



For County Governments in Kenya



PARTICIPATORY BUDGETING MANUAL

For County Governments in Kenya

July 2018

THIS DRAFT MANUAL HAS BEEN DEVELOPED
DRAWING FROM THE EXPERIENCES OF COUNTIES IN KENYA

This manual is part of the learning material developed by the Kenya Participatory Budgeting Initiative (KBPI) that is being implemented under the World Bank's Kenya Accountable Devolution Programme led by Helene Carlsson Rex. The manual has been developed to facilitate knowledge sharing and learning amongst practitioners involved in engaging citizens in planning, budgeting and budget execution processes primarily at the county level. The manual discusses the 10 steps of Participatory Budgeting (PB), drawing wherever possible on county examples to illustrate the practical application of the steps.

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1. BACKGROUND

The year 2017 signified a key milestone for Kenya. It marked five years, since March 2013, when the system of devolution of powers to County governments was adapted. County governments continue to roll-out decentralisation reforms to address multiple objectives: to reduce long-term disparities between regions; increase the responsiveness and accountability of government; give greater autonomy to different regions; reduce unequal access to basic services; and address key drivers of conflict.

One mechanism to support effective decentralisation is Participatory Budgeting (PB). Since October 2015, the World Bank has promoted PB in Kenya through the Kenya Accountable Devolution Programme. Pioneer counties that have taken up PB include; Makueni, West Pokot, Baringo, Kwale and Elgeyo Marakwet. Adoption of PB is set to expand to other counties in Kenya, and this manual is one of the tools to help in this process.

PB is a democratic innovation that emerged over 25 years ago in Brazil following the election of a democratic government. Since then, PB has spread, first into countries neighbouring Brazil, and now the practice has been adopted across the globe.

When it is well done, PB brings citizens closer to government, and enables government to be more responsive to the needs and aspirations of citizens. It supports other democratic processes without seeking to replace them. PB has been credited with meeting all the objectives listed above for Kenyan devolution.

Through PB it is common to see greater participation than would normally be expected from traditionally under-represented sections of a society. Within a well designed and implemented PB process, women, cultural or religious minorities, persons living with disabilities, the elderly and youth can participate effectively and should be encouraged to become involved.

There is no one model of PB that suits every situation. It operates on a few core principles, but it also varies in how it is expressed based on the unique local history, political culture and social context. That flexibility is one of its greatest strength. PB must always be contextualized and adapted to the specific needs and conditions in which it is happening.

Yet in this flexibility lies a danger that PB will become watered down, manipulated by powerful actors or be under resourced and thereby fail to realize its potential. For that reason, it is important to have a visible commitment from political leaders, from public servants and from citizens.

Building upon the lessons from counties that have adapted PB, this manual aims to support counties considering using PB, to improve their budgeting mechanisms. This manual offers a starting point, a foundation and a set of tools and resources. In other countries, similar manuals have been vital in ensuring high quality engagement with citizens is maintained, and that PB compliments and extends existing democratic processes.



2. WHAT IS PARTICIPATORY BUDGETING?

There is no one universally agreed-upon definition for PB. It is internationally recognized that PB is context specific. Every situation where PB occurs is unique, depending on the underlying institutional, cultural and political context. However, there are common definitions, such as:

“Participatory budgeting (PB) is a process through which citizens participate directly in budget formulation, decision-making and monitoring of budget execution. It creates a channel for citizens to give voice to their budget priorities.”¹

“PB directly involves local people in making decisions on the spending priorities for a defined public budget. This means engaging residents and community groups representative of all parts of the community to discuss spending priorities, make spending proposals and vote on them, as well as giving local people a role in the scrutiny and monitoring of the process.”²

Reflecting on the many experiences of PB around the world, in 2012 Tiago Peixoto, an international expert on participatory governance at the World Bank, identified seven defining characteristics of PB³:

1. Directing public budgets is the primary focus of the process;
2. Citizen participation has a direct and measurable impact on the budget;
3. Citizens can decide on the rules governing the process;
4. The process has a deliberative element;
5. The process seeks to redistribute resources based on greatest need;
6. The process is designed to ensure that citizens can monitor public spending;
7. The process is repeated periodically.

¹ See: https://saeguide.worldbank.org/sites/worldbank.org.saeguide/files/documents/4_Participatory%20Budgeting.pdf accessed September 2017

² See: http://ppiwi.org.uk/files/2017/08/PPIW-report_participatory-budgeting-evidence-review_-July-2017-FINAL.pdf Page 5, accessed September 2017

³ Adapted from: <https://democracyspot.net/2012/09/12/participatory-budgeting-seven-defining-characteristics/> accessed September 2017

Advocates for PB may stress some of these as more significant than others, or add different characteristics, such as: *"PB supports representative democracy"*, *"PB should be a new and distinct approach"*, or *"Citizens should be involved in setting budget priorities and identifying projects"*.⁴

As part of adopting PB within Kenyan counties, ideally there needs to be a locally agreed definition. One which respects the authority coming down from national legislation and responds to the expectations of citizens within the county. Through engagement with citizens and other stakeholders each county should reflect on and adopt its own position on what is, and what is not PB, and place PB within or alongside wider community engagement strategies and policies.

To allow for a democratic and participatory culture to flourish there must be a local co-creation of the rules around participation, the calendar of activities, the distribution of the budget based on need, and the geographic boundaries being used within the process.

⁴ See <https://pbnetwork.org.uk/values-principles-and-standards-for-participatory-budgeting/> accessed Sept 2017

3. WHY ADOPT A PARTICIPATORY BUDGETING APPROACH?

The German Participatory Budgeting Network⁵ offered reasons why local authorities might want to adopt PB. Despite a different context many are transferable, and we have adapted their list to relate more closely to the Kenyan context. Every county will be likely to have different perceptions of which are most important:

1. **Harmonisation of priorities:** When budgets are tight, public debate on the budget can foster consensus about what needs to be done.
2. **Integrating citizens' knowledge makes government more efficient:** The input shared by citizens can be used to improve use of scarce resources.
3. **Increasing problem-solving capabilities:** It is more likely for citizens, politicians and county staff to consider the interests of others. It is possible to reduce conflicts of interest.
4. **Greater cost awareness:** Discussing different expenditure options creates awareness among citizens about budget limitations, and the cost of various items.
5. **Mobilising citizen engagement:** PB leads to citizens identifying more strongly with their county. As they gain opportunities to shape budgets, citizens are also more willing to contribute their labour.
6. **Reducing political disenchantment and disillusionment with political parties:** Citizens preconceptions can be challenged. PB gives politicians an opportunity to become more familiar with citizens' interests, and develop personal contacts. Political disenchantment can be reduced.
7. **Fostering of democracy:** Citizens enter mutual dialogue with each other, and with their county. PB entails a learning process on how democratic institutions work and about democracy itself. Anyone wishing to achieve something must peacefully persuade others, and seek working majorities.
8. **Supporting modernisation within the administration:** The requirements imposed by PB supports and may expedite a greater customer focus; placing the citizen first. This can be supported through targeted human resource development within counties, specifically in the training of staff.
9. **Improved image of and trust in County Government:** PB creates opportunities for promoting the credibility and profile of County Government amongst citizens. A county can improve its image when creative forms of participation attract regional or country-wide attention. Media interest is greater when a broader public is involved.

⁵ The German Participatory Budgeting Network was launched in 2003, and is supported by Germany's Federal Agency for Civic Education. The network is a platform for information and exchange for German municipalities, civil society actors and researchers. See <http://www.buergerhaushalt.de/en/> accessed November 2017.

Risks exist, but they can be successfully managed. They include: -

- » Costs are too high in relation to the actual improvement in quality of investments;
- » Expectations are created among citizens that cannot be met;
- » Council members feel constrained in their role as the primary decision-makers.

Considering these and other risks and taking steps to overcome them is central to the PB design process, but not a reason to avoid implementing PB.

Hard evidence exists from independent academic studies, backed up by respected international bodies, that democratic participation has brought proven benefits of the types described above.⁶ Over time by adopting PB approaches we see improvements in the basic services enjoyed by citizens. PB fosters self-reliance and reduces inequality. These improvements have been seen in many contexts outside of Kenya, and early indications from county-led PB programmes in Kenya are similarly promising.

⁶ See <http://www.worldbank.org/en/news/feature/2012/09/10/participatory-budgeting-an-experience-in-good-governance> and <http://www.publicdeliberation.net/cgi/viewcontent.cgi?article=1236&context=jpd> accessed Sept 2017

4. SOME ESSENTIAL PRE-CONDITIONS FOR SUCCESS

It is not automatic that PB will bring benefits, a number of conditions must be met:

- a) **Sufficient time and resource for change to be demonstrated:** Reducing long term social inequality, alleviating poverty or raising basic standards of living takes time. A new investment may bring a short-term improvement to many or a long-term benefit to a few. That investment needs to be sustained and repeated, and be of sufficient scale to close the wide gap between the pressing need of the poor and the financial realities facing Kenyan counties. A budget allocation for PB is required. The budget should include both the investment that citizens will direct, and the resources to enable the process. This budget should be of sufficient scale and flexibility to allow citizens to see their participation has led to change.
- b) **Regular ongoing and committed involvement by the public:** Citizens, especially the most marginalised who face cultural, economic or other barriers hindering their participation, may not be easy to mobilise, nor do they have to participate. However, without wide involvement PB will not achieve transformative effects on economic and social inequality, nor gain legitimacy from having wide and inclusive participation as required by stakeholders more used to exercising their own direct power over public budgets. Therefore, citizens will need support and capacity building to enable their participation. More importantly they must see that their participation will lead to real and tangible improvements in their lives. With an added implication that their priorities must sometimes come first, even if it is not the immediate priority of public servants.
- c) **Institutional will:** Buy-in from senior finance managers and other county heads of service is an essential precursor to a successful PB process. Only they can release the staff needed to plan, deliver and evaluate PB, as well as make available the resource (also known as the participatory budget) for the public to decide upon. Whilst senior staff at county level may wish to empower citizens, their primary responsibility, and their training, is to direct public services. They will need to see evidence that PB is making the institution they lead more effective, more accountable and better able to meet current and future challenges.
- d) **Sufficient and sustained political will:** The primacy of the elected democratic representative, whether a Governor or other elected post holder, is enshrined in the Kenyan Constitution and in law. Their support is essential. Having their support makes it more likely PB will continue for long enough for the potential positive impact to show. This means that there needs to be a clear understanding among elected officials, at all levels, about how PB will create a stronger democracy, improve the conditions of the poor and their individual benefit because of increased trust in the County Government.

Notwithstanding the challenges laid out above, counties are not alone. There is significant national and international support available through donor and capacity building institutions, including the World Bank. There are strong levers within national government policies as outlined in Appendix 1 of this guide that facilitate and express that support.

However, the primary conditionality and drivers exists locally; in the counties and in communities that county staff and local politicians serve. Participatory democracy must be rooted in local processes, and within a commitment, by all Kenyan citizens, to a more local, open and effective democracy.

5. THE TEN STEP MODEL OF IMPLEMENTING PB

This guide employs a ten-step model⁷ that provides a framework through which counties can adapt their current budget consultation processes to make them more participatory and people-centred. The ten-step model is designed to help counties decide what needs to be done to effectively engage the public in decision making.

Following these ten steps should enable county staff charged with delivering PB to articulate and then begin the process. A starting point that allows for the continuous improvement of each step as counties implement and then incorporate the lessons learnt from the first cycles of their PB.

Since these guidelines are not *one size fit all*, no county PB design and implementation will be identical. A good design should respond to locally defined problems and processes of engagement. To ensure success, an interrogation of existing institutional structures and their efficacy should be undertaken before implementing the chosen PB design, and if necessary, consider appropriate institutional reform.

