbursement applications, and a total of Ksh. 86,244,000 was reimbursed to honorable members.

Challenges

1. Budgetary constraints as a result of budget celling set by CRA.
2. Pending bills- This remains at Ksh. 103,132,177.30. In addition, pending staff allowances stands at Ksh. 40,457,032 .
3. IFMIS network challenges.

4. Delay in release of funds.

WAY FORWARD

1. Strict adherence to budget allocation.
2. Propose an equitable budget to provide for both members of the Assembly and staff.

5.0 SUPPLY CHAIN MANAGEMENT DEPARTMENT

Hon, Speaker, the Department's status report for the period under review is as follows:

Supply Chain Management Departmental Operations Report for the FY/2022/2023

The Supply Chain Management department is responsible for the procurement of goods, services and works in line with the County Assembly approved budget and the procurement plan as per provisions of the Public Procurement and Asset Disposal Act 2015.

During the period 1st July, 2022 to 30th June 2023, the Department achieved the following:

1. Consolidation of the Assembly Procurement Plan.

As required by the law the department consolidated procurement plan and uploaded it in the Integrated Finance Management Information System (IFMIS).

2. Payment of Pending Bills.

As one of the best practices in management, the procuring entity is required to prioritize payment of pending bills at the beginning of the financial year. The procurement department continued forwarding for payment, the supported pending bills that had not been cleared in the previous quarters.

3. Procurement of Capital Projects.

The department has initiated the procurement of the following projects which are at different stages as indicated.

1. Construction of twenty (20) pit latrines, 13 complete 7 constructions ongoing. (*Status report of the specific Ward Offices Annexed- Annexure 4*)
2. Construction of 35 perimeter fences, 35 water harvesting facilities and parking sheds. The tender was terminated at evaluation stage due to governance issues.
3. Construction of three (3) ward offices One (1) is complete, two (2) are ongoing, and two (2) contracts were signed but work has not started (there was an issue with a change of site that has delayed the implementation).

4. Project Management

The department has been overseeing the implementation of the following projects which had been procured in previous years.

S/NO	PROJECT NAME	PROJECT STATUS
1.	Construction of a modern Chamber and associated works.	Ongoing
2.	Construction of Speakers Residence	Complete, under the defects liability period
3.	Construction of ward offices	Ongoing
4.	Supply and installation of ABU phase II	Ongoing
5.	Contract management for medical cover	Ongoing
6.	Contract management for general insurance	Ongoing
7.	Contract management for security services	Ongoing

4. Procurement of Goods and Services under the Recurrent Budget

S/NO	GOODS/SERVICES
1.	Supply and Delivery of Cleaning Materials
2.	Supply and Delivery of Stationery
3.	Repair and Maintenance of Motor Vehicles

4.	Provision of medical cover
5.	Provision of Air ticketing
6.	Provision of legal services
7.	Provision of General Insurance and Group Cover
8.	Provision of Advertisement Services
9.	Provision of Hotel Conference Facilities
10.	Provision of Garage Services
11.	Provision of Advertisement Services
12.	Supply and Delivery of staff uniform

5. Capacity Building

Training has been done in the following areas:

- i) Public Procurement and Assets Disposal Act 2015 and Regulations 2020.
- ii) Preparation of the new bid documents.

6. Disposal of Idle Assets

The department moved the disposal process up to identification of obsolete items and appointment of the disposal committee.

7. Compliance

Various statutory requirements have been met. This includes appointment of various procurement committees, submitting statutory reports, registration of suppliers both special groups and others, making reservations for the special groups, uploading procurement opportunities in the PPIP.

8. Institutionalization of the Procurement laws

The procurement department initiated the development of the Assembly procurement manual to institutionalize the Public Procurement and Disposal of Assets Act (PPDA), 2015 and Public Procurement and Disposal of Assets Regulations (PPADR) 2020.

9. Procurements done through E-procurement for FY 2022/2023

No.	Contract number	Contract description
1.	1293424-2022/2023	Supply And Delivery Of Media Centre
2.	1493432-2022/2023	Provision Of Group Mortgage Life And Domestic Fire Insurance Cover For Its Staff Mortgages And Car Loan Scheme
3.	1293435-2022/2023	Provision of General Insurance Cover
4.	1242519-2022/2023	Construction of Kangundo West Office Gate, Fencing, Car Shed, Rain Water Harvesting, Associated Electrical And Mechanical Works
5.	1242258-2022/2023	construction of Athi river ward office gate, fencing, car shed, rain water harvesting, associated electrical and mechanical works
6.	1242227-2022/2023	construction of Masinga central ward office gate, fencing, car shed, rain water harvesting, associated electrical and mechanical work
7.	1242368-2022/2023	construction of Mumbuni ward office gate, fencing, car shed, rain water harvesting, associated electrical and mechanical work
8.	1242512-2022/2023	construction of Muthetheni ward office gate, fencing, car shed, rain water harvesting, associated electrical and mechanical work
9.	1242371-2022/2023	construction of Mitaboni ward office gate, fencing, car shed, rain water harvesting, associated electrical and mechanical work
10	1245729-2022/2023	construction of Matuu ward office gate, fencing, car shed,

		rain water harvesting, associated electrical and mechanical work
11	1242266-2022/2023	construction of Katangi ward office gate, fencing, car shed, rain water harvesting, associated electrical and mechanical work
12	1245727-2022/2023	Construction of Ikombe ward office gate, fencing, car shed, rain water harvesting, associated electrical and mechanical work
13	1242373-2022/2023	construction of Kalama ward office gate, fencing, car shed, rain water harvesting, associated electrical and mechanical work
14.	1242510-2022/2023	Construction of Masii ward office gate, fencing, car shed, rain water harvesting, associated electrical and mechanical work
15.	1242386-2022/2023	Construction of Kathiani central ward office gate, fencing, car shed, rain water harvesting, associated electrical and mechanical work
16.	1242385-2022/2023	Construction of lower Kaewa ward office gate, fencing, car shed, rain water harvesting, associated electrical and mechanical work
17.	1242523-2022/2023	Construction of Mumbuni North ward office gate, fencing, car shed, rain water harvesting, associated electrical and mechanical work
18.	1242249-2022/2023	Construction of Mlolongo, Syokimau ward office gate, fencing, car shed, rain water harvesting, associated electrical and mechanical work
19.	1242241-2022/2023	Construction of Kyeleni ward office gate, fencing, car shed, rain water harvesting, associated electrical and mechanical works
20.	1245725-2022/2023	Construction of Muthesya ward office gate, fencing, car shed,

		rain water harvesting, associated electrical and mechanical works
21	1242723-2022/2023	Construction of Ndithini ward office gate, fencing, car shed, rain water harvesting, associated electrical and mechanical works
22.	1242222-2022/2023	Construction of Kivaa ward office gate, fencing, car shed, rain water harvesting, associated electrical and mechanical works
23.	1242516-2022/2023	Construction of Mwala ward office gate, fencing, car shed, rain water harvesting, associated electrical and mechanical works
24.	1186362-2022/2023	Design, Supply, Delivery, Installation, Testing, And Commissioning Of Broadcasting Equipment-Phase II
25.	1187312-2022/2023	Supply and delivery of ICT equipment
26.	1186365-2022/2023	Supply and delivery of media center equipment
27	1186360/2022/2023	Provision of credit life insurance for staff mortgages and car loans
28	1166670-2022/2023	Construction Of Athi-River Ward Office Fence, Gate, Car Shed And Associated Mechanical/Electrical Works
29	1166676-2022/2023	Construction of Mlolongo Ward Office Fence, Gate, Car Shed and Associated Mechanical/Electrical Works
30	1166680-2022/2023	Construction of Katangi Ward Office Fence, Gate, Car Shed and Associated Mechanical/Electrical Works
31	1166649-2022/2023	Construction of Kibauni Ward Office Fence, Gate, Car Shed and Associated Mechanical/Electrical Works
32	1166646-2022/2023	Construction of Kola Ward Office Fence, Gate, Car Shed And Associated Mechanical/Electrical Works

33	1166644-2022/2023	Construction of Kyeleni Ward Office Fence, Gate, Car Shed And Associated Mechanical/Electrical Works
34	1166665-2022/2023	Construction of Kangundo Central Ward Office Fence, Gate, Car Shed And Associated Mechanical/Electrical Works
35	1166672-2022/2023	Construction of Kivaa Ward offence, Gate, Car Shed And Associated Mechanical/Electrical Works
36	1166602-2022/2023	Construction of Ekalakala Ward office Fence, Gate, Car Shed And Associated Mechanical/Electrical Works
37	1166628-2022/2023	Construction of Ndalani Ward Office Fence, Gate, Car Shed and Associated Mechanical/Electrical Works
38	1166642-2022/2023	Construction of Masinga Central Ward office Fence, Gate, Car Shed and Associated Mechanical/Electrical Works
39	1166638-2022/2023	Construction of Matuu Ward Office Fence, Gate, Car Shed And Associated Mechanical/Electrical Works
40	1166139-2022/2025	Construction of Ikombe Ward Fence, Gate, Car Shed and Associated Mechanical/Electrical Works
41	1166632-2022/2023	Construction of Muthesya Ward Office Fence, Gate, Car Shed and Associated Mechanical/Electrical Works
42	1166667-2022/2023	Construction of Ndithini Ward Office Fence,Gate, Car Shed and Associated Mechanical/Electrical Works
43	1166639-2022/2023	Construction of Matungulu- West Ward Office Fence, Gate, Car Shed and Associated Mechanical/Electrical Works
44	1166640-2022/2023	Construction of matungulu North Ward Office Fence, Gate, Car Shed and Associated Mechanical/Electrical Works
45	1166647-2022/2023	Construction of Kangundo-West Ward Office Fence, Gate, Car Shed and Associated Mechanical/Electrical Works
46	1166629-2022/2023	Construction of Mwala Ward Office Fence,Gate, Car Shed

		and Associated Mechanical/Electrical Works
47	1166631-2022/2023	Construction of Muthetheni Ward Office Fence, Gate, Car Shed and Associated Mechanical/Electrical Works
48	1166668-2022/2023	Construction Of Masii Ward Office Fence,Gate, Car Shed And Associated Mechanical/Electrical Works
49	1166140-2022/2023	Construction Of Kangundo-East Ward Office Fence, Gate, Car Shed And Associated Mechanical/Electrical Works
50	1166682-2022/2023	Construction Of Kathiani Central Ward Office Fence, Gate, Car Shed And Associated Mechanical/Electrical Works
51	1166643-2022/2023	Construction of Lower-Kaewa Ward Office Fence, Gate, Car Shed and Associated Mechanical/Electrical Works

Challenges Experienced

The department has faced various challenges which have affected its performance. These challenges include:

i) Inadequate capacity

The staff in the Department need continuous capacity building to catch up with the ever-changing trend in the supply chain profession. Other officers in the Assembly who are involved in procurement and contract management at different levels are also in need of capacity building. Kenya Institute of Supplies Management (KISM) offer training services every month for both professional and other members involved in public procurement, the Public Procurement Regulatory Authority (PPRA) also offers such trainings.

ii) Non-responsiveness of Bids Received

Often, the suppliers and contractors are submitting bids that are not responsive to the needs of the assembly. This could be associated to lack of capacity on their part. This has resulted in termination of procurement proceedings of various projects which is time consuming and affects negatively the supplier relationships. To overcome this challenge, the department needs to engage in capacity building for the suppliers and contractors.

iii) Emergency Procurement of Goods, Works, and Services

Often, we are receiving requisitions and required to procure goods and services within unreasonable time frames. This often results in either flouting the procurement rules or disappointing the users as we are guided by the law in regard to procurement timelines. In most cases, these procurements do not meet the threshold of urgency as stipulated in the procurement law, notwithstanding this has derailed the use of E-procurement.

