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THIRD ASSEMBLY-FOURTH SESSION

TRAINING FOR MEMBERS OF IMPLEMENTATION COMMITTEE

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NOVEMBER, 2025

COUNTY ASSEMBLY OF BUNGOMA
(LPCS)
01 APR :
NOTICE ISSUED
By: Hon. Timothy Chikah

COUNTY ASSEMBLY OF BUNGOMA
(LPCS)
01 APR 2026
TABLED
By: Hon. Timothy Chikah

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Executive Summary

The implementation committee participated in a capacity training at the Centre for Parliamentary Studies and Training (CPST) aimed at the strengthening members knowledge and skills in oversight, monitoring and evaluation and tracking of the house resolutions.

The training was timely and relevant to the committees mandate of ensuring that resolutions passed by the County Assembly are effectively implemented by the County Executive. And relevant entities. This report contains observations and recommendations which this house is called upon to consider and approve to find authority for implementation.

CHAPTER ONE

1.1 Background

Hon. Speaker,

On 10th -14th November, 2025, the Implementation committee participated in a specialized training programme at the Centre of Parliamentary Studies (CPST) aimed at strengthening institutional capacity enhancing oversight effectiveness, and deepening understanding of parliamentary governance processes. The training was designed to equip the members of the Committee on Implementation with the advanced knowledge and practical tools to improve the execution, monitoring and evaluation of the Implementation committee mandates. The training provided a structured platform for examining best practices in the legislative scrutiny, accountability mechanisms, stakeholder engagements and performance tracking within the County Assembly systems.

The programme brought together facilitators, subject matter experts and parliamentary practitioners who shared comparative experiences and case studies drawn from various jurisdictions through interactive sessions, group discussions and scenario based exercises, members of the committee were able to reflect critically on existing operational challenges and identify actionable strategies to enhance committees performance.

Key areas covered during the during the training included:

1. Enhanced County Assembly oversight
2. Committee role and scope of work
3. Scrutiny of County Assembly adopted reports
4. Implementation of laws made in the County Assembly
5. Tools for monitoring against the County Executive Committee Members
6. Importance of County Assembly Oversight
7. Sanctions against members of the County Executive Committee
8. Leadership and managing the Monitoring and evaluation within the implementation Committee.

1.2. COMMITTEE MEMBERSHIP

Hon. Speaker, the Committee on Implementation as currently constituted comprises the following Members;

1. Hon. Timothy	Chikati	Chairperson
2. Hon. Jeremiah	Kuloba	Vice chair person
3. Hon. Aggrey	Mulongo	Member
4. Hon. Vitalis	Wangila	Member
5. Hon. Ali	Machani	Member
6. Hon. Franklin	Simotwo	Member
7. Hon. Catherine	Kituyi	Member
8. Hon. Mildred	Barasa	Member
9. Hon. Idd	Owongo	Member
10. Hon. Alfred	Mukhanya	Member
11. Hon. Abraham	Obama	Member

1.3. The Mandate of The Committee

Hon. Speaker, the mandate of the Committee is outlined in Standing Order 212 as follows:

(212)(4) The Committee shall scrutinize the resolutions of the House (including adopted Committee reports), Petitions and undertakings given by the County Executive Committee and examine-

(a) whether or not such decisions and undertakings have been implemented and where implemented, the extent to which they have been implemented; whether such implementation has taken place within the minimum time necessary and

(b) whether or not legislation passed by the House has been operationalized and where operationalized, the extent to which such operationalization has taken place within the minimum time necessary.

CHAPTER TWO

2.0. Contents of the Training at the Centre for Parliamentary Studies

2.1 Key areas covered during the during the training included:

1. Enhanced County Assembly oversight

Enhanced County Assembly oversight by the committee on implementation refers to the strengthened role of the committee on implementation in ensuring that resolutions, motions and laws passed by the County Assembly are effectively executed by the County Assembly Executive. The Committee closely monitors implementation progress, follow-up on the pending actions, demands status reports from relevant departments and holds officials accountable for delays or noncompliance by systematic tracking of decisions and requiring of regular reporting. The Implementation Committee promotes transparency, improves service delivery, prevents policy stagnation and ensures the County Assembly legislative and oversight mandates translate into tangible outcomes for citizens satisfaction.

