

REPUBLIC OF KENYA

COUNTY ASSEMBLY OF MACHAKOS

OFFICIAL REPORT

Tuesday, 7th May, 2024

The House met at 10.45 a.m.

[The Speaker (Hon. (Mrs.) Kiusya) in the Chair]

PRAYERS

MESSAGE

NOMINATION OF SELECTION PANEL FOR RECRUITMENT OF THE SECRETARY TO MACHAKOS COUNTY PUBLIC SERVICE BOARD

Hon. Speaker: We have a message from HE the Governor and I am going to take through the message. I have the following message from Her Excellency, Hon. Wavinya Ndeti, the Governor of Machakos County pursuant to Standing Order 39. Hon. Members, Section 57 of the County Governments Act 17 of 2012 as amended in 2020 establishes the County Public Service Board whose composition is provided for in Section 58 of the said Act.

Section 58A (1) of the County Governments Act, 2012 provides that; Whenever a vacancy arises in a County Public Service Board (CPSB), the Governor shall nominate and with the approval of the County Assembly, appoint members to a Selection Panel for the purpose of selecting suitable candidates for appointment as members of the County Public Service Board (CPSB).

Hon. Members, it is worth noting that the Office of the Secretary of the CPSB fell vacant following a House resolution made on 29th November, 2022 recommending the removal from Office of Mr. Onesmus Muia Mutisya as the Secretary of CPSB. Further, Section 58A (2)(1) of the County Governments Act provides for the composition of the Selection panel which shall consist of:

- (a) A Chairperson, not being a public officer;
- (b) One person from the private sector;
- (c) An advocate of the High Court of Kenya, who is a member of Law Society of Kenya;
- (d) An accountant who is a member of the Institute of Certified Public Accountants of Kenya;
- (e) One person from an association representing workers.

Hon. Members, in this regard, the Governor of Machakos County has nominated persons to constitute a Selection Panel for the purposes of selecting suitable candidates for appointment as the Secretary of the Machakos County Public Service Board pursuant to Section 58A(2)(1) of the County Governments Act. The nominees who have been forwarded to the Assembly for approval in accordance with Section 58A (1)(2) and (3) of the County Governments Act are:

1. Gregory Kavua - Chairperson
2. Nelson Osiemo Wanyonyi - Advocate of the High Court of Kenya
3. John Mwangi Thiong'o - Accountant (ICPAK)
4. Ruth John - Workers Representative
5. Deborah Muya - Private Sector Representative

Pursuant to Section 58A of the County Governments Act and Section 7 of the Public Appointments (County Assemblies Approval) Act, 2017, the nominees are hereby committed to the Committee on Appointments for vetting. Thank you, Hon. Members.

MOTION
CONSTRUCTION OF NECESSARY AMENITIES
REQUIRED TO SET UP AN ECDE CENTER

Hon. Speaker: At this point, I wish to invite Hon. Everlyn Kavila, MCA, Kangundo East Ward and also the Minority Whip to come and take us through that motion.

Hon. Evelyn Kavila (Kangundo East, MCCP): Thank you, Madam Speaker.

Hon. Speaker, that aware that Article 43(1)(f) Constitution of Kenya, provides that every person has the right to education; aware that Article 53 of the Constitution provides that every child has a right to free and compulsory basic education, basic nutrition, shelter and health care, protection from abuse, neglect, harmful cultural practices, all forms of violence, in human treatment and punishment, and hazardous or exploitative labour, parental care and protection; Further aware that Part 2 of the Fourth Schedule of the Constitution provides that County Governments are mandated to oversee Pre-primary Education (PPE) and Child Care Facilities (CCF) including the hiring of the Pre-primary education teachers and assistants;

Acknowledging that, Article 189(2) of the Constitution provides for cooperation between the National Government and County Governments in performing the functions and exercising powers in the provision of proximate and easily accessible services;

Aware that the National Pre-Primary Education Policy Standard Guidelines 2018 clearly outlines the standards that should be followed in putting up infrastructure for the ECDE classes;

Aware that there have been cases of vandalism for the stand alone ECDE classes giving an example of Kathama ECDE class in Muvuti-Kiima Kimwe Ward; Further aware that the stand alone ECDE classes lack basic amenities like toilets, kitchenette, food store and office space for the ECDE personnel like in the case of Kisekini ECDE Center in Kangundo East Ward, Kathama ECDE Center in Muvuti-Kiima Kimwe, Sawa Sawa ECDE Center in Masinga Central, Mungala ECDE in Mumbuni North and Kyandu ECDE Center among others;

Further aware that where ECDE classes are hosted by primary schools the ECDE learners share amenities with the primary school pupils which is against what is stipulated in the National Pre-Primary Education Policy Standard Guidelines 2018 and the County Pre-primary Education Policy 2019;

Noting that the National Pre-Primary Education Policy Standard Guidelines 2018 and also the County Pre-primary Education Policy 2019 gives clear guidelines on the ECDE centre standards that ought to be adhered to;

Hon. Speaker, I wish to move the motion THAT this House discusses and approves that the County Government of Machakos through the Department of Education sets aside adequate funds in the department's budget to cater for construction of all the amenities like toilets, kitchenette, food store and office space for the ECDE personnel, that are required to set up an ECDE Centre strictly adhering to the set-out guidelines and standards.

Before I call a seconder to the motion, the motion is self-explanatory we cannot try ignorance when it comes to education because it is touching the lives of our dear children. It is talking about their wellbeing and protection from any kind of risk that may affect them when sharing those amenities with other pupils. So, I call upon Mheshimiwa Maitha to second my motion.

Hon. Speaker: Thank you, Hon. Member.

Hon. Dominic Maitha (Muthwani, WDM-K) seconded

Hon. Speaker: Thank you, Hon. Maitha.

(Question proposed)

I proceed to invite Members to discuss this motion. Hon. Helen Ndeti, you can start us off.

Hon. Helen Ndeti (Nominated, WDM-K): Thank you, Madam Speaker. I stand to appreciate Madam Evelyn for bring this motion. Nursery and pre-primary education is the most important part of education in a child and in 2019 I was the vice chair of education committee and we took the entire committee to Singapore where we did a very good benchmarking. We were able to see how the Singapore government pays a lot attention to early child-hood education and we came back and wrote some regulations which if adhered to should be able to improve the infrastructure of these nursery schools in Machakos County.