We are advising the users of various goods, works and services to appropriately plan for their needs and raise their requisitions early enough. This will give us ample time to prepare the bid documents. It is also important to give the bidders enough time to prepare their bids.

WAYFORWARD

1. Training of staff in the Department and pre-qualified suppliers/ service providers
2. Proper planning
3. Settling of pending bills to encourage suppliers trade with the Assembly

6.0 LEGAL AND LIBRARY SERVICES DEPARTMENT

Honorable Speaker,

The Legal and Library Services Department has undertaken the activities as detailed herein below. The report also identifies the challenges encountered and the mitigation measures or interventions that can be made to address those challenges have been highlighted.

6.1 Achievements

During the period under review, being the 2022/2023 financial year, the department undertook the following activities as derived from Department's Annual Work-plan.

1. To facilitate MCAs to effectively carry out their representation function

The Department terminated the 14 leases for the outgoing members of the second Assembly.

Upon entry of the Hon. Members of the third assembly after the August 2022 elections, the Department prepared and facilitated the entry of Thirteen (13) fresh ward office leases.

2. Promoting information sharing with the Public and Public Engagement

In 2022/2023 financial year the department undertook the following with regard to this objective:-

The Department was able to prepare briefs to aid in public participation and disseminate legislative proposals to stakeholders before and during public participation in soft copies via the Assembly website of the following documents;

1. CIDP
2. ADP
3. Budget Estimate for the FY 2023/2024.

The Department prepared Gazette Notices for:

- (i) First Sitting of the Third Assembly
- (ii) Vacancy of Speaker
- (iii) Vacancy of Deputy Speaker
- (iv) Special sittings;
 - a) On the 16th of December 2022 for consideration of the Report of the Committee on Appointments on vetting of nominees for appointment to the selection panel for the purpose of suitable candidates for appointment as members of the County Public Service Board
 - b) Consideration of vetting report on Consideration for appointment of Chief officers on 4th January 2023
 - c) Consideration of vetting report on Consideration for appointment of Chief Officers, Chairperson and Members of the County Public Service Board. on 9th May 2023
 - d) Consideration of the report on the 2nd Supplementary Budget Estimates for the Financial 2022- 2023.on 23rd May 2023
 - e) Consideration of the report on the Machakos County Climate Change Action Plan (MCCCAP 2023-2027) on 29th May 2023

3. Stakeholder engagement

Legal Counsel held various consultative forums with departments of the County Executive in the period under considerations in reviewing draft policies and regulations.

4. To develop a legislative agenda for the County

The department has a mandate to review and make recommendations on existing County legislations
The department reviewed the Finance Act and resolved to develop the following pieces of legislations on;

- (a) Advertisement
- (b) Public Amenities
- (c) Public Eating Places

- (d) Taxi – Cabs
- (e) Investment
- (f) Entertainment
- (g) Local tourism
- (h) Hawking
- (i) Fair trading practices
- (j) Women Development
- (k) Neighbourhood associations
- (l) Disaster Management
- (m) Childcare facilities
- (n) Homecraft centers
- (o) Public Works, Land and housing
- (p) Energy law
- (q) Animal Control and licensing
- (r) Control of Drugs
- (s) Private learning institutions
- (t) Anti-pornography

The Department on developing subsidiary legislations on Assembly Procedures published 300 copies of Standing orders and distributed the amended Standing Orders.

5. Drafting of legislation (Bills and Regulations)

The Department drafted the following legislation whose status is indicated:-

NO.	LEGISLATION	STATUS
1.	The Machakos County Spatial Planning Bill,2022	Published first reading done
2.	The Machakos County Inspectorate Services Bill	Awaiting publication
3.	The Machakos County Fire and Rescue Services Bill	Published first reading done
4.	The Machakos County Development Coordination Bill	Awaiting approval by the sponsor
5.	The Machakos County Public Amenities Bill, 2022	Bill at Drafting Stage

6.	The Machakos County Eating Places Bill, 2022	Bill at Drafting Stage
7.	The Machakos County Advertisement Bill, 2022.	Bill at Drafting Stage
8.	The Machakos County Early Childhood Education Bill, 2022	Bill at Drafting Stage
9.	The Ward Office Regulations, 2022	Approved by CASB awaiting publication
10.	The Motor Vehicle Reimbursement Regulations, 2022	Approved by CASB awaiting publication
11.	Machakos County Supplementary Appropriation Act, No.1 of 2023	Enacted
12.	Machakos County Supplementary Appropriation	Enacted
13.	Machakos County Appropriation Bill, 2023	Enacted

The activities involved in drafting the above pieces of legislation include:-

- (a) Undertaking legal research on the policy issues around the issue to be legislated upon;
- (b) Actual development of the legislation;
- (c) Taking Members of County Assembly (MCAs) through the legislation;
- (d) Conducting public participation on the draft legislation;
- (e) Publication of the legislation;
- (f) Report writing on Committee deliberations on the Bills;
- (g) Conducting consultations with stakeholders on the legislation;
- (h) Preparing committee stage amendments to the Bills;
- (i) Preparing vellums for the Bills;
- (j) Preparing gazette notices on Bills
- (k) Liaising with the County Executive on the signing and publication of Acts of the Assembly.

6. Providing legal advice to the Assembly

The department fulfilled this mandate by rendering the following legal opinions and advisories: -

- (a) Budget and Appropriations Committee when considering the supplementary budget estimates
- (b) Appointments Committee when considering nominees for appointment to the selection panel for the purpose of suitable candidates for appointment as members of the County Public Service Board
- (c) Appointments Committee when considering the removal of members of the County Public Service Board
- (d) Offered legal advice to various committees of the assembly when considering nomination of chief officers to various department
- (e) Budget and Appropriations Committee when considering the budget estimates for the FY 2023/2024

7. Litigation and Litigation Management

The department undertook the following activities in fulfillment of this objective:-

1. Manage litigation

- i) Monitor progress of cases and submit quarterly reports.
- ii) Legal Counsel entered appearance to act for the Assembly, filed pleadings, appeared in court and updated management in the following matters;
 - (a) (Machakos) ELRC No. 2 of 2022 and (Machakos) HC JR. No. 4 of 2022 George Kioko Luka & 4 others Vs. County Assembly of Machakos & 3 others
 - (b) (Machakos) Constitutional Petition No. E24 of 2022 Wilfred Manthi Vs. County Assembly of Machakos & 4 others
 - (c) (Machakos) Constitutional Petition Nos 3, 4 & 5 of 2022. Cecilia Sereka & 2 Others Vs. County Assembly of Machakos & 4 others
 - (d) (Machakos) Constitutional Petition No. E019 of 2022 Thomas Moindi Vs. County Assembly of Machakos & 4 others
 - (e) (Machakos) Constitutional Petition No. 2 of 2023 Wilfred Manthi Vs. County Assembly of Machakos & 4 others

(f) ELRC Cause No. E957 of 2022 at Nairobi – Felix Gitari Mbiuki -vs- Joseph Laban (aka J.L) Mutisya & Machakos County Assembly Service Board.

iii) Supported External Counsel to by preparing witnesses and updating management on the progress of the following matters;

- a. (Machakos) Employment and Labour Relations Court Cause 4 of 2018 Nelly Itumbi & 108 Others Vs County Assembly of Machakos
- b. (Nairobi) Employment and Labour Relations Court Cause No. 861 of 2014 Johnson Kithuka Vs County Assembly of Machakos
- c. (Nairobi) ELRC No. 726 of 2021 Mathew Muange versus County Assembly of Machakos

iv) Embrace alternative dispute resolution.

This objective was achieved by attending to conclusion the Matter at the Arbitration Tribunal between County Assembly Service Board and the First Assurance Ltd.

2. Compliance to existing laws and procedures

- i) Draft Legal opinions in compliance with decree and submit quarterly reports.

The Department rendered the following legal advisories: -

- (a) Advisory on amending the PFM (Machakos County Bursary Fund) Regulations, 2019;
- (b) Review of the Assembly Communications Policy;
- (c) Legal Opinion on the approval of the Selection Panel for the County Secretary;
- (d) Opinion on the Audit Committee;
- (e) Legal Opinion on the Fourth and Fifth Member of the CASB;
- (f) Legal Brief on the vetting of County Executive Committee Members;
- (g) Advisory on the PFM (Machakos County Executive Staff Car and Mortgage) Regulations 2022;
- (h) Advisory on payment demand by Simply Travel & Tours;
- (i) Legal Advisory on the SRC Circular on allowances for Nakuru City;
- (j) Advisory concerning the regulations on motor vehicle reimbursement for members of county assembly Gazette Notice No. 8792 released on the 27th of July 2022 by the Salaries and Remuneration Commission (SRC).
- (k) Advisory on Transport regulation within Machakos County

- (l) Advisory on Machakos County Ward Development Bill 2022 and the Machakos County Development Oversight Committee Bill 2022.
- (m) Advisory on approval of “change of user” applications in Machakos County.
- (n) Advisory on the (Car loan and Mortgage Scheme Fund) Regulations (2022) for the Machakos County Executive
- (o) Advisory on formation of Women Caucus Committee

8. To strengthen Research and Information Services for the MCAs

The Department provided library information services;

- (i) Source for 25 library reference materials

The Library Section has sourced and issued a copy of each of the following reference material to the MCA’s and members of staff.

