

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Wednesday, 8th March, 2023

The Assembly met at the County Assembly chambers at 2:30 p.m.

The Deputy Speaker, (Hon. Lelenkeju Jackson), in the Chair

PRAYER

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STATEMENT

The Deputy Speaker, (Hon. Jackson Lelenkeju): Hon. Member, it is notified that the following Statements are due for response today Wednesday, 8th March, 2023 at 2:30 PM Pursuant to Standing Order No. 45 (c); Statement No. 019/2023 from the Chairperson Sectoral Committee on Education and Vocational Training regarding the status of the ECD Centers and projects across the County. Requested by Hon. Asha Mohammed, MCA Specially Elected. Chair, proceed.

Chairperson Education Committee and Vocational Training, (Hon. Lawrence Lorunyei): Thank you Mr. Speaker. Hon. Speaker, I beg to respond to request for the statement by the Special Elect MCA, Hon Asha Mohammed concerning the ECDE in the County. The Member is seeking the full report on Early Childhood Development Education and the total number of teachers in the County as well as when the last recruitment of ECDE teachers was done and also indicating Teacher/ Child ratio in the County. Hon. Speaker, she also asked any plans by the Department to recruit more teachers and again the full report on development projects in ECDE centers across the County;

1. Classrooms
2. Toilets
3. Fences

Also Hon. Speaker she asked measures put in place by the Department to ensure that there is proper supervision on the ECDE including transferred ever done, action taken to discipline Teachers and replacement if any.

Mr. Speaker, starting with the first request; full report on Early Childhood Development Education and the total number of teachers in the County as well as when the last recruitment of ECDE teachers were done and also indicating Teacher/ Child ratio in the County. Hon. Speaker,

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in response; the Government of Samburu has invested a lot on provision of quality ECDE programs. One of the core mandates of the Directorate is to advise the County Public Service on recruitment of trained ECDE teachers and writes requisition intent on the same. Hon. Speaker, the national pre-primary education policy standard guidelines clearly stipulate the teacher –child ratio in regular pre-primary class shall be 1:25. Teacher –child ratio and for pre-primary education special needs children shall be:-

Category of Special Needs	Standard Ratio
1. Deaf blind	1:1
2. Cerebral palsy	1:1
3. Server/ multi impairment	1:1
4. Autism	1:5
5. Mild mentally impairment	1:10
6. Gifted and talented	1:10
7. Hearing impaired	1:12
8. Visually impaired	1:15
9. Physically impaired	1:15

Hon. Speaker, according to the Education Department CIDP, the Department plans to recruit 90 teachers every financial year. However, the Department has not recruited the number of teachers required to be deployed at 568 ECDE Centers. Hon. Speaker, the Directorate prepared a master plan on inception of devolution which states that Department is required to recruit and employ 1,500 teachers for all ECDE centers but the Department has so far recruited 530, hence deficit of 970 teachers.

Hon. Speaker, the current enrolment 2023 is 43,989 meaning that teacher – child ratio is 1:96 which is against the policy. The Department requests the County Assembly of Samburu to ensure more funds are allocated to the department to enable the department to recruit more teachers. The

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last recruitment was done in 2017 and 45 teachers were recruited. That translate to 3 teachers were recruited per ward.

The next question was any plans by the Department to recruit more teachers. Hon. Speaker, according to the Education Department CIDP 2 (2018-2022), the Department plans to recruit 90 teachers every financial year. However, the Department has not recruited the number of teachers required to be deployed to 568 ECDE. The reason being, financial constraints. This state undermined the National ECDE Policy 2017 and National ECDE Standards Guidelines 2018 which clearly stipulates the teacher child ratio should be 1:25. The Department has requested County Public Service Board to replace teachers due to natural attrition and the request is yet to be effected.

The directorate of ECDE also requested the Members of County Assembly through the Chair for Education & Vocational Training to allocate 2 Million of ward development fund per annum for the purpose of recruitment of ECDE teachers through internship programme for the next five years. This will go a long way in addressing the teacher's deficit as well as address the budgetary constraints at the County Government.

