

REPUBLIC OF KENYA

**PARLIAMENT
OF KENYA
LIBRARY**



THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT – SECOND SESSION

**REPORT ON THE PETITION BY RESIDENTS OF
SAMBURU NORTH**

**Clerk's Chambers
Directorate of Committee Services
Parliament Buildings
Nairobi**

July 2018

ABBREVIATIONS

PWDs Persons Living With Disability

OVC Orphans and Vulnerable Children

NGAAF National Government Affirmative Action Development Fund

OP Older Persons

MoUs Memorandums of Understanding

CS Cabinet Secretary

CAS Chief Administrative Secretary

MDA Ministry Departments and Agencies

CoK Constitution of Kenya

M&E Monitoring and Evaluation

SACC Social Assistance Constituency Committee

PSPs Payment Service Providers

EXECUTIVE SUMMARY

The National Assembly Departmental Committee on Labour and Social Welfare embarked on a fact finding mission to investigate the issues surrounding the social protection program after it received a petition from residents of Samburu north constituency. The petition was read in the National Assembly on 20th February, 2018 by the Hon. Justin B. Muturi, Speaker of the National Assembly pursuant to Standing Orders 220(1)(a)(b) and (5). The petition was submitted through the Clerk of the National Assembly by Hon. Alois M. Lentoimaga regarding the challenges in implementation of the social assistance programme in Samburu North Constituency. Pursuant to Standing Order 227(1), The Petition was committed to the Departmental Committee on Labour and Social Welfare for consideration and subsequent reporting to the House in accordance with Standing Order 227(2).

The right to petition Parliament is anchored in Article 119 of the Constitution of Kenya. The article states thus: Every person has a right to petition Parliament to consider any matter within its authority, including to enact, amend or repeal any legislation. The petitioner prayers to the National assembly through the departmental committee of Labour and Social Welfare Committee are to;

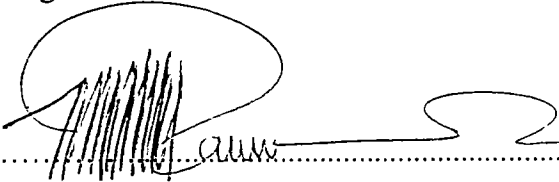
- a) Recommends that the Ministry of Labour and Social Protection put in place measures to address the challenges experienced in disbursement of the social security assistance funds;
- b) Recommend an increment in social assistance disbursed to the vulnerable members of the society;
- c) Recommend for continuous engagement between county/sub-county levels and locational levels to identify changes required; and
- d) Makes any other order or direction that it deems fit in the circumstances of the matter.

This Report is a culmination of the deliberations of the Departmental Committee on Labour and Social Welfare after visiting Kwale, Samburu and Likipia Counties to assess the implementation of the social protection programs. The committee also invited the Ministry of Labour and Social Welfare to make their presentation with regard to the

issues raised. The Ministry currently runs the National Safety net program (InuaJamii). The overall objective of the program is to cushion the vulnerable section of the population specifically orphans and vulnerable children, older persons and persons with severe disabilities against vulnerability.

The Committee made the following recommendations based on the observations made during the counties visits:-

- a) Review the social assistance act, 2013 and put in place enabling regulations that guide the management of the Social protection fund as envisaged in the Kenya National Social Protection Policy, 2011;
- b) That contracted payment service providers (Banks and their agents) are obligated to implement the 6km radius policy on pay point location to prevent beneficiaries from walking/travelling long distances hence losing on earnings through theft and unnecessary costs;
- c) The contracted payment service providers should develop an alternative mechanism of identification of beneficiaries to serve as a backup to the biometric process; this will enhance the process of identification and provide real-time monitoring of beneficiaries and the care -givers records;
- d) That to enhance livelihoods and better living standards of the eligible beneficiaries the committee recommends that going forward there in need to scale up the program through additional funding without increasing the capitation to individual beneficiaries;
- e) The criteria of recruitment of beneficiaries should be relooked into for proper identification of deserving beneficiaries and;
- f) The ministry should initiate M&E and impact assessment process for proper management of the funds.

Signed..........Date... 3RD JULY 2018

THE HON. Ali Wario, M.P.

CHAIRPERSON

Establishment and Mandate of the Committee

The Departmental Committee on Labour and Social Welfare is established in accordance with the provisions of Standing Order 216 of the National Assembly. Its mandate as provided for in S.O. 216(5) is to *inter-alia*:-

- i. *Oversight over the day to day running and administration of Ministries, Departments and Agencies under its purview;*
- ii. *Consider Estimates of the said Ministries, Departments and Agencies;*
- iii. *Consider relevant legislation and recommend enactment of laws; and,*
- iv. *Carry out vetting of State/Public Officers as required by law.*

The Committee is mandated to consider the following subjects under the Second Schedule of the Standing Orders:-

- i. Labour,
- ii. Labour relations,
- iii. Manpower or Human resource Planning,
- iv. Gender,
- v. Youth,
- vi. Social Welfare and Security,
- vii. Children`s Welfare,
- viii. And Persons Living With Disabilities.

Oversight

In executing its mandate, the Committee oversees the following Government Ministries, Departments and Agencies, namely:

- i. Ministry of Labour
- ii. The State Department for Social Security and services
- iii. The State Department for Gender
- iv. The State Department for Youth

COMMITTEE MEMBERSHIP

1. The Hon. Ali Wario, MP - **Chairperson**
2. The Hon. Joyce Korir, MP- **Vice Chairperson**
3. The Hon. Gladys Wanga, MP
4. The Hon. Janet MaraniaTeyiaa, MP
5. The Hon. Janet Nangabo Wanyama, MP
6. The Hon. Ronald KiprotichTunoi, MP
7. The Hon. James Onyango Koyoo, MP
8. The Hon. Rose Museo, MP
9. The Hon. Alfred KiptooKeter, M.P
10. The Hon. Charles KanyiNjagua, MP
11. The Hon. Catherine Wambilyanga, MP
12. The Hon. Fabian KyuleMuli, MP

13. The Hon. Ole Sankok David, MP
14. The Hon. Abdi Mude Ibrahim, MP
15. The Hon. Michael Mwangi Muchira, MP
16. The Hon. Safia Sheikh Adan, MP
17. The Hon. Tom Odege, MP
18. The Hon. Wilson Sossion, MP
19. The Hon. OmbokoMilemba, MP

COMMITTEE SECRETARIAT

- | | |
|-----------------------------------------|---------------------|
| 1. First Clerk Assistant | Mr. Adan Gindicha |
| 2. Clerk Assistant | Mr. John Mugoma |
| 3. Legal Counsel | Ms. Marlene Ayiro |
| 4. Research & Policy Analyst | Mr. Said Osman |
| 5. Fiscal Analyst | Ms. AmranMursal |
| 6. Media Relations | Ms. Noelle Chelagat |
-

TABLE OF CONTENT

ABBREVIATIONS	ii
EXECUTIVE SUMMARY	iii
COMMITTEE MEMBERSHIP	vi
1.0Background	1
1.1Introduction.....	1
1.2Prayers to the National Assembly.....	2
2.0 Meeting with the CAS of Labour and Social Welfare.....	3
2.1 Response from the Ministry on the Samburu North Residents Petition	5
3.0 Meeting with County Commissioner of Kwale County and Beneficiaries	6
Emerging Issues	7
3.1 Meeting with County Commissioner Samburu and Beneficiaries.....	11
Emerging issues	12
3.2 Meeting County Commissioner Laikipia County and Beneficiaries	13
Expected Beneficiaries for the 70 and above programme (not yet validated).....	14
4.0Observation.....	15
5.0 Recommendation	16

1.0

BACKGROUND

1.1

Introduction

The Petition was read in the National Assembly on 20th February, 2018 by the Hon. Justin B. Muturi, Speaker of the National Assembly pursuant to Standing Orders 220(1)(a)(b) and (5). The petition was submitted through the Clerk of the National Assembly by Hon. Alois M. Lentoimaga regarding the challenges in implementation of the social assistance programme in Samburu North Constituency. Pursuant to Standing Order 227(1), The Petition was committed to the Departmental Committee on Labour and Social Welfare for consideration and subsequent reporting to the House in accordance with Standing Order 227(2). The issues raised in the said Petition are as follows:-

- a) THAT, article 43 (e) of the Constitution provides that every person has the right to social security;
- b) THAT, article 21 of the constitution on the implementation of the rights and fundamental freedoms provides that the state shall take legislative, policy and other measures, including the setting of standards, to achieve the progressive realization of the rights guaranteed under article 43;
- c) THAT, the social assistance Act, the National Security Fund Act, the Pension Act, the Retirement Benefits Act and National Hospital Insurance Fund Act are in place and endeavours to deal with social assistance to the community;
- d) THAT, beneficiaries households face a number of service delivery challenges in accessing social security assistance/funds especially in registration process and disbursement of the funds;
- e) THAT, the programme elements are not being implemented in a timely manner and service delivery to the beneficiaries are inadequate;
- f) THAT, delayed payments have negative impact on the wellbeing and livelihood strategies of beneficiaries, threatening their achievements, undermining social safety net functions;

- g) THAT, while the service level arrangement stipulates that beneficiaries should be served within 6km radius, some beneficiaries continue to travel inordinately long distance to pay points and are not compensated;
- h) THAT, the Ministry of Labour and Social protection which is responsible for overseeing the implementation of the social assistance programme has failed and as a result, there is duplication of roles by various government agencies and non-governmental organizations;
- i) NOTING THAT, the amount disbursed to this vulnerable person is inadequate to cater for basic need.

1.2 Prayers to the National Assembly

The Petitioner, therefore, prays-

THAT the National Assembly Labour and Social Welfare Committee;

- a) Recommends that the Ministry of Labour and Social Protection put in place measures to address the challenges experienced in disbursement of the social security assistance funds;
- b) Recommend an increment in social assistance disbursed to the vulnerable members of the society;
- c) Recommend for continuous engagement between county/sub-county levels and locational levels to identify changes required; and
- d) Makes any other order or direction that it deems fit in the circumstances of the matter.

2.0 Meeting with the Chief Administrative Secretary write in full Ministry of Labour and Social Protection

The meeting started with a brief introduction and the committee was taken through an overview of the management of safety net program by the Chief Administrative Secretary of the Ministry of Labour and Social Protection who was representing the Cabinet Secretary. On the National Safety Net Program “InuaJamii”, the Committee was informed that poverty, disease and ignorance were identified through “*Sessional Paper No. 10 of 1965 on African Socialism and its Application to Planning in Kenya*” as critical challenges facing independent Kenya. Social protection has been implemented in Kenya for many years in various forms that include both contributory and non-contributory means.

Kenya’s vision 2030 envisaged the establishment of consolidated social protection fund for cash transfers. This initiative was subsequently identified as priority and renamed the National Safety Net Program. The program, also known as the “InuaJamii” was started with cash transfers to orphans and vulnerable children component in 2004/2005 financial year. Thereafter, two other cash transfers components targeting older persons and persons with severe disabilities were started in 2007/2008 and 2010/2011.

The National Safety Net “InuaJamii” program objective was to cushion the most vulnerable section with in the society specifically the orphans and vulnerable children, older persons and persons with severe disabilities against vulnerability to enable them meet basic needs, live a dignified life and prevent them from sinking into further poverty. Social assistance is a constitutional right provided in Article 43(3) of the Constitution and ministry acknowledged the gaps that exist in the legal framework with regard to the implementation of the Social Assistance Act. The committee was informed that:-

- (a) The fund is managed through the steering committee comprising of Permanent Secretaries at ministerial level and the steering secretariat teams at county and sub county level.
- (b) The fund is audited by the auditor general.

(c) The appropriation Act guides how the fund is spent.

Plenary

During the plenary session the Committee members posed the following questions to the CAS and his team;

- (a) Who coordinates the program at county and sub county level?
- (b) Legal framework or environment the fund is anchored on in terms of operation.
- (c) The difficulties implementing the Social Assistance Act?
- (d) Who's the accounting officer for this fund?
- (e) Criteria of selection of the vulnerable beneficiary?
- (f) Is M&E done to assess the impact of the fund?

Social protection is national governments function although various county governments passed legislation on the same. The policy allows us to coordinates all actors in the social protection stakeholders. The county and sub county committees are provided for in our manuals. The proportion of the entire population guides the allocation although the selection criterion is a challenge and the officers depend or work closely with the national administrative officer's at the sub county level such as the county commissioners and local chiefs in terms of beneficiary identification.

The ministry also indicted to the Committee that there are identified gaps in the Social Assistance Act that hinder its implementation. The Ministry constituted a team to work on the review for introducing amendment. Social Assistance Constituency Committee (SACC) is also composed of the Constituency Member of Parliament who is the patron County Women Member of Parliament as the ex-official provided for in the manual.

Under staffing and insufficient resources to administer the funds affect the M&E component which is critical for continuous information on improvement and decision making. The Committee was informed that the accounting officer for the administration and the management of the funds is the Permanent Secretary for Social Protection. The

last recruitment or scale up of the program was done in the year 2015 and the guiding parameter is the poverty index.

2.1 Response from the Ministry on the Samburu North Residents Petition

The Ministry is aware of the various challenges facing the disbursement of the Social Assistance Funds. Consequently, the Ministry recently procured four Payment Service Providers (PSPs) namely Kenya Commercial Bank, Equity Bank Limited, Postbank and Cooperative Bank that have a nationwide branch network coupled with wide agency distribution. Previously, the Ministry had contracted only the first two PSPs (KCB and EBL).

Starting with the oncoming 70+, enhanced OPCT Programme, beneficiaries will be allowed to pick a bank of their choice with agents nearest to them. The Ministry have also moved from card to account based payment meaning that the beneficiaries will be able to withdraw portions of their stipends depending on their individual needs and will no longer have to withdraw all KShs.4,000/- entitlement per cycle at once.

The beneficiaries will also henceforth be allowed two 2 free withdrawals by the programme and can go to the agents at their convenience and not during the select 21 days as it was before. For those who are infirm due to old age or disability and the children under 18 years, they are encouraged to nominate trusted caregivers who can operate the accounts on their behalf. Beneficiaries will also be exposed to Financial Literacy to enhance the impact of the stipend under the new contract with the four PSPs. The new contract also allows for a more robust reconciliation and monitoring and evaluation platforms for the programme which enhances service delivery and transparency.

3.0 Meeting with County Commissioner of Kwale County and Beneficiaries

After brief introduction the County Commissioner invited the social protection officer to brief the Committee on the progress of the program. The Chairperson informed beneficiaries on issues that needed clarification:-

- a) Whether they receive the right information with regard to the disbursement of the funds,
- b) Where there is dignity in the process of disbursement,
- c) The distance they travel to access payment from service providers.