1) The constitution of Kenya 2010 (200 copies sourced)

2) The public finance management Act (200 copies sourced)

3) The Devolution Laws volume 1 (200 copies sourced) that comprises of;

- i. County Government Act(No.17 of 2012)
- ii. Public Appointment(County Assemblies Approval)Act (No.6 of 2017)
- iii. County Assemblies Powers and Privileges Act (No.6 of 2017)
- iv. County Assemblies Services Act (No.24 of 2017)
- v. Petition of County Assemblies (procedure) Act (No.15 of 2020)

4) Devolution laws volume 2. 200 copies that comprises of ;

- i. Urban Areas and Cities Act (No.13 of 2011)
- ii. Intergovernmental Relations Act (No.2 of 2012)
- iii. Leadership and integrity Act (No.19 of 2012)
- iv. Office of the County Attorney Act (No.14 of 2020)
- v. County Outdoor advertising Control Act (No.19 of 2020)

- (ii) Offer internet browsing and reprography Services on weekly basis

The library section has offered internet browsing and reprography services on daily basis to the MCA’s and staff. The library section has a computer for use at the library carrel area.

- (iii) Undertake Library research and documentation.

The Library has on daily basis offered a conducive environment for reading and research.

The department has undertaken intensive research in a view to enhance the Library Management Service to enable proper archiving and access of documentation.

Automating Assembly processes:

- i) Digitization of Assembly papers (order papers and attachments produced in the Legislative process) on weekly basis.

The Department embraced Information Communication Technology through continually digitizing the Assembly papers (order papers and attachment produced in the legislative process on weekly basis).

6.2 Challenges

Some of the challenges faced by the Department during the period under review include the following:-

- (f) Inadequate personnel which has resulted in some of the activities not being undertaken on time.
This has also lead to heavy work load on officers in the department.
- (g) Inadequate budget allocation for the department.
- (h) Delay in disbursement of funds to facilitate various departmental assignments.
- (i) Lack of training to the new officers on Alternative Dispute Resolution (ADR) (like Mediation and Arbitration), legal Audit, Contract drafting and Execution and Public-Private Partnership (as relates to procurement).
- (j) Slow uptake of library services.
- (k) Access to the Library by PWDs – entrance door features steep staircase that has been a challenge accessing the library by the PWDs
- (l) Bureaucracy and delays in procurement of pertinent publications mainly on parliamentary practice.
- (m) Lack of adequate capacity building on emerging trends in legislative libraries, legal research and procedure.
- (n) Frequent server downtime occasioning inaccessibility of the Library Management System database.
- (o) New officers lack tools of work such as laptops, printers and photocopiers
- (p) The library lacks some of the essential equipment like desktop computers and printers and photocopiers for internet browsing and for reprography services.

6.3 Way Forward

Some of the measures that can be undertaken to address the challenges faced by the department include the following:—

1. The Assembly should consider employing more staff especially for the legal section.
2. There is need to increase budget allocation for the functions of the Legal department.
3. Hasten the disbursements of funds when facilitating officers to pay for services.
4. There is need to expose new staff under the department to other legislatures. For instance Kenya Parliament, East Africa Legislative Assembly and other County Assemblies.
5. There is need to train the staff in the department as requested in the training needs.
6. Sustained encouragement to uptake the Library Service.
7. Training mainly at KSG on electronic document management and digitization.
8. Availability of Interns to help in workload.
9. Adherence to procurement plan and budget.
10. There is need for servicing and maintenance of the library management system.
11. We need to have a library ramp to cater for needs of the PWDs.
12. Essential equipment for reprography services and internet browsing i.e. printer photocopier and desktops need to be procured.

7.0 HUMAN RESOURCE AND ADMINISTRATION DEPARTMENT

Honorable Speaker,

The mandate of the Human Resource and Administration department is to provide services that will assist the County Assembly of Machakos in achieving its Constitutional mandate. This is done by providing support to ensure the well-being of the Members of County Assembly and Staff hence improving their performance on a continuous basis.

During the period under review the Human Resource Department engaged in a number of activities so as to ensure that the Assembly is able to achieve its Constitutional mandate. Key among the activities include;

7.1 Composition of The Assembly

The 2nd County Assembly term period was for the period between Aug 2017- Aug, 2022. The 2nd Assembly had a composition of 60 Honorable Members (Speaker and 59 Members of County Assembly). In terms of gender composition the Assembly consisted 72% male and 28% female.

The 3rd Assembly was ushered in following the General Elections held in August, 2022. The 3rd Assembly had a composition of 61 Honorable Members (Speaker and 60 Members of County Assembly). In terms of gender composition the Assembly consisted 72% male and 28% female.

7.2 Staff Composition

The County Assembly of Machakos has different categories of employees who have been recruited to support the Assembly towards achieving its mandate. There are two categories of employees engaged by the Assembly as listed below:

- Permanent and Pensionable
- Contractual Employees

The current employee composition stands at one hundred and thirty four (113 permanent and 21 on contract).

7.3 Staff Exit

Staff as provided in the Human Resource guidelines can exit service either through resignation, retirement, dismissal, expiry of contract or death. During the period under review the Assembly had two staff who exited service.

7.4 Clearance Of The Outgoing MCAs of The 2nd Assembly

During the period under review the Human Resource department developed clearance forms for the MCAs and ensured a smooth clearance process. Upon, successful clearance of the MCAs the department in liaison with the Finance department ensured the MCAS are paid the service gratuity due to them.

7.5 Onboarding Of The New MCAs of the 3rd Assembly

Following the General elections held in August, 2022 the County Assembly received the new MCAs to form the 3rd Assembly. The Human resource department ensured the successful onboarding of the new MCAs by organizing a robust onboarding process to ensure that the New MCAs are familiar with the Assembly.

The key activities implemented by the department include:

1. Filling in of the bio data form by the new MCAs.
2. Carrying out of an Assembly familiarization tour.
3. Collecting data for the medical scheme purposes

7.6 Training and Development

Training and Development of Honorable Members and staff helps in enhancing productivity. During the period under review the human resource Department invested in Training and Developing of the Honorable Members as per the table below.

All MCAs	Orientation MCAs Elect, Machakos	16 th & 17 th September, 2022
	First Induction of MCAs, Mombasa	21 st -24 th September, 2022
	MCAs training on Ward offices and staffing, equipping and maintenance, Diplomacy , Protocol and Etiquette	29 th September to 1 st October, 2022
	Second Induction of MCAs , Mombasa	11 th -15 th October, 2022
	MCAs attended a Workshop in Mombasa	20 th -26 th November, 2022
	Induction Training of MCAs in Mombasa	23 rd -27 th November, 2022
	Third Induction of MCAs	8 th -12 th Nov, 2022
	Training of Members on Generation of Business: generating bills, motions, regulations and statements, petitions; overview of the ECDE policy, Mombasa	27 th Feb-4 th March, 2023
	Capacity building on the County Integrated Development Plan and general procedures of the House topics covered: Sensitization on Integrity matters, the rules of debate, Speaker's Rules	21 st -25 th March, 2023
	Workshop – Processing of Bills, Mombasa	11 th -15 th April, 2023

Further, the Human Resource department facilitated the training of different committees on various topics and also facilitated site visits and retreats as per the schedule attached in Appendix I.

Further, as per the Public service Human Resource Manual where it is required that staff be taken for training every financial year so as to enhance their performance, the Human Resource Department facilitated the training of various staff as per the Schedule attached in Appendix II.

7.7 Industrial Attachment

During the period under review the Human Resource department offered 55 students with an opportunity for industrial attachment in various departments in the Assembly. The placement was based on the course that the students were pursuing in the Colleges and Universities.

7.8 Performance Management

Performance Management is an essential tool for increasing staff productivity and at the end it helps in acting as a road map towards achieving the vision of the organization.

During the reporting year, the department ensured :

1. All the SPAs forms for the FY 21/22 were filled and submitted and new targets set for the FY 22/23.
2. Performance contracts were cascaded to all the staff.
3. The strategic plan secretariat started the end term review process of the strategic plan for period between 2018-2023.

7.9 MCAs and Staff Welfare

Ensuring good employee welfare is critical for the success of any organization. Employees who have their welfare taken care of by their employer are always motivated and hence productive in their performance. During the period under review the Human resource undertook the following activities to ensure the welfare of the Honorable Members and Staff is enhanced.

7.10 Medical and Group Life Insurance

During the period under review, the Human Resource Department has ensured that both the MCAs and Staff are covered under the group life insurance and the medical Insurance. The Human Resource office ensured timely renewal of the insurance policies to avoid lapses.

The Human Resource department also organized for medical camps in conjunction with the Machakos Doctor's plaza and Baus Opticals where the MCAs and staff were advised on their health

status. Also, in order to check on the health and well-being of the MCAs and Staff the Human Resource Department embarked on the process of provision of Gym facilities at the County Assembly and this has been achieved by allocation of Office Space for the Gym and currently the process of acquisition of the gym equipment is still underway.

7.11 Partisan Staff

To promote the welfare and proper functioning of the MCAs and speaker the Salaries and Remuneration Commission has provided for six(6) partisan staff for the Office of the Speaker and three (3)Partisian staff for each Member of County Assembly

During the period under review, the human Resource Department ensured the smooth exit of the 2nd Assembly ward employees following the end of term. The department undertook the following activities to ensure their smooth exit:

1. Organized for a training program for the ward managers on the requirements and expectations during exit.
2. Undertook a board of survey to ensure proper handover of assets between the incoming and outgoing ward managers.
3. Cleared the ward employees on the 8th August, 2022 and prepared a schedule to ensure processing of their service gratuity

During the period under review the department facilitated the onboarding of the 186 partisan staff under the Office of the Speaker and for the 60 Members of County Assembly as provided by the SRC. Further, the department ensured that the employment contracts are signed between the MCA and the partisan staff.