I am sure that our Governor is very committed to ensure that our children get the best and this being the time when we are drawing the annual budget, I call upon the Budget Committee and together with the Education Committee to ensure that there is enough funding to start the process of ensuring that our ECDE classrooms and teachers are well catered for. Thank you, Madam Speaker.

Hon. Speaker: Thank you, very much Hon. Ndeti. Hon. Deputy Speaker and Hon. Loyd in that order.

Hon. Stephen Mwanthi (Ekalakala, WDM-K): Thank you, Madam Speaker. I support the motion that it is important for the County Executive to plan well especially when constructing these ECDE classes. They can as well come up with a plan to equip the already existing ECDE centres that we have. With the introduction of feeding program by the Governor

you will find that some of these ECDE centres are depending on the structures that in the primary schools, so the ECDE learners are only left with the option of sharing with the primary kids and storing the food in those primary school stores.

So, I think this is the high time we now took care of those kitchenettes that are required and those other basic amenities that are required in our ECDE centres both the stand-alone and those situated in primary schools so that they may be separated from using structures that are meant for the primary schools. Thank you, Madam Speaker. I support.

Hon. Speaker: Thank you very much, Hon. Member. Hon. Loyd.

Hon. Loyd Mutua (Nominated, M CCP): Thank you Madam Speaker. Thank you, Hon. Evelyn, for bringing this motion, it is important. Education is very important like I keep on insisting. Everyone has a talent or different avenues but some of us have traversed the world because of the education we got. They say, education is the only gift you give to your children or our community and no one will take away from them. You can give someone properties and all those properties can go away but when you give someone education, that does not go away.

The encouragement for education starts at the ECDE level. So, I want to support this motion and ask the Executive to make sure that when we are building the classes, the proper amenities are put in place to encourage the pupils and make sure teachers are as well-encouraged. In schools where they do not have toilets, we are putting our children in danger of not attending school and health concerns. Thank you very much, Hon. Speaker. I support the motion.

Hon. Speaker: Thank you, Hon. Loyd. Hon. Wanjiru.

Hon. Ruth Kamau (Nominated, CCU): Thank you, Madam Speaker. I applaud Hon. Evelyn for this timely motion. You know she called me in the morning and asked me if I was marooned or if I was coming and her being a Whip I would not want to be in her bad books and I had to come. This is a very important motion and I rise to support that the Counties have been mandated to promote early childhood education and as an educationist or in layman's language, a teacher myself, I can confirm that 50 per cent of learning depends on the environment. So if the environment is wanting, the value of education definitely is left wanting. ECDE being the basic level of education, it needs to be improved in our County where we stand to serve.

As we take care of the amenities that we are talking about, close to my heart is children with disabilities that are left behind in the rural setting mostly. You find the parent do not take them to school because it is more of a burden. It is my prayer that the amenities will cater for children who are disabled. When I talk of amenities, it is the classes, the building setting and also the furniture. They require special kind of furniture for them to be able to at least be at par with the able-bodied children.

The guidelines provided by the national government do not only give the specifications of the classes, they also give specifications of the compound, the fencing and everything. So, if we are to go by the guidelines, there is much that needs to be done and I pray that as we budget this year we put into consideration and give a priority to the area of education especially the ECDE. When I went to school to become a teacher, in my first day in college we were told that a teacher will be judged by God harshly. As we judge the teachers and as they will be judged by

God, we have been given a platform to give them good working conditions and because we have been given this platform, Hon. Members, let us do our part budget and even follow up.

There is so much that needs to be done apart from the amenities, the curriculum, it needs to be followed up so that we ensure that our children are competing at the same level with other children. We do not just leave the teachers to teach what they feel is right; there is a curriculum that has been provided and we need a follow-up and evaluation programme. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Member. Hon. Ndawa, Hon. Katiti and Hon. Kavyu; in that order.

Hon. Mbili Ndawa (Matuu, MCCP): Thank you, Madam Speaker. Hon. Speaker, the motion is timely and it is also urgent. In fact, it is extremely urgent. Article 42(d) of our constitution gives education as a right; not as a privilege. If something has been given by the constitution as a right; that means every child has to be given whatever is required so as to enjoy that right provided for by the constitution. We have so many ECDEs and most of them lack the items which have been listed in this motion. Starting with the stand-alone ECDEs and even those which are within the primary school; you will find that the toilets meant for the standard one to eight are the same toilets being used by these ECDE pupils.

Hon. Speaker, remember the size is not the same; you may find the hole in that pit latrine the child can slip inside. So that is posing danger to our young ones. We need to move very fast and take stock of schools which are lacking such things. The Hon. Member has given us a lead and named some it is only that she forgot to mention Matuu and maybe other wards because every other Member will be looking forward to hear his ward being mentioned.

If you go to Kaliani ECDE, if the public health officers were serious with their work, they would have closed most of these schools including that one. The reason I am saying it would have closed it is because there is no latrine, it is built using pure soil not bricks; you know if you make bricks, you can eat them, not cured. So, there is a risk especially during this time of torrential rains our kids are at very high risk and I am very sure it is not just that one. In other wards we have similar problems.

Hon. Speaker, I am suggesting we approve this motion then as we look on other logistics, the committee of education should move very fast to take stock of schools so that we can be able to give priority depending on the priority basis. There are some schools which are at least stable and others are not. So, I request Hon. Members to agree with this motion and request as the Article cited here; nowadays I am very keen. If any Member goes and drafts a motion without following the constitution and you bring it here thinking that we are all asleep, this Assembly is very awake. Hon. Evelyn, you have passed the test.

Article 192 that you have cited talks about cooperation between the two levels of government and since education is co-shared because the big portion of it is in the National Government and the County has ECDE and Vocational Training colleges so each level of government has interest in this.

Again, Article 6 of the constitution recognizes two levels of government and says, that the two levels of government shall and if you hear the word shall; it means must; shall work in consultation and cooperation. So, there is no one level of government which can pretend that it wants to work alone without the other part since they need to work together. I remember sometimes one of my neighbours had twins and by bad luck one son passed on, they were two.