The representatives of the beneficiaries of the cash transfer informed the Committee that:-

- a) The cash was beneficial to the beneficiaries. However, the Government should consider increasing the amount given to each beneficiary from Kshs. 2000 per month to Kshs. 4000.
- b) The government should consider implementing the 6km radius policy to guard against the beneficiaries travelling long distance to receive the cash.
- c) Some of the cards issued to the beneficiaries is not working hence the government should consider introducing other modes of payment.
- d) There are delays in disbursement of funds to beneficiaries.
- e) There is mix up in the names of beneficiaries the government should consider constant updating of the register.
- f) Failure of the biometric identification process is another thing that affects the vulnerable beneficiaries
- g) Lack of transparency from the agents of the banks is another issue that is affecting the beneficiaries since sometimes they are issued with less money.

The Table below gives a breakdown of beneficiaries of Kwale County

Constituency	OPCT beneficiaries	PWSD beneficiaries	CT-OVC BENEFICIARIES	70 YEARS & ABOVE CT	TOTAL
KINANGO	4574	341	2351	1384	8650
LUNGALUNGA	2934	392	1775	1405	6506
MATUGA	2780	424	1053	1248	5505
MSAMBWENI	2283	323	1257	856	4719
GRAND TOTAL	12571	1480	6436	4893	25380

Emerging Issues

- a) The payment of consolidation cash transfer was previously done through the Postal Corporation of Kenya. It has now changed to Equity Bank and Kenya Commercial Bank. The aim was to make sure that beneficiaries are paid within a radius of 6KM. this has not been fully realized due to inadequate capacity of service providers. The ministry is in the process of recruiting more service providers to fill this gap.
- b) Number of needy and vulnerable groups of PWSD has not been fully reached. There is also need to enhance the number of OVC as the number of households of OVC keeps increasing every day.
- c) There is need for timely facilitation to the implementing departments at the county and sub-county levels not only for M&E but to handle issues of change management in time.

The status report on the consolidated cash transfer program for Kwale County per location for older persons and persons with severe disability is shown figure below;

Location	Enrolled HHs – receiving cash transfer	Registered 70 and above older persons
Matuga Sub County		
Tsimba	314	
Mbuguni	129	
Mwaluphamba	433	
Golini	422	
Mangawani	225	
Lukore	128	
Waa	175	
Tiwi	134	
Ngombeni	116	
Mwaluvanga	128	
Shimba Hills / Majimboni	144	
Sub Total	2,780	1,248
Msambweni Constituency / Sub County		
Msambweni	464	
Diani	720	
Kinodo	589	
Mivumoni	331	
Kingwede / Shiranzi	179	
Sub total	2,283	856
LungaLunga Constituency / Sub county		
Mwereni	646	
LungaLunga	415	
Dzombo	729	

Vanga	339	
Kikoneni	367	
PongweKidimu	438	
Sub total	2,934	1,405
Kinango Constituency / Sub county		
Ndavaya	404	
Chengoni	390	
Vigurungani	349	
Makamini	277	
Mtaa	225	
Kinango	426	
Puma	154	
Mackinnon	259	
Gandini	375	
Mwatate	288	
Samburu south	365	
Taru	156	
Mwavumbo	425	
Kasemeni	481	
Sub total	4,574	1,384
Grand total	12,571	4,893

PWSD by constituency

Constituency / Sub county	No. enrolled
Matuga	424
Kinango	341
Msambweni	323
LungaLunga	392
Total	1,480

Cash Transfer OVC Beneficiary Distribution per Location

Matuga Constituency Subcounty	
Tsimba	247
Mbuguni	15
Mkongani	186
Mwaluphamba	15
Golini	13
Mangawani	11
Lukore	15
Waa	172
Tiwi	8
Ngombeni	339
Mwaluvanga	16
Shimba Hills / Majimboni	16
Sub total	1,053
Msambweni constituency / sub county	
Msambweni	228
Diani	364
Kinondo	216
Mivumoni	238
Kingwede / Shirazi	211
Sub total	1,257
LungaLunga Constituency / Sub county	
Mwereni	756
Lungalunga	227
Dzombo	360
Vanga	52
Kikoneni	88
Pongwekidimu	292
Sub total	1,775

Kinango Constituency / sub county	
Ndavaya	556
Chengoni	310
Vigurungani	191
Makamini	169
Mtaa	226
Kinago	78
Puma	14
Mackinnon	12
Gandini	11
Mwatate	303
Samburu south	10
Taru	13
Mwavumbo	13
Kasemeni	445
Sub total	2,351
Grand total	6,436

3.1 Meeting with County Commissioner Samburu and Beneficiaries

The meeting started with brief introduction after which the committee was informed that Samburu County has three constituencies or 3 sub counties. The total beneficiaries in the county total to 5286 under the umbrella of the older person's cash transfer program out of which 1873 beneficiaries are from Samburu North Constituency. The representatives from the beneficiaries and local leaders present informed the committee that the main challenges that they experience are:-

- a) The failure of the biometric identification process that affects most of the elderly persons which leads them to go back without any cash or payment,
- b) Travelling long distance of about 160km from the furthest in some instance for the funds,
- c) Unreliable service provider agents that run out of cash which make the vulnerable beneficiaries stranded for days,

- d) Lost or death of some of the vulnerable and frail older persons because of the conditions that they are exposed to,
- e) KCB as a service provider has a lot of bureaucracy and the mode of payment is not account based as opposed to the OVC program rolled out by Equity bank.
- f) Some of the KCB agents charge commission of about ksh. 1000 for offering the service to the beneficiaries. There is an even instance where the agent compelled beneficiaries to buy his goods.

The representatives and local leaders present in the meeting informed the committee that despite the challenges the program has helped the community. They informed the committee that government should consider increasing the monthly stipends. They further informed the committee that the mode of disbursement of the funds should be improved and alternative mode of payment similar to the Kenya Red Cross hunger safety program which is done through mobile transfer.

The committee was informed that the number of KCB bank agents across the county is ten and there is need to increase the agents whereas Equity bank has close to 65 agents. The beneficiary registry system or management information system is centralized at the national level affecting constant updating.

Emerging issues

The issues that emerged out of the committee deliberation with the government officials, service provider officials, leaders and beneficiaries are as follows:-

- (a) Issue of poor network coverage,
- (b) Constant updating of data (bio-data) of beneficiaries is not possible because the system is centralized at the ministry headquarters,
- (c) Identifying agents with integrity and should possess certificate of good conduct

3.2 Meeting with the County Commissioner Laikipia County and Beneficiaries

After a brief introduction the County Commissioner has given an overview of the County. The chair informed the County Commissioner and his team that the core purpose of the meeting was about fact finding mission on the social protection program. County Commissioner informed the committee that the World Food Program has rolled out cash transfer program through mobile money transfer in the county previously under the hunger safety initiative and it was quite effective.

The committee was informed that to enhance efficiency of the program a proper system should be put in place to have an impact on the beneficiaries and alleviate their situation. Cash transfer programme has been implemented in the county since 2009 / 2010 financial year beneficiaries are enrolled through the state department for social protection.

Those enrolled receive a cash transfer of Kshs. 2000/= per month however the payment is done bi-monthly where beneficiaries receive a stipends of Kshs 4000/= through identified pay service providers to be communicated. The programme seeks to reduce vulnerability of beneficiaries in the providing them with cash transfers to improve their livelihood.

Numbers of beneficiaries against various CT programme

PROGRAMME	LAIKIPIA EAST	LAIKIPIA WEST	LAIKIPA NORTH	TOTALS
OPCT	801	641	824	2266
PWSD-CT	260	264	102	626
CT-OVC	1162	1056	552	2770
TOTALS	2223	1961	1478	5662

Effective 2018 the Government did scale up to the cash transfer programme to all elderly persons at 70 years and above. It is expected that payments will take place by on or before Mid May 2018.

Expected Beneficiaries for the 70 and above programme (not yet validated)

PROGRAMME	LAIKIPIA EAST	LAIKIPIA WEST	LAIKIPA NORTH	TOTALS
OPCT	4342	6120	1150	11612

(NB the final list for enrolment to be released by social assistance unit)

This initiative will build on other cash transfer programmes and will ensure that the state progressively meet the rights of all Kenyans to social security as provided for in the constitution of Kenya Article 57 that recognizes the need to ensure and enhance older persons' participation in the development process and highlights the need to foster their personal development, dignity, respect and protection from abuse.

Impacts

- (a) Improved livelihood to the beneficiaries
- (b) Improved dignity and self-worth of the beneficiaries
- (c) Increased school enrolment and retention (presidential bursary)
- (d) Contributes to the economic growth and development within the community

Challenges

- (a) Exclusions of qualified beneficiaries
- (b) Distances to pay points
- (c) Inadequate staffing
- (d) Inadequate resources to run the programme i.e. finances
- (e) Transport; no GOK vehicles in the sub-counties
- (f) NHIF related complaints
- (g) Change management
 - Failure by caregivers to report the demise of the beneficiary
 - Failed Bios leading to accumulation of funds and subsequent exit from the payroll
 - Cards without funds
 - Exiting from the programme due to non-collection of funds
 - Double registration

4.0 OBSERVATIONS

Following the counties visits and the various interactive meetings, the Committee made the following observations:-

- a) That beneficiaries of the Social Assistance Fund under all the categories walk/travel long distances with some instances reporting to have covered more than 50km to receive the cash;
- b) That some of the payment service identification and payment cards issued to beneficiaries are not functional, this occasions delay in payment of the bimonthly stipend as stipulated in the Regulations;
- c) Authorized bank agents were reported as not being transparent in issuing cash to the beneficiaries upon withdrawal. Some agents were reported to issue less money and others charge high commission of up to Kshs. 1000;
- d) That unscrupulous officials turn away beneficiaries with the premise that they are not registered despite being enrolled and issued with the beneficiary card and;
- e) That there is persistent reported failure of the biometric identification process in identifying some of the beneficiaries. This has caused suffering and anguish to beneficiaries who content with traveling long distances hence frustrated society.

5.0 RECOMMENDATIONS

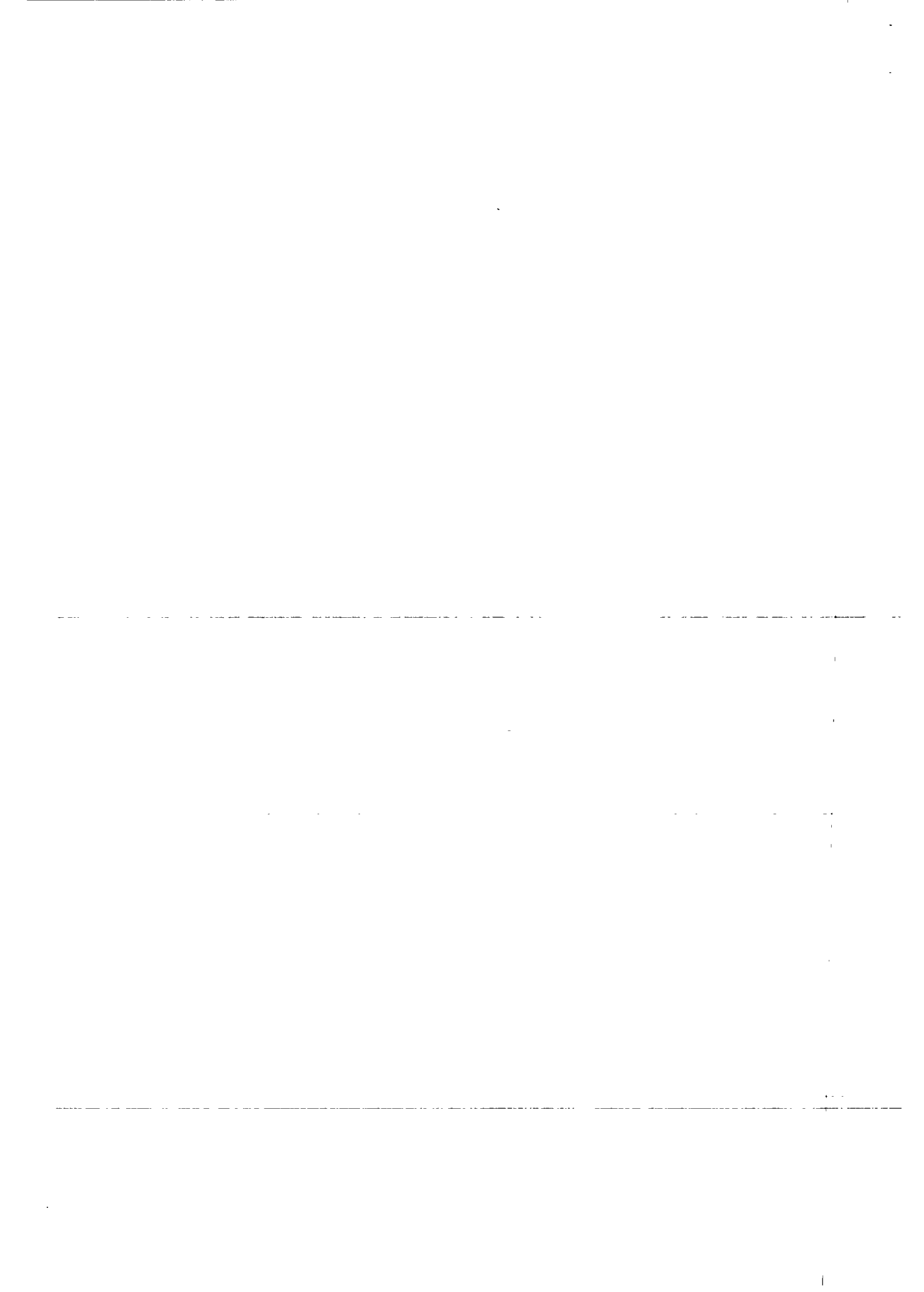
The Committee made the following recommendations based on the observations made above:-

- a) The Ministry of Ministry of Labour and Social Protection should review the Social Assistance Act, 2013 and put in place enabling regulations that guide the management of the Social Protection fund as envisaged in the Kenya National Social Protection Policy, 2011;
- b) That contracted Payment Service Providers (Banks and their agents) are obligated to implement the 6km radius policy on pay point location to prevent beneficiaries from walking/travelling long distances hence losing on earnings through theft and unnecessary costs;
- c) The contracted Payment Service Providers should develop an alternative mechanism of identification of beneficiaries to serve as a backup to the biometric process; this will enhance the process of identification and provide real-time monitoring of beneficiaries and the care –givers records;
- d) That to enhance livelihoods and better living standards of the eligible beneficiaries the Committee recommends that going forward there is need for Ministry of Labour and Social Protection to scale up the program through additional funding without increasing the capitation to individual beneficiaries;
- e) The Ministry of Labour and Social Protection should relook into the criteria of recruitment of beneficiaries for proper identification of deserving beneficiaries.
- f) The Ministry of Labour and Social Protection should initiate Monitoring and Evaluation and impact assessment process for proper management of the funds.
- g) The Ministry of Labour and Social Protection should ensure the immediate constitution and operationalization of grass root Committees such as Constituency Social Assistance Committee and the Beneficiary Welfare Committee.
- h) The Ministry of Labour and Social Protection should improve the capacity of its field offices both at the County and Sub County levels, in order to enhance the effectiveness of service delivery to the beneficiaries.