The third question was about the full Report on Development projects in ECDE centers across the County;

1. Classrooms
2. Toilets
3. Fences

The County Government of Samburu has invested a lot on provision of quality ECDE programs that is pursuant to schedule four Article 174 part 2 of 9 which mandates County Government to be in-charge of ECDE programs. As per the department data base 2022 the department was able to construct classrooms, sanitary blocks provided water tanks, cooking appliances, kitchen, office and store, age appropriate furniture and fences as follows:

1. 346 ECDE classrooms were constructed

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2. 174 Sanitary blocks were constructed
3. 180 ECDE centers installed with water tanks
4. 568 ECDE centers provided with cooking appliances
5. Construction of ECDE centers Kitchen, Office & Stores. I did not get the numbers.
6. 294 ECDE centers equipped with furniture and
7. 65 Fences

The next question was measures put in place by the Department to ensure that there is proper supervision on the ECDE including transfers ever done, action taken to discipline Teachers and replacement if any.

Hon. Speaker, the Directorate of ECDE has components of monitoring and evaluation to ascertain;

1. Implementation of projects
2. Curriculum delivery and pedagogy
3. GMP programs
4. Transmission among many other programs

Mr. Speaker, the Department has recruited enough ECD officers to oversee all the fifteen Wards where they do regular supervision of ECD Centers using the recommended monitory and evaluation tools. They write reports which are submitted to the Sub-County Officer on 5th of every month, the Sub-County ECD Officer compiles their reports and submit to the Directorate Office on 10th Every month.

Hon. Speaker, transfer of ECD Teachers were done every year towards the end of the calendar year, others are transferred when need arises for the purposes of balancing teacher-pupils' ratio. Teachers are also replaced due to natural adulation and when it happens.

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Hon. Speaker, the Directorate of ECD has constituted panel to handle transfers and discipline teachers and officers. The composition of the panel is as follows:

- (A) Chief Officer as the chairperson
- (B) Staffing Officer as the secretary
- (C) Director as a member
- (D) The Deputy Director as a member.

The Directorate has summoned teachers with disciplinary cases and were advised accordingly so that they can execute their duties professionally as per Civil Servants' conduct and regulation. Thank you Hon. Speaker.

The Deputy Speaker, (Hon. Lelenkeju Jackson): Thank you Hon. Lorunyei. Hon. Members since Hon. Asha is absent to say if she is satisfied with the response or not, I now allow the Members to give their contributions.

The Majority Leader, (Hon. Lentukunye Christopher): I thank the Hon. Member who sort the statement and thank the Chairperson for the timely response. Mr. Speaker while I appreciate the Chairperson the Department concerned but the statement is not comprehensively answered.

The availability of food for ECDs and timely supply of the food to the centers is a challenge faced by the Department Mr. Speaker. Food is delivered to the centers almost to the closure of the school term and this matter should be addressed.

Another challenge is the serious shortage of ECD teachers. Mr. Speaker we have many well-constructed and equipped ECD Centers but lacks teachers, the teachers might have been sacked, left services or faced natural adulation. The Committee should inquire on the plans the Department has to fill those positions.

The Department should consider construction of teacher's quarters for the ECD teachers who are transferred far from their homes so as to keep them comfortable so that they can teach the pupils effectively.

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Mr. Speaker sir most of the ECD centers do not have recreational facilities. Mr. Speaker I do not know if the Department would allow the Members of the County Assembly to allocate little amount of money for the purposes of recruiting teachers on temporary basis through Ward Fund, if this could be possible then to me it will make sense and help.

I ask the Department through the Chairperson to look into those considerations so that we at least improve the quality of education of our pupils, thank you Hon. Speaker.

MCA Suguta Marmar Ward, (Hon. Leleruk James): I thank the Chairperson and the CECM for the response. Hon. Speaker this response looks like from a person who really wants to help our kids.

Mr. Speaker ECD is the backbone of education and it is squarely under our County Government and so I urge Members that although we have seen some gaps in the report. I also thank Hon. Asha for sorting this statement because most of our electorates have been asking us about recruitment of ECD teachers and the constructed centers.

The enrollment of pupils in our ECD centers is encouraging but the main problem is the teacher-pupils' ratio. I thank the Department for trying, thank you Mr. Speaker.

MCA Elbarta Ward, (Hon. Leitoro Jeremiah): Mr. Speaker I take this opportunity to thank Hon. Lorunyei for a well elaborated response, I also want to thank CECM Education and Vocational Training; Mr. Mark Egelan for doing his best especially on issue concerning schools feeding program.

Hon. Speaker, I have come to realize that in the previous regimes food used to arrive like two weeks to closure of schools but this time at least food was distributed at almost the opening of term. Mr. Speaker there are three villages in Elbarta Ward that do not have any existing classrooms hence pupils study under trees.

