



REPUBLIC OF KENYA
NYANDARUA COUNTY ASSEMBLY



NYANDARUA COUNTY ASSEMBLY COMMITTEE SERVICES OPERATIONS
MANUAL

VOLUME ONE
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©

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FOREWORD



It is almost six (6) years since the promulgation of the New Constitution 2010 which ushered in the devolved system of governance comprising 47 counties. As a Country, we continue to walk through this new system of governance amid surmountable challenges. To reflect back, the General Elections on 4th March, 2013 gave life to the devolved system of governance with 1,450 and 722 Members of County Assembly (MCAs) elected and nominated respectively in line with the various provisions of the Constitution. For Nyandarua County, 25 MCAs were elected and 16 MCAs nominated. Following the swearing in of MCAs as well as the election of Hon. Speaker and appointment of the Clerk saw the County Assembly duly constituted in line with Articles 177 and 178 of the Constitution.

Since its establishment, Nyandarua County Assembly continues to dispense its four (4) major mandates of Legislation, Oversight, Representation and Budget making with vigour. In order to effectively discharge these functions, various Assembly Committees were established each comprising MCAs with relevant qualifications and experience. At the same time, to ensure the smooth running and conduct of House and committee business, the Assembly adopted the Standing Orders of the National Parliament with necessary modifications. In addition, the Assembly has developed a five (5) year strategic plan to guide its institutional development and operational efficiency. Notwithstanding, the Assembly, through the County Assembly Service Board (CASB), embarked on a mission to recruit and place competent staff to give the necessary impetus in service delivery. To create the right

synergy and conducive working environment, the Board continues to promote capacity building for MCAs and Staff through continuous trainings from reputable institutions and partners.

Therefore, development of the Committee Operations Manual marks a big stride towards achieving our overall goal of a highly efficient and responsive Assembly in discharge of its mandates. I have no doubt in my mind that once the manual is fully adopted, the Assembly Committees and Staff will sough to greater heights in performance and productivity respectively. I assure you the support from my Office to ensure that the manual becomes an integral guide in Committee operations.

God Bless You. God Bless Nyandarua County.

HON. JAMES NDEGWA WAHOME

Speaker to the Nyandarua County Assembly

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First, special thanks go to the Office of Clerk that facilitated the process of coming up with this manual. The Deputy Clerk (who oversees the Committee Services) on behalf of the Clerk was very instrumental in defining the scope and depth of the content herein including; best practices, controls, procedures and systems of an effective and efficient Committee Service.

Second, staff within the Research Services Department deserves a special recognition for their resourceful and insightful input into the manual. The staff reviewed various operational manuals within the parliamentary settings against the unique working environment of the Assembly Committees and came with this sound manual.

Third, the Assembly expresses its special gratitude to the external consultants who helped to fine tune the Committee operations manual to achieve the desired goal of an effective and efficient Committee Service within the devolved governance.

Fourth, to all the Clerk Assistants heading the various committees, receive our sincere appreciation for the experience sharing, critique and resourceful inputs relevant to committee operations. Surely without your input this manual would not have been more effective.

To any other person who may have contributed to the compilation of this manual and not explicitly mentioned, receive our gratitude.

MURIITHI WAIRIMU

Deputy Clerk/ Director of Legal, Legislative, Procedural, Research & Committee Services [DLLPRCS]

PREAMBLE BY THE CLERK

The Senate and County Assemblies remain key custodians of devolution principles in Kenya. For County Assemblies to continue do so their operations must be anchored on strong institutional frameworks. As Nyandarua County Assembly, we have come from far in setting up strong foundations for higher productivity among our staff and Members of the County Assembly (MCAs) in dispensing our mandate. As the first County Assembly, we remain focused to execute our functions with dedication and professionalism.

As an Assembly, we remain resolute in our endeavour to improve operational efficiency especially through the Committee Services which mainly influences the business of the Assembly. At the same time, the Office of the Clerk is alive to the workload and challenges that Committee Services face in their daily operations. As a result, the Assembly has undertaken various measures including laying firm institutional structures, systems, policies and procedures that guide the operations of the Assembly. In tandem with our zeal to promote higher organisational efficiency, my office tasked the development of this Committee Operations Manual. Development of the Committees Operations Manual is therefore geared towards harmonising the operational process and reporting of outputs of Assembly committees. It is expected that MCAs and Staff directly involved in Committee Services will find the manual useful and enhance efficiency in service delivery.

We expect Committee Members and staff to familiarise themselves with the contents of the Manual and ensure its smooth implementation. Once fully implemented, we expect higher organisational performance in line with our

vision of, “A leading County Assembly in legislation, oversight and representation for good governance.”
God Bless You All!

HON. GODFREY NDERI NDIANI

The Clerk to Nyandarua County Assembly

ACRONYMS

CASB	County Assembly Service Board
DLLPRCS	Directorate of Legal, Legislative, Procedural, Research and Committee Services
HBC	House Business Committee
MCA	Member of County Assembly
SO	Standing Order

CHAPTER ONE

The Committee System

1.1 Introduction

The New Constitution of 2010 ushered in two levels of governance in Kenya namely; National and County Governments. Article 176(1) of the constitution, establishes a county executive and County Assembly for each county government.

Moreover, Article 177 provides for the membership of the County Assembly to include elected members of Wards, members representing special groups, representing gender proportion and the Speaker who is an *ex officio* member.

County Assemblies are vested with the legislative authority of a County Government and may make laws that are necessary and incidental to the effective performance of the functions and exercise powers of a County Government. They are also mandated to exercise oversight over the County Executive Committee and any other County Executive Organ. Also, they may receive and approve; plans and policies for management and exploitation of the County's resources, and the development and management of its infrastructure and institutions.

In exercise of its powers and functions and for efficiency and effectiveness, the County Assembly operates through a committee system. The membership is therefore divided into various committees with different and specific mandates. Through such committees, the Assembly is therefore able to interrogate in depth various matters of

oversight and legislation, with objectivity, expediency and convenience. In undertaking their functions, committees are not autonomous but subservient to the rules governing the Assembly and their business is an extension of the business of the whole House.

This manual has been prepared as a guide for Members of the Assembly and staff particularly of the Directorate of Legal, Legislative, Procedural, Research and Committee Services on the role and operation of Assembly Committees. The manual is a supplement to the County Assembly's Standing Orders and where there is any arising conflict, the provisions of the Standing Orders shall prevail.

1.2 Powers, privileges, roles and functions of Assembly Committees

The committees of the Assembly derive their powers and functions from the Constitution of Kenya, County related legislations (National and County) and the County Assembly Standing Orders.

1.2.1 Powers and privileges of Assembly Committees

- (i) Article 195 of the Constitution bestows the County Assembly and any of its Committees power to summon any person to appear before it for the purpose of giving evidence or providing information;
- (ii) The Assembly or its committees has same powers as the High Court to enforce attendance of witnesses and examining them on oath;
- (iii) Power to compel production of documents; and
- (iv) Issue a commission or request to examine witnesses abroad.

1.2.2 General Roles and Functions of Assembly Committees

General roles and functions of Assembly committees include:

- (i) Overseeing on the County Executive;
- (ii) Investigating and inquiring into every matter relating to the respective departments as they may deem necessary and as may be referred to them by the Assembly and reporting to the plenary for action;
- (iii) Vetting and reporting on public appointments where the Assembly is required to approve the nominees in accordance with the Constitution and other laws;
- (iv) Reviewing and approving sectoral plans, budgets and other development issues;
- (v) Scrutinising accounts of the County Executive and agencies;
- (vi) Studying the programme and policy objectives of the departments and the effectiveness of the implementation;
- (vii) Studying, assessing and analysing the relative success of the departments as measured by the results obtained against the set targets and objectives;
- (viii) Housekeeping, including orderly management of the business of the House;
- (ix) Initiating legislative proposals and reviewing existing County Legislation; and
- (x) Making reports and recommendations to the Assembly regularly providing way forward.

1.3 Assembly Committees and their mandates

The Committees of the Assembly can be broadly classified into three categories namely; Housekeeping committees; Sectoral committees; and Ad hoc committees. Under each category there are various types of Assembly Committees with distinct mandates as highlighted hereunder.

1.3.1 Housekeeping Committees

Housekeeping committees are established to ensure that the house businesses run smoothly and that the assembly undertakes its mandates effectively. They normally last the entire life of the Assembly. The Housekeeping Committees are, House Business Committee, Liaison Committee, Members Welfare, Catering and Library Committee and Committee on Implementation. The mandates of these committees are discussed as follows:

1. House Business Committee (HBC)

This committee shall:

- (i) Prepare and, when necessary, from time to time modify the Assembly Calendar following approval by the Assembly;
- (ii) Monitor and oversee the Assembly Business and programmes' implementation;
- (iii) Implement the Standing Orders respecting the scheduling or programming of the Assembly business and the functioning of the Committees of the Assembly,
- (iv) Determine the debate order of the Committees' reports in the Assembly,

- (v) Take decisions and give directives and road map for prioritisation or postponement of any Assembly business acting with the concurrence of the Leader of the Majority Party or the Leader of the Minority Party, as the case may be, nominate members to serve in Committees;
- (vi) Consider, for approval by the Assembly, appointments under Articles 179(2) of the Constitution 2010 (Members of County Executive Committee);
- (vii) Consider and report on all matters relating to the Standing Orders;
- (viii) May propose amendments to the Standing Orders and any such amendments shall upon approval by the Assembly, take effect at the time appointed by the Assembly; and
- (ix) May propose rules for the orderly and effective conduct of committee business and any such rules, shall upon approval by the Assembly, continue in force until amended or repealed by the Assembly. Such rules shall be annexed to the Standing Orders and shall be binding upon Committees to the same extent as the Standing Orders consider such matters as may from time to time arise in connection with the business of the Assembly and shall have and perform such powers and functions as are conferred on and ascribed to it by the Standing Orders or from time to time by the Assembly.

2. Liaison Committee

This committee shall:

- (i) Guide and co-ordinate the operations, policies and mandates of all Committees;
- (ii) Deliberate on and apportion the annual operating budget among the Committees;
- (iii) Consider the programmes of all Committees, including their need to travel and sit away from the precincts of Assembly;

- (iv) Ensure that Committees submit reports as required by the Standing Orders; and
- (v) Determine, whenever necessary, the committee or committees to deliberate on any matter and give such advice relating to the work and mandate of select committees as it may consider necessary.

3. Committee on Implementation

This committee scrutinises the resolutions of the Assembly including adopted committee reports, petitions and the undertakings given by the County Executive Committee and examine whether or not such decisions and undertakings have been implemented and where implemented, the extent to which they have been implemented and whether such implementations have taken place within the minimum necessary time and whether or not legislations passed by the Assembly have been operationalised and where operationalised, the extent to which such operationalisation have taken place within the minimum time necessary.

The committee may also propose to the Assembly, sanctions against any Member of the County Executive Committee who fails to report to the relevant Select Committee on implementation status without justifiable reason.

4. Members' Welfare, Catering and Library Committee

The Committee shall be responsible for:

- (i) The general welfare of the Members;
- (ii) The physical fitness of the Members by facilitating participation in sports and establishment of a health club;
- (iii) The provision of catering services to the Members;
- (iv) Library services for the Members, overseeing the provision of library and publications in the Assembly; and

- (v) Considering and advising on such matters concerning the library as may be referred to it by the House from time to time and make proposals and consider suggestions for the improvement of the library.