The ten steps are:

Box 1: 10 Step Model

- | | |
|--|---|
| Step 1: Choose the general strategy. | Step 6: Refine and publish the list of proposals. |
| Step 2: Prepare the organization model. | Step 7: Voting on which projects progress. |
| Step 3: Develop informational material and ways to mobilise citizens. | Step 8: Approve the participatory budget and sign off by the accountable body. |
| Step 4: Hold the first Public meetings. | Step 9: Creation of voluntary working groups on successful proposals. |
| Step 5: Carry out a technical analysis of proposals. | Step 10: Review what went well and make improvements to projects and process. |

During training provided by the World Bank, several County Governments have already had an opportunity of re-designing their public participation framework to be PB focused. The counties have used this ten step model to address the specific needs of their county on matters of public participation in planning and budgeting. Due to their differing context, funding and implementation mechanisms, the ten steps had to be interpreted and implemented differently within these counties.

This section (and Appendix 4) explores each step, and provides examples and practical suggestions from the experience of these counties of adopting Participatory Budgeting into their county budget engagement processes.

⁷ The 10-step model was developed by Prof. Giovanni Allegretti, leading international expert and trainer in Participatory Budgets. See <http://ces.uc.pt/en/ces/pessoas/investigadoras-es/giovanni-allegretti> accessed November 2017.





CHOOSE THE GENERAL STRATEGY

This first step helps to define the goals, values, and key elements of the future approach.

That is, where, with what financial or other commitment, and when the PB will be implemented.

To develop such a strategy an institution has first to analyse its current position, practices, any local successes and local challenges, against its intended goals.

Similarly, counties need to articulate how their current public participation frameworks and practices operate; and whether they have been effective in realizing the intended goals and objectives as set out in the Constitution of Kenya and devolution laws, as well as in county development plans and laws.

Tool 1a and 1b below provides key questions that counties should ask and answer to help to define the general strategy.

Analyse the current context

Tool 1a: Questions for analysing the current situation

- » Describe the current county public participation process?
- » What are its weaknesses? What are the strengths? How effective is it?
- » Are there particular opportunities or areas to focus our PB work upon?
- » What are these opportunities? What are the risks and threats?

Define the goals, objectives and underlying values for PB

After defining the current situation, the counties may then go on to define their goals, objectives and the underlying values for their PB process.

Tool 1b: Questions to ask in defining the Goals and Values

- » What are our goals of the participatory budgeting?
- » What are the specific objectives or guidelines that will be followed?
- » What underlying values or principles are going to be important and why?
- » How will we communicate these values?

During the initial PB design workshop in 2016, Makueni and West Pokot Counties developed their central goals, underlying values and a 'rallying call' that they could use to mobilise both internally (among staff and politicians) and externally (in communities).

See Example 1a and 1b in Appendix 4 of this guide for more information on how Makueni and West Pokot reviewed their current situation and defined the goals and values for their PB programmes.





PREPARE THE ORGANISATION MODEL

After analysing the county's current situation and defining the goals of their participatory budgeting, the second step of articulating the organisational model helps to define "how to get there".

Key issues that the county should consider, amongst many other possible considerations, include:

- » the percentage of budget set aside for PB (and for resourcing the delivery of PB);

BUDGETARY ALLOCATION TO CITIZENS' DECISION-MAKING					
Region	FY 2013/14	FY 2014/15	FY 2015/16	FY 2016/17	FY 2017/18
Makueni	558 million	558 million	618 million	823 million	1.38 billion
West Pokot	0.00	0.00	560 million	575 million	575 million
Baringo	450 million	582 million	637.5 million	712.5 million	750 million

- » the source of the PB fund (such as donors, equalization funds, ward allocations, etc.) and any rules that flow from those budgets;
- » the rules of engagement (such as who can participate and how);
- » the use of ICT (for instance, online engagement).





These are the aspects that differentiate one county's PB design from another.

Tool 2: Questions to ask while defining key elements of the PB organisational model

- » What needs to be changed to achieve the set goals?
- » How much and what type of resource will be allocated to the PB process and to projects?
- » What will be the decision-making process (to ensure that community decisions are upheld)?
- » Who will be facilitating the process? What do the facilitators require with regards to skills, resources, facilitation support and logistical arrangements?

Questions like these led Makueni and West Pokot county officials, to redefine their public participation by incorporating both new PB values and principles, and practical changes to current processes. Through a more transparent process they achieved both compromise and fairness in the allocation of the budget and improved the delivery of projects.

Distinct changes adopted by county governments were:

1. **Increasing opportunity for citizen participation.** By conducting more forums and going to lower administrative tiers they could reach more citizens. In Makueni, the public engagement forum included 3,455 village forums, followed by 315 village clusters, then 60 sub-Ward forums. The final shortlisting of proposals was made in 30 ward forums, which incorporated the feedback from all the previous forums.

In West Pokot, adopting a PB design process meant increasing the number of public meetings by having first level forums at a sub-locational level. This led to the increase of public forums to over 160 in the 2015/16 financial year, and over 200 in the 2016/17 financial year, compared to the 20 Ward level forums held in 2013/14 and 2014/15.

2. **A defined budget for ward level projects were set aside.** In both counties, the budget for PB ranged between 25% and 32% of the development budget. This has risen further in the recent past in Makueni.
3. **Priorities identified at a lower level, before being cascaded upward for a final decision at Ward level,** allowing for many different proposals to be known and determined by the public.
4. **Providing a platform for the participation of marginalised groups, such as youth or the disabled.** Makueni County introduced thematic meetings for different target groups, whose priorities were usually side-lined during the public participation process. Baringo County introduced sign-language interpretation during its budget hearing forums.

Examples 2 and 2b in appendix 4 articulate the organisational model and local factors that Makueni and West Pokot considered as part of planning their PB processes.

STEP 3

DEVELOP INFORMATIONAL MATERIAL AND MOBILISE CITIZENS



Information Sharing

Timely and easy to understand information is a prerequisite for effective public deliberations and decision making. County governments are required to make basic budget information accessible. Many have websites where budget documents are uploaded and are accessible, but some do not.

However, many if not most community members do not have internet access, and few will be experienced in reading financial data. It is important that information is made physically available at an identifiable and accessible place in the county and written using easy to understand language.

Tool 3a provides key questions that county officials need to consider when planning the information to provide before holding public meetings.

Tool 3a: Questions to ask with regards to Information Materials

- » What information is necessary for community based deliberation and decision making?
- » In what format should the information be prepared to ensure that citizens will understand it?
- » How can information be made accessible to the public in good time?
- » How can citizens be enabled to understand the information provided?
- » If there is need for civic education, by whom, when and how will this be done?

In most cases, PB deliberations require information on budget allocations, of projects implemented or ongoing, that is relevant for the specific area and provided to the public prior to their forums.

In addition, information based on the County Integrated Development Plans (CIDP) and Annual Development Plans (ADP) should be shared to enable citizens to make better decisions.

Care should be taken to avoid overloading citizens with information. Kwale County engaged community representatives from within the County Budget and Economic Forum (CBEF) in facilitating their public engagement. The CBEF members can often better understand the needs of the public and are able to interpret technical information in ways that can be understood by the public.

In other situations, information sharing and dissemination has been improved using graphics, including diagrams, cartoons and comics. These can often communicate complex ideas more easily than relying simply on text or number-based budget tables.



Mobilisation

Effective mobilisation of the public and stakeholders enables better deliberation and wider participation. Forums should be open to everyone interested to participate. Officials should ensure that those who are likely to be most affected by the decisions are well informed and encouraged to participate.

County governments have mostly defined the audiences and stakeholders for PB processes through mapping the communities along administrative and political boundaries (such as wards and sub-county), thereby identifying the wider stakeholders and community leaders representing various local interests. Mobilising through businesses, religious affiliations, civil society, self-help and welfare groups is important. Once audiences are defined, an appropriate methodology for notifying and mobilising them for the meeting should be used. Tool 3b will help with this: County governments following the public participation requirements in law usually announce

Tool 3b: Questions to ask with regards to the effective mobilisation of communities

- » Who are the communities that will be affected by the decisions/projects?
- » What is the best method for mobilising the target communities and stakeholders?
- » Who will be involved in mobilising for these communities?
- » What is the best venue and time to meet the target community?
- » How will you ensure a good intergenerational and gender representation?
- » How can those with special educational needs or with a physical disability participate?
- » What numbers do you expect to participate at meetings?

forums in the leading local daily newspapers. But that should not be the only channel of mobilisation as also presented in the County Government Act 2012 which behoves counties to utilize the form of media with widest public outreach in the county (Section 95).

Other important methods used for mobilising within PB include newer forms of mass communication. Consider the role of social media (such as WhatsApp and Facebook), of short messaging via SMS (to mobile phones) and using local radio stations. Some counties have in place or have access to SMS platforms through which they can send a message to tens of thousands of county residents, and if available these could be used within their PB process.

Mechanisms of mass mobilisation should be augmented with targeted invitations through letters, or announcements in religious institutions and through business associations. Leaders of social and business networks or of civil society groups can become key mobilisers on behalf of the county governments. Often the most effective mobilisation is through word of mouth. The use of local celebrities, youth leaders, arts and cultural organisations can all be considered.

Overtime, the county should develop a stakeholder directory and communications plan, updated on a regular basis.

Alongside direct and indirect communication, consider the use of individuals embedded within county structures. Such as ward (and village) administrators or Members of the County Assembly (MCAs). Officials of the National Governments under the County Commissioners such as Chiefs and Assistant Chiefs are also effective in mobilising communities for public participation.

Care should be taken to not over-rely on personalised or political mobilisation, as there may be a risk of politicising the forums, filling them with vested interests, or in other ways deterring the participation of marginalised or less confident citizens. Forums work best when everyone feels welcome.

Example 3 in appendix 4 expounds on how Makueni and West Pokot considered improving their channels for mobilising communities during the initial design workshops.



STEP 4

HOLD THE FIRST PUBLIC MEETING

Public forums are essential to support the identification of citizens' priorities and proposal of projects and counties should ensure the participation of as many people as possible. In the forum citizens see 'democracy in action'. As discussed in step 3, counties should make the process and venue easily accessible, by going to the people and removing barriers to participation. Don't ask them to come to you. Ensure you respect and respond to local people's culture, values and needs. Be flexible. A good democracy flows up from the people, and is not imposed from above, and change may take time.

For counties, the first forum to be held is generally the lowest level or most local meetings, which begins the process of the identification of problems and then prioritises possible solutions or projects, but does not necessarily make the final decision.



In the West Pokot case, the sub-location meetings (of which there were 160) in the first year of PB implementation are the first public forums where the public could identify and prioritise at least 3 projects⁸. This is followed by the Ward meetings, where the final decision making happens.

For Makueni they plan for several forums that would occur at these stages – village (3,455), village clusters (315), sub-Ward meetings (60) all occur within the stage of the first public meetings. The discussions emerging from these three levels are progressive but not final. The meeting held at the Ward level makes the final decisions.

Tool 4: Questions to ask during planning sessions to help ensure public forums are successful:

- » Are there both clear agendas and achievable objectives?
- » Where can we find well-trained moderators and facilitators?
- » What characteristics does a venue need to create a positive climate for engagement?
- » What facilitation resources do we already have, and are extra resources required?
- » How will we know we have achieved our intended outcomes?

Meetings can succeed or fail depending on the quality of the agenda, as well as the effectiveness of the facilitation. Broad objectives of the forums, defined earlier in steps 2 and 3, and included in the public notices, will need to be broken down to provide specific session objectives.

The duties on counties to ensure effective public participation include accessibility, and the provision of support for those facing barriers to participation. Further they should address how the meeting is going to be facilitated so every voice can be heard. Planning and using trusted facilitators is always important in PB processes.

Example 4 and 4b in appendix 4 detail the planning done by Makueni and West Pokot, as well as offering general guidance on running successful public meetings.

Example 4c is a description of a Participatory Budgeting Forum in Makindu Ward, Makueni, and 4d the formal notice used in Makueni to announce where and when public meetings would take place

⁸ In the financial year 2016/17, West Pokot held public forums in over 200 sub-locations.



