

UONGOZI BORA JUKUMU LANGU



Public Participation COMMUNITY TRAINING MANUAL
By Justice and Peace Centre-Kitale

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Module I DEVOLUTION

Introduction

This module aims at providing the Citizens with relevant information on the concept of devolution and the devolved government as provided for in the Constitution of Kenya. This will enable the Citizens to become active players in governance processes at County level.

General Objectives

By the end of the forums, the citizens should be able to:

- a) Understand how devolved governance works in Kenya.
- b) Understand the importance in participating in public finance management processes
- c) Understand their role as citizens in devolved government.

UNIT 1.0 UNDERSTANDING DEVOLUTION

Introduction

This unit deals with the meaning of devolution, Kenya's devolution, and the levels of devolution in Kenya and importance of devolution

Session I Kenya's Devolution

Sessions Objectives

By the end of the forums, the Citizens should be able to:

- a) Understand levels of decentralization.
- b) Discuss the importance of devolution.
- c) Understand sources of income for the county government and how it is distributed.

Suggested Learning Resources

- Constitution of Kenya 2010
- County governments Act 2012
- Transition to Devolved Government Act 2012

Suggested Methods for facilitation

- Explanation
- Discussion
- Brainstorming

Suggested Assessment Methods

- Question and answer
- Observation on active participation in group discussions

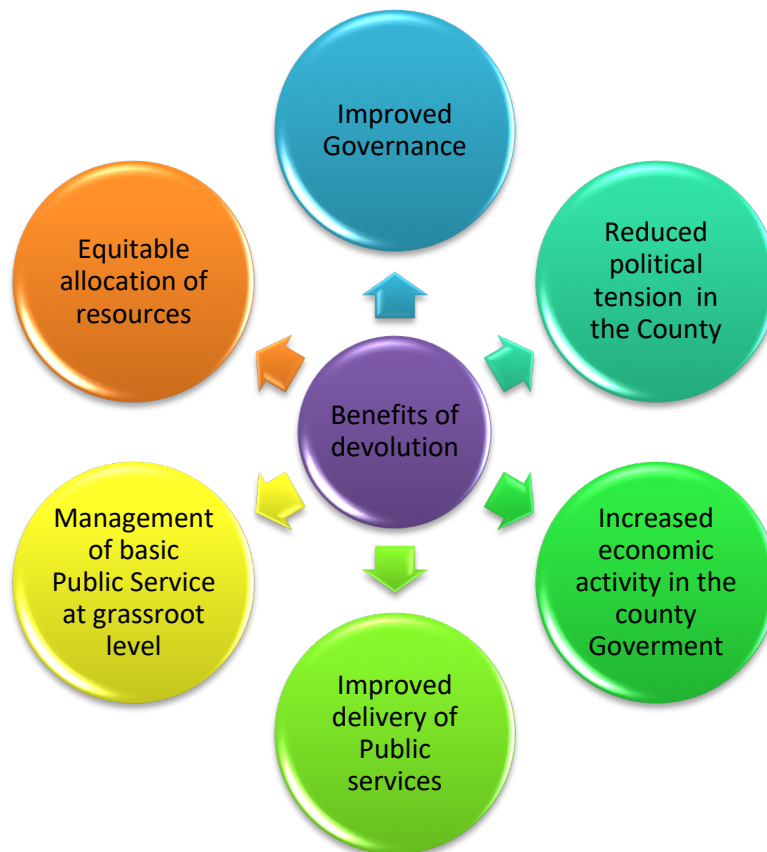
Devolution

Devolution is the process that involves the transfer of functions, resources, power and responsibilities from the central government to county governments or other decentralized organs in order to promote participatory democracy and sustainable development for the benefit of all citizens.

Session 2 Levels of decentralization



Session 3 Importance of Devolution



MODULE 2: CITIZEN PARTICIPATION

Introduction

The module aims at equipping the citizens with the knowledge, skills, attitudes and values to enhance their participation in governance processes.