One was called Mbatha and the other one Mutua so Mutua went to the Lord, when they were planning for the burial the father told another colleague, I have lost my son, so the colleague asked; which son. He said I got two and one is gone.

So the question from that person who was being consulted asked; out of the two whom are you going to burry? Of course you will bury the dead one but in our Kamba customary law; there are those who are fond of these traditional beliefs. If you have twins and one dies before you put him or her in the grave, you put the alive one then you remove him or her and if you do not do that the other remaining child will also follow that one.

Hon. Speaker: Sorry I did not hear that.

Hon. Mbili Ndawa (Matuu, MCCP): Yes, it is true.

Hon. Speaker: I did not hear what you said.

Hon. Mbili Ndawa (Matuu, MCCP): I am saying if you have twins and you lose one when it comes to time of burial, the alive one must go to the grave first then you remove him or her then you bury the dead one. You will be secure and you will be assured of remaining with the other one but if you do not follow that rule you are likely to lose the other one. So Hon. Speaker I am saying that the National government and the County government must work together to ensure we address all this issue together.

Hon. Speaker: They must go to the grave together.

(Laughter)

Hon. Mbili Ndawa (Matuu, MCCP): Yes. Thank you, Hon. Speaker.

Hon. Speaker: Thank you Hon. Member, Hon. Katiti, that was awesome.

Hon. Boniface Katiti (Muthetheni, UDA): Thank you, Madam Speaker. First I want to acknowledge the mover of the motion that is Mheshimiwa Evelyn, though she did not call me she knew ultimately I will be here to support her motion then the issue of Mutua that was because of naming; you cannot name two twins, one Mbatha and the other Mutua. The naming Mutua has to die because you name Mutua or Keli because they are two.

Hon. Speaker: Okay. I thought you do not know.

Hon. Boniface Katiti (Muthetheni, UDA): First I want to thank Hon. Evelyn because we must acknowledge that we are all beneficiaries of education. The CEO of this country H.E the President William Ruto is an example, H.E the Governor Hon. Wavinya is an example. We are an example and all people who have gone through education are examples of the benefits that we get when we get education. We cannot overlook the challenges that our kids get once they join primary schools because without activities it makes their lives difficult in times of their learning.

Also I want to say before we built those amenities, then we should also look at the classes because most of the classes like Muthetheni are almost falling and not because of rains but up to now we have not built a new class yet there was an agreement every year we will be building two classes per ward. So I do encourage and request that we come up with a budget that can support building of classes because they important so that our kids may get into good classes.

Those amenities are paramount and they have good significance because our children are prone to cholera and any other kind of infections when they are in littered environment. Let us have a budget and once we have a budget of a class let us also allocate a budget of those amenities because they are important. Of late, we have a daycare centres that are coming but I would wish that because those are from others that are going to work before we go there I would encourage that we build more ECDE classes since they are important. So I support the mover of the motion and say thank you.

Hon. Speaker: Thank you very much, Hon. Kavyu, are still interested?

(Laughter)

Then we have Hon. Johana, Hon. Brian, Hon. Paul and Hon. Mwonga in that order. Hon. Anastasia, Hon. Katangi 001. Don't worry about Hon. Katangi. Proceed.

Hon. Francis Kavyu (Kinanie, MCCP): Thank you Hon. Speaker, I raise to support the motion because of its significance and the story and the motion relates to myself very well. Some very many years back when I joined nursery school here in Mumbuni primary, they had a very big toilet that was size of a table so and my first day when I went there to relieve myself as a very innocent young kid, I thought it was a trap that was set there to kill me. So the next day my mom had a lot of difficulties convincing me to go back to that school because I went home knowing that this people had bad intentions. I had seen in the movies those traps in Thailand where they normally set big holes, people get inside there and they are swallowed. So I thought they wanted me swallowed and I think that still relates to today.

The kind of amenities that we have in our ECDE centers can affect and influence the perception that this young kids will have towards education because it is the introductory stage to education and the kind of reception or environment that we subject our kids to can determine whether those young kids are going to like education. If the environment is not going to be conducive enough, kids will view it as a place where they are taken to undergo agony so we need to be very keen on the kind of design and also where we do our classes and therefore what I would urge this House, that that has to start from here the Assembly.

We are the people who normally review the budget and approve and as a Member of Education committee, if you look at the order of priority in terms of items, the way the budget has been categorized, education ranks No. 8 and if we are serious as a County and we want to secure the future of Machakos, we must be serious and see how we can improve in terms of budgetary priority and ensure that education, the same priority that is granted to health, roads, we need to see the same emphasis being granted to the education sector. Even if we adopt the motion today Madam Speaker, and we still allocating Ksh. 1 million for a class, there is no much that can be done with that.

(Applause)

Even as we propose, we also need to empower the department financially by providing enough budget allocation and we need to make it a law. We will find we are allocating a class to a particular area but there is no provision for a toilet. I think that is where we started failing so we need to make a law or a requirement that every class that is allocated funds must be accompanied by a provision for a better toilet that is suitable for this young kids and ensure there is provision for water.

When we just do a class, there is no water tank and you find most of the time those young kids get infected because of things that can be avoided by ensuring that we factor the hygiene factors that need to be taken care of. We need to make it not just resolve as a House. We need to make it a mandatory requirement that every ECDE even those which were done in the past and they do not have a standard toilet, we need to make it a requirement that in the coming budget allocation, I think the Education committee must tour all classes and come up with a data showing which ECDE centers do not have a corresponding social amenity like a toilet and probably a better kitchen so that those can be factored in the coming financial year and resolve.

We might have very good roads, health facilities but the best way to remain healthy is putting in place preventive measures. If our kids operate in a clean and a suitable environment, the number of trips being made to the health facility will reduce. This is because of taking care of those kids and they are normally the most exposed and as I finish even for the institutions that are within the public schools, we need to have a very clear distinction because ECDE education is devolved. We still have a challenge where for instance if the County Government provides food for the ECDE classes especially where they are together most of the time you find an allocation that is supposed to serve that ECDE class for entire term ends up being consumed by their counterparts in primary so within a week or two those kids will not have food.