- i) The Ministry of Labour and Social Protection should delegate to the County offices minor amendments to beneficiary details that often cause delays in accessing the funds.**
- j) The Ministry of Labour and Social Protection should extended the payment window beyond the two weeks period as is currently practiced to at least one month to cater for arid and semi- arid areas with vast terrains.**

ANNEXURES.

1. MINUTES OF COMMITTEE PROCEEDINGS
2. A COPY OF THE PETITION
3. RESPONSE FROM THE MINISTRY OF LABOUR AND SOCIAL PROTECTION
4. ADOPTION SCHEDULE



MINUTES OF THE 39TH SITTING OF THE DEPARTMENTAL COMMITTEE ON
LABOUR AND SOCIAL WELFARE HELD ON TUESDAY 8TH MAY, 2018 AT 9.00AM
IN PIER CONFERENCE ROOM, ENGLISH POINT HOTEL, MOMBASA.

PRESENT

1. The Hon. Ali Wario, MP - Chairperson
2. The Hon. Ronald Kiprotich Tunoi, M.P
3. The Hon. James Onyango K'oyoo, MP
4. The Hon. Janet Nangabo, MP
5. The Hon. Rose Museo Mumo, MP
6. The Hon. Tom Mboya Odege, MP
7. The Hon. David Ole Sankok, MP
8. The Hon. Michael Mwangi Muchira, MP
9. The Hon. Fabian Kyule Muli, MP
10. The Hon. Charles Kanyi Njagua, MP
11. The Hon. Safia Sheikh Adan, MP

ABSENT WITH APOLOGY

1. The Hon. Joyce Korir, MP - Vice Chairperson
2. The Hon. Gladys Atieno Wanga, MP
3. The Hon. Abdi Mude Ibrahim, MP
4. The Hon. Janet Marania Teyiaa, MP
5. The Hon. Catherine Wambilianga, MP
6. The Hon. Wilson Sossion, MP
7. The Hon. Omboko Milemba, MP
8. The Hon. Alfred K. Keter, MP

IN ATTENDANCE

The National Assembly Secretariat

1. Mr Adan Gindicha -Clerk Assistant I
2. Mr. John Mugoma -Clerk Assistant III
3. Ms. Marlene Ayiro -Legal Counsel
4. Mr. Chelanga Rotich Maiyo -Research Officer
5. Mr. Nickson Kibet - Audio Officer
6. Ms. Sheila Chebotibin -Serjeant-at-arms
7. Ms. Noelle Chelagat -Media Relations Officer

AGENDA

1. Prayers
2. Confirmation of Minutes
3. Matters Arising
4. Consideration of the following reports;
 - i. Report from State Department for Social Protection on the MOU with banks on cash transfer programme
 - ii. Report on the Petition regarding the difficulties in implementation of the Social Protection cash transfer by Hon. Aloise Lentoimaga, M.P
5. Any Other Business
6. Date of the next Sitting

MIN.NO. DC/LSW/189/2018:- PRELIMINARIES

The Chairperson called the meeting to order at 9.26am and thereafter a prayer was said. The Chairperson then informed the Committee that the agenda of the meeting was to consider various reports before the Committee.

MIN.NO. DC/LSW/190/2018: ADOPTION OF THE AGENDA

The agenda of the meeting was adopted having been proposed by Hon. Michael Mwangi Muchira, M.P and seconded by Hon. Fabian Kyule Muli, M.P respectively.

MIN.NO. DC/LSW/191/2018: CONFIRMATION OF THE MINUTES FROM THE PREVIOUS SITTINGS

Minutes of the 26th, 27th, 28th 29th 30th sittings were read and confirmed as true record of the proceedings as shown below: -

- I. Minutes of the 26th sitting held on Friday 13th April, 2018 at 12.30pm were confirmed as a true record of deliberations having been proposed by Hon. Tom Mboya Odege, MP and seconded by Hon. David Ole Sankok, MP.
- II. Minutes of the 27th sitting held on Friday 13th April, 2018 at 2.00pm were confirmed as a true record of deliberations having been proposed by Hon. Ronald Kiprotich Tunoi, MP and seconded by Hon. Michael Mwangi Muchira, MP.
- III. Minutes of the 28th sitting held on Saturday 14th April, 2018 at 12.00Noon were confirmed as a true record of deliberations having been proposed by Hon. David Ole Sankok, MP and seconded by Hon. Tom Mboya Odege, MP.

- IV. Minutes of the 29th sitting held on Monday 16th April, 2018 at 10.00am were confirmed as a true record of deliberations having been proposed by Hon. Tom Mboya Odege, MP and seconded by Hon. Michael Mwangi Muchira, MP.
- V. Minutes of the 30th sitting held on Monday 16th April, 2018 at 10.00am were confirmed as a true record of deliberations having been proposed by Hon. Michael Mwangi Muchira, MP and seconded by Hon. David Ole Sankok, MP.

MIN.NO. DC/LSW/192/2018: MATTERS ARISING

Petition on the difficulties in Implementing Social

Members noted that during the field visits in Lakipia beneficiaries from rural areas were not invited to attend the meeting. It was resolved that in future; the Ministry should consider inviting beneficiaries from rural areas to public hearings especially on issues that affect them directly.

MIN.NO.DC/LSW/193/2018: REPORT FROM STATE DEPARTMENT FOR SOCIAL PROTECTION ON THE M.O.U WITH BANKS ON CASH TRANSFER PROGRAMME

The Committee was taken through the Memorandum of Understanding between the State Department for Social Protection and Service providers.

The Committee raised the following concerns:-

- i. The electronic system of money transfer could easily be manipulated hence the need for two factor authentication process;
- ii. The Ministry should consider using other systems of money transfer like Mpesa which could resolve the issue of zoning;
- iii. The contract was not clear on the number of beneficiaries per bank and the duration of the contract;
- iv. The contract didn't have remedy/fall back or action to be taken in case one of the contractor/bank failed to provide the services as per the contract;
- v. Biometric was a challenge to the old persons;
- vi. There were challenges in verifying and identify orphans and Vulnerable beneficiaries;
- vii. There was need for clear way of identifying and recruiting persons with severe disabilities;
- viii. The contract should have full proof mechanisms and aimed at service delivery where money is processed with a lot of ease;
- ix. Integrity of the officers should be upheld to ensure correct information was captured;
- x. Need for future plans in the contract to enable beneficiaries to get cash from all service providers (integrated system);

- xi. Local leaders should be used in identification of OVCs and PWDs;
- xii. Under categorization of payments, Members noted that fee charged by agents was higher than what was charged by ATMs.

MIN.NO.DC/LSW/194/2018: CONSIDERATION AND ADOPTION OF THE REPORT ON THE PETITION REGARDING THE DIFFICULTIES IN IMPLEMENTATION OF THE SOCIAL PROTECTION CASH TRANSFER BY HON. ALOISE LENTOIMAGA, M.P

The Committee deliberated on the report and adopted it with the following observations and recommendations;

Observations

- a) That beneficiaries of the Social Assistance Fund under all the categories travel long distances with some instances reporting to have covered more than 50km to receive the cash;
- b) That some of the payment service identification and payment cards issued to beneficiaries were not functional, this occasioned delays in payment of the bimonthly stipend as stipulated in the Regulations;
- c) Authorized bank agents were reported as not being transparent in issuing cash to the beneficiaries upon withdrawal. Some agents were reported to issue less money and others charge high commission of up to Ksh. 1000;
- d) That unscrupulous officials turned away beneficiaries with the premise that they were not registered despite being enrolled and issued with the beneficiary card and;
- e) That there was persistent reported failure of the biometric identification process in identifying some of the beneficiaries, this caused suffering and anguish to beneficiaries who content with traveling long distance hence frustrated society.

Recommendations

The Committee made the following recommendations:-

- a) The Social Assistance Act, 2013 should be reviewed and put in place enabling regulations that guide the management of the Social protection fund as envisaged in the Kenya National Social Protection Policy, 2011;
- b) That contracted Payment Service Providers (Banks and their agents) were obligated to implement the 6km radius policy on pay point location to prevent beneficiaries from walking/travelling long distances hence losing on earnings through theft and unnecessary costs;
- c) The contracted Payment Service Providers should develop an alternative mechanism of identification of beneficiaries to serve as a backup to the biometric process; this would

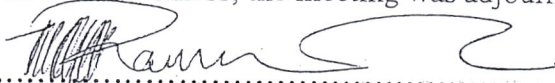
enhance the process of identification and provide real-time monitoring of beneficiaries and the care –givers records;

- d) That to enhance livelihoods and better living standards of the eligible beneficiaries the Committee recommended that going forward there was need to scale up the program through additional funding without increasing the capitation to individual beneficiaries;
- e) The criteria of recruitment of beneficiaries be relooked into for proper identification of deserving beneficiaries and;
- f) The Ministry should initiate M&E and impact assessment process for proper management of the funds.
- g) The Ministry should ensure the immediate constitution and operationalization of grass root Committees such as Constituency Social Assistance Committee and the Beneficiary Welfare Committee.
- h) In order to enhance the effectiveness of service delivery to the beneficiaries, the Ministry should improve the capacity of its field offices both at the County and Sub County levels.
- i) The Ministry should delegate to the County offices minor amendments to beneficiary details that often cause delays in accessing the funds.
- j) The payment window should be extended beyond the two week period to at least one month to cater for arid and semi- arid areas with vast terrains.

MIN.NO. DC/LSW/195/2018: ADJOURNMENT

There being no other business, the meeting was adjourned at 1.10pm

SIGNED:



The Hon. Ali Wario, M.P
(Chairperson)

DATE:

3rd July 2018

MINUTES OF THE 30TH SITTING OF THE DEPARTMENTAL COMMITTEE ON LABOUR AND SOCIAL WELFARE HELD ON MONDAY 16TH APRIL, 2018 AT 11.00AM AT LAIKIPIA COUNTY SOCIAL HALL.

PRESENT

1. **The Hon. Ali Wario, MP** - Chairperson
2. **The Hon. Joyce Korir, MP** - Vice Chairperson
3. The Hon. Janet Marania Teyiaa, MP
4. The Hon. Tom Odege, MP
5. The Hon James Onyango K'Oyoo, MP - Chairing
6. The Hon Ronald Tonui, MP
7. The Hon. Safia Sheikh Adan, MP
8. The Hon David Ole Sankok, MP
9. The Hon Michael Mwangi Muchira, MP

ABSENT WITH APOLOGY

1. The Hon. Gladys Atieno Wanga, MP
2. The Hon. Janet Nangabo, MP
3. The Hon. Rose Museo Mumo, MP
4. The Hon. Omboko Milemba, MP
5. The Hon. Catherine Wambilianga, MP
6. The Hon. Fabian Kyule Muli, MP
7. The Hon. Charles Kanyi Njagua, MP
8. The Hon. Wilson Sossion, MP
9. The Hon. Abdi Mude Ibrahim, MP

ABSENT

1. The Hon. Alfred K. Keter, MP

IN ATTENDANCE

National Assembly

Hon Mohammed Deddy, MP- Friend of the Committee

Hon Catherine Waruguru, MP- Friend of the Committee

The National Assembly Secretariat

1. Mr. Adan Gindicha First Clerk Assistant
2. Mr. John Mugoma Third Clerk Assistant
3. Mr. Said Osman Research Officer
4. Mr. Mohamed Said Sergeant At Arms
5. Ms. Noelle Chelagat Media Relations Officer

Officials from Laikipia County

1. Mr. Ezekiel Omwanda – Children Development Officer
2. Mr. Peter Kipyegon Kulei – Social Development Officer
3. Mr. Eliud Mwatha – Sub County Social Dvpt Officer
4. Mr. Samuel Waweru – SCCO, Children’s Dept
5. Mr. David Kanyi – SDO, Social Development
6. Mr. Benson Kinyua – Branch Manager, Equity
7. Mr. William Kabuga – Chief Officer, KCB
8. Mr. S.K Macharia - Community Educator
9. Mr. Nelson Mwaniki – Equity Bank
10. Mr. Parkolwa H. Mustafa – County Drought Coordinator
11. Mr. James Hinga – Branch Manager, Cooperative Bank
12. Mr. Clapperton Waruta – Branch Manager, Post Bank
13. Ms. Patricia Onyango – Marketing Manager, Post Bank
14. Mr. Joseph Lopeyok – Chief
15. Mr. Joseph Wanjau - Chief
16. Mr. David Murimo – Assistant Chief
17. Pst. John Mathenge - Chairman, CSAC
18. Ms. Helen W. Kurutu – Member, MYWO
19. Ms. Magdalene Wacheke - „
20. Rev. Jackson Muoka – Church Member
21. Ms. Alice Odhiambo – Teacher
22. Beneficiaries and Care Givers

AGENDA

1. Prayers
2. Preliminaries
 - i. Communication from the Chairperson
3. **Meeting with Social Protection Officers, Beneficiaries of Cash Transfer program and Service Providers in Laikipia County.**
4. Any Other Business
6. Date of the next Sitting

MIN.NO. DC/LSW/145/2018:- PRELIMINARIES

The Meeting was called to order at 11.30am followed ~~by around~~ of introductions. The Chairperson then welcomed all the witnesses to the meeting and informed them the main objective of the Committee visit.

MIN.NO.DC/LSW/146/2018: MEETING WITH SOCIAL PROTECTION OFFICERS, BENEFICIARIES OF CASH TRANSFER PROGRAM AND SERVICE PROVIDERS.