7.12 Staff Team Building

The Human Resource Department through the County Assembly Service Board organized for a staff team building exercise where the staff were able to bond and this has helped to build on the teamwork and at the same time resolve some of the existing conflicts between the staff.

7.13 Work Environment

A work environment is the setting, social aspects, and physical conditions in which an individual performs their job. A good work environment helps to boost morale hence improve on productivity.

The Human Resource department undertook various interventions to ensure a good working environment for its MCAs and staff:

7.14 Allocation of MCA Offices

To ensure a smooth working environment for the MCAs the Human Resource Department ensured that all the MCAs have offices. During the period under review, the Human resource department undertook the following:

1. Undertaking repairs in the Offices upon clearance of the Members of the 2nd Assembly
2. Labeling of all the MCA Offices
3. Coordinating through the MCAs Leadership to ensure each MCA with an office space,
4. Issuing of keys to the individual MCA for the allocated office

7.15 Transport

During the period under review the Human resource Office ensured that the Honorable members and staff are facilitated with transport whilst performing official duties. Further the Office ensures that the motor vehicles are insured and are serviced. In addition no major accidents were reported.

7.16 Cafeteria

During the period under review the Cafeteria Continued to offer meals to the Honorable members and Staff. Key among the areas of focus was to it ensured that it offered quality food and ensured that high hygiene standards were maintained.

The cafeteria was also involved in massive production of meals to cater for the huge events that took place at the Assembly which included the swearing in ceremony where the cafeteria catered for both lunch and 10 o'clock tea.

During the period under review, the cafeteria registered people with special diet needs and ensured that they are offered with meals that meet their special health needs.

During the period under review, the cafeteria also undertook a customer satisfaction survey where there were 23 respondents to the questionnaires that were administered online.

7.19 Provision of Clean Water

As is required by the Employment Act 2007 the Assembly an employer is required to provide clean drinking water to its staff. To facilitate the provision of clean drinking water the Assembly installed a Reverse Osmosis Plant to purify water.

During the period, under review, the Human Resource department ensured that clean purified drinking water is available for MCAs and staff. Further, the department went ahead to ensure that the reverse osmosis machine is serviced and a sample of the water taken to the Laboratory for a chemical analysis to establish whether it was fit for human consumption.

7.20 Ward Offices

The Human resource Department has ensured that all the MCAs have ward Offices in their respective ward officers. Some of the ward Offices have been constructed by the Assembly whereas others are on lease as the process of construction is ongoing.

7.21 Speaker's residence

The SRC has provided that the County Assemblies construct houses for their Speakers. Based on the aforementioned guideline the Human resource Department initiated the process of construction of the Speaker's residence. During the period under review the Assembly has achieved:

7.22 Health and Safety

Occupational Health and Safety act 2007 requires every employer to ensure the health and well being of its employees. In the period under review, the County Assembly undertook various activities to ensure the well being of the Honorable Members and Staff.

i. Safety Audit: During the period under review, the Human Resource Department through the Assembly Health and Safety Committee facilitated a safety audit exercise at the Assembly where the final report was tabled before the Board of Management with recommendations on the corrective measures to be put in place. The Human Resource Department ensured the implementation of the recommendations and the process is still ongoing.

ii. Provision of Occupational First Aid Kits: During the period under review the Human resource department ensured that the Assembly cafeteria and the Gym are provided with occupational First Aid Kits from St. John Ambulance.

iii. Servicing of Machines: Ensured that all the machines and equipment are serviced to avoid accidents.

iv. Cleanliness: Ensured that cleanliness is maintained in the Assembly premises by ensuring proper allocation of duties to the cleaners and provision of cleaning materials to ensure efficiency in work done.

7.23. MCA and Employee Wellness Programs

Wellness programs often include initiatives that encourage exercise, healthy eating habits, and regular medical checkups. As a result, employees participating in wellness programs may experience improved physical health, reduced risk of chronic diseases, and reduced absenteeism due to illness.

During the period under review the Human Resource Department has been able to undertake the following in support of wellness:

7.24 Health Talks

In liaison with the Health and Safety committee have been able to undertake the following activities:

1. Organized for a mental health talk for the MCAs which was held on in Mombasa as sponsored by Chiromo Hospital Group
2. Held a health talk on Lifestyle diseases for the Members of County Assembly as sponsored by Equity Afia Machakos, Branch
3. Organized for a robust mental wellness talk for the Staff sponsored by Chiromo Hospital during a staff team building exercise held in Mombasa
4. Held a staff health talk in commemoration of the cancer awareness month where the Assembly partnered with the Machakos Specialist Clinic where staff gained understanding about the different types of cancer, symptoms, treatments, risk factors and diagnosis.
5. Biometric Screening of the MCAs and staff to check on the health vitals.ie BMI, Blood Pressure
6. Offered a free optical check up in partnership Optics eye Clinic, Machakos.

7.25 Gym

Further, during the period under review the Assembly ensured that the gym is operational where the following activities were put in place:

1. Development of a daily training program
2. Development of a personalized nutritional plan by the fitness trainers on request basis
3. Ensuring that the gym equipment are operational
4. Maintenance of a daily attendance register to ensure follow up.

7.25. Promotion of A Value-Based And Ethical Public Service

Values and principles act as the foundation that informs, guides, and determines behaviour and attitude. Public servants are expected to observe the values and principles in the Constitution. During the period under review, the Human Resource has helped in the promotion of the values and principles by undertaking the following:

i. Collaborating with Other Institutions in the Promotion of Integrity in the Service

The Human Resource Department collaborated with EACC during the induction programs for the MCAs in the 3rd Assembly where the MCAs were trained on what is expected of them as State Officers.

ii. The Declaration of Income, Assets and Liabilities

Public Officer Ethics Act (POEA), 2003 makes it a mandatory requirement for public officers to make financial disclosures of themselves, their spouse(s) and dependent children. The administration of wealth declarations is regulated under Legal Notice No. 53 of 8th April 2016 which provides for procedures for the declaration of income, assets and liabilities.

Public officers are required to uphold the values of good governance, accountability, transparency and integrity. Public officers are also required to submit initial declarations within 30 days of an appointment, every two years from 1st November, of the declaration year and final declarations within 30 days of exiting the service. The declaration of income, assets and liabilities is an overt statement by a public official to be accountable for the management of public resources placed under their charge while in service.

The Human Resource Department promoted values and ethics by ensuring that:

1. All the 59 MCAs and Speaker of the 2nd Assembly filled their exit DIAL as part of the clearance process.
2. The employee who exited through retirement also filled their exit DIALS as part of the clearance process.
3. All the MCAs and Speaker of the 3rd Assembly filled and submitted their initial DIALs.

7. 26 Payroll Management

During the period under review the Human resource department has ensured timely payment of salaries. It has also ensured that all the deductions are effected in the IPPD system.

The Human Resource Department has also ensured the Implementation of the GHRIS UPN allocation where all the MCAs and Staff are now required to access their pay slips online hence reducing on paperwork.

i. Salaries

The table below shows a consolidated breakdown of salaries and deductions from the period starting from 1st July 2022 up to 30th June 2023. The breakdown comprises of both the IPPD salaries and manual salaries for the said period.

<i>MONTH</i>	<i>GROSS PAY</i>	<i>DEDUCTIONS</i>	<i>NET PAY</i>
July - 2022	33,237,247	15,995,593.84	17,241,652.96
August - 2022	21,064,061.69	9,460,382.18	11,603,679.51
September - 2022	18,527,535.78	8,500,011.23	10,025,121.55
October -2022	31,545,786.71	13,847,454.35	17,718,332.36
November -2022	38,296,010.68	23,375,037.80	14,920,972.88
December - 2022	35,520,951.00	18,644,315.25	16,876,635.75
January - 2023	33,816,683.80	16,174,672.18	17,642,011.62
February - 2023	34,388,895.80	17,269,814.48	18,676,031.82
March – 2023	37,104,242.23	16,466,663.96	20,637,578.27
April - 2023	39,085,427.35	17,476,969.23	21,608,458.12
May - 2023	36,770,748.00	17,236,094.50	19,534,653.50
June - 2023	37,836,299.00	15,902,311.97	21,933,987.03

ii. Allocation of Universal Payroll Numbers (UPN)

The Department requested allocation of new UPN/PF numbers and reactivation of old numbers for newly appointed MCAs, from The Ministry of Public Service. This is in order to be able to absorb

them alongside new and previously recruited staff members into the Integrated Payroll and Personnel Database (IPPD).

Out of total number of seventy two (72) requested, 65 were allocated and dispatched. Five (5) new numbers and two (2) reactivations are still pending. Twelve numbers were not successfully applied for in the period under review due to unavailability of supporting documents in the prescribed format.

7.27 Public Communication

Public Communication plays a vital role in delivering the views and feedback of the key stakeholders of the Assembly. It acts as a link between the members of the Public and the Assembly by ensuring smooth flow of communication while maintain the corporate image of the institution. During the period under review the Human Resource and administration department has been able to achieve the following:

i. To implement Citizens' Service Delivery Charter:

During the period, the department ensured that:

- i. the Service Charter (In English, Swahili and Braille) was displayed prominently at the visitors' lounge (main gate), entrance to the Chamber and at both receptions at the new office blocks.
- ii. Continually sent reminders of the Assembly core values on messages sent to employees in both English and Swahili.

ii. Conformity with the commitments and standards set out in the Service Charter

Conformity with commitments and standards set out in the Service Charter is a key indicator for the Public Communication section. It signifies the commitment to upholding the service delivery standards outlined in the Service Charter and ensuring that all activities and operations align with these commitments.

By adhering to the Service Charter, the Public Communication Section aimed at providing consistent and high-quality services to the public through the following:

- i. Records of customers seeking services at the Assembly were filled at the Customer Care desk.
- ii. Telephone calls received from outside or within the Assembly were picked within two rings.

iii. Enhanced access to the Service Charter via digital platforms

Enhanced access to the Service Charter through digital platforms is a key objective of the which aims at making the Service Charter easily accessible to the public through various digital channels, ensuring convenience and promoting transparency.

By leveraging digital platforms such as the Assembly's website and social media platforms, the public has been provided with easy and instant access to the digital version of the Service Charter.