We must see even if they are together we must have a provision where the ECDE kids are operating from not only providing the social amenities, we must also secure and ensure that there is a very clear separation between them and ensure that the people who have been put there to manage the ECDE centers have total control of the institution. Sometimes you find because of that interaction and the schools being placed under the care of the primary school head teacher, sometimes you find things that parents are not supposed to pay they are treated the same as their counterparts in primary. This sometimes ends burdening the ECDE parents for nothing.

Lastly, as we also look at the structures, I think we also need to review the terms of our ECDE teachers because if we have good facilities and the personnel side of it is not taken care of, we will just have better structures but zero inputs to our kids. We also need to look at house, the deficit that is there in terms of ECDE teachers and ensure as we also build we have enough man power to support our kids. Thank you, Madam Speaker.

Hon. Speaker: I am sorry I have some irritation. Let us proceed. Thank you, Hon. Kavyu.

(Hon. Speaker left the Chair)

(The Deputy Speaker (Hon. Stephen Mwanthi) took the Chair)

Hon. Johanna Munyao (Mutituni/Ngelani, M CCP): Thank you, Madam Speaker. I also stand to support that motion by Hon. Everlyn. Madam Speaker, ECDE is the most basic level of education and Madam Speaker, the perception which has been there when we talk of ECDE it is like we are imagining and even when we talk of stand-alone and not stand alone we sometimes think in terms of classes that we have constructed a class which is either within an existing primary school or a class which is erected in an isolated compound. Madam Speaker, we should be looking at ECDE as an institution that will have for ECDE a play group, pre-primary I and II and to me those are three classes, an office, a staff room a store, a kitchenette all the facilities that have been cited on this motion.

Madam Speaker, even in the developed countries, the weight given to ECDE because it is the foundation on which all other learning levels is laid, the teachers in those ECDE levels are even PhD holders because they are equipped to understand more about that child, the psychology of that child, the sociology of that child. You are supposed to be equipped to understand the child because whatever you lay and inculcate in them that will now form basis of what happens to that child going forward. If we are not very keen with ECDE centers with learners with ECDE centers it will just be garbage in, garbage out.

The same material, the same learners are now handed over to primary and high schools and then at the end of the day the products we get because those people lacked foundation are the kind of people who are ejected even out of universities, are unable even to address challenges which are prevailing within our society. I would like to say that we must be keen to make the environment very conducive. Even the playing materials; the environment the first learning character formation and mannerism is taught at ECDE level so we must be able to expose the learners to the right environment because the methodology of learning is by seeing and by feeling.

Imagine what they go through is what forms in their mind. They are in a compound without toilets; they cannot even relate what an ideal school environment or even a home is supposed to be. I would like support the motion, it is very important we be very keen not only in looking at the isolated classrooms but looking at an ECDE as an institution and thinking in terms of all the facilities which are supposed to be put in place to make them a stand-alone school and institution.

We have a big challenge we must be prepared to allocate enough budget and we must be able to progress the ECDE centers so that from one class to two classrooms and by the end of a Curriculum Development period we are able to tell where we started and where we have been able to either to stop by the end of a period of five years. Otherwise if we continue doing ECDE centers of excellence and then we have an entire County where we must be able to address the needs of all the learners across the County we may not be able to achieve much.

I support we allocate enough budget so that we can address the needs of those learners and if we have a dream of being the next Singapore, as it has been in this country, then we must understand that it will only be right to address education and whoever came up with the recommendations on educational reforms and gave ECDE and VTCs to Counties, I think it was something which was well thought of and it is a challenge to us because those are very key levels. You have been given the responsibility to build that child from a very tiny age and again when you go to the VTC you are being told we have changed the curriculum to competency-based and then you are the same institution in the County which is supposed to make sure that the education being taught in our VTCs is hands-on or practical education because that is where the country is heading to.

The more we address with less seriousness the more blame we will get in future because Counties have been given the very critical levels of education to address and they are the drivers of education for this country going forward. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Johana.

Hon. Joshua Mwonga (Masinga Central, WDM-K): I think I was next.

Hon. Deputy Speaker: Thank you, Hon. Johanna. Hon. Mwonga before you stand up, you realize there is a different Speaker and now that I am not very sure that I will be seated here for the rest of the time, I may have to change the criteria that had been set before and request their hands for the speaker to see them.

(Laughter)

Just because you look curious I will give you the first priority.

Hon. Joshua Mwonga (Masinga Central, WDM-K): Thank you, Mr. Speaker---

Hon. Deputy Speaker: I will also as you contribute Hon. Mwonga, I will also, according to what I have seen and the time that we may have I may request again Members to try and be a little bit short to as to have all Members contribute.

Hon. Joshua Mwonga (Masinga Central, WDM-K): Thank you, Mr. Speaker. I am going to be very brief because much of what I wanted to say has been said. Mr. Speaker, with your permission, actually every day is a learning day and I have learned a lot about twins and I can also teach the Leader of Minority about twins. The only three names in Ukambani which are synonymous with twins are Mbatha, Keli and Twili. Mutua is not synonymous with twins.

Back to the motion which is on the table, I want to thank the Whip for presenting this motion. It is timely and as a House we should be asking ourselves what is the situation of our ECDE centers across the County. Not in particular your ward. It is time for budget-making it is my appeal that as a House we allocate again more funds to the Executive that is the department of education to do all that is captured in Hon. Everlyn's motion, Mr. Speaker.

Mr. Speaker, I want to thank Hon. Everlyn for capturing Sawa Sawa ECDE center in Masinga Central. I know you are my neighbor and you are very conversant and that is the Speaker, I am now addressing. You are very conversant with Masinga Central ward and you know where Sawa Sawa ECDE center is. Sawa Sawa ECDE center is a class which was constructed by the County Government in the year 2022/2023 and up to date that class has not been handed over to the County Government because the contractor has refused to hand it over because he has not been paid.