I thank the Department because they already have plans underway for construction of classrooms and I think each Ward was given two classrooms; the Department has ensured that there is equity

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in distribution of classrooms but my issue is that it came to my understanding that the construction of those classrooms was given to a single contractor and up to date I do not know when the contractor will come do the construction in my Ward, I do not know what is the problem, maybe the Committee should enquire on this.

Another important issue Mr. Speaker is that most of the time we get views from our electorates. They may request for supply of school uniforms. I do not know if this is the mandate of the County Government. I remember a time where the County Government supplied uniforms to our preschool but I am yet to know if this mandate is for the County Government. We are also aware that there are replacements of teachers who are deceased, retired or resigned; it is prudent if we do these replacements so that service delivery will not be tampered with. I do not know if we have a County data base for our preschool, it is good if we know the number of students that we have in our County which will assist in proper planning including budgetary planning and also school feeding programs.

When someone comes here and says that they need 35 million for a school feeding program, this should be informed by the number of pupils in school. If we do not have this data base on the number of pupils, then this House may find it difficult to do their oversight role well. Someone may just come here and say that we need this amount of resources to the feeding program which may not be well informed.

This data base may assist in terms of monitoring the transition from preschool to nursery school; times are changing and it is time to have 100% transition from preschool to primary school; these are long term plans. The idea as said by the Chair on Education that the CEC said that we may request two million from us as the Honorable Members to allocate two million for payment of intern teachers is a good idea but I think this amount is on a higher side. I think this idea was brought from the department of Health where there are a number of health care workers who are employed on this basis from the ward fund allocation. They used to give one million but only in one financial year but stopped; we can still borrow this idea and help employ intern teachers.

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I understand that there are ghost schools and these calls for us to have the number of schools, something that brought the existence of these schools are known cartels who create this to benefit from the school feeding program, we need to know the existence of these schools, if there are schools that are not existing but they get food from the school feeding program the Honorable House should go around and investigate the existence of this schools so that we may be able to fight these cartels, thank you Mr. Speaker.

MCA Wamba West, (Hon. Francis Lemartile): Thank you Mr. Speaker. I stand on two items concerning ECD in our County; the Chair on Education has given us shocking information on the teacher ratio in our County that the National Government policy is 1:25 and in our County this ratio stands at 1:96, this is too shameful in this era because in the primary level it 1:50. This ratio on ECD should be less. The department should give us clear plans to make enhance ECD in a better way. ECD is the foundation of education and if we mess with it then we have messed the whole society. The department should visit and give us plans on how to reduce this ratio.

In this era, there are ECD centers with no structures; the kids are still under the trees, the figures given by the CEC shows that the number of ECD institutions is more than the number of teachers in our County this means that half of what was given has no ECD teacher. All the devolved functions have been given to County Governments; they should be able to show their capability to offer these services. Our County Government should be serious on the ECD matter, thank you Mr. Speaker.

The Deputy Speaker, (Hon. Jackson Lelenkeju): Thank you Honorable Members. We have got viable interaction from the Hon. Members and thank you Chair for trying to provide a report but this Chair directs you to seek facilitation to do a serious fact finding mission and equip this House with more information for us to have a starting point. This is a menace coming up and we need to resolve it once and for all, plan on that and advice this House. The next Statement is Statement number 018/2023 from the Chairperson Committee on Environment, Water and Natural Resources regarding the payment of water projects for Soit Naibor borehole in Elbarta Ward before completion requested by Honorable Jeremiah Leitoro, the MCA Elbarta Ward.

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(Point of Information by Hon. Lemartile)

MCA Wamba West, (Hon. Francis Lemartile): We are not meeting the quorum as per the Standing Orders. We started with a quorum but looking around we do not have it.

The Deputy Speaker, (Hon. Jackson Lelenkeju): Honorable Members, in response to Honorable Lemartile's concern, I now direct the Sergeant at Arms to ring the bell to whip the Members who may be around for purposes of the quorum.

(The Sergeant at Arms rings the bell as directed)

The Deputy Speaker, (Hon. Jackson Lelenkeju): Hon. Members, from the look of things we have quorum and so we continue. Statement number 018/2023 from the Chairperson Committee on Environment, Water and Natural Resources regarding the payment of water projects for Soit Naibor borehole in Elbarta Ward before completion requested by Honorable Jeremiah Leitoro, the MCA Elbarta Ward.

Chairperson, Environment, Water and Natural Resources, (Hon. Francis Lemartile): Thank you Mr. Speaker Sir. I am not ready but I have prepared for tomorrow. I beg the Honorable Member who sought the Statement that the Statement will be ready by tomorrow at 2:30 pm.