CARRY OUT A TECHNICAL ANALYSIS OF PROPOSALS

All proposed projects will need to be evaluated to assess their feasibility and efficacy. The technical evaluation reports help citizens make wise decisions. Counties will need to define the nature and the extent of technical evaluation required. Sometimes projects cannot be implemented, for good technical reasons. For trust to be maintained citizens need to understand why this occurs.

In most cases, ward level projects proposed by communities are not complex. They may range from additional classrooms, to improved health facilities, or better roads. Technical evaluation simply requires verifying if the project is a responsibility of the county, the location proposed for the project, the right one, and an estimated cost of the project. Evaluations of more challenging projects, such as new water boreholes, are sometimes not easily understood by citizens, as they may require technical surveys and reports by water management experts to see if they are viable, or if better solutions exist.

Transparency at this stage can avoid a perception of manipulation or bias, especially where it proves impossible to allocate resources to projects prioritised within communities. In a traditional budget consultation, where the final decision does not rest with the community, county officials can use the technical evaluation to justify changes to a public proposal, often without explanation. This would not align with the definitions and values for PB described earlier in this guide.

In Makueni, a technical evaluation has been introduced after the Sub-Ward forums. Projects proposed during the sub-ward forums are assessed by a team of county officials, and that assessment involves community representatives. Findings of the technical evaluation are presented during the Ward meetings to facilitate communities in their decision making. The information provided includes the viability of the project, location and financial requirements.

Internationally, a 'participatory budget council' (or PBC) has sometimes been established to overcome this problem and ensure viability of proposals. The PBC also ensures that any changes are communicated and helps to 'co-design' or improve the proposals emerging during step 4 of the PB process.

A County Budget and Economic Forum (CBEF), may play an oversight role like the PBC by ensuring public choices are in the budget appropriations and to provide feedback in cases where modification may be required. Kwale County for example engages the CBEF at all levels of the participatory budgeting process. On the other hand, Makueni's framework ensures that 11 Development Committee members (DCM) are elected during the PB process at every stage (from village, village cluster, sub-ward, to ward). They ensure that proposals that were raised at the lower levels are fully discussed in the subsequent levels. The DCM are also involved in the technical evaluation. In Kenya, the solutions or structures may differ. But the need remains to find ways to enable a citizen or community track what happens with their proposals.

Example 5a in appendix 4 illustrates the proposal form used to facilitate the technical evaluation of proposals in Makueni.

Example 5b in appendix 4 is the Makueni Public Participation Framework which ensures technical oversight is cascaded upward for continuity to the next level forum.





REFINE AND PUBLISH THE LIST OF PROPOSALS

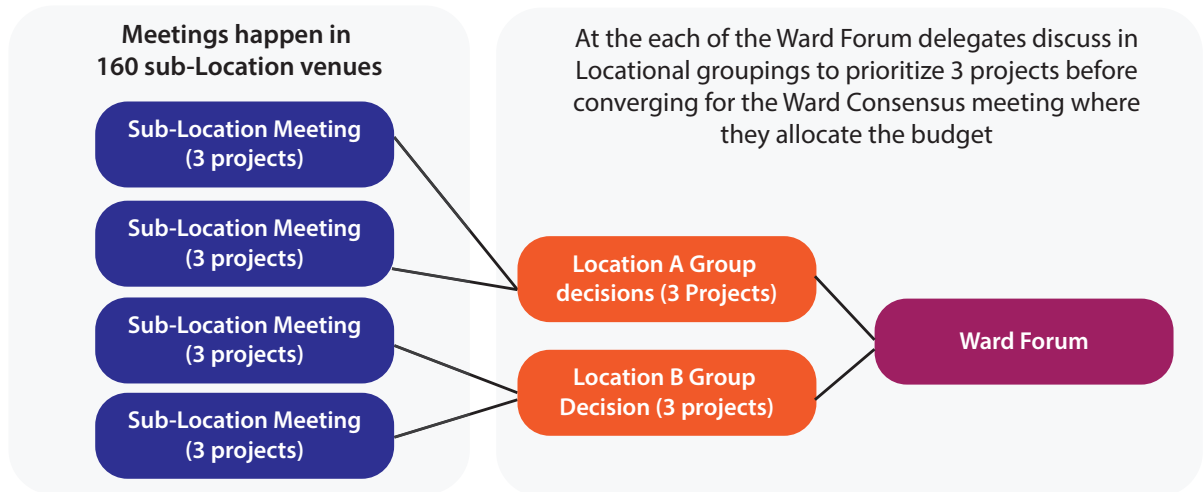
In PB, a list of proposals is first prepared in lower level public forums. The first meetings begin a process of identifying problems and priorities, and the possible solutions via project proposals, but will not make the final decision. Since these meetings are many, the first list is likely to be a long list, which tends to be reduced or refined within subsequent forums, with some projects dropped after further deliberation and prioritisation.

The refining or shortlisting of proposals to a manageable number should be done through a democratic process. It is important that subsequent considerations of these long lists of projects are made public, and to ensure the shortlisting process is trusted. But for this to occur in a structured way the list of selected projects must at each stage be announced in public forums and recorded in an official document, signed by witnesses attending the forum who have been selected by the community.

At a higher-level forum, after refining the list of proposals, participants will normally select delegates to represent them in the process of refining and shortlisting projects at the next level of meetings. Prior to the final meetings, the decision-making process and outcome should ideally be fed back down to the village and ward levels in some way.

In the West Pokot process for instance, the sub-location meetings are the first open forums where the public identify and prioritize projects. While each sub-location meeting is expected to provide only 3 priority projects, these proposed projects form the long lists of about 24-30 projects when consolidated from all sub-locations in a Ward. The long lists are then discussed at the ward meetings. Each ward meeting will be a convergence of delegates from sub-locations who will refine the local proposals through a predetermined process. Members from the locations deliberate on the long lists from the sub-locations and shortlist the best proposals and may even allocate the budget. This process of refinement means that the Ward Forums need only consider a manageable number of projects, from which they may select a final shortlist of proposals to go forward to budget approval stage by the County Cabinet and finally at the County Assembly.

Figure 1: Decision making process cascading to a final set of shortlisted proposals



Within this process there needs to be rules and a structure around how projects are shortlisted, such as whether projects can be merged or altered, and the role of technical evaluations. Initial rules will vary depending on the pre-existing democratic culture and structures. Over time they will change, and that change should involve citizens, who, at the end of each annual process should meet with county officials to help to co-design the next process. In this way PB becomes an evolutionary process.

Example 6 in appendix 4 presents a fuller description of the initial process used to refine local proposals within West Pokot.

MUKUTANI WARD PROJECTS							
Priority Ranking	Department	Project Name	Status	Project Description	Estimated Cost	Location	Sub Location
1	Roads	Kiserian-Noosukuro-Rugus	New	Grading and Murraming	3,000,000	Rugus	Rugus
8	Water & Irrigation	Ngasotok irrigation Scheme	New	Pump house construction and bush clearing	2,000,000	Rugus	Rugus
2	Water & Irrigation	dam-loiguran constructi	New	Dam costruction	5,000,000	mukutani	mukutani
3	Roads	Arabal-Ngelecha Road	New	Opening up,Grading and murraming	10,000,000	Arabel	Arabal/Ngelecha
6	Education	Namunya k ECDE	New	Construction of Two classroom	2,500,000	Kiserian	Kiserian
4	Water & Irrigation	Charatike Irrigation Scheme	existing	Canal renovations	2,500,000	Kiserian	Kiserian
5	Education	Sirata ECDE	New	Construction of Two classroom	2,500,000	Kiserian	Logumgum
7	Water & Irrigation	Loldama Canal	New	canal allignment/canel diversion/culvert	2,500,000	Kiserian	Logumgum
Total					30,000,000		



VOTING ON WHICH PROJECTS PROGRESS

Consensus or voting?

Most Kenyan counties that have implemented PB so far, have used “consensus building after deliberation” to refine a long list to a short list. The cascading nature of the forums and decision making process allow for this to happen. While the process of “cascaded informed decision making” (elaborated in stages 4-6) seems less contentious and avoids the need for voting by everyone on all the projects, this consensual approach may suffer from some challenges.

- » **Lack of adequate representation:** if care has been taken with the choice of venue, the quality of mobilisation and the design of the meeting, then participation at the local level should be representative of the public. As delegates make decisions at higher levels this broad representativeness may decrease. Women may be less present. The poorest, those living far from urban centres, or members of minority groups will be less likely to become delegates. Marginalisation will almost inevitably emerge.
- » **Lack of clarity around how decisions were reached:** the delegates may not be able to agree on what is the priority project or projects, or where they will be located. Within a consensus based model some trade-offs must occur. This may leave delegates complaining that they have been manipulated or the consensus process proved ineffective, and this charge is difficult to refute.

Within most PB processes worldwide some form of voting is common, as this is more transparent and less open to challenge than consensus. Voting ensures an objective mechanism of generating a final decision. But voting itself should be carefully managed. At the lower level PB meetings in counties to date, such as West Pokot, where the participants had to vote to select 3 projects, simple methods of raised hands or grouping around someone who proposed a project have been used. This works well where people know each other and can be held responsible for their decisions by their community, but it's not universally ideal. Elites can still dominate, as people can be identified by how they voted. To enhance objectivity and fairness, or to reduce elite capture, voting using secret ballot is generally encouraged within democratic processes. Within the larger ward forums, which include delegates representing different locations, the tendency is to use a secret ballot process to shortlist projects.



Building trust in decision making

Further, voting can be expensive and difficult to undertake, and requires trusted and accountable governance to ensure the ballot is not rigged and the outcome is trusted. That is why within systems of direct democracy seeking consensus is sometimes favoured. The same cost implication for consensus, which can be time-consuming and require expert facilitation exists. New technology has facilitated voting through, for example SMS, online voting and other forms of automation, which can sometimes address these problems. Given the limitations of digital access, online consensus building is harder to achieve. Always, maintaining trust in the decision-making process remains the critical factor.

Participatory Budgeting allows counties the opportunity to test and try out different voting techniques. There are no right models that can be adopted without revision. Context and co-design remains central to all successful PB process. Further PB educates citizens on how democratic processes can and should work. It allows for testing new ideas and approaches towards a more participatory democracy, within the existing representative democracy at the heart of the Kenyan constitution and political system.



Let the people assemble?

Within many international PB processes there is a final citizen assembly and voting stage. Once all the processes have been completed a form of county wide assembly is called. In many cases any citizen, not just delegates, has the right to attend and to vote, though in practice only some will come. To enable wider participation voting may also be extended using digital technology. This authority wide citizen assembly receives and votes on (and thereby approves) the overall citizens PB.

It provides additional reassurance to politicians that the public participation report has the approval of citizens who took part in the process. And it connects wards, sub-locations and villages together within one process. This assembly also approves any changes to the rules for running the PB process in the next year. This matches one of the 'seven defining characteristics' for PB: that *"Citizens have the opportunity to decide on the rules governing the process."*

Within Kenya, for example, Makueni County has already instituted a County Forum, which is held at the end of the public participation processes and brings together delegates, community interest groups, elected officials (MCAs), County Executive and is open to all interested community members. The representatives from the Wards make a presentation of the projects that were approved during the final Ward forums and these projects are validated. A complaint's desk is provided for, in case any of the community members have an issue with the final list of projects approved from their wards.

As always there is no one model for this final stage of the PB process. If public trust, accountability and good process mean that it is not required then it may not happen. But to return to best practice, if citizens can decide on the rules governing their PB process then some moment in the cycle must occur where they can exercise that opportunity.

