CONSOLIDATING GAINS AND DEEPENING DEVOLUTION IN KENYA

2019 – 2022

Joint Devolution Programme (JDP) Mid-Term Evaluation

Evaluation Report

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Independent Evaluation Team

Karuti Kanyinga - Team Leader
Email: karuti@south.co.ke
and
Albino Luciani - Team Member
Email: lucianialbino@yahoo.co.uk

Submitted to
United Nations Development Program
UNON, UN Avenue, Block D5
PO Box 28832-00100
Nairobi, Kenya

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List of Abbreviations and Acronyms

ADP	Annual Development Plan
AGPO	Access to Government Procurement Opportunities
ADR	Alternative Dispute Resolution
AWP	Annual Work Plans
CAF	County Assemblies Forum
CBEF	County Budget and Economic Forums
CECs	County Executive Committees
CIDP	County Integrated Development Plan
CoG	Council of Governors
CPD	Country Programme Document
CPMF	County Performance Management Framework
CRA	Commission on Revenue Allocation
CSOs	Civil Society Organisations
CAPR	County Annual Progress Report
CARA	Commission on Revenue Allocation Act
CBO	Community Based Organization
CC	Climate Change
CFSP	County Fiscal Strategy Paper
CHA	Community Health Strategy
CIMES	County Integrated Monitoring and Evaluation System
CoB	Controller of Budget
COBMIS	Controller of Budget Management Information System
COVID-19	Coronavirus Disease
CP	Child Protection
CREAW	Centre for Rights Education and Awareness for Women
DaO	Delivering as One
DDWG	Devolution Donor Working Group
DRM	Disaster Risk Management
DSWG	Devolution Sector Working Group
DORA	Division of Revenue Act
DRR	Disaster Risk Reduction
DRM	Disaster Risk Management
ECDE	Early Childhood Development and Education
E-CIMES	Electronic County Integrated Monitoring and Evaluation System
FCDC	Frontier Counties Development Council
FGD	Focus Group Discussions
FGM	Female Genital Mutilation
GBV	Gender Based Violence
GEWE	Gender Equality and Women Empowerment
GRB	Gender Responsive Budgeting
HDI	Human Development Index

HRBA	Human Rights Based Approach
IBEC	Intergovernmental Budget and Economic Council IGRTC Intergovernmental Relations
FY	Financial Year
GBV	Gender Based Violence
GBRC	Gujarat Biotechnology Research Centre
GROC	Gender Responsive Oversight Checklist
ICIPE	Independent Country Programme Evaluation
IFMIS	Integrated Financial Management Information System
IGRTC	Inter-Governmental Relations Technical Committee
IP	Implementing Partner
JDP	Joint Devolution Programme
JKP	Jumuiya ya Kaunti za Pwani
KDSP	Kenya Devolution Support Programme
KENWOG	Kenya Network of Women Governors
KII	Key Informant Interview
KES	Kenya Shillings
KESRA	Kenya School of Revenue Administration
KIPPRA	Kenya Institute of Public Policy Research
KNBS	Kenya National Bureau of Statistics
KRAs	Key Result Areas
KSG	Kenya School of Government
LNOB	Leave No One Behind
M&E	Monitoring and Evaluation
MCA	Member of County Assembly
MED	Monitoring and Evaluation Department
MLSP	Ministry of Labor and Social Protection
MoD	Ministry of Devolution and Arid Lands
MTE	Medium Term Evaluation
MTP	Medium Term Plan
MTR	Medium Term Report/Review
NCBF	National Capacity Building Framework
NDMA	National Drought and Management Authority
NDOC	National Disaster Operations Centre
NIM	National Implementation Modality
NIMES	National Integrated Monitoring and Evaluation System
NPGD	National Policy on Gender and Development
NSA	Non-State Actor
NYC	National Youth Council
OAG	Office of the Auditor General
OBI	Open Budget Index
OBS	Open Budget Survey
OCoB	Office of the Controller of Budget
OSR	Own Source Revenue

PBB	Programme Based Budgeting
PFM	Public Finance Management
PIU	Project Implementation unit
PMS	Performance Monitoring System
PRODOC	Programme Document
PSC	Programme Steering Committee
PST	Programme Steering Team
PUNO	Partner UN Organizations
PWD	Persons with Disabilities
REB	Regional Economic Bloc
SCOA	Standard Chart of Accounts
SDG	Sustainable Development Goals
SESP	Social and Environmental Screening Procedure
SME	Small and Micro Enterprises
SOCATT	Society of Clerks at the Table
TIFA	Trends and Insights for Africa
ToC	Theory of Change
ToT	Training of Trainers
TWG	Technical Working Groups
UNDAF	United Nations Development Assistance Framework
UN	United Nations
UNDP	United Nations Development Programme
UNICEF	United Nations International Children's Emergency Fund
UNV	United Nations Volunteers
WEP	Women Empowerment Programme

EXECUTIVE SUMMARY

The Joint Devolution Programme's (JDP's) overall outcome is that *by 2022, people in Kenya access high-quality services at the devolved level that are well-coordinated, integrated, transparent, equitably resourced, and accountable*. The programme is implemented at the national and county levels with the support of Finland, Sweden, and Italy. The programme is implemented by UNDP, UN Women, and UNICEF in partnership with Government of Kenya authorities at the national and county levels. Non-state actors and local communities are also involved in implementing the programme. The programme implementation period is 2019 to 2022.

JDP focuses on four areas: (a) strengthening policies, laws, and institutions for effective service delivery (b) strengthening public finance management (c) strengthening capacity for performance management (d) and enhancing citizens participation in devolution.

It targets 14 marginalised counties[1] selected through consultation with authorities at the national and county level. Key data on poverty and gender inequality, arid and semi-arid status, gender and children's issues, disaster risk profile, and lessons learned from other programmes guided the identification. The programme addresses the urgent human development challenges in these marginalised counties, some with poverty rates above 70 per cent. The high levels of poverty in these counties adversely affect women, children, and other vulnerable groups, and they continue to slow human development in these areas.

Objectives and scope of the evaluation

The purpose of this Mid-Term Evaluation (MTE) was to provide an overall assessment of progress made and note achievements against planned results, as well as assess and document challenges and lessons learnt since the commencement of the programme. The MTE findings, recommendations and lessons learned will guide implementation of the remaining phase of the programme, including recommendations for corrective and/or mitigation measures necessary for enhanced delivery. The evaluation also focuses on crosscutting issues, including Coronavirus Disease (Covid-19), green economy and climate change, Sustainable Development Goals (SDGs), and the transformational focus of 'Leaving No One Behind'.

Methodology

This evaluation was conducted following UNDP project quality criteria with a focus on, among others, strategy, relevance, social and environmental sustainability, management and monitoring, efficiency, effectiveness, sustainability, and national ownership.

Data to address the evaluation questions were collected using a mixture of methods. These included reviews of relevant documents such as progress reports and evaluation reports related to the programme. Key informant interviews were conducted with relevant individuals and institutions at the national and county government levels, as well as UN agencies. Interviews were also conducted with civil society groups and experts with knowledge about devolution. In the counties, the evaluation team conducted Focus Group Discussions with ordinary citizens, many of whom had interacted with the programme and/or had knowledge about devolution and service delivery in their respective counties.

[1] Busia, Garissa, Isiolo, Kajiado, Kilifi, Mandera, Marsabit, Narok, Samburu, Tana River, Turkana, Wajir, West Pokot, and Lamu.

In addition, an online survey was carried out targeting respondents from among all individuals and agencies implementing the programme. All data collected from each source was triangulated to enhance validity of the outcomes and to provide an in-depth understanding of the programme's progress and achievements.

Findings from each data source were verified by comparing them to other data sources. This helped to establish the extent of corroboration and/or filled gaps in the findings. Above all, the analysis and findings from secondary data were further interrogated by use of interviews and FGDs. Such triangulation helped to verify and validate the findings on which this report is based.

The Joint Devolution Programme

The programme is founded on the realisation that devolution and marginalisation are complex issues that are best addressed through a joint programme. This approach is meant to tap on the strengths of multiple UN agencies, national government stakeholders, and county government institutions with expertise in key sectors and performing lead roles.

The programme is developed in line with the UN Delivering as One (DaO) strategy. Each participating UN agency can tap on individual comparative advantages and leverage the key advantages of other agencies and resources under a joint programme to achieve the overall objective of the programme. The programme addresses the United Nations Development Assistance Framework (UNDAF) 2018 – 2022 Outcome 1.2: "By 2022 people in Kenya access high quality services at devolved level that are well coordinated, integrated, transparent, equitably resourced, and accountable."

The programme's Theory of Change is based on a correlation between resources, coordination, and a supportive policy framework. That is, resourcing and delivering services in a coordinated manner and under an effective policy framework will in the end contribute to reduced poverty and inequality.

JDP Theory of Change

If services at the devolved level are well resourced and delivered in a coordinated, efficient, transparent, accountable, and equitable manner, **underpinned** by legal and institutional frameworks; effective public financial management systems; evidence-based policies; and active mechanisms for public participation and engagement, **then** people of Kenya will enjoy high quality and inclusive services that contribute to reduced poverty and inequality.

Key findings

Devolution in Kenya remains the centrepiece of national and local development and service delivery. Strengthening the process of devolution and delivery of devolved functions in the counties, therefore, plays a catalytic role in fostering change. Devolution on its own has strengthened the potential of Kenya to address challenges of inequality, exclusion, and poverty. The Joint Devolution Programme (JDP) remains very relevant not only because of targeting the marginalised counties marked by high levels of poverty and inequality, but also because it aligns with the UN framework of Leaving No One Behind (LNOB) to reach those 'left furthest behind.'

The programme is strategic and relevant to Kenya's national and county development context. The priorities are well aligned to UNDAF; the UNDP Strategic Plans; the UN Women Strategic Note; and the UNICEF Kenya Strategic Plan. The programme is also aligned to UNDP Kenya Country Programme Documents (CPD 2018-2022 &2022-2026). These plans draw from Kenya's national and county level policy priorities. That is, the priorities outlined here reflect the government of Kenya policy priorities articulated in Vision 2030 and attendant MTP III, County Integrated Development Plans (CIDPs), and the relevant provisions of the Constitution of Kenya 2010.

The programme is making contributions to Kenya's efforts to achieve SDGs, particularly on gender equality, and reduced inequality, and other interventions under the four programme outputs. The findings also reveal that the programme adapts to changing development contexts. During the implementation of the programme in 2020, the Covid-19 pandemic occasioned disruptions in economic activities and provision of services across the country. The programme pro-actively responded to the difficult challenges by repurposing resources to support vulnerable households, women, and children in the target counties. The programme adapted to the changing context and responded to assist households to mitigate emergent challenges. In addition, the programme is playing an instrumental role of addressing the needs of children in the policy framework, planning and budgeting processes. These challenges are not effectively addressed through mainstream government planning and budgeting processes.

Overall programme performance

At the outcome level, the programme indicators included achieving a 5 per cent increase in budget absorption from a baseline of 75 per cent in FY 2018/19. The programme also sought to influence the allocation of county government budget resources to at least 45 per cent from the previous levels of 41 per cent to social sectors with priorities for children and women. The programme also expected to contribute to increasing the number of Kenyans who support devolution from a baseline of 88 per cent in 2016/17 to 90 per cent in 2021/22.

By the time of conducting this MTR, the first two targets were either on track or had been surpassed. The absorption rate had increased from 75 per cent to 78 per cent in FY 2021/22. Allocation to the social sector increased from 41 per cent in FY 2018/19 to 45.6 per cent in FY 2021/22. The budget allocation was above the national average of 33 per cent in 2017/18. However, the outcome indicator on number of Kenyans supporting devolution – or satisfied with provision of services under devolution - was not tracked to monitor progress from the baseline.

The table hereunder presents a summary of achievements by output area.

At the outputs level, the summary of achievements is shown in the table alongside a discussion of each output area containing details on effectiveness.

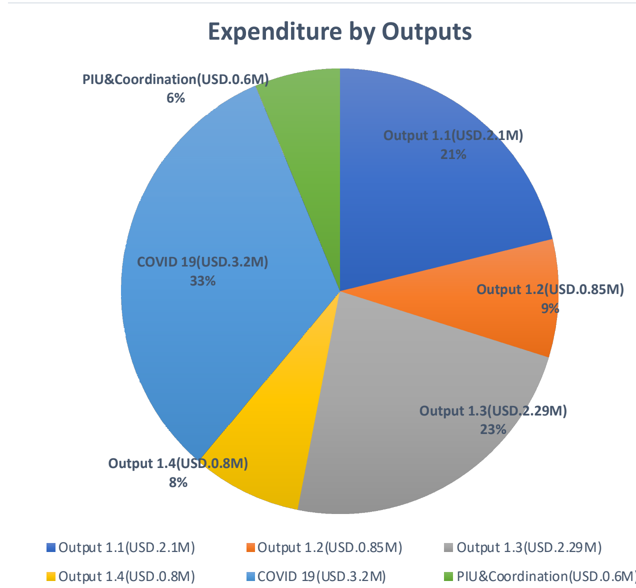
	Output	Key Indicators	Achievements
1.1	Government has strengthened policy, legal and institutional mechanisms for coordinated, inclusive and effective service delivery.	• National and county governments have strengthened inter and intra-governmental structures. • Governments have harmonised governance policy, legal and institutional frameworks to support devolution. • Improved county capacities for effective implementation of child protection services and GBV.	The programme surpassed all the targets for the six indicators under this output with the following highlights: • A total of 10 new intergovernmental issues addressed; and inter-county relations strengthened. In the water sector, the Water Sector Consultative Forum was established and enabled the counties to harmonise their approaches to operationalisation of the law; and how to work together with the national government. • The programme strengthened inter-governmental cooperation in development of policies. For instance, the programme supported the development of Gender Policies in Tana River, Busia and Kilifi County Assemblies.
1.2	Public finance management institutions have strengthened processes and systems for equitable, efficient and accountable service delivery.	• County capacities strengthened for • Equitable and inclusive budgeting. • County capacities improved for revenue projection, generation, collection and reporting.	• All but one of the six (6) targets were either surpassed or are on track to be achieved. • There is progress in all the 19 indicators under this Output. But the indicator on AGPO - 10 public entities strengthened to develop and implement AGPO plans – show relatively less progress going by the revised indicators (30 counties). 7 counties (Busia, Narok, West Pokot, Isiolo, Turkana, Kilifi, and Kajiado) had procurement and supply staff capacity strengthened. • The programme supported CoG to develop training guidelines on procurement for use in all the 47 counties. 200 women entrepreneurs had also been trained on AGPO; and gender empowerment principles embedded in training. • 14 counties developed County Fiscal Strategy Papers[2] (CFSPs) and aligned with County Integrated Development Plans (CIDP) and Annual Development Plans (ADPs). The plans had clear budget lines for sub/programmes that addresses those 'left furthest behind'. • 8 counties[3] increased their Own Sources of Revenue (OSR) while 3 counties were undertaking Tax Administration Diagnostic Assessment.
1.3	County level institutions have strengthened capacity for evidence-based planning, budgeting, implementation, monitoring and evaluation for	• Counties have strengthened planning and service delivery mechanisms. • National and county governments have strengthened monitoring, evaluation and reporting systems. • National and county systems improved for the generation of disaggregated data and	• 10 counties have (a) established and (b) operationalised performance management systems (PMS) in line with CIDPs/ADPs. 13 counties have adopted PMS but implementation is at various stages. • 11 counties have operational CIMES for reporting CIDP targets and SDGs: The target remains on course with 9 more counties having now implemented CIMES. Notably, County Annual Progress Report (CAPR) is still weak though. ,

[2] CFSP provides a forecast for the economy and a basis for expectations about revenues and expenditures in the coming year. It sets the final budget sector ceilings for the next three financial years upon approval by the county assembly.
[3] Busia, Garissa, Isiolo, Kajiado, Kilifi, Narok, Turkana, and West Pokot counties.

Output		Key Indicators	Achievements
	accountable service delivery.	evidence-based decision making.	
1.4	People in Kenya have capacity to engage, deepen accountability and transparency in devolution, especially women, youth and persons with disability.	• County governments have established public participation policy and legislation frameworks. • County governments have established and operationalised inclusive citizen engagement and accountability mechanisms. • Increased capacity of CSOs to engage county governments on planning, budgeting and service delivery.	• The programme surpassed the target set. There is evidence of citizens participating in county planning and budgeting processes. This has been made possible through the civic engagement work of CSOs supported to build the capacity of citizens to demand better services. Notable here is the increased role of women in county public affairs; the voice of women leadership is heard in planning processes.

Results-based analysis of programme expenditures

Summary of Expenditures Output as a % of overall Expenditure of USD.9.9M



The total resources mobilised for the JDP is USD 18,962,4714[5] (58%) as at June 2022 against the estimated budget of USD 32,480,932 as outlined in the PRODOC. The total programme expenditure including the Covid-19 response is USD 9,874,982 – about half of mobilized resources. About one third (33%) supported Covid-19 responses.

In terms of expenditure by outputs, Output 1.3 at 23% of the expenditures has the highest. This is followed by Output 1.1 at 21 per cent.

Expenditure at the PIU and Coordination is at 6 per cent. The summary of expenditure patterns is shown in Figure on the right.

A late rollout of the implementation process and the disruption caused by the Covid-19 pandemic mitigation measures hampered expenditure and project implementation. The implementation began in September 2019 and from the first half of 2020, the pandemic impacted on implementation. Activities were also slowed by a long competitive electoral period stretching from 2021 to August 2022. All the same, the programme made progress in achieving indicators under each of the output areas.

Although the programme has achieved indicator targets, it has not done so in an efficient manner. Notably, the programme did not make internal adjustments or review approaches to

[4] JDP Consolidating Gains and Deepening Devolution in Kenya Project - (January – June 2022 Semi Annual Progress Report.
[5] JDP Consolidating Gains and Deepening Devolution in Kenya Project - (January – June 2022 Semi Annual Progress Report.

delivery when it was evident that the programme had not successfully mobilised the total anticipated budget. Furthermore, the participating UN agencies continued to operate in silos and its coordination was marked by inadequate communication. Though a 'Joint Programme', the opportunity to leverage the comparative advantages of each of the agencies is poorly exploited in most cases. The consequence is that the counties have not been able to tap on the comparative advantages of the agencies because of limitations in communication and internal coordination. The inability to effectively utilise field offices in the counties, among others, has weakened the potential for cost-effectiveness and efficient delivery.

Achievements

Systems and capacity strengthening

A survey of respondents implementing the programme show that over 80 per cent were satisfied with the JDP programme. Many were satisfied with the capacity building aspects, including building the capacity of county governments to deliver services, policy making, systems strengthening, and improved capacity of the county assemblies. But there are concerns about ownership. The extent of sense of ownership among the counties is limited. Most of the counties affirmed that the programme is relevant and appropriate in relation improving their performance but still see the programme an external form of support.

The programme has established and strengthened systems for improved performance in services at the national and county level. Institutions have been strengthened and staff trained to improve on performance. The in-county training by the Office of the Auditor General improved counties audit performance. In FY 2019/20, 14 per cent of counties[6] returned adverse audit opinions compared to 28 per cent in FY 2018/19. But the number receiving a qualified opinion increased. In 2019/20, there were 71 per cent of counties[7] receiving qualified opinions, up from 56 per cent in FY 2018/19.[8] The reduction of counties with adverse audit opinions is a notable improvement; an adverse opinion implies grave financial concerns. Nonetheless, increase in the number of counties that received qualified opinions remains a concern.

With regard to Own Sources of Revenue (OSR), programme target counties increased their OSR by 27 per cent compared to the national average of 15 per cent between the fiscal years 2018/19 and 2019/20. In all, the programme had the impact of closing leaks in revenue collection streams. Increasing own revenue will in the end mean more resources for use in provision of services in the counties.

The introduction of new Standard Chart of Accounts (SCOA) has been completed and is expected to facilitate county reporting to sub-programme level with specific focus on children, gender and climate change. Support to the Office of the Controller of Budget in digitsisation of the Controller of Budget Management Information System (CBMIS) will improve reporting on non-financials as well as track spending on children and gender.

Increased engagement of citizens

Through the programme, citizens are actively engaging the county governments to influence planning and budgeting. Outside of this, the counties themselves are also making interventions in areas of need. In Isiolo, the youth are building their technical and entrepreneurial skills under the patronage of a youth centre supported under the programme. They are also using their skills to earn income. The centre is gradually transforming into a learning space for youth in the county, and other counties are learning from it.

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[6] Busia and Isiolo counties.
[7] Garissa, Isiolo, Kajiado, Kilifi, Lamu, Mandera, Marsabit, Tana River, Turkana, Wajir, and West Pokot.
[8] UNDP (Aug 2022) JDP 2021 Annual Report.

Through the interventions by UN Women, gender is effectively mainstreamed in planning and budgeting. Indeed, some counties now have more gender transformative policies and budgets as evidenced by the increased allocation to women and children's priorities in county budgets. Furthermore, there is increased visibility of women leadership and voice in the counties. Again, through interventions by Unicef, there is a conscious practice of planning and budgeting on child protection initiatives. Counties develop policies to support childcare, health and nutrition.

Areas for improvement

There are many activities carried out by each of the three participating UN agencies. There was a need to pause and reflect at the beginning when it was evident the programme did not mobilise the total budget. Furthermore, the programme did not have a structured approach to resource mobilisation. Although this is a joint programme, the three agencies do not demonstrate efforts to collectively address the deficit, The agencies proceeded to implementation without altering the planned interventions. Furthermore, the 14 counties are too many to cover with slightly more than half (58%) of the budget mobilised by June 2022. This leads to the programme spreading thin and some partners using 'touch-and-go' or 'one-off' approach in implementation.

The resource envelop is shared across the four output areas that cover all 14 counties. There is uncertainty about how much can be raised within the remaining period to completion. Because of this, there is a need to scale down the number of counties in order to focus on the counties where there is progress in all the four output areas.

The concept of a Joint Programme based on the UN Delivering as One (DaO) strategy is good if put into effective practice. It allows participating UN agencies to bring their comparative advantage and deliver on the overall objective of the programme. Nonetheless, the findings reveal challenges in joint 'delivery' of the programme. The concept is only in name; during implementation the agencies operate without effective reference to one another. With inadequate resources, some activities are carried out as 'one-off', which limits impact. However, there is potential for improving on this. Already, some of the agencies are working together on the basis of agreements to do so. But in most instances, the potential of pulling together to achieve more is weakened by individualised approaches to implementing agency projects.

The programme had hoped to contribute to citizen's support for devolution. A baseline satisfaction rate of 80 per cent at the start of the programme was envisaged to increase to 90 per cent. There were, however, no regular and systematic surveys to track progress. There is a need to systematically track how citizens view implementation in light of the programme outcome. But the findings show that citizens are happy with devolution in the country.[9] They are concerned about lack accountability and transparency in county governments.[10]

Conclusions

The Joint Devolution Programme remains strategic and relevant in Kenya. Devolution is the centrepiece of Kenya's development and the means for addressing the challenges of service delivery, inequality and poverty in general. The programme and the focus on capacity

[9] June 2021 TIFA/South poll – 68% were satisfied with implementation of devolution. Only 28% were happy with the performance of their county governments.
[10] TIFA/South Poll, June 2021; Infotrak poll November 2021.

development of the various agencies to support service delivery, therefore, is a desired value addition to national and local development.

The programme is effective in meeting targets, with up to 27 target indicators met, six (6) on course to be achieved by the end of the programme, while two (2) remain off track. The focus on quantitative indicators alone, however, does not provide room for the whole picture on programme performance to emerge. There are insufficient qualitative indicators to provide a comprehensive picture on programme performance. All the same, the voices of many respondents interviewed at the national and county level are sufficient to fill this gap. The evaluation finds that the programme valuable to systems strengthening. Citizens are witnessing positive change in the counties.

While the programme has met indicator targets, implementation has not been efficient. The programme did not make internal adjustments or review approaches to delivery after failing to mobilize to total budget. The participating UN agencies continued to operate without adequate leveraging of the comparative advantages of each of the agencies. Efforts to coordinate suffer the problem of poor communication. These challenges have weakened the potential for cost-effectiveness and efficiency in implementation.

The programme implementation mechanism is not delivering as efficiently as anticipated. Where collaboration exists, it is limited and does not fully reflect the potential of a joint programme. Importantly, the programme does not have a joint resource mobilisation strategy. Efforts to mobilise resources did not register success especially because the Covid-19 pandemic drove development partners to concentrate resources on addressing the crisis in their home countries. The Russia-Ukraine war also shifted resources and attention away from the programme. It is, however, commendable that the programme repurposed about USD 3 million to address the pandemic in Kenya.

Coordination and communication within the programme are fairly weak. There is insufficient communication with partners implementing the programme. Achievements and progress in the programme are also not communicated in a robust manner. These challenges contribute to poor visibility for the programme and to general lack of understanding of progress made in achieving results.

But has the programme made a difference? Certainly, the programme has had impact in the counties. These counties are the most historically disadvantaged regions. They had neither the capacity nor systems at the start of devolution to facilitate delivery of services. The programme, therefore, has targeted the important needs, priorities, and counties to improve on delivery of services.

Sustainability of programme results is demonstrated in the systems strengthening and specifically capacity building of institutions and staff in the counties. The conditions for sustaining the results are much in place but appear threatened by a weak sense of ownership for interventions in some counties. Some of the respondents are of the view that the JDP is some external programme and are dissatisfied on how the national government institutions were involved in identifying priorities.

In all, the programme has invested in systems strengthening and policy development. These lay a foundation for sustainability. But the remaining period is too short to permit the development of more policies, especially because policies take time to develop. With the establishment of new governments following the August 2022 elections, the programme should focus more on building capacity for PFM, planning, and budgeting; and improving on public participation mechanisms so that citizens can effectively hold the governments to account.

The programme has played an important role in generating useful data on development in the counties.[11] The data is of great use in all the 47 counties as well as the whole of government. It is useful for public expenditure management process. In this regard, the programme should continue supporting the generation of data/statistics because this will help in planning and budgeting at all levels.

Recommendations

1. Sustain support to devolution in Kenya by developing a successor programme based on the lessons from this programme: The programme is strategic and relevant in Kenya. It is playing a catalytic role in strengthening institutions and developing capacity for service delivery in the counties. In view of the catalytic role the programme is playing, it should remain but make strategic modifications in implementation during the remaining phase. It is recommended that the programme does not focus on policies. It should focus instead on strengthening PFM institutions and systems; and in building the capacity of citizens to demand accountability and improved services.

2. Improve coordination and internal communication for the programme to leverage the advantages of participating agencies: Joint programme is in name only and without demonstration of 'collective action'. Coordination and communication within the programme should be improved to at least ensure effective and efficient implementation within the remaining period. To tap the full potential of 'Delivering as One', the participating UN agencies should consider convening the senior leadership at agency level on a quarterly basis. Rotational chairing of these quarterly senior level meetings, backstopped by PIU, will focus attention on progress made, challenges and achievements. Nonetheless, any future joint programme should only be formulated with clear guidelines on how agencies work together, share information, tap each other's comparative advantages, and collectively leverage the programme resources.

