KIAMBU COUNTY GOVERNMENT

POLICY FRAMEWORK FOR GENDER INCLUSION AND CITIZEN ENGAGEMENT

KIAMBU COUNTY

FORWARD

Public participation is the process by which citizens, as individuals, groups or communities (also known as stakeholders), take part in the conduct of public affairs, interact with the state and other non-state actors to influence decisions, policies, programs, legislation and provide oversight in service delivery, development and other matters concerning their governance and public interest, either directly or through democratically elected representatives.

Being a key document of the Constitution of Kenya, 2010, alongside other laws and legal instruments, Kiambu County is keen on engaging its residents indiscriminately in all matters pertaining to the programs, operations and development of the Municipality through various mechanisms, processes and procedures.

This policy has been developed to provide a framework for the management and coordination of public participation in Kiambu County in compliance with the constitutional requirement on citizen engagement in development and governance processes in the Municipality.

This policy is also an affirmation of the various municipal Board's commitment towards inclusion of all residents in participative governance through various forums which will also increase cohesion alongside the achievement of a common development agenda and service delivery.

I wish to recognize and appreciate the concerted efforts of the various departments within the County Government of Kiambu and all our partners and stakeholders for their participation in the development of this policy.

ACKNOWLEDGEMENT

In the development of this policy, the Kiambu County Board was guided by the Constitutional provisions for public participation and the acknowledgement of the crucial role it plays in participative public governance. This is achieved through citizen engagement and inclusion which in turn legitimizes the actions of the government through ownership of programs and projects as well as mechanisms and processes.

To achieve this, the GMB through this policy makes citizen engagement and participation mandatory and inclusive by making its affairs visible and accessible to all residents of the Municipality.

Through this Policy the Board provides for the manner and mode of engaging the residents of Kiambu County in its affairs. We urge the people of Kiambu County to familiarize them- selves with their rights and responsibilities so as to be able to engage the Municipality constructively.

Together, we shall build the Kiambu County we deserve for shared prosperity and development.

MUNICIPAL MANAGER

Kikuyu Municipality

TABLE OF CONTENTS

1.1 LIST OF ABBREVIATION 1

1.2 DEFINITION OF TERMS 2

1.3 INTRODUCTION 3

1.4 SCOPE OF THE POLICY 4

1.5 OBJECTIVES OF THE POLCY 4

1.6 LEGAL AND LEGISLATIVE FRAMEWORK 5

1.7 EXECUTION OF THE POLICY 5

1.8 PUBLIC PARTICIPATION AND ENGAGEMENT 6

1.8.1 PRINCIPLES OF PUBLIC PARTICIPATION 6

1.9 ACCESS TO INFORMATION 7

1.10 IMPLEMENTATION OF THE SECOND SCHEDULE TO UACA, 2011 (2019) 7

1.11 CITIZEN FORA 11

1.11.1 RESPONSIBILITIES OF THE MUNICIPAL BOARDS 11

1.11.2 RESPONSIBILITIES OF THE RESIDENTS 12

1.12 CIVIC EDUCATION 12

1.13 GENDER INCLUSION AND PARTICIPATION OF RESIDENTS WITH SPECIAL NEEDS 13

1.14 PERFORMANCE MANAGEMENT 14

1.15 MODE OF PUBLIC PARTICIPATION AND ENGAGEMENT 14

1.16 MUNICIPALITY WEBSITE 15

1.17 BUDGETARY PROVISIONS 15

1.18 RELATED LAWS AND LEGAL INSTRUMENTS 16

1.19 EFFECTIVE DATE 16

1.20 REVIEW OF THE POLICY 16

1.1 LIST OF ABBREVIATION

CoK	Constitution of Kenya, 2010
PWDs	Persons with Disability
UACA	Urban Areas and Cities Act