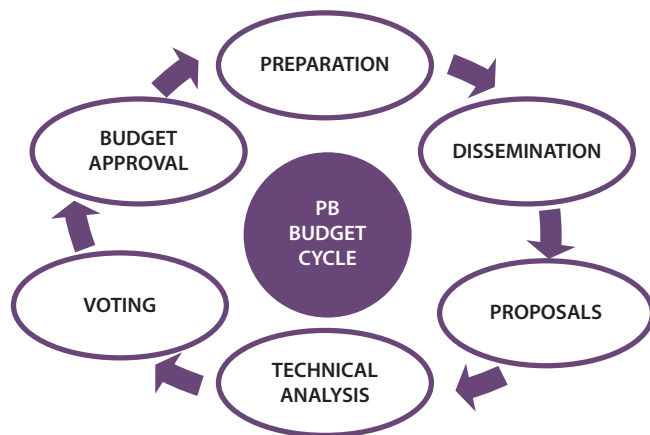
Above are pictures of the delegates voting for the location of a market in Makueni.

Example 7a in appendix 4 shows the official list of selected projects by a Ward Forum in West Pokot



STEP 8

APPROVE THE PARTICIPATORY BUDGET AND SIGN OFF BY AN ACCOUNTABLE BODY



A simplified annual cycle for PB, taken from a presentation by Prof Giovanni Allegretti

It is a key principle of Participatory Budgeting that citizens and county officials understand that PB is different to consultation. That citizens get to influence and decide how public money, in the form of development funds or the provision of public services will be spent.

However, legally the decision is taken within the wider context of democratic accountability. That is, elected representatives have the ultimate say within Kenyan democracy. This seems to present a conundrum. Is it the people deciding, or are they simply being consulted and engaged? Where does decision making power ultimately lie?





This conundrum goes to the heart of reconciling participatory and representative democracy. However Participatory Budgeting has, in many situations, gone some way towards solving this problem. That is:

- » **Elected politicians:** must approve expenditure into the process. And at some point, must validate, approve or sign off on the final decision of the citizen, and that the process used was fair, reasonable and legal.
- » **Senior public officials:** have a duty to deliver services, so must also agree that the process can be approved, and follows the law. They provide advice to the legislature and make decisions within powers delegated to them.
- » **Citizens:** make proposals, influence and vote on resources within a system of participatory democracy, overseen by law and within the agreed framework of the county budget.

PB does not open the entire budget to direct democracy. But it does establish a process where each actor can play their part to enable the citizen exercise power, make proposals and contribute towards better public spending.

In practice, once the communities have allocated the resources through steps 4-7 discussed above, the county officials from the budgeting department collate the information from the communities. The content of the public participation report (including community signed forms that indicate the projects that were selected by the communities) are used to prepare budget estimates. That means PB projects fall within the bigger development budget of the Programme Based Budgeting (PBB) process.

The budget estimates and the public participation report are submitted by the CEC finance officer for approval by the County Executive Committee (County Cabinet), before onward submission to the County Assembly together with a draft appropriation bill for discussion, debate and enactment. The PB budget is a proportion of the development budget for each financial year. Therefore, PB budgets are approved and signed off through the regular process of budget approval. The Appropriations Act enacted by the County Assemblies every June provides the authority for spending the finances.

Appendix 1 provides some further information on the statutory framework for PB



CREATION OF VOLUNTARY WORKING GROUPS ON SUCCESSFUL PROPOSALS

Community ownership and oversight of PB projects is critical. One of the seven characteristics of PB discussed earlier is that *“the process is designed to ensure that citizens can monitor public spending”*.

In most cases where PB is successful, monitoring has been realised through establishing project management committees (PMCs) comprising of citizens drawn from the project delivery area and/or involved in the selection of projects. How the PMCs are constituted should be defined by the communities themselves, with the support of the county officials. The roles and mode of operation of PMCs should be defined within clear terms of reference, which may take several cycles of PB to develop.

Participatory budgeting PMCs are not expected to replace the role of the county officials implementing the projects. Yet their oversight role implies that they must:

- » Be drawn from members of the community where the project is happening;
- » Be involved from the beginning, so they know where the project proposal emerged from, and who will benefit from it;
- » Have relevant information (such as technical and project evaluations) shared with them so that they can execute their role;
- » They must also be empowered to enable them to do their work.

In Makueni, for every approved project, a Project Management Committee (PMC) comprising of community members from the project area was established. These PMC members are elected in a public forum specifically called to inform the community about the project and the implementation plan. Ward administrators and the technical officers responsible for the sector/project facilitate the public forum. Through the PMCs the following benefits can be realised:

There is the potential for costs to be reduced; through improved delivery, and therefore less wastage of scarce public money. Whilst there may seem to be a significant additional cost to the projects from the establishment of oversight committees.

They form a valuable communication channel; that can explain any unavoidable delay within the implementation phase. Implementation delays are frequent within even the best managed procurement systems and these can be a source of considerable frustration within communities. PMCs have the potential to rebuild trust where it has been damaged because of previous poor practice.

They enable the community to add value through voluntary effort; For example, agreeing to maintain a water pump, report vandalism, prepare and tend public areas around a new facility, or report breakdowns. PMCs foster ownership, where a 'top down' delivery may only foster dependency.

While the precise nature of each PMC will vary depending on the scale of the project (and one committee may oversee several smaller projects), they might include:

- » A representative of the people or person who first nominated the project. That is, members of the village or sub-location where the project will happen.
- » A representative from another area also involved in the decision making. That might be someone who attended the ward level meetings or a member of the PMC.
- » A member of a local business association, civil society organisation, faith organisation etc. Potentially county staff from another department, or training for work in public service or a profession. An impartial but trusted person, who might provide additional expertise or an ability to interrogate information presented to the PMC.
- » Officers of the county who have direct responsibility for procuring and signing off the investment or expenditure within the participatory budget.

Example 8a of appendix 4 provides a fuller description of the PMC structure in Makueni.

Example 8b is a description of project approval within the pilot processes of Makueni and West Pokot.



REVIEW WHAT WENT WELL AND WHAT DID NOT GO WELL

Throughout this report, we have continually referred to PB as a co-design process. That is, one where citizens, public officials and politicians are engaged in a repeating process that evolves and grows.

The initial rules will probably be led by public officials charged with completing the annual public participation report described in step 9. Therefore, PB generally will, and arguably should start as a top down process. But as trust develops all the values and principles behind PB imply increasing citizen empowerment. Therefore, central to all PB processes is a chance to reflect, learn and reform, based on evaluation, and then make improvements. Evaluation should consider both outcomes, and process. It should also include citizens as well as public officials.

Outcomes

Time and resources should be dedicated to conducting periodic evaluations within a PB process considering the effectiveness and efficiency of the interventions and the projects, their impact and the sustainability of the projects. This is potentially a job for project management committees, described in step 9 who may help sign off the final expenditures for projects. It may also be a function of a Participatory Budget Council described in Step 5, who help with the ongoing evaluation of proposals before the final decision making process. And of course, county departments responsible for public participation should regularly conduct monitoring and evaluation (M&E). The mid-term evaluation of the county government performance done half-way through the five-year term, should cover public participation in general and participatory budgeting specifically. The evaluation should consider the effectiveness and efficiency of the projects; impact and sustainability of the projects.

Process

The monitoring and evaluation process should review the processes used to reach the participatory budget decisions, to identify what worked well and what did not. Through good record-keeping a check should be done on who participates and when, and whether adequate participation of minorities or unrepresented voices has occurred. The lessons learnt should be used to improve the processes without delay, ideally within the next budget cycle. As before whilst this may initially be led by the public participation leads within counties, over time, as experience grows citizens should play an increased role in advising on process improvement.

The parameters that could form elements of the PB evaluation framework include:

- » Overall objectives set and participation mechanisms or methodology used to achieve them;
- » The quality of public participation, which may be assessed using well established public participation frameworks, where consultations are ranked below citizen empowerment;
- » Numerical measurement of the numbers of participants and their diversity against gender, age or geography. Or assess the cost/benefit effectiveness of differing mechanisms for mobilisation, to determine the numbers made aware of meetings and their response rate;
- » Accessibility, such as through surveying participants on whether information was user friendly, whether persons living with disabilities could access venues appropriately;
- » Timeliness in terms of whether notices went out in good time, meetings adhered to time, and if decisions were reached as planned, and the quality of decision-making;
- » The quality and accuracy of documentation produced before, during and after meetings;
- » Responsiveness, access to feedback and whether complaints or queries from members of the public were dealt with effectively, or wider changing perceptions of trust in government.

Appendix 2: offers further guidance on how evaluate the impact of PB



6. CONCLUSION: KEY LESSONS FROM THE PILOT PROGRAMMES

The need for PB was identified due to weaknesses of the traditional budget consultations which were largely epitomized by the following:

- 1) **Limited reach:** The budget consultation processes would only take place at one venue in each of the wards. While the attendance at the single ward meeting was good, it was not significant enough to capture the critical voices of the poor and marginalised in the county. The process largely benefitted the elites and gate-keepers in the county.
- 2) **Long lists:** The facilitation of the meetings was such that the public would share all their development/projects proposals without regard of the limits of the budget. This led to long lists of proposals that would not adequately articulate people's priorities. Additionally, the long lists were subject to manipulation by technical officials when it came to allocation of the limited resources.
- 3) **Lack of Political good will:** In many counties, public participation processes did not get the good will of the county leadership from both arms of the government and the process was seen as a waste of time and resource. It was done to just fulfil the law. Due to this, resources would not be allocated to the citizen selected projects. Political competition between the two arms of government with regards to budget allocations would also interfere with final budget allocations to community and ward based projects.
- 4) **Lack of technical knowhow:** many counties also had challenges in executing participation to the standard set by the legal framework to achieve meaningful engagement as opposed to tick/check the box.
- 5) **Inadequate and untimely information:** most counties do not provide adequate information prior to the public forum. This implies that the communities are expected to make decisions while navigating through information asymmetry. This implies that they can easily be subject to manipulation by those with more information.
- 6) **Poor feedback mechanism:** The counties did not have a mechanism or process of providing feedback to the public on the projects that had finally been allocated resources.

The introduction of PB was therefore to address some of these challenges. The PB process has largely been able to address the first three (3) challenges: limited reach, long lists and political interference. Some lessons are still being learnt, for instance on how best to incorporate technical evaluation processes. On the other hand, new challenges have emerged from the fact that PB takes time, resources and effort. Within the Kenyan context, where resources are limited, communication, especially within rural areas can be expensive, and trained staff thin on the ground, it has been a concern that PB, with its complex nature, and requirement to continually examine existing budgeting processes to check they are open to citizens, may be a luxury. However, the lessons learnt seem to indicate that the benefits of engaging in this process outweigh the costs. The section below highlights the gains and lessons learnt.

GAINS AND LESSONS LEARNT

Popular process, open to all: The PB process encourages the counties to have open forums which can be attended by anyone. The fact that meetings are many, (over 200 in West Pokot; and over 3,000 in Makueni) and closer to the people, has been beneficial. The PB framework in Makueni has provided opportunity for almost 25% (about 200,000 people) of the County to participate in the process. In West Pokot, the introduction of PB increased the number of community members' involvement to about 11,600 from the previous 350. The increase and engagement of *all* in the forums is a mark of one of the PB guiding principles, articulated by Souza, 1998 which states that "citizens are entitled to participate including community organizations having no special status or prerogative in this regard." This approach has ensured that there are no gatekeepers or marginalisation of certain sections of the community. In West Pokot, the greatest benefit in addition to increasing the numbers is the fact that women are now much more represented in the public meetings than ever before. The percentage of women who participated increased from 11% in 2014/15 to 35% in 2015/16.

Decision on development budget: Participatory budgeting frameworks should provide an open platform for all to engage in making decisions on a public budget (Tiago, 2012; Souza, 1998). The Ward forums make decisions on a proportion of the development budget. In both West Pokot and Makueni County, at least 32% of the development budget is apportioned to Ward-based development projects in FY2016/17. These amounts were divided almost equally across the 20 and 30 Wards in West Pokot and Makueni respectively. In FY2016/17 the communities in each Ward made decisions on how to spend approximately Kshs.15 million and Kshs.25million in development projects in West Pokot and Makueni County respectively.