That notwithstanding, Mr. Speaker, the committee of education had a visit to that stand-alone station. This is a stand-alone station Mr. Speaker, will serve pupils who used to travel seven kilometers to the north, six kilometers to the south and four kilometers to the west of the station. Mr. Speaker, when the Members and Everlyn was one of them visited that stand alone---

Hon. Deputy Speaker: Point of order Hon. Brian?

Hon. Joshua Mwonga (Masinga Central, WDM-K): Which point of order?

Hon. Brian Kisila (Makutano/Mwala, MCCC): Mr. Speaker, Hon. Mwonga cannot address Hon. Everlyn as Everlyn. The title honourable is earned and must be respected by all Members---

Hon. Deputy Speaker: Thank you, Hon. Brian.

Hon. Brian Kisila (Makutano/Mwala, MCCC): It will---

Hon. Joshua Mwonga (Masinga Central, WDM-K): Noted but he is also saying I cannot address Madam Everlyn as Madam; now which is which. Anyway, Hon. Everlyn Member for Kangundo East was one of the Members of education committee who visited the stand-alone facility and I want to tell you the toilet is pathetic. She had assured me the videos and photos that were taken on that day will be aired for these Members to see. I am making this humble request; maybe she can share in our official wall for Members to see after this.

The situation is pathetic and I am told H.E the Governor will be handing over the project in the next two weeks to the community and there is no toilet. I think the officers of education department are not telling H.E the truth. How do you take the CEO of a County that is the H.E the governor to hand over a facility to the community and there is no toilet. I think they should move fast and in the next two weeks if it is true what they are telling me if it is true they do something even if it is a temporary latrine. Thank you, Mr. Speaker. I do support.

Hon. Deputy Speaker: Thank you, Hon. Mwonga. Although you have not clarified whether the ECDE class is in operation. You have just said that it is closed. Where are the pupils?

Hon. Joshua Mwonga (Masinga Central, WDM-K): Mr. Speaker, the pupils are learning from a mud-walled class and due to the heavy rains it is normal.

Hon. Deputy Speaker: Now we get you.

Hon. Joshua Mwonga (Masinga Central, WDM-K): Thank you.

Hon. Deputy Speaker: Hon. Dominic. I believe that is the criteria that was stated.

Hon. Dominic Maitha (Muthwani, WDM-K): Hon. Speaker, I almost walked out because I thought I am not being recognized in this House and that is one of the main reasons I am nowadays losing interest of this Assembly better be very honest because I raise hands and I am never recognized. I do not want to be on point of order, Hon. Speaker.

Hon. Deputy Speaker: Hon. Dominic you may be forced then to change the seat where you are seated---

Hon. Dominic Maitha (Muthwani, WDM-K): Mr. Speaker, that is the most suitable place I feel but all the same that notwithstanding let us proceed. With a lot of seriousness about

this Hon. Speaker, we need to take this matter seriously. On a very serious note when we came in this Assembly in 2013 there was no infrastructure in this Assembly to facilitate Members to transact business. Mheshimiwa Phoebe and Mheshimiwa Mwonga can attest to this and the staff of this Assembly can attest to this. We had a skeleton Assembly that had nothing. Hon. Ngui is here can also attest to the same and the Assembly did a lot to facilitate Members to have the prerequisite facilities so that they can transact their business.

Let us go back to the motion. Mr. Speaker, currently we are struggling and fighting so much to have the so-called freedom...what is the term we are using in the Assembly in terms of financescan somebody remind me. Autonomy; thank you. We are struggling so much to have autonomy in ourselves from one single reason so that we can make decisions in terms of financial matters independently without having to go round and round. Currently, when we go back to the Constitution and about devolution it seems that most leaders and County Governments have not really understood what is all about devolution.

ECDE has not been given a priority in this County Government and in most County Governments. In the year 2015 the Hon. Phoebe plus some other Members, we were facilitated by this Assembly to go to Kisumu County under the able leadership of then the Chair education Hon. Ngunzi from Kibauni ward and this was guided by a similar motion that had been brought in this Assembly to discuss about the same because all what we were doing in terms of ECDE is just construct a single Ksh. 1.8 million worth class as Hon. Kavyu has said and then we leave it out.

We went to Kisumu and brought a very good report with pictures of very standard simple ECDE centers that we thought if done by Machakos County Government would really support ECDE education in this County. That has never been Hon. Speaker, we are investing too much into services that are not adding much value to our people and especially the kids. The situation when you go back to our schools Mr. Speaker, there are some things the committee on education needs to take serious. First, the Hon. Minority Whip has outlined a few regulations and constitutional requirements that were set out so that ECDE can liberate from being run into the primary education centers but that has not happened.

We do not want to contradict what is happening because most head teachers in those primary schools want to have close monitoring of the ECDEs but the critical question we need to ask ourselves is does it mean that the County Government is not in a position to run and be able to take care of these institutions. That is critical care and I think Hon. Speaker, as we proceed even to pass this motion, there needs to be a very serious stakeholder engagement between the committee of education and maybe have a stakeholder education of all ECDE teachers in Machakos County so that they can understand what are the challenges they are facing.

First, do they need to be taken away from the institutions that they are operating in? Yes or no! Then if they want to be taken out what are the challenges they are facing so that once we go ahead because right now we can say yes fine we are going to move these schools from where they are operating but do they have the prerequisite amenities? No! That is outright as we do not have toilets, kitchens, stores and this and that. So Hon. Speaker, as we support this motion, we need to take it serious. If anyone of us here right now because we are all parents, receives a call about his or her child maybe has had a small issue, my friend Hon. Speaker, this House can run into chaos. Even if it is you yourself you might even forget you are the presiding officer and walk out because you want to address issues of a young one whom you have received a call under a serious issue or threat and that is exactly what we are exposing our kids from where we are coming from.

I want to give a practical example. Githunguri primary school Hon. Speaker, where you know very well is sitting on half acre *shamba*. It has a population of more than 1,600 children. The ECDE sits in the same institution and compound of less than an acre. The same ECDE students use the same toilets used by Standard One to Grade Eight students in the same school. So Imagine Hon. Speaker, the bell has rung we are 30 minutes to go for break everyone is rushing to the toilet so what is going to be the mess there. All the ECDE school-going children will be in big mess and in fact to an extent a majority of them will end up messing themselves and you understand what I mean by that.