The Deputy Speaker, (Hon. Jackson Lelenkeju): That is in order. The next Statement is Statement number 017/2022 from the Chairperson Sectorial Committee on Lands, Housing, Physical Planning and Urban Development regarding the enactment of the Community Lands Act on 21st September 2016 and its regulation on 2017. What is the Point of Order Honorable Leleruk?

MCA Suguta MarMar Ward, (Hon. James Leleruk): Mr. Speaker I would want to be guided on incase if the Member who requested the Statement is not around and maybe wanted to make a contribution will he or she have a chance to come and contribute? Thank you.

Specially Elected MCA, (Hon. Silapia Lenamatio): Thank you Mr. Speaker. According to our Standing Orders it directs us that even in the absence of the Member who sought the Statement it Disclaimer: The electronic version of this Hansard report is for information purposes only. A certified copy of this report can be obtained from the Hansard Editor, County Assembly of Samburu

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is Constitutional that you can bring the Statement even in the absence of a Member. I think it is Constitutional.

The Deputy Speaker, (Hon. Jackson Lelenkeju): In response to the Point of Order by Honorable Leleruk and as contributed by Hon. Silapia, our Standing Orders it states that once a Statement is asked it automatically becomes the property of the House. It is tabled on the floor of this House for the Members and not specifically for the one who asked. Proceed Chair for Lands.

Chairperson Committee on Lands, Physical Planning, Housing and Urban Development, (Hon. Leerte Patrick): Statement number 017/2022 from the Chairperson select Committee On Lands, Housing, Physical Planning and Urban Development regarding the enactment of the community land Act of 21st September 2016 and its regulations in 2017. Mr. Speaker I acknowledge receiving your letter dated 2nd March 2023 vide reference SBU/CA/CK/LHPPUD/VOL1/023 requesting for the statement I would like to report to the Assembly as follows:

The Department plans on awareness-creation to the group ranches members that are yet to transit as per the provisions of CLA 2016. Mr. Speaker, first I am glad to report that the department in collaboration with the ministry of Lands Public Works Housing and Urban Development and other development partners have taken significant steps in attending this aspiration. The department sponsored placement of notices in the local dailies of 26th May 2021 and 12th October 2021. By January 2023 a total of twenty-two group ranches had been transited into community land and issued with title deeds and certificates of registration.

Mr. Speaker, apart from the 11 group ranches which include; Angata Nanyokie, Kirimom, Mparingoni, Lodokejek, Lkiloriti, Ledero, Loosuk B, Woruwai, Loolmolog B, Lower Lpartuk and Lkuroto, that had obtained consent to subdivide. Presently in Samburu County there are three group ranches that are yet to transit. They are; Nachola, Longewan B and Malaso B. Nachola did not submit necessary documents despite holding elections on 3rd November 2021.

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On the other hand, Longewan B and Malaso B had inclusive elections that were scheduled for 6th July 2021 and 18th July 2021 respectively.

Longewan B despite having participated in the inclusive elections had also expressed their intent to subdivide into individual holdings while Malaso B declined to participate in the elections insisting on their quest to dissolve and subdivide into individual holdings. Malaso B also observed that they cannot transit until a case they had lodged against individual ranches is heard and determined by the high court. Mr. Speaker, to assist the two communities the department is seeking in consultation with the County Land adjudication and settlement office on how to help Longewan B and Malaso B taking into consideration that group ranches had a three-year window period to dissolve or to transit yet the communities interest is to go into individual private ownership as opposed to communal ownership.

For Nachola, it now remains the community's initiative to submit the requisite documents to avoid leaving the community land registrar with no option but to invoke his powers as per community lands act 2016 and registration Act 2012. The department's plan on awareness creation to the trust land members yet to register as per the provision of CLA 2016. Mr. Speaker, the Department undertook inventory of all unregistered communities trust land as from 6th July 2021 and submitted it to the Cabinet Secretary in charge of Lands on 31st January 2022. Subsequently, the Cabinet Secretary vide gazette number 1672 gazetted adjudication program for nine communities. Ngiro West, Loonjorin, Sesia, Arsim, Ndonyo Nasipa, Shabaa, Parkati, Loosuk C, Lpurkei and Nairimirimo in Samburu County. Upon gazettelement, some communities like Nyiro West has reservations. Mr. Speaker, presently the Department in collaboration with the ministry of lands public works housing and urban development is seeking opportunities for partnership in registration of all unregistered community land. In pursuit of this, the two departments are currently working closely in piloting registration of Arsim and Nairimirimo communities. Further, the county has also previously supported awareness creation in ongoing adjudication in sections of Kukwar, Ndonyo Wuasin Ngilai Central B, Nkare Narok B and Ngilai West B. Ndoto B Shabaa and Moruakeri. Mr. Speaker in collaboration with development

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partners including FCDC, FAO, Digital Land Governance Land Program, IMPACT Department has MOU, the Department will undertake awareness creation, preparation of rules and regulations, holding of elections to elect CLMCs, adoption of rules, demarcation and registration within the unregistered areas.