Continuous improvement: Participatory budgeting processes are not one off events but are repeated periodically; in Makueni County, PB is carried out every financial year. The repetitive nature of PB allows for continuous review and improvement of the process and the rules of engagement. In the case of Makueni County the improvements observed since 2015/16 to 2017/18 (three budgeting cycles) related to: i) further stratification of communities into thematic groups to ensure effective deliberations and decision making ii) technical evaluation done prior to the Ward forum and therefore communities are provided additional information to facilitate decision making; iii) continuous increase in ward level budget from 25%, to 32% to 50% respectively in the three years. These three points are further elaborated below.

Thematic Focus: PB processes can be defined by geographical area (whether that is a neighbourhood or larger) or by theme. The social and political exclusion that existed before was challenged as low income and traditionally excluded political actors are given the opportunity to make policy decisions. The deliberative forums were held for thematic/sectoral groups that have unique service needs and challenges. These included people living with HIV/AIDS (PLWHIV/A), people with disability (PWD) and youth. In addition, other meetings were held specifically in the town centres to consider the development proposals for these towns and urban centres.

Strategic interventions: inherent in PB and citizen engagement is that communities may tend to only focus on low investment projects that address their immediate need. It is also important for the challenges to be addressed in a strategic manner as opposed to "piece-meal" approach which

seems to be inherent in the territorially made decisions. The technocrats have a bigger picture of what the county may need to do, to address certain challenges. Therefore, county leadership and technocrats must ensure this strategic vision is clearly documented in the County Integrated Development Plans (CIDP) and sector plans and disseminated⁹. This information will guide the counties to focus on the bigger picture in their decision-making process.

Technical evaluation informs community decisions process: Following the selection of projects at the sub-ward forums, a team of economists and technical officials from the responsible sectors assessed them. The teams visited the sites and reviewed the proposed projects and project sites. Some of the proposed projects were ongoing, some were upgrades of existing projects and some were new. The technical evaluation provided feedback on the projects that were feasible and those that were not; as well as a rough estimate of the funding required. This information was shared during the Ward PB forums that helped the communities in deciding the final projects which were viable.

Continuous increase in ward level budget: Due to the success of the process, the governments saw the need to provide a greater opportunity for community priority projects from 25%, to 32% and to 50% respectively in the three years of 2015/16, 2016/17 and 2017/18. The increase in allocation is also due to the fact that many of the ward projects may be implemented beyond one financial year and therefore there is need to provide resources for both new and ongoing projects.

Strong teamwork and ownership: Whereas hosting 60 sub-ward meetings seemed a daunting task, the Makueni County government officials handled these forums in a week or two. This is because PB is all pervasive and owned by all and not just a select team. The staff formed 10 teams which implies that each team can handle at least 6 meetings.

Involvement of citizens in oversight in the implementation phase: For every approved project, a Project Management Committee (PMC) comprising of community members from the project area would be established. These PMC members would be elected in a public forum specifically called to inform the community about the project and the implementation plan. Ward administrators and the technical officers responsible for the sector/project facilitated the public forum. The involvement of citizen in oversight role through PMCs has promoted transparency and accountability; and minimized incidences of incomplete or poorly implemented projects.

Dependent on Highest Political Authority: The overall responsibility to facilitate and report on public participation in the county government is on the Governor of the County Government. This is to be done through the various departments and agencies of the county and at all levels of decentralisation (Sub-county, ward, village, urban and city areas). In the case of the County Assembly, the responsibility is on the speaker of the County Assembly and chairpersons of various Committees of the House.¹⁰

⁹ The CIDP development is participatory, and therefore the visions, programmes and projects in the CIDP should not be expected to be very divergent from what the citizens will articulate as their priority on an annual basis through the Annual Development Plan; and during the Participatory Budgeting Process. Great divergence would imply one process or the other was less than perfect.

¹⁰ Public Participation Guidelines.

Reduced Political interference: both the County Executive and Members of County Assembly had not fully embraced public participation and realised it is beneficial politically when both arms of the government engaged the public and implemented projects that people themselves chose. The competition between the governors' desire to fulfil their manifesto and MCAs views of public needs was eventually harmonized through engaging the public effectively. It was previously difficult to get the budget approved without major interference and adjustments of proposed projects.

Reduces Corruption and Eliminates "White Elephant" Projects: there has been observation in some of the counties that the public would deliberately reduce allocation of project funding to sectors where they perceived funds had not been well utilized in the previous financial year. This would occur even in key projects such as water and road. At the same time, through this process of consultation, community members readily allocated resources to ongoing or incomplete projects.

Financing public participation should also be defined in the policy, planning and budget documents. The resources that will be sufficient and appropriate to deliver on the objectives of the public participation exercise should also be defined and set aside from the onset. County governments have been spending between Kshs.10 to 25 million¹¹ on the public participation processes. These resources are the same ones that are then allocated to participatory budgeting process once a county adopts PB.

Even though there are increased financial costs associated with Participatory Budgeting such as community mobilisation, holding of many public forums, longer duration in decision making that is participatory rather than unilateral, amongst others; the benefits realized outweigh the challenges and the financial costs. The costs of not doing effective participatory processes (poor identification of projects and poor relationships between the citizen and governments, amongst others) are far higher than the cost associated with PB.

The benefits accrued over time when effective participatory processes such as Participatory Budgeting are implemented are an empowered citizenry, improved service delivery, participatory governance and ultimately deepening of democracy.

RISKS ASSOCIATED WITH PB THAT SHOULD BE MANAGED

- 1. Low investment projects:** The process has in some cases led to the selection of many low investment projects at the ward levels for instance, as community members seek support for construction of classrooms and dispensaries. In the first two years, the focus was largely on these "immediate needs" projects, but with time, communities are beginning to think more strategically on projects that can unlock greater potential in their areas – particularly water projects such as dams and boreholes.
- 2. Limited Sectoral Coverage:** The community preferred sectors of education, water and health have more demands as they form the highest number of projects identified by the citizen. This is bound to skew the development process at the expense of other sectors in which the county has jurisdiction. However, it was noted that this challenge might be short-lived as the neglected sectors are with time identified. This has also been addressed through thematic meetings that can bring out projects that "territorially organized groups" may not identify.

¹¹ Based on feedback from over 40 counties that participated in the COG training workshop.

- 3. Feedback on the final signed off projects:** Many County Governments have not established a clear mechanism for providing feedback to the communities on the projects that are signed off when the budget is approved. While the final approved budget may be available on the County's website, many community members involved in the PB processes are rural communities and rarely access the website. In addition, even though there is some feedback to the communities on the approved projects during the selection of PMCs, the feedback is limited to the communities near the project area. The selection of PMCs also takes place much later during the implementation phase. The list of approved projects could be posted on notice boards and printed reports made accessible at Ward administrator offices as soon as the budget is approved. Baringo County has put in place a good feedback mechanism that involves calling for public forums to brief them on the final budget and progress in implementation of projects, that other counties in the programme can learn from.
- 4. High number of projects and slow implementation:** The PB process has inevitably led to high number of ward-based projects that have not been completed within the budget cycle calendar. Due to this high number of projects, there are many ongoing projects whose benefits have not been realized; leading to selection of similar projects. Therefore, deeper analysis of the progress in implementation, and expected benefits should be incorporated in the deliberations at the PB forums to ensure no duplication of projects or interventions. Information of the ongoing and completed projects should be incorporated in all the PB forums for the communities to make informed decisions. The county government has established a projects M&E dashboard and GIS maps of the County projects and these could be key inputs into the PB process.



APPENDICES

APPENDIX 1: ON THE STATUTORY AND REGULATORY FRAMEWORKS FOR PB

PB in Kenya is a way of improving the participatory process that finds its basis within the legal framework for citizen engagement. It is a cornerstone of the Kenyan Constitution¹² that *“All sovereign power belongs to the people of Kenya”* and that *“the people may exercise their sovereign power either directly or through their democratically elected representatives”*.

Whilst through the Kenyan constitution sovereign powers are delegated to various institutional bodies, at a national county or other level, overseen by the election of political representatives of the people, there is an explicit recognition that a direct and participatory democracy plays an important role alongside representative democratic structures.

Within the County Governments Act No.17 Of 2012¹³, Section 115 it states: *“Each county assembly shall develop laws and regulations giving effect to the requirement for effective citizen participation in development planning and performance management.”*

Further, within the regulations for public financial management, as interpreted by the respected International Budget Project¹⁴: *“the public is also given the right to participate throughout the entire budget process, which runs from the formulation of the budget, through its implementation, to evaluation of implementation”*.

The Access to Information Act, 2016 section 5 sub-sections 1,2,3 indicate that a public entity shall *“facilitate access to information held by such entity”*, and *“the procedure followed in the decision-making process, including channels of supervision and accountability”*, free or at a minimum cost,

Just from these few extracts there is both the expectation of public participation, and some explicit regulations, that mirror, in many respects, the 7 defining characteristics of PB given earlier in this guide. However, there is not, and rarely exists in law the requirement that a County, or other government institution must undertake a PB process.

That is why continued political will is essential to sustaining PB processes. It may be that through continual use and refinement PB does eventually become legislated for, or at least built into local financial or regulatory frameworks. It is certainly true that in many countries it has become part of the democratic culture, and an expectation of citizens.

Continually reforming and improving democratic culture is both a challenge and a requirement wherever there is a democracy. In the report *“Effective democracies, reconnecting with communities”*, led by the Convention of Scottish Local Authorities it was powerfully stated:

*“Democratic power should be delivered from communities up, not drip down from above...
“Democratic power lies with people and communities who give some of that power to governments and local governments, not the other way around”¹⁵*

¹² Taken from: <http://www.kenyalaw.org/lex/actview.xql?actid=Const2010> accessed Sept 2017

¹³ See: <http://devolutionhub.or.ke/resource/county-governments-act-no17-of-2012> accessed Sept 2017

¹⁴ See <http://www.internationalbudget.org/wp-content/uploads/Kenya-PFM-Act-2012-FAQ.pdf> acc' Sept 2017.

¹⁵ See: The Commission for Strengthening Local Democracy, 2014 available at <https://www.localdemocracy.info/>

APPENDIX 2: GUIDANCE ON HOW TO EVALUATE PB

To gather evidence to be able to demonstrate a participatory budgeting process as successful, and even more importantly to capture learning so that it can be improved in future cycles, it is essential to institute a monitoring and evaluation plan. This plan is agreed upon, at the outset and then implemented throughout the process. Creating a full impact evaluation is covered extensively elsewhere, some links to which are in the resources section. In this guidance, it is impossible to do justice to this complex field, as there are many different approaches, each designed to draw out different types of data or learning. There are some standardized ways of developing that plan.

Much like the PB 10 steps discussed above, the UK PB Network, in association with PB Partners, a UK based NGO has produced a simple 10 step model for evaluating PB¹⁶. The 10 steps they propose are below, and for each we have added a challenge or question to help you start to plan.

1. Agree on outcomes before you start: What does success look like for us?
2. Establish your baseline: What are the current conditions on the ground?
3. Regularly gather feedback: Has a budget been spent and projects proceeding to plan?
4. Ask participants what they felt: How do citizens feel about their involvement?
5. Keep track of the numbers: Is spending efficient and going to the right place?
6. Use films and other media to tell the story: Can we communicate using different channels?
7. Hold a stakeholder reflection event: How will we know how we need to change the process?
8. Follow what happens next: Over time, can we measure outcomes linked to PB?
9. Use external experts as critical friends: Is there the need for external audit or support?
10. Share your learning! Can we ensure opinion leaders and power holders hear the benefits?

There are many other approaches, described in more detail in the UK PB network's guide, such as that of the USA based Public Agenda NGO. They identified a very useful set of 15 key metrics (measures) for evaluating PB processes¹⁷. For each of these questions Public Agenda proposed a set of 15 measures to answer them. These cover:

Impact on Civic and Political Life: Does PB engage a significant and growing number of residents, including those who cannot or do not participate in mainstream political life? Does PB foster collaboration between civil society organizations and government? Is PB associated with elected officials' political careers?