Submissions from the witnesses and beneficiaries:

- I. The beneficiaries thanked the Government for the cash transfer. However, they urged the Government to increase the cash from KShs. 2000 per month to KShs. 4000 and pay beneficiaries monthly instead of bimonthly.
- II. The beneficiaries with severe disabilities should be given priority to enable them live decent and dignified lives.
- III. The Government should address the issues of biometric failure and delays in payment to the elderly persons.
- IV. Majority of Chiefs don't report deaths of beneficiaries hence care givers benefit from the cash transfers despite the death of the substantive beneficiaries.
- V. Most beneficiaries face challenges including mix up in names, photos and failure by banks to load money in the cards.
- VI. Some orphans who attained eighteen years were still benefitting from the funds. After attaining eighteen years, they should be deregistered from OVC and considered in the affirmative action fund until such time they get employment or become self dependant.
- VII. Though the National Council for Persons with Disabilities pay school fees for some of the disabled students, the Government should also consider paying school fees for the severe disabled pupils and students in schools from the cash transfer.
- VIII. Many Kenyans with severe disabilities had not come out and register due to stigmatization. The Government should develop mechanisms and ways of reaching them.
- IX. Some of the social protection officers were facing administrative challenges hence not being able to effectively discharge their duties. Some officers use their salaries to run the offices and field work.
- X. Some agents withdraw from the service due to insecurity. The service providers were therefore unable to pay the beneficiaries at the nearest shopping centres.
- XI. All Banks will use biometrics however; the 70+ beneficiaries will use ATM cards and not biometrics due to nature of their fingerprints which a time fails to be recognized by the biometrics. Biometrics will only be used twice per year to ascertain whether the beneficiary was genuine or not.
- XII. The Constituencies Social Assistance Committee had not met for one year due to lack of funds to facilitate them.
- XIII. All beneficiaries will choose bank of their choice and that which is close to their place of residence.

Submissions from the service providers (KCB, EQUITY and the newly contracted banks – Cooperative Bank and Post Bank):

1. Kenya Commercial Bank

- i) The Bank has been providing the cash transfer services since 2015.
- ii) Payment is done by the bank agents who already in operation and offer other bank services.
- iii) The bank has over seventy (70) agents in Laikipia County however due to various challenges; there are only two (2) agents in Laikipia North Constituency.
- iv) The agents are well versed with the services and in some places they offer mobile money transfer services.
- v) The Bank advocated for both biometrics for both the beneficiaries and caregivers.
- vi) Updating beneficiaries records take a while due to failure in biometrics.

2. Equity Bank

- i) The bank has been offering the hunger safety net cash transfer services since 2008 in partnership with the Government and non Governmental Organizations.
- ii) The bank opens account for beneficiaries, give transaction cards and train them. Any Equity bank agent can give the cash transfer services to the beneficiaries. However, agents reported of malpractice are deregistered and withdrawn from the services.
- iii) Most nomads have satellite settlements hence making it difficult for the agents to reach them.

3. Cooperative Bank

- i) The Bank has five (5) agents in Laikipia North Constituency and one hundred and twenty (120) Cooperative Societies in Laikipia East and Laikipia North Constituencies which can be used for cash transfer services.
- ii) The Bank can use the bulk money transfer (Mco-op) or Mpesa though the main risk was the personal identification pin which when shared could lead to lose of money.

4. Post Bank

The Bank was in the process of recruiting new agents, identifying areas and locations that could be used as payment points and will use the same mode of payment used to pay pensioners.

Submissions from Local Administration (Chiefs)

- i) The cash transfer program was so beneficial to Kenyans that it has helped in eliminating poverty.

- ii) There are many vulnerable elderly persons who are between 65 to 69 years who should be considered and included in the cash transfer programmes.
- iii) The OVCs have not been up scaled in the last four years. The Government should consider up scaling and increasing the amount given to the beneficiaries.
- iv) Most agents didn't have capacity to offer the services due to lack of enough cash.
- v) The caretakers should be given grace period of six months to exit the programme after the death of a beneficiary to caution them against the expenses that they could have incurred.

Submissions by the County Woman Member of Parliament

The Hon. Member thanked the Committee for the initiative and follow up on the Cash transfer funds. The Hon. Member expressed his support for the programme and urged the Government to release money on time and consider paying them beneficiaries quarterly.

Way forward

Having listened to the beneficiaries, the service providers and Government Officials, the Committee undertook to finalize on the petition and present its findings to the House of Parliament for consideration.

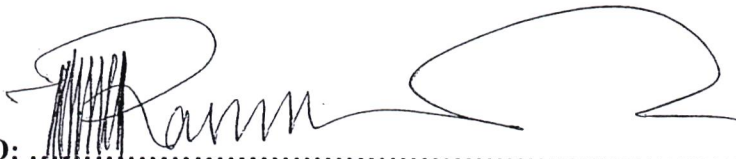
MIN.NO. DC/LSW/147/2018: ANY OTHER BUSINESS

No Any Other Business Arose.

MIN.NO. DC/LSW/148/2018: ADJOURNMENT

The Chairperson adjourned the meeting at 1.20pm.

SIGNED:

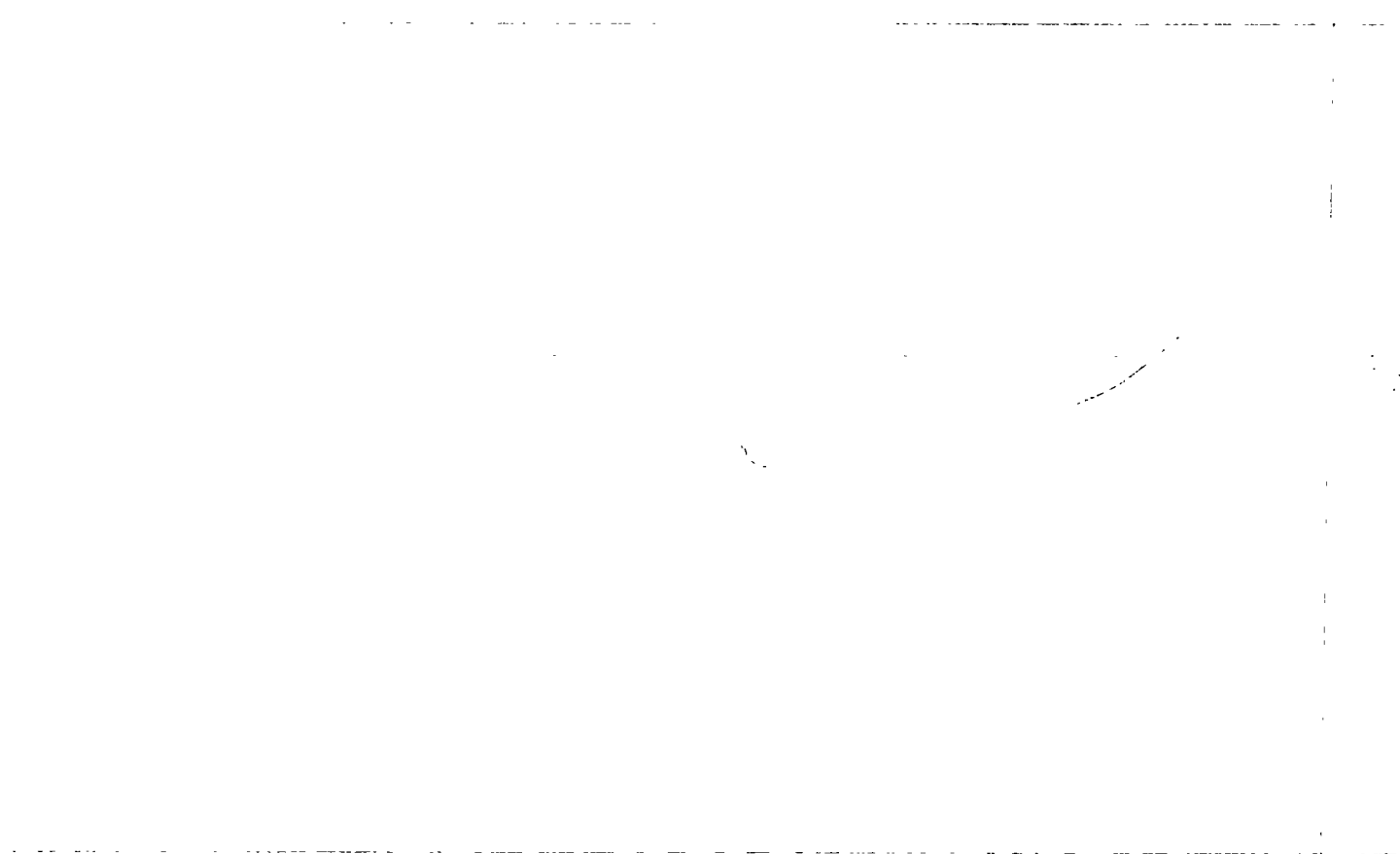


The Hon. Ali Wario, M.P
(Chairperson)

DATE:

8th May 2018

100



MINUTES OF THE 29TH SITTING OF THE DEPARTMENTAL COMMITTEE ON
LABOUR AND SOCIAL WELFARE HELD ON MONDAY 16TH APRIL, 2018 AT
10.00PM IN THE COUNTY COMMISSIONERS OFFICE, LAIKIPIA COUNTY.

PRESENT

1. The Hon. Ali Wario, MP - Chairperson
2. The Hon. Joyce Korir, MP - Vice Chairperson
3. The Hon. Janet Marania Teyiaa, MP
4. The Hon. Tom Odege, MP
5. The Hon James Onyango K'Oyoo, MP - Chairing
6. The Hon Ronald Tonui, MP
7. The Hon. Safia Sheikh Adan, MP
8. The Hon David Ole Sankok, MP
9. The Hon Michael Mwangi Muchira, MP

ABSENT WITH APOLOGY

1. The Hon. Gladys Atieno Wanga, MP
2. The Hon. Janet Nangabo, MP
3. The Hon. Rose Museo Mumo, MP
4. The Hon. Omboko Milemba, MP
5. The Hon. Catherine Wambilianga, MP
6. The Hon. Fabian Kyule Muli, MP
7. The Hon. Charles Kanyi Njagua, MP
8. The Hon. Wilson Sossion, MP
9. The Hon. Abdi Mude Ibrahim, MP

ABSENT

1. The Hon. Alfred K. Keter, MP

IN ATTENDANCE

National Assembly

1. Hon Mohammd Deddy, MP- Friend of the Committee
2. Hon Catherine Waruguru. MP- Friend of the Committee

The National Assembly Secretariat

1. Mr. Adan Gindicha First Clerk Assistant
2. Mr. John Mugoma Third Clerk Assistant
3. Mr. Said Osman Research Officer
4. Mr. Mohamed Said Sergeant At Arms
5. Ms. Noelle Chelagat Media Relations Officer

Officials from Laikipia County

1. Mr. Onesmus Musyoki Kyatha – County Commissioner
2. Mr. Benson M. Maweu - CAPS
3. Mr. Simon Kipkeu – County Police Commander
4. Mr. Ezekiel Omwanda – Children Development Officer
5. Mr. Peter Kipyegon Kulei – Social Development Officer
6. Mr. Eliud Mwatha – Sub County Social Dvpt Officer
7. Mr. Samuel Waweru – SCCO, Children's Dept
8. Mr. David Kanyi – SDO, Social Development

AGENDA

1. Prayers
2. Preliminaries
 - i. Communication from the Chairperson
3. Briefing by the County Commissioner and Social Protection Officers, Laikipia County.
4. Any Other Business
6. Date of the next Sitting

MIN.NO. DC/LSW/141/2018:- PRELIMINARIES

The Meeting was called to order at 10.00pm followed by introductions of those present. The Chairperson briefly highlighted the main objective of the Committee's visit and welcomed the County Commissioner to brief the Members.

MIN.NO.DC/LSW/142/2018: BRIEFING BY THE LAIKIPIA COUNTY COMMISSIONER AND SOCIAL PROTECTION OFFICERS.

The Laikipia County Commissioner welcomed the Committee to the County and briefed them on the following;

- I. Laikipia County has three Constituencies namely; Laikipia North, laikipia East and Laikipia West. It covers an area of 8,696.1 km² (3,357.6 sq m) and a population of approximately 400,000 people.
- II. The County neighbours pastoralist Counties hence facing acts of invasion especially during dry seasons. The Government should therefore curb the use of illegal firearms in the neighbouring Samburu County.
- III. Some residents from the neighbouring Counties seek Government Services in Laikipia County.
- IV. The State Department of Social Protection should relook into the mode of payment or better ways of facilitating the beneficiaries so as to minimize complains and acts of corruption.

- V. There was need for adequate resource allocation to the field officers to enhance monitoring and evaluation.

Submissions from the County Social Protection Officers

- I. The Cash Transfer programme was implemented in Laikipia County in 2009/10 financial year.
- II. Those enrolled receive a cash transfer of Kshs. 2000 per month however the payment is done bimonthly where the beneficiaries receive a stipend of Kshs. 4000 through identified service providers.
- III. The programme seeks to reduce vulnerability of beneficiaries by providing them with cash transfers to improve their livelihood.

Number of beneficiaries against various cash transfer programme

PROGRAMME	LAIKIPIA EAST	LAIKIPIA WEST	LAIKIPIA NORTH	TOTALS
OPCT	801	641	824	2266
PWSD-CT	260	264	102	626
CT-OVC	1162	1056	552	2770
TOTALS	2223	1961	1478	5662

- IV. Effective 2018, the Government did a scale up to the cash transfer programme to all elderly persons at 70 years and above. It was expected that payments would take place by mid May, 2018.

Expected beneficiaries for 70+ programme

PROGRAMME	LAIKIPIA EAST	LAIKIPIA WEST	LAIKIPIA NORTH	TOTALS
OPCT	4342	6120	1150	11612

- V. The initiative will build on other cash transfer programmes and ensure that the Government progressively meet the rights of all Kenyans to social security as provided for in the Constitution of Kenya Article 57 that recognizes the need to ensure and enhance older persons participation in the development process and highlights the need to foster their personal development, dignity respect and protection from abuse.
- VI. The cash transfer programme had positive impact to the beneficiaries which include; improved livelihood; improved dignity and self-worth; increased school enrolment and retention (presidential bursary); economic growth and development within the Community.
- VII. The programme was facing the following challenges:-
 - a) Exclusions of qualified beneficiaries
 - b) Distance to pay points

- c) Inadequate staffing
- d) Inadequate resources to run the programme e.g finances & transport
- e) NHIF related complaints
- f) Failure by caregivers to report the demise of the beneficiary
- g) Failed bios leading to accumulation of funds and subsequent exit from the payroll, cards without money
- h) Exiting from the programme due to non-collection of funds
- i) Double registration

The Committee was further informed that;

- a) Most banks agents were in urban centres but limited in rural settings forcing beneficiaries to travel for longer distances.
- b) The service providers were majorly affected by the nomadic nature of the beneficiaries and poor network coverage.
- c) After the payment cycle, money is remitted back to the Ministry.
- d) One beneficiary per house hold was a challenge to families with more than one disabled member.