During the period under review,

- i. A Digital version of the Service charter was created for and shared on the Assembly's website and social media.
- ii. A Kenya sign language version of the Service Charter was uploaded on the Assembly's website and all social media platforms.

iv. Resolution of Public Complaints

The Assembly recognizes the importance of addressing and resolving complaints raised by the public in a timely and satisfactory manner. To ensure efficient handling of public complaints, the office of the Clerk has implemented effective mechanisms and processes.

During the period under review the below have been achieved;

- i. The Committee on Complaints Handling developed both draft Complaints Handling Policy and a draft Access To Information Policy and developed a work plan where the draft policies were validated by the Ombudsman.
- ii. Two Access to Information Officers were appointed.

v. Learning institutions Informed on the Assembly mandate and structure.

One of the key objectives of the department is to inform learning institutions about the mandate and achievements of the Assembly. This includes organizing outreach programs.

During the period under review has managed to:

- i. Hold twelve (12) schools outreach programmes namely;
 - St.Bakhita Secondary School -7th July 2022
 - Machakos University - 14th July 2022.
 - Early Bird Primary School - 9th November 2022.

- Kavyuni Primary School - 24th October 2022
- Kitonyini Primary School - 9th September 2022.
- Kitie Primary School - 22nd November 2022.
- S.A. Mbingoni Primary School - 6th June 2023.
- St.Bakhita Primary School - 14th June 2023.
- St.Martin Kithunguini Secondary - 20th June 2023.
- Kalulini Primary School - 4th April 2023.
- Daystar University - 10th May 2023.
- St.Andrews Educational Centre - 1st July 2023.

vi. Enhanced awareness of the County Assembly activities and Business

Through various communication channels and strategies, the department has managed to disseminate information about the Assembly's activities. This includes leveraging traditional media, digital platforms and social media.

The following were achieved:

-Twenty (20) radio appearances on different radio stations and on different events namely;

- i. Swearing-in ceremony
- ii. Election of the Hon. Speaker
- iii. The Governor's address
- iv. Assembly prayer day
- v. Coverage during the impeachment of CPSB members,
- vi. Vetting of Chief Officers
- vii. Vetting of CEC members.
- viii. Budget Estimates FY 2023/2024.

vii. Improved service delivery and enhanced stakeholder feedback

During the period under review the department employed various communication channels and strategies as enlisted below;

- i. Placed the suggestion box strategically at the entrance to the chamber and checked every 1st day of the month.
- ii. Maintained and updated monthly the register for the content/s of the suggestion box.
- iii. Sensitized MCAs and staff on availability and location of the suggestion box and the corruption reporting box by making regular reminders through the Assembly SMS system.

viii. Enhanced Stakeholder feedback

By monitoring and analyzing the feedback, the department ensured that responses to queries on social media and continuously improves its engagement strategies to enhance stakeholder satisfaction. This was achieved through;

- i. Ensuring Queries and responses were given as soon as enquiries were made through our social media platforms.
- ii. A register on every update, query and response was kept.

ix. Enhanced public awareness

This focuses on increasing knowledge and understanding among the public about the Assembly’s digital media platforms. The department managed to;

- i. Sensitize members of Public on the available Assembly digital media platforms during our events.
- ii. Maintained a fully updated register on the sensitized publics.
- iii. The section has sensitized members of public about the social media platforms during the ASK National show held in Machakos showground.

x. Stakeholder awareness

As a key objective in the Public Communication Section, the development and distribution of IEC (Information, Education, and Communication) materials play a crucial role in promoting information sharing with the Public.

The following IEC materials were developed with clear messaging, visually appealing designs, and user-friendly formats;

- i. Staff Business Brochures in both English and Swahili.
- ii. House Business Brochures in both English and Swahili.

- iii. Service Charter and Core Values Brochures in both English and Swahili.
- iv. Frequently Asked Questions (FAQs) pamphlets printed
- v. Three (3) sets of calendars.
- vi. 2023 diaries.
- vii. House Business Reports.

xi. Enhanced public awareness and visibility on media platforms

This entails utilizing various media channels to disseminate information, engage the public, and create visibility for the Assembly's activities. The department has continued to ensure that the public is well-informed about its activities.

During the following seven (7) forums, the media were engaged;

- i. Orientation of 3rd Assembly members
- ii. Swearing in of Members,
- iii. Election of Speaker,
- iv. The Governor's Address
- v. Impeachment of CPSB members
- vi. Vetting of CECMs
- vii. Vetting of Chief Officers.
- viii. Budget Estimates FY 2023/2024.

xii. Public awareness on activities of the Assembly

Public awareness on activities of the Assembly has been effectively promoted through newspaper adverts which serve as a traditional yet impactful method to reach a wide audience and inform them about the Assembly's activities and upcoming events.

Five (5) newspaper adverts to enhance public awareness were done on the dailies as enlisted below;

- i. Vacancy of the Speaker
- ii. Vacancies in the County Assembly Service Board
- iii. Vetting of CECMs

- iv. Chief Officers First selection
- v. ADP and CIDP Advert.

xiii. To enhance Corporate Image

By focusing on building and maintaining a strong corporate image, the Assembly enhanced its reputation, established trust, engaged the public and communicated effectively. These efforts contributed to the Assembly's overall success, credibility, and ability to deliver quality services.

The section managed to;

- i. Institutionalize Assembly's core values by sending reminders on the Assembly's core values to both MCAs and staff on different occasions.
- ii. Carried out corporate social responsibility programmes through dispensing of free treated water to members of the public every Tuesday and Thursday.
- iii. Draft a Corporate communications policy and is on the public participation level.

7.28 Records Management

Targets for the records management were obtained

from a work plan drawn from the following Strategic objective:

- 1. Setting up Infrastructure that provides conducive working environment.

Activities under this objective included; efficient management of Assembly mail, Development of a policy and procedure manual for management of Records and general maintenance of Records of the Assembly.

i. Mail Management

During the financial year the Section undertook the following;

- 1. Processed 2,492 incoming mail.
- 2. Routed 1956 mail for internal dispatch to various internal action officers.
- 3. Dispatched 536 outgoing mail to various stakeholders.

ii. Records Management Activities

During the financial year the Section undertook the following;

- 1. Facilitated the borrowing and movement tracking of 682 files.
- 2. The Records unit has in custody 250 subject files in Cabinet A and 136 in Cabinet B.

48 Bills development correspondence files and 66 Petitions and Court matters files in Cabinet C.

The bulk filling area has in storage 237 files in 35 Archival boxes.

3. Maintained the Assembly Archive and facilitated the transfer and accessioning of:
 - i) 110 files from the Finance department.
 - ii) 13 Files from the Hon. Speaker's Office
 - iii) Assorted files in 22 Archival boxes from the Clerk's Office.

iii. Records Management Policy and Procedure Manual

During the Financial year, the Section developed records management policy and procedure manual currently awaiting sensitization forum for the CASB and cascading to staff members

CHALLENGES

1. Lack of working tools e.g computers and laptops due to a strained budget.
2. Lack of achievement of the 5 day training in each Financial Year of each employee due to lack of funds since the training budget is shared with the committee activities.
3. Lack of equipment for the digitization of Records and Registry processes as required under Section 17(3) (c) of the Access to Information Act, 2016. Which provides that;
At a minimum, to qualify to have complied with the duty to keep and maintain records under subsection (2), every public entity shall— not later than three years from the date from which this Act begins to apply to it, computerize its records and information management systems in order to facilitate more efficient access to information.

WAY FORWARD

1. Acquiring of an email domain in the Assembly
2. Establish and support online platforms

8.0 INTERNAL AUDIT DEPARTMENT

Hon. Speaker, the Internal Auditing is an independent, objective assurance and consulting activity designed to add value and improve an organization's operations.

Internal Audits evaluate the effectiveness of an organization's Internal Control Systems, financial accounting processes, Risk Management processes and Corporate Governance Practices. Internal audits provide the Board as well as management with a value-added service where flaws in the systems may be caught and corrected prior to external audits.

In addition to ensuring an organization complies with relevant laws and regulations, Internal Audits also provide a high degree of risk management and safeguard against potential fraud, waste or abuse.

The Internal Audit Reports provide management with suggestions/recommendations for improvements on current processes not functioning as intended or in areas of lapses

During the Financial Year 2022/2023, the Internal Audit Department carried out various Internal Audits as well as other activities with a view to meeting its Performance Objectives and actualizing the work plan as set in the beginning of the financial year.

The Internal Audit team conducted systems audit around seven major activities with several sub-activities as listed below:

- a) Review of Financial Statements and Final Accounts
- b) Review of other important Non -Financial Information
- c) Review of Accounting Processes
- d) Risk assessment
- e) Co-ordination of Audit Committee Activities
- f) Sensitization of Staff and Hon. M.C. A's on Ethics and corruption
- g) Conducted Internal Audits on the Assemblies Processes and Procedures, Budgetary control and expenditure, Payments, Procurement Processes and Internal Control Systems.

8.1 Review of financial statements and Final Accounts

The Audit team conducted review of Financial Statements and Final Accounts for the Financial Years ended 30th June 2020, 30th June 2019 and 30th June 2018. The Audit team together with the Audit Committee retreated and compiled An Audit Report on areas of improvement and status of management corrective action. The findings and recommendations were compiled in a Board Paper and forwarded to Management for Management's and Board's Perusal.

8.2 Review of Other Non-Financial Information

The Audit Team reviewed other important non-financial information such as the Strategic Plan, Strategic objectives, Corporate Governance Practices in place as well as Compliance with relevant Laws and regulations and compiled a report on the same for the managements Perusal.

8.3 Review of Accounting Processes

The Audit team conducted an audit on management of imprests and identified lapses such as inadequate authorization, time limits for accountability as well as amount ceilings on Cash expenses. The Audit team put its recommendations in a report for Managements action.

8.4 Risk Assessment

The Audit Team in liaison with the technical committee on Risk Management championed for the Development of a Risk Management Framework. This rigorous process is important in ensuring that the committee assesses and evaluates the Risk Management Process in the Assemblies' operations as well as ensuring risks are averted/mitigated to avoid re-occurrence of the same.

8.5 Sensitizing staff and M.C.A's on ethics and Corruption

The Audit team conducted two sensitization programs to create awareness to the staff and M.C.A's on ethical conduct and eradication of corruption towards ensuring we have a corrupt free Assembly. This was done at seminars in Mombasa in collaboration with the E.A.C.C

8.6 Co-ordination of Audit Committee Meetings, workshops and activities

The Internal Audit team provided support and technical assistance to the Audit Committee in its meetings, workshops and activities to help it achieve its mandate.