The County Assembly Standing Order 212 (4) clearly provides the scope of the committee; however, the Committee noted some discrepancies in S.O. 212 -in the mandate of the Implementation and proposed for some amendments for consideration by the Committee on Procedure and House Rules as follows:

i. Introduction

The Committee on Implementation was first established under the Interim Standing Orders of the First County Assembly of Bungoma. This mandate was subsequently carried forward into the 1st and 2nd editions of the Standing Orders.

Currently, the mandate of the Committee is provided for under **Standing Order 212 (4)**.

i. Definition of Key Terms

To ensure a clear understanding of the Committee's mandate, the following terms are defined:

- **Select Committee:** *Black's Law Dictionary* defines a Select Committee as a small group of legislative members appointed to investigate, examine, and report on a specific bill, topic, or issue referred to them by the main body.

Note: In this context, "Select Committee" encompasses all committees established under the Bungoma County Assembly Standing Orders, whether they are Sectoral or Standing Committees.

- **Relevant Committee:** This refers to a specific committee with the proper jurisdiction, authority, and connection to the subject matter, inquiry, or legislative issue currently under consideration.

ii. The Role of Committees in the Legislature

Committees are vital organs in the working processes of a legislature. Without them, proceedings would grind to a halt due to the sheer volume of business. Committees act as agents that enable legislatures to organize work efficiently, performing numerous activities simultaneously and expeditiously.

iii. Classification of Select Committees (Senate Comparison)

For context, Select Committees (as seen in the Senate model) typically comprise:

1. **Housekeeping Committees:** (e.g., House Business Committee, Procedure and Rules Committee, Liaison Committee).
2. **Standing Committees:** Committees assigned specific subject matters (for case County assembly these are sectoral committees.)
3. **Sessional Committees:** Committees such as County Public Accounts and Investments or Delegated Legislation.

Note: A "Session" refers to the sittings of the House commencing after a General Election or as provided in the Standing Orders, terminating at the end of a calendar year. Members usually serve for the duration of the Session.

4. **Joint Committees:** Established by a resolution of both Houses or by law (e.g., Mediation Committees under Article 113 of the Constitution).
5. **Special and Ad Hoc Committees:** Created to investigate specific matters (e.g., impeachment proceedings). Their mandate expires upon the submission of their report

Committee proposed amendment to the County Assembly of Bungoma Standing Orders:

a) AMENDMENT OF STANDING ORDER 205(2)

Standing Order 205 (2) of the County Assembly of Bungoma Standing Orders is amended by deleting the words **“to the relevant committee of the County Assembly”** appearing immediately after the word **“Report”** and substituting therefor with the words **“Committee on Implementation.”**

The amended Standing Order 205 (2) shall read as follows:

“Within sixty days of a resolution of the House or adoption of a report of a select committee, the relevant County Executive Committee Member under whose portfolio the implementation of the resolution falls, shall provide a report to the Committee on Implementation in accordance with Article 183(3) of the Constitution.”

Justification:

To provide clarity and avoid misinterpretation of the phrase **“relevant committee of the County Assembly,”** ensuring all implementation reports are centralized through the Committee on Implementation for effective oversight.

b) AMENDMENT OF STANDING ORDER 212(5)

Standing Order 212(5) of the County Assembly of Bungoma Standing Orders is amended by deleting the words **“report to the relevant select committee on implementation status”** appearing immediately after the word **“to”** and substituting therefor with the words **“submit an implementation status report within stipulated timelines.”**

The amended Standing Order 212(5) shall read as follows:

“The Committee may propose to the House, sanctions against any Member of the County Executive Committee who fails to submit an implementation status report within stipulated timelines without justifiable reasons.”

Justification:

To streamline the reporting process and reinforce the accountability of County Executive Committee Members by making the failure to adhere to specific timelines a clear ground for sanctions

2. Committee role and scope of work

The scope of work of the Implementation Committee includes tracking the status of all approved recommendations by the house, demanding progress reports from the relevant departments of the County Government and other state departments, verifying actual implementation on the ground, interrogating the implementing accounting officers and presenting feed back reports to the County Assembly with recommendations/sanctions. The committee also identifies delays or non-compliance and recommends corrective actions and ensures accountability by summoning responsible officials where necessary. In general the committee ensures the effectiveness of the Assembly's decisions by ensuring they translate into practical results that benefit the public. -S.O. 212 (4)

3. Scrutiny of County Assembly adopted reports

The training emphasized for the implementation committee to consider the implementation scrutiny with emphasis on to the constitutional provisions of separations of power, devolution and approved budgets.