General Objectives

By the end of the module, the citizens should be able to:

- Understand and make use of the sovereign power as provided for in the Constitution of Kenya, 2010,
- Acquire knowledge, skills, attitudes and values necessary for effective participation in governance processes,
- Demonstrate ability to utilize tools and platforms for citizen participation in governance processes,,

Suggested Learning Resources

- Hand out of a case study
- Constitution of Kenya, 2010,
- Uraia/IRI Citizen Handbook

Suggested facilitation Methods

- Group discussion
- Lecture method

UNIT I.Sovereign power and citizen participation

Session I Meaning of terms related to citizen participation

Sovereignty:

It is the power of the people. All sovereign power belongs to the people of Kenya .Collective power of the citizens exercised at national and county levels. The citizens may exercise sovereignty or sovereign power either directly or through their democratically elected representatives. Sovereign power under the Constitution of Kenya, 2010 is delegated to the following state organs: Parliament and the legislative assemblies in the national and county government, the national executive, and the executive structures in the county governments and judiciary.

Citizen participation:

This is an action or a series of actions a citizen takes to participate in the affairs of the government or community. This may include:

- voting
- attending meetings
- participating in public or private political discussion or debate on issues,
- signing a petition on a desired government action or policy,
- volunteering in the community,
- Contributing money to a political party or candidate you would like elected into government.

Sources of sovereign power of the people

- The Constitution
- The citizens/people

Types of citizen power

Passive citizen power:

Relates to participation that does not require direct physical action; for instance. Petition signing, voting; writing letters to complain or to demand information or services.

Physical citizen power:

This requires direct physical participation such as protesting, boycotting or picketing. When exercising physical citizen power, it is important to do so in a responsible manner as provided under the Bill of Rights in Article 37 of the Constitution of Kenya, 2010, which states that every person has the right to peaceably and unarmed to assemble, demonstrate, picket and present petitions to public authorities.

Fiscal citizen power:

It relates to financial action such as paying taxes, giving donations, approving spending of money and its usage.

UNIT 2: CITIZEN PARTICIPATION**Introduction**

This unit covers steps to successful citizen participation and ways of participating in governance processes. This will enable citizens to understand their rights and how to use them effectively. It will also enable them to participate actively in decision making, policy formulation, and hold their leaders to account.

SESSION 1: Steps to Successful Citizen Participation**Session Objective**

By the end of the session the citizens should be to outlining steps to successful citizen participation.

Suggested Learning Resources

- The Constitution of Kenya, 2010

Suggested Training Methods

- Experience sharing on community participation
- Small group discussion on citizen participation in community affairs

Suggested Assessment Methods

- Question and answer
- Group presentation

SESSION 2. Ways of participating in governance processes**Session Objective**

By the end of the session the citizens should be able to:

- Discuss ways of participating in governance processes.

Suggested Learning Resources

- The Constitution of Kenya, 2010

Suggested Training Methods

- Group discussion
- Question and answer

Ways of participating in governance processes

- Contesting for elections
- Registering to vote

- Voting
- Becoming informed on issues and policies
- Vetting the candidates, leaders and political parties
- Observing peace during elections
- Attending community or civic meetings
- Paying taxes
- Protesting against injustices
- Petitioning the government

Value of working together:

- Effectiveness of participation is improved.
- Unity of purpose is promoted
- Inclusivity is improved
- Integrity, transparency and accountability are promoted.
- Collective responsibility

UNIT 3: PARTICIPATION IN GOVERNANCE

Introduction

Citizen participation is an important part of the devolution process as provided for in Article 10(2) of the Kenya Constitution, 2010 on National Values and Principles of Governance. It is further re-emphasized in Clause 5 of the County Government Act, 2012. The aim of this unit is to equip citizens with the knowledge, skills, attitudes and values to enhance their participation in governance processes. Under this unit, the citizens will cover the following:

- Forms of citizen participation
- Stages of citizen participation

SESSION I: Forms of Citizen Participation

Session Objective

By the end of this session, the citizens should be able to identify forms of citizen participation.