Mr. Speaker the Department plans ongoing training of Community Land Management Committees (CLMC) of the already transited group ranches on governance and leadership. Through collaboration with FAO, with support from the EU under Digital Land governance program and other development partners, the department has scheduled to undertake training and capacity-building of all newly elected members of the CLMCs in all community land in the County. We also implore upon the honorable members of the county assembly to provide allocations within their wards development funds for the purpose of CLMCs capacity building.

Mr. Speaker, the department plan on support financially of the group ranches that are in the process of training. The support that the department accords to the community is usually in figured in the sponsoring placement of advertisement in the local dailies with national circulation. Additionally, the department also sponsors facilitation of officers during technical services. Thank you Mr. Speaker.

The Deputy Speaker, (Hon. Lelenkeju Jackson): Thank you Hon. Chair for Lands Housing Development and Urban Planning for your elaborate statement. I now open the floor for members to contribute. Any contributions or suggestions?

MCA Nachola Ward, (Hon. Lorunyei Lawrence): Thank you, Mr. Speaker. I congratulate the Chairperson and the department for well-presented information. The statement is educative. I have heard of my area Nachola and Moruakeri. I thank you very much. Thank you, Mr. Speaker.

Specially Elected MCA, (Hon. Lenamatiyo Silapia): Thank you Mr. Speaker. I stand to echo the sentiments of the honorable member for Nachola, Hon. Lorunyei. I also take this chance to commend the Chairperson for Lands and the committee at large, without forgetting the department which has come up with a very elaborate answer in response to the statement. I can

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attest to this house that the Nairimirimo process was done last week for election of committee members.

The jurisdiction section in Kuka, Ngilai B, Nkare Narok was done last year but I still urge this committee and the department to push for the completion of the Ngilai Central B, Nkare Narok B and Ngilai West B, Ndoto B, Shabaa and Moruakeri for the completion. I take this opportunity to thank the committee. They did their best and I call upon the honorable members to give a recommendation that fits the work of this committee. Thank you.

MCA Suguta Marmar Ward, (Hon. Leleruk James): Thank you, Mr. Speaker. I would also like to congratulate the Chair for Lands for an elaborate statement given to this house. I just want to urge the Chair through the department to fast-track the remaining part of the two communities and advise the communities to follow up on the land adjudication office so that they speed up this process on Longewan B so that the community members will not be locked out before the time for registration elapses.

I would also like to congratulate the department and urge them on. I think they have seen what is happening in our county. The issue of land is very emotive. If we do not take care our land will be grabbed and as leaders, we will not allow an inch of our county to go to any other county. The issue that is going on within our belt along Pura, Malaso, Loolmolog and Longewan is an issue we need to be concerned as Samburu County because it not really an issue of banditry but that of land. As the County government and as the department of Lands they must invest on conservation of our land, titling and ensuring that every member of our County get their rightful share and if need be they must help the county get clear boundaries to prevent encroachment.

I am happy to note that the only issue in Longewan and Malaso is about to be resolved and I congratulate the other groups that got consent to subdivide their lands. I also urge the department to avail funds for the eleven group ranches who have the consent to subdivide. This should be an initiative of the County Government because the National Government has helped us in the last

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financial year. I also the urge the department of lands to avail funds for the group ranches that have everything in order to be assisted in their titling. Thank you Mr. Speaker.

The Deputy Speaker, (Hon. Lelenkeju Jackson): Honorable Members thank you for your contributions towards the statement and we urge the honorable specific sectoral chairs to keep their Departments on toes because we need to move as a County. We need to know what is happening in our departments and pending issues. We need to deliver services to our community promptly. Do more research, organize field trips in different parts of our County so that every Chair and the Committee are conversant on what the Departments are doing across the County so that when asked by members of this House you are not foreigners in your own land.

ADJOURNMENT

Honorable Members the time being thirty-five minutes past four O'clock and there being no other business, this Assembly now adjourns until Thursday 9th March 2023 at 2:30pm. Thank you.