So there is a lot of mess; we are not taking care of these ECDEs and because Hon. Speaker, I would not speak much because of time now that ECDE is devolved it is the high time we think as a County, are we able to handle ECDE education. Hon. Johanna from Mutituni has actually joined two issues; education in the ECDEs and education in our VTCs. Hon. Speaker, at what point in time and this House can prove me right and wrong, maybe we have never received any report about vocational training centers in this Assembly of what they are doing.

I have never even seen or heard on any single day a Governor either the first or current Governor presiding an event either for graduation in those vocational training centers for the last 10 years. That shows that we are not committed Hon. Speaker, to advancing what we have been granted to do. What I am saying is this, for example Hon. Speaker. There is an issue---

Hon. Mbili Ndawa (Matuu, MCCC): Point of information, Hon. Speaker.

Hon. Deputy Speaker: Point of information.

Hon. Mbili Ndawa (Matuu, MCCC): I just want to inform the Hon. Member that he should talk of this period now. The previous regime we attended very many graduations stating with Matuu vocational training center. H.E. the Deputy Governor presided over the occasion and also Kyeleni and I am talking about the County.

Hon. Dominic Maitha (Muthwani, WDM-K): Thank you, Hon. Speaker, but I would say that how I wish the Hon. Minority Leader would understand the concept under which I am coming from. The more emphasis we put on other County functions and how I wish we can also put the same emphasis on VTCs. For example, and I even gave it as an example in this Assembly Hon. Speaker, if you go to most of our VTCs where we are doing motor vehicle engineering where our kids are learning courses in terms of motor vehicles, most of those VTCs Hon. Speaker are lacking a simple basic practical machine like a vehicle to practice.

I want to than Hon. Ngui recently we did some fundraising for him to take a vehicle to one of his VTCs because it was a missing requirement in the school. If you go around in this County Hon. Speaker, you will find there are so many vehicles that are laying idle getting wasted that if taken to those institutions can advance the knowledge of those students. Back to our motion. Hon. Speaker, we need to take this matter seriously and going forward we need to scale down on our expenditure in terms of the devolved functions and ask ourselves; out of the devolved functions which key functions will give the Hon. Members here and even our Governor more mileage in terms of service delivery and I believe ECDE is one of them. If we pump enough resources---

Hon. Francis Kavyu (Kinanie, MCCC): Point of information.

Hon. Deputy Speaker: Point of information.

Hon. Francis Kavyu (Kinanie, MCCC): Mr. Speaker, I would request the Hon. Member to stick or restrain himself to the motion of the day because we are only talking about ECDE centers and he deviated to vocational centers and also because every project counts so there is no...I know from political point what he means by mileage but what we are looking at is the quality and the impact every project will have to our people. So we request that, through the Speaker, he restrains himself to the motion of the day.

Hon. Deputy Speaker: Okay. Hon. Dominic just proceed and be informed just stick to the motion and you only have two minutes.

Hon. Dominic Maitha (Muthwani, WDM-K): Hon. Speaker, how I wish the Hon. Member would start listening to other Members because it was also said by Hon. Johanna so he must have been serious with his phone than the business of the House. A times even when the Hon. Minority Leader gave an example of twins, the aspect of twins was not part and parcel of the motion---

(Laughter)

Hon. Deputy Speaker: Hon. Dominic, just stick to the motion of the day.

Hon. Dominic Maitha (Muthwani, WDM-K): How I wish these Members informing others would also listen carefully because all my arguments have been based on issues that have been brought on the floor of this House. I have not gone outside this House. All what I have argued is what---

Hon. Deputy Speaker: Kindly Hon. Dominic.

Hon. Dominic Maitha (Muthwani, WDM-K): To culminate it all, I want to say this Hon. Speaker; let us take this matter of ECDE seriously. If we give basic support and the Hon. Kavyu has said clearly giving an ECDE Ksh. 1 million, Hon. Speaker, do an ECDE center without a toilet what are you exposing these kids to. So let us from now on going forward we will better have like even 10 ECDE classes every financial year well-fitted with equipment, infrastructure such that the next year we can...in five years this County Government can do at least 40 ECDE centers that are state-of-the-art all in one so that we can say we are supporting but if we continue with the same way of doing one single class, hand it over no facilities then Hon. Speaker, we will not actually realize the real devolution aspect of ECDE devolution. So I support this motion and say that let the committee of education move forward and engage all stakeholders and ensure that it is realized in the best way possible. Thank you, Hon. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Dominic. Hon. Brian just briefly three minutes.

Hon. Brian Kisila (Makutano/Mwala, MCCC): I will be very brief Mr. Speaker. This Assembly has a lot of knowledge and a lot of data and reports which have been done on ECDEs.

I want to thank Mheshimiwa Evelyn for bringing this motion but in the Second Assembly we sent a team to Kericho to benchmark with Kericho on how ECDEs are done. Most of the things Mheshimiwa Evelyn is recommending were actually in the report which was tabled in this Assembly. It even included amenities like swings, slides and jumping castles. It is a very comprehensive report which was done by the Second Assembly. My appeal although I am supporting her motion is if we can actually be serious with reports which come from this Assembly and implement what the reports are saying.

So I want to support Mheshimiwa Evelyn's motion but still I want the education committee which Members are here to look at that Second Assembly report on ECDEs. It was very comprehensive including some very nice beautiful seats for the small ones and the toilets. It was there and a very comprehensive report I remember.

Secondly, Mr. Speaker, and this is my parting shot this is what an Assembly does and some people are downplaying motions which we are bringing to this Assembly but these motions are very important and they are going very far. In fact, I want to commend the Minority Leader and in the Second Assembly, he came up with a very serious motion of upgrading several towns to municipalities and as a chairman and I cannot fail to say that as I sit down as the Chair of Committee on Decentralized Units and Urban Development, I want to commend H.E the Governor because today she has gazetted and *ad hoc* committee to consider recommendations for municipality status from Matuu, Kathiani, Mitaboni, Masii, Mwala, Masinga, Ekalakala and Kivaa towns to municipalities. Meaning that what we discuss here does not go down the drain.