3. Focus on fewer counties for better impact: In the absence of additional funding and the close programme completion date, JDP should focus on fewer counties; 14 counties are too many to cover with the limited funds. There is a need for strategic targeting of counties and identification – jointly in consultation with implementing partners – of interventions that have greater impact at least cost and in less time. The counties that have not had many activities by the three agencies should be dropped from the programme. This will allow concentrated and intensified interventions, which will certainly have better impact than when the programme is spread thin. To achieve these, the agencies in consultation with all the partners, led by the national government, should develop criteria for the counties to retain and those to drop. There is also a need to consider working collaboratively with the CoG, the IGRTC as well as other National Implementing Partners such as CoB, CRA, National Treasury and Planning and the KNBS to explore scaling up programme results to many other counties. This would result in impacting many government operations at scale and contribute to the achievement of the JDP outcome. This also underlines the strategic role of the three UN agencies , which have managed to leverage the limited resources to amplify results to all the 47 counties.

[11] KNBS Poverty Report 2020, 47 county poverty reports, 47 county gender profiles, 11 monographs out of census, DHS 2022, KIPPRA- 47 county budget briefs.

4. Improve on knowledge management: The programme should develop a structured learning and knowledge management system to support learning across various levels in the programme as well as upscaling. This will help implementing agencies to learn from one another. For instance, making laws and policies to support delivery of devolved services, among others, remains a topical issue that many would like to learn about in order to address the challenges they experience. The remaining phase of implementation should strengthen sharing knowledge and experience on implementation including among national implementing partners. Biannual events for sharing knowledge and involving inter-governmental agencies would add value in this regard. Analytical products drawing from data for each output area should inform these discussions.

5. Support Inter-Governmental Relations efforts and prepare the new counties to deliver: Kenya's new government has restructured relations between the counties and the national government. The programme should focus on supporting the CoG, IGRTC, OCoB, CRA, National Treasury and Planning, CRA, KNBS and Parliament to foster relations for service delivery in this early stage of development for these institutions. In this regard, there is a need to review the Theory of Change to accommodate the need to improve relations for service delivery.

6. Tailored interventions should matter in a programme of this scale and nature because not all counties are at the same level of capacities and systems strengths. Not all counties are at the same level of achievements of the programme outcome. Future programme should not employ 'one size fits all' approach to align with diverse capacity needs. Further, to ensure that progress made by each county is quantified and takes into account the entry differences and all other factors that would affect progress, a systems/county maturation tool should be developed to establish the stage of county systems and sustainability. The tool should identify gaps at county level that should be addressed and provide opportunities to implement interventions based on the maturation level and simultaneously improve county ratings in future maturity assessments. In summary, the tool would help to determine:
   i. At what stage are the counties with regard to systems' maturation? (initiation/ starting, development, expanding or consolidation and sustaining stage)
   ii. What are the systems gaps that hinder progression of the systems to the sustenance stage of maturation?
   iii. What are the challenges and possible critical interventions to address the gaps towards the improvement of systems**?**

1.0 INTRODUCTION

The Joint Devolution Programme is implemented by UNDP, UN Women and UNICEF in close collaboration with the Government of Kenya and was planned to run between 2019-2022. The programme is implemented by National and County Government partners and non-state actors through a National Implementation Modality (NIM). It is developed within the context of the UN Delivering as One (DaO) so that the participating UN agencies can tap on individual comparative advantages and, jointly, deliver on the overall objective of the programme – strengthening the process of devolution to support service delivery in the counties.

JDP addresses the urgent human development challenges of the most marginalised counties of the country and particularly the vastly arid and semi-arid counties where poverty rates remain above 70 per cent. The high poverty levels in the lagging counties adversely affect women, children, and other vulnerable groups and continue to slow human development in these regions.

1.1 The Joint Devolution Programme

The programme targets 14 marginalised counties, which are also characterised by high levels of poverty.[12] These counties were selected through consultations with the authorities at the national and county governments. The selection process was guided by data on poverty and gender inequality, arid or semi-arid status, gender and children's issues, disaster risk profile, and lessons learned from other programmes. The 14 counties, therefore, represent some of the regions with high poverty levels, and a poor basis of services, among other indicators.

The joint programme supports these counties to develop and implement policies, plans and strategies to facilitate delivery of services to citizens. Specifically, the programme is supporting the 14 counties to address equity, inclusivity, accountability, and environmental issues while at the same time streamlining revenue collection and budgeting processes.

Some of the partners include the Ministry of Devolution (MoD), which is the main implementing partner, State Department for Gender Affairs, the Council of Governors (CoG), the Kenya School of Government (KSG), National Treasury and Planning, the County Assemblies Forum (CAF), the Society of Clerks at the Table (SOCATT), the Commission on Revenue Allocation, the Office of the Auditor General, the Office of the Controller of Budget, the Kenya Institute of Policy Analysis and Research (KIPPRA), the Kenya National Bureau of Statistics (KNBS) and Non-State Actors (NSA).

The programme is founded on the realisation that devolution and marginalisation are complex issues that are best addressed through a joint programme combining the strengths of multiple UN agencies, national government stakeholders and county government institutions with expertise in key sectors and playing lead roles in the achievement of Sustainable Development Goals.

The programme's Theory of Change is based on a correlation between resources, coordination, and a supportive policy framework. That is:

> "**If** services at devolved level are well resourced and delivered in a coordinated, efficient, transparent, accountable and equitable manner, **underpinned** by: - legal and

[12] Busia, Garissa, Isiolo, Kajiado, Kilifi, Mandera, Marsabit, Narok, Samburu, Tana River, Turkana, Wajir, West Pokot and Lamu.

institutional frameworks; effective public financial management systems; evidenced based policies; and active mechanisms for public participation and engagement, **then** people of Kenya enjoy high quality and inclusive services that contribute to reduced poverty and inequality."

The programme contributes to UNDAF Outcome 1.2: By 2022 people in Kenya access high-quality services at the devolved level that are well coordinated, integrated, transparent, equitably resourced, and accountable. This contribution is achieved through four output areas:

- Output 1.1: Government has strengthened policy, legal and institutional mechanisms for coordinated, inclusive and effective service delivery.
- Output 1.2: Public finance management institutions have strengthened processes and systems for equitable, efficient and accountable service delivery.
- Output 1.3: County level institutions have strengthened capacity for evidence-based planning, budgeting, implementation, monitoring and evaluation for accountable service delivery.
- Output 1.4: People in Kenya, especially women, youth and persons with disability, have capacity to engage, deepen accountability and transparency in devolution.

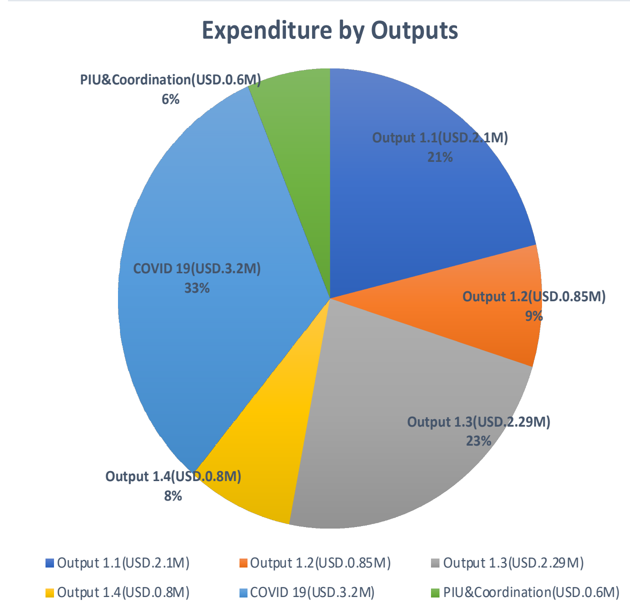
1.2 Resource mobilisation for the programme

The total resources mobilised for the JDP is USD 18,962,47113[14] (58%) as at June 2022 against the estimated budget of USD 32,480,932 as outlined in the PRODOC. The programme did not raise the total budget and does not have a cogent resource mobilisation strategy to fill the deficit in the remaining short period of implementation. Furthermore, the programme repurposed some of the budget to address the COVID 19 pandemic in 2020. About one third (33%) of expenditure supported Covid-19 responses.

In terms of expenditure by outputs, Output 1.3 at 23% of the expenditures has the highest. This is followed by Output 1.1 at 21 per cent.

Expenditure at the PIU and Coordination is at 6 per cent. The summary of expenditure patterns is shown in Figure on the right.

Summary of Expenditures Output as a % of overall Expenditure of USD.9.9M



[13] JDP Consolidating Gains and Deepening Devolution in Kenya Project - (January – June 2022 Semi Annual Progress Report.
[14] JDP Consolidating Gains and Deepening Devolution in Kenya Project - (January – June 2022 Semi Annual Progress Report.

1.3 Mid-Term Evaluation: Purpose and evaluation questions

This Mid-Term Evaluation has been commissioned by UNDP (*as per ToRs – Annex 1 (I) ToR for Team Leader and Annex 1(II) ToR for Evaluation Expert*) to provide an overall assessment of progress made and achievements against planned results of the Joint Devolution Programme. The evaluation is also meant to assess, and document challenges and lessons learnt since the commencement of the programme.

The evaluation examines the extent to which the Programme Outcome and Outputs have been achieved. In addition to these issues, the evaluation focuses on key developments that have affected the implementation of the programme, including Coronavirus Disease (Covid-19), green economy and climate change, Sustainable Development Goals (SDGs) and the transformational focus of Leaving No One Behind. The findings will inform how the remaining phase of the programme should be implemented to better achieve the overall objective of strengthening the devolution process in the country.

1.3.1 Evaluation questions

The following UNDP project quality criteria and questions have guided how the evaluation was carried out: strategy, relevance, social and environmental sustainability, management and monitoring, efficiency, effectiveness, sustainability, and national ownership. Specifically, the evaluation seeks to address the following questions:

Quality criteria	Evaluation questions
Strategic	o Assess the extent to which JDP programming priorities and results contribute to Sustainable Development Goals (SDGs); are aligned to the United Nations Development Assistance Framework (UNDAF), the UNDP Strategic Plan, the UNDP Kenya CPD, the UN Women Strategic Note and the UNICEF Kenya Strategic Plan; o Assess to the extent to which the project is pro-actively taking advantage of new opportunities and adapting its Theory of Change to respond to changes in the development context, including changing national priorities
Relevance	o Alignment of the programme objectives and results to the country context, including the national and sub-national development priorities (Vision 2030, Medium Term Plan III and County Integrated Development Plans [CIDPs], among others). o If programming strategies consider inter-linkages between development challenges and results. o Whether an inclusion analysis is integrated to fully consider the different needs, roles and access to/control over resources for women, children, youth and other special interest groups, and if appropriate measures are taken to address these when relevant. o If the programme regularly captures and reviews knowledge and lessons learnt to inform redesign, adaptation, change or scale-up of plans and actions. o The extent to which the programme has responded to changes in the needs and priorities of the IPs and RPs.
Coherence	o Examine how the Joint Devolution Programme strengthened – if at all -- other interventions on devolution by the agencies implementing it. o Examine the forms of conflict, if any, that exist between the Joint Devolution Programme and other devolution-related interventions implemented by the participating partners. If there are conflicts, how are they addressed? o What is the value addition of the Joint Devolution Programme to the programmes by the participating implementation partners?

Quality criteria	Evaluation questions
Effectiveness	○ To what extent has the programme contributed to improving the quality of governance and socio-economic development in Kenya? ○ What is the level of achievement of the planned immediate and intermediate results of the programme? ○ To what extent is the programme outcome being achieved to date? What is the likelihood of achieving the planned programme outcome by its closure date? ○ To what extent have the annual work plans (2020, 2021, 2022 -- up to March)) contributed to the effective implementation of the programme? ○ To what extent have partnerships and strategic alliances with national partners, county governments, development partners and other external support agencies contributed to the achievement of programme outcomes? ○ What are some of the emerging successful programming/business models or cases especially from county programming and how would they be scaled up during the remaining programme period? Are there any unintended programme results, either positive or negative? ○ To what extent is the programme Theory of Change being realised? ○ To what extent have the PUNOs exploited their field presence and relationship with the county and national governments to improve county governance capacity? ○ Proportions of budgets which represent the interest of various demographics, proportion of county budget allocated to public participation. ○ Public satisfaction with county service delivery and public involvement in key county processes, including planning, budgeting, implementation, and reporting.
Efficiency	○ Have adequate financial resources been mobilised for the programme? How can the programme unlock some of the bottlenecks to adequate resource mobilisation? ○ To what extent have UNDP and GoK administrative procedures been harmonised? Are there any apparent cost-minimising strategies that could be encouraged, and which would compromise the social dimension of gender, youth, children, PWDs and other special interest groups? ○ Are the implementation mechanisms – KRAs, technical working groups (DDWG, DSWG, TWGs, SC), PSC, PST, M&E system, and communication effective in managing the project? ○ How efficiently have resources/inputs (funds, expertise, time, etc.) been converted to results? ○ To what extent and in what ways have the comparative advantages of the PUNOs been utilised in the national context (including universality, neutrality, voluntary and grant-nature of contributions, multilateralism, and the mandate of UNDP)?
Sustainability and national ownership	○ Did the programme incorporate adequate exit strategies, technology (knowledge) transfer and capacity development measures to ensure the sustainability of results over time? ○ Are conditions and mechanisms in place so that the benefits of the programme interventions are sustained and owned by IPs at the national and county levels after the programme has ended? ○ Have strong partnerships been built with key stakeholders? To what extent can these partnerships be sustained after the closure of the programme? ○ Are institutional capacity development and the strengthening of national systems able to sustain results?
Management and monitoring	○ To what extent are the indicators and targets relevant, realistic, and measurable? ○ Are there baselines against which to assess progress? ○ Are there project indicators aligned to SDGs? If not, what changes need to be made?

Quality criteria	Evaluation questions
	o Are expected outcomes realistic, given the project timeframe and resources? o To what extent and in what ways have risks and assumptions been addressed in the project design? o Is the distribution of roles and responsibilities among the different partners well defined, and facilitated in the achievement of results, and have the arrangements been respected in the course of implementation? o To what extent and in what ways are the concepts of crosscutting issues, especially gender, been reflected in programming? Was there an effort to produce sex-disaggregated data and indicators to assess progress in gender equity and equality? To what extent and how is special attention given to women empowerment? What needs to be done to further integrate these dimensions?
Social and environmental standards	o Are social and environmental impacts and risks (including those related to human rights, gender, and environment) being successfully managed and monitored in accordance with the project document and relevant action plans? o Are unanticipated social and environmental issues or grievances that may arise during implementation assessed and adequately managed, with relevant management plans updated?
Impact	o Are there any major changes in the indicators and/or the context of devolved governance that can reasonably be attributed to or associated with the programme? What were the most significant changes? o What lasting high-level results (impacts) has the programme contributed to? o To what extent has the programme led to the strengthening of devolved institutions in regard to empowerment, management, effectiveness, accountability, transparency and efficiency in service delivery?

1.3.2 Crosscutting issues

The evaluation also focused on crosscutting issues such as gender and involvement of the youth in the programme implementation. To address the crosscutting issues, women and the youth formed part of the key respondents in the evaluation. Questions focused on the extent to which the project is aligned and relevant to their specific needs. Further, the evaluation criteria question also sought to establish the extent to which relevant gender issues were identified and addressed in programme design and implementation.

1.3.3 Users of the evaluation

The primary users of findings and recommendations of this evaluation are many especially because this is a joint programme implemented in partnership with government agencies, county governments and national agencies. The primary users therefore include the Participating UN Agencies (UNDP, UNICEF, and UN Women), the supporting partners – Embassies of Sweden, Finland, and Italy – the relevant National Government ministries/departments, and the 14 county governments and CSOs with initiatives in the counties and supported under the programme.

1.4 Evaluation approach and methodology

This Mid-Term Evaluation is intended to examine the overall progress and achievements made towards realisation of the programme outcome and outputs. The evaluation is also aimed at assessing and documenting challenges and lessons learnt throughout the implementation period.

Achieving these objectives required using mixed methods of data collection and analysis. For this reason, the evaluation has utilised triangulation to enrich information and analysis and improve clarity and overall objectivity. The methods include review of documents or secondary sources of data, use of Key Informant Interviews, and Focus Group Discussions (FGDs). The evaluation also collected data through a survey. An e-questionnaire was designed, and participants requested to respond by filling in their responses on a dedicated portal. Below is a discussion of each step and method used to collect the data.

1.4.1 Data collection methods

Several interrelated methods and steps have been used to collect data. The first step involved comprehensive *review of relevant secondary sources of data - documents*. These include but are not limited to the following:

i. Programme Document (PRODOC)
ii. Programme progress reports and other relevant programme reports
iii. The UN Common Country Analysis for Kenya
iv. Evaluation reports including Strengthening Devolved Governance in Kenya project (2019-2022) Mid Term Evaluation, United National Development Assistance Framework for Kenya (final evaluation),), Independent Country Programme Evaluation – Kenya (ICIPE).

These documents provided an overview of key achievements, lessons learnt and challenges experienced in implementation. The review also enabled the formulation of questions for Key Informant Interviews. *The list of documents consulted is attached as Annex 2.*

The second step involved in-*depth interviews with key informants* at the national level and county level. A semi-structured interview guide was developed for purposes of these interviews (see *Annex 3 (I), Key Informant Interview -KII- Guide*). To reach the key respondents, a purposive sampling approach was used. The sampling frame was drawn from a comprehensive contact list of all those involved in the JDP. The list contained:

- Main Implementing Partners including Government of Kenya Ministries, the Council of Governors CoG; 14 County Governments, Kenya School of Government, Monitoring and Evaluation Department; the Auditor General's Office; Kenya National Bureau of Statistics; Controller of Budge; National Drought management Authority.
- Civil Society Organizations and other non-state actors
- Development partners Embassy of Finland; Embassy of Italy; and Embassy of Sweden)
- County JDP focal persons
- Participating UN Organizations

These interviews provided information on who should be interviewed at the county level during the field visits. The interviews also clarified issues arising from the review of documents and especially what was stated in the progress reports (*The list of key informants interviewed is provided as Annex 4.*

Thirdly, the evaluation is based on data collected through Focus Group Discussions in the counties. In consultation with UNDP, the evaluation team visited several counties and interviewed county government officials, civil society groups and ordinary citizens. The team carried out interviews in Turkana, Lamu, Kilifi, Busia, Kajiado, Isiolo, and Tana River. Virtual interviews were conducted in other counties, too. The evaluation, therefore, covers all the counties under the programme *(FGD guide attached as Annex 3 (II).*

FGDs were held with select groups of citizens in the counties. The consultants identified the participants through the information obtained during the KIIs as well as from contacts provided by the local UNDP, UN Women and UNICEF staff. Local community groups gave useful details of the people to include in the FGDs.

These discussions covered general issues of service delivery under devolution and the performance of the county governments. The citizens were asked to identify the challenges experienced in service delivery and how the county governments addressed these challenges. Where possible, the discussions focused on before and after devolution as well as harvested views on the first and second generation of county governments in relation to performance.

Finally, an online survey was carried out targeting all individuals representing the implementing partners involved in the programme at the national and the county level. Invitation to participate was sent to 114 participants, but only 95 of these received and opened the invitation. Of this number, only 42 participants representing 44 per cent filled the questionnaire. The analysis is, therefore, based on information from the 42 respondents who filled the questionnaire on argument that 95 respondents were the active group.[15] They are widely distributed across the implementing partners and all the counties in the programme. *The online survey questionnaire is attached as Annex 3(III).*

1.4.2 Data Analysis

Data collected by use of each method was triangulated for verification and validity. Each step and method of data collection sought to clarify findings from other sources in order to ensure objectivity.

With regard to analysis, all interviews were transcribed into notes and summaries according to each evaluation objective and the sub-thematic areas. Information in the summaries was triangulated with secondary data and data obtained through other sources. As noted above, triangulation helped to corroborate responses from the different sources for consistency and reliability. The information from the different data sources was then analysed thematically. this was in turn used to compile the drafts for discussion and the final report.

Financial allocation data was analysed using simple trend analysis and presented using tables, graphs, and charts. Above all, the evaluation team reviewed government documents such as the Comptroller of Budget Reports on implementation of devolution in the 14 counties. The data in this report provided additional perspective on the state of devolution in general.

1.5 Stakeholder Participation

The evaluation has been conducting in a highly participatory manner with all key stakeholders (national government, county government, CSOs, development partners and UN agency staff involved). The evaluation team presented emerging findings at different stages and used the comments to enrich the report. The discussions also helped enrich subsequent interviews and the overall process of triangulation.

1.6 Ethical Considerations

All respondents who participated provided verbal consent prior to the interviews. Individual names have not been used to maintain anonymity and respondent confidentiality. However, a list of all respondents is available for accountability, transparency and referencing should any

[15] The team was not able to clean the contacts of the 114 and therefore 95 who opened the mails is the list to use. It is possible that there are a few who had more than one email account.

follow up or clarification be needed. In the meantime, it bears noting that the evaluation did not pose any risks to respondents participating in it.

1.7 Background evaluation on the evaluators

Prof. Karuti Kanyinga
Karuti Kanyinga is an accomplished development researcher and scholar with extensive national and international experience. He has 30 years of research and consulting experience on governance and development. He has carried out many evaluations, managed large programmes, and carried out commissioned studies on governance and development in Kenya and several countries in Africa. He has published extensively and is renowned for his contributions to scholarship and knowledge in governance and development. His research and publications include seminal works on devolution and development; ethnicity and politics in Kenya; and politics of development in Kenya. This is in addition to commissioned studies on governance, justice, law, and order sector reforms.

Dr. Albino Luciani
Dr Albino Luciani is a Policy Performance, Strategy, Monitoring, Evaluation, Accountability and Learning professional with 17 years' experience of successfully designing, implementing, quality assuring and evaluating public, private and civil society programs in Africa, Asia and Middle East. He has 11 years' experience of providing technical assistance and support to relevant government ministries, development partners, implementing agencies in the areas of systems strengthening, development of national strategic plans (NSPs) and/or frameworks, policy advocacy and research, information systems and capacity building.

The team was assisted by accomplished Ms. Hannah Kamau and Ms. Elizabeth Wachamba. Ms. Kamau is an independent consultant with extensive experience in monitoring and evaluation of governance and development programmes. Ms. Wachamba has experience in administration of consultancies and facilitated the team in many ways.

1.8 Limitations encountered during evaluation

The evaluation was conducted during the Kenya 2022 General Election period. Often Kenya's competitive election arouses attention at both national and county level. The campaigns in the counties draw public officers out of office. The transition to new county and national government arouses anxieties that lead to officers splitting their attention between many activities. Because of this, there were many interviews that were confirmed but had to be rescheduled because the officers were out of the office. Scheduling and rescheduling interviews delayed completion of the fieldwork. The delays notwithstanding, the evaluation team was able to reach all those identified for interviews.

Obtaining secondary reports for some of the interventions proved difficult. There are instances where officers were transferred from one department to another with little documentation of the projects, they were involved in. Monitoring data in the counties were also a challenge. There was no systematic approach to the collection of monitoring data in the counties, which made it difficult to analyse programme attribution. Officers who are in office helped in reaching out to others to fill gaps. The team relied on both programme field reports to fill the gaps and triangulated this with interviews with those we were able to reach.

Finally, the evaluation team did not receive comments prepared jointly by the participating agencies. The agencies presented separate feedback and at different times, sometimes with delay thereby making the process tedious. The evaluation team had to address this challenge of fragmented feedback by consolidating the comments, establish coherence, find out duplication and repetition, factual and other gaps. Further, the political context of devolution in Kenya and how these impacts on JDP appear not well understood by everyone. The section on context of implementation is integrated to assist in this regard. The evaluation has recommended embedding of knowledge management in the programme to address some of these challenges.

2.0 THE CONTEXT OF DEVOLUTION & IMPLICATIONS FOR JDP

Kenya's 2010 Constitution provides for a two-tier government: national and county level. There are 47 county governments elected directly by popular suffrage and mandated with the responsibility to provide services such as health, agriculture, pre-primary education, county planning and roads, urban and water services, among others, as provided for under Schedule Four of the Constitution.

On the other hand, the national government is responsible for policies and standards to ensure that counties deliver services of the same standard and quality across the country.

The first county governments were established in 2013 following elections in March of that year. Each of the 47 county governments elected a county governor to head the first county executive. The citizens also elected Members of County Assemblies (MCAs) to seat in the local legislative house to enact county laws, represent residents (ward level), and oversight the county executive. The county governor was also required to establish a county executive to support the execution of county policies and delivery of devolved services.

This section discusses some of the developments in the implementation of devolution in Kenya. The discussion is meant to identify the broader dynamics in the implementation of devolution that may have implications for the Joint Devolution Programme. The discussion also examines public views on the implementation of devolution and the extent to which these views impact on the programme, if at all.

2.1 Devolution in Kenya: Achievements and challenges in implementation

Devolution under the 2010 Constitution was initiated in response to decades of grievances over imbalances in development, and disparities in services, all of which resulted from the centralisation of political power. Notably, centralised government had not responded to the grievances over disparities in the provision of basic services and the exclusion of large segments of the population from development programmes. Imbalances in development in turn undermined the country's potential. Devolution, and in particular the object to provide resources to the county level, was meant to ensure equitable distribution of resources. All the 47 county governments have a guaranteed share of revenue. The residents in the counties are required to participate in decision making, especially in determining the county planning and budgeting. This enhances accountability and responsive government.

County governments have made notable achievements in the delivery of services since the early period of devolution. The county governments have established institutions and systems for service delivery. Planning for local development is well institutionalised through the County Integrated Development Plans (CIDPs). All counties have established key departments and administrative units to facilitate delivery of services.

The county governments have been evolving and becoming more responsive to local needs. The counties have expanded basic services, such as health and pre-primary education facilities, thereby enhancing access to basic services. A study by the World Bank (2022) observes that 'in the health sector, access to facilities has expanded, deliveries attended by qualified birth attendants increased, and immunization rates have stabilized', (2022: xiii).

County governments have also invested in expanding infrastructure. They have built health facilities such as dispensaries and increased the number of pre-primary teachers and centres for Early Childhood Development and Education (ECDE). County governments have also invested in rural water supplies. Urban works have involved investments in drainage and street lighting, urban infrastructure, and solid waste management, especially now that the counties are responsible for municipalities.

Several challenges have attended these achievements. One, the transfer of functions from then national government to the county governments remains incomplete. In both health and agriculture, studies show that the national government continues to undertake some functions that are the responsibility of the county governments.[16] This means the counties lack resources to fully provide the services required under devolution. Two, the counties continue to face high wage bills but a majority in the marginalised areas have had increased funding for more staff. Although the law requires that counties spend at least 30 per cent of their resources on development, some county governments do not meet this threshold because of high wage bills.[17]

County governments spend a lot more on recurrent costs than on development. However, the wage bill for some of the marginalised counties is relatively low compared to others. The World Bank study shows that Turkana, Wajir, Garissa, and Mandera, among others, have had increased funding that enabled them to increase county employment in the period between FY 2015/16 and FY 2019/202 (World Bank 2022: 95).