1.3.2 Sectoral committees

Sectoral committees are established at the commencement of every Assembly and last for the term of the Assembly unless otherwise resolved. They are also referred to as departmental committees and are aligned to line ministries/ department in the County Executive. Their mandates in respect to the subject matter assigned shall only be exercised within the limits contemplated under Part 2 of the Fourth Schedule of the Constitution. These committees include:

1. Committee on Agriculture, Livestock and Fisheries

This committee considers all matters related to agriculture, including crop and animal husbandry, livestock sale yards, county abattoirs, plant and animal disease control and fisheries; veterinary services (excluding regulation of the profession), animal control, welfare and care and burial of animals. The committee also oversees implementation of specific national government policies on natural resources and environmental conservation, including soil and water conservation.

2. Committee on Health Services

The Committee considers all matters related to County health services including in particular county health facilities and pharmacies, ambulance services, promotion of primary healthcare, licensing and control of undertakings that sell food to the public, cemeteries, funeral parlours and crematoria and public health.

3. Committee on Public Works, Roads and Transport

This committee considers all matters related to county transport, including county roads, street lighting, traffic and parking, public road transport; county public works and services including storm water management systems in built-up areas.

4. Committee on Lands, Housing and Physical Planning

This committee looks into all matters related to the county planning and development including statistics, land survey and mapping, boundaries and fencing, housing and electricity and gas reticulation excluding energy regulations.

5. Committee on Education, Labour, Culture and Social Services

This committee looks into matters related to cultural, social activities, public entertainment and amenities, pre-primary education, polytechnics, home craft centres and childcare facilities all matters relating to labour, trade unions relations, manpower or human resource planning and liquor licensing.

6. Committee on Trade, Cooperatives, Industrialisation and Enterprise Development

This committee considers all matters relating to markets, trade licences (excluding regulation of professions), liquor licensing, fair trading practices, trade development and regulation, including markets, and cooperative societies.

7. Committee on Water, Irrigation, Energy, Environment and Natural Resources

The committee considers all matters relating to water and sanitation services, refuse removal, refuse dumps and solid waste disposal, forestry, control of air pollution, noise pollution, other public nuisances, including implementation

of specific national government policies on natural resources and environmental conservation including soil and water conservation and forestry.

8. Justice, Legal Affairs and Public Service

The committee deals with all matters relating to justice, legal affairs and public service.

9. Intergovernmental Relations and Co-ordination and Information, Communication, Technology and E-government Committee

This committee spearheads consultation and co-operation between the national and county governments and amongst county governments, establishing mechanisms for the resolution of intergovernmental disputes pursuant to Articles (6) and (189) of the Constitution. The committee also deals with all matters relating to access, development use and skills in ICT and e-government.

10. Youth Affairs, Sports, Tourism and Wildlife

The Committee shall consider matters related to;

Youth coordination, county sports, local tourism and wildlife.

11. Finance and Economic Planning Committee

- (a) to consider and examine all county proposed plans and investments;
- (b) to consider the county's revenue raising measures including the annual county Finance Act;
- (c) trade licences (excluding regulation of professions), outdoor advertising; and
- (d) advise and recommend to the county government possible and lawful sources of county revenue;

1.3.3 Select Committees

These committees are established at the start of the assembly and normally reconstituted as spelt out in the Standing orders. Normally, they are not aligned to any department in the County Executive and their mandate cuts across all the County departments.

1. Budget and Appropriation Committee

This committee shall:

- (i) Investigate, inquire into and report on all matters related to coordination, control and monitoring of the county budget;
- (ii) Discuss and review the estimates and make recommendations to the Assembly;
- (iii) Examine the County Budget Policy Statement presented to the Assembly;
- (iv) Examine Bills related to the County budget, including Appropriations Bills; and
- (v) Evaluate budgetary policies and programmes with direct budget outlays.

2. Public Investments and Accounts Committee

This committee shall examine the accounts showing the appropriations of the sum voted by the House to meet the public expenditure and of such other accounts laid before the House as the Committee may deem fit the reports and accounts of all county public investments, examine the reports, if any, of the Auditor General on the public investments and examine, in the context of the autonomy and efficiency of the public investments, whether the affairs of the public investments, are being managed in accord with sound financial or business principles and prudent commercial practices.

3. Delegated County Legislation Committee

Shall consider in, respect of, any statutory instrument whether it is in accord with the provisions of the Constitution, the Act pursuant to which it is made or other relevant written law, infringes on fundamental rights and freedoms of the public, contains a matter which in the opinion of the Committee should more properly be dealt with in an Act of the County Assembly, contains imposition of taxation, directly or indirectly bars the jurisdiction of the Courts, gives retrospective effect to any of the provisions in respect of which the Constitution or the Act does not expressly give any such power, involves expenditure from the County Revenue Fund or other public revenues, is defective in its drafting or for any reason the form or purport of the statutory instrument calls for any elucidation, appears to make some unusual or unexpected use of the powers conferred by the Constitution or the Act pursuant to which it is made, appears to have had unjustifiable delay in its publication or laying before County Assembly, makes rights, liberties or obligations unduly dependent upon non-reviewable decisions, makes rights, liberties or obligations unduly dependent insufficiently defined administrative powers, inappropriately delegates legislative powers, imposes a fine, imprisonment or other penalty without express authority having been provided for in the enabling legislation, appears for any reason to infringe on the rule of law, inadequately subjects the exercise of legislative power to County Assembly scrutiny and, accords to any other reason that the Committee considers fit to examine.

1.3.4 Ad hoc committees

These committees have narrow and specific terms of reference and set deadlines for delivery of reports of their investigations. Their existence cease the moment their report is tabled and adopted.

1. Joint Committee

Joint committees are established with approval of the Speaker from more than one committee of the Assembly to look into a matter that is similar. Mostly matters that cut across sectors may require a joint committee to investigate the issues at hand. During the first sitting of the joint committee, members elect chairperson of the joint committee. By extension, Section 14 (5) of the County Government Act of 2012 allows a County Assembly to establish a joint committee with another Assembly consisting of members of both Assemblies. The election of members and regulation of the conduct of the business of the joint committee shall be as agreed between the two County Assemblies.

2. Ad Hoc Committee

These are committees established with the approval of the Speaker to look into a particular matter and/or to hold joint sittings. They stand dissolved once they table a report about the matter and is adopted

1.4 Directorate of Legal, Legislative, Procedural, Research and Committee Services (DLLRCS)

This directorate is under the Office of the Clerk whose objective is to ensure that the Assembly's business and mandates are undertaken in accordance with parliamentary procedures, with information, and within the confines of the law particularly the Constitution. The directorate is headed by the Deputy-Clerk and is divided into four Departments whose roles are as discussed herein under.

1.4.1 Role of Committee Services Department

This is a key Department of the Directorate and supports members of the committees in executing their mandates

and matters before the respective committees. The Department is divided into various sections that include:

(a) Committee Clerks

Committee Clerks at the Assembly perform the following main roles:

- (i) Making all administrative arrangements for meetings, public hearings, and visits;
- (ii) Preparing briefing materials for the committees;
- (iii) Liaising closely with Members, government departments, and the public to ensure the effective inquiry of matters and the well-timed presentation of reports to the House;
- (iv) Writing minutes of committee meetings;
- (v) Ensuring proper filing of committee documents;
- (vi) Drafting of committee reports and briefing papers, as well as preparing committee documents for debate and/or adoption by the House;
- (vii) Providing information, advice and executive support to Assembly committees;
- (viii) Preparation of weekly programme for Committees in consultation with the Chairperson for consideration and adoption by the Liaison Committee; and
- (ix) Facilitating committees to develop annual work plans.

(b) Clerks at the table

Key roles for clerks at the table include:

- (i) Preparing weekly programme for the Assembly's business (Notice Paper);

- (ii) Preparing daily programme for the Assembly's business (Order Paper);
- (iii) Drafting procedural papers (motions, and statements) for members;
- (iv) Recording the votes and proceeding of the Assembly;
- (v) Extracting the resolutions of the Assembly for onward transmission to the relevant implementers;
- (vi) Maintaining an up to date Assembly resolutions catalogue;
- (vii) Preparing Speaker's briefing notes and statement; and
- (viii) Providing procedural advice to the Speaker.

1.4.2 Role of Legal and Legislative Department

The key roles of the department include:

- (i) Facilitating legislation of bills by drafting legislative proposals and bill analysis reports;
- (ii) Providing legal opinions on matters before or relating to the Assembly;
- (iii) Giving advice and dealing with commercial matters; and
- (iv) Ensuring that the business under consideration by the Assembly conforms with the law, procedure and acceptable standards.

1.4.3 Role of Research Services Department

The Research Service Department executes the following functions:

- (i) Provision of non-partisan professional research assistance and analysis to Members, Committees and Staff of the Assembly;
- (ii) Facilitate the provision of technical advice to County Assembly Committees;
- (iii) Assessing the strength and weaknesses of policy options;
- (iv) Facilitate provision of expert interpretation, explanations and analysis on key issues; and
- (v) Policy analysis reports highlighting the impacts (positive and negative) of the proposed legislation.

CHAPTER TWO

Procedures Relating to Committees Meetings

2.1 Establishment of Assembly Committees

A Committee of the Assembly may be established under the following principles:

- (i) As spelt out in the Constitution;
- (ii) As spelt out in the Standing Orders; and
- (iii) Following resolutions of the Assembly.

The Assembly may establish Committees in such a manner and for the general or special purposes as it considers fit and regulate the procedure of any committee so established¹.

Article (195) of the Constitution, 2010 provides the powers and privileges of Assembly committees.

The County Government Act of 2012 under Section (14) allows County Assemblies to make Standing Orders consistent with the Constitution and the Act regulating the procedure of the Assembly including and in particular orders for the proper proceedings of the House and its respective Committees.

¹ *Standing Order 155 of the Assembly establishes the House Business Committee which is mandated to nominate members to serve in select committees and table the list of nominees to the Assembly for Approval.*

2.2 Nomination, appointment and discharge of members to and from committees

The committee responsible for appointment of members to committees in consultation with Assembly parties will nominate members for approval who shall serve on a select committee putting into consideration the following principles:

- (i) The need for gender balance and shall as may be practicable ensure that no more than 2/3 of a committee membership of the Assembly including a committee established through a resolution of the Assembly shall be of the same Gender.
- (ii) That the guidelines on nomination provided in the Standing Orders 155 of the Assembly shall prevail.
- (iii) That the Assembly party that nominated a member to a select committee may give notice in writing to the Speaker that the member is to be discharged from a select committee. The discharge of a member shall take effect upon receipt by the Speaker of such a notice.

2.3 Committee Meetings

Unless the Assembly otherwise resolves, every select committee shall meet at least once in two months. Except for the HBC, a select committee shall not meet during a sitting of the Assembly without the written permission of the Speaker failure to which such a meeting shall be void².

Meetings of the assembly committees shall adhere to the principles discussed hereunder.

² *Standing Order 165 of the Assembly*

2.3.1 Pre-meetings (Phase 1)

Activities before a committee meeting shall include but not limited to the following:

1. Committees' weekly programme of the business

Standing Order 39 of the Assembly provides that the Clerk shall prepare and publish weekly programmes (See Annexure II) showing the business of the Assembly and the schedule of sitting of the various committees and shall circulate such programmes to members, County departments and the media not later than the Friday of the week preceding such business.