It is a serious Assembly and whatever we discuss here should be taken very seriously. I am also appealing to my chairman of implementation committee who is seated across; that committee is very key to this Assembly on whatever we pass in this Assembly. I am urging my chairman implementation---

Hon. Deputy Speaker: Hon. Brian are you still on the same motion?

Hon. Brian Kisila (Makutano/Mwala, MCCC): Yes. I am still on the motion. To ensure that whatever we pass here is being implemented by the Executive because that is the only way.

(A Hon. Maitha spoke off record)

I do not want the information because---

Hon. Deputy Speaker: Point of information, Hon. Dominic.

Hon. Dominic Maitha (Muthwani, WDM-K): Mr. Speaker, I want to inform the Hon. Member what he has just read has been pursued in my Committee for the last more than six months and corresponding reports Hon. Members of the Implementation Committee where the Hon. Member knows I have done that I am a performer.

Hon. Deputy Speaker: Thank you, Hon. Dominic.

Hon. Brian Kisila (Makutano/Mwala): Mr. Speaker what I am trying to say he can say he is a performer but we have not seen a report from the Implementation Committee on whatever

we have been passing in this Assembly. If they are not being implemented we are not going far. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Brian can you stick---

(A Hon. Kisila spoke off record)

Order Hon. Brian!

Hon. Deputy Speaker: Let us proceed with Hon. Muoki.

Hon. Muoki wa Musila (Ndithini, WDM-K): Thank you, Mr. Speaker. I will go back to the Motion starting by commending Hon. Evelyn for bringing it up. I wanted to look at the totality of ECDEs because we have been talking about the toilets, classrooms and the like but I wanted to start with the land where they are built so that we get the totality of the ECDEs. We need first of all to start with the land where they are going to build or where they stand as of today; we sort that one first.

There is also the issue of the management of the ECDEs; I am a Board of Management (BOM) member of the primary school where I went and there is an ECDE within the school, there is a stand-alone ECDE classroom done by the previous government elsewhere. As I speak today we are having a problem between the primary school management and the ECDE management and that something that needs to be sorted because the ECDE teachers are saying they are not under the primary school so they will not be managed by the primary school teacher. I do not know if the other Members have discovered this.

We also need to sort about the management of the ECDE classes *vis-a-vis* the primary school classes. I totally agree when Hon. Evelyn says about the toilets; I have already spoken about the stand-alone classroom and in Ndithini Ward we have two of them and I had to construct toilets for them. Why would we do stand-alone classrooms which have no toilets? I wanted the students not to go as far had to start other two classrooms and pay the class teachers so that they can start classes nearer other than the students going far.

The other thing that I wish we looked is that in the ECDE; I talked about the land and management and then there are ECDEs within the primary school land, how do you get that land to the ECDEs alone? The primary schools are saying this is our land; there is a lot of conflict there. So if we wanted to do the totality of an ECDE class---

Hon. Deputy Speaker: Point of information.

Hon. Mbili Ndawa (Matuu, M CCP): Hon. Speaker, I just want to inform the Hon. Member who is on the floor that most of the primary schools the land is owned by Machakos County. Even if the primary schools are for the nation the land is for Machakos County government. Giving him an example, Matuu primary school the land register number is under Masaku County Council. That is the County Government of Machakos. When we were proposing to have a modelled baby care it is only the County which had to sub-divide and have land for the baby care and the other land for the primary school. The custodian of the land is County Government of Machakos.

Hon. Deputy Speaker: Thank you. I think Hon. Members we need to stick to our today's Motion. Hon. Muoki what you are debating forms a complete Motion which can be debated in this Hon. House. It is a good one but not well placed. Let us stick to our today's Motion you can come up with such a Motion and we debate here.

Hon. Muoki wa Musila (Ndithini, WDM-K): The same thing, Mr. Speaker. I have a point to make that the totality of the ECDEs will not only be the toilets, classrooms and the likes but it will emanate with the land and management and all. I also want to say what Hon. Judas has said that not all land belongs to the County Government of Machakos; the school I am talking about I am the one who got the title deed for and it is owned by the Ministry of Education, National Government. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Muoki. Hon. Felix Ngui.

Hon. Felix Ngui (Katangi, WDM-K): Thank you, Mr. Speaker. I want to say that it is important that when Members contribute they do not walk out. They can wait to hear the contribution of other Members.

(Applause)

I think you may be forced to do some communication in the next sitting that Members should always sit down and also hear what other people say in their contribution.

Mr. Speaker, I want to applaud Mheshimiwa Evelyn. Most of the things have been said concerning this important Motion I have three things. First, Mr. Speaker you realize that ECDE centers provide a functional education to our children and we have all passed through that system so it is a very paramount area where the County needs to put some more weight and as Mheshimiwa Dominic puts it, I think it is the high time that the Counties put more effort to what is devolved in the County. We put so much effort on other sectors like the roads and other sectors forgetting that we have serious devolved functions that we need to handle like the area of ECDE.

Mr. Speaker, I want also to appreciate the County Government of Machakos for what they have been doing regarding the ECDE centers. Our Governor has been providing food for the ECDE centers and the things that Mheshimiwa Evelyn is requesting in this Motion are very critical. When the Governor provides the ECDE center with food there is no kitchen to cook this food and store to keep it. Mr. Speaker, our ECDE teachers, for example, in Yatta Sub-County they were to travel all the way from Katangi to Kithimani every Monday to get food that has been provided by the government for the children. Every Monday they go on foot to Kithimani which is a long distance. If we had a store in every ECDE center this food would be delivered to the stores and our children get served from there.

Mr. Speaker you realize there is a lot of inequality. For example, we have CBC curriculum and most of our children from the public schools they lack the learning materials. These are some of the things that need to be provided by the County so that we can have equity of our children despite the social economic background of our children.

This is a very timely Motion and as an Assembly we have a role to play so that we can make sure that these things happen. What are we needed to do? We have the Education Committee, the chairperson for that committee and members please make sure that when the budget comes to this Assembly 2024/2025 is enough. We can do it in bits for example we start

with like two sub-counties or three. The next financial year we do to other sub-counties so that we can go down providing this infrastructure and materials to our ECDE centers. Thank you, Mr. Speaker. I support.