Suggested Learning Resources

- The Constitution of Kenya, 2010
- County Government Act, 2012
- Posters on citizen participation
- Pamphlets on governance

Suggested facilitation Methods

- Group discussion
- Question and Answer

Suggested Assessment Methods

- Question and answer

SESSION I Forms of Citizens participation

The various forms of citizen participation are

- Attending public meetings /rallies to learn, discuss or support an issue of concern to the community;
- Campaigning for a political candidate or issue(s) that will be voted for by the public;
- Demonstrating on a position or an issue, cause or government policy through marches, boycotts, sit-ins, or other forms of peaceful protest;
- Vying as a candidate for an elective office;
- Volunteering in the community or holding state office;
- Serving the country through military or other service to the country;
- Participating in civic discussions such as the locals Baraza;
- Persuading a lawmaker to vote in a certain way;
- Petitioning government and signing petitions;
- Communicating to elected representatives;
- Serving the country through military or other public service;

SESSION 2: Stages of Citizen Participation

Session Objective

By the end of this session, the citizens should be able to describe the stages of citizen participation.

Suggested facilitation Resources

- Kenyan constitution 2010

Suggested facilitations Methods

- Group discussion on the stages of citizen participation.
- Explanation on stages of citizen participation.

Suggested Assessment Methods

- Question and answer

SESSION 3: Benefits of Citizen Participation

Session Objective

By the end of the session, the citizens should be able to discuss the benefits of citizen participation.

Suggested Learning Resources

- The Constitution of Kenya, 2010
- Poster on citizen participation

Suggested facilitation Methods

- Question and Answer
- Group discussion

Suggested Assessment Methods

- Question and Answer
- Direct observation on the discussions

Benefits of Citizen Participation

- Increased trust between the public officials and the community;
- Citizens have a sense of belonging and trust in their community leaders
- Diverse views from a greater citizenry contributing to the public debate on issues and decision-making;
- Citizens are better informed on projects and government proposals
- Community concerns are more focused and prioritized for public officials to address;
- Citizens' diverse and unique skills are revealed to government officials and the community;
- The public is more aware of community concerns
- The public can effectively judge government responses;
- Public officials get a better understanding of community needs and are able to respond effectively.

UNIT 4: TOOLS FOR CITIZEN PARTICIPATION

Introduction

Tools for citizen participation empower citizens to be active citizens in their community affairs. This topic aims at developing in the citizens' knowledge, skills, attitudes and values to enhance his/ her active role in the community affairs. The unit covers:

- Tools for citizen participation
- Ways in which the Constitution promotes citizen participation

SESSION I: Tools for Effective Citizen Participation

Session Objective

By the end of the session, the citizens should be able to describe tools for effective citizen participation.

Suggested Learning Resources

- The Constitution of Kenya, 2010
- The County Government Act, 2012

Suggested facilitation Methods

- Question and Answer
- Group Discussion

Suggested Assessment Methods

- Question and Answer

Tools for Citizen Participation

Advisory Committees

- The composition of the advisory committees is driven by the purpose for which they are constituted.
- The composition should take cognizance of constitutional provision such as equity inclusiveness, equality, nondiscrimination and protection of the marginalized and gender balance.
- Utilize multiple advisory committees to provide guidance and input on a wide variety of issues (for example public safety, business, environment and health care among others).
- Members should be chosen from respective fields and/or specific areas of expertise.
- It is important to know the different members of the advisory committee to enhance engagement.

Public Petitions

Public petitions are an important avenue for those who wish to influence government on a preferred position. There are two types of petitions namely online and physical (paper) petitions. A successful petition will complement a strategy that includes direct lobbying, letter writing and media exposure. Public petitions involve:

- Writing a petition
- Lobbying
- Advocacy
- Writing a Manifesto
- Communication

Writing a Petition

Writing a petition involves identifying the target, carrying out research on the issue of concern, clear communication and how to promote the petition.

Content in the Petition

Begin with a request, followed by well researched reasons for making the request. Provide a description of relevant circumstances and links to documentation or facts that support the description. The description should contain information that suggests the petition is feasible. Do not clutter the petition with information or requests that have no clear connection to the main message.