¹⁶ See <https://pbnetwork.org.uk/hear-the-voice-make-the-change/> accessed November 2017

¹⁷ See: <https://www.publicagenda.org/pages/15-key-metrics-for-evaluating-participatory-budgeting> accessed November 2017

Impact on Inclusion and Equity: Is PB engaging traditionally marginalised communities? Does PB facilitate participation? Is PB fostering equitable distribution of resources?

Impact on Government: Number of PB processes and amounts allocated to PB changing from year to year? Implementation rate of winning PB projects. Are additional resources being allocated to projects or needs identified through PB? Cost to government of implementing PB?

To properly own or absorb learning from your monitoring and evaluation plan it is important to embed the plan within the wider PB process. For example, the city of Glasgow in Scotland UK has written its own evaluation plan¹⁸, which it uses to ensure all staff are collecting data in a coherent way.

Self-assessment, whilst essential to create learning and improve an internal process is not necessarily sufficient to demonstrate the impact of PB in isolation from other effects. You may therefore need to consider how to adopt a full, and well developed Impact Evaluation as described on the next page.

What is Impact Evaluation?¹⁹

Impact Evaluation (IE) assesses if policy solutions work and why. Specifically, IE assesses whether and how policy interventions impact individuals and communities by comparing impact indicators over time for the same populations and across space relative to other populations.

IE is a rigorous analysis of cost-benefit trade-offs across projects, including those surrounding different programmes designed to meet similar goals, as well as variations in programme design for the same type of policy. IE shifts the policy design logic from one where experts “already know what’s best”, to one where experts “can learn what’s best in this context, and adapt to new knowledge as needed”.

How IE Works

IEs focus on separating a policy impact from all other factors that could have made simultaneous impacts - these are known as ‘confounding effects’ and present problems for drawing conclusions from data. The aim is to know that it was the policy that impacted a population, rather than concurrent trends to which they are exposed.

IE allows evaluators to determine what would have happened to the population of interest in the absence of the policy intervention. This is difficult because one cannot institute a policy, measure impact indicators, and then travel back in time to measure the same indicators for the same population without it having experienced the policy.

Instead, one needs to create a comparison population that is as identical, on as many dimensions as possible to those experiencing the policy intervention, except for the fact that they do not experience the policy intervention. Robust IE compares experiences of a ‘treatment group’, receiving the intervention, with a very similar control group.

Steps to perform Impact Evaluations

1. **The Pre-test:** IE demands baseline data collection before programme implementation begins and optimally even before the programme is announced to avoid any programme-based contamination of the baseline data. This represents the “pre-test”, before the policy treatment is administered. Options include considering: effectiveness, efficiency, equity, fairness, voice, etc. It is important to remember that these values may conflict; some policies may increase economic equality, assuming they are effective, but are they perceived to be fair?
2. **The Treatment:** Implementing the policy treatment through a randomised, controlled trial (RCT) represents the highest standard of IE design. Here, populations are randomly assigned into treatment and control groups. The advantage of this design is that randomisation greatly diminishes the probability that observed impacts are due to selection bias of the population receiving the treatment.
3. **The Post-test:** Evaluators collect impact indicators following the treatment for both treatment and control groups. Any changes can then be compared across the two groups to draw conclusions (e.g. did anything change across groups? Did the treatment group change more than the control group? Or less? Are these differences statistically significant?).

Other aspects of Impact Evaluation

It is important for evaluators to monitor implementation to help understand the results of evaluation as well as to properly time the post-test. Unintended impacts are common and evaluators should watch for these, as they often represent unexplored evaluation opportunities. Finally, there are other analytic options designed to approximate RCTs if randomization is not feasible.

APPENDIX 3: CONSIDERATION ON RESOURCES NEEDED TO IMPLEMENT PB

One of the most common concerns about participatory budgeting is that it can be an expensive process, especially at the start up point. PB requires considerable effort simply to renegotiate the 'internal' budget rules of a county, ensuring budget legislation is adhered to whilst also responding to the 'external' expectations of citizens. This internal restructuring can be seen as indirect costs, drawing on the time of already busy public servants. There are also the more direct costs of holding budget forums and meetings, of mobilising citizens, of running project oversight committees, communicating back to citizens and monitoring the implementation of projects. However, these costs need to be balanced against the direct and indirect benefits that flow from PB. Direct benefits include better public spending, with less wastage of resources on misdirected expenditures. Early evidence in Kenya shows reductions in 'ghost projects', and as PB becomes embedded in the culture of county administrations we expect to see greater transparency and more accountability through better public oversight, alongside a rebuilding of trust in political processes, and greater engagement with and by marginalised groups. These changes will require resourcing, especially initially as new systems are developed. Resources will fall into two main categories:

Human resources: Staff will need to spend time on establishing the PB and then running it. These staff will likely come from various departments, including central finance functions, planning and procurement officials within various departments, communications, democratic services and public engagement staff. They will need to be briefed and trained in operating PB principles, and asked to contribute to the design and implementation process described in the 10-step model. In some counties, the chief officers from the various sectors such as health, water, agriculture participate in the process to provide technical input during the process, as well as answer questions that the citizens may have.

Each county will have to work out the most appropriate configuration, and in general there will need to form a core delivery team, with executive permission to concentrate on PB implementation. They may be seconded from several departments and should have a mix of strategic, financial and practical skills. Over time there may be specific new roles created to deliver PB work, but there are also advantages from having staff embedded inside a variety of departments, rather than operating in isolation of other budgeting processes.

PB will also need to become a part of the professional roles of frontline staff. Administration, community engagement, procurement and direct works staff, will need training to understand the 'what', and more importantly the 'why' of PB. They will have day to day responsibility for engaging with the public, answering or passing on enquiries from the public, and delivering projects. They may feel PB is an added and an unwelcome burden on their existing responsibilities. Internal gatekeepers and vested interests can become a significant point of blockage in any system, as, arguably, this is already a problem to overcome, especially if there is poor leadership and limited accountability at the top.

Financial resources: There is a cost to delivering any process, especially in the start-up phase, and PB is no different. Quantifying the likely process costs of participatory budgeting is very hard, not least because as noted by Yves Cabannes, a leading international expert on PB: *“Participatory budgets are generally short-term exercises (lasting one year or two at most), responding to the immediate demands of the neediest populations. Consequently, one of the greatest challenges faced by PB is the relationship with the city’s long-term planning process, especially with strategic plans and development plans”.*²⁰ Whilst the general funds used to deliver PB projects are development budgets, traditionally used for longer term capital investment, the sorts of expenditures citizens want, particularly the most marginalised are often smaller, more revenue type investments. Such as more staff for an existing clinic, multiple small boreholes rather than large dams. Or irrigation projects requiring the use of physical labour in place of expensive new water collection schemes.

Further, in reviewing many cases of PB worldwide Cabannes noted *“those in municipal government who are responsible for the “participatory budget” have, with a few exceptions, very limited information about the municipal budget ... Generally speaking, little is known about personnel and maintenance expenses – often very significant elements of the municipal budget, particularly when their responsibilities include health and/or education. However, they are among the least transparent”*²¹ Further he states, *“financial resources are essentially dependent on transfers from central government”* and Cabannes also noted *“Another difficulty is the fact that some data refer to “planned” expenses or budget and others to “implemented” expenses or budget. The difference between these figures is often substantial.”*²²

This all points to the complexity for citizens, let alone county staff understanding how much is being spent on existing county development budgets, in terms of output and ‘process’ costs. It will be difficult without real data from the field to know whether the expense of delivering PB will turn out to be efficient, or costly than other ways of spending development funds.

Nevertheless, there will be financial process costs, in terms of staff time, transportation, communications, and because of smaller, and therefore likely more expensive procurement costs, per unit of expenditure. However, Cabannes goes on to note: *“Most respondent cities indicated that the PB process entailed an increase in tax revenues and a decrease in delinquency. In Campinas, Recife and Cuenca, tax revenues increased significantly in very few years; in Porto Alegre, property tax delinquency dropped from 20 per cent to 15 per cent and, in less than ten years, property taxes grew from 6 per cent to almost 12 per cent of the municipality’s revenues.”*²³

Therefore, the advantages of PB in terms of increased efficiency of the local budget can be considerable, with long term impacts on poverty reduction²⁴, and to be expected benefits in terms of local revenue generation, and as mentioned elsewhere, we should measure PB against the actuality of the current situation, rather than against a perfect budgeting process.

²⁰ Participatory budgeting: a significant contribution to participatory democracy, by Yves Cabannes, in the Journal of Environment & Urbanization, Vol 16 No 1, April 2004: Page 41.

²¹ Participatory budgeting: a significant contribution to participatory democracy: Page 33.

²² Participatory budgeting: a significant contribution to participatory democracy: Page 32.

²³ Participatory budgeting: a significant contribution to participatory democracy: Page 36.

²⁴ See: <https://democracyspot.net/2014/01/06/when-citizen-engagement-saves-lives-and-what-we-can-learn-from-it/> accessed Sept 2017

There can be no hard and fast rule for 'standardised' implementation costs, as the scale, speed of adoption and reach into remote and marginalised communities will all have differing costs. In general, it may simply be a case of careful project planning, and ultimately, within pre-considered limits, taking a risk, or acting upon faith that PB will in time have a payback on the extra investment. As has been demonstrated time and again PB operates within an existing context and requires existing processes to be modified and that includes a budget set out for delivery. Critical will be having committed and experienced finance staff involved at the outset to consider and estimate the appropriate local costs for delivery; and then have them help establish robust systems to capture financial data so that performance can improve in subsequent years.

APPENDIX 4: TOOLS, EXAMPLES AND REFERENCE MATERIAL

Example 1: West Pokot and Makueni Review their Pre-PB Budget Consultations at their initial design workshop as follows:

Where we are at	Opportunities	Challenges
<p>1. West Pokot</p> <ul style="list-style-type: none"> Community inputs were not considered in the budget allocations in year 1. In the 2nd year there was some incorporation of citizens' views and suggestions. During public hearing six ministries present what they did in the previous FY and suggestions for the new budget plan. They then provide opportunity for feedback from the community. Other Ministries for instance, Treasury, Public Administration, etc. jointly make one presentation. Feedback is provided through group discussions held for each sector. The meetings take place at the ward level. However, mobilisation and representation is done from each location. Selection of the long list of projects starts at location groups within the Ward forums. Citizen projects proposals have been recorded in a database, cumulative since 2013. The chief officer for respective ministry looks at community proposals, CIDP, manifesto and then determines what will be put in the budget. Ward projects have been allocated 500 million and the funds should be allocated to communities identified and prioritized projects. Other projects not funded are recorded in the projects databased. Annual Development Plan is usually discussed at the county level with various stakeholders. 	<ul style="list-style-type: none"> Goodwill from the public especially after the 2nd year there was a lot of interest in the public forums. During the public hearing, the Officers provide information on the costing of the projects. Existing database of projects requires harmonizing. There is need for Ward Strategic Planning process that would ensure the communities identify projects that are strategic and effective for growth and development. Ward Special Project (WSP) Act provides clear parameters for decision making and implementation of the projects. 	<ul style="list-style-type: none"> Cultural – women were left in the main room. They cannot speak in the presence of men. Therefore, arrangements are made to listen to them separately. Difference between national and county functions is unclear to the public (and they don't care) and therefore the county government must handle all issues. Pricing; bills of quantities; standards; technology; The public is only keen about 3 to 4 sectors/ministries – health roads, education, agriculture but others forgotten. So, county officials must balance the requirements. Less representation for those projects
<p>2. Makueni</p> <ul style="list-style-type: none"> Recently developed a Vision 2025; This is a joint process between the County Treasury and Ministry of Devolution and Public Administration which was established in 2013. Each Ward has a Public Participation and civic education officer (i.e. in total, 30 PPCEO). Each ward has 3 public participation facilitators (interlocutors) and therefore (30x3=90 PPFs), involved in providing civic education prior to the budgeting process. A civic education handbook has been developed and is used during trainings since 2013. Identification of projects used to start from the location level (2013/14; 2014/15; 2015/16) but the new financial year FY2016/17 intends to go much lower from the village level. 	<ul style="list-style-type: none"> Resources available Government well structured. Effective communication. Development partners interest and support. 	<ul style="list-style-type: none"> Limited financial resources While Makueni public participation process is advanced, it misses out on some of the 10 steps. For instance, technical evaluation and feedback aspects are weak. Ignorance among community –process must start with citizen sensitization Political interference Conflict of interest

Example 1b: Identifying Specific Goals and Underlying Values.

