

Wednesday 14th December, 2022 COUNTY ASSEMBLY OF SIAYA DEBATES

REPUBLIC OF KENYA

COUNTY ASSEMBLY OF SIAYA

THE HANSARD

Third Assembly - First Session

Wednesday 14th December, 2022

The House met at the County Assembly Chambers at 9.30 a.m.

[The Temporary speaker (Hon. Cynthia Akinyi) in the chair]

PRAYERS

NOTICE OF MOTION

PAYMENT OF BURSARIES

Hon. Arika: Thank you, Madam Temporary Speaker. I beg to give a Notice of Motion: **Aware** that Siaya County Education Bursary Fund Act, 2016 provides that *the County Treasury shall make payments in favour of and directly to the designated educational institutions in which the eligible students are enrolled,*

Further aware that Siaya County Executive has been using the electronic transfer mode to make bursary payments,

Concerned that the electronic transfer has been done without the involvement of the beneficiaries and receiving institutions,

Now therefore, the House resolves that the County Executive Committee disburses Bursary funds to needy students using the Cheque System and further that such disbursements be made with consultation with the relevant stakeholders and in an open and transparent manner as opposed to direct electronic transfer.

MOTION

PAYMENT OF BURSARIES

Hon. Arika: Thank you, Madam Temporary Speaker. I beg to move a Motion:

Aware that Siaya County Education Bursary Fund Act, 2016 provides that the County Treasury shall make payments in favor of and directly to the designated educational institutions in which the eligible students are enrolled,

Further aware that Siaya County Executive has been using the electronic transfer mode to make Bursary payments,

Concerned that the electronic transfer has been done without the involvement of the beneficiaries and receiving institutions,

Now therefore, the House resolves that the County Executive Committee disburses Bursary funds to needy students using the Cheque System and further that such disbursements be made with consultation with the relevant stakeholders and in an open and transparent manner as opposed to direct electronic transfer. I request Hon. Shalom to second the Motion.

Hon. Shalom: I Second.

(Question proposed)

Hon. Arika: Thank you, Madam Temporary Speaker. I hope the Members are aware of the Bursary within our various Wards and within the County Government of Siaya. It has been a proposal that allocation of 75 million be spared for the Bursary and it has been further decided that this amount be allocated to each and every Ward, I believe that is 2.5 million.

The method that has been used, that is electronic transfer has not been transparent and there has been lack of accountability. We are all aware that for these bursaries to be disbursed, there is a committee instituted in each and every Ward, the mandate of the Committee is to sit down and come up with the eligible students.

The list is then handed over to the Ward Administrator who in turn hands it over to the Executive, the norm has been that it is the Executive who does the transfer by a way of electronics.

There have been problems that have been cropping up. You find that the list that is from the Ward, the moment it gets to the Ward Administrator, the list get manipulated. If it gets to the Executive, you find that the people who benefit are not the actual people that were selected by this committee.

There have been cases where the Executive allege that they have transferred money into various institutions but when the parents and the students visit those institutions, they find that the money has not been transferred.

There have been cases where a parent has to travel all the way from Luanda Kotieno to the Executive to find out whether money has been transferred to the relevant institution. When

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they come here, the information they get is that money has been transferred, they visit those instructions, and they find that money has not been transferred.

Imagine a student who has been awarded a Bursary of Kshs. 5000, the parents spending Kshs. 2000 to come and verify whether that money has been remitted to those institutions, to me it doesn't make sense.

If the cheque system is introduced, it should be done at the Ward. I want to give an example of CDF, it's a kitty from the National Government and it is entrusted with the constituencies. If you look at the way the Bursaries have been distributed at the constituencies' level, you find that the constituency has a committee that is mandated to disburse these bursaries, then it is at the constituency level where the money is disbursed to various institutions.

On the other hand, if you come to the County, it is alleged that these monies have been distributed equally among the 30 Wards. It is the mandate of each committee in every Ward to come up with eligible students, but now when it comes to transfer or disbursing Bursary, it is done at the Executive level. To me, there is no fairness.

The law requires that if you want to benefit from the Bursary, the applicant must apply from the Ward level, there is a form to be filled, submitted at the MCA's office, then there is a committee to sit down and vet the candidates who are eligible for this.

As we speak, in my office I have received applications to the tune of 1000. If you look at what is being allocated is 2.5 million, only 200 students are going to benefit. As we speak, there are people who are regarding themselves as special, they are not going to fill these forms, their names are at the Executive and once the list has been finalized at the Ward level, you will find out that when the list gets here, it is going to be tampered with.