How to Promote a Petition

To promote a petition, spread the message to friends, family, networks and through the media. Raise issues in fora and discussion groups and share with as many relevant people as possible.

Lobbying

Lobbying is the practice of engaging with government to advocate for change, request information or to hold officials accountable to their commitments on human rights or service delivery. In order to succeed in lobbying it is important that the right steps are followed.

Steps to Successful Lobbying

- i. Identify and engage key stakeholders
- ii. Identify key decision-makers who have the greatest influence on the decision-making process - it is important to locate contact information for key stakeholders during the initial research.
- iii. Develop a target list of names of community leaders, elected politicians, government officials, and other civil society groups.
- iv. Stay in touch informally with these contacts to develop a relationship trust before approaching them.
- v. Identify influential individuals who support or are interested in the issue under consideration. Even if the supporters do not have decision-making power directly linked to the issue of interest, they may be able to help in exerting influence on the key decision-makers. It is not only the elected representatives who hold influence. Maintain good contacts and relationship with staff who work for the elected officials.

Advocacy

Advocacy is a process by an individual or group which aims to influence decisions within political, economic, and social systems and institutions. Advocacy can include many activities that a person or organization undertakes including media campaigns, public speaking, commissioning and publishing research or conducting exit poll or the filing of an amicus brief (friend of the court). It can also be defined as any action that speaks in favor of, recommends, argues for a cause, supports or defends, or pleads on behalf of others.

Activities for Advocacy

The following is a list of suggested advocacy activities.

- i. Organizing - This is building power at the grass roots mobilizing communities to take action on a given issue.
- ii. Educating decision makers - Provide information on an issue to decision-makers ensure they are informed on a given issue facing the citizens.
- iii. Creating a Platform for meeting with Decision-Makers - The communities have an opportunity to meet legislators and decision-makers face to face and discuss the issues that affect their lives. Not only do legislators receive the tools they need to represent their communities, but those communities are empowered to invest more heavily in the outcomes of policy debates.
- iv. Organizing a rally - It involves mobilizing support from people on the cause being advocated for in the Community or County.

Manifestos

A manifesto is a statement of intentions, and may consist of only a few words or many pages of text. A manifesto can help to guide in making decisions and keeping the user focused on his/her goals.

Memoranda/Memorandum

It is a brief or briefs of written record to the government. The basic function of Memoranda is to make the reader aware of specific information as effectively as possible.

A memorandum can be written to inform, to persuade, or to give specific feedback on a particular topic. A memorandum is written using a specific format which is accepted by the organization in which the memorandum is used. When writing a memorandum the following are included:

MEMORANDUM : Subject title
TO : The person receiving the memorandum
FROM : The person writing the memorandum
DATE : Current date
SUBJECT : A short description on the issue

- Introduction: explaining why the memorandum has been written and what issues are being raised in the memorandum.
- Body: details explaining what the issues are all about. Explain the implications of the issue

CONCLUSION : Emphasis on the call for which the action is being Proposed

MEMBERS PRESENT : Include the names of all the members party to the Memorandum

NOTE: Proof-read the memorandum or have someone else read it, before sending it out.

Communication

Communication is a process of conveying information through the exchange of ideas, feelings, intentions, attitudes and expectations. It can take different forms as follows:

Letter Writing and Email Campaigns

Letter and email campaigns can be an effective means of communication. It involves writing as an individual or getting enough people to submit letters, postcards or emails to the target audience.

Phone Calls

For effective use of phone calls:

- Always try to deliver a one-pager prior to the phone call.
- Be prompt and prepared to deliver the message in a clear, concise and compelling manner.
- End the call by asking the target audience what they intend to do about the issue.

Face to face meetings

These are the most effective ways to engage officials and elected members in a dialogue.

MODULE 3 COUNTY BUDGET MAKING PROCESS AND CITIZEN OPORTUNITY FOR PARTICIPATION

Introduction

The module aims at equipping the citizens with knowledge and skills on county budget making process and informing them on the available opportunities, to enhance their participation in governance processes.