The approach is depended on the nature of the resolution in this case , advisory, policy direction , budgetary, investigative, disciplinary or administrative action. The following steps shall be involved by the committee in ensuring effective implementation scrutiny process:

- a) Categorize the resolutions according to nature of the resolution and the implementing entity.
- b) Analyze/ asses the constitutional competence of the resolutions.
- c) Asses the statutory authority.
- d) Examine the alignment with the Constitution provisions of the devolved functions and if there's budgetary provisions.

- e) Invite the implementing/ accounting officer with clear issues to be addressed in the assessment of the implementation status. The invite should give sufficient timelines as provided for in the Standing Order's
- f) Ensure the responses are availed earlier before the date of interrogation to allow the analysis of the responses for members information prior to the interrogation day.

In summary, a clear scrutiny framework is necessary to ensure that County Assembly resolutions are lawful, constitutionally compliant, financially sustainable, administratively feasible and effectively implementable. Without structured steps, governance becomes inconsistent, vulnerable to legal challenges and inefficient.

4. Implementation of laws made in the County Assembly

The training focused on the Pre-Publication Scrutiny, Governor's assent or refusal to assent and how to scrutinize the Governors Executive Orders

Pre-publication scrutiny

Pre-publication scrutiny is the formal review and examination of the legislative proposal before its officially published, tabled in the house or implemented, this is basically to ensure that its legally compliant, procedural, accurate and in line with other existing laws.

The mandate of the implementation committee is focused on post legislative scrutiny. The Committee focuses on the how the laws passed by the house are being implemented and of emphasis the enactment and implementation of the regulations.

The committee on Implementation has the mandate to review the Governors pronouncements to ensure that executive statements are lawful, practical, budgeted for and aligned with the County Assembly's approved Government plans. .

5. Tools for monitoring against the County Executive Committee Members

Monitoring of the County Executive is a systematic process by which the County Assembly tracks, evaluate and ensures the performance, accountability and compliance of the CEC Members with the law, policies and the County Assembly resolutions.

The following are the tools for effective County Assembly Oversight:

Legislative tools

Committee System

There exist the sectoral and watch dog committees in the County Assembly that exercise oversight. The Implementation Committee is the Watch dog Committee that examine the Executive actions on the house resolutions and issue sanctions where a CEC fails to comply.

Legislative Instruments

These are formal tools, laws, or regulatory measures that a County Assembly uses to exercise control, oversight and Accountability over the County Executive and its departments. These tools are, Bills, Motions, and Resolutions that demand accountability from the accounting officers. In general , these are legal tools the County Assembly can wield to enforce accountability.

Question time

This tool allows members to ask questions to the CEC Members and departments on policy issues which are for the benefit of the electorates whom they represent.

Verification and engagement tools

Reports and Audits

The County Assembly scrutinizes reports from the external auditors i.e. office of the auditor General (OAG), Performance audits and Financial Statements. The resolutions of the referred reports are solely followed up by the implementation committee save for departmental financial statements which fall under the mandate of the sectoral committees.

Public Participation

Public Participation is a key mechanism through which a county Assembly ensures accountability , transparency and responsiveness of the County Executive, the training emphasized on engaging citizens in the monitoring and evaluation of house resolutions

on the implementation of County Projects and services so as to hold accountable the Executives.

6. Importance of County Assembly Oversight.

County Assembly ensures fiscal responsibility, prevents corruption, strengthens accountability mechanisms by ensuring public officials and departments act transparently and responsibly in managing County resources and executing their duties. This creates clear lines of responsibility and consequence for mismanagement, and protects public trust by strengthening citizen confidence through transparent reporting that demonstrate commitment to effective Governance.

- I. **Article 183(3) of the Constitution of Kenya (2010)** provides that, the County Executive Committee Member shall provide the County Assembly with full and regular reports on matters relating to the county.
- II. **Article 185(1) of the Constitution of Kenya (2010)** provides that, legislative authority of a county is vested in and exercised by its County Assembly
- III. **Article 183 of the Constitution of Kenya (2010)**-A county executive shall **implement** county legislation, national legislation to the extent that the legislation so requires and may prepare **proposed legislation** for consideration by the County Assembly.