The reason as to why this is happening, is that once that list has left the Ward, even me as a representative I may not be able to know who and who has not received these money.

Think of a situation where a student will come to the MCA claiming that he was listed among the people who were eligible to get the bursary but the money has not been remitted in school. If we are going to pass the Motion and agree that we are going to use the cheque system, I believe there will be transparency and it is going to be more accountable.

Before a cheque is submitted to those learning institutions, a copy must be retained, such that in the event a parent or a student may claim that the cheque has not been submitted, then the MCA may have a document to rely on.

We are agents of Devolution and from my own understanding, Devolution is a process whereby everything is taken to the very last person in the village. I believe every constituency, every member within the Siaya County should have the right to get the information at the right time and at the nearest place.

If we have Ward offices, any member who wants to verify information, the person should go to the office and get information.

It is therefore my humble submission to urge the Members to support this Motion because if it sails through then it is going to give us the authority and ability to be able to execute our mandate of oversight. Thank you.

Hon. Adala: Thank you so much, Madam Temporary Speaker. I rise to support the Motion as moved by the Chair of the Committee on Education. The mover of this Motion has expounded on all we would have said. It has left me with very few points that I need to raise to support.

You realize that applicants are required to have the forms stamped in their respective schools, you find a very needy student who learns at the Coast region and they are on holidays and the forms were sent a bit late and part of the regulations require that the form must be stamped by the relevant institution where they learn.

You wonder how a student is expected to go to the Coast and get it stamped and come back. As we move to the next Financial Year, I think as a House we seriously need to have a conversation and really look at some of these regulations.

From where I sit, someone who applies for this help is one in need. So subjecting such a person to the rigorous exercises of going to school and back and doing all these other things isn't right and so when we come back next year from long recess I would really wish that the House seriously sits with Education department and look at the regulations as well though I support.

We have had instances where lists are pasted on the walls of the Ward offices that so and so has received support from the Executive but upon looking at it keenly you find that there are ghost students by the County and in the last Assembly I was lucky to sit in the Education Committee.

There was time we did audit and found out that there were ghost students whose names appeared to be sponsored by the County. Therefore, if it can be healed by this then I only request the House to endorse the Motion as moved by chair though I would like to request the chair together with his able assistant who seconded the Motion that it is high time we had a conversation in terms of regulations in the Education Committee. I wish to support.

The Temporary Speaker (Hon. Akinyi): Yes, Hon. Seth.

Hon. Baraka: Thank you, Madam Temporary Speaker. I wish to contribute by saying that there are some Bursary regulations that according to me I do not think they should be there.

First, I do not understand how Kshs. 2.5 million can be given to a Ward with about 4000 applicants. The Kshs. 2.5 million is doing more harm to us as MCAs. Therefore, I think this money should be enhanced and I would request that this should reach the Executive so that they raise it to Kshs. 5 million per Ward, which will be only Kshs. 150 million.

Then if a Member feels that they can add more then they should be allowed through the Ward allocation because there is no need of 4000 students applying while only 400 can get which is 10% while the 90% get nothing, which has no impact.

I want to say that if you can look into that regulation, a Member can also chip in their Budget and allocate another level. With that, I think this House shall score.

I believe that doing cheques is not something difficult and I think people in those offices are paid for that. Am talking from experience because I have dealt with issues of Bursary for the last 4 years and aware that if you have for example Siaya Township and we have around 50 students that are benefiting.

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It's not a must that you do 50 cheques, do 1 cheque where by each student is receiving Kshs. 5000 that will be around Kshs. 250,000 and then an attachment is made on that cheque where the school receives the list of students who have benefited and the cheque itself.

Going forward we should not accept the issue whereby monies are transferred and you don't even know if it has reached the school or not. We need to insist that those cheques be given and we need to be there as MCAs so that we can ensure that people benefiting are actually from our Wards.

It pains if you send a list only to find that the student benefiting are not from your Ward, we are supposed to oversight and ensure that the right people get the funds. Moving forward we need to look at enhancement of the fund and each Ward can have specific day for disbursement of the funds. We also need more regulations because you find that one student is being given Kshs. 20,000 just because they go to a National school. According to me, that Kshs. 20,000 I can give it to 5 students in a day school where each student gets Kshs. 4000.