1.2 DEFINITION OF TERMS

Board	Municipal Board
Citizen Fora	means a forum for citizens organized for purposes of participating in the affairs of Kiambu County
Information	has the meaning as ascribed in the Access to Information Act, 2016 (includes all records held by a public entity or a private body, regardless of the form in which the information is stored, its source or the date of production)
Mechanisms, processes, procedures	channels through which the public constructively engages in municipality governance
Performance Management	a strategic approach to management, which equips leaders, managers, employees and stakeholders at different levels with a set of tools and techniques to regularly plan, continuously monitor, periodically measure and review performance of the organization in terms of indicators and targets of efficiency, effectiveness and impact
Petition	for purposes of this Policy, a petition means a written prayer to the Board by a member of the public requesting the Board to consider any matter within its authority
Public Participation	action or a series of actions a person takes to participate in the affairs of the government or community such as voting, attending meetings, participating in public or private political discussion or debate on issues, signing a petition on a desired government action or policy, volunteering in community activities
Public record	includes any record in written or any other form containing information relating to the conduct of the Board's business, prepared, owned, used or retained by the Board regardless of physical form or characteristics
Resident	a person who lives in Kiambu County permanently or on a long- term basis
Residents' participation	bears similar meaning to that ascribed to "public participation"
Senior Citizen	means a person who has attained the age of sixty years

1.3 INTRODUCTION

Public participation and engagement is a two-way communication process between the municipality and its residents whereby both engage in municipal mechanisms, processes and procedures in order to make better-informed decisions that are of value to the municipality and its residents.

In Kenya, public participation in is enshrined in the Constitution of Kenya, 2010 making it mandatory for citizen participation in law and policy-making processes. Article 174 underscores participation of the people as one of the objects of devolution giving powers of self-governance to the people and enhancing their participation in the exercise of the powers of the state and in the making of decisions affecting them. Further, Article 184 makes provision for the enactment of the Urban Areas and Cities Act, 2011 (amended 2019) which provides for participation by residents in the governance of urban areas and cities.

Participation by the public is a foundation for true democracy and good governance and can involve a range of activities, including community meetings, public consultations, social media/ online interactions, focus group discussions, oral and written memoranda, petitions etc. It encourages the active involvement of electorate in the decision-making processes, helping them to contribute their opinions, knowledge and experiences for better governance and service de- livery as well as fosters transparency, accountability, and trust between the public and the government.

It is imperative that the municipality ensures that all people are well represented during residents' engagement and participation. Notably, they should ensure that the people who cannot read or write, youth, persons with disabilities, gender equity, senior citizens, marginalized com- munities, and minority representatives comprehensively represent the peoples' interests. This can be achieved by ensuring that the municipality is visible and its officers constantly meet and collect information from the residents through public meetings, focus groups, surveys, deliberative forums, and social media, among other outreach methods as well as give feedback on deliberations.

1.4 SCOPE OF THE POLICY

Kiambu County appreciates the place of public participation and engagement in assisting and advocating to make the municipality more effective, accountable, transparent and as one of the core attributes contributing to innovative solutions to intricate development challenges.

This Policy gives effect to Sections 9 (3) (f), 21 and 22 of the Urban Areas and Cities Act, 2011 by providing a framework for institutionalizing active participation by the residents of Kiambu in the management of its affairs. It aims at providing a framework for public participation and engagement in the Municipalities taking cognizance of the contribution of such engagement towards realization of enhanced development results through improved social inclusion and empowerment, governance, public financial management, and public service delivery.

The policy applies to the Municipalities of Kiambu in as far as the law allows and shall be applied indiscriminately to guide public engagement and participation as well as gender inclusion in municipal mechanisms, processes and procedures. It provides for the best approaches to public participation and engagement while being sensitive to considerations such as citizens' willingness and capacity to engage as well as factors such as geographic, cultural, environmental, economic, political, social, and gender dynamics.

1.5 OBJECTIVES OF THE POLCY

This policy aims at enhancing effective public participation and engagement in Kiambu Municipalities through provision of guidelines on implementation. In particular, the policy aims to: -

i. provide a framework for implementation of UACA as far as public engagement and participation is concerned in a bid to foster open and accountable governance;

ii. provide a framework for consultation, collaboration, citizen feedback and reporting, recording and collection, and citizen-led monitoring in processes such as contract awards, procurement, budget execution, revenue, and service delivery for enhanced transparency, improved budget execution and service delivery efficiency;

iii. make provision for various tools to be used by the municipality in enhancing residents' involvement, public understanding, and transparency in decision-making, engagement processes, resource utilization, targeting, quality, inclusiveness, and effectiveness; and

iv. foster a sense of ownership, empowerment, and trust among the residents of Kiambu, strengthen democratic governance, enhance the quality of decision-making, and promote social cohesion and inclusivity.