RECOMMENDATIONS

The Committee recommended as follows:

1. Existing of beneficiaries from the programme should be done exhaustively to avoid incidences of beneficiaries being exited unknowingly
2. Money should be paid timely to improve on efficiency
3. Constituencies Social Assistance Committees should be adequately facilitated for easy sensitization. The Social Assistance officers should also work closely with the local administration for effective delivery of the services
4. For OVCs and disabled beneficiaries, the Government should consider looking at the individuals in each household as opposed to one beneficiary per household.

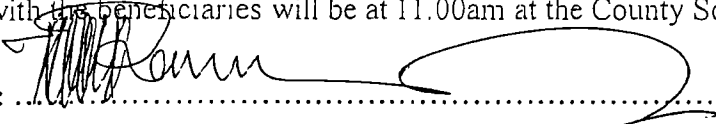
MIN.NO. DC/LSW/143/2018: ANY OTHER BUSINESS

No Any Other Business Arose.

MIN.NO. DC/LSW/144/2018: ADJOURNMENT

The Chairperson adjourned the meeting at 10.45am and informed the Hon. Members that the meeting with the beneficiaries will be at 11.00am at the County Social Hall.

SIGNED:



The Hon. Ali Wario, M.P
(Chairperson)

DATE: 8th May 2018



MINUTES OF THE 28TH SITTING OF THE DEPARTMENTAL COMMITTEE ON
LABOUR AND SOCIAL WELFARE HELD ON SATURDAY 14TH APRIL, 2018 AT 12.00
NOON AT MAIYAN HOTEL, NANYUKI COUNTY.

PRESENT

1. The Hon. Ali Wario, MP - Chairperson
2. The Hon. Joyce Korir, MP - Vice Chairperson
3. The Hon. Janet Marania Teyiaa, MP
4. The Hon. Tom Odege, MP
5. The Hon James Onyango K'Oyoo, MP
6. The Hon Ronald Tonui, MP
7. The Hon. Safia Sheikh Adan, MP
8. The Hon David Ole Sankok, MP
9. The Hon Michael Mwangi Muchira, MP

ABSENT WITH APOLOGY

1. The Hon. Gladys Atieno Wanga, MP
2. The Hon. Janet Nangabo, MP
3. The Hon. Rose Museo Mumo, MP
4. The Hon. Omboko Milemba, MP
5. The Hon. Catherine Wambilianga, MP
6. The Hon. Fabian Kyule Muli, MP
7. The Hon. Charles Kanyi Njagua, MP
8. The Hon. Wilson Sossion, MP
9. The Hon. Abdi Mude Ibrahim, MP

ABSENT

1. The Hon. Alfred K. Keter, MP

IN ATTENDANCE

The National Assembly Secretariat

1. Mr. Adan Gindicha First Clerk Assistant
2. Mr. John Mugoma Third Clerk Assistant

AGENDA

1. Prayers
2. Preliminaries
 - i. Communication from the Chairperson
3. Consideration of submissions by the Ministry, Petitioner, Service Providers and Beneficiaries
4. Any Other Business

MIN.NO. DC/LSW/137/2018:- PRELIMINARIES

The Chairperson called the meeting to order at 12.10pm followed by a word of prayer. The Chairperson then conveyed apologies from the National Youth Service from Kirimun Field Station and as such, the Committee shall consider submissions from the Ministry, petitioner, service providers and the beneficiaries regarding the Petition by Hon. Alois Lentoimaga, M.P on the cash transfer program.

MIN.NO.DC/LSW/138/2018: CONSIDERATION OF SUBMISSIONS BY THE MINISTRY, PETITIONER, SERVICE PROVIDERS AND BENEFICIARIES

The Hon. Members deliberated on the submissions before the Committee and made the following observations and resolutions;

- I. There were only two banks in Samburu County offering the cash transfer services to the beneficiaries and not four as stated by the Ministry of Labour and Social Protection;
- II. The Service providers should provide for an option of using the National Identification Card in case the biometrics fails;
- III. The Ministry should provide to the Committee the agreements between the Government and the service providers. This help the Committee to assess whether the terms and conditions agreed upon between the two parties were being adhered to or not;
- IV. The Government should address the issue of exchequer delays in advance so as to caution the beneficiaries;
- V. The Ministry should also provide to the Committee the list of beneficiaries and deregistered persons per County;
- VI. The network of the service providers in remote parts of the Country should be enhanced for easier and speedy processing of biometrics and cash to the beneficiaries;
- VII. The Constituencies Social Assistance Committees (CSAC) should be empowered financially for them to effectively carry out monitoring and evaluation on Social Assistance Programmes;
- VIII. In some Constituencies, Members of parliament were asked to contribute a certain percentage of money to aide in recruiting of the new beneficiaries despite the fact that the same had been provided for by the National Treasury.
- IX. The agents should reach the beneficiaries in their villages without charging them money. This could be achieved if the service providers could consider facilitating their agents with transport or distance allowance so that they can reach beneficiaries in their villages;
- X. The Government should consider carrying out the recruitment exercise twice per year;
- XI. The Social Assistance Act was not operational, there was urgent need for it to be amended and proper structure put in place for effective operationalization of the fund;
- XII. The document for Samburu County submitted by Ministry had majority of beneficiaries without identification numbers;

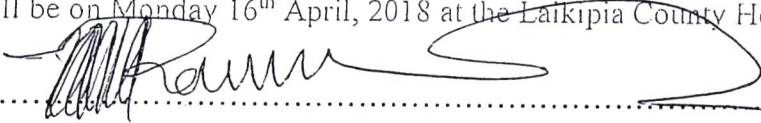
- XIII. The Chairperson of Constituency Social Assistance Committee should be approved by the Patron;
- XIV. The Committee should hold a deliberative meeting with the Chief Executive Officers of the two service providers (Kenya Commercial Bank and Equity Bank) on how to improve services to the beneficiaries;

MIN.NO. DC/LSW/139/2018: ANY OTHER BUSINESS

No Any Other Business Arose.

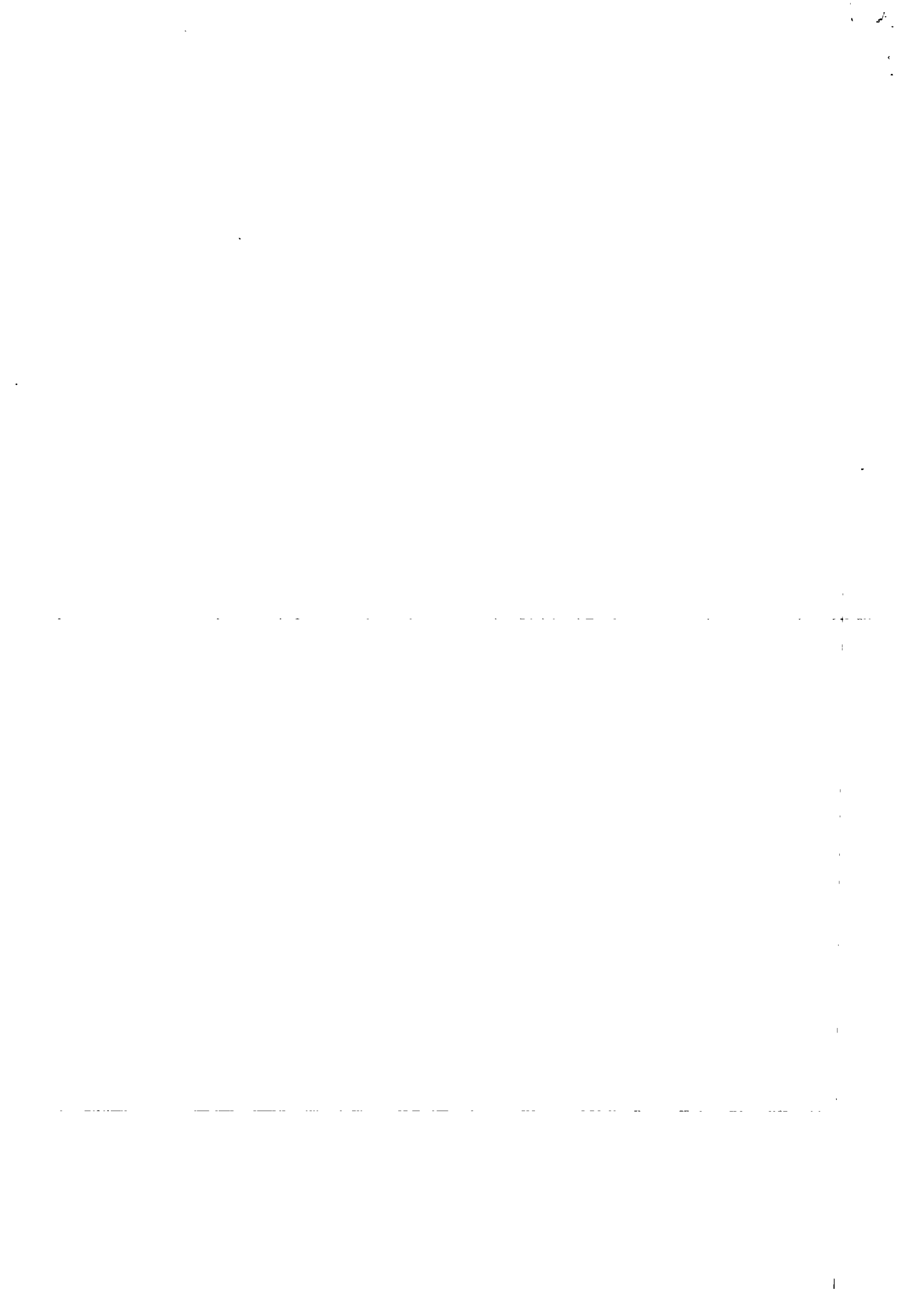
MIN.NO. DC/LSW/140/2018: ADJOURNMENT

The Chairperson adjourned the meeting at 1.20pm and informed the Hon. Members that the next meeting will be on Monday 16th April, 2018 at the Laikipia County Headquarters at 10am.

SIGNED: 

The Hon. Ali Wario, M.P
(Chairperson)

DATE: 8th May 2018



MINUTES OF THE 27TH SITTING OF THE DEPARTMENTAL COMMITTEE ON LABOUR AND SOCIAL WELFARE HELD ON FRIDAY 13TH APRIL, 2018 AT 2.00PM IN SEASONS HOTEL CONFERENCE ROOM, SAMBURU COUNTY.

PRESENT

1. The Hon. Ali Wario, MP - Chairperson
2. The Hon. Joyce Korir, MP - Vice Chairperson
3. The Hon. Janet Marania Teyiaa, MP
4. The Hon. Tom Odege, MP
5. The Hon James Onyango K'Oyoo, MP
6. The Hon Ronald Tonui, MP
7. The Hon. Safia Sheikh Adan, MP
8. The Hon David Ole Sankok, MP
9. The Hon Michael Mwangi Muchira, MP

10. Hon. Alois Lentoimaga, M.P - Petitioner

ABSENT WITH APOLOGY

1. The Hon. Gladys Atieno Wanga, MP
2. The Hon. Janet Nangabo, MP
3. The Hon. Rose Museo Mumo, MP
4. The Hon. Omboko Milemba, MP
5. The Hon. Catherine Wambilianga, MP
6. The Hon. Fabian Kyule Muli, MP
7. The Hon. Charles Kanyi Njagua, MP
8. The Hon. Wilson Sossion, MP
9. The Hon. Abdi Mude Ibrahim, MP

ABSENT

1. The Hon. Alfred K. Keter, MP

IN ATTENDANCE

The National Assembly Secretariat

1. Mr. Adan Gindicha First Clerk Assistant
2. Mr. John Mugoma Third Clerk Assistant
3. Mr. Said Osman Research Officer
4. Mr. Mohamed Said Sergeant At Arms
5. Ms. Noelle Chelagat Media Relations Officer

Officials from Samburu County

1. Mr. Charles Igiha – Deputy County Commissioner
2. Hon. Raisy Ahamed Letura – Member of County Assembly
3. Mr. Francis Kipngeno – Social Protection Officer
4. Mr. Justus Kasyoki – County Labour Officer
5. Ms. Jane Kabiro – County Children Coordinator
6. Mr. Essau Lenemira – CDF Chairperson, Samburu West
7. Joseph Ng'ang'a – Children's Officer
8. Mr. Wycliffe Wangure – Social Development Officer
9. Mr. James Lesuuda – Kenya Commercial Bank
10. Mr. Isaac Missoy – Supa Sacco
11. Ms. Monica Lenanyokie - Kenya Commercial Bank
12. Mr. Karuga Eliud - ”
13. Mr. Johnstone Kiriimi - ”
14. Ms. Emmah Kiruri - KCB Agent
15. Mr. George Lenaula - Post Bank
16. Mr. James Mwangi – Branch Manager, Equity Bank
17. Mr. Jacob Yator – Equity Bank
18. Cash Transfer Beneficiaries

AGENDA

1. Prayers
2. Preliminaries
 - i. Communication from the Chairperson
3. Meeting with Social Protection Officers, Beneficiaries of Cash Transfer program and Service Providers in Samburu County.
4. Any Other Business
6. Date of the next Sitting

MIN.NO. DC/LSW/133/2018:- PRELIMINARIES

The Meeting was called to order at 2.00pm followed by around of introductions. The Chairperson then welcomed all the witnesses to the meeting and informed them about the main purpose of the Committee visit which was a fact finding visit as a result of the petition by Hon. Alois Lentoimaga, M.P regarding the cash transfer in Samburu North Constituency.

MIN.NO.DC/LSW/134/2018: MEETING WITH SOCIAL PROTECTION OFFICERS, BENEFICIARIES OF CASH TRANSFER PROGRAM AND SERVICE PROVIDERS.