8.7 Conducted Internal Audits on various Departments.

The Internal Audit team conducted internal Audits on Finance and accounts, Procedure and Committee Services, Procurement and Supply Chain and Human Resource and Administration and issued several Audit Queries for Management response and action on mitigation of potential risks.

CHALLENGES

- 1) The Internal Audit Team faced various challenges in execution of our roles and these include;
- 2) Budgetary/Resource Constraint against a wide Audit Scope
- 3) In adequate training for staff and Audit Committee Members

WAY FORWARD

- i. There is need for more training programs both for Internal Audit Staff and the Audit Committee
- ii. There is need to enhance Budgetary allocations to ensure internal Audit is equipped with necessary tools for effective and efficient delivery such as Laptops and Printers
- iii. Training of the Assembly risk management committee

CHAPTER 2: DISCHARGE OF THE COUNTY ASSEMBLY SERVICE BOARD MANDATE

Honorable Speaker,

In discharge of its mandate, CASB operates within the Constitutional provisions as well as other existing laws and regulations. Establishment of various committees that assist the CASB in execution of its functions is provided for in Sections 28 and 29 of the County Assembly Services Act 2017 and Section 155 of the PFM Act, 2012.

2.1 Statutory Committees

The Management Committee, Staff Advisory Committee and Audit Committee are the three statutory committees that are established to assist in the operations of the CASB.

2.1.1 Management Committee

The Management Committee is established in section 28 of the County Assembly Services Act 2017 and is responsible for advising the Board on matters relating to the functions and powers of the Board as stipulated in sections 11 and 12. It has eight members; the Clerk, his 2 Deputies and the six Heads of Departments.

2.1.2 Staff Advisory Committee

The membership of the committee comprises of the Clerk of County Assembly, Head, Human Resource, Head, Legal and any other member that may be co-opted. It is established pursuant to section 29 of the County Assembly Services Act and is responsible for advising the Board on matters relating to staff which include:

- a) Appointment, including acting appointment, promotion and transfer of employees;
- b) Confirmation of appointment of an employee on probation or the extension of the probationary period of an employee;
- c) Termination of appointment of an employee;

- d) Compulsory retirement of an employee who has reached the age at which he can lawfully be required to retire from the Service;
- e) Retirement of an employee on the ground of ill health;
- f) Interdiction of an employee
- g) Suspension of an employee
- h) Stopping, withholding or deferring the normal increment of an employee
- i) Stopping pay or salary of an employee
- j) Reprimanding an employee
- k) Reduction in the rank or seniority of an employee.

2.1.3 Audit Committee

In accordance with the Public Finance Management Act, 2012 and the Public Finance Management regulations 2015, every public entity is expected to establish an audit committee. The purpose of this committee is to assist the Board in respect to financial reporting, adequacy and effectiveness of risk management, internal controls, governance processes and audit affairs. The CASB engaged the Chairperson of the Audit committee and the Speaker appointed her representative in the year under review.

2.2 Performance of the County Assembly Service Board (CASB) by Function

Honorable Speaker,

During the year under review the CASB made major strides in the discharge of its functions as outlined below:

2.2.1 Constituting Offices in the County Assembly Service and Appointing and Supervising Office Holders

During the year under review the CASB engaged partisan staff for the Speaker and all the Members of the Assembly as required of it by the Salaries and Remuneration Commission (SRC) guidelines.

2.2.2 Direct and Supervise the Administration of the Services and Facilities Provided by, and Exercise Budgetary Control Over, the Service

In line with this function, the CASB did the following: -

a) Retirement/Exit of Officers from the County Assembly Service

One officer died during the year while one retired after attaining the age of sixty (60) years.

c) Budgetary Control Measures

During the period under review, the CASB initiated the following budgetary control measures:-

- Use of in-house services: strict use of cafeteria services for scheduled activities e.g the prayer day, official visitors and committees.
- Conducting due diligence prior to approval of foreign trips by members.
- Training plan; a training policy was put on place to manage training for both Members and staff
- Strict adherence to the Procurement Plan which helps in implementation of the budget
- Work plan for committees all committees
- Surrender of attendance registers and travel document before payment of allowances

2.2.4 Initiate, Coordinate and Harmonize Policies and Strategies Relating to the Development of the Service

Hon. Speaker, The CASB is mandated to ensure that the Service is efficient and effective. The CASB has continued to implement several policies aimed at improving service delivery in the service. These include: -training policy, sports policy, broadcasting policy among others.

2.2.5. Initiate Programs for Training and Capacity Building of Members and Staff of the County Assembly and Other Persons

Honorable Speaker, during the year under review, the CASB ensured that Members and staff were provided with relevant training to enhance their skills, knowledge and abilities. The honorable members were facilitated to attend workshops which have enabled them to understand their role on Oversight, Legislation and Representation for better articulation of their legislative mandate.

To enhance capacity building, the honorable members and staff were involved in the following activities:

a. Local Trainings

During the year under review Members and staff attended training facilitated by officers from the the National Assembly and Senate.

b. Benchmarking Tours to and from other County Assemblies

Members and staff went for benchmarking in other counties to learn from them how the have made different achievements. Some of these Counties include: Nakuru, Nairobi, Kitui, etc

c. Industrial Attachment

The CASB offered attachment to fifty five students (55) from Universities and colleges to enable them gain experience and fulfil their study requirements. In the same vein, it has ensured that the attachment policy is adhered to.

d. Development Partners Funding on Capacity Building

During the period under review, CASB partnered with the under listed organizations in enhancing the capacity of Honorable members and staff.

- i) KEWOPA- Kenya Women Parliamentary Association
- ii) CAF- County Assemblies Forum
- iii) SOCATT-Society of Clerks at the Table
- iv) The National Parliament
- v) Commission on Revenue Allocation (CRA)

2.2.6 Initiate Programs That Promote Ideals of Parliamentary Democracy as Set out in Article 127(6) (d) of the Constitution

Honorable Speaker, CASB has been able to ensure that the Hon. Members are facilitated to execute their mandate. The strategies put in place include:-

- a. Facilitate construction of ward offices for members of the Assembly
- b. Capacity building through training
- c. Conducive environment at the Assembly
- d. Organizing and undertaking comprehensive induction
- e. Public participations in the forty wards which has helped to enact the under listed bills in the year under review.
 - i) County Integrated Development Plan (2023-2027)
 - ii) Annual Development Plan 2023/2024
 - iii) County Fiscal Strategy Paper 2023
 - iv) Budget Estimates for the FY 2023/2024
- f. For CASB to promote democracy it has activated a social media platform page i.e. Facebook, twitter, You-tube and Instagram to also reach out to members of the public.

2.2.7 Initiate Programs that Promote Public Awareness and Participation in the Activities of the County Assembly.

- a. The Assembly established and maintained a Facebook page, an updated website and provided brochures for access of Assembly information.
- b. Facilitation of the Hon. Members to undertake various site visits with different committees. This enabled them table reports to the Assembly whose recommendations are forwarded to the County Executive for execution.
- c. Facilitated 100% production of Hansard reports
- d. Facilitated 100% recording, live streaming and archival Assembly sittings.

- e. The CASB facilitated the Assembly to exhibit at the Machakos Agricultural Show where the public was taken through the activities of the County Assembly and various information, education and communication materials were issued.
- f. The following Six (6) Information, Education and Communication materials were printed and shared with the relevant stakeholders:
 - 2023 calendars- these were shared with all Members of the County Assembly, staff and other key stakeholders
 - Diaries- these were shared with all Members of the County Assembly and management
 - Notebooks- Shared with all Members of the County Assembly and staff
 - Brochures- placed at the reception area to share with walk-ins
 - Magazine- targeted Members of the County Assembly, staff and the public especially during corporate events and outreach initiatives.
 - Fliers- Targeted Members of the County Assembly and staff.
- g. The CASB facilitated and ensured that the Assembly Service Charter, vision, mission and core values are prominently displayed at the point of entry. Other banners containing the Assembly logo, chamber and Honorable Members' profiles were also printed and displayed at various events.
- h. The CASB opened its door to other County Assemblies to come and benchmark. These included the County Assembly of Kajiado, Kiambu, Nakuru and Makueni among others.
- i. Facilitated a public consultation forum to check the suitability of the nominees for the position of County Executive Committee Members. This was done through seeking of memoranda from members of the public.

2.2.8 Wellbeing of the Members and Staff of the County Assembly

Honorable Speaker, the CASB has also done the following:

a. Cafeteria Services

During the period under review, the CASB enhanced the wellbeing of Members and staff of the County Assembly by providing them with tea and snacks free of charge and providing lunch at a subsidized rate.

b. Provision of a Platform for Stakeholders to engage with the Members and staff of the County Assembly for personal development

The CASB provided a platform for various stakeholders of the County Assembly to engage with the Members and staff of the Assembly. The following stakeholders visited the Assembly to engage members of staff.

- i) Kenya Revenue Authority assisted in filing annual tax returns.
- ii) Consultants in the Medical field had health talks with Honorable Members and staff on their wellbeing.

c. Construction of Ward Offices

During the period under review, the CASB has continually facilitated construction of ward offices in all the forty wards save for a few offices which are still ongoing.

g. Provision of insurance covers.

During the year under review, the CASB facilitated the provision of medical insurance cover, group personal accident and group life to cover both staff and Honorable members.

h. Provision of a healthy and safe working environment

The CASB ensured that employees have proper safety wear as per the Occupational and Safety Health Act 2007. For instance, the gardeners have been provided with uniform, gloves, masks, gumboots in a bid to ensure their safety. Fire extinguishers, first aid kits and fire hydrant were installed. In addition, fire Assembly point was established. Employees have also been provided with wholesome water in their offices as per the Employment Act, 2007.

i. HIV/AIDS, Alcohol and drug Abuse prevention

The Service Board provided for an environment for NACADA to carry out a baseline survey on Alcohol and Drug Abuse at the Assembly.

The Assembly has a HIV/AIDS committee which creates awareness in the Assembly and ensures implementation of the policy. Some of the programs in place include: provision of condom dispensers in the washrooms and stocking them regularly.

j. Work environment

During the period under review, CASB had adequate and serviceable vehicles and other working tools and Equipment. The construction of a modern office block is underway to enable a good working environment.