Hon. Deputy Speaker: Thank you, Hon. Felix. Hon. Majority Leader.

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Thank you, Mr. Speaker. I will be very brief because what I intended to say has been said again and again. First of all I would like to thank the mover of the Motion Hon. Evelyn Nzeki. I do not know whether it is the mother instinct in you because also looking at the whole need to improve the infrastructure. I do not have a very big recollection of my life in nursery school as we used to call them but Mr. Speaker I can tell you I still remember the toilet that we used to go and relieve ourselves. I remember because I used to fear it a lot; actually I rarely used the toilets unless I was very hard pressed to use it.

It was a pit latrine but because it was constructed using logs and they could not stick together properly. You could relieve yourself from at least three places as you can see normally I am not a very big guy I have always been tiny but my mind has always been big. I always fear to go through the holes; I think it is very important especially the toilet even if other amenities could come later but a toilet would increase the confidence of the learner and his or her dignity in so many ways.

I want to thank Hon. Evelyn but also say the role of the Assembly as Mheshimiwa Ngui has said is now when we are doing the budgeting, we may talk about this and say it is good, support it all of us as a House but if we do not allocate, I can tell you as Mheshimiwa Kisila has said there is a report of the Second Assembly. There was no follow up, I guess, because if there was follow up, it means something would have been done in terms of resource allocation and implementation. This is now where we should come in as a House and urge the Education Committee through the Chair and the Vice-Chair to work with the Budget and Appropriations Committee and the Governor so that we engineer and refocus the priority and say indeed having an ECDE class with associated amenities is very important.

Most of us could afford to send our young ones to decent ECDE classes and normally we do that. Ask yourself when you are driving to come to the Assembly those young ones you meet or find on the road going to an ECDE class that you as an Hon. Member knows very well does not have a toilet. Ask yourself you Hon. Member coming across a kid who is going to an ECDE center and you know very well there is a danger that ECDE center could collapse anytime. Let us be human to these young ones and I agree with Mheshimiwa Ngui again we can do it in phases because resources are always going to be limited. We can urge the County Executive to consider the existing ECDE classes before constructing new ones to equip them with all the amenities. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Majority Leader. Hon. Mulinge then the mover will reply.

Hon. Joseph Mulinge (Muvuti/Kiima Kimwe, MCCP): Thank you, Mr. Speaker. First I will start by congratulating Hon. Evelyn for this good Motion which is addressing common

problem almost in every ECDE center. Mr. Speaker, the National Early Childhood Development Policy Framework has been in place since 2006. The essence of the framework was to help the country including Machakos County to implement service delivery for ECDE centers.

Mr. Speaker, early childhood education is very critical in shaping the children's cognitive, social and emotional development. Aware that the essence and importance of the ECDE centers Mr. Speaker, the observation about this Motion the problem is not with the Executive but with the Assembly. Personally, I have been touring the Department of Education regarding ECDE centers in my Ward but the challenge they are having is shortage of funds. Mr. Speaker, to be sincere when we are addressing this Motion, Members we should accept we have the mandate to represent our people in this Assembly. When I am talking about representing I am talking about when we are passing the budget, we need to see the amount of money for development allocated for the Department of Education.

Otherwise we will talk a lot about what is supposed to be done but if resources are not enough this is going to be a song. Thank you, Mr. Speaker because of that but sincerely the situation in ECDE centers is messy. In Muvuti Kiima/Kimwe Ward, I have more than thirteen ECDE centers but if you look the budget for development allocated, if we were to construct we will do one ECDE center. It means that moving with this policy framework, most of the ECDE centers in Muvuti/Kiima Kimwe they will be addressed the next 20 years. We need to open our eyes when we are passing the budget and give a lot of blessings to the Department of Education. Thank you so much.

Hon. Deputy Speaker: Thank you, Hon. Mulinge. Hon. Evelyn and as you come I think Hon. Mulinge you did not have to accuse the Assembly; it has always allocated funds for the ECDEs. It is upon the Executive to go and divide the little that they get. We would rather be having 10 classes if that is what the budget could allow. I do not think there is any problem with the County Assembly. Hon. Evelyn you can reply.

Hon. Evelyn Kavila (Kangundo East, MCCP): Thank you, Hon. Speaker. Let me start first by appreciating Hon. Members for attending plenary today. This Motion has been deferred twice for lack of quorum so thank you for coming today. I am also looking forward to a day when we shall start and end the plenary with same number without Members moving outside.

Let me start by appreciating Hon. Members, thank you so much for supporting my Motion overwhelmingly. All has been said and that is the fact on the ground. Personally, I visited all these ECDE centers which have been mentioned and the situation is very pathetic. Like at Sawasawa ECDE, they have a very good class but there is no toilet. The toilet which was there we wondered how it was used and even forced the area MCA Hon. Mwonga a least to show us how the teacher uses the toilet. He was only able to move backwards because there is no place inside to turn to face the door.

I am making a plea in this House if we could be allowed to be having dramatized Motions whereby it can be projected so that we can see the real issue on the ground for Members who do not belong to the Education Committee so that they may see properly what is happening in the ground. The County Government is mandated to take care and facilitate ECDE centers and have been given guidelines by the national policy 2018 and the county policy 2019. It is up to them so that they make proper use of those guidelines they follow and adhere to them so that we may have proper ECDE centers as it has been stipulated by the guidelines.

Thank you, Hon. Members, for supporting the Motion. As a member of Education Committee with our able Chair Hon. Anastasia, we shall follow up the matter and go back to the report that was produced in the Second Assembly so that we can see what we can incorporate with what we have so that we can follow the Executive to implement what has been discussed here. Thank you, Hon. Speaker.

(Applause)

Hon. Deputy Speaker: Thank you, Hon. Evelyn.

(Question put and agreed to)

I hope our table clerks will forward that Motion to the Executive for implementation.

ADJOURNMENT

Hon. Deputy Speaker: The House adjourns to Tuesday, 7th May, 2024, at 2.30 p.m.

The House rose at 12.15 p.m.