1. Submissions by the Area Member of Parliament, Hon. Alois Lentoimaga, M.P
The Hon. Alois Loteimaga, M.P informed the Committee that;
 - a) He conveyed apologies from other Members of Parliament from Samburu County

- b) That the cash transfer programme was facing challenges like delays in payments, beneficiaries were forced to walk for long distance of about 70 kms to the nearest agents to receive the money. Some elderly people died on their way to the paying centres due to exhaustion.
- c) Not all the beneficiaries who qualify for the funds were covered.
- d) In some instances, the biometric cards issued by banks were not working forcing the beneficiaries to wait for longer periods before receiving the cash.
- e) Some Kenya Commercial Bank Agents were asking for money from the beneficiaries before offering services to them.
- f) Beneficiaries households faced a number of service delivery challenges in accessing social security assistance/funds especially in registration process and disbursement of the funds;
- g) The programme elements were not being implemented in a timely manner and service delivery to the beneficiaries were inadequate;
- h) Delayed payments had negative impact on the wellbeing and livelihood strategies of beneficiaries, threatening their achievements, undermining social safety net functions;
- i) While the service level arrangement stipulated that beneficiaries would be served within 6km radius, some beneficiaries continued to travel inordinately long distance to pay points and were not compensated;
- j) The Ministry of Labour and Social Protection which is responsible for overseeing the implementation of the social assistance programme had failed and as a result, there was duplication of roles by various government agencies and non-governmental organizations;
- k) The amount disbursed to the vulnerable persons was inadequate to cater for their basic needs.

The Member of County Assembly who accompanied the Hon. Alois Lentoimaga, M.P submitted that;

- a) Kshs. 2000 was not enough for the elderly especially those who commute for more than 100kms, spend nights on the roads due to poor terrain and spend all the money on food and transport from their homes to agents and back home. The Government should consider increasing the amount to Kshs. 5000 per household
- b) Due to insecurity in the region, most agents don't keep enough money because of fear of attacks. This makes it difficult for most beneficiaries to get their money on time.
- c) There was need for more service providers and agents in the region so as to guard against sufferings that the beneficiaries undergo before they get cash.
- d) Some beneficiaries were removed from the system after they failed to collect their money for four months. Such policies should be revised.
- e) The Government should also consider using other means of payment like Mpesa.

ii. Submissions by Social Protection officers

The Officers gave the following submissions;

- a) To improve efficiency, the Government should decentralize the biometric registration systems. The System is centralized in Nairobi and therefore it makes it difficult for the officers in the Counties to replace lost card or correct biometrics data. Field Officers should be given access to MIA systems.
- b) More service providers should be contracted to provide cash transfer services to the beneficiaries. This will enable the beneficiaries to choose providers that are near then so as to avoid going for long distances to get the money.
- c) There was need for capacity building and financial literacy training to the officers and the beneficiaries.
- d) There was inadequate resources allocation for the field officers to fully carry out their mandate. This made it difficult for them to carry out monitoring and evaluation.
- e) The beneficiaries with sixty five years and above should be maintained especially in the pastoralists region.
- f) Some beneficiaries shared National Identification Cards thus making it difficult for them to benefit from the programme.
- g) Identification and registration period for the beneficiaries should be extended especially in pastoralists regions.

iii. Submissions by the Service Providers.

The following service providers gave their submissions as follows;

i. Kenya Commercial Bank

The Bank had challenges in getting enough agents with the capacity to offer the cash transfer services. Central Bank of Kenya takes two months to verify and approve agents. The bank had 10 agents in the entire Samburu County hence making it difficult to reach all the beneficiaries in the County.

There was also the network coverage hitch since the larger part of the County was not covered by the network hence slowing down the payment exercise.

The Banks don't charge the Beneficiaries any commission. The Commission is charged one off from the Ministry.

ii. Equity Bank

The bank was contracted to pay the OVC-T and it does the payments to the beneficiaries once the money is released by the Government.

All the beneficiaries have cards (pin and biometrics enabled) and payments made to the beneficiaries are account based.

The bank has thirteen agents in Samburu North Constituency and a total seventy agents in the entire County.

The service providers were facing various challenges in the process of delivering the services to the citizens. Some of the challenges faced by the service providers include;

- a) Failure in biometrics due to poor network coverage by mobile service providers
- b) Insecurity in the most parts of the County
- c) Validation of the data takes long
- d) Timelines given by the Government (two weeks) to make payments should be reviewed and extended to one month.

IV. Submissions by the Beneficiaries.

The representatives of the beneficiaries informed the Committee that;

- a) The beneficiaries expressed gratitude to the Government for the cash transfer programme however, they noted that there were delays in payments and therefore they should be paid monthly instead of bimonthly.
- b) The Government should consider increasing the amount from kshs. 2000 to kshs. 4000 or kshs. 5000 since the beneficiaries are the poorest in the society.
- c) Most beneficiaries were facing challenges in biometric identifications and lose of cards hence facing difficulties in receiving the money.
- d) Kenya Commercial Bank should consider other forms of identification other than the biometric only and increase the number of agents in the County

Committee Resolutions

After listening to the Social Protection Officers, the Petitioner, the Service providers and the witnesses, the Committee resolved that;

1. The Kenya Commercial Bank should consider recruiting more agents in the County so as to reach more beneficiaries who are in the remote areas of the County. Such move will guard against long distances covered by the beneficiaries.
2. The Government should build capacity for its officers in the Counties and develop proper channels of addressing grievances from the beneficiaries.
3. The Service providers should train the beneficiaries on financial literacy to curb against fund wasted.
4. Social Protection Officers should be well facilitated to enable them carry out their duties effectively. The officers should follow up with the beneficiaries who don't pick their allowances before the lapse of two weeks.
5. The State Department for Social Protection should avail to the Committee the Agreement between the Government and the two service providers.
6. The service providers should consider the option of using National Identification Cards in case biometrics fails.

7. Once money is deposited in the beneficiaries account, it should not be returned back to the Ministry.
8. The Government should target more beneficiaries before increasing the amount given to beneficiaries.

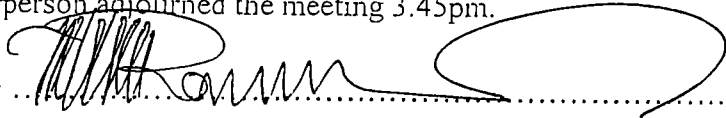
MIN.NO. DC/LSW/135/2018: ANY OTHER BUSINESS

No Any Other Business Arose.

MIN.NO. DC/LSW/136/2018: ADJOURNMENT

The Chairperson adjourned the meeting 3.45pm.

SIGNED:



The Hon. Ali Wario, M.P
(Chairperson)

DATE:

8 / 5 / 2018

MINUTES OF THE 26TH SITTING OF THE DEPARTMENTAL COMMITTEE
ON LABOUR AND SOCIAL WELFARE HELD ON FRIDAY 13TH APRIL, 2018
AT 12.30PM IN COUNTY COMMISSIONER'S OFFICE, SAMBURU COUNTY.

PRESENT

1. The Hon. Ali Wario, MP - Chairperson
2. The Hon. Joyce Korir, MP - Vice Chairperson
3. The Hon. Janet Marania Teyiaa, MP
4. The Hon. Tom Odege, MP
5. The Hon James Onyango K'Oyoo, MP
6. The Hon Ronald Tonui, MP
7. The Hon. Safia Sheikh Adan, MP
8. The Hon David Ole Sainkok, MP
9. The Hon Michael Mwangi Muchira, MP

10. Hon. Alois Lentoimaga, M.P - Petitioner

ABSENT WITH APOLOGY

1. The Hon. Gladys Atieno Wanga, MP
2. The Hon. Janet Nangabo, MP
3. The Hon. Rose Museo Mumo, MP
4. The Hon. Omboko Milemba, MP
5. The Hon. Catherine Wambilianga, MP
6. The Hon. Fabian Kyule Muli, MP
7. The Hon. Charles Kanyi Njagua, MP
8. The Hon. Wilson Sossion, MP
9. The Hon. Abdi Mude Ibrahim, MP

ABSENT

1. The Hon. Alfred K. Keter, MP

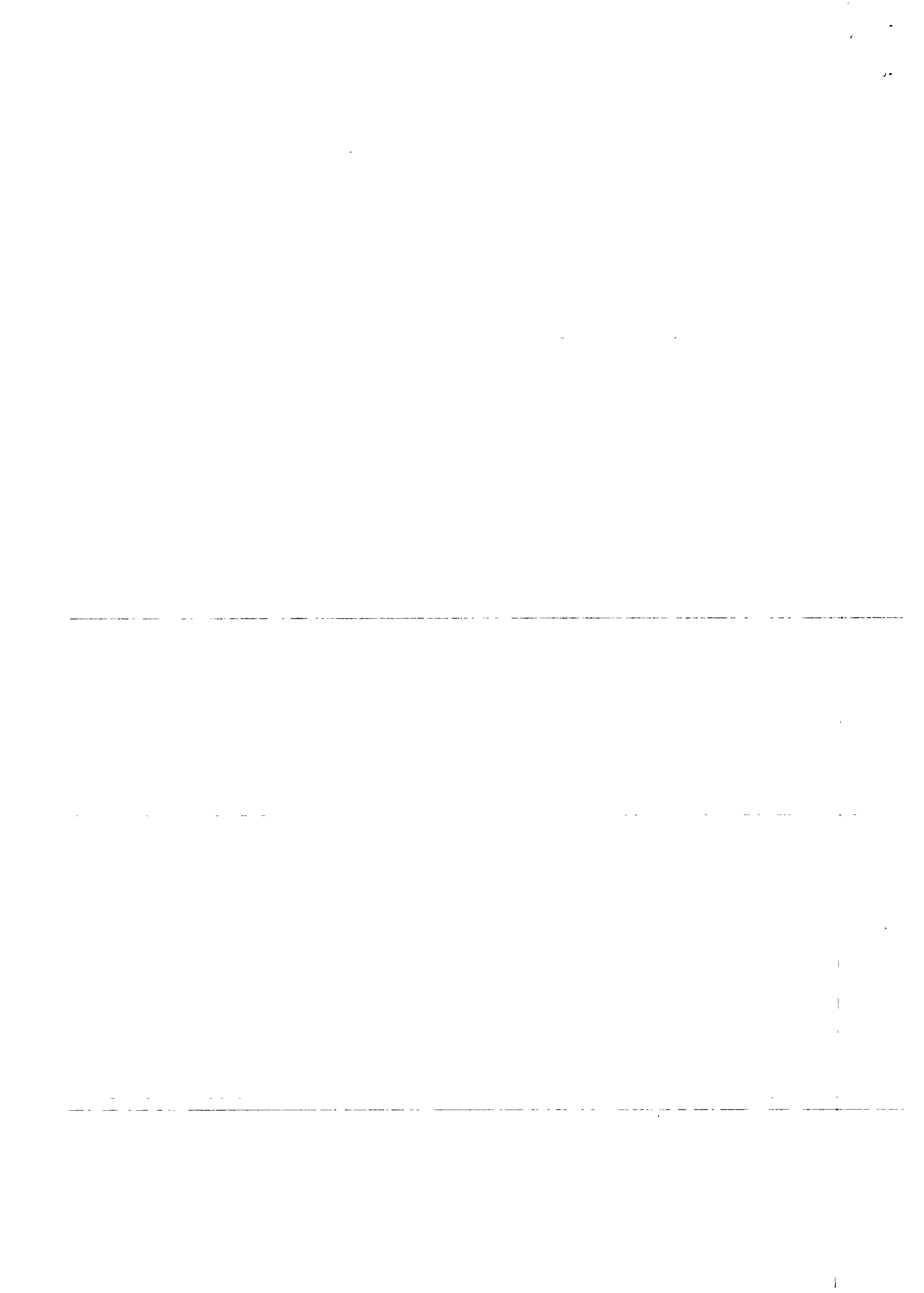
IN ATTENDANCE

The National Assembly Secretariat

1. Mr. Adan Gindicha First Clerk Assistant
2. Mr. John Mugoma Third Clerk Assistant
3. Mr. Said Osman Research Officer
4. Mr. Mohamed Said Sergeant At Arms
5. Ms. Noelle Chelagat Media Relations Officer

Officials from Samburu County

1. Mr. Charles Igiha - Deputy County Commissioner
2. Hon. Raisy Ahamed Letura - Member of County Assembly



- | | |
|-------------------------|---------------------------------|
| 3. Mr. Francis Kipngeno | – Social Protection Officer |
| 4. Mr. Justus Kasyoki | – County Labour Officer |
| 5. Ms. Jane Kabiro | – County Children Coordinator |
| 6. Mr. Essau Lenemira | – CDF Chairperson, Samburu West |
| 7. Joseph Ng'ang'a | – Children's Officer |
| 8. Mr. Wycliffe Wangure | – Social Development Officer |

AGENDA

1. Prayers
2. Preliminaries
 - i. Communication from the Chairperson
3. Briefing by the County Commissioner and Social Protection Officers
4. Any Other Business
6. Date of the next Sitting

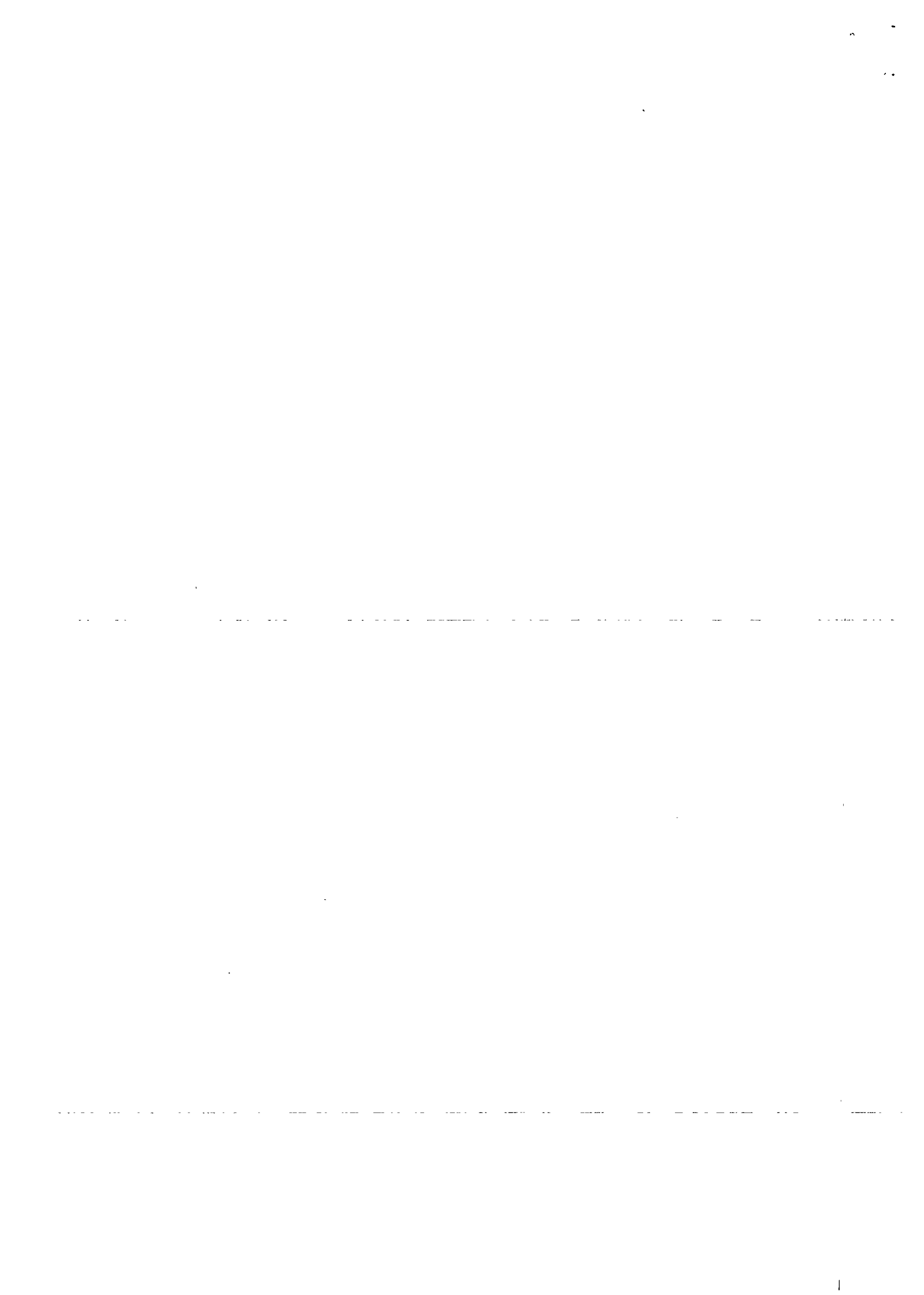
MIN.NO. DC/LSW/129/2018:- PRELIMINARIES

The Meeting was called to order at 12.30pm followed by introductions. The County Commissioner of Samburu then welcomed the Committee to the briefing session.