I think we should be allowed to give Bursary on need basis because I prefer giving Kshs. 5000 or Kshs. 4000 to more students, because why should a parent who says is in need take his/her child to maybe Starehe school while there is also a student with the same marks studying in for example Nyangulu Secondary school?

Therefore, I think we need to increase the number of students getting the funds and there should not be a regulation that if you are in a national school you should be given Kshs. 20,000. If you are a beneficiary take the Kshs. 5000 like the rest because you have only one vote as an individual so we have to do it equitably.

Let us look at the enhancement as well as the regulations because there is no way Bursary should be given and the MCA is not even aware. We need to have a list that we can refer to because the cheques can be given physically and it has been done.

I have disbursed over Kshs. 40 million under CDF and every parent comes, the principal comes and everybody else is present to confirm the people who are receiving the support from the Constituency, which is not different from the Ward.

I support and wants to say that in the next meeting with department of Education, we think of changing the regulations and making it open by making sure that common *mwanaanchi* gets the support.

The Temporary Speaker (Hon. Akinyi): Hon. Masidis.

Hon. Masidis: Thank you, Madam Temporary Speaker. I rise to support the Motion but let me start by confessing and confirming that I am a proponent of technology and I believe that technology has revolutionized the world by making work easier.

In accounting, the direct disbursement to the banks has made life easier for accounting purposes and to deal with issues of fraud. I believe it is this information/reality that has informed the previous Assembly to change the payment mode for school fees Bursary from the initial hard cheques to direct fund disbursement.

It has, however, come out clearly that there are challenges that technology comes at the tail end of the process while the starting point of receiving applications, reviewing and approving is heavily manual.

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For that reason therefore, it is very difficult for even us to regulate or see who got what and when to the extent that those with connection might end up getting double funding because they are smart.

They will apply at the County level, the CDF level and even Women Rep, hence ,the lack of synchrony and the model that was to help us has proven clearly to have hitches where by the main hitch is that it is difficult to know who got what, when and why.

Adding to what other Members have said its evident that there is no need for parents to be moving back and forth into schools or to the County only to be told that the money hasn't been received while even the MCA's office which is supposed to have the records have no idea of what is going on.

I therefore, support the Motion and I want to codon that it is not that we don't appreciate or believe in technology, but the technology has to be from the begging to the end so that at my desk as the MCA I am able to see, forward the list from the committee to the Executive then the latter shows us how the money has gone to the bank.

Until then we will revert to the manual cheque issuance. I would also like to add a rejoinder that while going to the cheque system let's look at what the problems were initially then the Executive looks at the loop holes so that they close those loop holes so that when we go back again in the cheque system we are not starting from zero.

I want to also add as proposed by my colleague that the Kshs. 2.5 million is not enough because a Ward like mine which has 11 sub locations, the Kshs. 2.5 million even if I were to divide by 11 I will end up with at most 20 students per Ward, it doesn't make an impact and in fact there are more complaints.

I really need the protection of this House on how to deal with the issue of Bursary in my Ward because it is going to create more problems there. I support, Thank you.

The Temporary Speaker (Hon. Akinyi): Is there any other person who wants to contribute?

Ok, I now call upon the Mover to respond.

Hon. Arika: Thank you, Madam Temporary Speaker. I want to appreciate all the Members who have made their contributions and from the look of things, it seems that the majority of the Members present in the House are agreeing with this Motion and I therefore, humbly request that the Motion be approved.

(Question put and agreed to)

The Temporary Speaker (Hon. Akinyi): Hon. Okumu it has been brought to the attention of the Speaker that you did not respect the mace when you entered the House and that you are not properly dressed.

Hon. Okumu: Madam Temporary Speaker, I did respect the mace maybe you just did not notice and as for the dressing, I will work on it and I apologize. Thank you.

The Temporary Speaker (Hon. Akinyi): I think its ok to forgive him because he has apologized and I believe that he will dress properly for the afternoon plenary.

Hon. Arika: Madam Temporary Speaker, I believe you are setting a bad precedence because it is the second time the Hon. Member is showing disrespect

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The Temporary Speaker (Hon. Akinyi): Hon. Arika you are out of Order because I have already ruled on the matter.

MOTION
ADJOURNMENT

The Temporary Speaker (Hon. Akinyi): Hon. Members would we be upstanding for adjournment. Hon. Members, there being no other business this House stands adjourned until 2.30 p.m. today in the chamber.

The House rose at 12.07 p.m.