

COUNTY ASSEMBLY

OFFICIAL REPORT

Wednesday, 21st February, 2018

The House met at 9.30 A.M.

[The Deputy Speaker

Hon. (Mr. John Killo Dawe) in the Chair]

PRAYERS

COMMUNICATION(S) FROM THE CHAIR

Hon. Speaker: We have two communications on petitions that were filed against Honourable Sadia and Honourable Dibo, I will read to the members;

REPUBLIC OF KENYA

AT THE PRINCIPAL MAGISTRATES COURT AT MARSABIT

ELECTION PETITION NO. 3 OF 2017

ZEYNAB ALLYOW ISSACK VS I.E.B.C & 2 OTHERS

1. The independent Electoral and Boundaries Commission

University way

Anniversary towers

Po Box 45371-00100

Nairobi

2. The Speaker

Marsabit county Headquarters

MARSABIT.

CERTIFICATE PURSUANT TO SECTION 86 (1) OF THE ELECTION ACT 2011

WHEREAS the nomination of **OSMAN ARARU SAADIA** as a member of the county assembly for Marsabit county was challenged in Marsabit election petition no. 3 of 2017 **ZEYNAB ALLYOW ISACK VS I.E.B.C AND 2 OTHERS.**

AND WHEREAS the Court heard after considering preliminary objection to strike out the petition dated 13th October 2017 **AFTER CONSIDERING** the evidence and submissions, the Court made the following findings:

- (a) **That** the petition is struck out of failure to comply with the constitutional and statutory timeframe required to file an election petition, not being presented in the prescribed format and failure to effect proper service on the Respondents.
- (b) **That** in the result, **OSMAN ARARU SAADIA** was **vividly** nominated as a member of County Assembly for Marsabit County.

GIVEN under my hand and seal of Marsabit Law Courts on 1st December 2017.

ISSUED at Marsabit this 22nd January 2018.

PUBLIC OF KENYA

AT THE PRINCIPAL MAGISTRATES COURT AT MARSABIT

ELECTION PETITION NO. 3 OF 2017

ZEYNAB ALLYOW ISSACK VS I.E.B.C & 4 OTHERS

3. The independent Electoral and Boundaries Commission

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Po Box 45371-00100

NAIROBI

4. The Speaker

Marsabit county Headquarters

MARSABIT

CERTIFICATE PURSUANT TO SECTION 86 (1) OF THE ELECTION ACT 2011

WHEREAS the nomination of DIBO ISACKO UMURO as a member of the County Assembly for Marsabit county was challenged in Marsabit election petition no. 1 of 2017 **ZAMZAM HUSSEINOSMAN VS. I.E.B.C AND 4 OTHERS.**

AND WHEREAS the Court heard the petition dated 12th September 2017 **AND AFTER CONSIDERING** the evidence and submissions, the Court made the following findings:

(c) **That** the petition lacks merit and is dismissed with costs to the Respondents.

(d) **That** in the result, **DIBO ISSACKO UMURO** was **vividly** nominated as a member of County Assembly for Marsabit County.

GIVEN under my hand and seal of Marsabit Law Courts on 11th December 2017.

ISSUED at Marsabit this 22nd January 2018.

BOAZ OMBEWA

Principal Magistrate

Next order?

Statement by Hon. Bashir Sheikh- Member for Golbo Ward.

Hon. Bashir Sheikh: Thank you Mr. Speaker sir. I thank Allah *Subhana Wa ta'ala* for giving us this opportunity and another great day to be here together in this second Assembly. My statement;

There is shortage of ECD teachers in Golbo and I also think it is in all the other wards but this is what I have realized and seen in my ward. A number of ECD classes built in my ward do not have teachers. I therefore request from the Chair person of Education Youth Sports and Skill development, the status of the ECD schools or centres and ECD teachers recruitment.

What is the distribution criterion for ECD teachers to those centres?

Thank you Mr. Speaker.

Hon. Speaker: Somebody to add on the same?

Hon. Konchora Abduba: Thank you Mr. Speaker sir. I stand to support the statement. The challenges facing ECD centres are many- both infrastructural and staffing. The enrolment for this year is quite fair enough almost everywhere in the County. At the same time the ECDs demand a lot of infrastructural development as well.

This is the only function of the County Government in terms of education. The old ECDs are in a bad state and the pupils are even not using them especially in Dukana where I visited. That is because of the poor contractors used by the previous regime.

There is also shortage of teachers as well. We really want to see that it is streamlined and it attracts pupils. Let us develop the capacities of our children at their young age by employing well trained and qualified teachers.