MIN.NO.DC/LSW/130/2018: BRIEFING BY THE SAMBURU COUNTY COMMISSIONER AND SOCIAL PROTECTION OFFICERS.

The Committee was briefed on the following;

- I. Samburu is a vast County covering an area of approximately 21,000 km². The county has three constituencies: Samburu East, Samburu West and Samburu North Constituencies.
- II. There were two service providers in Samburu County; Kenya Commercial Bank and Equity Bank.
- III. That the beneficiaries and service providers were faced with the following challenges;
 - a) The Vast and rugged terrain made it impossible for the beneficiaries to reach service providers especially those beneficiaries in the remote parts of the County. Some beneficiaries died on their way to the bank agents.
 - b) Limited service providers and bad network coverage made it difficult for the service providers to efficiently carry out the exercise.
 - c) Most agents could not operate with large amount of cash due to insecurity in the most parts of the County. This contributed to delays in payments.
 - d) Some of the agents were not reliable hence soliciting for kickbacks before offering services to the beneficiaries.



- e) Failure of biometrics especially with the Kenya Commercial Bank. This made it difficult for older persons whose fingerprints were worn out to access their money.
- IV. There were requests that the Government should consider increasing the amount given to the elderly from kshs. 2000 to kshs. 4000.

RECOMMENDATIONS

The Stakeholders recommended the following;

- I. The Government should improve the security and infrastructure of the County (roads and network) to enable efficient provision of services.
- II. The State Department for Social Protection should consider introducing other modes of payment e.g Mpesa as it has proved effective with other programs carried out by Red Cross.
- III. In order to streamline the sector and reach more beneficiaries during payment period, more service providers (Banks) should be brought on board.
- IV. Kenya Commercial Bank should consider going Equity way by providing Card and Account based options instead of card based only.
- V. The agreements between the government and the service providers and that between service providers and agents should be relooked into and renegotiated afresh.
- VI. Beneficiaries to liaise with local administration in identifying trusted care givers
- VII. Constituencies Social Assistance Committees to be operationalized to enable them carry out their mandate effectively.
- VIII. The Government should put in place enabling structures for efficient service delivery.

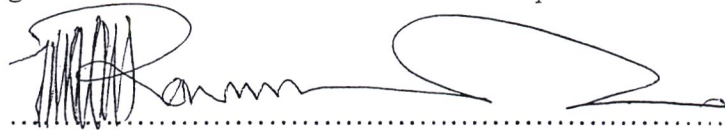
MIN.NO. DC/LSW/131/2018: ANY OTHER BUSINESS

No Any Other Business Arose.

MIN.NO. DC/LSW/132/2018: ADJOURNMENT

The Chairperson adjourned the meeting at 1.30pm and informed the Hon. Members that the meeting with the beneficiaries will be at 2.00pm at the Seasons Hotel Conference room.

SIGNED:



The Hon. Ali Wario, M.P

(Chairperson)

DATE:

8th May 2018

MINUTES OF THE 23RD SITTING OF THE DEPARTMENTAL COMMITTEE ON
LABOUR AND SOCIAL WELFARE HELD ON SATURDAY 24TH MARCH, 2018 AT
2.00PM AT KWALE SOCIAL SERVICES OFFICES.

PRESENT

1. **The Hon. Ali Wario, MP** - Chairperson
2. The Hon. Ronald Kiprotich Tunoi, MP
3. The Hon. Janet Nangabo, MP
4. The Hon. James Onyango K'oyoo, MP
5. The Hon. Rose Museo Mumo, MP
6. The Hon. Omboko Milemba, MP
7. The Hon. Michael Mwangi Muchira, MP
8. The Hon. Safia Sheikh Adan, MP
9. The Hon. Abdi Mude Ibrahim, MP
10. The Hon. Tom Mboya Odege, MP
11. The Hon. Fabian Kyule Muli, MP
12. The Hon. David Ole Sankok, MP
13. The Hon. Catherine Wambilianga, MP
14. The Hon. Charles Kanyi Njagua, MP

ABSENT WITH APOLOGY

1. **The Hon. Joyce Korir, MP** - Vice Chairperson
2. The Hon. Gladys Atieno Wanga, MP
3. The Hon. Janet Maranja Teyiaa, MP
4. The Hon. Wilson Sossion, MP

ABSENT

1. The Hon. Alfred K. Keter, MP

IN ATTENDANCE

The National Assembly Secretariat:

1. Mr. Adan Sora Gindicha -First Clerk Assistant
2. Mr. John Mugoma -Clerk Assistant III
3. Mr. Sydney Bwire -Legal Counsel
4. Mr. Said Osman -Research Officer
5. Mr. Ian Otieno - Audio Officer
6. Mr. Onesmus Kiragu -Serjeant-At-Arms

AGENDA

1. Preliminaries
 - i. Prayers
 - ii. Communication from the Chairperson
2. Meeting with the Government Officials and Beneficiaries of Cash Transfer program
3. Date of the next Sitting

MIN.NO. DC/LSW/114/2018:- PRELIMINARIES

The Meeting was called to order at 2.20pm followed by around of introductions. The Deputy County Commissioner of Kwale County then welcomed the Committee and officials from the Ministry to meeting.

MIN.NO.DC/LSW/115/2018: SUBMISSIONS BY SOCIAL PTOTECTION OFFICIALS, KWALE COUNTY.

The Officers informed the Committee that;

1. The cash transfer program has benefitted a lot of Kwale residents despite the challenges they were facing.
2. The total beneficiaries in Kwale County were 25,380 persons.
3. The following were emerging issues/challenges:-
 - i. The payment of consolidated cash transfer was previously done through the Postal Corporation of Kenya which was then changed to Equity Bank and Kenya Commercial Bank. The aim was to make sure that beneficiaries were paid within a radius of 6KM. This was not fully realized due to inadequate capacity of service providers. The Ministry was in the process of recruiting more service providers to fill the gap.
 - ii. Majority of the needy and vulnerable groups of PWSD had not been reached. There was need to enhance the number of OVC as their number keeps increasing every day.
 - iii. There was need for timely facilitation to the implementing departments at the County & Sub-County levels for M&E and change in Management.
 - iv. Exchequer delays and lack of A.I.E to operate with the County.
4. The Government should consider recruiting more agents in Kwale County.
5. By October 2018, all beneficiaries will have bank accounts and will be able to withdraw the cash at their will.

MIN.NO.DC/LSW/116/2018: SUBMISSIONS BY BENEFICIARIES OF CASH TRANSFER.

The representatives of the beneficiaries of the cash transfer informed the Committee that;

- i. The cash was beneficial to the beneficiaries. However, the Government should consider increasing the amount given to each beneficiary from Kshs. 2,000 per month to Kshs. 4,000 per month.
- ii. The Government should consider implementing the 6KM radius policy to guard against the beneficiaries walking/travelling long distance to get/receive the cash.
- iii. There was mix up in the names of the beneficiaries. The Government should consider cleaning up the register of the beneficiaries and enhance their biometrics.
- iv. Some cards were not functional and the Government should consider other options of transferring the cash to beneficiaries.
- v. The Government should consider enrolling single Mothers to the cash transfer program.
- vi. There were delays in releasing the funds to the beneficiaries.
- vii. The agents were not in transparent in issuing cash to the beneficiaries. Some agents issue less money to the beneficiaries.

Way forward

The Chief Administrative Officer undertook to address the issue of Bank Agents and add more agents per required radius. He further urged the officers to develop proper communication channel between the agents and the beneficiaries.

MIN.NO. DC/LSW/117/2018: ADJOURNMENT

There being no any other business, the Chairperson adjourned the Sitting at 3.50pm.

SIGNED:



The Hon. Ali Wario, M.P
(Chairperson)

DATE:

10/4/2018



Approved
SNA
20/2/18

REPUBLIC OF KENYA



09

M-squ...
10 12 4
2018
ad/41

THE NATIONAL ASSEMBLY
TWELFTH PARLIAMENT
(SECOND SESSION)

PUBLIC PETITION

(No.002 of 2018)

BY RESIDENTS OF SAMBURU NORTH CONSTITUENCY REGARDING
CHALLENGES IN IMPLEMENTATION OF THE SOCIAL ASSISTANCE
PROGRAMME

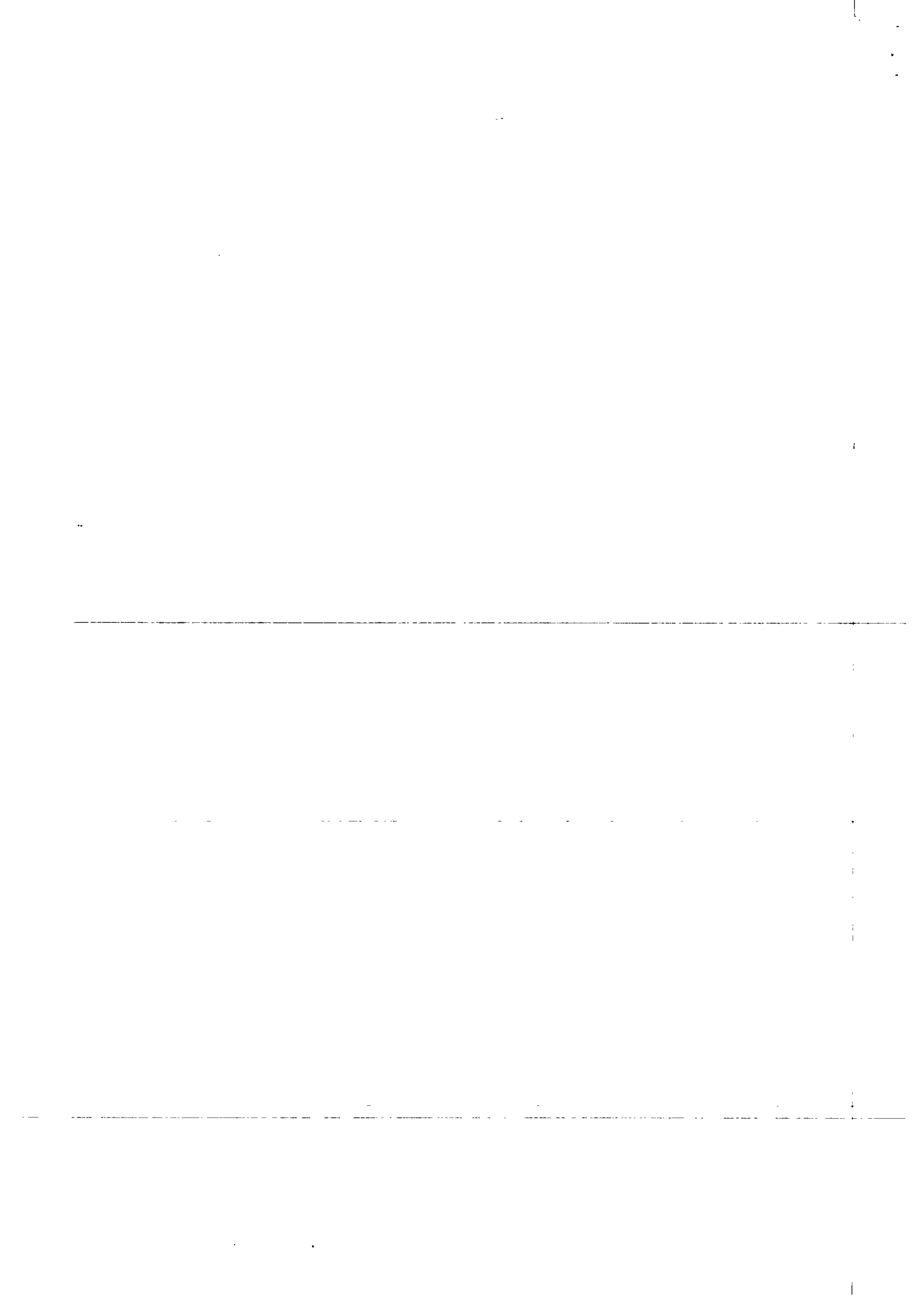
I, the UNDERSIGNED, on behalf of residents of Samburu North Constituency,