During the design workshop after identifying the current situation these two counties went on to identify specific goals for, and underlying values of their PB programmes

Makueni County	West Pokot County
<p>Central Goals and underlying values for prioritizing citizen engagement</p> <ul style="list-style-type: none"> • Improve accountability and integrity – reinforces credibility of government. • Inclusiveness - access the villager who has never left his immediate environment, except to go to the market place and never proposed a project. • Equity and fairness - equal resource allocations to each ward • Promote civicism - to meet the Constitutional requirement to engage citizens in decision making. • Responsiveness – to ensure that services are better tailored to local circumstances and ensures that they are targeted to meet local needs 	<p>Central Goals and underlying values for prioritizing citizen engagement</p> <ul style="list-style-type: none"> • Equity and redistributive justice: to achieve equal distribution of resources to all the regions and help allocate scarce resources to the very needy areas leading to even development across the county. • Greater inclusiveness and participation of women. • Empower citizens and engender ownership: The County sought to move away from imposing projects on the community, so that there is greater involvement of citizens in the development process. • Increase effectiveness and efficiency of the process through prioritization.
<p>Existing logo: “Andu Mbee” which means people first</p> <p>Strapline: <i>“O Kila Nyumba Kalila”</i> which means every household will have equal opportunity for the shared resources.</p> <p>The County introduced a mission, its rallying call being <i>“Our County, our Future,”</i></p> <p>Participation process is based on a model that uses sub-territories.</p>	<p>Logo: Kokwo Totut (sharing and planning together)</p> <p>Strapline: <i>Our Budget, Our destiny</i></p> <p>Political buy in of the PB methodology and approach by county top leadership (Active engagement and sensitization)</p>

Example 2: Organizational Model as Redefined by Makueni and West Pokot

Makueni	West Pokot
<p>Organizational Model</p> <ul style="list-style-type: none"> • Continuation of the public participation framework established in 2013 but adapt additional steps of the participatory budgeting to enhance effectiveness of the process and of citizen decision making. • Introduction of citizen forums at village level and cascade upward to village clusters, sub-Ward and then Ward forums where the final decisions (voting) are done. The selection of projects made at the Ward level will be validated at both sub-county and county levels. • Identification of needs and possible solutions for various thematic groups: youth, women, persons with disabilities, orphans and vulnerable children, Persons Living with HIV/AIDs and the small-scale traders. • Establish Project Management Committees (PMC) for all the selected projects. The PMC's role is to provide oversight (not implement). They sign off to indicate satisfaction with the project implementation before any payments are done to the contractor. • PB applied to 12% of entire county budget (32% of development budget) • Further distinct adaptations under PB were: <ul style="list-style-type: none"> ○ Cascade much lower than the Ward level engagement. ○ Ensure the final priorities are selected by the citizen and not the technical officers at the office ○ Provide feedback of the selected ward projects through the ward administration offices. 	<p>Organizational Model</p> <ul style="list-style-type: none"> • Adapt participatory budgeting within its budget consultations for identification and approval of Ward specific projects. • Introduction of citizen forums at sub-location levels to increase the outreach to citizen to over 160 forums compared to the 20 Ward forums held previously in FY2013/14 and FY2014/15. • Active engagement of women (gender mainstreaming). • PB applied for ward level projects which are allocated 500 million (32%) of the development budget. • Training of county executive staff, ward administrators and the county assembly. The ten steps of the PB process was presented and participants discussed at length how this could be contextualized. • Increased ownership of the process by the county officials and political leaders • The County Executive and Assembly hold only joint public participation forums during the budgeting process where the assembly members remain observers and provide oversight. This implies that no public forums are repeated once the budget is submitted to the Assembly.

Example 2b: Unique aspects in each county that are contextual but can be considered good practices for other counties to emulate included mapping; and joint county executive-assembly public forums for the budget making process. This table articulates these aspects further.

Makueni	West Pokot
<p>Mapping</p> <ul style="list-style-type: none"> • Mapping of resource (schools, hospitals, road network) • Mapping where the current PB projects have been implemented and their status e.g. ongoing or completed • Plotting (on the maps) where the new proposed project should be located 	<p>Joint initiative of County Executive and Assembly</p> <ul style="list-style-type: none"> • The County Executive and Assembly mobilised for the forums and jointly owned the outcome. • The Executive through the administrators facilitates the forums and provides technical feedback where required. • The MCAs (Assembly members) provide essential feedback on what has been previously funded and provide strategic feedback to the community but largely remains an observer to the ongoing process to ensure objectivity is maintained.

Example 3: Channels for Mobilising Communities

Makueni	West Pokot
<p>Channels of Mobilising Communities</p> <ul style="list-style-type: none"> • A public advertisement as required by law was placed in the major dailies by the County Treasury, detailing dates, venues & timings for the meetings. It targeted meetings from the ward levels upwards. It also provided for written submissions to be made to the finance official via email. • Local radio: Talk shows and radio announcements were used to inform the public about the scheduled public forums. This has the greatest outreach impact. • Announcements were made at public gatherings such as church meetings and local administrative <i>barazas</i>. This is also very effective. • Ward administrators mobilise citizens through the village leaders and opinion leaders • The governor’s office, other county officials and local leaders utilize social media, telephone calls and SMS to reach the public. They leverage WhatsApp groups, Facebook and Twitter handles. 	<p>Channels of Mobilising Communities</p> <ul style="list-style-type: none"> • Newspaper advert as per legislative requirements although according to the county staff, this is not effective because of poor accessibility of the newspapers to locals and high illiteracy levels • Announcements were done two (2) weeks prior to the participation forums, an advert in the local vernacular radio station, ran twice daily for a period of two weeks. Radio is the most effective channel as it reaches both the literate and illiterate in a language accessible to them. • Public notices were put up one month prior to the event at chiefs’ camps, ward offices, schools, market places and other public places. • Letters of invitation were sent out to the churches, mosques and NGOs, youth with a schedule of meetings attached. • Local and political leaders: MCAs and their ward managers worked jointly with the local administration (chiefs and village elders) and ward administrators to do ground level mobilisation. This person to person information sharing is considered another effective method in mobilising people at the rural areas. • Revenue officers distribute the schedule during market days. • A Roadshow was held one week prior to the forums in one ward (Chepararia). • Public address system used to make announcements at market centres. • Under the PB process, the county piloted a personalized voice message from the governor to the citizens on the ongoing public participation forums. Although the messages were initially targeting the sub-location meetings, they ran during the ward level meetings.

Example 4: Results of the Agenda Setting, Venue and 'Rules of the Game' developed at the planning meeting

Makueni	West Pokot
<p>Public forums</p> <ul style="list-style-type: none"> • To create an enabling environment for citizens to participate in the development of policies and budgets, the county has developed a public participation framework. • The framework is in line with section 14 of the fourth schedule of the Constitution, which requires Counties to enable participation at the lowest possible level. • The framework aims to reduce/eliminate gatekeepers to the participation process and ensure unrestricted access to community members to hear their voices. <p>Public Participation Framework cascading from village, to village clusters, to sub-wards, to ward levels as follows:</p> <ul style="list-style-type: none"> • Held at least 3,455 village meetings facilitated through indigenous institutions such as village heads and opinion leaders. Each village elects 11 representatives to attend forums at the next level. • At least 315 village clusters forums facilitated by opinion leaders and village administrators. Each village cluster elects 11 representatives to attend forums at the next level. • Sixty (60) sub-ward forums. They select/vote for at least 4 project proposals suggested from village clusters. • Thirty Ward forums held to further discuss, select/vote for the priority projects for the Ward. 	<p>Public forums</p> <ul style="list-style-type: none"> • Meetings were held at sub-location and were open to every community member to participate. • Introduction of prioritization of 3 key projects at sub-location level. • Ward level meetings would comprise of sub-locational delegates or venue witnesses elected by the communities themselves, chiefs and one delegate appointed by the MCA – politician. The ward delegates would participate in the final prioritization of projects at ward level. • The list of projects from the sub-location are presented at the Ward level for reprioritization. • Ward delegates take into consideration the technical feedback and estimated costing of projects is done prior to the meeting, to inform ward priority selections • The delegates prioritize and allocate resources while taking into consideration the set budget ceiling at ward level (KES 22 million)
<p>Selection of Projects: Priority lists and Documentations</p> <ul style="list-style-type: none"> • Deliberation and selection of projects takes place at every administrative level • Mapping of the ward is undertaken by citizens to guide the selection of projects • From each of the levels, 11 people are selected as the development committee that represents the community at the next administrative level. • Priority lists of projects are captured and presented at the next level for deliberations. A final priority list is validated at the County Forum. 	<p>Selection of Projects: Priority lists and Documentations</p> <ul style="list-style-type: none"> • Assembly members and staff document the priorities. At the time the Executive presents the proposed report, the Assembly confirms that what was presented by citizens is what is included in the final budget report. • The assembly does not hold separate public participation forum meetings before approval of the Executive budget since they are engaged in the formulation process. • This collaboration makes the budget approval process faster.

Example 4b: Advice on running successful public meetings:

During planning sessions held with counties we considered what created the right climate for a successful ward or village level meeting. The conversation included the following considerations:

A detailed and well-constructed agenda ensures that the meeting can be well moderated with only the most relevant topics and questions brought into the discussions. This will enable the participants to interrogate issues, identify problems, suggest and then prioritize solutions.

Ensure that adequate time is allocated for deliberation, and that all participants are given an opportunity to speak. This will allow divergent or contentious issues to be raised.

An experienced facilitator should not become the seat of wisdom and knowledge and can:

- » Guide the deliberation to help people move through a process together;
- » Draw out opinions, knowledge and ideas from the participants;
- » Focus on *how* everyone participates in the learning process, not just on *what* gets achieved;
- » Is neutral and never takes sides.

Besides managing the meeting, a good facilitator will be concerned with ensuring that the venue is accessible to the target community. Accessibility includes distance travelled and the means for getting to the venue, as well as making provision for persons with any barriers to their participation, such as a physical or mental disabilities. Adapted transport for the people with disabilities may be required. Accessibility to people with a disability should look beyond physical access to the provision for braille and sign language. Language barriers may need to be overcome through translation and interpretation services. There are many considerations that may need to be taken into account to ensure inclusivity.

Further, not all disabilities or barriers to participation are obvious and care should be taken to avoid unfairly labelling people as less capable based on factors such as age, gender, or education, or assuming a physical or mental disability reduces that individual's ability or desire to participate. It is generally not the individual but thoughtlessness of others which, albeit often unintentionally, create barriers to participation.

Once participants are at the venue, ensuring a welcoming climate and clarifying the rules of engagement is critical in ensuring the meeting realizes its objectives.

Documentation of the process and the outcomes is also important. The county needs to determine how the recording of the meeting and the discussions will be done. Should it be verbatim or summary of the discussions?

Facilitation resources required may range from material such as flip charts, makers, cards, note books among many others. In addition, at least basic refreshments such as water, sodas, and some snacks, and providing adequate comfort breaks will go a long way in helping participants engage.

Though it is not a common practice in big forums, an evaluation form completed by the participants is very helpful. The evaluation form should provide opportunity for participants to give their feedback on the process, deliberations and decisions, and if possible how the deliberations changed their viewpoint or increased their trust in government.