General Objective

By the end of the module, the citizens should be able to:

- Understand the process of county budget making focusing on citizen participation.
- To be able to understand the county budget making calendar

Suggested Learning Resources

- Constitution of Kenya, 2010,
- County budget making documents

Suggested facilitation Methods

- Group discussion
- Lecture method

SESSION I. Stages in County Budget Making Process

Budget Stage	In charge	Key budget documents
formulation	County executive	<ul style="list-style-type: none"> • The Annual Development Plan(ADP) • County Budget Review and Outlook Paper(CBROP) (Outlook Sections) • County Fiscal Strategy Paper • County Budget Proposal
Approval	County assembly	Enacted Budget/Appropriation Act
Implementation	County executive and county assembly	Quarterly Implementation Reports
Audit and evaluation	Auditor General	Audit Reports County Budget Review and Outlook Paper(CBROP) (Review Sections)

Participating in County Development Planning Process

The county government is required by law to involve wananchi in the drawing up of county plans. The plans must reflect the priorities of every village ward or sub county. Each county is required by law to develop the following plans:

- County Integrated Development Plan(CIDP)— developed every 5 years to outline the priorities for the county’s development
- County Sectorial Plan – developed every 10 years. It outlines each of the sectors
- County Spatial Plan – developed every 10 years to guide what should be built

in every area

- Annual Development Plans – developed every year to show priorities for utilization of county funds based on the CIDP
- Cities and Urban Areas Plan—developed every ten years for cities and urban areas in counties to guide their development

The county government cannot spend public money on activities or projects that are not in the plans. Annual budgets must also be guided by plans.

They may be removed from office through:

- Dismissal by the governor
- Dismissal by the governor through the County Assembly
- Resignation

You may participate in the removal of county employees by:

- Petitioning the governor, county assembly, IEBC, county public service board or the county assembly service board
- Reporting to relevant constitutional commissions and independent offices
- Picketing and demonstrating against them to push them out of office

Opportunities for public Participation

The county government is required by law to organize meetings or forums for you to contribute your ideas and review the plans.

As a citizen, you have a chance to contribute to, and participate in, developing the county development plan.

You may do this during the following processes:

- Once the budget calendar is presented to the assembly
- During budget
- Hearings consultations
- During drafting of plans, your county government should ask you for your needs and priorities
- During review and assessment of plans

How to participate

You may participate through the following ways:

- Through petitions
- Through memoranda or letters
- By attending and actively participating in sector working groups
- County economic forums
- You may participate individually or organize yourself into a community group to discuss and agree on your priorities to presenting the petition, memorandum or when the meeting is called.

You may also participate through planning structures that the county ought to establish:

- County Budget and Economic Forums (CBEF)
- Sectorial Working Groups (SWG)

Benefits of participating in planning process

It is only through participating in planning that,

- Your problems and priorities are taken into account
- that your concerns are budgeted for
- You learn about the investment and employment opportunities in your county created by the plans

Participating in making the county budget

What is a budget?

A budget is a plan of how the government intends to raise funds or revenue and spend it within a given period. The period is referred to as a Financial Year and its covers July 1 – June 30. The law requires county governments to develop budgets for each financial year.

The Constitution requires that budgets contain:

- Estimates of income, recurrent and development spending.
This includes: Revenue (taxes, fees, and transfers), Recurrent expenditure (salaries, fuel, maintenance, etc.); Development expenditure (one-off expenses such as vehicles, projects etc.); Deficit (expenditures higher than the money the county has)

Why budget?

Budgeting is important for the following reasons:

- For better and focused planning of resources
- To ensure priorities are met
- To facilitate responsible spending
- To avoid wastage for accountability

The opportunities for public participation

- Approval – when the County Assembly passes the budget estimates to be implemented by the County Executive
- Implementation – when programmes, projects and services are implemented based on the annual plans
- Audit–follow up to ascertain whether funds were used according to the budget

Why participate in Budget making process?