1.6 LEGAL AND LEGISLATIVE FRAMEWORK

This policy and framework guide draws its formulation, relevance and legislative authority from the Constitution of Kenya, 2010, various Acts of Parliament, guidelines and legal instruments as may be applicable from time to time. In particular the Policy is informed by the following national legislation, policy documents and legal instruments:

i. Constitution of Kenya, 2010
ii. Urban Areas and Cities Act, 2011 (amended 2019)
iii. County Governments Act, 2012
iv. Access to Information Act, 2016
v. Public Finance Management Act, 2012
vi. Public Finance Management (County Governments) Regulations, 2015
vii. Kiambu County Charter
viii. Sessional Paper No. 02 of 2019 on National Policy on Gender and Development (Towards creating a just, fair and transformed society free from gender-based discrimination in all spheres of life practices)
ix. Any other relevant legislation, regulations, bye-laws, policy and legal instruments as may be applicable

This Policy aims at establishing mechanisms that promote public engagement and participation in municipal processes and operations. The Policy shall bind the Municipality, Municipal Boards and its employees through the Kiambu County Executive Committee and shall come into force upon the Executive's resolution to adopt it and approval by the Kiambu County Assembly as appropriate.

1.7 EXECUTION OF THE POLICY

The Kiambu Municipal Managers will be responsible for the day today implementation of the Policy. The overall responsibility for ensuring that this Policy is executed and operational rests with the Kiambu Municipal Boards.

1.8 PUBLIC PARTICIPATION AND ENGAGEMENT

To provide the residents of Kiambu County with differing levels of influence over decision-making and planning, public participation and engagement will be implemented taking cognizance of the following:

A. **Information** –The Board shall provide the public with balanced and objective information to assist them in understanding the activities, programs and projects, the alternatives opportunities and/or solutions. The Board shall ensure that all documents pertaining to its state of affairs including its budget and finances and a calendar of citizen fora are made public.

B. **Consultation** – The Board shall consult with the residents to collect feedback on their preferences, opinions, or viewpoints to the Municipality to make informed decisions. Consultation will be carried out through Board committees, focus groups, questionnaires, online surveys and public meetings and hearings and other modes as the Board shall elect.

C. **Involvement** – The Board shall involve the residents by working directly with them through out the processes to ensure that their aspirations and concerns are considered and understood. The Board will involve the residents through deliberative polling, workshops, questionnaires, and online surveys and other modes as the Board shall elect.

D. **Collaboration** – The Board will work in partnership with the residents in each aspect of decision-making including the development of alternatives and the identification of the preferred solution. This will be enhanced through citizen advisory committees/boards, consensus building, citizen panels, and participatory decision-making mechanisms.

E. **Empowerment** – The Board shall empower the residents to equip them with knowledge and information to enhance participation in decision-making. Empowerment mechanisms shall comprise deliberative forums, community-based monitoring, delegated decisions, and citizen fora to engage residents.

1.8.1 Principles of Public Participation

The Board shall employ the following principles in public participation and engagement:

i. Timely access of the residents to information on data, documents and other information relevant or related to enhancing participation in municipal affairs;
ii. Reasonable access to the process of formulating and implementing policies, laws and regulations, including the approval of development proposals, projects, budgets;

iii. Protection and promotion of the interests and rights of the minorities, marginalized groups and gender dynamics and their access to relevant information;

iv. Legal standing to interested or affected persons, organizations to appeal from or review decisions, or redress grievances, with particular emphasis on persons and traditionally marginalized communities including women, youth and PWDs;

v. Promotion of public - private partnership such as joint committees and technical teams so as to encourage direct dialogue and concerted action on municipal development.

1.9 ACCESS TO INFORMATION

Access to information enhances citizen engagement and participation in the Municipal processes. The Constitution of Kenya, 2010, as read with the Access to Information Act, 2016, guarantees citizens with the right to access of information held by the state, which includes county governments and by extension the municipalities. Further, the values and principles of public service guarantee transparency and provision to the public of timely, accurate information.

In compliance with the provisions of the Constitution of Kenya, 2010, as read together with the Access to Information Act, 2016 and the Urban Areas and Cities Act, 2011, the Municipality shall maintain a comprehensive database and information system of the administration and provide public access thereto on payment of a nominal fee to be prescribed by the Municipal Board. Information shall be provided in acceptable, easy to use formats.