DRAW the attention of the House to the following: -

- i. THAT, Article 43 (e) of the Constitution provides that every person has the right to social security;
- ii. THAT, Article 21 of the Constitution on implementation of rights and fundamental freedoms provides that the State shall take legislative, policy and other measures, including the setting of standards, to achieve the progressive realization of the rights guaranteed under Article 43;
- iii. THAT, the Social Assistance Act, the National Social Security Fund Act, the Pension Act, the Retirement Benefits Act and National Hospital Insurance Fund Act are in place and endeavors to deal with social assistance to the community;
- iv. THAT, beneficiaries households face a number of service delivery challenges in accessing social security assistance/funds especially in registration process and disbursement of the funds;
- v. THAT, the programme elements are not being implemented in a timely manner and service delivery to beneficiaries are inadequate;
- vi. THAT, delayed payments have negative impact on the wellbeing and livelihood strategies of beneficiaries, threatening their achievements, undermining social safety net functions;

RECEIVED
NATIONAL ASSEMBLY
20/2/18

Bank



PUBLIC PETITION
BY RESIDENTS OF SAMBURU NORTH CONSTITUENCY REGARDING
CHALLENGES IN IMPLEMENTATION OF THE SOCIAL ASSISTANCE
PROGRAMME

- vii. THAT, while the service level agreement stipulates that beneficiaries should be served within 6km radius, some beneficiaries continue to travel inordinately long distance to pay points and are not compensated;
- viii. THAT, the Ministry of Labour and Social Protection which is responsible for overseeing the implementation of the social assistance programme has failed and as a result, there is duplication of roles by various government agencies and non-governmental organisations;
- ix. NOTING THAT, the amount disbursed to these vulnerable person is inadequate to cater for the basic need; and
- x. THAT, the issues in respect of which this Petition is made are not pending before any court of law, constitutional or legal body

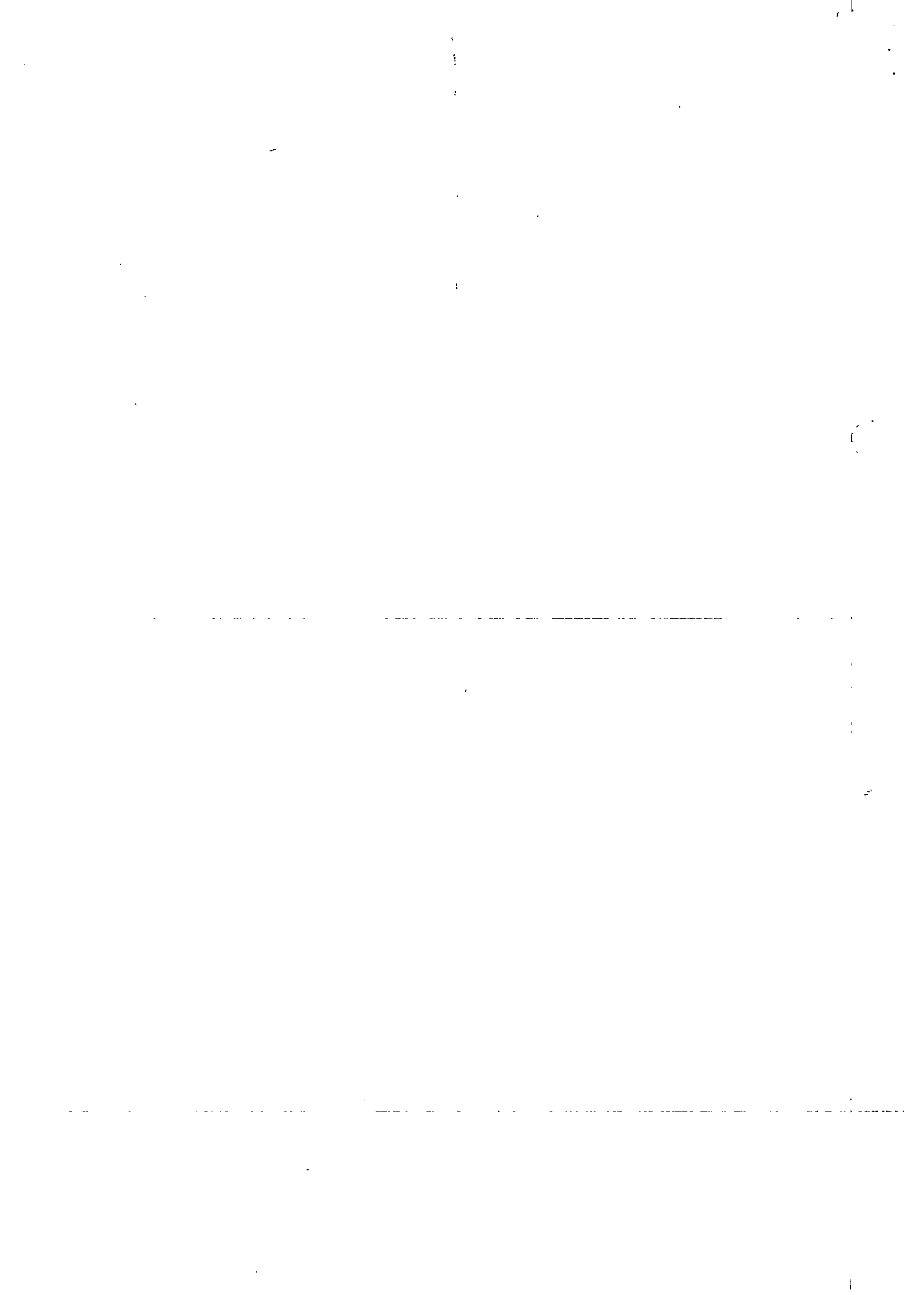
THEREFORE, your humble petitioners pray that the National Assembly, through the Departmental Committee on Labour and Social Welfare:-

- (i) Recommends that the Ministry of Labour and Social Protection put in place measures to address the challenges experienced in disbursement of the social security assistance funds;
- (ii) Recommend an increment in social assistance disbursed to the vulnerable members of the society;
- (iii) Recommend for continuous engagement between county/sub county levels and locational levels to identify changes required; and
- (iv) Makes any other order or direction that it deems fit in the circumstances of the matter.

And your PETITIONERS will ever pray.


HON. ALOIS M. LENTOIMAGA, MP
MEMBER FOR SAMBURU NORTH CONSTITUENCY

DATE:.....





MINISTRY OF LABOUR & SOCIAL PROTECTION

**STATE DEPARTMENT FOR SOCIAL PROTECTION, PENSIONS AND SENIOR
CITIZENS AFFAIRS**

**RESPONSE TO PUBLIC PETITION NO. 002 OF 2018 BY RESIDENTS OF
SAMBURU NORTH CONSTITUENCY REGARDING CHALLENGES IN
IMPLEMENTATION OF THE SOCIAL ASSISTANCE PROGRAMME IN THE
CONSTITUENCY**

Pursuant to Article 19 of the Constitution and Standing Order 220 of the National Assembly Standing Orders, the Hon. Alois Lentoimaga, MP presented a Petition on behalf of residents of Samburu North Constituency petitioning the National Assembly on the challenges in the implementation of the Social Assistance Programme in the Constituency.

Among the issues raised in the Petition are the difficulties encountered by beneficiaries in the registration process and the disbursement of funds.

THE PETITION
(No. 002 of 2018)

**BY RESIDENTS OF SAMBURU NORTH CONSTITUENCY REGARDING
CHALLENGES IN IMPLEMENTATION OF THE SOCIAL ASSISTANCE
PROGRAMME**

The Hon. MP, on behalf of residents of Samburu North Constituency,

DRAW the attention of the House to the following:-

- i. **THAT**, Article 43 (e) of the Constitution provides that every person has the right to social security;
- ii. **THAT**, Article 21 of the Constitution on implementation of rights and fundamental freedoms provides that the State shall take legislative, policy and other measures, including the setting of standards, to achieve the progressive realization of the rights guaranteed under Article 43;
- iii. **THAT**, the Social Assistance Act, the National Social Security Fund Act, the Pension Act, the Retirements Benefits Act and National Hospital Insurance Fund Act are in place and endeavors to deal with social assistance to the community;
- iv. **THAT**, beneficiaries households face a number of service delivery challenges in accessing social security assistance/funds especially in registration process and disbursement of the funds;
- v. **THAT**, the programme elements are not being implemented in a timely manner and service delivery to beneficiaries are inadequate;
- vi. **THAT**, delayed payments have negative impact on the wellbeing and livelihood strategies of beneficiaries, threatening their achievements, undermining social safety net functions;
- vii. **THAT**, while the service level agreement stipulates that beneficiaries should be served within 6km radius, some beneficiaries continue to travel inordinately long distance to pay points and are not compensated;
- viii. **THAT**, the Ministry of Labour and Social Protection which is responsible for overseeing the implementation of the social assistance programme has failed and as a result, there is duplication of roles by various government agencies and non-governmental organizations;#
- ix. **NOTING THAT**, the amount disbursed to these vulnerable persons is inadequate to cater for the basic need; and
- x. **THAT**, the issues in respect of which this Petition is made are not pending before any court of law, constitutional or legal body

THEREFORE, the humble petitioners pray that the National Assembly, through the Department Committee on Labour and Social Welfare:-

- (i) Recommends that the Ministry of Labour and Social Protection put in place measures to address the challenges experienced in disbursement of the social security assistance funds;

- (ii) Recommend an increment in social assistance disbursed to the vulnerable members of the society;
- (iii) Recommend for continuous engagement between county/sub county levels and locational levels to identify changes required; and
- (iv) Makes any other order or direction that it deems fit in the circumstances of the matter.

RESPONSE TO THE PETITION

The petitioners pray that the National Assembly, through the Departmental Committee on Labour and Social Welfare: -

- (i) Recommends that the Ministry of Labour and Social Protection put in place measures to address the challenges experienced in disbursement of the social security assistance funds;**

Response: Hon. Chair, My Ministry is aware of the various challenges facing the disbursement of the Social Assistance Funds. Consequently, we have recently procured 4 Payment Service Providers (PSPs) namely Kenya Commercial Bank, Equity Bank Limited, Postbank and Cooperative Bank that have a nationwide branch network coupled with wide agency distribution. Previously, we had contracted only the first two PSPs (KCB and EBL).

Starting with the oncoming 70+, enhanced OPCT Programme, beneficiaries will be allowed to pick a bank of their choice with agents nearest to them. We have also moved from card to account based payment meaning that the beneficiaries will be able to withdraw portions of their stipends depending on their individual needs and will no longer have to withdraw all KShs.4,000/- entitlement per cycle at once.

The beneficiaries will also henceforth be allowed two 2 free withdrawals by the programme and can go to the agents at their convenience and not during the select 21 days as it was before.

For those who are infirm due to old age or disability and the children under 18 years, we encourage them to nominate trusted caregivers who can operate the accounts on their behalf.

Beneficiaries will also be exposed to Financial Literacy to enhance the impact of the stipend under the new contract with the four PSPs.

The new contract also allows for a more robust reconciliation and monitoring and evaluation platforms for the programme which enhances service delivery and transparency.

(ii) Recommend an increment in social assistance disbursed to the vulnerable members of the society;

Response: Hon. Chair, growth in funding of Social Assistance Programmes has been tremendous in the last 5 years rising from about Ksh.4b annually in 2003 to the current Ksh. 25b in the 2017/2018 Financial Year. The number of Kenyans accessing Social Assistance has also been increasing. We are presently having 710,000 beneficiaries and the number is set to rise to about 1,233,000 by the end of this Financial Year once the enhanced 70+ Cash Transfer to Older Persons is fully paid out.

It is also worth noting that the current transfer value is KShs.2,000 per month per beneficiary having steadily risen from KShs.500 per month in 2004.

While it is desirable to increase the amount disbursed to individual beneficiaries, its however more advisable in our view to increase the number of beneficiaries receiving the stipend from among the ever-growing numbers of deserving vulnerable members of our society who have not yet been reached due to resource constraints.

(iii) Recommend for continuous engagement between county/sub county levels and locational levels to identify changes required; and

Response: Hon. Chair, the Social Assistance Programme is managed by the Ministry's Officers at both the County and Sub-County Office levels. There is also the Constituency Social Assistance Committee (CSAC) in every constituency where the area MP is the Patron. This Committee oversees the implementation of the programme at Constituency level.

All the targeting, validation, monitoring and evaluation processes are done by Social Development and Children Officers at those levels with technical support and monitoring from the Headquarters. We also do involve external teams to conduct periodic reviews, evaluations and impact surveys in order to give the required independent findings that inform policy changes. Currently an independent assessment of program processes at county and sub county levels by Price Water House Coopers (PWC) is underway as is an end line survey of CT-OVC.

At the lower levels, we have constituted locational teams to assist in beneficiary identification before enrolling them into the programme.

Furthermore, the beneficiaries form their own Beneficiary Welfare Committees (BWCs) that pass valuable information on the welfare of fellow beneficiaries to the implementing officers for required action.

(iv) Makes any other order or direction that it deems fit in the circumstances of the matter.

Response: Hon. Chair, we as the Ministry responsible will constantly keep reviewing the operations and management of the Social Assistance Programme in an accountable and transparent manner in consultation with your committee and other stakeholders, partners and the general public. We shall remain sensitive to the needs and requirements of the vulnerable members of our society as well as emerging issues which impact on the programmes in either way and respond to them accordingly.

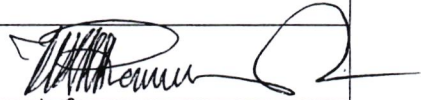
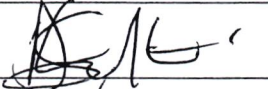



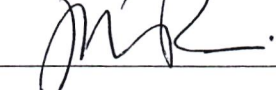

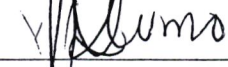
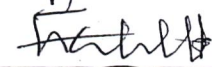

Hon. (Amb.) Ukur Yatani, CBS

CABINET SECRETARY

DATE: _____

ADOPTION OF THE REPORT OF THE DEPARTMENTAL COMMITTEE ON LABOUR AND SOCIAL WELFARE ON THE PETITION BY RESIDENTS OF SAMBURU NORTH ON THE DIFFICULTIES IN THE IMPLEMENTATION OF SOCIAL ASSISTANCE PROGRAMMES

We the Honourable Members of the Departmental Committee on Labour and Social Welfare today the 8th May, 2018 do hereby affix our signatures to this report:-

NO.	NAME OF MEMBER	SIGNATURE
1.	Hon. An. wario	
2.	Hon. David Ole Sankle	
3.	Hon. Janet Nangabo	
4.	Hon. RONALD TONU	
5.	HON. Tom m. Alego	
6.	Hon. James O. Koyro	
7.	HON. MICHAEL MUTHINA	
8.	Hon. Rose Nuseo Numa	
9.	Hon. Fabian K. muthi	
10.	Hon. Charles Kayi	
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		

(1)

(2)