So, I support the statement. This is almost everywhere. We need to get the position of the department as soon as possible.

Thank you very much.

Hon. Asunta Galgithale: Thank you Mr. Speaker.

I also want to support the statement by Member of Golbo Ward on the issue of the shortage of the ECD teachers. We do not only have the shortage of these teachers but also the materials. We should have both the teachers and the materials. We have many ECD classrooms but most are not serving any purpose.

This is a problem in all the Wards and we are really getting a lot of challenges. We should have a good foundation. With good foundation everything will be good. So, urgent measures should be taken.

Thank you.

Hon. Halkano Konso: Thank you Mr. Speaker.

Mr. Speaker I support the statement raised by the Honourable Member. Mr. Speaker this is one department that is being handled by the County Government under Education department.

I do believe the concern raised by the Honourable Member is a genuine one. This is a problem across all the twenty wards of this County. ECD is a foundation of any good education. It is therefore prudent for this House to ensure quality is offered when it comes to ECD so that our children can have a better foundation.

(Three Honourable Members stood in their places)

Hon. Kiya Jillo Chana: I will concur with my senior teacher, Honourable Sheikh Bashir that the problem of ECD is there in every ward.

In some cases, you will find ninety pupils in a class with one ECD teacher...there is a lot of challenges. In the last regime, there are ECD teachers who applied for those posts. We need clarification from the department on whether they will consider them or they will re-advertise for the positions since some have applied but are since hanging because of the change of government. That is what the department should clarify.

Thank you.

Hon. Speaker: Honourable Sadia?

Hon. Sadia Osman Araru: Thank you Mr. Speaker. Ningependa kuchangia hoja hili. Nakubaliana na yale yaliyosemwa na Mheshimiwa wa Golbo lakini ningependa kuchangia kama Mwanakamati wa Elimu, kwamba muhula uliopita kuna walimu ambao waliandikwa kazi .

Hata hawa mpaka wa leo wanakuja kuweka sahihi mkataba baada ya miaka mitano. Hawa walimu wamefanya kazi miaka mingi- Miaka ishirini, wengine ishirini na tano na ni bahati kwamba kilio chao kilisikika juu na wakaweza kupata kazi katika Kaunti hii.

Ningependa kujua ni kwa nini mpaka leo hawa walimu hawapewi nafasi kama wengine ili wasiwe wanatia sahihi mkataba kila baada ya miaka mitano? Ili waweze kupata haki yao hata baada ya kustaafu ni heri wafanye kazi kama walimu wengine katika idara ya elimu.

Pia kulikuwa na dhuluma wakati walimu walikuwa wameandikwa kazi. Kuna walimu walikuwa wanafanya kazi lakini wengine waliandikwa tu halafu yule alifanya kazi miaka ishirini anaambiwa hatapewa nafasi katika Kaunti. Mwingine analetwa na kufanya kazi mahali pale. Kitendo kama hicho pia kilifanyika na nataka kujua ni njia ipi inatumika kuwalipa hawa walimu? Nashangaa walimu wanalipwa lakini hawajui mshahara yao ni ngapi. Kuna manufaa mengine wangepata kupata kama walimu lakini hawapati.

Kwa hivyo mimi kama mwanakamati nataka kujua zaidi ni njia gani Kaunti hii inatumia kuwalipa hawa walimu na ni kwa nini kila baada ya miaka mitano wanakuja kutia sahihi mkataba mpya? Katika ratiba tuliyoona hapo mbeleni, ratiba iliyotengenezwa na Kaunti hii, hawakusema chochote kuhusu mambo ya walimu. Nikona ratiba hiyo katika afisi yangu na nitaenda kuangalia njia wanayotumia kuwalipa hawa walimu ama chochote juu ya walimu.

Ningependa wanakamati waangalie ni namna gani wataleta marekebisho katika ratiba iliyotengenezwa hapo mbeleni.

Asante.

Hon. Hassan Wako Jarso: Thank you Mr. Speaker. While I take this opportunity to thank my friend Sheikh Bashir for having brought this statement to the floor of the House, I would also like to thank you for the communication you gave. I know Honourable Sadia was not in the House when you gave that communication. As a House, we must congratulate Honourable Sadia and Honourable Dibo because they were validly and legally nominated. I thank you for that and I congratulate you Honourable Sadia...