For quality participation, all citizens should have access to information, be informed, empowered, and facilitated to engage in the Municipal processes and make objective decisions about issues that concern their livelihoods. The Municipality shall disclose for the benefit of the public such information as provided under Section 5 of the Access to Information Act, 2016 unless access to such information is limited by the CoK or specifically precluded by any other written law.

The procedure for access to information shall be as prescribed in Section 24 of the Urban Areas and Cities Act, 2011.

1.10 IMPLEMENTATION OF THE SECOND SCHEDULE TO UACA, 2011 (2019)

The Second Schedule to UACA (an excerpt is provided in the Second Schedule hereto) makes provision for participation by residents by requiring an urban area to develop a system of governance that encourages participation by residents in its affairs, and shall for that purpose:

A. **Create appropriate conditions for participation in —**

i. the preparation, implementation and review of the integrated development plan;

ii. the establishment, implementation and review of its performance management system;

iii. the monitoring and review of its performance, including the outcomes and impact of its performance;

iv. the preparation of its budget;

v. and making of strategic decisions relating to delivery of service.

The Kiambu Municipal Boards shall create the following appropriate conditions and processes to facilitate residents' participation in its affairs:

a) Identifying the municipality needs due consideration being given to the areas spelt out in paragraph A (i-v) above and the specific problems to be addressed;

b) Formulating proposals – this includes: legitimizing decision-making process; identify who needs to be involved in public consultation; deciding the level of public participation that should take place; identifying decision makers; identifying opinion shapers; identifying capacity to undertake public participation; and clarifying the kind of decision to be made;

c) The specific decision-making process to employ and preparation of the schedule of events;

d) Implementing the outcome of the decisions made; and

e) Monitoring and evaluation – outlining the oversight, monitoring and evaluation framework for implementation of decisions reached and giving feedback to the residents.

B. **Contribute to building the capacity of —**

i. the residents to enable them participate in the affairs of the Municipality;
ii. members of the board and staff to foster community participation.

The Kiambu Municipal Board shall carry out civic education and capacity building exercises through interactive workshops, seminars, conferences and other suitable modes. The Board shall prepare a calendar of activities in support of capacity building and civic education and allocate a budget for implementation. These shall include but not limited to training on planning for public participation, management of the engagement processes to employ, stakeholder identification and mobilization, facilitating and documentation of public participation, communication, monitoring and evaluation, feedback and reporting mechanisms, analysis and preparation of reports.

C. **Establish appropriate mechanisms, processes and procedures for —**

i. The receipt, processing and consideration of petitions and complaints lodged by residents

The Board shall employ the following process on receipt of a petition or complaint:

Petitions

A Petition to the Board shall be:

a) Submitted to the Municipal Manager by the Petitioner(s);

b) The Municipal Manager shall, within seven (7) days of receipt of the Petition, review the Petition to ascertain whether it meets the requirements of the Form of Petition as provided in the First Schedule hereto;

c) Where the Municipal Manager considers that a Petition does not comply with paragraph (b), the Municipal Manager may give such directions as are necessary to ensure that the Petition is amended to comply;

d) The Municipal Manager shall, if satisfied that the Petition meets the requirements under paragraph (b), forward the Petition to the Board for action.

A petition to the Board shall be in the **form spelt out in the First Schedule** and shall:

a) be handwritten, printed or typed;
b) be in English or Kiswahili and be written in respectful, decorous and temperate language;
c) be free of alterations and interlineations in its text;
d) be addressed to the Municipal Manager, and the respective Municipal Board;
e) indicate whether the matter has been addressed by any other relevant body and whether there has been any response from that body or whether the response has been unsatisfactory;
f) indicate whether the issues in respect of which the Petition is made are pending before any court of law or other constitutional or legal body;
g) conclude with a clear, proper and respectful prayer, reciting the definite object of the Petitioner(s) in regard to the matter to which it relates;
h) contain the names, addresses, identification numbers, signature or a thumb impression of the Petitioner or of every Petitioner, where there is more than one Petitioner; and
i) not have any letters, affidavits or other documents annexed to it.