Three, financing for devolution has faced challenges, too. There are numerous delays in disbursing funds to the counties. Some of the delays are caused by disputes over the Division of Revenue Act (DORA) and the County Allocation of Revenue Act (CARA).[18] At times the National Assembly declines to support proposals by the CRA and/or the Senate to increase county revenue. The National Treasury also avoids adopting CRA recommendations and instead proposes a different allocation share to counties. This conduct has emerged as a pattern for several years. Sometimes the disputes are resolved through the inter-governmental organ – the National and County Government Coordinating Summit. However, there are instances where the disputes end in court for determination.[19]

Finally, at the county level, disputes between some County Assemblies and the Executive over budgets tend to disrupt services. There are instances when the disputes cause delays in passing budgets. In some instances, MCAs demand funds to execute development projects in their wards rather than oversight the executive.[20] In 2021, among others, the MCAs in Kajiado declined to pass the county budgets on argument that the executive lacked transparency.[21]

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[16] Muwonge, Abdu; Williamson, Timothy Stephen; Owuor, Christine; Kinuthia, Muratha. 2022. **Making Devolution Work for Service Delivery in Kenya.** International Development in Focus; Washington, DC: World Bank. https://openknowledge.worldbank.org/handle/10986/37017; see also Moturi, Ndubi. 20222. 'Counties will get all functions: DP Rigathi Gachagua says', Daily Nation, October 19, 2022 accessed https://nation.africa/kenya/counties/counties-will-get-all-functions-dp-rigathi-gachagua-says-3990180

[17] Muwonge *et al*.Op-cit. see also Kanyinga, Karuti and Michuki. George. 2021. 'Political Economy of Devolution and Service Delivery in Kenya', in Deepening Devolution and Constitutionalism in Kenya: A Policy Dialogue Nairobi: Inter-Governmental Relations Technical Committee.

[18] Every financial year, Parliament is required to enact laws on division of revenue between the national and the county governments.

[19] Mungai Kibe, 2020. 'The Law and Politics of Third Basis for Revenue Sharing'. Nairobi: The Nairobi Law Monthly. July 2020.

[20] Gitonga, Antony. 2020. 'MCAs want special fund to develop their wards.' https://www.standardmedia.co.ke/business/business/article/2001361571/mcas-want-special-fund-to-develop-their-wards; The Standard Team. 'Rough Relationship between the Executive and MCAs.' https://www.standardmedia.co.ke/kenya/article/2001409815

[21] Kurgat Marindany. 2021. 'Budget stalemate rocks Kajiado County as MCAs demand transparency', https://www.the-star.co.ke/counties/rift-valley/2021-07-28-budget-stalemate-rocks-kajiado-as-mcas-demand-transparency/

MCAs in Isiolo county also declined to pass the county supplementary budget on account of poor consultations between them and the executive.[22]

2.2 Devolution and expenditure in the 14 JDP counties

Some of the JDP counties have relatively more funds for development than other counties especially because they do not have a huge wage bill.[23] For example, in FY 2019/2020, per cent share of development expenditure was relatively high in many of the 14 counties compared to others in the country. Marsbit (44%), Mandera (43%) and Isiolo (38%) had higher figures compared to Kericho (27%) among others.

Various reports by the Comptroller of Budget show that these counties have had the highest per capita spending on development compared to other counties.[24] This has helped to improve delivery of services in these counties. These are also some of the historically marginalised counties and therefore have more development challenges compared to the rest of the country.

Figure 2.1 shows budget allocation in all the 14 counties from 2017/18 -- 2021/2022. During the period, the counties had a total budget of KES 661.42 billion. Of this amount, 61 per cent was recurrent expenditure including wages, salaries and other operational expenses. The counties spent 39 per cent of their budgets on development such as building of infrastructure.

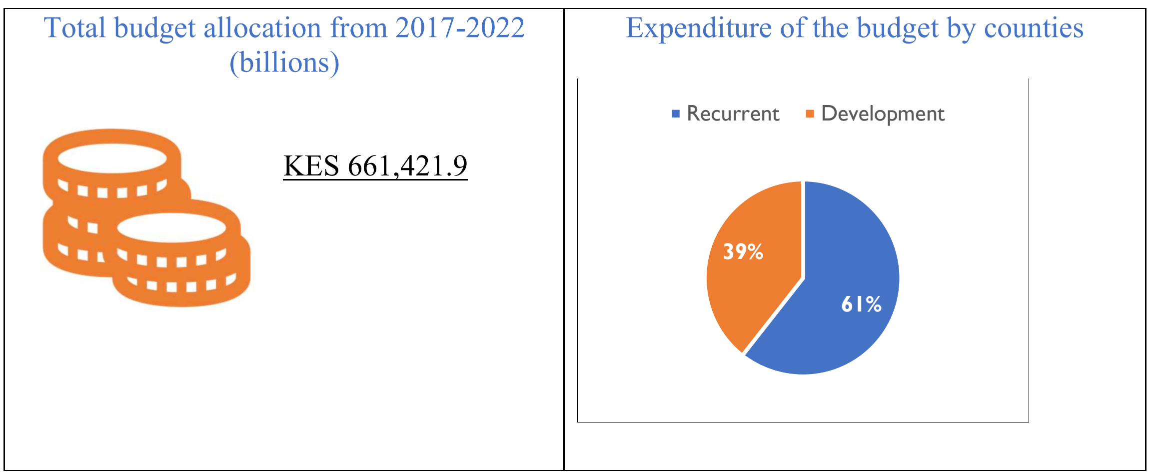

Figure 2.1: Total budget allocation

Figure 2.2 shows the total budget allocations from 2017/18 to 2021/22, indicating an annual increase, with the highest recorded in 2018/19 where the budget rose by KES 23.404 billion.

[22] https://nation.africa/kenya/counties/isiolo/isiolo-mcas-threaten-to-sue-over-approval-of-sh3-7bn-budget-376172
[23] A majority of the marginalized counties did not have large municipalities under the centralized system of government and therefore did not inherit a large workforce
[24] Comptroller of Budget, Annual Implementation Review, Various Issues.

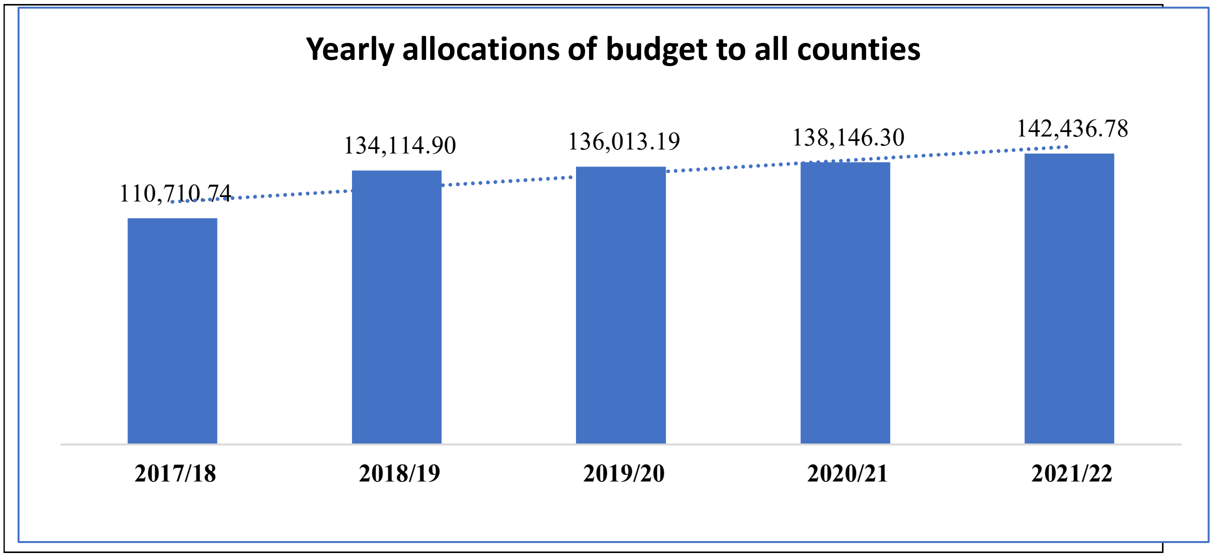

Figure 2.2: Yearly allocations of budget to all counties

From Table 1, showing the proportion of the budget going to either development or recurrent expenditure across different counties, it is evident that Marsabit had the highest allocation of the budget for development. All the 14 counties, however, maintained the threshold of 30 per cent of expenditure on development.

Table 1: Amount spent on development and recurrent expenditure per county (KES Billions)

	Amount	Development	Recurrent
Marsabit	45,443.90	49%	51%
Mandera	50,166.60	46%	54%
Busia	26,792.56	43%	57%
Lamu	49,035.31	43%	57%
Wajir	69,864.14	43%	57%
Kilifi	65,331.99	38%	62%
Isiolo	42,476.58	38%	62%
Tana River	54,584.69	38%	62%
Turkana	31,748.42	37%	63%
Kajiado	38,640.49	37%	63%
West Pokot	73,811.35	36%	64%
Garissa	56,646.94	35%	65%
Samburu	34,288.48	35%	65%
Narok	22,590.45	33%	67%

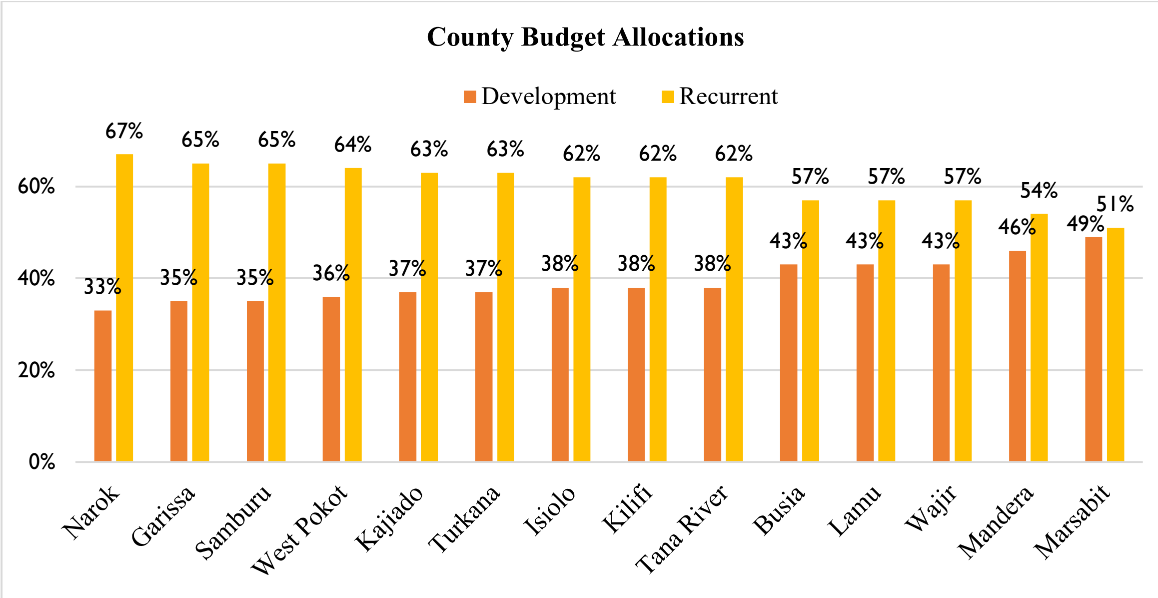

Figure 2.3: County budget allocations

Table 2 shows the proportion of the budget allocated for development expenditure in each year and comparisons by the average development expenditure (proportion) across all counties. Over the period 2017/2022, Busia, Mandera and Marsabit have consistently allocated more budget resources for development expenditure. Isiolo, Kajiado and Narok have consistently spent less on development than other counties -- but above the 30 per cent threshold set under the law.[25] Mandera County (46%) had the highest overall allocation for development while Isiolo and Narok counties (42%) had the lowest overall allocations for development.
These findings are evidence that devolution is enabling is enabling people in these counties to access services they have not had for many years. These are promising signs of progress on the JDP outcome -- By 2022, people in Kenya access high-quality services at the devolved level that are well coordinated, integrated, transparent, equitably resourced, and accountable.

Table 2: Proportion of budget allocated for development from 2017

	2017/18	2018/19	2019/20	2020/21	2021/22	Overall
Average in the year	38%	40%	38%	39%	37%	38%
Busia	47%	41%	39%	42%	43%	42%
Garissa	34%	40%	41%	32%	33%	36%
Isiolo	30%	33%	31%	33%	34%	32%
Kajiado	37%	37%	33%	33%	32%	34%
Kilifi	32%	33%	47%	38%	42%	38%
Mandera	42%	47%	44%	39%	41%	43%
Marsabit	45%	46%	44%	50%	43%	46%
Narok	33%	37%	34%	30%	28%	32%
Samburu	34%	36%	34%	39%	39%	36%
Tana River	35%	36%	22%	39%	33%	33%
Turkana	44%	46%	38%	47%	41%	43%
Wajir	39%	46%	43%	37%	38%	41%
West Pokot	43%	40%	38%	40%	40%	40%
Lamu	35%	47%	39%	40%	35%	39%

[25] PFM Act requires that not less than 30 per cent of budget be spent on development.

These findings imply that some of the counties could be facing more challenges in service delivery than others. Busia, Mandera and Marsabit could be better off in terms of development expenditure. Nonetheless, it is important to underline this point: all these counties were relatively underdeveloped since the colonial period compared to the rest of the country. We now turn to sector spending.

Different sectors have been clustered to identify areas on which county governments spent their budgets. Table 3 captures the budget allocations for different categorised sectors. Based on the information captured, most allocations went to execution and administration.

Table 3: Overall budget allocation per sector

Sector	Total amount (KES million)	% of total
County Executive, Administration & Governor's office	140,689.24	21%
Infrastructure Development, Housing &Transport	87,064.17	13%
Agriculture (Livestock, Fisheries Irrigation, Marketing)	64,729.29	10%
Health & Sanitation	59,599.42	9%
Environment & Natural Resource Management	54,589.72	8%
Trade, Tourism & Enterprise Devt	53,748.09	8%
Education, Sports & Training	52,013.75	8%
Treasury, Budget & Planning	46,381.38	7%
County Assembly	38,152.82	6%
ICT & Public Services Management Systems	32,579.04	5%
Culture, Social Services, Gender & Youth Development	19,503.81	3%
Other	12,371.17	2%

Table 4 shows budget allocations for each county across different sectors/areas. Marsabit, Narok, Wajir and West Pokot counties spent less than 15 per cent of their budget allocations on county execution and administration.

On the other hand, eight counties (Garissa, Isiolo, Kajiado, Kilifi, Mandera, Samburu, Tana River and Lamu) allocated county executive administration and the governor's office the highest budgets -- with Kajiado leading the pack (40%). The highlighted cells indicate the highest allocation per sector/area. Busia County had the highest budget allocation (24%) for Agriculture, Livestock, Fisheries, and Marketing & Irrigation. West Pokot allocated the highest budget (17%) to Education, Sports & Training.

Table 4: Proportion of budget allocation per sector

	Busia	Garissa	Isiolo	Kajiado	Kilifi	Mandera	Marsabit	Narok	Samburu	Tana River	Turkana	Wajir	West Pokot	Lamu
County Executive, Administration & Governor office	19%	31%	23%	40%	31%	23%	14%	8%	17%	29%	17%	12%	11%	20%
Infrastructure Development, Housing &Transport	9%	17%	15%	8%	4%	9%	21%	16%	12%	7%	24%	15%	14%	12%
Agriculture, Livestock, Fisheries, Marketing & Irrigation	24%	7%	12%	2%	11%	13%	9%	10%	4%	9%	4%	8%	16%	13%
Health & Sanitation	13%	3%	6%	1%	9%	8%	8%	3%	6%	4%	17%	14%	7%	31%
Trade promotion, Tourism & Enterprise Devt	0%	4%	14%	7%	7%	2%	11%	28%	8%	12%	5%	4%	11%	2%
Education, Sports & Training	8%	5%	2%	4%	11%	6%	6%	14%	6%	9%	3%	12%	17%	8%
Environment & Natural Resource Management	7%	5%	5%	3%	4%	17%	10%	11%	12%	19%	11%	5%	0%	0%
Treasury, Budget & Planning	7%	7%	1%	12%	5%	11%	8%	2%	7%	1%	7%	12%	9%	4%
County Assembly	7%	4%	2%	10%	8%	4%	8%	4%	4%	5%	6%	4%	5%	10%
ICT & Public Services Management Systems	0%	7%	8%	11%	6%	4%	6%	0%	9%	4%	6%	2%	7%	1%
Culture, Social Services, Gender & Youth Devt	4%	6%	4%	0%	5%	3%	1%	3%	7%	1%	0%	5%	1%	0%
Other	0%	5%	7%	2%	0%	0%	0%	0%	7%	0%	1%	6%	1%	0%

An analysis of the figures identifies the annual growth rate of budget allocation in each sector. Based on the findings captured in Table 5, allocation of budget to agriculture and education had the highest yearly growth rate while there was a reduction of budget allocation to social services, gender and youth development as well as treasury and planning.

Table 5: Budget allocation per sector in each year (KES. millions)

	2017/18	2018/19	2019/20	2020/21	2021/22	CAGR ($p<0.05$)
Agriculture (Livestock, Fisheries Irrigation, Marketing)	8,082	16,312	12,867	11,169	16,299	19% ***
Education, Sports & Training	7,733	7,322	13,396	10,846	12,717	13%***
Infrastructure Development, Housing & Transport	13,276	18,504	18,096	19,154	18,033	8%***
County Executive, Administration & Governor office	25,299	32,739	26,785	21,703	34,164	8% ***
Trade, Tourism & Enterprise Devt	9,439	8,060	10,312	13,324	12,613	8%***
Environment & Natural Resource Management	7,490	10,562	13,068	14,519	8,951	5%***
ICT & Public Services Management Systems	5,563	5,668	8,849	5,979	6,520	4%***
County Assembly	5,872	9,504	7,591	8,367	6,819	4%***
Other	1,600	1,780	2,554	4,582	1,855	4%***
Health & Sanitation	11,374	10,731	9,944	15,021	12,531	2%
Social Services, Gender & Youth Devt	3,324	2,318	5,655	5,196	3,011	-2%
Treasury, Budget & Planning	11,660	10,614	6,897	8,285	8,925	-6%***

It is evident that the budget for agriculture has had the highest increment from 2017/18. This is not surprising because these 14 counties have agriculture (livestock in particular) as the main economic activity. All the same, the findings point to progress towards the joint programme outcome of enabling citizens to access quality services through devolution.

2.3 Kenya's devolution context and implications for JDP: summary of findings and conclusions

Findings	conclusion
Devolution remains a central pillar of local and national development because it addresses the challenge of disparities in services. It has the potential to address long-standing grievances over development especially in the marginalised counties, which include some of the target 14 counties under the programme.	The findings show improvement in delivery of services in the marginalised counties. There is progress in achieving the JDP outcome of enabling citizens to access quality services by 2022. A lot more could be achieved with increased engagement of CSOs and citizens in the counties.
Studies show the key challenges to implementation include inter-governmental disputes, limited capacity of county governments in planning and budgeting, among other areas.	These gaps are much in line with the JDP areas of support in the counties.
Some county governments have more resources for development than others. There are those spending minimum amounts on development – slightly above 30 per cent. Those in the marginal areas tend to have more because of relatively low wage bills	Counties differ in terms of needs and development challenges. Those in the marginalized counties have been more disadvantaged but, ironically, get more on basis of equitable share of budget. Low wage bills and need for more basic services has meant they relatively more than others.

3.0 FINDINGS

Several evaluations and programme reviews precede this Mid-Term Review report. In particular, the Independent Kenya Country Programme Evaluation (May 2022) noted progress made in achieving CPD Outcome 1: CPD OUTCOME 1: By 2022, people in Kenya access high-quality services at devolved level that are well coordinated, integrated, transparent, equitably resourced, and accountable.

These reviews noted that JDP had played a strong role in supporting Kenya's efforts towards the devolved system of governance. The programme strengthened the capacity of the counties to make policies and to deliver services. The Independent County Programme Evaluation (2022) recommended that JDP maintain focus on devolution but make certain adjustments to improve on the capacity building approach. The Common Country Analysis for Kenya similarly underlined the significant role that the programme had played in supporting the devolved system of governance.

This Mid-Term Review picks up from these previous ones. This section of the report discusses the main findings on each of the evaluation areas. The discussions also lead to recommendations to guide the remaining phase of the programme.

3.1 STRATEGIC

The evaluation required an assessment of the extent to which JDP priorities and results:

a) contributed to Sustainable Development Goals (SDGs);
b) are aligned to United Nations Development Assistance Framework (UNDAF), UNDP Strategic Plan, UNDP Kenya CPD, UN Women Strategic Note and UNICEF Kenya Strategic Plan; and
c) are aligned with the UNDAF and the Country Programme Document.

All the strategic documents have common running themes and underline a commitment to achieving SDGs. The key themes include:

a) alignment with national level development priorities;
b) commitment to 'Leave No-One Behind' principles to reach the most vulnerable and those left furthest behind;
c) achieving SDGs;
d) promoting gender equality and inclusion
e) integrated programming; and
f) capacity building partnerships and coordination.

Review of the strategic value of interventions focuses these common themes and the extent to which the programme contributes to UNDAF outcomes. Overall, the evaluation finds that JDP's programming priorities are well aligned to UNDAF; the two UNDP Strategic Plans (2018-2021 and 2022 – 2025); the UN Women Strategic Note; and the UNICEF Kenya Strategic Plan. The programme is also aligned to the two (2) UNDP Kenya Country Programme Documents (CPD 2018-2022 &2022-2026).

These strategic documents underline the need to address country emergent needs and underlying causes of poverty to achieve the SDGs. Furthermore, the programme is making contributions to SDGs through interventions relating to the four output areas. In particular, the

JDP has contributed towards the achievement of the following: SDG 5 - Gender Equality; SDG 10 - Reduced Inequalities; SDG 11 - Sustainable Cities and Communities; SDG 13 - Climate Action; SDG 16 - Peace, Justice and Strong Institutions; SDG 17 - Partnership for the Goals. While the programme is aligned to also contribute towards SDG 1 - Poverty Alleviation, the results at the time of evaluation did not reveal notable achievement of this goal. However, support to youth and women's empowerment provided opportunities for employment and entrepreneurship.

The above is to be expected as this phase of the programme focused on capacity development for citizens, non-state actors and government institutions, coupled with technical and financial assistance to put in place enabling policies and associated resources to address the needs of those left furthest behind. Furthermore, the Covid-19 pandemic negatively impacted on many households because of the strategy of 'lockdowns' – containment measures that resulted in the closure of businesses and services impoverished many households because of loss of jobs and general slow-down of economic activities. This slowed poverty reduction.

As shown later, there is coherence between the programme priorities, the priorities of the participating UN agencies, and the Government of Kenya priorities at the national and the county level. Indeed, the UNDAF outcomes draw from national policy priorities and JDP is anchored on UNDAF outcomes.

JDP is also building capacity at both levels of government to support the delivery of services. This also enhances inter-governmental collaboration in building capacity for service delivery. For instance, in collaboration with the National Treasury, the programme supports the targeted counties in developing the third generation CIDPs. The programme is supporting the CRA to assist the counties to improve their Own Source Revenue (OSR).[26]

The programme is also strengthening the capacity for evidence-based Monitoring and Evaluation through strengthening the M&E function and reporting in counties. The Council of Governors is also supported to strengthen the Performance Management Systems (PMS) in counties. The dual approach of strengthening the performance management function and M&E in counties has contributed to improved efficiency in service delivery. There is also increased accountability because of improved adherence to reporting requirements.

The programme is also applying principles of 'Leave No One Behind', a central transformative focus under the SDGs. The programme has incorporated the Leave No One Behind guidelines in interventions in the counties. For instance, interventions identify who is being left behind, in what ways, and who among them is likely to be the furthest behind. These are also captured in all the data collection and analysis.

The programme has adopted a holistic approach in addressing the root causes of the inequalities in the target 14 counties. A multiplicity of approaches to transform deeply rooted problems in the socio-cultural, economic and governance structures and systems in these regions is applied. This is done under the policy development support through interventions in Output 1. Examples include the development of county level child protection policies and legislative frameworks.

[26] 14 counties recorded a 27% increase in OSR in FY 2020/21 compared to the national average of 15% between 2018/19 and 2019/20 fiscal years. Eight (8) counties[26] recorded an increase in OSR while 6 counties[26] recorded a decrease in OSR between 2018/19 and 2019/20 fiscal years. West Pokot County recorded the highest increase in OSR at 128%[26] - JDP 2021 Annual Report.

This is in addition to increasing the capacity of counties to develop guidelines for Child Protection Case Management and Child Protection in Emergencies.[27]

3.1.1 Gender responsive interventions

Under the leadership of UN Women, JDP focuses on, among other areas, building national and county government capacities on PFM reforms to advance Gender Equality and Women's Empowerment (GEWE) in a sustainable manner. The programme is also supporting parliamentary oversight on implementation of legislation and policies on GEWE and budget allocation. It is also strengthening the Kenya National Bureau of Statistics (KNBS) to provide gender-relevant data. The interventions have generally led to improvement in budget allocations on GEWE.

Gender issues are also integrated in capacity building approaches. There is increased inclusion of women in planning and decision-making processes. These results go beyond the targeted 14 counties: all the 47 counties benefit. For instance, all the 47 county budget briefs have gender data. The Poverty Report generated by the KNBS with JDP support has a gender dimension. In addition, there is evidence of increased participation of women in planning and budgeting processes. For instance, in Busia County simplified information on the budget enabled women to effectively interrogate the county planning and budgets.

The programme, through the Commission on Revenue Allocation (CRA), has supported review of County Budget and Economic Forum (CBEF) operational guidelines to address gender equity and inclusion.[28] Through the leadership of UN Women and UNICEF, JDP supported the implementation of the new SCOA. This will improve the monitoring and reporting on social sectors. In addition to this, the Controller of Budget Management Information System (COBMIS) will track spending on children, gender and climate change.

JDP integrated gender dimensions during the design level and throughout implementation. At the outset, UN Women in partnership with Council of Governors (COG) commissioned a study in 10 counties to assess the extent to which some of the target counties had applied gender mainstreaming in policy, planning and programming.[29] The study also examined progress made in ensuring the interests of women, men, youth, Persons with Disability (PWDs) and vulnerable groups are incorporated in the processes in line with UN principles of Leave No one Behind. The study noted that these counties mainstreamed gender in the second generation CIDPs and in programme implementation between 2018 and 2020. The lessons learnt informed integration of gender dimensions and in JDP.

Throughout implementation, efforts have been made to address emerging gender issues and gaps. For instance, through UN Women and UNICEF and its national implementing partners, the KNBS and KIPPRA, the programme generated gender and inclusion relevant data and statistics. These include the KNBS Poverty Report of 2020; 47 County Poverty Reports, and 47 County Gender Profiles. These reports provide information and point to gaps and needs that should be addressed.

[27] Turkana, West Pokot, Garissa, Isiolo, Marsabit, Tana River and Kilifi counties.

[28] Turkana and Isiolo -- Turkana County incorporated gender issues in revenue administration in their legal framework while Isiolo County incorporated nursing booths for women revenue administration officers since most revenue officers are women – Source – JDP Jan 1 – Sep 30 2020 Progress report.

[29] Mandera, Marsabit, Lamu, Tana River, Turkana, Samburu, Kilifi, Narok, West Pokot and Busia.

KIPPRA published 47 county budget briefs analysing social sector budgets and actual expenditures for the period 2014/15 to 2017/18. The budget briefs give recommendations to address gaps/challenges for each of the 47 counties. The programme supported the development of a report on the 'Impact of Devolution on Women and Girls', jointly developed with the Council of Governors. The report documents the impact of devolution on women and girls in select sectors across the 14 JDP counties.[30] To address the needs of women and other marginalised groups, the programme also carried out an assessment on the extent to which 10 of the targeted counties had mainstreamed gender in the CIDPs and the results informed programming.