(Applause)

Mr. Speaker, while several concerns have been raised in respect to shortage of teachers, this affects the entire County. When such a crucial matter is raised from certain wards, I know it touches the concerns of all the Honourable Members. The outcry we receive from outside really touches on the welfare of the children, who we believe are going to be the future leaders of this County and Country and while we address the shortage of teachers, we also need to consider other underlying factors in respect to why there are shortages of teachers, what are their welfare, irregularities in the recruitment of the teachers, and why are there proper considerations when it comes to the ECD teachers.

While we talk about the shortage, these ECD teachers themselves, other than maybe having the employment, sometimes the employment is not even guaranteed, because you see a teacher serving in a certain ECD, but when it comes to recruitment of teachers, like now we understand the recruitment is going on and we have not been briefed on the formula they are using, may be to say, this teacher has served for this year and he stands a chance, but the proper concern is the foundation of those children, with changes of syllabus on daily basis, there should a good communication from the Ministry and from the Ministry the same concern should come to the floor of the House through a relevant Committee.

And also when it comes to the welfare of ECD teachers, you'll be shocked, normally what people say life continue climbing up but the resource these teachers are given is not adequate is not even enough, because mechanisms and structures have never been addressed, it is upon now this County Assembly to put it into consideration, why we have shortages, how to overcome those shortages, the welfare of those ECD teachers, benefits, all of them need to be discussed!

While we continue addressing the same, the Committee on Education also needs to be given that advantage when it comes to visiting maybe the whole County, this Committee can bring a very relevant information to the floor of this House. Because we understand, there are certain ECDs which since it was constructed, no pupil has set foot in that class, money has been generated in construction of that structure, yet it has not met the purpose for which it was intended, at that point it means we are just wasting our resources! But it is the plight of this House any single penny spent with a view to benefit, the great children of this County, is fully adhered to and met! With that I support the Statement by Hon. Sheikh Bashir and it's my prayer that it gets full consideration of this Honourable House, thank you!

Hon. Tura Ruru Elema: Thank you Mr. Speaker, I also want to add to this statement so that it can be comprehensive. The first issue I want added is access of pastoral children into these ECDs..... *(inaudible)* from one place to another.*(inaudible)* as young as

three years getting into this ECD schools is a big issue. I think to enable these children to access this Education they must come up with a policy that suits the pastoral Counties I know there are the Education Policy, National Policy that says any ECDs.....(*inaudible*) must be established where there is a school. And in these pastoral areas you cannot put schools everywhere! I think we should.... (*inaudible*) that this Department of Education comes up with a policy that will suit our County, pastoral community, so that we can create a mobile ECDs in those satellite villages, so that we can enrol as many as possible. Last time when we were on recess, I visited my area, I have seen so many in Konon-Goos'i they are fifty under a tree learning! And that is the initiative of the villagers and it is our task as Government to ensure that these children get shelter, teachers to access this education.

The other issue I wanted covered is where all Nursery teachers or ECD teachers are contractual, it is unfair, unacceptable, if teachers are employed they can only be made to be on contract for not more than six months!

Recently they have been here signing contracts and they have been teachers for the last six years, I think it is also right time that these teachers be made permanent and pensionable for the services they are rendering..... (*inaudible*) every year they come to sign contracts.

I also want facts to be collected..... (*inaudible*) a class with one hundred twenty five children in a room, it is not acceptable, I think as Committee for Education we need to find out on the status of our ECDs in terms of enrolment in a class!.....(*inaudible*) several schools have a lot of children in class, and these facts should be collected and corrected, thank you.

Hon. Burcha Daniel: Thank you Mr. Speaker, I support the statement by Hon. Bashir and I would like the Clerk to note this and Laisamis is one of the worst hit Wards!

(The Speaker interjects)

We have ECD teachers, they're so many of them who have applied and they would like to know their fate. I request the Committee Chairman to make a follow up on that issue bring it to the House please, thank you so much!

Hon. Daud Tamasot Arakhole: Thank you Mr. Speaker, Mine is one aspect which we expect from the department, ECD teachers who have been called for interviews and we need the feedback why it is taking long to absorb them.

Secondly, I would like to know from the Department, 2016-2017 Financial Year in the Supplementary Budget, I remember this House approving Kshs.24 million to equip, furnish and to make pit latrine available in all ECD Centres which were put up by then. And to date out of the Kshs. 24 million Kshs 8.9 million is nowhere! And I asked for those lists of projects we've approved by the House in the year that I have stated. I want the Department to give us a feedback why this did not happened.....*(inaudible)* to furnish, equip and establish pit latrine for those Centres Members are suggesting, thank you!

(Laughter)

Hon. Haile Korie James: Thank you Mr. Speaker Sir, I support the statement by Hon. Bashir, surely this is a problem indeed, even in Illeret we have five ECDs but I don't want to repeat the same thing and those building were properly built, very good structures but it is a home for the goats and the kids to urinate in!