The Board shall observe the following further requirements as to petitions:

i. The Board shall decide on its own volition on the manner of dispensing with a petition, such decision to be promptly communicated to the petitioner(s).

ii. The Board shall have the authority to invite any person(s) for purposes of obtaining proper information on matters concerning the petition so as to make informed decisions.

iii. The Municipal Manager shall, within fourteen (14) days of the decision of the Board notify the Petitioner, in writing, of the decision of the Board on the Petition.

iv. The Municipal Manager shall keep and maintain a register in which shall be recorded all Petitions and supporting documents, and the decisions of the Board.

v. The register of Petitions under paragraph (iv) shall be accessible to the public during working hours. Copies thereof are obtainable at a nominal fee as shall be determined by the Board.

Complaints

The Board shall take into consideration and be guided by the provisions of existing grievances redress policy applicable in the Municipality when handling complaints and grievances. The Board shall employ the following procedure to address complaints:

i. A complaint may be received by the Board either by telephone, e-mail, e-platform, a letter or in person or a duly filled form by a complainant to the Municipal Manager.

ii. Once a complaint is received, it shall be recorded and assigned a reference number to facilitate follow-up. A record of a complaint shall include the name and contact details of the complainant, full details of the complaint including the date, as well as details of all communication with the complainant and any actions to resolve the complaint. **A form of complaint is provided in the First Schedule hereto.**

iii. The complaint shall then be forwarded to the Board for appropriate action.

iv. The Board shall resolve all complaints expeditiously and written complaints shall be acknowledged. Where the complaint cannot be resolved immediately, complainants shall be informed of the time frame at the time of making their complaint. Complainants shall be informed of the progress of their complaint regularly, especially if there are any delays or changes to what has been agreed upon between the Board and the complainant.

v. Where a complaint cannot be resolved by above complaint handling procedure, the complainant shall be advised of their right to seek such other legal recourse mechanism as appropriate.

vi. The Municipal Manager shall maintain a register for complaints filed annually and actions taken to resolve them.

ii. Petitions and public comments procedures, when appropriate

The Board shall employ the procedure as spelt in (i) above with necessary modifications asappropriate.

iii. Notification of public meetings and hearings organized by the Municipal Board

The Board shall publish its annual calendar of citizen fora in the Municipality website. Further, the Board shall put out a public notification or notice of any upcoming public meetings and hearings at least seven (7) days to such public meetings and hearings clearly setting out the time, place and the agenda thereof. The notice shall also contain the agenda, information on how to access relevant public documents pertaining to the fora, channels through which citizens may give input or submit memoranda on issues for discussion; and contact details for person or Board committee or department in charge.

iv. Consultative sessions with locally recognized resident organizations

The Board shall hold consultative sessions with locally recognized resident organizations on its own behest or on request by any locally recognized resident organization(s). A request by a locally recognized resident organization(s) shall clearly indicate the agenda of the meeting to allow the Board make proper planning for attendance and participation.

On the conclusion of any matters before the Board emanating from petitions and public hearing, the Board shall within fourteen (14) days of the conclusion of the matter give feedback to the residents through the Municipal website alongside any other mode that it may elect with wide circulation in the Municipality.

1.11 CITIZEN FORA

v. Reporting/feedback to the residents

The Municipality shall hold at least four quarterly citizen fora in each year for purposes of implementation of the provisions of Section 22 (1) (a – d) and the Second Schedule.

1.11.1 Responsibilities of the Municipal Board

The Municipal Board shall: -

1. organize at least four quarterly citizen fora in each year and publicly publish and announce its annual calendar of citizen fora;
2. publish a notice of an upcoming citizen fora and the agenda thereof setting out the date, time and venue of such fora at least seven (7) days prior to the fora;
3. invite petitions, memoranda and representations for the citizen fora on any matters enumerated in the Second Schedule to UACA through its website alongside any other mode that it may elect with wide circulation in the Municipality. Such invitation shall be clear on the inclusion of each resident without bias or discrimination of any nature;
4. make recommendations on the manner in which issues raised at the citizen fora (if any) shall be addressed;
5. pass the resolutions and recommendations made on any deliberations of a citizen fora to the Municipal Manager for implementation;
6. provide feedback to the residents on resolutions and recommendations or such other action taken on any deliberations of a citizen fora through the Municipal website alongside any other mode that it may elect with wide circulation in the Municipality;
7. cause the Municipal Manager to produce a report on the decision(s) made in respect of a petition or presentation made by a citizen fora and the reason(s) for such a decision;
8. prepare quarterly implementation reports that provide financial and non-financial information on its performance. These reports will be prepared and consolidated within a month at the end of every quarter. They are then submitted to both the County Executive and the public for oversight and monitoring;
9. cause minutes and attendance list of each citizen fora to be kept and made publicly accessible. Such attendance list shall clearly indicate the gender of each participant;
10. encourage the participation of all residents with special focus on people who cannot read or write, youth, persons with disabilities, gender equity, marginalized communities, and minority representatives;
11. ensure that all matters as ascribed in the Second Schedule to UACA are publicly published and uploaded in the Municipal website to improve access to information.