The programme has supported the development of tools to assist counties integrate gender dimensions in their plans and interventions. Among others, the programme supported development of a gender responsive revenue assessment tool that is utilised in more than 33 counties. This is meant to ensure that the revenue administration frameworks formulated are gender responsive and promote equity and efficiency. The programme also supported development of a toolkit to help counties integrate gender dimensions in the third generation County Integrated Development Plans (CIDP III). In this regard, the toolkit was an important resource in inducting the Members of County Assemblies (MCAs) after the August 2022 elections. Gender Responsive County Budget and Economic Forum (CBEF) Training Tool has also been developed to help ensure the inclusion of more women in the budget process. This was developed on recognition that there was low participation of women, youth and PWDs in CBEFs.

The JDP design built on lessons learnt from other devolution programmes. Notably, support to devolution tended to focus on strengthening the capacity of the county executive. Although County Assemblies play an oversight role in the implementation of activities by the executive, few programmes have paid attention to building the capacity of the assemblies. At times the county assemblies delay passing budgets and policies. There are also instances of strained relations between the assemblies and the executive, which constrains service delivery.

To address some of the above challenges, JDP supported some of the county assemblies. For instance, the programme supported development and utilisation of the Gender Analysis Toolkit for County Assemblies in Kenya. This was developed in collaboration with SOCCAT. This is meant to build the capacity of the County Assemblies to integrate gender dimensions in policies. The programme also supported the development of the County Assemblies Gender Responsive Oversight Checklist (GROC) for Covid-19 and beyond.

3.1.2 County level relations

The programme is also strengthening approaches to inclusion at the county level. The programme is also strengthening relations between the county executive and the county assemblies for purposes of eliminating blockages to public service delivery. In counties such as Samburu, this support has resulted in better planning and budgeting processes and reduced the time for approving budgets at the county assembly.

The programme worked closely with the Society of Clerks at the Table in Kenya (SOCATT) to develop the Gender Responsive Oversight Checklist (GROC). This checklist enables the

[30] Education, Health, Agriculture, Water and Sanitation, and Urban Planning.

county assembly to play its oversight role to ensure executive interventions benefit women, youth, the elderly and other vulnerable populations.

3.1.3 Theory of Change

The programme is addressing institutional and system challenges that are a bottleneck to the delivery of services in the counties. The Theory of Change shows a relationship between outputs and the UNDAF outcome. The pathways of change – from output to outcome – are realistic for some of the outputs. Overall, the theory of change requires modification to reflect changing dynamics in implementation of devolution and to enable the programme adapt effectively.

This evaluation finds that the programme was able to respond to the Covid-19 pandemic in a flexible and effective manner. This was an abrupt change in the national development context, to which the programme responded. But there are new changes in the national development context, to which the current Theory of Change may not adequately respond. About 72 per cent of the counties have elected new leadership and therefore the counties are likely to experience changes in local development priorities. That is, 26 (55%) governors are new and 8 (17%) 'pioneer' governors who lost election in 2017 made a comeback. Only 11, or 23 per cent, of governors were re-elected.

Because of these changes, there could be disruptions in planning and implementation of the programme. The ToC appears not to have the relevant element to respond to this kind of change. While the institutional and management structure should process these opportunities, the current Theory of Change is insufficient to provide for this reflection on new dynamics in local level development. This raises the need to review the Theory of Change, particularly JDP Outputs 1.3 to provide for increased flexibility and adaptability to evolving contexts and dynamics.

3.1.4 Strategic importance: Summary of findings and conclusions

Findings: Strategic importance	Conclusion
The programme is making contribution through interventions relating to the four output areas. Engaging with the CoG is innovative because it strengthens the programme's potential by reaching and strengthening all the 47 counties in their progress to achieve SDGs specifically SDG 5 - Gender Equality, SDG 10 - Reduced Inequalities, SDG 11 - Sustainable Cities and Communities, SDG 13 - Climate Action, SDG 16 - Peace, Justice and Strong Institutions and SDG 17 - Partnership for the Goals.	The programme is making contributions to SDGs 5, 11, 13, 16 and 17. However, annual reports need to make explicit statement on contribution to SDGs to ensure that the alignment remains in focus. There is a need for explicit engagement with CoG to build capacity to scale up relevant interventions to many counties
The programme priorities are well aligned to UNDAF; the two UNDP Strategic Plans (2018-2021 and 2022 – 2025); the UN Women Strategic Note; and the UNICEF Kenya Strategic Plan. The programme is also aligned to the two (2) UNDP Kenya Country Programme Documents (CPD 2018-2022 &2022-2026).	Although the programme is aligned with UNDAF and agencies policy and strategic documents, there is a need to envisage possible changes in development priorities under the new administration at national and county government level. Strengthening inter-governmental relations – national and county – is an important entry point.
Kenya is likely to witness changes in the national development context and priorities following the coming to power of a new administration at the national and many county governments. The focus of the national government on devolution will remain as per the Constitution but government priorities on service delivery may change. The Theory of Change is not cogent enough to take advantage of new opportunities and/or respond to changing development context and new dynamics in the counties.	The Theory of Change has clear linkages between outputs and outcomes. However, new changes in national and county administration require revising the ToC to strengthen response to possible disruptions of local level development. There is a need to review the ToC to provide for an institutional context and structure for policy discussions and promotion of inter-governmental dialogue.

3.2 RELEVANCE AND COHERENCE

The evaluation requires an assessment of the relevance of the programme, especially in relation to the national and county development context and priorities. Additionally, the evaluation is required to examine the extent to which the programme is inclusive of different needs among women, children, youth, and other special needs.

The previous sections have already highlighted the importance of devolution in Kenya and the fact that the 2010 Constitution provides for devolution to address long-standing grievances over development. The 47 county governments have responsibility to provide basic services and improve on self-governance, especially by involving citizens in decision-making processes.

But the counties faced many challenges at the time of initiating devolution reforms in 2013/2014. Many of them lacked capacity to effectively discharge these responsibilities. They recruited new personnel who required training to support delivery of services. The County Assemblies also did not have a sufficient understanding of their triple roles of oversight, legislation, and representation. This in turn delayed the passage of relevant policies and laws to support the delivery of services. Citizens were also not effectively engaged with the county operations. Indeed, the Afrobarometer survey in 2014 found that 80 per cent of citizens had not been involved in any county activities.[31]

The programme and the various interventions under the four output areas, overall, are very relevant in the context of challenges facing devolution in the country. Many respondents in the counties and at the national level commend the programme for its interventions in capacity development. The survey conducted among the implementing national and county partners and NSAs shows that almost everyone in the programme acknowledges its relevance. More than 90 per cent of those who replied to the survey feel that the programme is relevant in relation to national development and county level priorities because of a focus on capacity development.

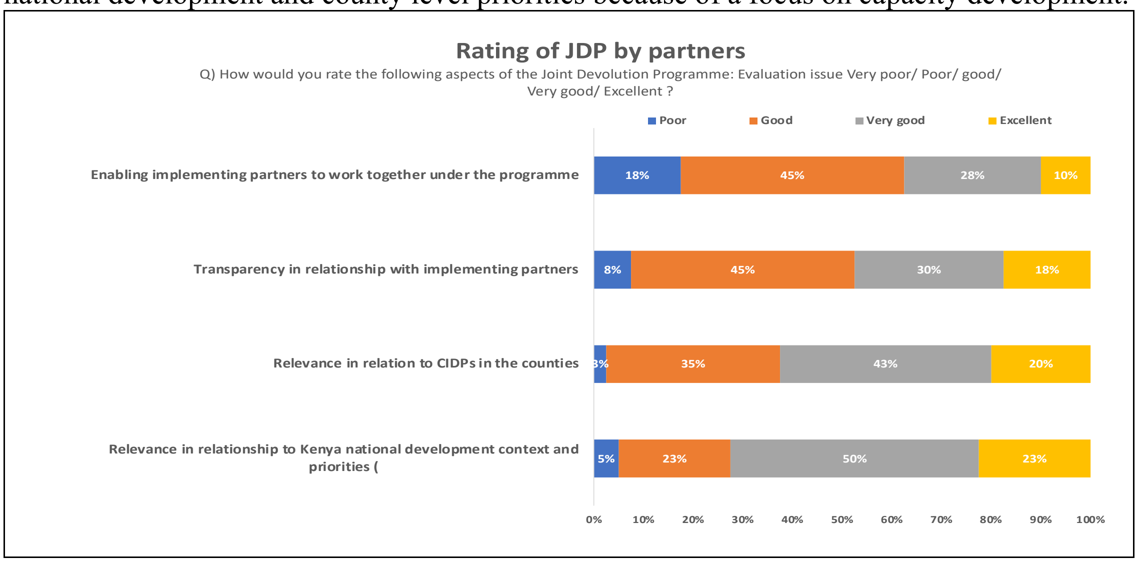

Figure 3.1: Rating of JDP by partners

[31] https://www.afrobarometer.org/wp-content/uploads/migrated/files/media-briefing/kenya/ken_r6_presentation1_devolution.pdf

Figure 3.1 shows that over 70 per cent of the respondents involved in the programme feel it is relevant to national priorities and to CIDPs, too. The number of those who feel the programme is enabling partners to work together is comparatively low, at 38 per cent. Similarly, 48 per cent rated the programme as being transparent in relationships with implementing partners. The discussion on how the three agencies work together ought to pay attention to these issues. It suffices to mention that these views by implementing partners raise a need for increased consultations in making decisions during the remaining phase of the programme.

Many also feel that the programme is adding value to their work; it is relevant. Close to 90 per cent of respondents in the survey agree that the programme has made it easy for them to deliver services. They also say that the programme has improved their performance in devolution-related activities.

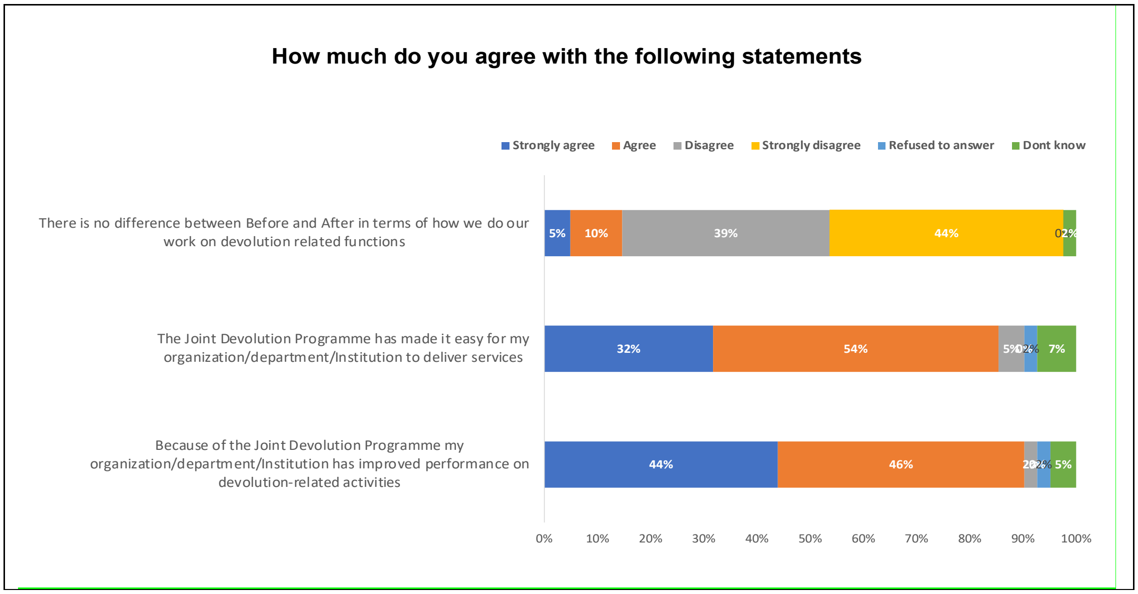

Figure 3.2: Relevance of the programme

The survey probed the relevance of the programme in terms of what people like most about it. Several things stand out in this regard. First is the capacity building interventions – institutional and individualised -- at the national and county levels. Second was the engagement with national and county government institutions. For some, this engagement and support to build capacity has helped the counties to strengthen their systems for service delivery. Third is networking and strengthening institutional relations. There are those who feel that the programme has strengthened the relationship between the county government and the national government institutions in a manner that was not evident in the past.

The programme has improved relations between the county assemblies and the county executive, where both are involved in undertaking activities. Field interviews also corroborate these findings. In Turkana, for instance, some of the respondents noted that their relationship with the county assemblies has improved, especially in the drafting of laws and their passage.

Of note is the fact that many people feel that the programme is addressing important challenges not only in terms of capacity development, but also in terms of the needs of women, the youth and vulnerable groups. The Isiolo youth centre, among others, is identified as one initiative that is playing an important role in the empowerment of youth. Other examples cited include the programme interventions during the Covid-19 pandemic. The programme, in partnership with others, mobilised resources to support women groups and other vulnerable groups in some of the 14 counties.

The programme provides an opportunity to strengthen relations between national government departments, agencies, and the county governments. This is evolving on an ad hoc basis. Whether the relations are strong or not varies from one county to another. In some cases, the office of the governor plays an important role liaising with other institutions. In other cases, it is the department of planning that coordinates these efforts. All this implies lack of a structured approach to inter-governmental relations under the programme. In fact, inter-county relations and collaboration tend to face challenges because there is no unit established and resources set aside to strengthen ties and relationships in development planning among the counties.

3.2.1 Programme coherence

The evaluation also focuses on coherence and specifically whether the programme synergises with other interventions on devolution. Again, 88 per cent of the respondents rated the programme as good in terms of strengthening other devolution programmes. Another 75 per cent said that the programme does not duplicate other devolution programmes. There are no conflicts witnessed between the partners in the counties and at the national level.

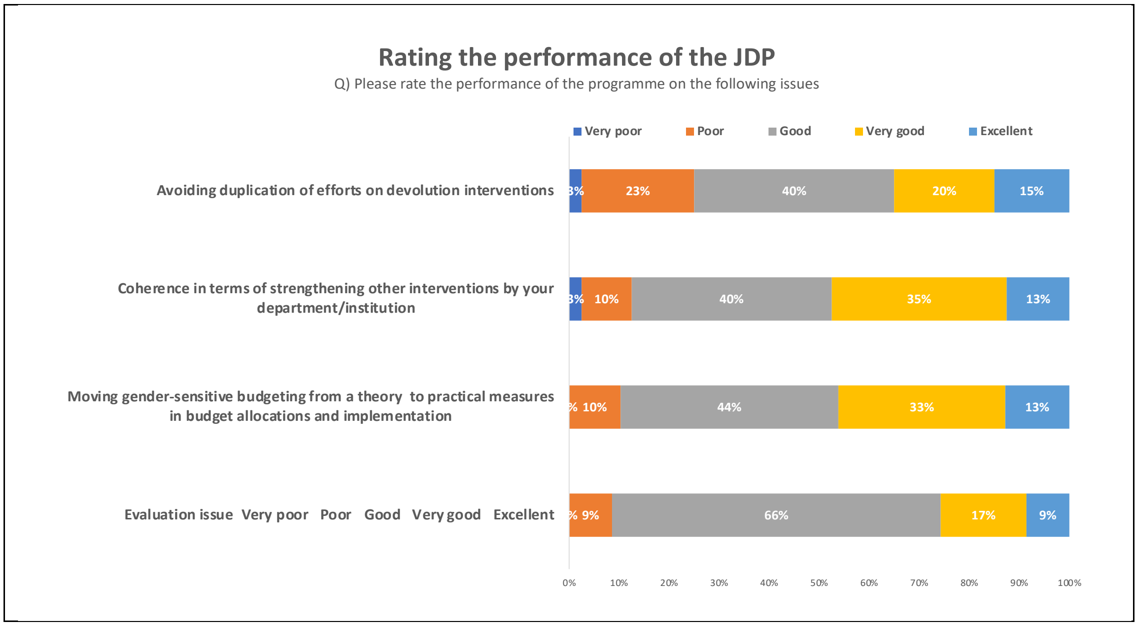

Figure 3.3: Rating the performance of JDP

It bears mention that many respondents did not know that this programme is implemented by three agencies. They would associate support received with the particular agency supporting them rather than JDP. For instance, those interacting with the Commission for Revenue Allocation (CRA) or the Kenya School of Government (KSG) thought the support was directly from these agencies; they had limited information on the programme. In these instances, there is lack of clarity on whether these agencies also had good knowledge of the programme to explain it to those they supported.

3.2.2 Alignment to national priorities

The programme interventions are aligned to the national development agenda. The UNDAF Strategy (2018-22) commits to realising Kenya's national development blueprint: Vision 2030 and national priorities as outlined in the Medium-Term Plan III, 'Big Four Agenda' as well as national commitment to Sustainable Development Goals (SDGs). In this regard, JDP is contributing to UNDAF Outcome 2: 'By 2022 people in Kenya access high quality services at devolved level that are well coordinated, integrated, transparent, equitably resourced and accountable.' JDP is aligned to the political pillar of MTP III. The key interventions focus on development of pieces of legislation; strengthening governance institutions; planning and budgeting; and strengthening the technical capacity of staff to enhance service delivery.

As already noted, the programme is also aligned with the CIDPs in the counties. The interventions aim to strengthen the performance of counties in delivering on CIDP priorities. Capacity development in PFM, civic engagement, and development of policies to support delivery of services are singled out as some of the important contributions under the programme.

3.2.3 Relevance: Summary of findings and conclusions

Findings: Relevance	**Conclusion**
The challenges facing the devolution process and delivery of services in the counties require strengthening of institutions and systems. The programme is playing an important role in building capacities at the national and the county level. The programme therefore remains critical in Kenya's devolution.	Devolution in Kenya remains a work in progress; there is growing need for capacity development to improve service delivery. The programme remains and will continue to remain relevant because there is no end to improving systems for county performance. Continued capacity development and strengthening of inter-government relations remain important because they are the basis for improved performance in service delivery.
The programme is well aligned to government of Kenya development priorities at the national and the county level. The UNDAF outcomes draw from national policy priorities and JDP is anchored on UNDAF outcomes. Nonetheless, the next phase of the programme will be implemented at a time of a new government has taken office and probably a new policy context is evolving.	The programme should anticipate changes in the national development context in the remaining phase of implementation. There is a need to undertake a comprehensive analysis of the new context and its implications for devolution and specifically the programme.
Although the programme is relevant, it is not well profiled in the counties or even among the national-level implementing partners. There is confusion about attribution or even who is responsible for support that some agencies are receiving – this is not easily identified with the programme.	There is need to give the programme better visibility in the counties and at the national level. Improved communication on the overall objective of the programme and implementing partners and results achieved could add value in this regard.

3.3 EFFECTIVENESS

The evaluation required examining the extent to which programme results were being achieved. The assessment of progress in achieving outcome and output indicators shows that the programme has the potential to attain most of the indicators at its closure point. However, there are certain indicators that are not likely to be achieved. This section examines progress at both outcome and output level.

3.3.1 Outcome indicators

The programme outcome statement is: "**By 2022, people in Kenya access high-quality services at the devolved level that are well-coordinated, integrated, transparent, equitably resourced, and accountable**." Under this outcome, JDP sought to track progress in achieving a 5 per cent increase in budget absorption from a baseline of 75 per cent in FY 2018/19. The programme sought to simultaneously influence the allocation of county government budget resources in social sectors (with priorities for children and women) to at least 45 per cent from the previous levels of 41 per cent.

Table 6: Assessment of outcome

Indicator	Baseline/Target	Achievement
County government expenditures as a proportion of original approved budget, by County Government sector	Baseline 75% (2016/17) Target 80% (2021/22)	78%
Total county government budget allocated to social sectors with priorities of children and women	Baseline 41% (2016/2017) Target 45% (2021/22)	45.6%
Percentage of Kenyans who support devolution	Baseline: 88% (2016/17) Target: 90% (2021/22)	Not done

There is notable progress in achieving the targets on the outcome indicators on county and national government expenditure. At the time of conducting the MTR, the targets were either on track or already surpassed. Absorption has increased from a baseline of 75 per cent to 78 per cent in FY 2021/22. Allocation to the social sector increased from 41 per cent in FY 2018/19 (the national average across counties was 33 per cent in 2017/18) to 45.6 per cent in FY 2021/22.

The target counties that made the greatest increases in social sector (allocation to youth, gender and social programmes) spending over the project period are Turkana (63.2%), Narok (41%) and Mandera (57.5%). Those with net reductions in allocation included Marsabit (-31.7%), Kilifi (-27.6%) and Kajiado (-15%).[32]

[32] Programme Annual report, 2021 (Figures drawn from County Budget Implementation Review Report, 2021). Although evaluation did not focus on reasons for this reductio, it is notable that the first three – as well as Kilifi

It is notable that indicators in the programme document were re-worded in subsequent annual progress reports. The process of re-focussing the results measurement framework of JDP was undertaken to adequately respond to a narrower scope owing to limitation of resources and also because there was additional programme modification made in response to the Covid-19 pandemic.

The outcome indicator also included targets on levels of public support for devolution. The outcome indicators target was to increase from a baseline of 88 per cent in 2016/17 to 90 per cent in 2021/22. However, the programme has not conducted citizens' satisfaction surveys to track progress in satisfaction with devolution from the baseline. The programme also has not utilised other sources of data to track public support of devolution or satisfaction with service delivery. There are surveys by pollsters that measure the performance of different aspects of devolution such as performance of county governors. They have questions on satisfaction with delivery of services but these surveys are not regular enough for use by the programme. All the same, the programme did not systematically use data to track the proportion of Kenyans supporting devolution or the level of satisfaction with basic services.

The programme did not track the level of public satisfaction with the delivery of services from then on. But this is not a problem attributable to JDP alone. Other devolution programmes by development partners have not been conducting surveys on satisfaction with service delivery. They rely on surveys by other agencies, which are infrequent.

This evaluation has analysed data from several national surveys to highlight public views and opinions on devolution and delivery of services in the counties. The data presented here, however, should be reviewed with caution because the surveys were carried out at a different time from when the programme started. The surveys were also not designed specifically for devolution and service delivery. In a survey conducted in June 2021 by TIFA, 68 per cent of Kenyans expressed satisfaction with the implementation of devolution. Those in North-eastern at 75 per cent (JDP target counties), and Western Kenya (Busia included) at a similar 75 per cent, were the most satisfied with the implementation of devolution. They were also some of the underdeveloped before devolution.

among the last three – re-elected their county governors and therefore there was continued implementation of priorities.

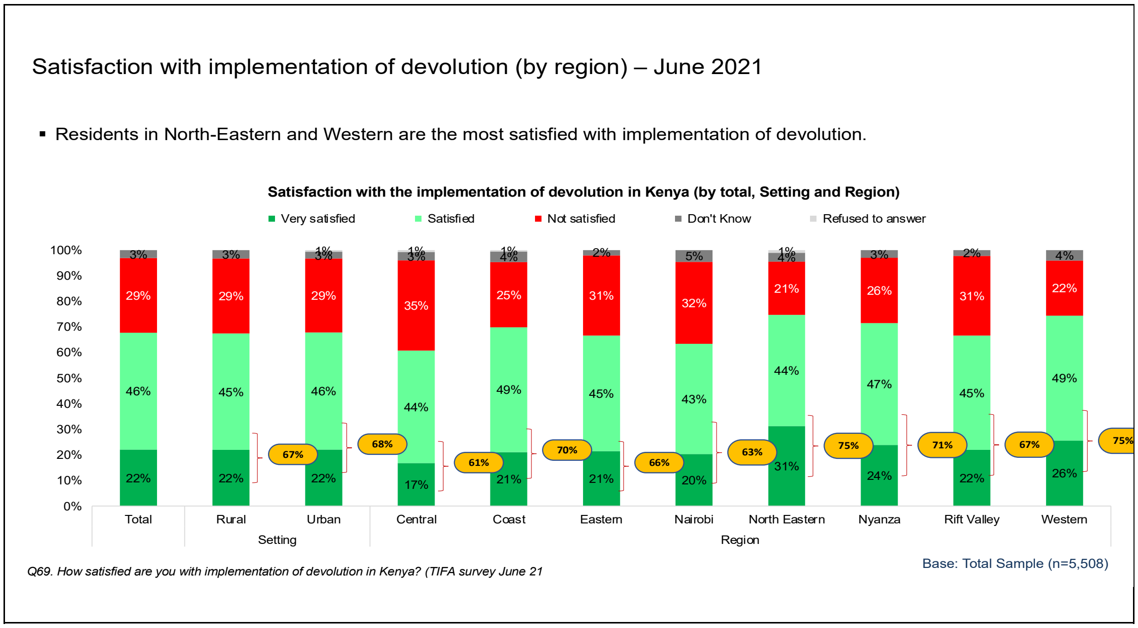

Figure 3.4: Satisfaction with implementation of devolution

In another survey, respondents were asked what they liked/disliked about devolution. About 30 per cent of respondents cited increased corruption. Another 10 per cent cited bad governance (leadership, nepotism, and mismanagement of resources) as issues of concern.[33]

There is no doubt that devolution aroused a euphoric sense of development optimism and remains a centrepiece of development processes in the country. Public satisfaction with the provision of public services by county governments, therefore, should be regularly tracked and findings shared with implementing partners for policy discussions.

3.3.2 Output 1.1: 'Strengthened policy, legal and institutional mechanism for service delivery'

The essence of the JDP was to leverage on intergovernmental synergy to strengthen the institutional framework – county government laws, policies and structures -- and make them more responsive to social exclusion. In order to measure progress towards this output, six (6) performance targets were set. Table 7 provides a summary of targets met. All the 6 indicators' targets have been achieved; a majority have surpassed the programme target.

In this table and in the summary of progress in outputs analysed thereafter RED indicates off track; YELLOW average progress and GREEN on track or exceeded targets. (It bears mention that the indicator cited here are different from those in the Results Framework 2019. Those cited here follows revisions in 2020 and adopted in 2022).[34]

[33] Infotrak poll, October 2021.

[34] Joint Programme Monitoring Framework (JPMF): revised March 2020. This was shared with the evaluation team towards the end of the exercise.

Table 7: Assessment of Output 1.1: Government has strengthened policy, legal and institutional mechanisms for coordinated, inclusive and effective service delivery

Indicator	**Baseline/ Target**	**Achievement**	**Comments**
New issues addressed by national and county government coordination and/or dialogue forums	Baseline 0 (2018) Target 6	Achieved 10 167%	10 new intergovernmental issues addressed. Gender and Development, Governance of Transboundary Water Resources, Civic Education and Public Participation, Child Protection, Strengthening Inter-County Learning, Coordination of Development Partners Support to Devolution, Gender Based Violence, Covid-19, public finance management; and transition to newly elected officials.
Policies, Bills developed in line with devolved functions (public participation, Gender, DRM, REBs, Child Protection, M&E, Youth)	Baseline 0 (2019) Target 10	10 policies and Acts 100%	3 policies 7 Acts[35] DRM profiles for 11 counties developed County Assembly resolutions on Child Protection (CP) for 15 counties implemented.
Technical working groups (including child protection teams) capacitated to plan and implement child protection policies and Violence Against Women and Girls	Baseline 5 (2019) Target 32	14 TWGs 44%	14 child protection working groups in 14 counties formed and supported to plan and implement various children protection interventions. Kajiado, Garissa, Kilifi and West Pokot counties convened GBV technical working groups to review progress of GBV policies.
County has capacity to assess, plan and budget for GBV and Child Protection	Baseline 0 (2018) Target 5	6 counties 120%	6 counties'[36] capacity built.
Standard county-level framework for child protection legal and policy documents in place	Baseline 0 (2019) Target 1	2 frameworks 200%	2 frameworks: National Guidelines for Child Protection Case Management and Referral, and Operational Guidelines for Child Protection in Emergencies, 1 Technical Working Group.
Counties implementing alternative care programme/ plans	Baseline 1 (2019) Target 3	2 counties 67%	2 counties have started implementing alternative care programmes, i.e. Garissa and Turkana.