(Laughter)

And we cannot keep on allocating these huge funds to be misused in that way or are we giving people contracts!

(The Speaker interjects)

(Laughter)

To end this problem the solution is to come up with a way of coming up with a special fund for the ECDs and the teachers pay and we need to be very strict and put the Education CEC on his toes, that this thing have been done.

Also ECD development fund....(*inaudible*) pay salaries, buy furniture and coming up with ECD feeding programme to keep these.....(*inaudible*) like these children from Illeret, they'll come there and if there is nothing they will go away!

(Laughter)

Please if we do that I will be very grateful! Thank you!

(Applause)

Hon. Mark Napurdi Ekale: Ahsante bwana Spika. Yangu pia ni kuongeza. Ya kwanza ni kuomba bunge hili kuwa Serikali ya Kaunti haina walimu. Wakati tunapozungumza juu ya walimu, ni TSC pekee inaajiri walimu. Hapa sisi tunawaajiri wasaidizi.

Ya pili, ningeomba kamati ya elimu iweze kuzunguka ili kutambua shule ambazo watoto wanasomea chini ya mti na chini ya nyumba ya nyasi bila kupata chakula. Saa hii kuna kiangazi. Tunajua sehemu zetu watoto wanapatikana tu wakati wa kiangazi na idadi ya watoto inaongezeka zaidi.

Ahsante Bwana Spika.

(Applause)

Hon. Christine Matare Galgithele: Thank you Mr. Speaker sir. This is just an addition to what the other Honourable Members have said. Whenever you build a house and see that the house is cracking, you must ask why that is happening. The reason as to why we are getting bad results from our primary schools is because the foundation is bad. It is high time as the Honourable Members of this House to assist our kids in our schools.

Thank you Mr. Speaker.

Hon. Safia Wako Dulacha: Ahsante sana Bwana Spika.

Mimi ningelipenda kuongeza kidogo tu. Nasema kuwa masomo ni orofa. Nyumba ya orofa usipojenga vizuri kule chini, basi nyumba ile itavunjika kwa haraka.

Kila mara matokeo ya mtihani inapotangazwa, sisi hatuonekani pahali popote kule juu. Kwa hivyo ningesema kuwa badala ya kutia maanani masomo ya sekondari na ya shule ya kwanza, tunge anza na shule ya chekechea ili tuwe na nguzo nzuri.

(Hon. Hassan Wako Jarso stood in his place)

Hon. Speaker: Honourable Member, no contributing twice on the same statement. Next order....

STATEMENT BY HON. ELEMA DIBA, MCA DUKANA WARD

Hon. Elema Diba Guyo: Thank you Mr. Speaker sir and the House at large. I stand to raise a statement. We are aware that the education Ministry has launched a new curriculum for a new system of education.

My question is in line with this new system. Recently the Cabinet secretary for education launched a new education system. This new education system comes with a new curriculum. All Counties are expected to adjust and adapt to the new system and its curriculum.

I am requesting the Chair of the relevant Committee to inquire into the matter and....

Hon. Speaker: Honourable Members, no walking out. We are lacking quorum. Sorry Honourable Elema.

Hon. Elema Diba Guyo: I am requesting the Chair of the relevant Committee to inquire into the matter and give this House a comprehensive report as to whether Marsabit County is prepared to roll out the new education system.

This statement again correlates with the former statement that has been exhausted this morning, we have the ECDs that the County already handles, and under the new curriculum we have Primary 1, 2 and 3 part of this seems to be rolled back to the County Government and for proper beginning this County need to have programme in place to adjust to the new systems of education.

Therefore, it will be paramount that this House remains in light.....

(Hon. Sadia stood in her place)

(Quorum Bell Rings)

Hon. Elema Diba Guyo: Thank you Mr. Speaker, with the respect to time, what we are raising is a statement, I would request to commit the statement to the relevant Committees than debating on the statement. Allow me to finish my statement in line with the new education system that the Country is about to pick up, education has been said to be the key..... *(inaudible)* success and off course these doors can't just open, it needs a lot of inputs and the main input is beginning and foundation as earlier said and to set a good foundation, then we must have something in place, right footing at the beginning of this system and my question is to really see to it that this County is ready to pick up this system and integrate with our learners, so that we might not get challenges while we are beginning, thank you.

(Hon. Tura Ruru stood in his place)

(Hon. Sadia Araru stood in her place)

(Hon. Hassan Wako stood in his place)

The Assembly rose at 3.15pm