1.11.2 Responsibilities of the Residents

Alongside the rights and duties of the residents as enumerated in Paragraph 1 (1) of the Second As per UACA, the residents of Kiambu County have the following responsibilities

Schedule, UACA, the residents of Kiambu County have the following responsibilities:

1. Access and read the information provided by the Board as well as seek further information where there is lack of clarity;
2. Consult other residents to generate consensus especially where prioritization is needed;
3. Participate in forums for planning and identify priority projects and programmes to be included in municipal plans;
4. Monitoring, reviewing and evaluation of the implementation of the municipal plans. Residents should play an oversight role to safeguard their resources;
5. Physically attend the meetings or send input to the online and other platforms created;
6. Provide feedback to the Board on ways of improving future public participation processes;
7. Participate in the many avenues of learning including civic education platforms to be more effective in future engagements;
8. Engage in and provide feedback on the quality of service and ways of improving them.

1.12 CIVIC EDUCATION

Civic Education is a critical and effective empowerment tool for promoting public participation and engagement in democratic and governance processes. It empowers the public, both as individuals and as part of collective groupings by protecting individual and collective rights and ensuring appreciation of each citizen's obligations to the society.

Paragraph 2 (1) (b) of the Second Schedule to UACA makes provision for the capacity building of the residents to enable them participate in the affairs of the municipality and the Board and its staff to foster community participation.

In compliance, the Board shall carry out civic education with focus trained on empowering and equipping the residents with requisite capacity to meaningfully engage in Municipal mechanisms, processes and procedures and engender in them the consciousness to ensure that their voices count in the best way possible.

1.13 GENDER INCLUSION AND PARTICIPATION OF RESIDENTS WITH SPECIAL NEEDS

Public participation and engagement should be inclusive and all citizens should have the opportunity to participate in the affairs of the Municipality regardless of age, gender, religion, race, or political affiliation as individuals or as organized groups. Inclusion relates to the deliberate act of involving groups, such as women, youth, people who cannot read or write, persons with dis- abilities, marginalized communities, and minorities due to ethnicity, and the senior citizens who are often left out of governance processes that impact them.

To achieve equality of opportunities and outcomes with respect to participation in municipal affairs and processes, the Board shall endeavour to advocate for equality of treatment that meets the specific and distinct needs of different categories of women and men and minority groups to empower them engage meaningfully in Municipal processes and their views and needs integrated into decisions made and services delivered. The Board shall consider and broadly main- stream the needs of these groups across sectors during planning, budgeting, service delivery and other processes as pronounced in Paragraph 2 (1) of the Second Schedule to UACA.

Due consideration shall be given to the domination matrix in the patriarchal society which may be more overwhelming for women than for men because of women's limited access to opportunities, support and capacity to negotiate and move between different intersections in the community as the situation demands. To mitigate this, whenever practicable, the Board shall observe the two-thirds gender principle as well as undertake civic education to ensure the participation and representation of all genders.

In particular, the Board shall:

i. support and encourage active and meaningful participation of women in municipal processes;
ii. ensure compliance with constitutional and legal provisions against discrimination on basis of gender and other biases;
iii. eliminate structural constraints such as culture that hinder the realization of gender inclusivity;
iv. create awareness on the national guidelines and standards on gender equality and women empowerment;
v. promote capacity building and training in leadership, management and gender reporting and engage in gender responsive approaches in public participation and engagement and other areas such as budgeting;
vi. ensure adequate budgetary allocation and identify and implement programmes targeting gender equality and women's empowerment; and
vii. encourage collaboration with and between civil society groups supportive of gender equal- ity so as to effectively address any gaps in the implementation of gender equality agenda.

The provisions of any statutory or policy interventions formulated by the Kiambu County or the Municipality on gender inclusion and related matters shall apply.