7. Sanctions against members of the County Executive Committee

Mandate of the Committee (SO.212(5)

- The Committee may propose to the House, sanctions against any Member of the County Executive Committee who fails to report to the relevant Select Committee on implementation status without justifiable reasons.
- A resolution has the import of inviting the Assembly to take a decision that is binding to itself or the authorities responsible for implementation.
- Primary purpose is to achieve specific measurable goals as a County Assembly cannot transact business in vain-service delivery to the people

- A sanction is a measure, typically economic or political, enacted by an authority to enforce law or encourage specific behavior.
- May be issued by the Assembly as part of a system of checks and balances.
- The exact nature of the sanctions is not explicitly defined in the Standing Orders

8. Leadership and managing the Monitoring and evaluation within the implementation Committee -is critical in ensuring full resolutions of the house.

To perform this role effectively strong leadership and management of Monitoring and Evaluation system are essential. The effectiveness of the implementation committee largely depends on the strength, professionalism and technical competence of its secretariat, while committee members provide oversight and leadership, the secretariat provide technical administrative and analytical back bone that drives monitoring and Evaluation and follow up process. Strengthening the secretariat ensures that oversight is evidence based , timely and impactful. The strengthened secretariat will enhance quality of the reports and analysis, improve tracking of the resolutions, ensure proper documentation, support data -driven decision making with little delays in follow ups that eventually improve accountability mechanisms.

CHAPTER THREE

Lessons Learned

1. The training content was relevant to the mandate of the implementation committee to the extent of its expansion outlining the modules on the Monitoring and Evaluation, result based management and oversight tools.
2. That the mandate of the committee under Standing Order 212 conflicts the Role of the Implementation committee on the follow-up of the house resolutions and that of the sectoral committees
3. The training emphasized practical tools such as implementation tracking matrices and performance indicators in the execution of the committees oversight role
4. The Committee gained improved understanding of the their constitutional and legislative oversight and administrative management
5. The committee finds that knowledge gained must be institutionalized within the secretariat to avoid reliance solely on members. Theres need for development of a standard operating procedure for tracking resolutions.
6. Gaps were identified during the training where the committee observed that there are delays of implementation reports by the County Executive, weak coordination between committees on cross cutting house resolutions
7. The committee further noted that for effective follow-up on the implementation of the house resolutions, there require adequate budgetary allocations to cater for field visits and verification exercise and finally report writings.
8. The County Assembly administration should enhance the staffing levels to oversight committees by technical teams in financial analysis and audit to effectively track implementation of the resolutions implemented by the accounting officers.

Committee recommendation and conclusion

1. Theres need for approval of an implementation tracking framework matrix incorporating clear indicators, timelines, responsible accounting officers and reporting frequency status- ***copy attached***

2. The CASB administratively enhance the secretariat to the implementation committee by considering fiscal analysts and auditors for efficiency.
3. The LPCS and the CS departments to develop standard operating procedures to be guiding the oversight committees and sectoral committees in the follow up on the house resolutions.
4. The County Assembly committee on procedure and house rules in its mandate of reviewing the Standing Orders , to align S.O.212 (4) to expressly give the mandate of following up on the house resolutions to be for the Implementation committee.
5. That the coordination mechanism with the Sectoral committees to conduct joint monitoring exercise where the resolutions are cross -cutting
6. The Budgetary increment be considered for the Implementation committee to facilitate field visits and support stake holder engagements on the implementation status of County Projects and services offered that are under scrutiny.

Conclusion

The committee appreciates the training provided at the CPST and acknowledges its relevance in strengthening oversight and implementation tracking. The committee further emphasizes for the training outcomes to translate into measurable institutional improvement, the recommendations outlined above should be implemented in a structured manner.

Adoption Schedule

The members of the implementation committee do adopt this report with the recommendations therein

S/NO	NAME	TITLE	SIGNATURE
1	Hon Timothy Chikati	Chairperson	
2	Hon Jeremaiah Kuloba	Vice Chairperson	
3	Hon Aggrey Mulongo	Member	
4	Hon Franklin Simotwo	Member	
5	Hon Ali Machani	Member	
6	Hon Vitalis Wangila	Member	
7	Hon Idd Owongo	Member	
8	Hon Alfred Mukhanya	Member	
9	Hon Abraham Obama	Member	
10	Hon Catherine Kituyi	Member	
11	Hon Mildred Barasa	Member	

2.3 ANNEXTURES

First Session	2017	3
Second Session	2018	21
Third Session	2019	33
Fourth Session	2020	30
Fifth Session	2021	39
Sixth Session	2022	31
		TOTAL 157