There is progress in achieving indicators on this Output. The programme has supported the creation or revitalisation of at least three (3) intergovernmental relations structures to provide a useful platform for transboundary water resources dialogue between counties, inter-county learning through the Council of Governors, and the revitalisation of the Gender Sector Working Group in the counties.

[35] Acts supported by the JDP; *Kajiado County Community Lands Bill, 2020; Kajiado County Public Health and Sanitation Bill, 2020; Subsidiary legislation on County Governments Act 2012; Intergovernmental Relations Act 2012; Turkana County reviewed County Child Care Services Bill and Social Assistance Bill; Wajir and Marsabit counties civic education and public participation bills; Jumuiya Ya Kaunti za Pwani (JKP) Regional Economic Bloc (REB) Bill*; *Community Health Strategy (CHS) Bill for Mandera, Isiolo and Kilifi counties.*

[36] Kajiado, Garissa, Kilifi, West Pokot, Isiolo & Turkana counties.

The Multi-Stakeholder Water Sector Consultative Forum has provided opportunities to harmonise approaches and develop consensus on the role of county governments in complementing national government functions in water resources management. The inter-county learning platform, on the other hand, under the auspices of the Council of Governors, supported a learning mission to Makueni County on Performance Management Systems (PMS) and implementation of the Sustainable Development Goals (SDGs), which were disseminated to JDP counties.

JDP supported counties to deepen their approaches in addressing GBV, child protection, civic participation and institutional gender mainstreaming in county legislatures. The project worked with the State Department for Gender Affairs to finalise the National Policy on Gender and Development (NPGD). The policy was used to develop County Assemblies Gender Policies in Tana River, Busia and Kilifi counties, improving gender responsive fiscal analysis and budget oversight. Further, the Busia County Assembly reviewed its Standing Orders to include the policy.

In addition, Wajir and Marsabit developed civic education and public participation Bills. These are awaiting discussion in the respective county assemblies. When in place, they will provide a framework for residents in these counties to participate in county affairs and establish mechanisms for county governments to receive feedback on various matters in the county.

The programme also supported the development of legislation on child protection and childcare services in several counties. West Pokot and Isiolo developed child protection policies.[37] Kajiado, Garissa, Kilifi and West Pokot counties also convened GBV technical working groups to review impact of GBV policies and trained 62 county duty bearers on gender-responsive planning and budgeting. The Child Protection (CP) Technical Working Groups (TWGs) were revitalised in 9 counties.[38] These supported county departments for children services to identify, prevent and respond to CP issues. Implementation and coordination of CP services in seven (7) counties[39] was enhanced using the National Guidelines for Child Protection Case Management and Referral and Operational Guidelines for Child Protection in Emergencies.

These findings show that the programme is effective in establishing systems for service delivery. The programme has supported counties to formulate the necessary policies and laws to support service delivery. Above all, the programme provided opportunity for county executives and the assemblies to work together in developing policies.

[37] Contract co-funded through JDP and UNICEF/World Food Programme Kenya Social and Child Protection Systems Strengthening Programme.
[38] Wajir, Garissa, Tana River, Samburu, Kajiado, West Pokot, Isiolo, Mandera and Marsabit counties.
[39] Turkana, West Pokot, Garissa, Isiolo, Marsabit, Tana River and Kilifi counties.

Suite of policy and structural reforms facilitated by JDP

- *Regional Economic Blocs (REBs):* Eight (8) counties[1] enacted their FCDC Acts, paving the way for proper constitution of the Frontier Counties Development Council (FCDC) REB. The FCDC regional economic bloc is now actively engaging the member counties to accelerate their socio-economic development, exploit their economies of scale to attract investment and trade, and forge a common front for addressing the social challenges that they face
- *Disaster Risk Management (DRM):* JDP worked with Kenya Law Reform Commission, the National Disaster Operations Centre (NDOC) and the National Drought Management Authority (NDMA) to support 13 counties to improve DRM and their response to the ongoing drought by enacting DRM policies and allocating budgets for DRM activities. Further, all the 14 JDP counties developed and implemented disaster risk profiles. Kilifi County finalised its County Disaster Contingency Plan and Disaster Risk Reduction (DRR) Policy.
- *National Devolution Policy:* The National Policy on Devolved System of Government was reviewed to respond to the experiences of the first 10 years of implementing the devolved system of government in Kenya. The policy now provides a sound framework for strengthening institutional capacity, human and financial resources as well as inter- and intra-governmental relations.
- *Intergovernmental Relations and Alternative Dispute Resolution (ADR) Regulations:* JDP supported formulation of ADR regulations. These regulations will guide the resolution of disputes arising between county governments without having them waste valuable time and resources in tedious court processes.
- *Devolved Environment Functions:* JDP supported IGRTC and CoG to commence unbundling of environmental functions.
- *Gender:* JDP supported Kajiado County to review its Anti-FGM Policy, Garissa and Kilifi counties to review gender policies, and West Pokot County to draft its gender policy.
- *Social Sector Policies and Legislations:* 39 policies and Bills on Health, Early Childhood Development Education (ECDE), Water, Sanitation and Hygiene sectors in 12 counties to

3.3.3 Output 1.2: 'Strengthened public finance management institutions, processes, and systems'

In the first 10 years of devolution, county governments made significant progress in the establishment of various PFM systems such as policy planning and budgeting including the preparation of budget documents such as the County Fiscal Strategy Papers, County Budget Review and Outlook Papers, and Budget Estimates as per the PFM Act 2012 guidelines and timelines. These measures, together with implementation of IFMIS, facilitated timely and systematic budget preparation and execution by county governments. To realise effective public finance management processes and systems, JDP implemented the following key activities:

- Improving planning processes and alignment between county budgets to ADPs and CIDPs
- Strengthening County Economic and Budget Forums (CBEFs) active in the budget process
- Capacity building for public entities to develop and implement AGPO procurement plans, and
- Augmenting own source revenue sources.

There were six key performance indicators but performance had mixed results. Three (3) targets have been fully achieved: alignment of budgets to ADFPs and CIDPs; setting up and activation of the County Budget Economic Forums (CBEF) and increasing OSR in at least one county. However, three (3) other targets have not been whole achieved. Strengthening the capacity of public entities to develop and implement AGPO plans is not fully achieved. Seven counties - Isiolo, Kajiado, Busia, Turkana, Kilifi, Narok, and West Pokot - have made progress in building capacity on procurement.

Table 8: Assessment of output 1.2: Strengthened Public Finance Management

Indicator	**Baseline/Target**	**Achievement**	**Comments**
Proportion of county budgets aligned to CIDPs and ADPs	Baseline 29% (2017) Target 75%	14 counties 127%	14 counties developed County Fiscal Strategy Papers[40] (CFSPs) aligned to CIDP and ADPs and with clear budget lines for sub-programmes that address the most left behind.
Counties with County Economic and Budget Forums (CBEFs) active in the budget process	Baseline 4(2018) Target 10	14 counties 140%	Overall, 45 counties have CBEFs active in the budgeting process.
Capacity of public entities strengthened to develop and implement Access to Government Procurement Opportunities (AGPO) procurement plans is strengthened	Baseline 0 (2020) Target 30	7 counties (23% of revised 2022 targets)	Kilifi, Isiolo, Kajiado, Narok, W. Pokot, Busia and Turkana County supply chain officers trained on AGPO; issues on implementation of AGPO identified and addressed.
Gap between potential and actual Own Source Revenue (OSR) through realistic projection for all streams reduced	Baseline 47% (2017/2018) Target 40%	35% 129%	35% in OSR shortfall
Counties with harmonised codes between the revenue generation systems and the proposed Standard Chart of Account (SCOA) for all streams for ease of reporting.	Baseline 0(2018) Target 14		SCOA finalised; awaiting Cabinet approval for official rollout to counties and MDAs.
County OSR increased between financial years	Baseline 0 (2018) Target 4	8 200%	8 counties[41] increased their OSR. 3 counties underwent Tax Administration Diagnostic Assessment. Tana River and Kajiado counties OSR undertook assessment.

There is some improvement in Public Finance Management at county levels because of programme support. This is evidenced by improved audit performance in the targeted counties. The in-county training carried out by the Office of the Auditor General (OAG) contributed to this performance. In FY 2019/20, only 14 per cent of counties returned adverse audit opinions compared to 28 per cent in 2018/19. However, the proportion of counties with qualified

[40] CFSP provides a forecast for the economy and a basis for expectations about revenues and expenditures in the coming year. It sets the final budget sector ceilings for the next three financial years upon approval by the county assembly.
[41] Busia, Garissa, Isiolo, Kajiado, Kilifi, Narok, Samburu and West Pokot counties.

opinions increased from 56 per cent in FY 2018/19 to 71per cent in 2019/20. This is compensated for by a decline in the number of those returning adverse opinions. Adverse opinion itself implies misrepresentation of the financial health of the county and therefore raises the need for another audit.

The new Standard Chart of Accounts (SCOA) has been completed. This is expected to facilitate county reporting to the sub-programme level. It will focus on children, gender and climate change and link disbursed resources and development outcomes to disaggregated reporting. Support for the digitisation of the Controller of Budget Management Information System (COBMIS) will improve reporting on non-financials as well as track spending on children and gender.

The programme enhanced policy and budget alignments by supporting the 14 counties to bring their 2021/22 CFSPs into line with the CIDPs. The programme supported alignment of priorities of children and women in county CFSPs. It also aligned the CFSPs to County Post-Covid-19 Socioeconomic Reengineering Recovery Strategies; and trained Directors of Budget and County Planning Officers on implementation of County Budget Briefs and CIDP mid-term evaluations. As a result, 10 counties enhanced inclusion of children, youth and women in their budgets and programmes; strengthened planning, budgeting, programme implementation, and effective budget oversight with a gender lens during emergencies.

Status of selected targets at Sub Output Level

- 10 counties have (a) established and (b) operational performance management systems (PMS) in line with CIDPs/ADPs: 13 counties have now adopted PMS but they are at various stages of implementation.
- 46 counties with operational CIMES for reporting CIDP targets and SDGs: Target on course and 9 more counties have now implemented CIMES. County Annual Progress Report (CAPR) is still weak, though.
- 3 county data sheets produced to collect disaggregated data on target sectors/groups: Marginal progress made with only marginalisation data management baseline study undertaken in the counties.
- 14 counties have increased budget allocation for disaster prevention and preparedness interventions: 13 counties, there were provisions made in local budgetary allocations for DRM.

The programme established systems to help counties increase their own sources of revenue. As a result, JDP counties increased their OSR by 27 per cent compared to the national average of 15 per cent between 2018/19 and 2019/20 fiscal years. Eight (8) counties[42] recorded an increase in OSR while 6 counties[43] recorded a decrease in OSR between 2018/19 and 2019/20 fiscal years. West Pokot County recorded the highest increase in OSR at 128 per cent.[44]

This progress in improving OSR is attributed to JDP support, which included mapping of existing revenue streams and collection mechanisms, and identification, automation, and generation of revenue from new county revenue streams. However, there were significant gaps in improving own source revenue mobilisation. A lot more revenue would have been collected if the counties improved compliance, fully automated revenue collection processes, and had all relevant departments working together. In addition, only a few counties have partnership

[42] Busia, Garissa, Isiolo, Kajiado, Kilifi, Narok, Samburu, West Pokot counties.
[43] Lamu, Mandera, Marsabit, Tana River, Turkana, Wajir counties.
[44] County Governments Consolidated Financial Statements for the Year ended June 30, 2020.

agreements with the Kenya Revenue Authority (KRA) authorising KRA to collect revenues on their behalf.

The support to the national PFM agencies benefitted not only the JDP counties but also all the 47 county governments because the programme focused on system-wide support. Through UNICEF, JDP supported systems strengthening through Standard Chart of Accounts (SCOA), Controller of Budget Management Information System (COBMIS), development of budget briefs on county spending, and capacity on inclusive budgeting, among others. These efforts focused on improving the performance of systems in all the 47 counties. One respondent, for instance, noted that:

> *"The aim was to bring all those manual processes into an IT system for efficiencies, and quick release of money. It was meant to ensure coherence and comparability of data linkage with the National Treasury systems as well as with the CRA. The support in capacity building of counties was also meant to enable counties to quickly receive their money and implement services they report online."*[45]

3.3.4 Output 1.3 'Strengthening County capacity for an evidence-based Performance Management System (PMS)'

Performance management includes identifying, collecting, analysing, and reporting on indicators that show how well the government performs, both internally and in the delivery of services to the public, and how that performance compares with its targets or with peer counties. More importantly, as a management tool, performance data is intended not as an end result, but rather as a means to more informed decision-making and a more engaged citizenry.

To enhance governance and improve the quality of services delivered by the county, the programme supported the strengthening of the PMS targeting to realise this in at least 10 counties to have (a) established and (b) operational performance management systems (PMS) in line with CIDPs/ADPs, up from the initial six (6) which had a PMS system in place at the beginning of the programme. By the time of the evaluation, all the 13 counties had at least adopted PMS, which were in various stages of implementation, with six (6) of these 13 counties already at the level of signing performance contracts. The targets under this output are quite on track and are shown in Table 10.

[45] Interview, UNICEF official.

Table 9: Assessment of Output 1.3: Strengthening County capacity for an evidence-based Performance Management System (PMS)

Indicator	Baseline/Target	Achievement	Comments
Number of supported counties whose audit report rating has improved	Baseline: 0 Target: 2	5 counties 250%	Garissa, Lamu, Tana River, Wajir, Mandera supported in strengthening of Public Finance Management (PFM) Systems.
Number of counties providing detailed public budget information	Baseline 22 (2019) Target 26	30 counties 115%	30 counties provided detailed budget information through websites and other channels: Approved programme-based budget; Approved citizen budget; Annual Development Plan; County Budget Review and Outlook Paper; Quarterly budget implementation report, and Finance Act.
Number of counties that have established a PMS and are using it for tracking departmental targets	Baseline 6 (2018) Target 10	14 counties 140%	Turkana, Marsabit, Isiolo, Wajir, Lamu, Mandera, Tana River and Garissa supported in Training of Trainers on Performance Management System.
Number of FCDC Counties with improved M&E capacities	Baseline 1 (2019) Target 3	7 counties 233%	Garissa, Mandera, Wajir, Isiolo, Tana River, Lamu, Marsabit supported in a diagnostic assessment of CIMES.
Counties have operational PMS	Target 4	15 counties 375%	15 counties have operational PCs.
Counties with improved M&E capacities	Baseline 2 (2019) Target 7	11 counties 157%	46 counties adopt CIMES, eCIMES implementation is still weak COBMIS being finalised.
Counties have mechanisms for inclusive public participation of women, youth and PWDs	Target 7	14 counties 200%	100% of programme counties establish County Budget and Economic Forums
Counties have (a) established and (b) operational performance management systems (PMS) in line with CIDPs/ADPs	Baseline (a) 6 (b) 6 (2019) Target (a) 14 (b) 14	(a) 13 counties 93% (b) 6 counties 43%	(a) 13 counties adopted PMS but at various stages of implementation. (b) 6 counties sign performance contracts.
Counties with operational CIMES for reporting CIDP targets and SDGs.	Baseline 2 (2019) Target 14	11 counties 79%	47 counties adopted CIMES and 46 have loaded data, but implementation is still weak. COBMIS being finalised.
County data sheets produced to collect disaggregated data on target sectors/groups.	Baseline 0 (2018) Target 3	2 data sheets 67%	2 data sheets; inequality and employment monographs produced for 47 counties assessments of the impact of devolution on women and girls finalised.
Counties have increased budget allocation for disaster prevention and preparedness interventions.	Baseline 0 (2019) Target 14	13 counties 93%	13 counties made local budgetary allocations for DRM.
Climate and disaster early warning products developed.	Baseline 8 (2018) Target 28	14 counties 44%	14 counties developed and are implementing disaster risk profiles.
Counties have functional and inclusive disaster and emergency coordination mechanisms.	Baseline 0 (2018) Target 14	14 counties 100%	14 counties established disaster and emergency coordination mechanisms.
Counties with operational CC/DRM legal frameworks.	Baseline 8 (2018) Target 14	4 counties 29%	4 counties (Tana River, Kilifi, Kwale and Garissa) developed DRM Bills.

The Council of Governors (CoG) has been supported to scale up PMS and reaching other counties. Through this approach, in FY 2020/21, 24 county executive committees signed Performance Contracts (PCs). To strengthen gender mainstreaming at the county level, a session on gender has been incorporated in all the PMS training sessions. Gender indicators also have been embedded in the performance contract targets.

The programme enhanced M&E use in decision-making. JDP supported the Monitoring and Evaluation Department (MED) in the Ministry of Devolution and Arid and Semi-Arid Lands (MoD) to undertake a diagnostic assessment of CIMES in seven (7) FCDC counties (Garissa, Mandera, Wajir, Isiolo, Tana River, Lamu and Marsabit). The assessment focused on ascertaining the extent to which FCDC counties had operationalised the various components of CIMES.

The programme also supported MED to enhance operationalisation of CIMES in 46 counties. In addition to specific CIMES capacity building activities, the programme also leveraged partnerships and strategic alliances to enhance the attainment of the programme objectives. County governments partnered with different agencies and CSOs to ensure that they improved governance and quality of service delivery. For instance, UNDP partnered with MED to support counties in Monitoring and Evaluation.[46] Overall, the county governments appreciate these initiatives:

> *"Rollout of the CIMES structures after effective training has helped the teams to make decisions on M&E fieldwork. An opportunity for self-assessment again is critical to address the most significant gaps within the county. Priorities would be, e.g., building capacity to come up with baseline data for statistical abstracts as guided by the KNBS. Support for two (2) public participation forums in each of the 15 wards; Ward M&E committee and M&E committee of the county treasury"*[47]

Table 10: Status of county M&E capability

Parameter	Baseline Situation	Status as of 31 December 2021
M&E Policy and legislation	57% have draft policies	21% have approved policies 21% developed M&E bills 79% have draft policies.
CIMES Structures	64% have M&E units No COMECs established	79% established M&E units 36% established COMECs 14% have SCOMECs.
County Annual Progress Reporting	50% undertake CAPR	79% undertake CAPR.
Financing County M&E	No dedicated M&E budget lines	57% have dedicated M&E budget lines.

There are several challenges experienced in strengthening PMS. One, data are patchy and unreliable: In all the counties visited, the biggest challenge for most departments was the fact that once the county commits to performance management, the related challenge of reporting the data in all its forms arises. Capacities for collecting data remained weak, making reporting cumbersome and prone to fall short of transparency.

[46] Details in the Annual Report 2021.
[47] Key informant, Tana River.

Two, there is inefficient use of data for improvement and decision-making. Tied to this is the problem of feedback when the data are collected and analysed. On the whole, communication within the programme is weak. Updates are not embedded in all activities. Also, delays in implementing activities occurred because of poor communication between the counties and UNDP. For instance, some activities are co-funded but financial challenges on part of the counties impact implementation. Counties commit counter-part funding but delay in providing the funds. Support for training of staff is cited as a good example in this regard.

Three is the challenge of commitment. While performance contracts are in place in most counties, some go for 'easy-to-fix' indicators. They avoid addressing the difficult blockages that prevent effective service delivery. That is, lower-level outputs are easier to quantify and achieve but high-level results are complex but yield more impact on people's lives. Besides this challenge, there is incoherence in the collection of data; the national government through KNBS and some counties operate parallel data collection systems. This challenge is attributable to weak inter-governmental relations in some of the areas, and may be addressed through dialogue -- especially with the new national and county governments.

3.3.5 Output 1.4: People have capacity to deepen accountability and transparency in devolution

Strengthening transparency and accountability requires a systems-approach to building social accountability. This in turn requires strengthening the 'supply-side' or strengthening county structures and systems on accountability and making their operations transparent. It also involves strengthening the demand-side by enhancing civic engagement to ensure the duty bearers are accountable to the rights holders.

In order to realise these results, the JDP supported county governments to establish and operationalise public participation mechanisms. The programme also focused on increasing the capacity of CSOs and relevant NSAs on the same. This was done to engage county governments on planning, budgeting, as well as service delivery, with mixed results. In public participation, the programme has not been effective in involving CSOs, especially in undertaking social accountability audits and enabling them to strengthen citizens' demand for better services.

Notwithstanding the foregoing, all the 14 counties achieved the target on public participation. The programme targeted to support six (6) CSOs in influencing county planning and budgeting processes. In the end, 12 CSOs eight (8) NGOs[48] and four (4) CBOs[49] – were supported.

[48] FIDA – Tana River, Kajiado, Marsabit, Busia counties); Tropical Institute for Community Health (TICH) – Busia County; Wajir Peace Development Agency (WPDA) – Wajir County; HURIA – Kilifi County; Advocates for Social Change Kenya (ADSOCK) – Narok and Busia counties; Action Aid Kenya – Kajiado, West Pokot, Kilifi, Garissa counties; IBP and IRCK – all 14 JDP counties.

[49] All the CBOs were from Busia County: Bidii Self Help Group, Namulekhwa Self Help Group, Shining Stars Women Group, and Kapina B Women Group.

Table 11: Assessment of Output 1.4: People have capacity to deepen accountability and transparency in devolution

Indicator	Baseline/Target	Achievement	Comments
Counties have public participation budget allocations and expenditure (county assembly and executive).	Baseline 0 (2019) Target 14	14 counties 100%	14 counties have budgets for public participation. Wajir and Marsabit public participation Bills developed. Assessment of public participation from a gender perspective finalised.
Counties engaged in the development of Open Budget Index (OBI)	Baseline 0 (2018) Target 14	14 counties 100%	47 counties engaged in County Budget Transparency work. County Open Budget Survey (OBS) ongoing in all 47 counties.
CSOs in target counties influencing the county planning and budgeting processes.	Baseline 0 (2018) Target 8	12 CSOs 150%	12 CSOs (8 NGOs[50] and 4 CBOs[51]) supported to influence county planning, budgeting, and response to Covid-19 pandemic.
Women and youth entrepreneurs in target counties linked to trade finance and markets opportunities.	Baseline 0 (2018) Target 300	200 SMEs 67%	200 SME benefited with buyer-seller forum to improve their marketing. 167 SME TOTs were trained on agribusiness. 150 women SMEs benefited 6 counties from AGPO training on how to access and apply tenders.
Women benefiting from company policies and initiatives stemming from WEPs.	Baseline 0 (2018) Target 75	49 companies 65%	49 companies signed Women Empowerment Programme (WEPs). While 9 companies joined UN-Stereotype Alliance. 3 women youth entrepreneurs benefited from Generation Equality fund to start small business.

In addition to these achievements, the programme improved service delivery linkages for women and youth. It linked women and youth entrepreneurs to trade finance and market opportunities. The programme also provided capacity development and networking support (buyer/seller) to youths and women Small and Micro Enterprises (SMEs). Despite the efforts to support key populations in the counties, the programme is required to improve the involvement of women and persons with disability in its interventions and county processes -- especially the CBEFs.

Some of the challenges associated with strengthening systems for accountability include delays in the implementation of activities. These delays result from poor communication between the counties and the responsible agencies under the programme. County government officials also complain that they are required to support the initiatives by, for instance, co-financing some activities but the funds are not made available in good time by JDP. This affects implementation as noted in Tana River:

[50] FIDA – Tana River, Kajiado, Marsabit, Busia counties); Tropical Institute for Community Health (TICH) – Busia County; Wajir Peace Development Agency (WPDA) – Wajir County; HURIA – Kilifi County; Advocates for Social Change Kenya (ADSOCK) – Narok and Busia counties; Action Aid Kenya – Kajiado, West Pokot, Kilifi, Garissa counties; IBF and IRCK – all 14 JDP counties.

[51] All the CBOs were from Busia County: Bidii Self Help Group, Namulekhwa Self Help Group, Shining Stars Women Group, and Kapina B Women Group.

> *"Due to financial constraints, there are activities that UNDP has assured funding and expects the county to co-share with short turnaround period. The county could be aware and willing to cost-share but does not have cash at the said time. The time between requisitions and [making the funds available] is long and inability to avail funds in good time delays execution."*[52]

Although many counties did not roll out the AGPO training, the programme supported CoG to develop a simplified bidders' document on procurement guidelines for use by all the 47 counties. The programme also supported CAF and CoG together with the private sector to upscale women SMEs to access gender-responsive markets and financing. About 50 women SMEs were supported to improve capacity and share knowledge on gender responsive procurement.

3.3.6 Covid-19 Response

Following the Covid-19 pandemic in 2020, participating UN agencies, in consultation with national and county governments, and Implementing Partners, requested and secured the approval of JDP development partners to re-purpose part of the resources to support Covid-19 response interventions. Upon consultation, the development partners (Sweden, Finland, and Italy set aside about USD 3.2 million to address the crisis.

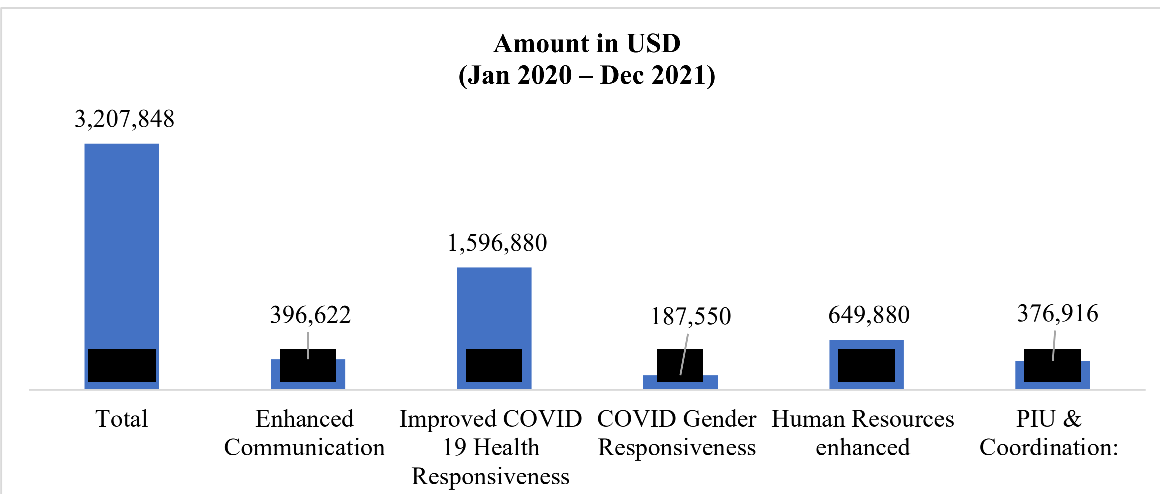

Figure 3.5: Covid-19 Expenditures

The JDP support to the government's response focused on several interventions. The actual expenditure is shown in Figure 3.5. Specifically, the response included messaging and awareness creation; improved Covid-19 responsiveness at national, county and sub-county level; enhanced Covid-19 gender responsiveness; and enhanced human resources for improved responsiveness to Covid-19 at national, county and sub-county level.