1.14 PERFORMANCE MANAGEMENT

The Board acknowledges that involving residents in setting key performance indicators and reporting back to them on performance increases the accountability of the Municipality and public trust is enhanced. It offers a linkage to the municipal mandates; annual performance reports; citizen engagement and participation in the evaluation of the performance of municipality planning and implementation activities; and public sharing of performance progress reports.

The Municipality shall develop a performance management system which will contribute to improving the municipal performance and enhance service delivery. The framework provides de- tails which describe and represent how the Municipality's cycle and processes of performance planning, monitoring, measurement, review, reporting and improvement will be conducted, organized and managed, including determining the roles of the different role players.

The Board shall be guided by the Municipality's performance management policy framework and in its absence adopt the performance management plan as developed by the Kiambu County Executive committee pursuant to Section 47 of the County Government Act, 2012. The plan shall be used to evaluate performance of the Municipality in relation to the implementation of projects and programmes and shall provide for among others:

i. Objective, measurable and time bound performance indicators;
ii. Linkage to mandates;
iii. Annual performance reports;
iv. Citizen participation in the evaluation of the performance of the municipality and public sharing of performance progress reports

1.15 MODE OF PUBLIC PARTICIPATION AND ENGAGEMENT

The Municipality shall adopt and enhance the use of technology as an enabler for citizen en gagement and participation. In so doing, the Board shall employ complementary online and offline citizen engagement methods depending on the target group. These shall include but not limited to municipality website, paid advertising, education and awareness programs, social media, public meetings, committees, SMS/online feedback, citizen report cards, community scorecards, hotlines, focus group discussions, workshops, questionnaires, online surveys, and satisfaction surveys as the primary tools used in collecting citizen feedback.

Due consideration shall also be made on communication to meet the needs of persons with disabilities, senior citizens, the marginalized and the less educated residents of the Municipality and be gender inclusive. To meet such needs, communication shall also include the following forms: publications for persons with hearing impairments; braille; local language publications; popular versions; or large print publications; use of translators to translate official documents; use of indigenous languages; use of audiovisual aids and other media to reach all groups and basically being attentive to the unique needs of each special needs person(s) or groups.

The Board shall also be considerate of factors such as accessibility of the venue in terms of location and friendliness to PWDs and special needs groups; mode of mobilizing the public and advertising costs; facilitation costs such as rapporteurs, analysts of public input; regularity of meetings and transport costs for participants if they have to travel long distances; costs of regular surveys of participation processes and such other incidentals.

The Board shall decide on the mode to employ on case-by-case basis to meet the most satisfac- tory outcomes.

1.16 MUNICIPALITY WEBSITE

To better enhance public participation and engagement, the Kiambu Municipal Boards shall operate an up-to-date official website which shall be used for the publication and display of key municipal documents. The following documents shall be published in the website:

a) Municipal Charter
b) contact information
c) Board and staff members
d) summary/highlights of Board meetings
e) municipality budget
f) municipality annual investment plan
g) municipality annual financial report
h) up-to-date municipality IDeP and spatial/land use plans
i) grievance uptake channels and system
j) annual performance reports
k) annual calendar of citizen fora
l) notice and agenda of upcoming citizen fora
m) notifications of upcoming public hearings and meetings
n) policies and legal frameworks applicable to the municipality
o) forms applicable to municipal functions
p) other official documents relating to the municipality.

1.17 BUDGETARY PROVISIONS

The Board shall apply its resources, and allocate adequate funds annually as may be appropriate for the implementation of citizen engagement and participation. The management and operation thereof shall be guided by the Public Finance Management Act, 2012 and the Regulations thereto and the principles of good governance and accountability as espoused by the Constitution of Kenya, 2010 and other applicable laws.

1.18 RELATED LAWS AND LEGAL INSTRUMENTS

This Policy should be read together with other applicable laws and legal instruments adopted by the Municipality or the County Government as the case may be.

1.19 AUTHORITY OF THE KIAMBU MUNICIPAL BOARD

Notwithstanding the provisions hereby stipulated, no proviso shall be construed as permitting interference with rights of the Kiambu Municipal Board to govern and exercise its functions.

1.20 EFFECTIVE DATE

This Policy shall be effective as from the date of approval by the Kiambu County Assembly or the Executive as the case may be.

1.21 REVIEW OF THE POLICY

This policy will be reviewed every five (5) years or earlier in the light of operating experience and/ or further changes in legislation or other significant circumstances that may render it inoperable.