The committees are, therefore, required to strictly follow the weekly programme in organising and conducting their meetings. Under special circumstances, the Chairperson of a select committee may call an urgent meeting outside the weekly programme but such a meeting has to be first approved by the Speaker of the Assembly.

In meeting this requirement, Committee Clerks in liaison with Chairpersons shall submit the committee's business to the Senior Clerk Assistant (Head of Committee Services) every Wednesday by 9.00 a.m. of the week preceding such business.

Head of the Committee Services shall ensure that a harmonised committee weekly schedule³ is prepared and presented to the Liaison Committee not later than Thursday by 9.00 a.m. of the week preceding such business.

The Liaison Committee shall discuss and approve the Committee Weekly Schedule and ensure that it is forwarded to the Clerk for signing and is availed to the members and staff not later than Friday of the week preceding such business.

³ *Committee Weekly Schedule shall indicate name of the committee, agenda for the next meeting(s), date, time and the venue*

2. Notification of meetings to members

A notice of a meeting shall be given by the clerk to all members of the committee. No Committee meeting shall be held if such a notice is not given every Friday of the week preceding such business. The notice shall show the following:

- (i) Date;
- (ii) Time;
- (iii) Venue; and
- (iv) Agenda of the meeting.

A notice of such a meeting shall be deemed to have been given upon circulation through:

- (i) The official email address of a member;
- (ii) Short messages services (Sms);
- (iii) Uploading in the Assembly website;
- (iv) By delivery of the notice in the pigeon hole of a member available in the assembly; or
- (v) Posting of the notice in the precincts of the Assembly, SO (164).

A day prior to the next meeting of the Committee, the clerk of the Committee shall prepare and deliver a written reminder of the notice indicating the day, time, venue and agenda for the next meeting to each member using the available channels of communication established by the Assembly.

3. Booking of venue and facilitation

Upon approval of the weekly committee schedule by the Liaison Committee and the subsequent signing by the Clerk of the Assembly, the Head of Committee Services shall ensure that a copy of the same is made available to the Sergeant-At-Arms department.

The Sergeant-At-Arms department shall make the necessary arrangements to ensure that the rooms are ready for use by the respective committees before start of the meeting.

The clerk of the committee shall check and/or book the necessary equipment e.g., recorders, public address, microphone, projectors among others. Booking of the various tools and equipment shall be made using in the manner as prescribed by the ICT Department.

The committee clerk shall liaise with the sergeant at arms department to ensure that the venue is in order and that all the materials and personnel required are in place and functional.

4. Catering services

The department responsible for catering services shall ensure that the committees are provided with tea, snacks and water any time the Committees are meeting.

5. Chair's briefing

Before the meeting starts the Clerk of the committee and any other staff as maybe required should brief the Chair of the committee business for the day and results of follow up on Committee activities from the previous meetings as well as matters that are likely to arise. The Chair's briefings should be oral and where necessary accompanied by a Briefing Note (See Annexure VI). In addition, the Clerk must also make sure that s/he has the necessary documents in his or her file, and the member's files to issue to the Committee members.

2.3.2 Conduct during the meeting (Phase 2)

1. Conduct during first meeting

As provided for in the Standing Orders or by resolution of the Assembly, a select committee upon appointment shall elect a Chairperson and a Vice Chairperson from amongst its members. At least half of the members of a select committee shall constitute a quorum unless otherwise provided in the standing orders. The Clerk shall appoint a place, date and time for the first meeting of a committee within seven (7) days of its constitution by the Assembly or such further period as the Speaker may approve and as soon as a majority of the committee is present, the Clerk shall, by a secret ballot conduct the election of the Chairperson and Vice Chairperson, SO (162). A member who garners a simple majority vote shall become the office bearer.

2. Quorum

The quorum for select committees shall be a half of its members except for HBC whose quorum shall constitute the Chairperson and at least a third (1/3) of the members⁴. Unless quorum is achieved within thirty minutes of the start of a meeting appointed time, the Assembly Committee stands adjourned until such a day on such a time as the chairperson may appoint, SO(168). Any matter discussed and resolved without a quorum shall be deemed null and void.

3. Absence of the chairperson

In the absence of the chairperson, the vice-chairperson shall preside over the meeting. In the absence of both the chairperson and vice-chair, a member designated by the Chairperson shall take the chair and in the absence of such designated member the members present shall elect one to take the Chair.

⁴ *Standing Order 155(6) and 161(b) of the Assembly on quorums*

4. Consideration of minutes

When a select committee meets, the Committee chairperson shall ensure that members first consider and adopt the minutes of previous meeting. Any correction of the minutes may be done upon agreement by the members by a motion. Once approved by the members as the true record of what transpired in the previous meeting, the Chair shall sign the corrected minutes. The clerk shall ensure safe custody of signed minutes are in the Chairperson's file and make copies of the signed minutes and put them in the members' files.

2.3.3 Conduct of committee meetings

The procedure of committee meeting shall be as nearly as possible, the same as that of committee of the whole assembly SO (179). However, the following is provided as a guideline for the procedure of the committee meetings.

- (i) Once quorum is achieved within the prescribed period of time, the Chair shall call the meeting to order;
- (ii) The Committee Chair recites the prayer as provided in the Standing Orders;
- (iii) The Committee Chairperson reads the notice of the meeting for adoption by the Committee;
- (iv) The Committee Clerk reads the minutes of the previous meeting for confirmation noting any corrections made by the members;
- (v) The minutes are then proposed and seconded;
- (vi) The Chair signs the corrected minutes;
- (vii) Matters arising from the previous meeting are noted;
- (viii) Discussion of the meeting's agenda;

- (ix) Adjournment of the meeting; and
- (x) Members shall sign the attendance register after the meeting and the same closed and counter signed by the Chair and the Clerk to the committee.

2.3.4 Date and business of next meeting

The date, time and the business of a committee meeting shall be agreed upon before adjournment of a meeting. The Clerk of the committee shall slot time, place and the business of the committee in weekly programme of the assembly.

2.4 Post Meeting

At the adjournment of the meeting, the committee Clerk shall collect all files and documents used during the meeting and keep them in the registry. The Clerk shall forward a dully signed attendance list to the Senior Clerk for processing not later than 24 hours after adjournment of the meeting. Other post meetings activities will include:

Custody of Committee Register

Committee Clerk shall be the custodian of the committee register which shall be availed to the committee members during the meeting. The Clerk shall ensure that every member present during the meeting has signed against their names, after which the Chairperson shall counter sign. The register (Attendance list) shall include but not limited to the name of the committee, Members' names, time, date and venue of the meeting (see annexure I). Electronic registration where necessary shall prevail over manual registration.

Minutes of proceedings

It is the responsibility of the Committee Clerk to ensure that there are minutes of the proceeding of every meeting. The minute shall include:

- (i) The name of committee member present, absent with apology, and those in attendance;
- (ii) Agenda of the meeting;
- (iii) Every motion made or amendment proposed together with the name of the mover;
- (iv) All orders and resolution of the committee;
- (v) All files and documents submitted to the committee;
- (vi) Names of members submitting reports among other mandatory contents of such minutes not limited to;
- (vii) The Name of the Committee Clerk who shall be the Secretary;
- (viii) The minutes should be numbered sequentially as follows [*Number of the respective minute discussed / Number of respective committee meeting / Month / Year*] e.g., MIN 210 / HBC90 / 10 / 2015 Meaning it is the 210th minute of the 90th meeting held on October 2015. A sample of minutes is provided under **Annexure V**.
- (ix) After minutes are corrected, confirmed and signed by the Chair, the Clerk should file the minutes in the Chairperson's and the Clerk's files.

2.5 Font for Assembly Committee Minutes and Reports

Minutes and reports of assembly committees should conform to the following format:

- (i) Font type: Maiandra GD;

- (ii) Font size: 12;
- (iii) Spacing: 1.5 with a spacing of 12 after paragraphs ;
- (iv) Alignment: Justified;
- (v) Margins: Top and Bottom 1 inch(1”); Left margin 1.5”; Right margin 1”;
- (vi) Page Numbering: Bottom of the page on the right; and
- (vii) Cover page / First page: Should have the coat of arms and assembly logo on left and right hand respectively. It should also include number of Assembly, Session and Part.

2.6 Filing

The Committee Clerk shall ensure that files are submitted to the registry. Following the adjournment of the meeting the Committee Clerk shall ensure that the dully signed minutes, by the Chairperson, are in each member’s file. In accordance with this requirement the manual prescribes the following filing system for committee documents. Filling of committee work should be done per the filing system provided by the Assembly’s Library Section.

2.7 Attendance of the public, media and stakeholders

Standing Orders 181 and 226 provide that the Assembly and its Committee may not exclude the Media and members of the public from their proceedings and shall be open to the public unless, in exceptional circumstance, as the Speaker has determined that there are justifiable reasons for exclusion of the public. Standing Order 226 provides grounds for exclusion of the Media or a member of the public and remedial action to be undertaken before the right can be reinstated.

2.8 Confidentiality of deliberations

Matters mandated to a specific Committee are discussed and recorded in writing by the Committee Clerk. The custody of these files is vested upon the Clerk to the Assembly, who shall unless prohibited by the law allow their access by the public, SO (223) (1). Under special circumstances the Speaker may regulate public access, SO (223) (3). Any member who wishes to access the files shall do so through a written request to the Clerk of the Assembly, who shall authorise the same.

The registry may prescribe other requirements for access to committee materials for members and staff of the Assembly.

CHAPTER THREE

Committee Enquires and Inquiries

3.1 Introduction

Select Committees shall enjoy and exercise all the powers and privileges bestowed on the Assembly by the Constitution and the statutes including the power to investigate, summon witness, and receive evidence and to request for and receive papers and documents from government and the public SO (174). In this respect the Committee enquires into and makes recommendation that provide grounds for policy formulation SO (195).

3.2 Methods of Enquiry

Varied methods shall be used when undertaking an inquiry depending on the nature of the matter being investigated. The methods shall include but not limited to:

3.2.1 Public Hearings

They are open meeting with members of the public about proposed or existing policies, bills, regulation and other issues of changes that would significantly affect the public if introduced article 196 of the constitution, SO(124) (3).

1. Pre-public Hearing

The Committee shall sit to budget and plan for the public hearing. The Committee Clerk shall write a letter to Clerk of the Assembly requesting for facilitation for Hansard reporter, security, recorder, and transport. The Chairperson of the Committee shall write to the Speaker seeking leave to hold Committee meeting away from the precincts Assembly SO (165). The Committee shall liaise with the Research Department for provision of the relevant background information about the hearing. In addition, the Committee Clerk shall make arrangements to procure the venue and make enough copies of documents required as well as inform the relevant local authority. Communication department shall be informed by the Clerk to publicise.

2. During the Hearing

The Committee Chair shall preside over the meeting. The Hansard reporter shall record the proceedings of the meeting. The Committee Clerk shall write the minutes of the proceedings of the meeting and ensure that the meeting shall follow this order:

- (i) The Chairperson of the Committee shall give the opening statement of the meeting that shall define the objectives of the meeting.
- (ii) The chairperson shall set the ground rules including how much time each presenter, the language to be used shall be English, Kiswahili, and if necessary the mother tongue of the presenter, which shall be transcribed in English.
- (iii) The Committee Clerk shall keep the track of time as well as guide the Chair of the Committee.
- (iv) The Sergeant at Arms shall ensure the security of the venue.
- (v) The Committee Clerk shall keep records of all attendants.