The scope of interventions was extended to more counties beyond the 14 that JDP targeted. The messaging targeted all the 47 counties. UN Volunteers with a health background were

[52] Key informant interview, Tana River.

deployed to county, sub-county and ward level to assist in Covid-19 response in 14 counties.[53] At the county level, the UNVs also contributed to building requisite capacity alongside the capacity built through the regular programmes.

Several achievements were recorded under this support. First was increased awareness of the Covid-19 pandemic, preventive and management measures. This was made possible by provision of basic information through TV, vernacular FM stations, as well as telephonic Short Message Service (SMS). These media reached about 23 million people.[54] The programme also innovatively involved leaders – men and women – in creating awareness among communities.

Second, the support enhanced preparedness and response to Covid-19 at national, county, and sub-county levels. The programme provided the necessary equipment for use by health personnel in health facilities and by women and girls in quarantine centres. There was psychosocial support, too. Through the UN Women networks and partners (GBRC and CREAW), the programme provided dignity kits to survivors of sexual violence and developed IEC material to improve awareness on quarantine guidelines, among other issues. Interviews in the counties indeed show that the county governments appreciated these response interventions. For instance, one county official pointed out that:

> *"The programme quickly developed a comprehensive response plan, which was quite impressive. It was good to see the collaboration and the focus on the needs that were most urgent…the programme demonstrated flexibility and the capacity to adapt."*

Third, the programme provided technical assistance in the development and launch of the County Covid-19 Socio-Economic Reengineering Recovery Strategy. UN Women in partnership with CoG (in collaboration with KIPPRA) supported integration of gender in the recovery strategy.[55] Through the CoG, the programme strengthened participation of women, youth and PWDs in the County Emergency Response Committees.

Finally, JDP contributed to increased income through the creation of jobs and businesses for local enterprise. This was done through local procurement and installation of WASH supplies in 11 counties.[56]

The programme's response to the Covid-19 pandemic shows that it was adaptive and flexible enough to quickly react to emerging needs. Furthermore, the interventions helped to meet the needs of the vulnerable and most left behind target group – women, children and PWD, and households in the marginalised poor counties in general. The interventions enhanced resilience for households whose livelihoods were adversely affected by the pandemic.[57]

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[53] 1 Busia, Garissa, Kajiado, Kakamega, Kiambu, Kilifi, Kisumu, Machakos, Mandera, Migori, Nairobi, Taita Taveta, Uasin Gishu, Wajir.
[54] JDP 2020 Annual Report.
[55] Mombasa, Kilifi, Mandera, Kitui, Kajiado, Nakuru, Bungoma, Kwale, Uasin Gishu, Siaya, Wajir, Migori, Kakamega and Homa Bay.
[56] These included Kiambu, Kajiado, Machakos, Kilifi, Garissa, Kisumu, Siaya, Migori, Busia, Uasin Gishu and Isiolo.
[57] JDP 2020 Program Annual Report.

3.3.7 Effectiveness: Summary of findings and conclusions

Findings	Conclusion
The programme has made good progress in achieving outcome indicators. However, the indicators in the programme document and the annual reports differ in targets and variables. The evaluation team received different results framework. The data used here draws from the 2020 results framework with revised targets including for 2022.	There is a need to ensure consistency in targets and indicators used in tracking performance especially during this last phase of implementation. The indicators used should be well documented and communicated to all implementing partners.
Satisfaction of citizens with the delivery of services provided by the counties was identified as an important outcome indicator. A baseline data/figure was presented but the programme did not systematically collect survey data to track satisfaction on devolution and/or services provided by county governments	Public perception survey on the level of satisfaction with devolution, service provision, and performance of county governments in the 14 counties is critical for measuring satisfaction in delivery of services. A public perception survey should be carried out before the end of the programme help track the change in how citizens view devolution and service delivery, especially in the 14 counties. This should be prioritised in the workplans to avoid slippage. Surveys are expensive; pooling resources with other partners can reduce the costs. Engaging KNBS to incorporate devolution related issues in its surveys is also an important approach.
The programme has been effective in achieving anticipated results. It has facilitated systems strengthening and development of policies for service delivery in some of the counties.	The programme has established a foundation for service delivery – supporting systems strengthening. But interventions under the programme appear to vary from one county to another; there is no standard approach to how each intervention is implemented. This means that some counties are better off in terms of capacity development than others. At the end of the programme, therefore, it is possible that some counties will have advanced while others will be lagging in capacity development for service delivery. The next phase of the programme should concentrate on interventions that work; intensify them and create opportunities for scaling up. There is a need to concentrate on fewer counties given the budget deficit.
The programme has achieved key results in a majority of the output indicators. However, there are challenges that constrain progress in	The JDP and affected counties have not managed to work on a timely solution to the

Findings	Conclusion
the programme. Notably, the county governments delay in co-funding of some of activities. This delays execution.	failure to undertake activities due to unmet financial commitments.
Use of data for decision-making is not systematised and institutionalised in all counties. Furthermore, in performance contracting, there is a tendency to concentrate on less complex indicators even though these tend to have less impact on people's lives.	Staff capacities may exist but optimal numbers (adequate and proper distribution) of staff are necessary to strengthen the gains made in monitoring and evaluation efforts at county level.
The programme's response to the Covid-19 pandemic in which resources were repurposed to support vulnerable households shows that JDP was adaptive and flexible enough to quickly respond to emerging needs. The interventions helped to meet the needs of the vulnerable and most left behind target group – women, children and PWDs the marginalised poor counties in general. This enhanced the resilience of the households.	The flexibility and adaptability of the programme helped it to respond to the Covid-19 pandemic and its consequence in the marginalised counties. This programme should remain adaptive and flexible, especially because political dynamics following a new administration may lead to new demands on implementation of devolution.

3.4 EFFICIENCY

This MTR required finding out whether the implementation mechanism is cost-effective in delivering the programme. This requires reviewing how the programme unlocks any of the bottlenecks affecting implementation. Examining efficiency also requires review of how procedures by different partners are harmonised to facilitate implementation.

This section of the report discusses these issues by presenting findings on:

a) Implementation mechanisms;
b) Programme management and coordination;
c) Tapping comparative advantages of PUNOs;
d) Resource mobilisation;
e) Resource utilisation and results;
f) Harmonisation of procedures;
g) Efficiency, cost effectiveness and social dimensions of spending.

3.4.1 Implementation mechanisms and approach

The JDP adopts capacity building (staff training and systems strengthening) as a main delivery methodology and a means to sustainability. This is an efficient approach for addressing the multi-dimensional challenges facing implementation of devolution not only in the counties but also challenges that national level bodies encounter. Furthermore, the capacity built within the systems is aimed at ensuring that those systems in place support devolution in a sustainable manner.

The programme addresses institutional bottlenecks identified jointly with government agencies/departments. The focus is informed by a sound capacity assessment of actors and challenges in the sector. For instance, UNCEF engages the target counties in identifying the sectors that affect children the most. Priorities are developed after this engagement. Some of the focus areas identified by counties include health, nutrition, emergencies, and child protection.

The capacity building approach under this implementation mechanism is aligned with the priorities identified in the National Capacity Building Framework (NCBF). The programme specifically contributes to the NCBF by building the capacity of agencies and departments under the two levels of government on PFM, planning and budgeting, monitoring and evaluation; inter-governmental relations as well as public participation. At national level, the programme supports government institutions in charge of implementing devolution (CRA, IGRTC, CoG,), relevant ministries and other organs of government. These are supported to in turn build capacity -- especially of the relevant departments of the county governments.

The findings reveal that this holistic approach to capacity building is effective. It has strengthened the capacity of oversight institutions at the national and county level. It has addressed the bottlenecks that often hamper the effective implementation of devolved functions and service delivery in most counties. Above all, it has improved relations among institutions (county executives and assemblies) and enhanced planning and budgeting processes. For instance, in Samburu, the county executive officials stated that:

> *"We have been working well with the County Assembly… The Members of the County Assembly (MCAs) and other officers in the Assembly now understand their mandate…*

> *they effectively play their role. Because of this, the passage of Bills and policies by the Assembly takes less time".*

There is more that could be done to improve results. First, there is a need to identify priorities in consultation with the counties and other implementing partners. Some respondents raised concerns about how priorities were identified. They observed that more engagement and transparency is needed in the prioritisation of specific interventions in each of the capacity areas. Secondly, given the short period for implementation remaining, there is need to review the relevant and urgent needs and priorities for the counties. This should be done in close consultation with the county implementing partners. Any proposed interventions should be aligned with the urgent priorities identified at this level. This will enhance efficiency in implementation and ensure sustainability of results, especially if the interventions are fully owned by the counties.

The programme targeted the senior policy and technical staff for capacity building thereby drawing their support and ownership. A focus on governors and the CECs as well as the technical staff ensured that there was buy-in for the programme interventions and that the skills are retained in the country even after the five-year electoral cycle or the exit of any governor and county administration. The technical staff may leave to work in another county and therefore carry with them the skills acquired.

Going forward, it would be important to build in-house training capacity so that those trained can continue training others within the departments. This will help in creating conditions for sustainable skills use in the counties. Hence targeted capacity building of staff that takes into consideration movement of staff, the adoption of a Training of Trainers (ToT) model and the continued focus on systems strengthening is not only sustainable but transcends attrition and/or regime changes.

3.4.2 Programme management and coordination arrangements

The Programme Implementation Unit (PIU) is responsible for the day-to-day management of the programme. The role includes ensuring that various implementing partners carry out activities and responsible parties are aligned directly to the work plan that they have signed up as well as disbursement of resources for undertaking payments. The PIU is composed of the chief advisor of devolution programme manager and the monitoring and evaluation specialist. A project officer from UNDP, UN Women and Unicef and a program associate in charge of finances support the programme implementation unit.

The PIU appraises the PSC of progress, programme results and any changes in the context that require consideration. For instance, the PIU provided a briefing on modifications that were required to address the challenges posed by the Covid-19 pandemic. The PIU also presents proposals on changes in the Annual Work Plans (AWP), implementation modalities and new partners, if any. A Technical Committee composed of the technical leads from the three UN agencies supports the PIU.[58]

The PIU was lean on staff and has coordinated programme implementation -- including the planning, technical and logistical support for implementation, monitoring, evaluation and

[58] PIU has the Chief Technical Advisor, Programme Manager, M&E Specialist, Program Officer, and Communication Associate.

reporting and financial management – with some challenges. Notable is in communication: profiling the programme findings and also facilitating effective sharing of information internally. One constraint here, of course, is the silos approach largely adopted by the three PUNOs. This is a hurdle to effective coordination. It also leads to fragmented implementation.

The programme management structure comprises the Programme Steering Committee (PSC) and Programme Implementation Unit (PIU). The PSC is the overall decision-making body and provides oversight for the programme. It comprises Senior Programme Managers from the three UN agencies, representatives from the key national Implementing Partners and representatives of the development partners. The PSC is co-chaired by MoD and UNDP, which is the Managing Agent for the programme. In addition to providing overall guidance and oversight, the PSC approves work plans that guide implementation.

There are monthly programme meetings to review progress, and assess issues pertinent to implementation of the programme, including reporting and resource requirements. This is a loose framework, but it has proved instrumental in providing direction.

Communication within the programme is not sufficient for joint implementation activities. Sometimes, information on progress is shared at the Devolution Donor Working Group but these meetings are neither regular nor appropriate for taking concrete actions. The meetings are not JDP-specific to allow for taking programme-specific action by the senior leadership. Because of this, some of the respondents from the implementing partner agencies expressed concern over the pace of follow-up on issues identified as priority areas. There is need to improve on communication through meetings to address challenges facing the programme.

Findings also show that the devolution-related donor meetings that are not JDP-specific are not the appropriate forums for addressing JDP-related issues. This raises the need for JDP-specific meetings between the three heads of UN agencies. Structured and regular engagement at this level, preferably on a quarterly basis, will be required to ease the challenges of coordination and strengthen communication within the programme. Furthermore, this will make it easy to address matters relating to specific agencies and implementing partners.

Effective coordination of the participating UN agencies at the senior leadership level is important. Indeed, the technical engagement and coordination of the programme has proceeded without challenges. However, there are critical decisions that only the senior leadership of the participating UN agencies can take.

Mobilising resources or even agreeing on how to distribute resources in a manner that consolidates synergies and comparative advantages require high-level decisions. This, on its own, implies the need to hold regular meetings at the level of agency leadership. In the meantime, there is also need to rethink the chairing of the JDP; rotational chairing in which each agency chairs meetings for a particular duration is important. This will help in steering the programme and sharing the burden of leadership on an equitable basis.

3.4.3 Exploiting comparative advantages of UN agencies

The programme was designed to deliver by tapping on the comparative advantages of each of the three UN agencies. The programme uses the UN Delivering as One (DaO) approach, where UNDP, UNICEF and UN Women work collectively by tapping on their comparative advantages to address the development challenges in the 14 counties.

The strength of 'Delivering as One' is not well demonstrated in programme implementation. In some instances, the agencies operate in 'silos'. Delivering as One was meant to provide opportunities for each agency to bring its comparative advantages to bear on the programme. It meant the agencies would reinforce one another, tap on each other's advantage, and by that unleash their potential as one. This does not seem to be the case; there is more of individualised approach to activities. This in turn constrains implementation in several ways. The agencies tend to focus on accessing scarce resources, which in turn leads to 'sibling rivalry'. Further, the agencies appear not to communicate effectively with one another, which raises doubts about how effective they are working together.

Several findings reinforce this observation. One, the participating UN agencies sometimes support activities without coordinating with one another. In some instances, the relationship around implementation in the counties is loose and haphazard. Some of the agencies implement activities as distinct entities, thereby missing out the value of tapping on their comparative advantages.

Two, some of the implementing partners in the counties and at the national level view the programme from the perspective of the agency supporting them. They have no understanding of the concept of a 'Joint Programme' and the principle of Delivering as One. They refer only to the agency supporting them. Furthermore, because of not working together, the agencies do not provide opportunities through which government agencies can tap the expected comparative advantages. Indeed, many stakeholders have a view of agencies that operate in silos, or operate distinctly, and carry out unrelated projects.

Three, lack of an effective communication strategy has exacerbated the challenges of promoting the value of Delivering as One. Communication within the programme has not been sufficient to address this shortcoming. There is limited external communication, including to stakeholders who have inadequate information about which agency is supporting who, and where, and what value would be obtained by learning from others.

These challenges require that the programme invest in better and more effective communication in future programming. Establishing a well-resourced communication unit/desk would address these challenges especially if the unit performs the role of knowledge management in the programme.

In the absence of this, efforts should be made to explore the possibility of engaging communication officers from the UN agencies to support this role. Technical staff can also be engaged in the generation of technical briefs as knowledge products to effectively communicate the results of the programme. The staff responsible for communication in the participating agencies can support these roles in line with the need to Deliver as One and to work together to unleash their potential.

3.4.4 Potential of working together

These findings do not imply absence of potential for working together or collaborating to Deliver as One. There is evidence of progress in collaboration between some of the agencies but a lot more should be done to tap this potential. The partnership between UN Women and UNICEF has demonstrated effective leveraging of finances and the comparative advantage of each institution. The partnership has been instrumental in the development of the new SCOA, development of the Controller of Budget Information Management Information System (COBMIS), data generation with the KNBS and development of the Poverty Profiles as well as drafting 47 county budget briefs with KIPPRA.

This working relationship between the UN Women and Unicef is attributed to the long history that the two agencies have had working together, as well as their focus on the same target group (women and children). Moreover, they can work together by recognising each other's strengths and therefore reinforce one another. This kind of relationship takes time to cultivate. But when it matures it provides more advantages in joint implementation of projects; more is achieved by leveraging one another.

The programme was meant to utilise UN field presence to enhance coordination and maximise resource use in the field. The Unicef field offices were not effectively utilised. Efficiency in implementation would be enhanced if joint utilisation of field offices and other resources were built on the formal institutional framework of the programme. This would ensure they are effectively utilised and engaged at the planning, implementation, and monitoring phases of the programme.

The county government departments would be an ideal entry point for anchoring the programme activities by the UN agencies. In this regard, there is a need to discuss with the county government and identify relevant departments to serve as the focal points for the JDP. The departments and contact persons in the counties can serve as the point of reference for the participating agencies and implementing national and county partners.

Similarly, there is a role for the Council of Governors and the Inter-Governmental Relations Technical Committee at the national level. These two can also serve as important 'contact points' for the Joint Programme. And if the programme obtained sufficient resources to support coordination, then UNVSs can support these roles in the counties and among the relevant national level partners. This will strengthen joint implementation at all levels.

These efforts would enhance efficiency, strengthen the approach of Delivering as One and profile the programme. Furthermore, the programme has a budget deficit that requires greater coordination to enhance efficiency in the use of resources. It is important that a practical and pragmatic process is developed to jointly deliver the programme more efficiently. The challenge of resources facing the programme and constraining delivery is a subject we now turn to.

3.4.5 Resource mobilisation and budget deficit

The programme is operating on a huge budget deficit, having raised approximately 58 per cent of the total budget. The amount mobilised is USD 18,962,471[59] as of June 2022 against a total budget of USD 32,480,932. The programme has been implemented with the support of Finland, Sweden and Italy, who have collectively contributed USD 14,486,426 as per the Jan – June 2022 JDP Semi-Annual Report. The government has so far contributed USD 3,276,045 while the UN agencies have made a total contribution of USD 1,200,000.

[59] JDP Consolidating Gains and Deepening Devolution in Kenya Project - (January – June 2022 Semi Annual Progress Report.

Covid-19 pandemic had an effect on resource mobilisation. The pandemic saw many countries reallocating budgets to respond to domestic needs and the impact of the pandemic. This shift by donors to domestic needs made it difficult to fundraise. Further, is now characterised as a middle-income economy following the rebasing of the economy and therefore donors attention is changing. These factors, combined with global economic challenges arising from the pandemic continued to pose financial challenges to the programme.

Although the fundraising context had these challenges, the PUNOs did not proactively work together to fill the budget deficit. There is no evidence of a structured approach to fundraising and resource mobilisation in general. It is possible that working together in fundraising for the same programme would have helped in closing the financing gap. But this potential for 'collective action' in resource mobilisation for the programme reduced because of the 'silos' approach in the programme implementation. Although individual agencies contributed funding to some of their project activities, more could have been done to fill the deficit if the agencies collaborated in doing so. Still a lot more can be mobilised if the agencies worked together to raise more funds.

The programme ends in September 2023. Based on the limited time, it may be difficult to fill the deficit. Because of this, the programme needs to devise radical measures to make an impact. In this regard, the programme should consider profiling and communicating key achievements to development partners who have an interest in devolution and service delivery in the marginalised counties. This should form part of the fundraising efforts.

Secondly, in the absence of any commitments for additional funding in the remaining programme implementation period, consultations with implementing agencies should identify urgent needs to implement within the available resources.

Third, in adopting measures to promote efficient use of resources, the programme should not compromise progress made in addressing the social dimension of gender, youth, children, PWDs and other special interest groups. To do this, it is important that the programme consults and collaborates with relevant national government institutions, the CoG, counties, and the other National Implementing Partners to build consensus on what to focus on. For instance, it may be prudent to determine programme areas that have the highest impact, those whose momentum for delivery of results will be hampered if not funded, and those that have the greatest potential to address the most pressing needs, and which could hamper effective implementation of devolution.

3.4.6 Resource utilisation and achievement of results

Table 12: Summary of programme expenditure (In USD) by output

OUTPUT (January 2020 – June 2022	Jan-Dec 2020	Jan-Dec 2021	Jan-Jun 2022	TOTAL	% of overall
Joint Devolution Programme Expenditures					
Output 1.1.1: National and county governments have strengthened select inter and intra-governmental coordination mechanisms	79,120	592,017	119,559	790,696	8%
Output 1.1.2: Governments have harmonised governance policy, legal and institutional frameworks to support devolution	436,441	416,891	100,986	954,317	10%
Output 1.1.3: Improved County capacities for effective implementation of child protection services	30,132	229,376	91,953	351,461	4%
Output 1.1 Total (2020-2021)				2,096,474	21%
Output 1.2.1: County capacities strengthened for equitable and inclusive budgeting	47,934	341,657	284,095	673,685	7%
Output 1.2.2: County capacities improved for revenue projection, generation, collection, and reporting	69,456	90,888	12,759	173,102	2%
Output 1.2 Total (2020-2021)				846,788	9%
Output 1.3.1: Counties have strengthened planning and service delivery mechanisms	209,539	123,518	181,076	514,134	5%
Output 1.3.2: National and County governments have strengthened monitoring, evaluation, reporting systems	225,953	503,320	83,397	812,669	8%
Output 1.3.3: National and County systems improved for the generation of disaggregated data (GBV, FGM, VAC, child marriages and marginalised populations including PWDs at county level, including a joint baseline study) for evidence-based decision making at both levels of government	0	63,325	63,756	127,081	1%
Output 1.3.4: National and county governments have strengthened capacity for risk-informed development planning and budgeting	259,529	206,216	379,323	845,068	9%
Output 1.3 Total (2020-2021)				2,298,952	23%
Output 1.4.1: County governments have established public participation policy, legislation and frameworks	0	46,082	38,821	84,902	1%
Output 1.4.2: County governments have established and operationalised inclusive citizen engagement and accountability mechanisms	39,315	220,071	124,200	383,586	4%
Output 1.4.3: Increased capacity of CSOs to engage county governments on planning, budgeting and service delivery	92,109	151,963	88,878	332,950	3%
Output 1.4 Total (2020-2021)				801,438	8%
PIU & Coordination: Improved Programme Management Support to the devolution programme		268,066	355,416.65	623,482	6%
SUB-TOTAL JDP	**1,489,528**	**3,253,389**	**1,924,218**	**6,667,135**	**68%**
Covid-19 Response Expenditures					
Enhanced Communication	356,168	40,454		396,622	4%
Improved Covid-19 Health Responsiveness	1,247,445	349,435		1,596,880	16%
Covid-19 Gender Responsiveness	64,208	123,342		187,550	2%
Human Resources enhanced	540,490	109,390		649,880	7%
PIU & Coordination:	375,111	1,805.25		376,916	4%
SUB-TOTAL COVID-19 RESPONSE	**2,583,422**	**624,426**	**0**	**3,207,848**	**32%**
TOTAL PROGRAMME EXPENDITURE	**4,072,950**	**3,877,815**	**1,924,218**	**9,874,982**	**100%**

Table 13 and Figure 3.6 show the total programme expenditure in the past two-and-a-half years. The expenditure patterns show that about a third (32%) of the budget spent during the period targeted Covid 19 responses. About USD 9.8 million was spent during the period and USD 3.2 million was spent on Covid 19 responses.

The expenditure by the main output areas further shows that Output 1.3, at 23 per cent (Output 1.3: County level institutions have strengthened capacity for evidence-based planning, budgeting, implementation, monitoring and evaluation for accountable service delivery) had the second highest expenditure after the Covid-19 response. Output 1.1 at 21 per cent (Output 1.1: Government has strengthened policy, legal and institutional mechanisms for coordinated, inclusive and effective service delivery) was the third highest. About 5 per cent of the budget was spent under the PIU and coordination. Outputs 1.2 and 1.4 had the least allocation in terms of share of expenditure.

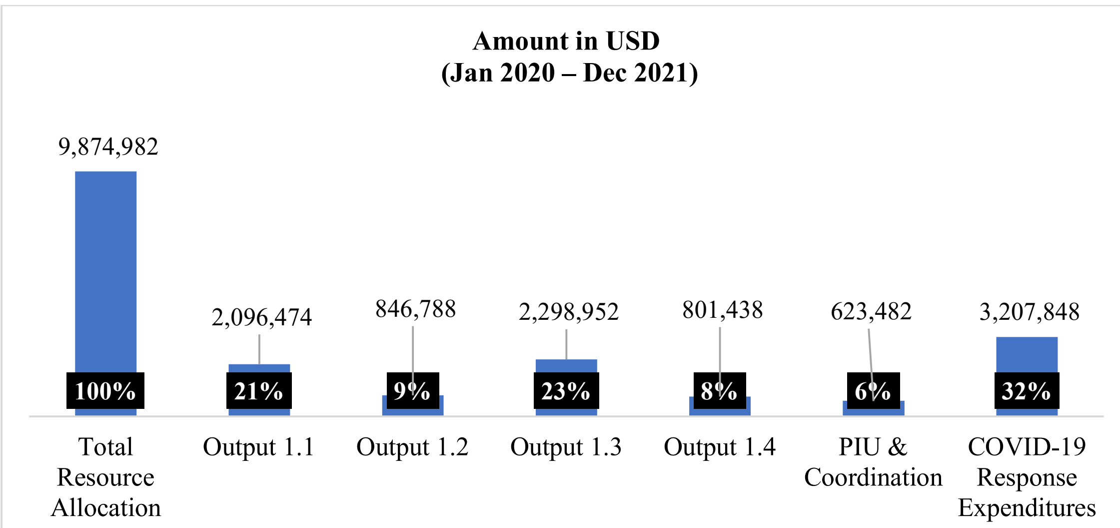

Figure 3.6: Expenditure by output and other areas

Table 14 further shows programme expenditure by output and achievements registered so far as per the programme targets for each output area. From the analysis, Output1.1 has surpassed all the targets set while Output 1.3 has also surpassed 15 out of the 19 targets. It is also notable that these two outputs have received a large percentage of the programme budget and spent the most compared to other outputs.

Output 1.2 is also well on track, having surpassed three (3) of the six (6) set targets. However, there are concerns about the achievement of one of the targets. Output 1.4 sought to build 'demand capacity' so that the people of Kenya can deepen accountability in the delivery of services.

Table 13: Summary of Resources and Targets Achieved

Outputs	Amount in USD (Jan 2020 – Dec 2021)	% Share of expenditure	Indicator Targets Assessments
Programme Output 1.1: Government has strengthened policy, legal and institutional mechanisms for coordinated, inclusive and effective service delivery	2,096,474	21 %	All 6 indicator targets not only achieved but surpassed.
Programme Output 1.2: Public finance management institutions have strengthened processes and systems for equitable, efficient, and accountable service delivery	846,788	9 %	3 out of the 6 indicators have been achieved and surpassed targets. Two on track and could be achieved by the end of the Programme. AGPO indicator is not wholly achieved but there is notable progress
Programme Output 1.3: County level institutions have strengthened capacity for evidence-based planning, budgeting, implementation, monitoring and evaluation for accountable service delivery	2,298,952	23%	15 out of 19 indicators were achieved and surpassed programme targets. Four (4) indicators have not been achieved but the programme is on track and targets will be achieved by end of the programme.
Programme Output 1.4: People in Kenya have capacity to engage, deepen accountability and transparency in devolution, especially women, youth, and persons with disability	801,438	8%	All the 5 indicators under Output 4 were achieved and surpassed the project targets.

An analysis of the results achieved, and based on programme reports and interviews, indicated that the programme has made significant contributions to the policy environment and systems strengthening in general. The results are notable at both national and county level.

This is a significant finding because development of policies often takes time but is important for laying a strong foundation for the delivery of services. It also demonstrates the extent to which there is improved capacity in this area. This finding is also evidence of improved relations between the county executives and the assemblies. Without both working together, it would have been difficult to develop the policies.