CHAPTER 3: FINANCIAL STATEMENT FOR THE YEAR ENDED 30TH JUNE 2023

3.1 Budget office Report

Hon. Speaker, the Budget Office is a section within the department of Finance, Accounts and deals with providing professional advice to the Assembly departments and committees on policy-related matters. It therefore provides analysis of the documents and policies that are submitted to the Assembly for transaction. In addition, it gives guidelines on the budget process as well as costing of Bills before they are enacted. All these processes are guided by the Fiscal Analyst in liaison with the Clerk to the County Assembly.

3.1.1. Recurrent Budget Estimates

Hon. Speaker, the Assembly recurrent budget for the FY 2022/2023 was Kshs. 865,181,126.00 as it was set out by the commission revenue allocation (CRA). During the FY the Assembly received the full amount hence a 100% absorption rate.

3.1.2 Other Recurrent Transfers-Budget Estimates.

Hon. Speaker, the Assembly disbursed the following loans during the year under review:

Ksh 132,720,000 had been provided for Member’s motor vehicle reimbursement and Ksh 172,000,000 for car loan and mortgage. out of 172,000,000 provided for the car loans, Ksh 158,000,000 was received and paid during the year. Further, out of the Ksh132,000,000 provided for motor vehicle reimbursement, Ksh 85,000,000 was received and paid to 39 members. The SBM Bank lend the Assembly 113. Ksh 110 was paid and Ksh 3 million recovered from repayments thus settling the debt.

3.1.3 Development Budget Estimates.

During the FY 2022/2023 the Assembly budgeted for Kshs. 318M to facilitate development activities within it. Some of the key development projects funded during the period include: Chamber, ward offices, Speaker’s residence, among others per the table below:

DEVELOPMENT EXPENDITURE REPORT FY 2022-23			
PROJECT	BUDGET	RECEIPTS	AMOUNT SPENT
	KSHS.	KSHS.	KSHS.
Construction of Buildings -New Chamber	180,000,000	-	-
Construction of Buildings (Ward offices)			8,309,231

	60,000,000	8,309,231	
Purchase of Communication Equipment ;(Installation Of Hansard Equipment in Committee Rooms)	9,000,000	-	-
Purchase of Water Treatment System	4,000,000	-	-
Construction of Buildings - Speaker's Residence	23,000,000	14,160,976	13,426,635
Purchase of Household & Institutional Equipment-Gymn. Equipment /cafeteria	2,000,000	-	-
Purchase of Household & Institutional Equipment	4,000,000	-	-
Purchase of Office General Furniture (HQ & Ward Offices)- SUPPLY & DELIVERY OF ORTHOPEDIC CHAIR	12,000,000	-	147,000
Purchase of Soft ware (user identification smart card system)	2,000,000	-	-
Purchase of Vehicles-2 cars	6,500,000	-	-
Purchase of Computers,Printers and other IT Equipment (HQ & Ward Offices)- PURCHASE OF SHREDDER AND UPS/PRINTER/PHONE	8,000,000	-	503,000
Purchase of Household & Institutional Equipment-CCTV Equipment	1,000,000	-	-
Construction of Buildings –LIFT	3,000,000	-	-
Media Centre	4,000,000	-	-
TOTAL	318,500,000	22,470,207	22,385,866

In the said period, the Assembly received Kshs. 24,186,538.00 which translates to an absorption rate of 8%

Out of the 318, the Assembly received 22 million equivalent to 7%

CHAPTER 4: EVALUATION OF THE EXTENT TO WHICH THE COUNTY ASSEMBLY HAS COMPLIED WITH THE VALUES & PRINCIPLES IN ARTICLES 10 AND 232 OF THE CONSTITUTION

4.1 Values & Principles in Articles 10 and 232 of the Constitution

Hon. Speaker, The Constitution requires all public institutions to comply with the national values and principles of governance as stipulated in Article 10 and Article 232 of the Constitution. Section 36 of the County Assembly Services Act No. 24 of 2017 mandates the CASB to promote, evaluate and report to the County Assembly on the extent to which the values referred to in Articles 10 and 232 are complied with in the public service.

For the purpose of reporting on the aforementioned the CASB mapped the principles and values in Article 10 and Article 232 and reported on the under listed ten (10) thematic areas:

1. Ensuring High Standards of Professionalism
2. Devolution and sharing of power
3. Good governance, transparency and Accountability
4. Diversity Management
5. Efficient and Economic Use of resources
6. Equitable Allocation of opportunities and resources
7. Accountability for Administrative Acts
8. Improvement in Service Delivery
9. Performance Management
10. Public Participation

4.1.1 Ensuring High Standards of Professionalism Ethics

a. Officers Registered with Professional Bodies

Hon. Speaker, the Assembly has 17 members of staff registered with different professional bodies and in good standing. The professional bodies with registered staffs are as listed in the table below:

NO	PROFESSIONAL BODY	INITIALS	NUMBER REGISTERED
1	Institute of Certified Public Accountants of Kenya	ICPAK	6
2	Institute of Certified Public Secretaries of Kenya	ICPSK	3
3	Kenya National Secretaries Association	KENASA	1

4	Institute of Human Resource Management	IHRM	4
5	Law Society of Kenya	LSK	3
6	Institute of Internal Auditors	IIA	1
7	Media Council of Kenya	MCK	3
8	Public Relations Society of Kenya	PRSK	1
9	Computer Society of Kenya	CSK	1
10	Institute Engineers of Kenya	IEK	1
13	Kenya Institute of Supply Chain Management	KISM	2
14	Chartered Institute for Supplies	CIS	1
15	Kenya Association of Records Managers and Archivists	KARMA	1
16	Association of Government Librarian Information Professionals	AGLIP	1

b. Budgetary Provision for Sensitization and support of Officers in their professional Bodies

During the FY 2022/23 the Assembly supported various registered staff in the above professional bodies to gain Continuous Professional Development (CPD) Points and build up on their standing professional development.

c. Performance management

Performance management seeks to improve the performance of organizations, teams and individuals by aligning their performance with organizational goals and objectives. The County Assembly uses the performance contracting method for performance Management.

During the year under review, the Assembly staff filled in their performance appraisal forms which highlighted the set targets and the same were evaluated by their supervisors. In addition, the Assembly has made efforts to formulate the new strategic plan which indicated the vision of the County Assembly in line with its mandate as stipulated in the Constitution.

4.1.2 Devolution and sharing of power

a. Management of Retirement Benefits.

Provision of retirement benefits to employees is critical staff attraction and retention. An efficient and effective management of retirement benefits mechanism is therefore necessary for the service. Currently the Assembly operates the contributory pension scheme for its members of staff.

During the year under review 100% of the employees are members of a pension body. I.e. Lap fund, Lap trust and NSSF. The contributions are deducted through the IPPD payroll system.

S/NO:	PENSION BODY	NUMBER OF EMPLOYEES
1	LapFund	68
2	LapTrust	20
3	NSSF	76

- b. In addition, the officers who are not on permanent terms have been encouraged to save through the pension bodies on voluntary submission terms.
- c. For the Members of County Assembly, the Human Resource has ensured that there is a budget provision that is inclusive of their service gratuity as provided in the SRC Circular **Dated 13th November, 2017**. During the same period, the Assembly entered into contract with Lap fund to manage the MCAs service gratuity.
- d. The Honorable members have also been encouraged to save on the pension bodies. All the MCAs are members of the Voluntary Lap fund Pension:

4.1.3 Good Governance, Transparency and Accountability

Hon. Speaker, the CASB has put in place various ways to ensure good governance, transparency and accountability. This also involves compliance with various government legislations i.e. PPDA 2015, Public Officers Ethics Act 2003, PFM Act 2012

Measures Taken include:-

- a. The CASB has ensured that the Corruption Prevention Committee is in place to help in sensitization and develop mitigation on the corruption risk areas.
- b. To ensure transparency the CASB has ensured that the gift declaration book is maintained to ensure that all the officers are able to declare any gifts given to them.
- c. In the year under review the CASB ensured that the Honourable Speaker, all the 60 Members of County Assembly and 113 employees have submitted their wealth declaration forms.
- d. Has opened its door to the members of the public enabling them to view the proceedings of the House.
- e. Facebook
- f. Provision of a budget for Bunge Mashinani.

- g. Public Participation on County Integrated Development Plan, County Fiscal Strategy Paper and the Budget estimates 2022/23; in all the forty (40) wards
- h. Has fully cooperated with the Office of the Auditor General to ensure that the audits are done as is expected and have put in place measures to cater for issues raised in the Auditor General's Report.

4.1.4 Diversity Management

Hon. Speaker, diversity management refers to deliberate policies, programmes and actions to create greater inclusion of MCAs and staff from various backgrounds in to the existing structures, resulting into a representative and all-inclusive County Assembly as provided for in the Constitution. Article 10 provides for the inclusion, social justice and protection of the vulnerable groups. Article 232 on the other hand provides for accordance of adequate and equal opportunities for appointment, training and advancement, at all levels of the public service, of men, women and the diverse Kenyan communities and people with disabilities.

Measures Taken

The measures taken by the CASB to enhance this value and principle includes:

- ✓ Allocation of an exclusive parking facility for the PWD
- ✓ Provision of washrooms that are friendly to people with Disability both in the old and new office block.
- ✓ Provision of ramps to ease on access to the Assembly premises.
- i. The provision of friendly working hours for women employees who have been on maternity leave. The CASB has allowed the employees to report to the office one hour later and leave one hour earlier.
- ii. Provision of a lactation room for breastfeeding mothers.

4.1.5. Efficiency, Effectiveness, Economic Use of Resources and Sustainable Development

Hon. Speaker, the constitutional values and principles affirm the need for competence, efficiency, effectiveness and economic use of resources. These provisions lay the cornerstone for accountable Public Sector Governance that deploys resources in the least cost but effective manner.

Measures Taken

1. To enhance the aforementioned Values and Principles the CASB organized trainings on the following areas :analysis of the County Integrated Development Plan and the Annual

Development Plan, interrogation of the County Budget Review and Outlook Paper, County Fiscal Strategy Paper and the Budget Estimates.

2. The CASB ensured preparation of the Annual Financial Statements and budget implementation reports.
3. Preparation of the procurement plan and the cash flow requirements and submission to the County Treasury before commencement of the Financial Year.
4. Has ensured maintenance of an updated inventory asset management register.
5. Has ensured that a board of survey is appointed at the end of each financial year to check on the cash and the procurement stores inventory.