- (vi) There shall not be swearing the participants since it largely reflects public opinion.
- (vii) Committee shall give all participants sufficient time to air their views and those who get the opportunity shall do so through written submissions to the Clerk of the Assembly.
- (viii) The Clerk to the Assembly shall make necessary facilitation to accord persons with disability an opportunity to air their views in accordance with Nyandarua County Public Participation Act.

3. Post Public Hearing

The Committee shall meet soon after the public hearing to deliberate on views expressed during the hearing and review the hearing process, and analysing the problem met, success and the lesson learnt. The Committee shall agree on pertinent issue to include in the report.

3.2.2 Evidence Gathering

Standing order 174 provides the Committee with extensive powers to solicit information from any party of interest in relation to matters being investigated by it. To do so the Committee shall use the following methods but not limited to:

Oral Evidence

Committee may request individuals and/or groups to voluntarily provide evidence relating to a matter before the Committee. Unless the Committee by resolution otherwise determines, such evidence shall be heard in public. When individual or groups are submitting their evidence before shall be conferred the protection and immunity afforded to witness by the Nyandarua County Assembly Powers and Privileges. The chairperson of a Committee

shall ensure that all questions put to the witness are relevant to the Committee enquiry. A witness who provides submissions to the Committee shall have access to that very evidence he/she gave to the Committee. Oral evidence shall be recorded and transcribed.

3.2.3 Inquiries

Standing order 174 provides the Committee with extensive powers to acquire information from any party of interest in relation to matters being investigated by it. To do so the Committee shall use the following methods but not limited to:

1. Summoning witness and requiring documents

Article 195 of the constitution of Kenya gives Assembly and any of its Committees power to summon any person to appear before it for the purpose of giving evidence or providing information. Further, SO (174) gives the Assembly or any of its Committee power to sermon witnesses, receive evidence and request for and receive papers and documents from the government and the public.

In doing so a select Committee should follow the guidelines provided under Annexure IX.

2. Swearing

Article 195 (1) of the Constitution of Kenya provides that all witnesses summoned by the Committee to provide evidence shall be required to take oath or affirmation before giving the oral evidence. All witnesses are supposed to abide by the rules as spelt out by the Chairperson of the Committee.

3. Questioning (oral evidence)

Committee may request individuals and/or groups to voluntarily provide evidence relating to a matter before the Committee. Unless the Committee by resolution otherwise determines, such evidence shall be heard in public. When individual or groups are submitting their evidence before shall be conferred the protection and immunity afforded to witness by the Nyandarua County Assembly Powers and Privileges. The chairperson of a Committee should ensure that all questions put to the witness are relevant to the Committee enquiry. A witness who provides submissions to the Committee shall have access to that very evidence he/she gave to the Committee.

4. Transcript of evidence

The Hansard department shall transcribe submitted oral evidence, and the witness shall be given a copy of the evidence he/she gave the Committee. The same rules that apply to the official Hansard shall apply while transcribing the oral evidence presented.

5. Written submissions

Unless appearance in person is required, the witness may present written submissions to a Committee, responding to the questions pertaining a given inquiry before a Committee. Such a submission may be sent through email, post office or hand delivery to the office of the Clerk for the Committee attention. The Clerk of the Assembly on receipt of such written submission shall acknowledge receipt and forward the same to the Chairperson of the Select Committee. For the purposes of record, the Clerk of the Assembly shall retain a copy of the written submission and forward the originals to the Chairperson of the Committee.

6. Desktop review

Where a Committee obtains papers and any other written documents from the government or the public, it shall

review the same with a view to establishing the accuracy, credibility and the extent to which the information contained therein helps to answer questions of the inquiry. In doing so, the Committee shall triangulate both the oral and the written submissions to establish consistency of the sources of evidence. In case of any clarifications, the Committee may require witnesses who presented written submission to appear before it or invite back witnesses who had given oral evidence.

3.3 Custody of Committee evidence

The evidence shall be secured by the Office of the Clerk as per SO (223).

3.4 Guidelines on release of Committee evidence

Evidence to a Committee shall not be issued to the public until a report has been tabled in the Assembly as provided for in SO (182). However, the Speaker may regulate the release of such information to the public as SO (223) provides.

3.5 Commissioned research

Where a Select Committee does not possess technical expertise to deal with an issue at hand, they may consider outsourcing the services of experts or external researchers. In such instances, the select Committees shall give the experts' terms of reference, scope of work, timeframe and expected deliverables. Once a Committee receives a draft report from the experts, they will prepare their own report for tabling in the Assembly. Committees, however, are advised to engage experts sparingly and utilise the human resource capital within the Assembly establishment.

The decision to engage an external expert must be approved by the Speaker and authorised by the Clerk of the Assembly.

3.6 Auxiliary research

Committees of the Assembly may initiate their own research into a matter of County importance with a view to establishing relevant legislative proposals for consideration where such a matter has not been addressed by the County Executive. To accomplish this, the select Committee shall work with the Research Department and/or any other department to gather the required background information and, where necessary, carry out primary data collection. Before embarking on such auxiliary research, the clerk of the Committee shall work with the Research Department to come up with a concept paper highlighting the need to undertake such a research and the expected outputs. The completed concept paper shall be submitted to the Clerk of the Assembly who will forward it to the Speaker. Upon review of the concept paper, the Speaker of the Assembly may approve the research or advice otherwise, in writing through the Clerk of the Assembly.

3.7 Field visits (Project M&E)

Select Committees, in exercising their oversight role of the County Executive, may undertake field visits to observe and inspect progress being made on the ground on specific projects or programmes. Committees wishing to take such field visits shall first seek Speakers' approval (SO 165). In making such request the Chairperson of the Committee shall state the reasons for field visit, date, time, and place of visit. Requests shall be made in good time to allow the Speaker and the Clerk of the Assembly adequate time to plan and avail the resources for such visits. Where such visits are foreseeable, the select Committees are advised to include them in their Committee work plan

for the respective financial year. The Committees shall follow the developed guidelines on projects monitoring and evaluation to ensure objectivity of such projects, available from the Office of the Clerk.

3.8 Study tours (Benchmarking)

The Select Committee, on realising the need to benchmark, should sit and deliberate on the issues to be studied and come up with the list of the issues. The Chairperson of the Committee shall write to the Speaker requesting to travel out of the Assembly as provided for in SO 165. On the application for a travel, the Chairperson of a Committee shall state the reasons for and the nature of the proposed travel and give adequate time to allow the Speaker and the Clerk time to plan and avail resources including making necessary travel arrangements. Committees are advised to ensure that such benchmarking tours are factored in the weekly programmes due to their huge budgetary implications. The guidelines on benchmarking for the County Assembly shall be followed at all times when organising such visits and can be obtained from The Office of the Clerk.

3.9 Communicating outcomes of inquiries

Committees, being an extension of the Assembly, are often required to table reports of their inquiries in the House for deliberations and adoption. As a minimum requirement, the reports are supposed to highlight the subject of the enquiry, Committee's observation and recommendations. Committees are, therefore, advised to stick to the Terms of Reference specified initially. Committees' observations shall be in-depth and insightful with actionable recommendations. More details on outline of Committee report is provided in Chapter four (4) of this Manual.

CHAPTER FOUR

Committee Reports

4.1 Introduction

Most of the Committee activities culminate into production of reports, which are tabled in the House for deliberation and adoption. A Committee, in exercising its mandate, may prepare reports on policy or project implementation, legislation, budget expenditure by the line departments in County Executive or on any other matter within its mandate as provided for in the Standing Orders. Therefore, this chapter provides the procedure, the general structure and types of Committee reports to guide the Committees in coming up with the detailed and presentable Committee reports for consideration in the House. The Manual also provides guidelines on how Committee reports shall be stored, retrieved and disseminated.

4.2 General structure of Committee reports

Depending on the nature of inquiry under consideration by a Committee, the report may take different forms or formats. However, for the purposes of consistency and uniformity, Committees are advised to adopt the General Structure of Committee reports provided hereunder:

Cover page

All Committee reports must have a cover page. The cover page shall contain the following information in this order; Name of the republic; Name of Assembly; Number of the Assembly; the Assembly Session; Number and Title of the report and the name of the Committee; official letter head (clerk's letterhead); Details of the Clerk's office aligned on the left at the bottom of the cover page; Clerk of the Assembly letterhead including the contact details. Date adopted by the committee. The format of the cover page is provided in the Annexure IV.

Table content

The table of content shall include all the major headings of the report, which shall be prepared using Ms Word Headings 1, 2, 3.... so that the table of content can be generated automatically. Where necessary, such headings can be hyperlinked.

Acronyms and Abbreviations

All the acronyms and abbreviations used in the report shall be indicated under this section. Committee Clerks are advised that the first time an acronym or an abbreviation is used, the words shall be written in full. These rules apply even to 'common acronyms'.

Preface

The preface shall include the motion or resolution of the Assembly setting out the Terms of Reference of the Select Committee. It should also include Terms of Reference of the select Committee and any submissions (oral and written) received, and category of persons who presented submissions to the Committee.

Summary of key findings

The Committee report shall provide a summary of key findings of the Committee's inquiry, which shall not exceed one and half (1 1/2) pages. Preferably, the summary shall be in bullet form.

Acknowledgement

This section of the Committee report shall be used to appreciate persons and institutions that were instrumental in the successful completion of the report. In acknowledging such persons, their name, designation and the institutions they come from shall be indicated. The acknowledgement shall be dated and signed by the Chairperson.

Executive summary

This section summarises the entire report by highlighting the genesis of the report, brief discussion of the issues and consideration, the approach taken by the Committee in producing the report, key observations and emerging issues, as well as the key recommendations.

Introduction

The introduction should cut across background of the problem, subject matter of the inquiry, as well as stating the mandate of the Committee and its membership. In doing so, it should capture the Terms of Reference that will keep the Committee focused on the subject matter of the enquiry.

Proceedings

These are the activities that the Committee has undertaken in pursuit of an inquiry of a matter before it. These activities include Committee deliberations, field visits, project inspections, interviews, public hearings, oral presentations, background information, among others.

Observations and Findings of the Committee

This section shall contain the results of the inquiry based on empirical evidences or facts established by the Committee through observations, questioning, site visits, among others. A distinction must be made clear between Committee findings and opinions to avoid damaging the credibility of Committee findings.

Conclusion

In this section, a bold and concise statement shall be made to serve as a reinforcement of what the Committee deems best vis-à-vis its findings. The statement shall leave a lasting impression to the readers and the audience. It is important to be careful not to introduce information that was not captured in the findings.

Recommendations

Recommendations shall state what actions should be taken by the government or agencies to address the matter that was under inquiry. The select Committee is, therefore, encouraged to avoid making general recommendations, which do not address the crux of the matter and may appear completely divorced from observation and finding of the Committee.

References

Clerk Assistants and Researchers must acknowledge sources of information cited in the report. All relevant materials cited must be referenced using American Psychological Association (APA) Referencing Style.