Example 4c: Description of a Participatory Budgeting Forum in Makindu Ward, Makueni

Participants in Makindu Ward were representing two sub-wards in the ward, Kiboko Town and Makindu. The deliberations were structured as follows:

Introductions and confirmations of projects selected at sub-ward level: The meeting started with introductions and a recap of projects selected from the sub-ward level. The director of devolution read out the projects to enable their confirmation by the delegates selected to represent the sub-wards at the ward level meeting.

Community members pointed out that some projects they had selected had not been included in the list read out. Several citizens drawn from the village clusters queried why some projects were not included. Some members got upset as they did not understand why they had to sit in the meeting if their projects were not selected. *"We are the citizens and we are the ones who selected the projects because we have a need for them."* complained a citizen when she realized their project from the village level had been excluded from the sub-ward project priority list.

The director explained that there was a process of prioritization at sub-ward level, so not all the projects that had been selected from the villages made it into the list of priorities. The projects are selected based on their weight, which is determined by priority and need. He advised the participants that in the selection of projects at ward level, it would be good to compromise and allow others with greater need to be selected. He clarified that having a loud voice did not mean that one's project would be selected but only those with greater need would make it to the final list of priorities. Some projects that were ongoing were also excluded from the priority list.

Selection of the meeting chair: The community members selected a chairperson to facilitate the meeting and a chief-whip, both drawn from the community and not the county executive. The chief whip is responsible for order during the meeting including time keeping. The chairperson selected was male and chief whip female.

Identification of key issues affecting thematic stakeholders in the county: The ward administrator led participants through a process to identify the key issues affecting various community stakeholders in the county, namely the youth, women, business community, children, orphans and vulnerable children, farmers, Persons living with HIV AIDs and Persons with disabilities. The objective of identifying these issues was to propose projects and interventions that address the challenges. The citizens identified and then proposed the possible interventions. This was a new addition to the consultation process, as the county had previously not undertaken it. While this was a good initiative, some of the various stakeholders whose issues were being mentioned were not present. The community members were not informed prior that they would undertake the exercise so they were not well prepared.

Prioritization of projects from the sub-ward: Community members are given time to prioritize projects from the sub-wards. All projects from sub-wards are listed. They are prioritized based on open debate and consensus. Mapping is done to aid the community identify which projects are missing in the ward and which areas within the ward have not received any funding for projects. The various delegates and representatives from villages sit together per sub-ward and agree on the final list of ward level projects.

The following projects were finally selected:

1: An Early Childhood Development Centre, 2: Borehole, 3: Training college, 4: Adult learning centre, 5: Dispensary, 6: Stadium.

Out of the total 117 participants at the forum, there were slightly more women (61) than men (56).

Example 4d: Participatory Budgeting formal notice template from Makueni

REPUBLIC OF KENYA
GOVERNMENT OF MAKUENI COUNTY
COUNTY TREASURY

Tel No.: 020-2034944
Email: finance@makueni.go.ke
Web: www.makueni.go.ke



Makueni County
P.O. Box 78-90300
MAKUENI

2017/18 BUDGET PUBLIC FORUMS

Pursuant to the provisions of the Kenya constitution 2010 and the Public Financial Management Act 2012, the County Government of Makueni invites the Makueni Citizenry to public participation for the 2017/18 Budget.

The Scheduled hearings are as follows;

SUB WARD HEARINGS

Sub County	Wards	Sub wards	Venue	Date	Time

Insert information on all meetings at this level in table above

WARD HEARINGS

Sub County	Wards	Venue	Date	Time

Insert information on all meetings at this level in table above

BUSINESS COMMUNITY HEARINGS

Sub County	Urban Centres	Venues	Date	Time

Insert information on all meetings at this level in table above

CHILDREN ASSEMBLY

Venue	Date	Time

Insert information on all meetings at this level in table above

DIASPORA HEARINGS (NAIROBI AND MOMBASA)

Venue	Date	Time

Insert information on all meetings at this level in table above

SUB COUNTY HEARINGS

Sub County	Venues	Date	Time

COUNTY HEARING

Venue	Date	Time

Written submission may be forwarded to the undersigned through finance@makueni.go.ke by
[Insert date.]

[Insert name of Senior Official] COUNTY EXECUTIVE COMMITTEE MEMBER, FINANCE AND
PLANNING

Example 5a: Proposal form to facilitate technical evaluation of proposals used in Makueni

Project Proposal Form

Project Title: Nthunguni Gulley		Department: Water irrigation and environment		Status: New
Ward: kilungu	Sub-Ward: Kithembe	Location: kithembe	Sub- Locations: Ndiani	
Project Background :(Inception; By who, when, available data supporting the project)				
Description/scope				
Activities				
Project Benefits:				
Project reach/coverage (population/area)				
Key risks/environmental impact (Positive and negative; give details)				
Estimated Total Costs (attach a breakdown of the overall budget)				
Indicate the link of project with the County development agenda/plans /economic activity				
Previous projects by county government in the Sub-location (List the projects)				
Community perception on their poverty (low, medium, high)				

Witnessed by

1. List of Community members
2. List of County Officials

Annex 1 Photo

Example 5b: Makeni Public Participation Framework



Example 6: The cascading of projects through forums in West Pokot

In the West Pokot model, village or community based forums select delegates to represent them at sub-location meetings and select, via consensus or voting (e.g. show of hands), a proposed project going to the sub-location meetings. Prior to the final decision meeting, the signed list of projects decided at the next level is made accessible back at the lower level forum through the village and ward administrators; and is also put up on notice boards. This fosters accountability at the community level, for actions taken by their delegates.

Sub-location meetings are the first public forums where the public identify and prioritize at least three projects. After hearing a whole range of proposals, the meeting selects the top three proposals to be forwarded to ward meeting. Since they tend to be simple (e.g. school improvements, upgrade of health facility, etc.) in most cases they are not merged or altered at later stages. However, road or water project suggested by one sub-ward may be merged with another, but this is rare.

These long lists of projects from the sub-location meetings are then discussed at the 20 Ward meetings. Each Ward meeting will be a convergence of delegates from 6-9 sub-locations. This implies that the Ward Forum would be having a long list of about 18-27 projects from which they should select about 6-10 projects to proceed to the County level deliberations.

To make decisions on which projects progress to the full ward meeting, the sub-location delegates are put together into location groups during the Ward Forums to get consensus on the top three priority projects from the list of sub-location proposed projects. In most of these discussions, each sub-location cluster is then required to select only one of the three it had prioritized earlier, so that only three locational projects are confirmed in the Ward meeting.


If a Ward has three locations, it will end up with nine Ward based projects.



Ward level meetings taking place in West Pokot

Example 7a: List of Selected/Approved Projects by a Ward Forum in West Pokot

COUNTY GOVERNMENT OF WEST POKOT



WARD PROJECTS SUBMISSION FORMS

Ward Name KAMUJI..... Financial year 2016/2017

S/n	Sector	Name of project	Status (New/Ongoing)	Sub location	Project Cost
01	Water	Weiwei borehole	Ongoing		
1	HEALTH	KSERA DISINFECTANT	NEW	KPPATET	1M
2	EDUCATION	SASACH ECD	NEW	KOKWOTBORIR	500,000/=
		KORORA ECD	NEW	SOITO	500,000/=
		OTIOT. ECD	NEW	MARUS	500,000/=
		SORORO ECD	NEW	PKOPOGH	500,000/=
		SUKUK ECD	NEW	SUKUK	500,000/=
		SUKUR ECD	NEW	PTIRAR	500,000/=
		KOKWOT ECD	NEW	KOS, TOT	500,000/=
3	WATER	EMPOSSITION	NEW	KEPET	3.4M
		MOINO WATER FORUM	NEW	KOS, TOT	200,000/=
		KAMWOTOGH WATER	NEW	PTIASIS	500,000/=
		KA-MARUS BOREHOLE	NEW	PTIASIS	1.3M
		MOINO WATER BOREHOLE	NEW	MOGHO	2M
		TOGHOMO WATER PROJECT	NEW	TOGHOMO	3.3M
		KOLALA-KATUT FORUM	NEW	PTIRAP	300,000/=
		CHERETIO-CHESIA WATER BOREHOLE	NEW	SOITO	1M
Total					19.3M

Certified By: HON. HELEN MADIO Signature [Signature] Date 6/4/16

Area MCA

Ward Administrator EMMANUEL KASIMU Signature [Signature] Date 6/4/16

Witness SAMSON KAITUM Signature [Signature] Date 6/4/2016

Example 8a: The structure and operation of PMCs in Makueni

In Makueni, for every approved project, a Project Management Committee (PMC) comprising of community members from the project area was established. These PMC members are elected in a public forum specifically called to inform the community about the project and the implementation plan after its approval. Ward administrators and the technical officers responsible for the sector/project facilitate the public forum.

The involvement of citizens in an oversight role through PMCs has promoted transparency and accountability; and minimized incidences of incomplete or poorly implemented projects. They have also minimized corrupt practices according to the County officials who manage them.

Makueni PMC Terms of Reference

- The uniqueness of Makueni’s participation model is that it involves citizens in overseeing the implementation of projects.
- This process is managed through the Project Management Committee (PMC). This ensures accountability as the community members provide checks and oversight alongside the County Assembly.
- To form the PMCs, the departments responsible for the implementation of the project in collaboration with the Public Participation Officers and Ward Administrators mobilise communities for a public forum.
- During the forum, the officials provide feedback on the approved projects and respective budget allocated and the implementation plan for the projects. The community members elect the PMCs members to provide oversight throughout the project implementation.
- The PMCs are furnished with the Bills of Quantity (BQs) and check all the materials that contractors use as per the BQs.
- The PMCs also check whether the contractors are constructing the projects as per the specifications and raise any complaints with the relevant county officials while the project is ongoing.
- The PMCs sign off project completion forms before the payments are made by the county.

The Makueni PMCs costs for sitting or transport allowances are incorporated in the cost of project. The county has ensured that there’s a cap to these PMC allowances. These costs range from 0.5% to 3% of the project cost. It has been noted that the projects are intricately related to the community needs and that the PMCs are regularly held to account by the citizens who appointed them and thereby reinforcing the accountability system for the PMCs as well.

Example 8b: Project approval within the pilot processes of Makueni and West Pokot

Approval in West Pokot

The process of allocation of PB funding begins with budgeting process in February during the County Fiscal Strategy Paper (CFSP).

During the public forums held in March, a proportion of development budget is allocated to Ward based projects which are chosen by the communities. The West Pokot County allocated between 25% and 32% of their development budget to ward level projects for the 2016/17 and 2017/18 budgets respectively. At the start of the Ward public forums the delegates are informed by county officials the approximate budget provided for each ward. The public forums are also informed about the ongoing projects which were initiated through the PB process and the ones that have been completed. In doing so, the county officials advice the communities to not only allocate resources to new projects, but also to allocate to those that are still ongoing and require additional resources.

The discussions in each Ward entails making the final decision on the projects and allocating the funds based on the technical advice provided by the county officials and the public works. In these discussions, Members of County Assembly (MCAs) and the County Assembly officials (fiscal analysts, researchers, assistants to the Clerk) are fully involved in the deliberations and decision making at the Ward forums.

Since the Ward Public Forums are also attended by the (MCAs), once the CEC Finance submits the budget estimates, public participation report and the appropriation bill to the Assembly by 30th April, the MCAs do not hold other public forums but refer to their own public reports that were written by their own officers.

The approval of the PB budget is therefore done alongside with approval of the full county budget.

Approval in Makueni

Makueni has a slightly different approval process. Below is an excerpt of an interview with the CEC finance.

“The ward development proposals presented by the citizens were captured in the final executive budget presented to the County Assembly on 30th April 2016.

To verify and validate the proposals, the County Assembly also held their public participation forums in the first and second week of June 2016 before they proceeded to debate and approve the budget in the Assembly.

According to PFM regulations, the County Assembly can make amendments to a ceiling of 10% of the entire budget. Even then, it is not anticipated that changes will be made in the PB related projects which have gone through extensive public participation process.

When they tried to make some changes, they got a backlash from the community who did not expect them to change their proposals.”

Excerpt of interview with Mary Kimanzi, CEC Finance