Output 1.3 has the highest allocation at USD 2,298,952 and covers many result areas from planning to M&E. An analysis of the indicator data points to good performance, with 15 out of the 19 indicators having surpassed targets. In terms of M&E, for instance, a review of results points to the fact that most of the counties have M&E policies in places and have adopted CIMES but a lot still needs to be done to strengthen the M&E functions in counties as also confirmed by MED and staff interviewed in some of the counties. In terms of PMS, while counties have established the PMS systems, their functionality and utility is as good as the buy-in from the leadership, hence requiring a lot of follow-up and advocacy -- especially now that new governments are in place to ensure that there is buy-in and effective implementation of the same. The programme has done very well in terms of Disaster Risk Management, with some of the counties increasing the budgetary allocations for DRM as noted in section 3.1 earlier.

Output 1.4 is important in terms of building the capacity of the most marginalised communities to engage in decision-making processes and hence bringing those most left behind onto decision-making platforms. However, there are relatively fewer resources allocated to this output than to others.

The results under Output 1.4 vary across the various target groups. Interventions supporting youth initiatives are evidently significant in terms of results. The findings based on interviews point to high impact results in Isiolo County, where the youth are supported to build skills that lead to some of them engaging in self-employment. They share their results and lessons with youth from other counties. However, women and PWDs have not participated well in county processes except through CBEFs. There is also weak involvement of CSOs to undertake social audits and accountability as well as to provide an alternative voice in terms of demanding better services.

In terms of ranking at sectoral level, results for capacity building on PFM rates are the highest in terms of results. Capacity building is anchored on a systems approach and institutional strengthening to build on sustainability. In addition to strengthening systems, the focus on PFM for children and Gender Based Budgeting continues to address the needs of those most left behind. Results on County OSR, Auditing and the improved financial reporting are also significant. This is closely followed by the work on DRM, which closely intertwines policy, planning and budgeting with planning and M&E.

These results imply that fewer resources should be spent on policies to allow for focused implementation in other areas of systems strengthening and building capacity for citizens to demand improved services. Allocations should be concentrated on PFM, planning and public participation programme areas. New governments have just been established following the August 2022 elections.

All the counties will be engaged in a new planning cycle. This will begin with the five-year CIDP processes, followed by the Annual Planning and budgeting cycle. This then is a critical phase to include the counties and build on the momentum gained previously. Output 1.4 on public participation should be carefully implemented to ensure proper engagement and involvement of all targeted groups during this critical planning period.

3.4.7 Harmonisation of UNDP and GoK administrative procedures

The harmonisation of UNDP and GoK administrative procedures is still a challenge. Government departments at both levels complained of internal delays in raising funds to support JDP-related activities. They blame internal bureaucracies for these challenges. All the same, there is a challenge of public officers prioritising the internal departmental activities especially if they are bases of their performance. This is particularly so if activities supported by development partners and other programmes are not effectively aligned with their performance targets.

While the Annual Work Plans developed by the programme include the activities agreed upon with the National Implementing Partners, limitations emerge due to the different in UN and government of Kenya planning and budget calendars. The Government of Kenya financial year begins at the start of July to the end of June every year while UN agencies plan on the basis of the calendar year, from January to December. This constrains efficiency in delivery. The UN financial years run across two financial years of the Government. This results in failure to reflect some of the activities supported by partners. At other times, departments may not have sufficient funds at the beginning of the financial year to support the co-funded activities.

These challenges also may lead to some of the activities supported by development partners not reflecting in the departmental plans. Indeed, some of these are implemented as "off budget, and expenditure is not reported through IFMIS. Neither does the Controller of Budget report capture UN expenditure -- other than in very few cases".[60] Nonetheless, the participating agencies have already begun discussions to rectify this.

3.4.8 Efficiency, cost effectiveness and social dimensions of spending

Efficiency in the utilisation of programme resources and 'value for money' in the programme requires a review. Review of these issues, however, should be conducted while balancing with social dimensions of the programme, in particular approaches that enhance gender equity, environmental sustainability, social inclusion and human rights.

The programme has demonstrated commitment to the 'Leaving No One Behind' principle, which is applied across JDP at the design phase, and during implementation. A review of the budget across the outputs demonstrates this commitment as shown in Table 15.

[60] Interview with key informant, National Government. This remark was also made by some of the departmental staff in the counties. Some argue that beginning of the financial year is a challenge for implementation because funds are not available.

Table 14: Financial Summary (USD) of Outputs Addressing Social Dimensions

UNDP-UNICEF-UN WOMEN JOINT EVOLUTION PROGRAMME				
UNDP PROJECT NUMBER: 00117973				
FINANCIAL SUMMARY (IN USD) BY OUTPUTS FOCUSING ON SOCIAL DIMENSIONS (JANUARY 2020 - DECEMBER 2021)				
	JAN-DEC 2020	**JAN-DEC 2021**	**JAN - JUNE 2022**	**TOTALS**
Joint Devolution Programme Expenditures				
Output 1.1.3: Improved County capacities for effective implementation of child protection services	30,132	229,376	91,953	**351,461**
Output 1.1 Total (2020-2021)				**351,461**
Output 1.2.1: County capacities strengthened for equitable and inclusive budgeting	47,934	341,657	284,095	**673,685**
Output 1.2 Total (2020-2021)				**673,685**
Output 1.3.3: National and county systems improved for the generation of disaggregated data (GBV, FGM, VAC, child marriages and marginalized populations including PWDs at county level, including a joint baseline study) for evidence-based decision making at both levels of government	0	63,325	63,756	**127,081**
Output 1.3.4: National and county governments have strengthened capacity for risk-informed development planning and budgeting	259,529	206,216	379,323	**845,068**
Output 1.3 Total (2020-2021)				**972,149**
Output 1.4.1: County governments have established public participation policy, legislation and frameworks	0	46,082	38,821	**84,902**
Output 1.4.2: County governments have established and operationalised inclusive citizen engagement and accountability mechanisms	39,315	220,071	124,200	**383,586**
Output 1.4.3: Increased capacity of CSOs to engage county governments on planning, budgeting and service delivery	92,109	151,963	88,878	**332,950**
Output 1.4 Total (2020-2021)				**801,438**
SUB-TOTAL JDP	**469,019**	**1,258,690**	**1,071,025**	**2,798,734**
COVID-19 Response Expenditures				
Enhanced Communication	356,168	40,454		**396,622**
Improved COVID 19 Health Responsiveness	1,247,445	349,435		**1,596,880**
COVID Gender Responsiveness	64,208	123,342		**187,550**
Human Resources enhanced	540,490	109,390		**649,880**
SUB-TOTAL COVID-19 RESPONSE	**2,208,311**	**622,620**	**0**	**2,830,931**
TOTAL PROGRAMME EXPENDITURE (JDP + COVID-19 RESPONSE)	**2,677,330**	**1,881,310**	**1,071,025**	**5,629,665**

The table shows that the programme spent approximately 57 per cent or USD 5,629,665 of 9,874,982 on social dimensions and environmental issues. The programme thus strongly focuses on the needs of the marginalised and those who are most vulnerable – women, children and the marginalised in general. The programme addressed this category during its response to the Covid-19 pandemic. Notably, UN Women in partnership with CoG integrated gender perspectives in the management of quarantine facilities. Through this partnership, they also addressed the intersectionality between GBV and disability. About six tele-counsellors were deployed to manage county GBV hotlines set up by county governments in Kwale, Kilifi and Mombasa. UN Women also supported CoG to build PWDs hotlines in the Coast region, Nakuru, Turkana, Busia, Kisii and Siaya counties. In some urban areas, the programme rolled out cash transfers to different vulnerable groups such as the chronically ill, elderly, child-headed households, people with severe disabilities, and widowers.[61]

The programme also addressed the needs of children by assisting the relevant agencies to include these needs in planning and budgeting. To enhance effective implementation of child protection services and GBV by June 2022,[62] five child protection committees were strengthened to, among others, plan and implement child protection policies.[63]

Gender and development continue to be pertinent issues in JDP counties where women, children, youth have endured long periods of marginalisation. The programme's efforts in policy formulation, planning and budgeting address the needs of these marginalised groups and have the potential to yield sustainable results because the programme has laid the foundation for policy implementation. Furthermore, the programme has provided for availability of data/statistics to strengthen planning, budgeting and overall programming at county and national. Use of data and analysis has potential to catalyse the delivery of the benefits of devolution to citizens.

Notwithstanding the foregoing, more needs to be done -- especially in addressing the needs of children. The remaining short period for implementation and challenges of the Covid-19 pandemic have reduced the time for implementing the P4R for children.

On environmental sustainability, Output 1.3.4 "National and county governments have strengthened capacity for risk-informed development planning and budgeting" has yielded commendable results. Since the start of implementation, a total of USD 845,068 have been set aside to carry out activities under this output. Results include improved risk-informed programming. There is also evidence-based risk analysis; and flood and drought contingency plans; as well as child and gender-focused county risk issues addressed in Disaster Risk Reduction (DRR) policies, plans and programming.

UNDP in partnership with the National Drought and Management Authority (NDMA) and NDOC strengthened the capacities of 14 counties in respect of DRM legislation, development of hazard profiles and supported the drafting of DRM Bills and policies. A majority (11) of the counties were JDP target counties. The Bills and policies are at various stages of enactment by the county governments. Subsequently, 11 counties (of the 14) provided budgetary allocations in FY 2021/2022for DRM from their own resources. Out of these11, 8 were JDP counties; they provided budgetary allocations for DRM from their own resources totalling KES **857,712,593** as summarised in Table 16.

[61] JDP Programme Progress Report August 2020 – 'Consolidating Gains and Deepening Devolution in Kenya (UNDPUNICEF-UN WOMEN Joint Devolution Programme Response to the COVID-19 Crisis) - April – September 2020'.
[62] JDP Jan – March 2022 Programme Quarterly report.
[63] Wajir, Garissa, Tana River, Samburu, Kajiado, West Pokot, Isiolo, Mandera and Marsabit counties.

Table 15: County Budgetary Allocation for DRM

#		Budget Allocated FY 2021/2022 (KSH)	Beneficiaries. Population affected (Drought)	Evidence Evidence Link	Bookmark
1	Turkana	307,438,098	370,800	https://www.dropbox.com/s/4m8hcw8pis2abm0/Turkana-County-approved-Budget-Estimates-FY-2020_21.pdf?dl=0	Pg 23
2	Kilifi	126,000,000	218,100	https://repository.kippra.or.ke/bitstream/handle/123456789/3337/Annual%20Develpment%20Plan%20%202021-22.pdf?sequence=1&isAllowed=y	Pg 335
3	Tana River	202,274,495	79,000	https://repository.kippra.or.ke/bitstream/handle/123456789/3487/CGTR%20FY%202021-22%20Budget%20Estimates%20%28PBB%20-%20Approved%29.pdf?sequence=1&isAllowed=y	Pg 101
4	Garissa	225,000,000	210,400	https://garissaassembly.go.ke/wp-content/uploads/ADP-2021-2022-August-2020.pdf	Pg 246
5	Isiolo	81,000,000	80,400	https://repository.kippra.or.ke/bitstream/handle/123456789/2814/ADP-2021-22-Isiolo.pdf?sequence=1&isAllowed=y	Pg 121
6	Wajir	90,000,000	273,400	https://internationalbudget.org/wp-content/uploads/County-budget-analysis-Wajir.pdf	Pg 7
7	West Pokot	12,000,000	31,100	https://repository.kippra.or.ke/bitstream/handle/123456789/3245/WEST%20POKOT%20ADP_2022-23.pdf?sequence=1&isAllowed=y	Pg 100
8	Samburu	120,000,000	108,600	https://www.samburu.go.ke/downloads/#	Pg 138
	TOTAL	**857,712,593**	**1,371,800**		

3.4.9 Cost effectiveness

One of the lessons learnt as outlined in the PRoDoc was that a joint programme approach would help avoid duplication and reduce transaction costs. However, the findings show mixed results. A lean project implementation unit (PIU) coordinates the planning, monitoring, evaluation, communication, and knowledge management. This allows for cost effectiveness at central level but is not translated into the same in the operations.

The failure to effectively Deliver as One and to exploit the comparative advantages of each agency and complement one another have combined to weaken the cost-effectiveness basis of the programme. For instance, Unicef has three zonal offices that cover the regions they work in. One is in Turkana, a second in Garissa, which covers 7 counties, and a third in Kisumu supporting the Lake Basin region. These offices have staff with sector leads covering all the devolved services and emergencies. However, these offices are not adequately – if at all - utilised to enhance efficiency in the programme. Further, there are instances where agencies and partners use 'touch-ang-go' approach without concentration of intervention.

There is no demonstrable evidence that these Unicef field offices are utilised to support programme delivery in the counties. All evidence points to limited utilisation of this useful resource. Effective utilisation would have meant reduced costs in operation and management by others in the field. On account of this, there is a need for the programme to utilise these structures during the remaining programme implementation period. Indeed, use of these offices should be integrated at the design stage and outlined in the programme management structure for future programmes. The programme staff in these county offices should be part of periodic programme meetings to enhance joint delivery and collective understanding of the programme at the county level. This will also improve coordination and enhance communication and contribute to Delivering as One (DAO).

3.4.10 Efficiency: Summary of findings and conclusion

Findings	Conclusion
The capacity building approach has strengthened systems for service delivery by building the skills of staff and strengthening systems, including supporting development of policies. However, the co-funding by government remains a challenge because government support is not aligned with the programme activities.	The next phase of the programme should address bottlenecks (such as different administration procedures) that hinder program delivery. The programme should put in place measures to streamline the government and UN planning administrative procedures.
The UN approach of Delivering as One provides advantages for the programme but this is not demonstrated in implementation. The agencies operate in silos thereby missing the opportunity to enhance efficiency. That is, the approach of implementation is not cost-effective; the three agencies implement their projects in a manner that does not enhance efficiency.	The programme should develop operational guidelines on how to implement the Joint Programme and leverage on the strengths of each institution. The 'silos' approach is eroding the advantages and cost-effectiveness potential of the programme that would be secured in a joint programme.
The programme has not mobilised all the resources for the budget. Only 58 per cent was mobilised as at March 2022. There is uncertainty on whether the deficit will be reduced and by how much before the end date. In spite of this budget deficit, the programme did not develop a structured approach to resource mobilisation.	The budget deficit is too large to be reduced effectively in the remaining period. The programme should consider strategic targeting of programme activities – identify those to be carried out during the remaining programme period, prioritise those with high impact, and concentrate work in fewer counties.
Review of resource allocation and performance under each Output shows that Outputs 1.3 and 1.1, respectively, have spent more and also achieved the most under the programme. In August 2022, new county governments were elected and would require capacity development. Citizens' capacity to demand better services will remain critical.	Identifying priority needs for the remaining phase is important. This should be done in consultation with CoG, IGRTC and other relevant National and County Implementing Partners. The programme should spend fewer resources on policy development and concentrate on systems strengthening and capacity development, PFM, planning and budgeting and public participation

3.5 SUSTAINABILITY AND NATIONAL OWNERSHIP

The discussion has demonstrated the progress made in achieving results. It has also highlighted the challenges in meeting some of the results. These challenges include delays in providing co-funding by government, especially when staff is carrying out capacity building activities. This applies for both national and county governments. Second, there are instances where county governments transfer staff from one department to another without considering the time spent in building their capacity for certain functions. Those transferred may have different engagements or lack time to support their previous department. Third, there are instances where county and national government entities plan their activities by focusing only on the content of their performance contracts. They treat any other engagement as secondary to their work.

There is uncertainty on how the financial deficit will be filled. It is uncertain how many bilateral development partners will be committing funds for the next phase. These challenges could undermine the sustainability of the programme if not addressed before it comes to an end.

The programme interventions, outputs and outcomes are well aligned with national development priorities. The national and county governments are in support of capacity building initiatives and rate the programme highly because of focusing on systems strengthening and building capacity of staff. This alignment, alongside strengthening systems for capacity building of staff, lays the ground conditions for sustainability. Indeed, capacity development of staff and institutions supporting development will be required continuously because development, like in many parts of the world, is not a one-off event. It is a process that continues to be improved upon for decades.

But is there an exit strategy that is well understood by the implementing agencies? Unfortunately, there is no systematic approach to sustainability. Knowledge management and lesson learning in the programme is haphazard. County governments remain dependent on the programme for technical assistance and have not put in place mechanisms through which they can build the requisite capacity for strengthening their systems for service delivery after the programme ends. All the same, the CoG is providing important support to counties by pointing at opportunities for counties to learn from one another. The Kenya School of Government (KSG) is an important institution under which much of the capacity development initiatives can be provided but the programme is yet to be effectively utilised this in a structured manner under the programme. KSG can build capacity at CoG and the IGRTC for subsequent capacity development for service delivery after the end of the programme.

The survey findings point to a number of issues that could affect sustainability. Some observed that interventions were implemented within too short a time to allow for sufficient learning. Others argued that the programme did not give opportunity to the counties to lead the process of capacity development. In this regard, the programme is not fully owned by some of the implementing partners. Indeed, there are those who felt that the programme was implemented in line with the procedures of the UN agencies rather than their own procedures. Finally, there are those who said that there were no resources for scaling up.

Table 16: Issues with Implications for Sustainability

What TWO things don't you like about the programme	
A short program time frame	• Program Time frame • Short period to report real outcomes • Not intensive enough
Thin coverage - few counties	• That it did not cover the 10 counties sufficiently • Focusing on 14 counties similar counties. • Programme only covers a few counties yet we have 47. • The program only covers one ward out of 20 wards.
Ownership	• Not enabling Counties themselves to spearhead capacity building • UNDP wants everything done their way • UN agencies pursuing. their institutional agenda through the program • The support is not yet clear on County Assemblies support
Delays in the programme	• Delay in Implementation of activities • weak coordination • Delayed start at beginning of project • delay in funds disbursement
Budget - limited resources	• The programme has little budget to implement • The budget allocation • No resources for scale up. • Disbursement challenges • inadequate feedback and stagnant funding • Funding no consolidated - small activities implemented desperately

There are other concerns touching on sustainability. Some of the respondents felt that the stakeholders are not effectively involved in identifying priorities. Moreover, there are those who feel that the national government institutions are dominating the programme at the expense of the counties. These additional issues are covered in Table 19.

Table 17: Concerns about the Programme Sustainability

What TWO things don't you like about the programme	
Poor Stakeholders involvement in the counties	• Too much involvement of other stakeholders like the National Treasury and other players who end up owning the program instead of Counties • Lack of harmonization between implementing partners, the outcome of which is unclear demarcation of roles and duplication of efforts in the county projects. • coordination between the county executive and county assembly • Gaps in stakeholder mapping. County Assemblies left out • communication and public participation by all stakeholders • It is driven by national ministries rather than council of governors • Lack of joint planning for the projects & programs • Coordination mechanism at the county level is a challenge • It is not Informed by county needs • Internal control without consultation with IP as well as selective application of programme administration policies
Implementation approach lacks follow up	• The project took long to commence • Targets set in the action plans were a bit too ambitious • That it did not support follow-up needs • Uncertainty in implementation of the agreed workplan • Not all facilitators were conversant with the subject matters under deliberation Those supported perform better and therfore leaves gap on those not supported. Power disbursement of matching funds. There's duplication of programs

3.5.1 Sustainability and ownership: Summary of findings and conclusions

Findings: Sustainability and ownership	Conclusion
The programme is well aligned with national and county level government priorities and the key agencies are supportive of initiatives to improve capacity for service delivery. However, there are concerns about the extent to which some of the initiatives can proceed without the programme. The exit strategy is not well defined and the implementing partners are concerned that there is inadequate ownership.	Sustainability conditions are not mature enough to allow implementation without support under the programme. However, there are promising signs because of focusing on systems strengthening, and building the capacity of staff and departments in general. There is a need to discuss 'sustainability of the programme' in the remaining phase of implementation. This evaluation report has developed a matrix to assist in this regard.
The County Assemblies play an important role in the development of policies to support service delivery under devolution. However, there are concerns that the county assemblies are not given adequate support to complement the executive in strengthening systems for service delivery.	It is important to support County Assemblies to complement the county executives in order to firm up conditions for sustainability of the programme.

3.6 MANAGEMENT AND MONITORING

The day-to-day management and coordination of the Joint Programme are entrusted to UNDP. As the Convening Agency and Management Agent, UNDP is responsible for coordinating programmatic activities. UNDP's functions include monitoring progress against the programme's results framework and providing support to the other agencies as well as preparation of regular progress reports.

The Programme Steering Committee (PSC) undertakes policy level direction and oversight in the programme or PSC led by the Minister for Devolution and co-chaired by UNDP as the managing agent. The programme steering committee undertakes oversight of what plans need to be implemented as well as approval of reports. It meets twice a year to address the key issues affecting the implementation of the project.

These management and M&E structures are working well but there are concerns about how effectively they share information within the programme to the participating agencies. To some, information is received late or only after one has requested it. There are also those who complain of progress reports lacking inputs from all agencies because of this weak culture of not sharing information. On the other hand, there are concerns that information is shared about the programme, but some agencies take long to provide feedback. And when this they give feedback comes, it is late thus delaying decision-making. All these concerns combine to affect how the programme communicates results externally.

These concerns about weak internal communication and lag in responsiveness on the part of agencies are raised even when many respondents said that there are monthly technical meetings on the programme. These concerns reflect the need to improve internal coordination and sharing progress about what each agency is doing, achievements, and what is happening in the counties where they work.

The programme monitoring and evaluation systems are in place. Data is collected per indicator. Each indicator has a baseline and a target. The programme reports on achievements/progress on a quarterly, semi-annual and an annual basis. Internal structures facilitate reporting on indicators by the various agencies. However, the programme lacks a structured approach to conducting joint monitoring with national, county, and bilateral partners. Joint monitoring of activities and/or meetings with stakeholders are rare.

The progress on indicators is documented in the programme reports. The programme management unit collects and collates reports (quarterly, semi-annual, and annual reports) and submits them to the PSC. In reporting, however, partners in marginal areas face challenges reporting on time; their reports are delayed due to poor network coverage. There are times when network coverage is so poor that they cannot send reports on time. They have to travel to areas with better network coverage to submit reports. One volunteer noted that:

> *"When we are generating the monthly report, we face the challenge of sending the reports because of poor network coverage … it is usually a challenge to send the reports … one has to move to a place with stable Internet and electricity"*[64]

Regarding national and county M&E systems the programme enhanced the capacity to ensure generation of disaggregated data on GBV, FGM, VAC, and child marriages as well as

[64] Interview, UN Volunteer.

marginalised populations for evidence-based decision making at both levels of government through training of data users on gender statistics based on the outcome of the gender dimensions monographs, and support to KNBS to complete and publish county poverty profiles and undertake inequality analysis applying census data. This enhanced inclusion of women, youth, children and PWD issues in county planning, budgeting, and decision-making processes.

The programme identified risks and established a risk management plan. These risks and assumptions were monitored on an ongoing basis and information gathered at the UN Devolution Working Group, Devolution Donor Working Group, Devolution Sector Working Group, and during monitoring missions informed the risk register. During each reporting period, the risks that continue to impact the programme results are provided in the risk register. Further, each implementing partner undertook risk planning to ensure that all risks were mitigated.

The JD programme prepares annual work plans that clearly indicate each result area, the indicators with targets, and baselines as well as the key activities to be implemented to achieve the result with a corresponding budget. The work plans also stipulate the UN agency in charge of implementing activities in each result area as well as the government institution responsible. The AWPs are prepared annually to establish the implementation as well as the budget spending.

Despite partnership between the UNDP and the county governments in implementing the programme, some of the counties complain that they were not involved in the initial planning. The counties complained that they were not involved in identifying priorities. They also complained that national government institutions had usurped the role of county governments. Some noted that:

> *"The counties were not involved in the original planning so there are times when the county and UNDP work plans were not aligned. Also, UNDP operates on a calendar year while the counties operate on a FY. This leads to a disconnect"*[65]

3.6.1 Management and monitoring: Summary of findings and conclusion

Finding: Management and monitoring	Conclusion
There is good progress in the implementation of the programme and achievement of results. However, participation of the many partners in the programme needs enhancing.	The remaining phase of the programme should identify the appropriate mechanisms for meaningful engagement of all the partners to create a solid basis for sustainability. This should include consultations with the county leadership for purposes of 'buy-in' and developing a sense of ownership.
County and National Government resource persons were not involved in the design of the M&E system. This participation deficit could be directly contributing to some of the areas where the programme is struggling to achieve results.	The counties can be involved in re-prioritising their needs for support in the remaining phase of the JDP.

[65] Key informant interview, 18 September 2022.

3.7 SOCIAL AND ENVIRONMENTAL STANDARDS

The JDP has adhered to the social and environmental standards that underpin the UN's commitment to mainstream social and environmental sustainability in its programmes. During design and inception of the programme, key risks and assumptions to achieving expected outcomes were analysed and management measures proposed to mitigate potential adverse impacts. Measures proposed to manage the risks included leveraging the expertise of participating UN organisations and stakeholders. For instance, UN Women was mandated to utilise its comparative advantage to deploy inclusion and equity strategies, deploy its networks in women's movement and leadership, gender responsive budgeting, gender statistics, GBV and gender in Disaster Risk Reduction (DRR).[66]

The Human Rights-Based Approach (HRBA) was integrated in all levels of programming, hence strengthening, and entrenching social and environmental sustainability. The application of HRBA and Leave No One Behind principles guided the identification of those most left behind (e.g., women, children, PWDs, vulnerable groups) in the targeted counties. The programme implementation also has focused on strengthening the structures of counties to pass policies, regulations, plans, budgets, as well as develop M&E systems and intergovernmental mechanisms of tackling GBV with notable results in the different counties as noted in the effectiveness section discussed earlier.

To ensure compliance and quality standards, regular reviews of identified programmes risks are conducted. Overall, the programme was categorised as low risk during the Social and Environmental Screening Procedure (SESP) conducted during the inception period. However, three key risks, all of moderate significance, were identified and included in the risk matrix for ongoing review and update during implementation.

The risks identified included, one, GEWE receiving limited attention in policy, planning and budgeting. While this risk did not have detailed management measures outlined in the risk matrix, this evaluation finds that there were specific interventions implemented under the technical leadership of the PUNOs and PIU that improved the profile of GEWE and thus reduced the significance of this risk.

An observation to make here is that rating for this risk went up from a probability of 3 and impact of 2 at inception in 2019[67] to a probability and impact of 4 respectively in 2020.[68] It would have been useful to indicate in the risk matrix the reason for the changed scoring. The status section of the risk matrix could also highlight what aspects of the current interventions and results already achieved may be helping to mitigate this risk or challenges that may be heightening it. This would ensure that the risks are also reviewed with the programme's interventions in mind while also identifying gaps that may require adjustment to the programme strategy for better outcomes.

The second risk concerned environmental/ climate-related shocks that affect county resources. Sustained support in Disaster Risk Management (DRM) is strengthening county capacity to manage disasters like drought, floods and other crises by enacting DRM policies, allocating budgets for DRM activities and developing disaster risk profiles through assessments and

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[66] Joint Devolution Programme Inception Social and Environmental Screening Procedure (SESP), 14th October 2019.
[67] JDP Inception SESP, 14th October 2019.
[68] JDP 2020 Annual Progress Report.

synthesis of information into reports and infographics.[69] This was achieved through developing county capacity for risk assessments.[70] All 14 counties utilised disaster risk information in planning and response.[71] Allocation of funds for disaster management has reduced the need to divert development funds to emergency response, allowing basic service delivery and implementation of CIDPs to continue as planned.