4.3 Types of Committee reports

The Standing Orders provide four types of reports {182, 183, 184, 184 (4)} that are laid on the Table of the House

for adoption, publication and circulation of copies to Members. The types of reports are listed hereunder:

Reports of select Committees

At the end of all deliberations of a select Committee and a upon reaching a consensus on the fundamental issues to be included in the report, the Committee Clerk prepares a report, which with close examination and approval by the Chairperson and the members of the Committee, shall be laid on the Table of the House. The select Committee report shall be prepared and kept in the same form as the Votes and Proceedings of the whole Assembly as prescribed in Standing Order 182. The select Committee report shall be adopted in a meeting attended by majority of its members.

Progress reports

This is a report submitted, by a Select Committee, to the Liaison Committee half yearly showing the progress of the select Committee. On receiving the report, the Liaison Committee shall, in 21 days, compile a report from reports of all the select Committees and submit it to the Assembly {SO 183 (2)}. Conversely, the Chairperson of a Committee tasked with a particular issue of interest to the House may update the House on the progress made by the Committee towards the accomplishment of the Terms of Reference that were given by the Assembly. Such reports are rare and are only presented if the deadline for tabling of a report lapses and the House demands or if the Committee experiences unprecedented hurdles that demand further advice from the House.

Examination Reports/Enquiry

This report covers important aspects of the events. It is prepared after a thorough scrutiny of a matter under investigation by the Assembly. More often than not, important background information and facts are presented, analysed and conclusions made. The report also makes some recommendations of the way forward in line with the

terms of reference provided. Such reports may include report on progress of implementation of the progress in the County or performance of a County Executive Department.

Investigative reports

These reports try to answer some pertinent questions on a matter before the House. Generally, production of the report involves review of relevant documents, field visits, gathering oral evidence from affected persons, as well as written submissions. Such reports make conclusions and recommendations that answer the questions under investigation and provide required remedy.

Inquiry reports

Such reports are commissioned to provide information on a matter of public interest where there are key issues that beg for answers. In gathering evidence for such reports, the Committee may organise public hearings, summon witnesses, question persons involved in such affairs, as well as requesting for documents and papers from the government or the public. Such reports may recommend what further actions need to be taken in light of the evidence submitted or obtained by such a Committee.

Reports on Assembly resolutions

According to Article 185 (3) of the Constitution of Kenya, the County Executive Committee shall provide the County Assembly with full and regular reports on matters relating to the County. Therefore, after a report on resolution of the Assembly or adoption of a report of a Select Committee, the relevant Executive Committee Member shall provide a report to the relevant Select Committee within sixty days (SO 185).

4.4 Adoptions and presentation of Committee reports in the House

Report of a Select Committee shall be tabled in the House after undergoing the quality assurance checks by the Editorial Committee established by the Office of the Clerk. Clerk to the Committee shall ensure that enough copies are made available in the members' files.

4.5 Storage and dissemination of Committee reports

The Office of the Clerk is the custodian of the institutional memory of the Assembly and must, therefore, ensure safe custody of all documents of the House and the administration. The Office of the Clerk shall ensure that Committee reports and those of the House are properly stored for ease of retrieval, reference and dissemination. Such reports may be stored in form of Journals of the Assembly or in the Assembly's library. Such documents should be stored in a proper filing system established by the Assembly both in soft and hard copies. Such reports shall be prepared and kept in the same form as the Votes and Proceedings of a Committee of the whole Assembly {SO 182 (1)}. The custody of such documents shall be vested in the office of the Clerk who, unless prohibited by any law, allows their access by the public (SO 223). In ensuring the safe custody of the documents the Clerk of the assembly shall ensure that the storage is fire proof or there is availability of firefighting equipment, and where possible, may organise for offsite storage and external backups. Such documents shall be kept under lock and key safe and a up-to-date document request register maintained by authorised officers.

4.6 Public access to reports of the House

Access to information held by the state or any of its organs is a fundamental right for any citizen as enshrined in Article 35 of the Constitution of Kenya. In promotion of this right, the Assembly shall make all attempts to publicise such reports through publication and uploading in the County Assembly website. The Speaker may,

however, make rules to regulate the access by the public of any public journals and records of the Assembly {SO 223 (3)}. Any member of the public interested in any document or record of the Assembly may apply, in writing, to the Clerk of the Assembly.

4.7 Quality Assurance of Committee Reports and Editorial Committee

Before a Committee report is tabled in the House, it has to undergo through the established quality control/assurance mechanisms to ensure that its contents mirror the deliberations, recommendations and conclusions of the Committee. As minimum guide, the following quality assurance guidelines shall apply:

- (i) The Committee Clerk will ensure that Committee observations, deliberations, conclusions and recommendations are captured as discussed to avoid distortions.
- (ii) The Research Officer attached to the Committee shall provide the necessary background information and prepare issue briefs related to a matter under Committee's deliberation to aid the members in writing the report. Such an issue brief shall provide the pros and cons of the various policy options.
- (iii) The Committee Clerk and Research Officer shall prepare and proofread a Committee report adhering to the set guidelines.
- (iv) Once proofreading has been done, the Committee Clerk shall present the report to the Committee for scrutiny and concurrence on the contents of the report.
- (v) Once the Committee adopts the report, the Clerk shall submit⁵ the report to Editorial Committee for editing any grammatical errors and formatting of the report presentation. This will be done by filling the report editing form [See Annexure VIII).

⁵ At least seven (7) working days before proposed tabling date unless the report is urgent

4.8 Establishment of an Editorial Committee

The Clerk of the Assembly shall establish an Editorial Committee comprising members as may be deemed necessary with advisory in writing from the Head of the Directorate of Legal, Legislative, Procedural, Research and Committee Services.

The functions of the Editorial Committee shall include:

- (i) Proofreading and formatting of all Committee reports submitted to the editorial committee.
- (ii) Making any necessary suggestions on the structure and missing gaps.
- (iii) Share with the Committee Clerk any comments and corrections made to allow improvements in their subsequent report writing.
- (iv) Recommend to the training committee possible areas of training for those involved in Committee report writing and related assignments.
- (v) Any other function deemed necessary to improve the quality of Committee reports.

The Clerk of the Assembly shall provide the necessary administrative support to the Committee.

Guiding Principles on Project Monitoring and Evaluation

5.0 Overview

Article 185 (3) of the *Constitution of Kenya 2010* provides that a County Assembly may oversight over a County Executive Committee and any other County executive organ. The same is provided for under Section 8 of the County Government Act 2012. However, the oversight role for the County Assembly is only limited to functions of County Governments as provided for in Fourth Schedule Part 2 of the Constitution. Normally, a County Assembly exercises this role through various sectoral and standing committees constituted in line with the Standing Orders of the Assembly. Section 186(1) and (2) of the Nyandarua County Assembly Standing Orders provides for the functions and scope of the Assembly’s Sectoral Committees.

As a result, the County Assembly can exercise its oversight role on various issues from different dimensions, namely:

- (i) Following a motion on implementation of a certain public project within the County to establish factual information on the same.
- (ii) At the direction of the Speaker to a certain committee to look into a certain issue of county importance.
- (iii) Initiative of an Assembly Committee to investigate or monitor progress on implementation of project under its mandate.

- (iv) Following a statement requiring a Chairperson of a Committee to clarify on certain departmental issues raised on the floor of the house.

In exercising the oversight function, various committees of the House have embarked on project progress review/monitoring across the County. Therefore, the guidelines on project review, monitoring and evaluations aim at assisting the Assembly Committees to undertake more informed and objective project appraisals/auditing. It is only through this that the Assembly can establish project's conformance to specified technical specifications, timelines, budgetary allocations, outputs and outcomes (Impact). While applying the proposed guidelines, committees are advised to understand and consider the stage at which a given project is as this will affect their suitability and application.

5.1 Why M&E for projects?

Project monitoring and evaluation (M&E) is part of the project management cycle. Simply defined, *a project* is a unique undertaking comprising a set of activities with beginning and end dates, consumes resources and implemented infrequently to achieve pre-specified objectives and benefits. On the other hand, *project management* refers to a set of principles used by organisations for effective planning, decision making, allocating and timing resources, implementation, controlling and replanning/review to achieve a given goal.

Bamberger and Hewitt (1986) defined *Project Monitoring* as “an internal project activity undertaken while the project is being implemented to provide constant feedback on the progress of a project, the problems facing it and the efficiency with which it is being implemented.” Monitoring often uses systematic data collection on specified indicators to provide management and stakeholders with extent of progress and achievements of interventions in relation to technical conformance, time and resource allocations.

Notable importance of *project monitoring* includes:

- (i) Helps to provide project management and stakeholders with *early indications of progress (i.e., ensuring effective project operation)*, or lack thereof, in the achievement of programme or project objectives.
- (ii) *Helps to assess accessibility* of the project to target beneficiaries and delivery of desired outcomes.
- (iii) *Helps to evaluate* the extent to which the project is able to achieve its general objectives.
- (iv) *Provide guidelines* for the planning of future projects.
- (v) *Helps to improve project design*: monitoring helps to test the soundness of project objectives and indicators for possible improvements in project design.
- (vi) *Helps to incorporate views of stakeholders*: increased participation of project beneficiaries during design and implementation helps to bring greater ‘ownership’ of project objectives and encourages sustainability of project benefits.
- (vii) *Provides information on need for mid-course corrections i.e., creating a learning environment*: reliable flow of information during implementation enables managers to keep track of progress and adjust to take account of experience.
- (viii) *Helps to enhance transparency and accountability* in public projects. It ensures that all stakeholders have a clear understanding of the status of such projects.

Project evaluation is a systematic and objective assessment of an on-going or completed project or programme by analysing design, implementation and results. The aim is to determine the relevance and fulfillment of objectives, development efficiency, effectiveness, impact assessment, and sustainability. Precisely, evaluation gives evidence of *why* targets and outcomes are or are not being achieved. It should go a long way in documentation of lessons

learnt into the decision making process of both project beneficiaries and financiers/implementers. Table 1 shows the complementary roles of result-based M&E in projects.

Table 1: Complementary roles of result-based M&E in projects

Monitoring	Evaluation
1. Clarifies programme objectives	1. Analyses why intended results were or were not achieved
2. Links activities and their resources to objectives	2. Assesses specific causal contributions of activities to results
3. Translates objectives into indicators and sets targets	3. Examines implementation process
4. Routinely collects data on these indicators, compares actual results with targets	4. Explores unintended results
5. Reports progress to managers and alerts them on problems	5. Provides lessons, highlights significant accomplishment or programme potential and offers recommendations for improvement
6. Concentrates on <ul style="list-style-type: none"> • Resources; • Activities; • Objectives (results, development goal and purpose); and • Key assumptions of the project. 	Provides information on; <ul style="list-style-type: none"> • Rationale: Are the right things being done? • Operations: Are things being done right? • Learning: Are there better ways?

In summary, monitoring helps to measure success or failure of a project along four dimensions, namely:

- (i) **Conformance** to technical specifications
- (ii) **Time** (over/under runs)
- (iii) **Budget** (over/ under runs)
- (iv) **Human resources** competence and utilisation

Key Note

Any M&E system should be guided by five (5) broad questions about an investment venture that include; Relevance, effectiveness, efficiency, impact and sustainability of the project.

5.2 Project cycle

For a Committee to undertake objective project M&E, it is important to understand the project cycle since the stage at which the project is, defines the scope of project oversight. **Project cycle** refers to an array of interrelated tasks from inception to project completion and exit/closure. A project cycle contains the following five (5) phases:

- (i) **Inception phase:** Involves identification of need that should be met – *conception of the project idea*. The problem is usually fuzzy and a feasibility study may be required to refine definition of the problem. Prioritisation of issues/problem/needs is also undertaken at this point.
- (ii) **Definition and Planning phase:** Clear definition of the problem is developed and planning of the *project design* on what needs to be done takes place. Activity planning and allocation of duties is also done here.