It is important to participate in the budget making process of your county because:

- It is your right –the Constitution and other laws provide for public participation during the budget making process as a right for all citizens.Sovereignty belongs to all wananchi.
- It is your responsibility – As a citizen of Kenya, it is your civic duty to be involved in public affairs and government.
- Your opinion matters – your views and opinions help shape how the county is run, the priorities for the county and how revenue is collected. The government uses your views to decide how it budgets your money.
- Knowledge is power – it is important to know how your money shall be used.

How to participate in budget making process

You as a citizen can participate individually or through representation in county budget making by:

- Attending and contributing during county public participation forums including County Budget and Economic Forum (CBEF) and Sector Working Groups(SWG)
- Submitting petitions and memoranda to the assembly
- Through consulting your elected leaders (MCAs) and sharing your concerns
- Writing letters to public officials on any issue of concern
- Advocacy activities and campaigns to push your ideas.

SESSION 2 COUNTY BUDGET MAKING CALENDER

STAGE ONE

FORMULATION STAGE

Time line	County government	Role of the public
August 30	County treasury circular identifies key policy Areas and issues that are to be taken into consideration when preparing the budget	No input from the public circular should also contain calendar for the year including participation opportunities
September 1	Annual development plan.(every year including the first year or a new election term) the plan must be made public within 7 days	Public input after September 7 to the County Assembly
September 1 to February 28	County treasury and the various departments agencies undertake some consultation with the public and other stake holders(sector hearing)	Public input September 1 to Feb 28
October 21	County budget review and outlook paper is submitted to the county assembly by the county treasury after approval of the County Executive Committee.	Public review after 15 days of tabling in National Assembly (latest November 4 th) and 7 days of tabling n the County Assembly, county budget and Economic Forum in the review CBROP
February 15	County treasury given a short window to align county fiscal Strategy papers with BPS	Public input between Feb 15 th and Feb 28 at national level.
February 28	County fiscal strategy paper to be tabled in	Public input between Feb 28 and

	each county assembly.(the CFSP) has to be made 7 days after tabling	March 14 at county level, county budget and Economic forum to review the CFSP
March 14	County Fiscal Strategy Paper approval	
STAGETWO. AMMENDMENT AND APPROVAL		
April 30	County budget proposals (estimates) are submitted to the county assembly	The citizen budget should be made available around the same time as the budget estimates or proposals
May	County budget and appropriation committees hold public hearings on the budget and the committees table a report with recommendations to the county assemblies	Public input between April 30 and June 30 primarily in may
June 30(end of financial year)	County appropriation Act enacted by County Assembly	Public input between April 30 and June 30
STAGE THREE IMPLEMENTATION		
October 31	Counties publish 1 st quarter budget implementation reports	Keep track of the Executive and give feedback to the county assemblies
January 31	Counties publish 2 st quarter budget implementation reports	Keep track of the Executive and give feedback to the county assemblies
April 30	Counties publish 3 st quarter budget implementation reports	Keep track of the Executive and give feedback to the county assemblies
July 31 (county next financial year FY)	Counties publish 4 st quarter budget implementation reports	Keep track of the Executive and give feedback to the county assemblies
STAGE FOUR AUDIT AND EVALUATION		
October 21(next FY)	County Budget review and outlook paper is submitted to the county assembly by the county treasury after approval of the cabinet	Public review after 15 days of tabling in National Assembly(latest November,4) and 7 days of tabling in the county assembly, county budget and economic forum to review the CBROP

December 31 (next FY)	<p>Auditor produces a report on the previous financial year(tabled in the County Assembly)</p> <p>The public accounts committee(PAC)reviews the audit report and makes recommendations to the county Assembly</p>	<p>The Auditor General can receive complains from the public throughout the year</p> <p>The public should also follow up on the recommendations given by the AG as well as the PAC to see if they are implemented</p>
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REFFERENCES

1. **Constitution of Kenya 2010**
2. **County Government Act(2012)**
3. **Jukumu langu- you and your county government(a Publication by AHADI)**
4. **Devolution and public participation in Kenya-civic education trainers manual for general public.-Ministry of Devolution and Planning and Transition Authority.(2016)**
5. **The Citizen Hand Book-URAIA TRUST (2012)**