Finally, there was the risk on conflicts: Inter and intra-county as well as cross border disputes arising from access to and control of natural resources remain a challenge in some of the programme areas. To address this challenge, the programme trained relevant actors on assessment and management of emerging conflict risks and supported formulation of Alternative Dispute Resolution (ADR) regulations.

Overall, the programme has identified certain risks and developed mitigation measures. The programme conducted a social and environmental assessment in compliance with UN requirements. Upon identification of the three programme risks, mitigation measures were identified and continue to be assessed on a regular basis and the PSC informed on progress or emerging issues.

Additional risks identified through regular monitoring during the programme's implementation are reviewed at the Project Steering Committee (PSC) meetings and management responses in the risk matrix updated. The programme provides updates on the risk matrix in progress reports. The programme continues to demonstrate agility through timely response to emerging issues such as drought and the Covid-19 crisis.

While the programme is able to identify and address these risks, the findings also show that it does not seem to have a clear and explicit mechanism for raising concerns and giving feedback on these concerns. Concerns are raised during monitoring missions and the mid-term evaluation reports but how these are addressed and communicated back to their sources is not well documented. Relatedly, the PIU and implementing organisations may receive feedback through their focal points and respond directly to issues raised. However, this is done irregularly without clear documentation. The programme may consider maintaining documentation of the kind of concerns raised by different stakeholders and track how they are addressed for accountability and learning purposes. This may be included in the progress reports.

[69] Turkana, West Pokot, Samburu, Mandera, Marsabit, Wajir, Isiolo, Garissa, Tana River, Kilifi and Lamu
[70] JDP 2022 Semi-Annual Report pg. 18.
[71] JDP January-September 2020 Progress Report, pg. 10; JDP 2021 Annual Report, pg. 14; JDP 2022 Semi-Annual Report pg. 18.

3.7.1 Social and environmental standards: Summary of findings and conclusion

Findings	**Conclusion**
The programme has a systematic way of managing risks. The programme conducted a social and environmental assessment in compliance with UN requirements.	Although risks are well identified, the programme does not have a cogent mechanism for corrective measures. There is no clear mechanism for channelling feedback to the programme when issues are raised during the monitoring missions.
Additional risks identified through regular monitoring during the programme's implementation are reviewed at the Programme Steering Committee (PSC) meetings and management responses in the risk matrix updated. The programme provides updates on the risk matrix in programme progress reports.	Absence of a cogent mechanism for addressing concerns raised during implementation requires attention. Concerns that are raised by partners should be documented and addressed in a structured manner. The documentation should contain analysis to provide lessons to guide implementation.

3.8 IMPACT

The preceding section has shown the results achieved during implementation. The survey findings corroborate the information obtained from field interviews with different individuals involved in the programme. The tables hereunder provide a summary of the key achievements. First, there is recognition that the programme has assisted in entrenching devolution. It has also strengthened collaboration among institutions working on devolution. Above all, the programme has put putting systems in place to support devolution at national and county levels, strengthening these systems, and building capacity of institutions and staff.

key achievements of the Joint Devolution programme

Q) Thinking about Joint Devolution Programme what have been the key achievements of the programme?

Entrenching Devolution	- Capacity building at the county level. - Strengthening County Governance: Accountable mechanisms - Strengthening devolution - Improvement in County Planning - Development of the CIDPs and Sectoral Plans - Improved institution capacity to implement devolution and engagement with the state - Increased awareness on community role to hold the duty bearers accountable - Institutionalization of public participation at community level
Improving collaboration and coordination	- Working in a collaborative way - Building synergy among partners - Stakeholders' engagement done - Networking and collaboration efforts - bringing stakeholders together

As noted earlier, the respondents rated the programme highly in terms of capacity building and M&E. Many feel that the programme has enhanced their capacity for M&E and the capacity to carry out devolution work. Gender empowerment was also identified as a key achievement with some emphasising that the programme has enabled the profiling of women leadership and ensured visibility of women at the decision-making table.[72]

key achievements of the Joint Devolution programme

Q) Thinking about Joint Devolution Programme what have been the key achievements of the programme?

M&E	- Increased M&E technical capacity in supported Counties - Increased advocacy for M&E as a critical pillar in governance
Gender empowerment	- Women empowerment to advocate for gender responsive planning and budgeting - Training and mentorship of 2000 children in and out of school on fgm and child marriage. - Women empowerment to advocate for gender responsive planning and budgeting - Improved capacity on Gender mainstreaming & analysis at county level
Capacity building	-Developing County Youth Policies and Youth Centres - Capacity development - training of county staff - Improved capacity on Gender mainstreaming & analysis at county level - Strengthened communities capacity to make informed electoral decisions - capacity building for the counties and organizations - Strengthened communities capacity to make informed electoral decisions - Strengthening active citizen participation

[72] The summaries in the tables are drawn from responses to the survey questions. There are those who mentioned training of children, but this was not an activity under JDP. This shows the limited awareness of some partners about the programme.

The sections that follow discuss the programme's impact by focusing on some of the interventions under the key output areas.

3.8.1 Improved accountability through operations of CBEF

Issues around accountable financial management undermine governance in most counties. The programme has supported transparency and improved accountability through the establishment of the County Budget and Economic Forum (CBEF). The CBEF established sectoral committees that are aligned with the county ministries and departments. The forums have played an important role in creating awareness on budgets and planning as well as ensuring the inclusion of women and children in budgeting and planning. Through this approach, the participation of women in the county affairs is on the increase.

3.8.2 Accelerated receipt of funds though use of automated budget reporting

The Office of the Controller of Budget commenced automation of its budget reporting system, which was applied by both national and county governments to report on budget expenditure, accelerate release of resources to spending units and enable child-focussed, youth-friendly and gender-responsive analytical thematic reporting. This has enhanced implementation of Programme Based Budgeting (PBB) and allowed for more granular reporting of linkages and information gathering from existing systems. The automated system provided timely and accurate information, improved turnaround times for reports and allowed the OCoB team to supply critical analysis and perform its oversight function. The systems in place enhance efficiency and provide a firm foundation for sustainability.

3.8.3 Increased County own revenue generation

The programme has improved County Revenue Generation through CRA support in Turkana and Isiolo counties. JDP counties increased their OSR by 27 per cent compared to the national average of 15 per cent between the fiscal years 2018/19 and 2019/20. Increased OSR points to the long-term impact of sustainability by the counties in generating and funding their own devolution priorities. It also shows the programme has had the impact of closing leaks in revenue collection streams. Increasing own revenue will in the end mean more resources for more and improved services.

3.8.4 Increased responsiveness to gender mainstreaming in the legislatures

The programme supported the State Department for Gender Affairs to develop the National Policy on Gender and Development (NPGD). The policy guided development of County Assemblies Gender Policies in Tana River, Busia, and Kilifi counties. The counties also improved in gender responsive fiscal analysis and budget oversight. Busia County Assembly reviewed its Standing Orders to include the Women Caucus as one of the Standing Committees of the County Assembly. The women caucus is expected to influence gender responsive legislation, budgeting, and oversight. Through the programme, a gender lens in devolution is well institutionalised. There is now a framework for short and long-term gender mainstreaming interventions.

3.8.5 Awareness and responses to Covid-19 pandemic

The programme employed an extensive multi-media campaign to create public awareness on the Coronavirus Disease (Covid-19) in over 83 per cent of the population. Through advocacy and community sensitisation, stigma to frontline and health care providers and infected persons was minimised. Advocacy and sensitisation also helped to increase the voice and influence of women and girls in the Covid-19 response strategy at national and county level and to engage in media campaigns to mitigate Covid-19 related stigma and its impact. Through these efforts, the negative economic impact of the pandemic at household level in the marginalised counties was minimised.

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3.8.6 Strengthening social protection and inclusion

The national data system at the Ministry of Labour and Social Protection (MSLP) was strengthened for comprehensive targeting of eligible poor households for cash transfers, among others. Through the support of the programme, various groups working on devolution and seeking to enhance inclusion have been sharing information. The programme has also supported development of child protection systems and services. The programme has additionally enhanced the inclusion of child protection initiatives in county allocation.

3.8.7 Potential to catalyse development in the marginalized

From the onset, JDP adopted a strategy that aligns all programme interventions to the national and county plans as outlined in their respective policy documents -- CIDPs and MTPs, respectively. The progress made in all the four output areas has potential for effective service under devolution in these counties. The issue then is whether this would be achieved in the short, medium, or long-term. Thus far, the programme has strengthened the policy and legal framework for delivery of services in some of the counties and sectors. Putting in place the relevant policies provides opportunities to make relevant plans and allocate budgets in line with these plans.

The programme's capacity building and institutional strengthening approach has been designed to address structural and procedural challenges in service delivery. The capacity building support continues to be instrumental in forming a strong foundation for development and governance at the national and county level. Strengthening the capacity of the executive and county assemblies as well as national government officials and agencies enhances their ability to deliver quality services to the citizens. Improved inter-governmental relations arising from the programme interventions is also enhancing efficiency in policy development. Nevertheless, the increased capacity for citizens to effectively press for effective service delivery remains a work in progress in a majority of the counties.

One result that may not have been anticipated at the beginning of the programme was the ability of the three UN agencies to leverage the limited resources and engage with national implementing agencies to scale up results achieved to all the 47 counties. Systems strengthening through SCOA, COBMIS, and eCIMES had impact on the whole government's agencies. Among others, SCOA will facilitate county reporting to sub-programme level with specific focus on children, gender and climate change, linking disbursed resources and development outcomes for disaggregated reporting. Further, generation of data and statistics[73] has also resulted in benefits beyond the 14 targeted counties.

Results achieved in each of the four output areas of the programme will catalyse development in the counties at different times and scale. Policy development forms the framework for all development in the counties and the results achieved during this phase of the programme can be attributed to the efforts of the programme. Planning and financial management systems have improved and there is evidence of some counties increasing allocation of budgets to social sectors.

[73] NBS Poverty Report 2020, 47 county poverty reports, 47 county gender profiles, 11 monographs out of census, DHS 2022, KIPPRA- 47 county budget briefs.

The foundational work in the generation of data and statistics lays a strong foundation to build on planning, especially in the new government planning cycle (CIDPs and MTP). It will also inform the design of any follow-up programme. For instance, the Inequality Study conducted in partnership with the Kenya National Bureau of Statistics (KNBS) reviewed trends in inequality and identified drivers of inequality across households with a special focus on women and children. The findings of the study will provide a baseline for development of the Fourth Medium Term Plan (MTP IV) and CIDP IIIs. The programme has not only generated useful data and statistics on the 14 targeted counties, but also leveraged on the limited resources to generate data for all 47 counties.

There is improved focus on gender and inclusion because of the programme interventions. For instance, some note that there is a “positive shift on social and gender budgets”. Several county officials indicated that there is now a change regarding the inclusion of the needs of women and children in budgeting in a region that is highly patriarchal and where the needs of women and children have not previously been addressed. These needs have not been addressed with the urgency that they deserve despite their glaring presence in these counties. The information generated so far is crucial especially at this stage when the new governments at national and county levels are developing their five-year CIDPs.

Table 18: Sustainability through policy and legislative frameworks

To enhance sustainability of the JDP efforts, the programme supported national and county governments in the development of policies, briefs, strategies, and Bills. Some of the Bills developed to support governance and improve the quality-of-service delivery include: • Kajiado County Community Lands Bill, 2020: The Community Lands Bill seeks to provide mechanisms for transitioning from group ranches to community land, and development of mechanisms for conflict resolution and governance of community lands. • Kajiado County Public Health and Sanitation Bill, 2020: It establishes an efficient structure for the management of public health, provides an institutional framework for licensing of sanitation service providers and the regulation of sanitation services. • Guidelines for development and review of County Annual Development Plans (ADPs). • Subsidiary legislation on County Governments Act, 2012: It sought to strengthen service provision by county governments at county, sub-county, and further units of decentralisation. • Intergovernmental Relations Act, 2012: These are regulations to strengthen consultation and cooperation between the national and county governments and among county governments; establish mechanisms for the resolution of intergovernmental disputes. • National Policy on Gender and Development: CAF developed a Model County Assemblies Gender Policy, which was domesticated by Busia and Kilifi county assemblies. • Turkana County reviewed the County Child Care Services Bill and Social Assistance Bill to be in line with Children's Act, 2001. • Water Sector Framework for coordination between national and county governments in the management and equitable delivery of water services. • Wajir and Marsabit counties civic education and public participation Bills. • Child protection policy and legal frameworks report for West Pokot and Isiolo. The frameworks promote coherence between national and county governments during allocation of resources for children's services. • National Policy on Devolved System of Government. • Alternative Dispute Resolution (ADR) Regulations: A mechanism for addressing inter-county disputes that are withdrawn from the courts and that has since been disseminated to all County Attorneys. • Jumuiya Ya Kaunti za Pwani (JKP) Regional Economic Bloc (REB) Bill • Domestication of the Model County Gender Policy in Garissa, Kajiado, Kwale, Mandera, Samburu and Turkana counties. • Kajiado County anti-FGM policy. • Garissa County Climate Change policy and Bill. • Review of Tana River County DRM Bill. • Tana River County Youth Policy and Busia County draft youth policy. The policies will guide the county's engagement with and empowerment of young people.

3.8.8 Lessons learnt

Past evaluations

JDP has built on lessons learnt from previous evaluations and UNDAF as well as various country analysis reports. The use of a national implementation modality in implementation borrows from these lessons. This approach not only helps in building of programme ownership, but also ensures that the programme is aligned with the national development policy priorities and frameworks such as Vision 2030 and related Mid-Term Plan (MTPs), and the provisions of the Constitution of Kenya, 2010.

The UNDP Kenya Independent Country Evaluation recommended focused capacity building for staff and emphasized the need to incorporate lessons from previous training sessions. The trainings were perceived as "one-off" which constrained the potential impact on improved service delivery. This one-off approach was also viewed by some respondents in the counties as a "touch-and-go approach" because it was not extensive and lacked follow up to firm up the gains.

Communication and co-ordination present a major challenge. Both the PRODOC and previous evaluations had underlined the need to improve in communication for purpose of effective implementation. However, weak communication and coordination have led to incoherence in understanding of the how the joint programme is being implemented. Although structured engagements and knowledge management would have enabled the Programme address many of these challenges, there are gaps in how this was done. Thus there is a need to improve on engagement at the leadership level of the UN agencies in order to address these challenges.

There was also a recommendation to carry out regular political economic analysis especially in counties with lower-than-average performance. This was mean to identify possible entry points for remedial action and also to take collective corrective action with other actors. However, structured political economic analyses were not carried out as recommended in the Independent Country Program Evaluation (ICPE).

Findings from the UNDAF 2018-2022 Evaluation pointed out that although UN in Kenya's comparative advantage is rated highly, there is a risk that its role and influence may decline if the comparative advantage does not evolve in tandem with the changing socio-economic and political context. Findings of this evaluation indicate that the UN agencies involved in the JDP have demonstrated agility to the changing socio-economic context as demonstrated in engagement in DRR and response to COVID-19 pandemic. However, more would have been achieved if the agencies worked jointly as one. Further, the "silos" approach tended towards "rivalry" which weakened the potential to achieve much more.

In regard to efficiency, the Independent Country Program Evaluation noted that there was significant work needed in resource mobilization (funding). This continues to be a challenge in the JDP; only 58% of the anticipated project budget had been secured at the time of MTE. This is attributable to various challenges. These include declining donor funding because of rebasing of Kenya's economy and subsequent classification of Kenya as a middle-income country; and repurposing donor funding towards responding to the COVID-19 pandemic in donor countries; and the global economic crisis in general. This raises the need to set realistic resource mobilization targets and to develop contingency plans on how project activities can be scaled down or redesigned in case of resource shortfalls.[74]

[74] UNDP (May 2022) UNDP Kenya Independent Country Programme Evaluation pg. 45

JDP Implementation

There are several lessons to draw from the JDP implementation at both the national and the county levels and drawing from the four output areas. Some of these lessons have been discussed in several sections of the report. This section, therefore, provides a summary of the main ones. Key among these are the following:

1. Working with national level partners/agencies provides opportunities for "scale up" to all the 47 counties especially if there is a deliberate attempt to focus on system-wide support. It is correct to argue that intensive support to few County Governments would have impressive results in public policy implementation, service delivery and institutional development. However, these gains would remain at the level of few counties and cannot be scaled up or replicated without effective involvement of national government agencies that are already involved in system-wide support of national and county government departments. These agencies include the OAG, IGTRC, CRA, CoG, and COB. Facilitating scaling up and replication, however, will require the national government agencies to be more intentional and deliberate in this approach and in utilizing existing intergovernmental platforms for the purpose of replicating the gains.

2. Effective implementation of a Join Programme requires more than signing agreements to collaborate. It is about communicating and sharing information and building relationships during implementation especially in the field. But partnerships take long to build, strengthen, and solidify. It requires have a common purpose and shared ideals. These again take long to establish and may not grow on basis of a single and short term programme.

3. Flexibility and agility is key to adaptive programming especially in the face of national emergencies. The JDP effectively responded to COVID 19 pandemic by repurposing budgets to address the emerging challenges the counties. This demonstrated the ability to adapt and respond effectively amid uncertainty of funding and the challenges that accompanied national guidelines to mitigate the pandemic. The programme mounted a positive response characterized by flexibility, creativity, and innovation.

4. Political leadership matters in implementation and is key in developing and nurturing different interventions in different counties. During the evaluation, there was strong evidence to suggest that the presence of political commitment leads public support for programme interventions. In Isiolo County, for example, the youth groups were able to benefit from an increased budget allocation because the county government leadership prioritized their needs. The governor increased budget allocation to support the youth activities. The Governor followed up the relevant departments to ensure focused attention.

5. Reducing poverty, inequality, and gender inequality will take time to show results and requires more than implementation of devolution. Devolution is complementing efforts to reduce poverty, inequality and gender inequality and need not be seen as the main solution to these challenges. That is, devolution does not in itself reduce poverty, inequalities, or gender sensitivity. But through careful design and implementation based on a good understanding of local, social-economic, political context, devolution provides a good opportunity to effectively address these challenges. What is required

is focused attention to improving access to basic services and ensuring targeting of those ‘left behind’. JDP is therefore complementing other efforts to address these challenges.

3.8.9 Impact: summary of findings and conclusions

Findings	Conclusion
JDP has put in place systems to support delivery of services under devolution. These include strengthening PFM in the counties, strengthening performance management systems, and building capacity of key institutions and staff in general. Combined with policies and legislated frameworks that have been developed, these have laid a foundation for delivery of services.	The programme has played an important role in strengthening devolution in the counties. It has contributed to systems strengthening and laid a foundation for effective delivery of services. But devolution is always work in progress and therefore continued strengthening of systems will remain important.
One important contribution of the programme is around integration of the needs of women, children, and the marginalised in planning and budgeting. This has witnessed increased allocation of budget to social service sectors. Leaders are also sensitised on the need for inclusive citizenship and are therefore keen for inclusion. Thus, there is increased visibility of women in county affairs in spite of the dominance of patriarchy.	The gains in social inclusion especially in the marginalised counties are important given the peripheral role that women play at the local level. There is a need to continue supporting interventions that promote gender inclusion and integration of needs of children in planning and budgeting.
Systems strengthening through SCOA, COBMIS, and eCIMES had impact beyond the 14 counties; this benefited the entire of the national government and the 47 counties.	The programme has had benefits beyond the 14 target counties. Working with the national agencies has resulted in improving the capacity of all the counties and the government systems in general.

4.0 CONCLUSIONS, AND RECOMMENDATIONS

Summary of findings

The findings show that devolution remains relevant in Kenya's development space. It remains a central pillar for national and local development. Implementing devolution promises to address the problem of disparities in access to basic services and longstanding grievances over development, especially in the marginalised counties. Many of these counties lack capacity and systems to support service delivery -- especially because they started at a disadvantage compared to the rest of the country. Implementation of devolution continues to face problems in inter-governmental relations and coordination. There are disputes that recur over functions, among others. Counties also have limited capacity for planning and budgeting, M&E, and PFM in general. This on its own makes JDP a very relevant programme.

The programme is making contributions to SDGs through interventions relating to the four output areas. The programme is well aligned to Government of Kenya development priorities at the national and the county level. The UNDAF outcomes draw from national policy priorities and JDP is anchored on UNDAF outcomes. Nonetheless, the next phase of the programme will be implemented at a time when a new government is in office and probably a new policy context, following the August 2022 elections. The focus of the national government on devolution will remain as outlined in the Constitution but the government may want to strengthen inter-governmental relations and structures to effectively deliver on its mandate and address the relational challenges that impact service delivery. There will be need, therefore, for the Theory of Change to be reviewed to make it robust to accommodate the changing national development context and new dynamics in the counties.

The programme has played an important role in supporting the process of devolution through various interventions under the four output areas. At the county level, interventions are well aligned with local priorities. However, progress by output area and by county varies considerably. The 14 counties vary in terms of capacities and skill gaps. The variations in capacities affect uptake of interventions and reforms in general.

There is progress in achieving results in each output area but some show better progress than others. Targets are generally achieved and even some are surpassed. But this does not guarantee sustainability of the programme interventions. The survey findings point to several issues that would affect sustainability. Some of those implementing the programme feel that the short time span of the intervention is not sufficient to deepen learning and build solid capacity.

Ownership of the programme was identified as a problem, too. There are those who argued that the programme did not give opportunity to the counties to lead the process of capacity development. Furthermore, they felt that the programme had a different approach – the UNDP way. Finally, there are those who said that there were no resources for scaling up.

Conclusions

The Joint Devolution Programme remains strategic and relevant in Kenya. Devolution is the centrepiece of Kenya's development and the means through which resources for service delivery are channelled to the counties and the local level. The programme and the focus on capacity development of the various agencies to support service delivery, therefore, is a desired value addition to national and local development.

The programme is effective in meeting targets. Almost all the targets have been met or will be met by the end of the programme. There are a few that will not be met by the end of the programme period. The focus on quantitative indicators alone, however, does not provide room for the whole picture on programme performance. There are insufficient qualitative indicators to combine with the quantitative ones for a comprehensive picture on programme performance. All the same, the voices of many respondents interviewed at the national and county level are sufficient to fill this gap. The evaluation finds that the programme adds value to systems strengthening for service delivery in the counties.

The programme implementation mechanism is not delivering as efficiently as anticipated. The agencies tend to adopt a 'silos' and individualised approach to implementation of their specific projects. And where there is collaboration, it is so limited that it does not fully reflect the potential of a joint programme. Importantly, the programme did not succeed in mobilising the total programme budget; mobilised resources are slightly above what was expected. The Covid-19 pandemic necessitated modifications to allow the programme to allocate funds for urgent response strategies. Even with these challenges, there were no sufficient efforts to jointly or collectively raise funds to cover the deficit.

Even though the programme did not mobilise all the resources, the number of counties and the anticipated interventions under each output area were not modified. The programme is spread thin and the 14 counties are too many to cover without the full budget.

Coordination and communication within the programme is fairly weak. There is insufficient communication with partners implementing the programme. Achievements and progress of the programme are also not communicated in a robust manner. These challenges contribute to poor visibility for the programme and to a general lack of understanding of progress made in achieving results.

But has the programme made a difference? Certainly, the programme has had impact in the counties. These counties are the most historically disadvantaged regions. They neither had capacity nor systems at the start of devolution to facilitate delivery of services. The programme, therefore, has targeted important needs, priorities, and counties to improve on delivery of services.

Sustainability of the programme results is demonstrated in the systems strengthening and specifically capacity building of institutions and staff in the programme. The conditions for sustaining the results are much in place but appear threatened by a low sense of ownership for interventions in some counties. There are those respondents who view this as some external programme and detest how the national government institutions were involved in identifying the priorities.

Recommendations

The programme remains relevant in Kenya and should continue focusing on strengthening capacity for service delivery: It is strategic and relevant because it is playing a catalytic role in strengthening institutions and developing capacity for service delivery in the counties. In view of the catalytic role the programme is playing, it should remain but make strategic modifications in implementation for the remaining phase to address dynamics arising from the election of new county governments and restructuring of key institutions at the national level. Above all, the programme should focus on strengthening PFM institutions and systems; and in building the capacity of citizens to demand accountability and improved services.

Improve coordination and internal communication: Coordination and communication within the programme should be improved at least to ensure effective implementation within the remaining period. To tap the full potential of 'Delivering as One' the participating UN agencies should consider convening senior leadership at agency level on a quarterly basis. Rotational chairing of these quarterly senior level meetings, backstopped by PIU, will focus attention to progress made, challenges and achievements. Nonetheless, any future Joint Programme should be formulated and implemented by use of clear guidelines on how agencies will jointly deliver it for better impact, and how they will build trust in working together; and tap their comparative advantages.

Focus on fewer counties for better impact: In the absence of additional funding and the close project completion date, the programme should focus on fewer counties; 14 counties are too many to cover with the limited funds. There is a need for strategic targeting of counties and identification – jointly in consultation with implementing partners – of interventions that have greater impact at least cost and less time. The counties that have not had many activities by the three agencies should be dropped. This will allow concentrated and intensified interventions, which will certainly have better impact than when the programme is spread thin. In this regard, there is a need to consider working collaboratively with the CoG and the IGRTC for them to explore the scaling up of programme results to many other counties.

Improve on knowledge management: The programme should develop structured learning and knowledge management to support lessons harvesting across various levels in the programme as well as scaling up. This will help implementing agencies to learn from one another. For instance, making laws and policies to support delivery of devolved services, among others, remains a topical issue that many would like to learn about these efforts in order to address the challenges they experience. The remaining phase of implementation should strengthen sharing knowledge and experience on implementation.

Support Inter-Governmental Relations efforts and prepare the new counties to deliver: Kenya's new government has restructured relations between the counties and the national government. The programme should focus on supporting the CoG and IGRTC to foster relations for service delivery in this early stage of development of these institutions. In this regard, there is a need to review the Theory of Change to accommodate the need to improve relations for service delivery.

As expected in a programme of this scale and nature, the target counties are not homogenous in terms of needs. Their capacities varied considerably at the beginning. Because of this, counties are at different levels in achieving the programme outcome. In order to ensure that progress made by each county is quantified and takes into account the entry differences and all other factors that would affect progress, a systems/county maturation tool should be developed to establish the stage of county systems and sustainability. The tool should identify gaps (at each county level) that should be addressed and provide opportunities to implement interventions based on the maturation level and simultaneously improve county ratings in future maturity assessments. In summary, the tool would address the following issues:

i. At what stage are the counties with regard to systems' maturation? (initiation/ starting, development, expanding or consolidation and sustaining stage)
ii. What are the systems gaps that hinder progression of the systems to the sustenance stage of maturation?
iii. What are the challenges and possible critical interventions to address the gaps towards the improvement of systems?

ANNEXES

Annex 1: TORs for the Evaluation

- Annex I - ToRs for Team Leader
- Annex II - ToRs for Evaluation Expert

Annex 2: The list of documents consulted

Annex 3: Data Collection Instruments

- Annex I - The list of key informants interviewed
- Annex II - The FGD guide
- Annex III - The online survey questionnaire

Annex 4: List of Key Informant Interviews

Annex 5: Summary Table of Findings