1st Utafiti Sera Forum on Social Protection:

Stakeholders' Mapping Report

Date: March 01, 2018

Venue: The Intercontinental Hotel, Nairobi, Kenya

Acknowledgement

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List of Abbreviations & Acronyms

AIHD	-	African Institute for Health and Development
APSP	–	Africa Platform for Social Protection
CoP	-	Community of Practice
CSOs	-	Civil Society Organization
CT	-	Cash Transfer
GoK	-	Government of Kenya
HSNP	-	Hunger Safety Net Programme
INCLUDE	-	Knowledge Platform on Inclusive Development
MEACL&SP	-	Ministry of East African Community, Labour and Social Protection
MoA	-	Ministry of Agriculture
MoE	-	Ministry of Education
NHIF	-	National Hospital Insurance Fund
NSAs	-	Non-State Actors
NSPP	-	National Social Protection Policy
NSSF	-	National Social Security Fund
PASGR	-	Partnership for African Social and Governance Research
SP	-	Social Protection
NSPS	-	National Social Protection Secretariat
SPAF	–	Social Protection Actors Forum
UNICEF	-	United Nations Children's Fund
WFP-K	-	World Food Programme- Kenya

Executive Summary

The first Utafiti Sera forum on Social Protection in Kenya was held on 25th January 2018, at the Intercontinental hotel in Nairobi. The meeting was joinly hosted by the Africa Platform for Social Protection (APSP) and the Partnership for African Social & Governance Research (PASGR). The purpose of the meeting was to review progress made during the period of 2015-2017 in the social protection sector in Kenya, acknowledge achievements made by the Utafiti Sera house in previous phases of the project and set the agenda for 2018. The meeting brought together 47 delegates drawn from different sectors with an interest in social protection, including civil society organizations, media, trade unions, research institutions, and faith based organizations.

The objectives of the meeting were:

1. To broaden and strengthen the membership of the Utafiti Sera community of practice in social protection;

2. To review the status of the social protection sector in Kenya, specifically in relation to legislation, programmes and financing; and

3. To map the areas of focus for the Utafiti Sera house for 2018.

Some of the key issues that emerged from the discussions were as follows:

Benefit amount of cash transfers

Although there is an increase in the scope of beneficiaries covered by cash transfer programmes, the imbursements issued to them remains low. There is need to review payment schemes and examine individual imbursements vis-à-vis household imbursements. Policy makers should consider issuing cash transfers in relation to the number of persons per household and the different vulnerabilities experienced.

Use of terminologies in social protection

Participants debated the need to entrench a rights-based language in social protection. Concerns were raised regarding the use of the term 'beneficiary' which can denote benevolence and agency. Social protection is a right guaranteed in the constitution and not an act of charity. The dominant language and narratives emerging from the sector should be reflective of this standpoint.

Policy and legal Environment

Among the three pillars of social protection namely social security, social health coverage and social assistance, the latter is weakly reflected in the existing legal framework. The Social Security sector is guided by the National Social Security Fund Act 2013, while the health sector is guided by the National Health Insurance Fund Act 2012. On the contrary, the social assistance sector is guided by the non-operational Social Assistance Act 2013 owing to some conflicting provisions in the act. There is need to review the Social Assistance Act 2013 and advocate for its operationalization.

Fragmentation and duplication of social protection efforts

There was a concern on the fragmentation and duplicity in social protection programmes. In addition to the conventional and acknowledged social assistance schemes (The Orphans and Vulnerable Children cash transfer, The Older Persons Cash Transfer, The Persons with Severe Disabilities Cash transfer), other SP programmes are also operating by various government. These include NHIF, NSSF, Free Maternity grant, agricultural input schemes among others. It was noted that a Social protection Coordination Bill had been developed in 2016 in response to the need of coordination for social protection programmes. However due to perceived administrative challenges in the Bill, the process for enactment was shelved. There is need for efforts to first strengthen the social assistance component of SP through legislative measures then proceed to address the broader coordination of the three pillars of social protection programmes.

Social protection by religious institutions

Participants noted that religious institutions play a big role in social protection. While of them run various

social protection programme, these programmes are often undocumented or the public is unaware of their contributions. There is need to assess the contribution of religious institutions in the social protection sector and create linkages between such religious institutions and the national and county governments.

The house committed to embarking on these follow-up actions as a way forward for 2018:

Stakeholders' Mapping

Conduct a mapping of actors involved in social protection in Kenya that should encompass both formal and Informal actors including traditional authorities, state bodies, NGOs, Faith based groups, etc.

Strengthen monitoring for impact

Strengthen the monitoring and evaluation mechanisms to document the impact of cash transfer programmes. This will support the justification of cash transfer programmes and help counter debates around the return on investment in cash transfer programmes.

Promotion of linkages and coordination mechanisms between national level and county level programmes

Enhance the single registry to include information from county government programmes. There is also need to improve the coordination of scattered state and non-state efforts in social protection.

Sustainability of Utafiti Sera House

Develop more concise guidelines on how to run the Utafiti Sera Community of Practice to assure self-sufficiency and sustainable.

National Budgeting and financing for social protection

Advocate and lobby for an increase in budgetary allocation for social protection and generate and examine evidence on how to diversify funding avenues for SP programs through the use of levies on oil and petroleum, sin-taxes, corporate social responsibility requirements and tax breaks among others.