- (iii) **Formulation/Preparation phase:** This phase involves *definition of alternatives* for the project followed by selection of project location, optimal size, technical specifications, resource mobilisation and institutional arrangements are done. *Wider stakeholder consultations* are necessary during project design phase. A *project plan is the final output* of this phase with clear goals, indicators, outputs, outcomes, timelines and milestones. Resource identification and procurement falls in this stage.
- (iv) **Execution/Implementation phase:** Involves execution of the project plan and *generation of a flow of specified benefits*. Monitoring, evaluation and project reviews are also undertaken at this stage.
- (v) **Closure/Exit phase:** Involves *decommissioning and handing over* of the project with clear exit and sustainability strategies. Any project improvement (lessons learnt) is also undertaken at this point. A *Project Notebook* is developed detailing all activities undertaken, reports generated and lessons learnt throughout the project.

5.3 Levels of project M&E

Project M&E can be carried at various levels depending on the need. These levels include:

- (i) **Pre-project (Participatory appraisal) Evaluation:** Often carried out before project implementation to answer some pertinent questions that might be important in project planning and implementation.
- (ii) **Mid-level M&E:** Usually carried out to assess project conformance in terms of time, budget and attainment of set project milestone.
- (iii) **End-term evaluation:** This is done to assess the efficiency, effectiveness, relevance/ impact of the project. Variance (+ve or -ve) on project objectives and outcomes as well as key lessons learnt are documented in a project notebook or project report.

5.4 Steps in project M&E

Project M&E can vary depending on the goals, scope of the exercise and stage of project implementation. Main steps (*which a committee should observe*) in project monitoring include the following:

1. ***Establish clear purpose and scope.*** Involves setting M&E goals and objectives as well as type of project audit to be undertaken.
2. ***Identify project performance questions,*** information needs and key performance indicators (KPI). Concurrence on outputs and outcomes to M&E.
3. ***Information gathering methodology and techniques.*** Data sources for KPIs and organisation of gathered information must also be addressed at this stage.
4. ***Plan critical reflection processes and events.*** Involves preliminary analysis of project performance data.
5. ***Site visits and interviews*** with key stakeholders (participatory M&E).
6. ***Develop a data analysis plan:*** Analyse, triangulate and collate project information from various sources to make meaningful interpretation on the status of the project implementation.
7. Develop quality ***communication, reporting and utilisation framework (Deliverables)***. To ***whom*** and ***what*** activities and processes do you report?
 - (i) Written status report
 - (ii) Updates to list of action, items and problems
 - (iii) Updates to the plan and schedule
 - (iv) Comparisons

8. ***Develop feedback and an intervention strategy*** setting out required conditions and capacities and who to implement recommendations.
9. ***Sustaining the M&E system*** within the organisation by ***putting the necessary human resources, capacities, systems and conditions in place.***

Assembly Committees are advised to submit ***a Proposal for Project M&E*** covering the first three (3) steps to The Clerk for consideration and approval. The Committee should also factor the components of a good M&E provided for in Section 7.0 of this guidelines. A report taking into account the rest of the steps shall form part of the outputs for the project's M&E.

In addition, when undertaking M&E exercise, the followings documents serves as a guide and should be reviewed by a Committee before site visits where necessary:

- (i) The project plan
- (ii) Project implementation manual
- (iii) M&E plan or manual
- (iv) Project notebook
- (v) Project progress report

5.5 Pitfalls in project M&E

When undertaking the oversight role, County Assembly Committees should endeavour to avoid the following common pitfalls in relation to project M&E:

- (i) Using same indicator's that have been used in the past even as projects change or different projects.
- (ii) Conducting too much evaluation and less monitoring.
- (iii) Choosing great indicators that are near impossible.
- (iv) Having too many indicators.
- (v) Having too many process indicators, not enough impact indicators.
- (vi) Not focusing on data use after M&E.

5.6 Best models in project M&E

The Six Criteria Model has been found to be critical to the sustainability of an effective M&E System. The Criteria involves the following factors:

- (i) Demand
- (ii) Nature of Project Structure and M&E System
- (iii) Trustworthiness
- (iv) Availability of credible information
- (v) Accountability
- (vi) Incentives; and
- (vii) Capacity

A good M&E design goes beyond identification and development of indicators and targets for results. It must cover the following six (6) components:

- (i) Clear statement of purpose and measurable objectives.
- (ii) A structured set of indicators covering outputs and outcomes generated by the project and their impact.
- (iii) Provision for collecting data and managing project records.
- (iv) Institutional arrangements for gathering, analysing and reporting project data and investing in capacity building.
- (v) Proposals for ways in which M&E findings will be fed back into decision making (*Using the Findings*).
- (vi) Sustainability of the M&E System by recognising the long-term process involved in ensuring the longevity and utility of an M&E system.

‘Indicators’ are measures of change(s) brought about by an activity. They should be *specific, measurable, relevant, sensitive, cost-effective, verifiable and available*.

‘Outputs’ refers to tangible products resulting from a development project.

‘Outcomes’ are what the project hopes to achieve as a result of the outputs.

5.7 Guidelines for project M&E for Assembly Committees – Oversight Role

Activities by the Assembly will adopt the following proposed guidelines with sequential activities highlighted in the table below:

Process activities	Description of the activities	Remarks
1. Clear communication of the Project M&E initiative (i.e., Determine what you want to monitor & Evaluate) and key measurable objectives	Develop a brief <i>Proposal for Project M&E</i> detailing the project to be monitored and/or evaluated, the goal, problem statement, methodology and hypothesis to the project M&E problem, expected outcomes and key project performance indicators (KPI), site visit dates documents to be reviewed, target beneficiaries, project implementers and key stakeholders to be contacted and proposed implementation plan of Action Plan (actionable recommendations).	<ul style="list-style-type: none"> - Submit a Proposal and attach a fully filled project M&E template (<i>Process activities 1-4</i>) - Define the project purpose and scope.
2. Identify the key project performance/measurable indicators (KPIs) with critical impact on the project's implementation success i.e., key performance questions	<p>(i) What are the measurable KPIs set out in the project document which the committee seeks to investigate their attainment? Focus around</p> <ul style="list-style-type: none"> - <i>Contents of the project document and logframe</i> - <i>Identify key outputs, outcomes and activities and the level of attainment – record any deviations.</i> - <i>Implementation process</i> - <i>Quality assurance and controls</i> <p>(ii) Ensure that you obtain project implementation documents including; reports, minutes and expenditure details</p>	<ul style="list-style-type: none"> - Attach any baseline data about the project. - Focus both on process indicators and impact indicators). - Expert consultations/ involvement can be considered at this point <i>if necessary</i>. - Be keen to note major deviations and ask why.

3. Develop an information and data collection methodology and techniques	<ul style="list-style-type: none"> (i) What is the research design to be used by the committee to benchmark? (ii) Data collection techniques to be used? <i>e.g., primary or secondary data collection, telephone interviews, observations, questionnaires or personal interviews etc?</i> 	<ul style="list-style-type: none"> - State the methodology and techniques in brief or point form - Ensure that the questions formulated clearly answer the objectives/ purpose of M&E.
4. Plan critical reflections processes and events	<ul style="list-style-type: none"> (i) Involves carrying out preliminary analysis of the project data. Focus on the following: <ul style="list-style-type: none"> - Is the project on course in terms of time, cost and purpose? - Any lesson learnt during the implementation process and whether there is need for timely intervention. 	<p>This might require a quick assessment of project documents and views of key stakeholders</p>
5. Conduct project site visit(s) and interviews with project managers and key stakeholders	<ul style="list-style-type: none"> (i) The activity involves visits to project site for observation and interviews with key stakeholders. (ii) Using the data collection methodology developed in stage 3, obtain objective and verifiable data (for KPIs). (iii) Focus should be on examining the implementation process as spelt out in the project document and noting any implementation gaps/deviations. 	<ul style="list-style-type: none"> - Obtain project documents relevant to the purpose of M&E - If suspicious of malpractices impromptu visits might be necessary. - Avoid leading questions during interviews/ discussions.

6. Develop a data analysis plan	<ul style="list-style-type: none"> (i) Analyse, triangulate, collate and compare information about the project from different sources. (ii) Analyse and make interpretations that answer key questions on why project M&E was commissioned. 	Primary focus should be on analysing data in line with set project objectives and give answers to any variance.
7. Formulate an effective communication, reporting and utilisation framework	<ul style="list-style-type: none"> (a) This involves defining consumers of your findings and choosing the appropriate communication approaches. (b) The following are essential in the your reporting; <ul style="list-style-type: none"> (i) A status report highlighting the Committee’s objectives, key observations, findings, conclusions and recommendations (ii) Updates on list of activities and procedures (iii) Highlights on way forward 	Primary focus should be on the following: <ul style="list-style-type: none"> (i) Implementation approach/process (ii) Highlights on key deviations (iii) Recommend any mid-term or end-term reviews
8. Highlight the feedback and intervention strategy	After reviewing the project documents site visits and compilation of findings and observations, the following feedback and intervention strategies should be stated: <ul style="list-style-type: none"> - Setting out required condition and capacities - Defining who should implement the recommendations made - Future communication loop relating to the status of intervention 	Focus should be on: <ul style="list-style-type: none"> - Competency and capacity assessment. - Identification of key persons to oversee implementation - Solving project implementation challenges thereof.

9. Integrating and sustaining the M&E system in project management	(i) This may involve redefining HRs, capacities and project systems. (ii) Review of the project monitoring framework. (iii) Redefining the project implementation communication strategies.	Focus is on creating a continuous improvement process so that project implementation achieves set goals.
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Also take the following into considerations

1. Carry out Project M&E activities during week days (apart from report writing).
2. Obtain approvals for site visit.
3. Have an itinerary and attach the same to approval facilitation letter by the Speaker and The Clerk.

Guiding Principles on Benchmarking for Performance Improvement

6.0 Overview

With the enactment of the New Constitution 2010 and formation of County Governments under the devolved governance, the need for benchmarking on how to best run such entities has gained prominence in Kenya. This has heralded numerous domestic and foreign trips by County governments and Assembly officials to learn from ‘the best entities or countries’ whether real or imagined. Nyandarua County Assembly has not been an exemption where such visits have resulted into minimal impact on the Assembly’s mandate.

Therefore, the guidelines on benchmarking are aimed at reversing this trend by ensuring that members of the County assembly (MCAs) through their respective committees and members of staff undertake benchmarking missions in a more objective and scientific manner based on international best models currently available. It is important to note that benchmarking for the County Assembly must be aligned to its four main functions that include; Representation, Legislation, Oversight and Budget making process.