FIRST SCHEDULE

General Form of a Petition

To the Municipal Manager

Municipal Board

OF.....

Date:

RE: PETITION (Here, state the nature of the Petition)

I/We, the undersigned,

(Here, identify in general terms, who the Petitioner or Petitioners are; for example, citizens of Kenya, residents of Kiambu County, members of recognized resident organizations, etc.)

DRAW the attention of the ..... Municipal Board to the following:
(Here, briefly state the reasons underlying the request for the intervention of the ..... Municipal Board by outlining the grievances or problems by summarizing the facts which the Petitioner or Petitioners wish the Board to consider.)

THAT

[Here confirm that efforts have been made, or not made, to have the matter addressed by the relevant body, and it failed to give satisfactory response where efforts have been made.)

THAT

[Here confirm that the issues in respect of which the Petition is made are not pending before any court of law, or constitutional or legal body.]

HEREFORE your humble Petitioner(s) Pray that ..... Municipal Board

(Here, set out the prayer by stating in summary what action the Petitioners wish Board to take or refrain from.)

Name of Petitioner(s):

National ID/Passport No.:

Address:

Signature/ Thumb Impression:

(* This form may contain such variations as the circumstances of each case may require)

General Form of a Complaint

Date of complaint:	
Reference No.:	
Name:	
Address/ email/ phone number:	
Request for confidentiality and reason:	
Nature and details of Complaint:	
Has this complaint been raised with anyone else? If yes, who and how was it addressed if at all:	
Please provide any other information you consider relevant	
How would you like to see the complaint addressed:	
OFFICIAL USE ONLY:	
Outcome: Outline of what has happened as a result of the complaint	
Follow action up required:	
Date matter was concluded and official stamp and signature	

(Complaints should pertain to official Municipality mandates only. The information required in the form must be provided. The identity of complainants will be kept confidential if they request so. Anonymous complaints will not be accepted)

SECOND SCHEDULE

Excerpt of the Second Schedule, Urban Areas and Cities Act, 2011 (2019)

RIGHTS OF, AND PARTICIPATION BY RESIDENTS IN AFFAIRS OF THEIR CITY OR URBAN AREA (S.22)

(Rights and duties of Residents)

1) Subject to paragraph (2), residents of a city or urban area have the right to—

a) contribute to the decision-making processes of the city or urban area by submitting written or oral presentations or complaints to a board or town committee through the city or municipal manager or town administrator;
b) prompt responses to their written or oral communications;
c) be informed of decisions of a board, affecting their rights, property and reasonable expectations;
d) regular disclosure of the state of affairs of the city or urban area, including its finances;
e) demand that the proceedings of a board or committee and its committees or sub committees be—
   i. conducted impartially and without prejudice; and
   ii. untainted by personal self-interest;
f) the use and enjoyment of public facilities; and
g) have access to services which the city or municipality provides.

(Participation by Residents)

2) (1) A city or urban area shall develop a system of governance that encourages participation by residents in its affairs, and shall for that purpose—

(a) **create appropriate conditions for participation in—**

i. the preparation, implementation and review of the integrated development plan;
ii. the establishment, implementation and review of its performance management system;
iii. the monitoring and review of its performance, including the outcomes and impact of its performance;
iv. the preparation of its budget; and
v. making of strategic decisions relating to delivery of service;

(b) **contribute to building the capacity of—**

i. the residents to enable them participate in the affairs of the city or urban area; and
ii. members of the board or town committee and staff to foster community participation;

(c) **apply its resources, and allocate funds annually as may be appropriate for the implementation of paragraphs (a) and (b); and (d) establish appropriate mechanisms, processes and procedures for—**

i. the receipt, processing and consideration of petitions and complaints lodged by residents;
ii. petitions and public comments procedures, when appropriate;
iii. notification of public meetings and hearings organized by a board or town committee;
iv. consultative sessions with locally recognized resident organizations; and
v. reporting to the residents.

(2) The provisions of paragraph (1) shall not be construed as permitting interference with a board's or town committee's right to govern and exercise its functions.

3) When establishing mechanisms, processes and procedures under subsection (1), the city or urban area shall take into account the special needs of—

a) people who cannot read or write;

b) people with disabilities;

c) youth;

d) gender equity; and

e) minority and marginalized groups.