4.1.6 Equitable Allocation of Opportunities & Resources

Hon. Speaker, Section (10) of the Public Procurement and Asset Disposal Act, 2015 states that, despite subsection (2) or any other provisions of the Act, every procuring entity shall ensure that at least thirty percent of its procurement value in every financial year is allocated to the youth, women and persons with disability.

Section 12 of the same Act, provides that the procuring entities at the National and County level shall make a report after every six months to the Authority.

Section 13 stipulates that a report under subsection (12) shall—

- a) certify compliance with the provisions of this section; and
- b) provide data disaggregated to indicate the number of youth, women and persons with disability whose goods and services have been procured by the procuring entity (*As annexed- Annexure 5*)

4.1.7 Accountability for Administrative Acts

Existence of a service charter

Hon. Speaker, the County Assembly of Machakos developed a citizen service charter that has been in existence since the year 2014 to date. A customer service charter is a code of practice which aims to improve access to an organization's services and endorse quality. It is an expression of an understanding between citizens and provider of a public service on quantity and quality of services.

A charter cannot be effective unless users are aware of its existence. The communication mechanism adopted by the County Assembly in increasing awareness of the charter include displaying the customer service charter in prominent positions at service delivery points.

The Assembly's service commitments are set out for customers; and feedback and advice to help the organization to improve that service is encouraged.

The Service Charter was prepared in response to the need to inform customers of:

- i. The services provided by the Assembly
- ii. The period within which the services will be provided to customers
- iii. The customer obligations,
- iv. The rights of the customer and
- v. What they are required to do when not satisfied with the services provided.

During the period, the Service Charter empowered customers/Assembly clients to make informed and specific demands on the County Assembly at the various levels of service delivery. The County Assembly was occasionally during public forums like the public participation put to task to explain why some information was not available on the website contrary to the service standards.

The service charter also acted as a guide to members of staff especially when dealing with external clients. For example, a client was able to predict how long they expect to take when seeking to be served at the County Assembly as this is information conspicuously displayed at the customer care waiting area.

Grievances handling procedures

Hon. Speaker, during the year under review, the Grievances Policy and Procedures, among other policies, has ensured that the County Assembly has provided every employee with the right to equality, non-discrimination, privacy and fairness. It has aimed to promote equal opportunity by eliminating unfair discrimination directly or indirectly against an employee in employment.

The legal framework for the policies has been drawn from among others:

- i. The Constitution,
- ii. Employment Act 2007
- iii. Public Officer Ethics Act, 2003
- iv. Labour Relations Act,2007
- v. Labour Institutions Act,2007
- vi. Work Injuries and Benefits Act,2007

The Grievances Policy and Procedures is the policy of the County Assembly Service Board that employees have:

- i. Been given a fair hearing by their immediate Supervisor or Head of Department concerning any grievance they may wish to raise.

- ii. Have had the right to appeal to a more senior officer against a decision made by their immediate supervisor or Head of Department.
- iii. Have had the right to be accompanied by a fellow employee of their own choice when raising a grievance.

i. Implementation of the Public Officers' Code of Conduct and Ethics and Sensitization on Integrity

a. Proper management of finances and resource mobilization

In a bid to establish proper management of finance and resource mobilization the department has spearheaded the process of developing and implementing a risk management framework and manual.

The Department has also enhanced internal audit by conducting Internal audit exercise on committee sittings and a report generated and submitted.

b. Automation

Team mate management system is audit software recommended by the National Treasury. It enables the auditor to expand the value he/she can provide, saves time by enabling the auditors to work more efficiently and effectively and provides a deeper insight into underlying records, uncover items of interest, and add value to the work already being done. Plans to acquire the system are underway.

c. Co-ordination of Audit Committee Operations.

Honorable Speaker, Section 155(5) of the Public Finance Management Act, 2012 requires that each Public Entity establishes an Audit Committee.

The County Assembly's Audit Committee was established and operationalized in October 2018.

In the third quarter the committee reviewed the external audit reports for the FY 2016/2017 on the Financial Statements of the Assembly.

d. Corruption Eradication

Honorable Speaker, In the first half of FY 2022/2023, the CASB put in place governance structures by:-

- i. Sensitization on the Leadership and Integrity Act to Members of the County Assembly and members of staff. This has been done through Posters and booklets issued and supplied to the library.

- ii. Development of internal mechanisms that will encourage and protect whistle-blowing whereby a corruption reporting box has been placed in a strategic point at the entrance of the Assembly's old block.

4.1.8 Improvement in Service Delivery

Automation of Assembly processes – this was done through the scanning and digitization of all Assembly Papers including; Order papers, committee reports, Hansard and other Legislative documents produced during plenary sittings.

This was done 100% and uploaded on to the Library Management System Database.

4.1.10 Public Participation in Policy Making

Public participation involves the engaging of citizens in decision making and implementation of public programs and projects. The principle of public participation holds that those who are affected by a decision have a right to be involved in its planning, decision making and its implementation process.

a. Public Participation Act

During the period under review, the County Assembly continued to implement the Public Participation Act, enacted in 2014. The Assembly facilitated public forums for policy documents such as the CIDP 2023-2027 in all the forty wards

b. Public participation systems/structures

During the period under review, the County Assembly utilized various public participation structures to reach out to their stakeholders. These include implementation of public participation Act, 2016 in all the forty wards, live streaming of the proceedings of the Assembly in the County Assembly visitors' lounge; MCAs lounge; cafeteria and various offices in the County Assembly.

CHAPTER 5: CHALLENGES

Hon Speaker,

In the discharge of its constitutional mandate, the CASB experienced a number of challenges. Key among them were:

i) Inadequate funding due to budget ceilings

Inadequate funding by the National Government affected implementation of projects. The Board was unable to facilitate members travels to oversight all the projects of the Executive due to budget constraints.

iii) Delay in approval of the scheme of service by the SRC

The SRC has delayed approval of scheme of service for County Assemblies. This has led to uncertainty in career progression and promotions.

CHAPTER 6: CONCLUSION AND WAY FORWARD

6.1 Conclusion

Hon. Speaker,

The Board is established under Section 12 of the County Governments Act. Its mandate is spelt out in Section 12 of the County Governments Act and various Sections of the County Assembly Services Act. It entails provision of services and facilities to ensure the efficient and effective functioning of the County Assembly; constituting offices in the County Assembly service, and appointing and supervising office holders; preparing annual estimates of expenditure of the County Assembly service and submitting them to the County Assembly for approval, and exercising budgetary control over the service; undertaking, singly or jointly with other relevant organizations, programmes to promote the ideals of parliamentary democracy; and performing other functions necessary for the well-being of the members and staff of the County Assembly; or prescribed by National legislation.

In ensuring that the public service is efficient and effective, the Board developed, reviewed and issued a policy on training of both Members of the Assembly and staff and offered various training opportunities in different aspects to equip them with the requisite skills and competencies; and embraced best practices aimed at reducing costs in the Assembly such as installation of the LAN to support the internet and installation of furniture in the new office block to create a conducive working environment for both Members of the Assembly and staff among others.

In the discharge of its mandate, the Board faced a number of challenges key among them being delays in exchequer releases; inadequate funding occasioned by the County Executive not honoring cash flow releases; shortage of staff; Lack of cooperation from the Executive and other Government offices; and lack of a staff scheme of service as no approval of the proposed county's schemes of service has been granted by the SRC.

6.2 Way Forward

Hon. Speaker,

In order to transform the Assembly to be professional, ethical, efficient and effective in-service delivery, the Assembly will inter alia, focus on the following interventions: -

a. Special employment opportunities

The County Assembly will make provision for special employment opportunities for the unrepresented and the underrepresented marginalized groups, like the deaf during the public participation forums. Engaging a sign language interpreter will help in enhancing public participation by ensuring that the PWDs participate in Assembly processes.

b. Performance contracting

The CASB is committed to ensure that the Service is committed to service delivery and therefore will sign performance contracts with the staff aligned to the strategic plan.

c. Promotion of Values and Principles in Articles 10 and 232 of the Constitution of Kenya, 2010

To enhance promotion and compliance with values and principles in Articles 10 and 232, the County Assembly will develop appropriate strategies and programmes for promotion and compliance. Such strategies will include:-

- (i) Develop a framework for measuring the extent to which the principles and values of Public Service have been complied with,
- (ii) Introduction of targets on promotion and compliance with public service values and principles in the County Assembly Performance Contracts from next year;
- (iii) Build capacity for promotion and ensuring compliance with values and principles; establishment of a platform to engage citizens on service delivery;
- (iv) Come up with qualitative methods of measuring customer satisfaction which would lead to better ways.

d. Schemes of service

The Board in collaboration with SOCCAT and CAF to further engage SRC and other stakeholders with a view to develop comprehensive modalities of harmonizing remuneration of all county Assemblies in order to address disparities in remuneration.

e. Plan and finance Mashinani forums

The Assembly to enhance its capacity across the County on Assembly processes through Bunge Mashinani forums

f. Capacity Building

The Assembly to facilitate continuous capacity building on effective legislative and oversight role of the Members of the Assembly.

g. Procurement of a team mate management system

Team mate management system is audit software recommended by the National Treasury. It enables the auditor to expand the value he/she can provide, saves time by enabling the auditors to work more efficiently and effectively and provides a deeper insight into underlying records, uncover items of interest, and add value to the work already being done. The CASB will fast track the acquisition of the management system to ensure that optimal service delivery is achieved.

e. The Assembly to leverage on technology.

6.3 Adoption of report

Hon. Speaker, the undersigned members of the County Assembly Service Board have adopted the report.

- 1. Hon. Anne Kiusya - Chairperson
- 2. Hon. Felix M Ngui - Vice Chairperson/ Majority Party Representative
- 3. Hon. Johanna Munyao - Minority party representative
- 4. Mr. Alex N. Kitili - Member
- 5. Ms. Janet M. Kimeu - Member
- 6. Mr. Joseph Mutisya -Secretary

Hon. Speaker, I do therefore recommend this Honorable House for consideration and approval of the report.

SIGNED.......... DATE..........

HON. FELIX M. NGUI
VICE CHAIRPERSON, COUTY ASSEMBLY SERVICE BOARD