6.1 Why Benchmark?

Benchmarking is an integral part of process improvement that provides a mechanism for making comparisons of project, programme and/or process performance internally and externally. ***It is a process that allows an organisation to compare targets and performance, identify opportunities, discover best practices, set goals and verify the success of implemented initiatives.*** For benchmarking to be successful, it should be implemented as a structured, process based on an understanding of critical success factors (CSF). Lord Kelvin said that, ‘*to measure is to know*’ which underscores the importance of measuring performance. Precisely, the ultimate goal of benchmarking should be to improve the performance of one’s organisation. Notable importance of benchmarking organisational performance includes:

- (i) Benchmarking brings about newness and innovative ways of managing operations.
- (ii) Helps to develop winning strategies by measuring and improving gaps in performance.
- (iii) Helps to challenge internal paradigms on what is possible/achievable by uncovering strengths within an organisation.
- (iv) Helps in reduction of wastes, costs and maximising outputs by prioritising goals and resource allocation.
- (v) Improving internal processes critical on one’s core business activities.
- (vi) Competitive benchmarking helps an organisation to compare performance with its peers and become competitive.
- (vii) Shortens the process improvement cycle through accelerated learning.

6.2 Types of Benchmarking

Benchmarking can take various forms depending on the goals and scope of the study. Main types of benchmarking include the following:

1. **Internal Benchmarking:** Comparison within an organisation and similar operations within the same organisation.
2. **Competitive Benchmarking:** Comparisons among competing organisations for the same activities.
3. **Functional Benchmarking:** Comparisons to similar functions within the same industry e.g., one assembly to another.
4. **Generic Benchmarking:** Comparisons of processes independent of industry or overall functions.

6.3 Key indicators in Benchmarking

To objectively measure performance, an organisation must not only choose the correct institution to benchmark but also choose the right benchmarking indicators. Key among these indicators include:

- (i) Personnel (*Per Organisational Structure*)
- (ii) Policy (*Vision & Mission*)
- (iii) Process and systems
- (iv) Plans
- (v) Implementation approach/process

When benchmarking, an organisation should compare the above indicators against the benchmark institution (international best practices) to identify deficiencies and their root causes.

6.4 Best models in benchmarking

Six Sigma is a quality measurement performance improvement model that aims at improving the capability of business process. It provides for two methodologies to measure performance that include:

- (i) **DMAIC** (Define, measure, action, improve, correct): This process is an improvement system for existing processes that don't meet specifications and therefore need improvement.
- (ii) **DMADV** (Define, measure, adapt, design and verify): This is a process to develop new products or processes to Six Sigma specifications.

6.5 Phases and procedure for benchmarking of goals and projects

For benchmarking to have a positive impact on an organisation, it must be well structured with clear goals, procedures and set of activities. Benchmarking process mainly involves **5 main phases** i.e., identify a problem during planning stage, collect data, compare/analyse data, respond to the comparisons (implementation of recommendations) and monitor the process.

Any Assembly Committee wishing to benchmark on any issue must present a **Concept Note/Paper**⁶ precisely and concisely answering at least the following key questions:

- (i) Clearly state what is it that you want to benchmark (area of focus)?

⁶ The Concept Note/ Paper should be about 1 ½ -2 pages and attach a fully filled benchmarking template

- (ii) What is the goal of the benchmarking mission?
- (iii) What is the problem statement and scope of benchmarking study?
- (iv) What hypothesis does the committee seek to verify?
- (v) What are the expected results/outcomes – Critical success factors (CSF)?
- (vi) Who are the beneficiaries (the Board, committee, the assembly, executive, residents etc) and what are the envisaged tangible benefits to them?
- (vii) Identified/proposed benchmarking partners with contact person and contact details? And why?
- (viii) How will implementation of improvements/recommendations be accomplished?

6.6 Keys to successful benchmarking

For benchmarking to be effective, the following factors must be taken into consideration:

- ***Focus*** on the processes that are critical to Assembly's mandate.
- ***Objectivity*** of the benchmarking mission and goals.
- ***Understanding*** of the benchmarking process.
- ***Willingness*** to admit that you're not the best.
- ***Openness/acceptance*** of new ideas from potentially unexpected sources and co-operation at all levels of the organisation.
- ***Commitment*** to continuous improvement, provision of resources and to overcome resistance to change.

- **Recognition** given to successful benchmarking teams/committees.
- **Open communication** to the organisation about the objectives of the benchmarking project.
- **Discipline (Organisational culture)** and commitment to adapt and implement the lessons or plan from benchmarking process.
- **Continuous review** and improvement by creating value and some sense of accountability throughout the benchmarking process.

6.7 Template for benchmarking of goals and/or projects

Benchmarking activities by the Assembly will adopt the following proposed guidelines with sequential activities highlighted below:

Process activities	Description	Remarks
1. Clear communication of the benchmarking initiative (i.e., Determine what you want to benchmark)	Develop a brief Concept Note detailing what you want to benchmark, the goal, problem statement, hypothesis to the problem, expected outcomes and key performance indicators (KPI), target beneficiaries, identified benchmarking partners (<i>and their contact details</i>) and proposed implementation plan of Action Plan (actionable recommendations).	- Submit to the Clerk to the Assembly a Concept Note and attach a fully filled benchmarking template (Process activities 1-4)

<p>2. Identify the key performance indicators (KPIs) with critical impact on the organisation's success.</p>	<p>(i) What are the measurable KPIs to be benchmarked? Focus around</p> <ul style="list-style-type: none"> - <i>Strategic plans (programme goals, resources, infrastructure etc)</i> - <i>Personnel and organisational culture</i> - <i>Process & systems</i> - <i>Implementations plans and practices</i> <p>(ii) Establish at what level is the organisation/ Assembly in terms of the identified KPIs? (Support with baseline data where necessary)</p> <p>(iii) Provide preliminary comparisons of the KPIs with the benchmark organisation(s). Support with data where necessary.</p>	<ul style="list-style-type: none"> - Attach any baseline data from your organisation/ project. - Attach any data on KPI for the benchmark organisation(s). - Expert consultations/ involvement can be considered at this point <i>if necessary</i>.
<p>3. Develop a data collection methodology</p>	<p>(i) What is the research design to be used by the committee to benchmark?</p> <p>(ii) Data collection techniques to be used? <i>e.g., primary or secondary data collection, telephone interviews, observations, questionnaires or personal interviews etc?</i></p>	<ul style="list-style-type: none"> - State the methodology and techniques in brief or point form

<p>4. Identify the benchmark organisations or countries</p>	<p>(i) Which organisations or projects have you identified as benchmark partner(s)? and why</p>	<p>Benchmarking partners must be significantly better than your organisation in terms of selected performance measures (KPIs). <i>Attach supporting data?</i></p>
<p>5. Clearly identify and measure performance gaps between your organisation and benchmark organisation(s)</p>	<p>(i) Using the data collection methodology developed in stage 3, obtain objective and verifiable data (for KPI) from the benchmarking partners. Compare against your organisation (baseline data).</p> <p>(ii) A visit to the benchmark partner(s) may be necessary at this point.</p> <p>(iii) Also note any performance gaps in the benchmark partners for further improvement in your organisation/project?</p>	<ul style="list-style-type: none"> - Focus should be on identifying key deficiencies in use of best practices and their root causes. - Baseline data and that of the benchmark partners should be accurate, repeatable and verifiable

<p>6. Identify excellence enablers (Critical success factors- CSF) that account for the difference in performance that need improvement</p>	<p>(i) Compare baseline data from your organisation against the benchmark partner(s) to identify CSFs that account for the difference.</p> <p>(ii) Seek to identify the process and systems, key lessons learnt and organisational culture developed by the benchmark to achieve the higher level of organisational performance.</p>	<p>Primary focus should be on CSFs in the following KPIs;</p> <ul style="list-style-type: none"> - Personnel - Policy - Process, systems & org. culture - Plans - Implementation approach/process
<p>7. Reporting and Development of an Action Plan for implementation of lessons learnt.</p>	<p>(i) After data collection and analysis of results, develop a report highlighting the process followed during benchmarking and recommendations thereof.</p> <p>(ii) As part of the report, develop an Action Implementation Plan addressing;</p> <ul style="list-style-type: none"> - Notable performance gaps in KPIs and CSFs - Lessons learnt - Key actionable recommendations in order of priority (short and long term strategies) - New performance goals for improvement and required discipline/commitment 	<p>Focus should be on;</p> <ul style="list-style-type: none"> - Highlighting best practices to bridge the performance gaps identified.

8. Integrating best practices in performance delivery process	(i) Assign who should be in charge of implementation of the activities defined in the Action Plan and reporting framework. (ii) Highlight a continuous monitoring framework	Focus is on creating a continuous improvement process where recommendations are implemented and monitored.
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Also take the following into considerations

1. Carry out benchmarking activities during week days (apart from report writing).
2. Seek concurrence from benchmark organisation(s) on suitable visit days and obtain approval for the visits from the Clerk to the Assembly with clear dates/itinerary.
3. Have an itinerary and attach the same to approval facilitation letter by the Speaker and The Clerk.



REPUBLIC OF KENYA
NYANDARUA COUNTY ASSEMBLY



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Email: info@assembly.nyandarua.go.ke
OR clerk@assembly.nyandarua.go.ke

The Clerk to the Committee

I certify that the under mentioned Members attended the Committee on.....
on (date)..... Held at

The Committee met at.....am/pm and adjourned at.....am/pm.
Duration of meeting

No.	Name	Time In	Time Out	Total Absence	Remarks
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					

Absent with leave

Absent without leave

1.

1.

2.

2.

Prepared by:

[Name of Committee Clerk]

[Signature]

[Date]

Confirmed by:

[Name of Committee Clerk]



[Signature]

[Date]

APPENDICES

ANNEXURE I: COMMITTEE ATTENDANCE REGISTER

ANNEXURE II: TEMPLATE FOR CONSOLIDATED WEEKLY COMMITTEE MEETING SCHEDULE

 <p>REPUBLIC OF KENYA NYANDARUA COUNTY ASSEMBLY OFFICE OF THE CLERK</p>		<p>Office Tel: 020-2195542 P.O. Box 720-20303- Ol Kalou</p> <p>Building: Former Ol Kalou Town Council Email: info@assembly.nyandarua.go.ke OR clerk@assembly.nyandarua.go.ke</p>	
COMMITTEES WEEKLY PROGRAMMES FOR THE			
WEEK STARTINGTO YEAR			
DAYMONTH.....YEAR			
COMMITTEE	AGENDA	TIME	VENUE
COMMITTEE TRAVELING			
COMMITTEE	AGENDA	TIME	VENUE
Note:			
1. Any meeting that is not within this schedule shall be unlawful unless approved by the Hon. Speaker.			
2. No meeting shall be held prior to adoption of this schedule by the Liaison Committee.			
3. Committee requests for travel shall not be facilitated if not made seven days to the date of travel.			
4. All Committee meetings, within or without the precincts of the Assembly, must have minutes.			
CLERK SIGN			
CLERK NYANDARUA COUNTY ASSEMBLY			

NYANDARUA COUNTY ASSEMBLY

Committee Room and Equipment Booking Form

COMMITTEE ROOM <input style="width: 100px;" type="text"/>	EQUIPMENT <input style="width: 100px;" type="text"/>
REQUEST DATE:	
NAME OF COMMITTEE:	
VENUE/EQUIPMENT:	
DATE OF THE MEETING:	
TIME/ DURATION:	
ITEMS NEEDED DURING THE MEETING	
1.	
2.	
3.	
4.	
SIGNATURE.....	
[Name of Officer]	
SECRETARY TO THE COMMITTEE	
FOR OFFICIAL USE BY SAA DEPARTMENT ONLY	
Request received by:	
[Name of Officer]	[Signature] [Date]
Request Approved/ Disapproved by:	
[Name of Officer]	[Signature] [Date]
Remarks on Status of approval/disapproval:	
.....	
.....	