2.3 BASIS FOR SANCTIONS

Mandate of the Committee (SO.212(5

- The Committee may propose to the House, sanctions against any Member of the County Executive Committee who fails to report to the relevant Select Committee on implementation status without justifiable reasons.
- A resolution has the import of inviting the Assembly to take a decision that is binding to itself or the authorities responsible for implementation.
- Primary purpose is to achieve specific measurable goals as a County Assembly cannot transact business in vain-service delivery to the people

- Committee may recommend budget cuts for the concerned department until implementation of the House resolutions.
- County Assembly approves the budget and expenditure of the county government in accordance with Article 207 of the Constitution

FINES

- Committee itself cannot impose fines.
- The Committee's power is primarily one of oversight, inquiry and recommendation to the Assembly on the implementation of the resolutions of the House.

Parliamentary Powers and Privileges (Amendment) Bill, 2022-Sen Mungatana

- Creates an offence for failure to report to Parliament by a relevant public officer to whom a resolution or report of a House or a Committee of Parliament is submitted.
- Proposes a fine not exceeding Kshs 500,000 or to imprisonment for a term not exceeding six months or to both
- In summary, the Committee on Implementation's power regarding sanctions is limited to recommending action to the County Assembly, which maintains the ultimate authority to decide and implement any appropriate parliamentary measure.

COMPARATIVE STUDY

UNITED STATES OF AMERICA (USA)

- Implementation of resolutions of the House of Representatives and the Congress is founded on the principle of co-operation rather than contention between Houses of Parliament and the executive.

CONCLUSION

- ❑ The successful implementation of the resolutions of the County Assembly requires the co-operation and collaboration of both the county legislators and the county executive.

2.4 LEADERSHIP AND MANAGING THE M&E WITHIN THE COMMITTEE

- ❑ The Committee on implementation plays a critical role in ensuring accountability and follow up on all assembly resolutions, committee recommendations and adopted reports.
- ❑ Effective leadership and management of M & E systems within the committee are essential to ensure that resolutions lead to tangible policy, administrative or legislative actions by the executive and relevant agencies.
- ❑ Strong leadership is essential in creating a result oriented culture in monitoring assembly resolutions

Key Performance Indicators(KPIs)

Area	indicators
Implementation rate	% of resolutions fully implemented within timelines
Timelines	Average time taken to initiate action after a resolution
Responsiveness	Number of agencies responding to committee queries
Quality of reports	Extent to which reports are evidence based and comprehensive

The training significantly enhanced Members' understanding of the constitutional, statutory, and Standing Order–based mandate of the Committee on Implementation, particularly with regard to post-legislative scrutiny and follow-up on House resolutions.

2. Policy–Legislation Gap

It was observed that, in practice, some county legislations are enacted without clear linkage to existing or well-developed policy frameworks, contrary to the ideal legislative process where policy should precede legislation.

3. Delayed Operationalization of Laws

Several laws passed by the County Assembly are not operationalized within the minimum time necessary due to delays in formulation of regulations, establishment of institutions, or lack of budgetary support.

4. Weak Reporting by the County Executive

There is inadequate and irregular reporting by County Executive Committee Members on the implementation status of Assembly resolutions, petitions, and adopted reports, undermining effective oversight.

5. Limited Use of Post-Legislative Scrutiny (PLS)

Post-legislative scrutiny is not systematically prioritized and is often constrained by limited resources, competing committee work, and lack of structured timelines.

6. Absence of Clear Sanctions Framework

Although Standing Order 212(5) empowers the Committee to propose sanctions, the absence of clearly defined sanctions in the Standing Orders weakens enforcement and compliance.

7. Inadequate Monitoring and Evaluation (M&E) Systems

The Committee lacks a fully institutionalized M&E framework with clearly defined indicators, reporting tools, and data management systems to track implementation outcomes.

6. Capacity Building and Resource Allocation

The Assembly should allocate adequate financial and technical resources to the Committee on Implementation to facilitate research, public hearings, field verification, and engagement of experts where necessary.

7. Establish an Executive Coordination Mechanism

The County Government should consider establishing a County Assembly Affairs or Parliamentary Liaison Office within the Office of the Governor to coordinate, monitor, and report on implementation of Assembly resolutions.

8. Adopt Comparative Best Practices

The Committee should benchmark with best practices from other jurisdictions, including regular executive assurances tracking and commissioning of independent research on implementation of key legislations.

9. Improve Quality of Reports

All implementation reports submitted to the Committee should be evidence-based, comprehensive, and outcome-oriented to support informed decision-making and effective remedial action.