ANNEXURE IV: COVER PAGE FOR COMMITTEE REPORTS



REPUBLIC OF KENYA

NYANDARUA COUNTY ASSEMBLY



.....
[NO. OF ASSEMBLY) – [NO. OF SESSION] – [YEAR]

[NO. OF PART]

[DRAFT/FINAL/FIRST/ SECOND REPORT]

**REPORT OF THE [INSERT COMMITTEE'S NAME &
SUBJECT MATTER]**

Date Tabled (e.g., Tabled on Tuesday 10th February, 2016)

The Clerk's Office,
Nyandarua County Assembly,
P.O. Box 720 – 20303,
OL KALOU.

ANNEXURE V: TEMPLATE FOR COMMITTEE MINUTES



REPUBLIC OF KENYA
NYANDARUA COUNTY ASSEMBLY



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Email: info@assembly.nyandarua.go.ke
OR clerk@assembly.nyandarua.go.ke

NAME OF THE COMMITTEE

**TITLE OF MINUTES [e.g., MINUTES OF THE 2nd MEETING OF THE BUDGET AND
APPROPRIATION COMMITTEE HELD ON TUESDAY 19TH MAY 2015 AT THE COMMITTEE
ROOM FROM 2.00 PM.]**

Present

1. AB
2. ABC
3. ABCD
4. MNO
5. MNOP

Absent with Apology

1. EFG
2. XYZ

In attendance

1. STR
2. MMM

Agenda (*The agenda for the meeting should contain at least the following issues*)

- (a) Preliminary.
- (b) Reading and confirmation of the previous minutes.
- (c) Matters Arising.
- (d) Tabling of correspondences.
- (e) Committee's agenda for the day.
- (f) A.O.B.
- (g) Adjournment.

NB: Page Margins should be 1.25" for left margin and 1" for right, top and bottom margins. Minutes should also be paginated. Font Size 12; Font type – Times New Roman; Spacing 1.5; and Alignment – Justified

Numbering of minutes should adopt the following format:

MIN mn/ BAC/ cmn/mm/ yy where;

- **mn** is Minute number which should be numbered sequentially (i.e., continue) from the last minute number for the previous number.
- **BAC** Abbreviation of Committee's name e.g., Budget and Appropriation Committee is abbreviated as **BAC**.
- **Cmn** is the committee sitting since the start of its sittings in the current Assembly.
- **Mm** the month during which the meeting was held.
- **Yy** is the calendar year.

MIN: BAC mn/cmn/mm/ yy: Preliminary

This section should capture:

- Calling of the meeting to order and start time
- Prayers
- Introductions
- Reading of the notice of meeting including the agenda of the day

MIN: BAC mn/cmn/mm/yy: Reading and confirmation of previous meeting

As the title suggests, this section of the minutes should capture issues arising from the previous minutes and conclusions made including any corrections made. Names of members proposing and seconding the minutes should also be captured under this section.

MIN: BAC mn/cmn/mm/yy: Matters Arising

As the title suggests, this section of the minutes should capture issues arising from the previous minutes and conclusions made including any corrections made. This can be stated in bullet form.

MIN: BAC mn/cmn/mm/yy: Tabling of Correspondences

Any correspondences received since the previous meeting should be tabled by the Chair and recorded in the minutes. They can form part of the meeting’s agenda if earlier communicated or discussed in subsequent meetings.

MIN: BAC mn/cmn/mm/yy: Committee Agenda of the day

Various agenda before the committee should be numbered, titled and discussed independently without mix up.

MIN: BAC mn/cmn/mm/yy: A.O.B.

Any business that was not in the Committee’s agenda of the day’s meeting but pointed and deliberated by the members should be captured at this section.

MIN: BAC mn/cmn/mm/yy: Adjournment.

This section should state when the meeting was adjourned, date, time and place of the next meeting.

Compiled by:

Name and Title of the Committee Clerk

Date.....

Signature:

Confirmed by:

Name and Title of the Committee Chairperson

Date.....

Signature:

ANNEXURE VI: CHAIRPERSON'S BRIEFING NOTE



REPUBLIC OF KENYA NYANDARUA COUNTY ASSEMBLY



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OR clerk@assembly.nyandarua.go.ke

CHAIRPERSON'S BRIEFING NOTE – No 1 of 2016

ON

[Indicate the title of the agenda/ issue before the Committee as contained in the notice of meeting]

Prepared By:

[Indicate name and title of the person preparing the brief note e.g., Peter Karanu
Committee Clerk, Budget and Appropriation Committee]

[Insert Dates – 6th January, 2016]

A. Overview

Ensure that the overview contains at least the following information:

- A brief recap on key matters discussed during the previous meeting and way forward agreed upon.
- Summary of key issues to be deliberated during the day's meeting as well as areas of interest for the Chairperson to note.

B. Contextualising the meeting's agenda

Briefly highlight the following issues to ensure the Chairperson is fully informed and conversant with the matters before the committee:

- Summary (possibly in bullets) of main points the Chairperson needs to emphasise in relation to the day's agenda.
- Key issues that require consensus.
- Pros and cons on possible positions that the member's may take in regard to certain issue under consideration. Possible recommendations on proposed options to an issue can also be made. In so doing take cognisance of financial, political and precedent implications.

C. Conclusions

Note a few points that need to be re-emphasised and achieved by the end of the meeting. Key hurdles can also be stated here

Yours truly,

<Sign>

[Name of Officer]

NYANDARUA COUNTY ASSEMBLY

Information Request Form

Client's Name:

Ward:or Department/Committee:

Client's Telephone:..... E-mail:

Date: Time:

Information Required:

.....

.....

.....

.....

.....

Purpose (End Use/ Audience)

.....

.....

Mode of Request: Self Telephone Email Other (Specify).....

Date Due:

Action By: 1.

2.

3.

4.

Remarks by Head of Department

.....

.....

Client's Signature: Date:

Research Officer's Signature: Date:

Adapted with minimal changes from Parliamentary Research Services Department – Parliament of Kenya

ANNEXURE VII: REPORT EDITING FORM

ANNEXURE VIII: INFORMATION REQUEST FORM

NYANDARUA COUNTY ASSEMBLY

Report Editing Request Form

Client's Name:

Department/ Committee:

Client's Telephone: E-mail:

Date of Request: Time:

Name of report to be edited:

.....

.....

.....

Mode of Request: Self Telephone Email Other (Specify).....

Date Due:

Action By: 1.

2.

3.

Remarks by Head of Department:

.....

.....

Client's Signature: Date:

Research Officer's Signature: Date:

Note:

- 1. Request for editing of report(s) must be made at least 48hrs before due date for tabling in the Assembly.
- 2. Reports to be edited shall be in soft copy and must be submitted together with a fully filled request form.

ANNEXURE IX: GUIDELINES FOR SWEARING IN OF WITNESSES

The following procedures will be followed by Committees of the Assembly when dealing with witnesses and prospective witnesses, unless otherwise ordered and not withstanding anything contained in the Standing Orders:

1. A witness shall be invited to attend a Committee meeting to give evidence: A witness shall be summoned to appear only where the Committee has made a decision that the circumstances warrant the issue of summons;
2. Where the Committee desires that a witness produce documents relevant to the Committee's inquiry, the witness shall be invited to do so, and an order that documents be produced shall be made only where the Committee has made a decision that the circumstances warrant such an order;
3. A witness shall be given at least a seven (7) days notice to appear before the Committee unless otherwise determined by the Committee. The witness shall be provided with a copy of the Committee's terms of reference, as well as a statement of the issues to be dealt with during the witness's appearance.
4. A witness shall be granted reasonable access to any documents that the Committee has in regard to the matter under investigation;
5. A witness shall be granted, prior to giving evidence, the chance to make an application, before or during the hearing of the witness's evidence, for any or all of the witness's evidence to be heard in closed session, and shall be invited to give reasons for any such application. If the application is not offered, the witness shall be notified of reasons for that decision;

6. Only in the most extraordinary circumstances shall the Committee table in the Assembly or publish evidence in private session. A witness shall be informed that it is within the power of the Committee to authorize publication of such evidence and that the Assembly has the power to order the production and publication of such evidence;
7. A Member, in a protest or dissent added to a report, shall not disclose evidence taken in camera unless so authorised by the Committee;
8. Should the Committee consider it important that evidence given or information received in private session be published or that it is essential that such evidence or information be included in the Committee's report, the Chairman or Secretary of the Committee shall make every effort to discuss the matter with the relevant witness in an effort to minimise any potential damage to the witness, which may flow from that publication or usage;
9. The Chairman shall ensure that all questions put to witnesses are relevant to the Committee's inquiry and that the information sought by those questions is necessary for the purpose of that inquiry: Where a Member of the Committee requests discussion of a ruling of the Chairman on this matter, the Committee shall deliberate in private session and determine whether any question which is the subject of the ruling is to be permitted;
10. Where a witness objects to answering any question put to them on any ground, including the ground that the question is not relevant or that the answer may incriminate the witness, the witness shall be invited to state the ground upon which objection to answering the question is taken. Unless the Committee determines immediately that the question should not be pressed, the Committee shall then consider in private session whether it will insist upon an answer to the question, having regard to the relevance of the question to the Committee's inquiry and the importance to the inquiry of the information sought by the question: If the Committee determines that it requires an answer to the question, the witness shall be informed of that determination and the reasons for

the determination, and shall be required to answer the question only in private session, unless the Committee determines that it is essential to the Committee's inquiry that the question be answered in public session; and where a witness declines to answer a question to which the Committee has required an answer, the Committee shall report the facts to the Assembly;

11. Where a Committee has reason to believe that evidence about to be given may reflect adversely on a person, the Committee shall give consideration to hearing that evidence in private session;
12. Where a witness gives evidence reflecting adversely on a person and the Committee is not satisfied that the evidence is relevant to the Committee's inquiry, the Committee shall give consideration to expunging that evidence from the transcript of evidence, and to forbidding the publication of that evidence;
13. Where evidence is given which reflects adversely on a person and action of the kind referred to in paragraph (12) is not taken in respect of the evidence, the Committee shall provide reasonable opportunity for that person to have access to that evidence and to respond to that evidence through written submission and appearance before the Committee;
14. A witness may make application to be accompanied by a counsel and to consult the counsel in the course of a meeting at which the witness appears: In considering such an application, the Committee shall have regard to the need for the witness to be accompanied by the counsel to ensure the proper protection of the witness: If an application is not granted, the witness shall be notified of the reasons for that decision;
15. An officer of a department shall not be asked to give opinions on matters of policy and shall be given reasonable opportunity to refer questions asked of the officer to superior officers or to a County Executive Committee Member;

16. Reasonable opportunity shall be afforded to witnesses to make corrections of errors of transcription in the transcript of their evidence and to put before the Committee additional material supplementary to their evidence; and
17. Where the Committee has any reason to believe that any person has been improperly influenced in respect of evidence, which may be given before the Committee, or has been subjected to or threatened with any penalty or injury in respect of any evidence given, the Committee shall take all reasonable steps to ascertain the facts of the matter: Where the Committee considers that the facts disclose that a person may have been improperly influenced or subjected to or threatened with penalty or injury in respect of evidence, which may be or has been given before the Committee, the Committee shall report the facts and its conclusions to the Assembly.