Social Assistance Act of 2013

Conduct an analysis of the Social Assistance Act to identify gaps and contentious clauses. This information can be packaged as a policy brief for engagement with various policy makers to expedite the operationalized of the act.

Review the Social Protection Policy: The policy was adopted in 2011 but much of the context has changed since then. There is need to review this policy in light of contextual changes such as the adoption of the SDGs by the UN, the emergence of County governments in Kenya, and review of the government development blueprint popularly known as the "big four".

" Participants noted that religious institutions play a big role in social protection. While of them run various social protection programme, these programmes are often undocumented or the public is unaware of their contributions'

Source: Oxford Policy Management

APSP
Africa Platform for Social Protection

1.0 Opening Remarks

1.1 Dr. Tavengwa Nhongo, Executive Director, APSP

Dr. Nhongo informed the participants that the Africa Platform for Social Protection (APSP) is a network of organizations operating at grassroots, national and regional levels, with a commitment to promoting and strengthening the social contract between states and citizens. To achieve this, the APSP promotes active engagement of Civil Society Organizations (CSOs) in the shaping of Social Protection policies, programmes, and practices in Africa. APSP's Mission is to create partnerships with civil society and other organizations to engage with governments and International Development Agencies (IDAs) to develop and implement innovative Social Protection strategies and pro¬grammes that make a difference in people's lives in Africa. He highlighted some of the outcomes and impact achieved by APSP work since its inception, which includes the establishment of 27 platforms in 27 countries to engage in social protection intervention at a national level,   enhanced awareness on social protection needs and programmes in the continent, enhanced participation of civil society organizations and citizens in the policy and legal development processes and enhanced monitoring and evaluation capacities via social accountability mechanisms.

He noted that APSP is grateful to the Partnership for African Social & Governance Research (PASGR) for its support in co-hosting the Utafiti Sera Platform on social protection. He noted that this partnership will promote the generation of evidence to inform policy and practice and achieve better outcomes for the recipients of social protection programmes.

1.2 Remarks by Hellen Mudora Secretary, SPAF Hellen Mudora Secretary, SPAF

Ms. Mudora thanked the participants for finding time to share their ideas and knowledge on the status of social protection in Kenya. She informed the participants that the Social Protection Actors Forum (SPAF) was formed in December 2008 with the aim of strengthening civil society engagement through advocacy, formulation and implementation of social protection policies in Kenya.

The forum draws membership from non-governmental organizations, faith based organizations, community based organizations and other stakeholders including private sector whose core mandate is working with vulnerable members of society. Currently the platform has 22 organizations as members. Some of the key processes where SPAF has been involved include the Constitution Review process, which led to some social protection specific provisions in the Constitution of Kenya 2010. The key thematic areas of work for the platform include:

Legal and Policy Advocacy: Social Protection Actors Forum was a key stakeholder during the development and adoption of the Social Protection Policy 2011. The platform members were involved in the consultation process and the validation of the policy. The platform has also been instrumental in promoting rights based social protection through the adoption of a law on social protection. The platform advocated for the passing of the Social Assistance Act 2013. Although the Act was assented to, it has not been implemented. The platform is currently engaged in advocacy for the review or repeal of this law, so that a new law guiding the existing social protection landscape is realized.

Tracking the delivery of social assistance programmes in Kenya: With the support of APSP, SPAF developed a tool for tracking the delivery of cash transfer programmes using a social accountability framework. Some of the key issues tracked by the tool include the amount the beneficiaries are paid, timeliness of payment, distance travelled to reach collection points, dignity in service delivery, complaints and redress mechanisms, involvement of beneficiaries and impact among other issues. During the tracking cycle, field agents are first trained on data collection methods. Data is then analysed and disseminated among relevant service providers and policy makers.

Testing new models: The platform tests new models in social protection. It also promotes cross learning from different initiatives emerging around the world in areas such as child sensitive/youth sensitive/gender sensitive social protection.

Ms. Mudora noted that the Chairperson of the Social Protection Actors Forum, Dr. Samuel Kabue, has been nominated to be the Champion of the 'Utafiti Sera' House for social protection for 2018. His role as a champion includes providing strategic advice on house activities and supporting the creation of linkages between house members and high-level policy makers.

1.3 Remarks by Professor Tade Aina, Executive Director, PASGR

Professor Tade said that he was indeed elated to be part of the 'Utafiti Sera' stakeholders' forum on social protection. He noted that the idea to establish houses on specific governance issues is driven by the desire to see a society built on tenets of compassion, justice and inclusivity. He said that the Partnership for African Social and Governance Research (PASGR) is an independent, non-partisan pan-African not-for-profit organisation established in 2011. PASGR is currently engaged in more than 12 African countries. PASGR works to enhance research excellence in governance and public policy that contributes to the overall wellbeing of women and men. Professor Ernest Aryeetey, the Vice Chancellor of the University of Ghana chairs the PASGR board which is also guided by leaders from several Associations of Commonwealth Universalities (ACU) member institutions. In East Africa, PASGR partners with the University of Nairobi (Institute of Development Studies), Maseno University in Kenya, the University of Dar es Salaam in Tanzania, Uganda Christian University and Uganda Martyrs University.

He said that PASGR's vision is 'a vibrant African social science community addressing the continent's public policy issues'. PASGR works towards the realization of its vision through partnerships with universities, research institutions, governments, policy actors, researchers and academics. PASGR establishes national, regional and international partnerships to advance research, higher education and training. It also facilitates the creation of policy to research communities as well as institutionalization of a research culture in African universities and research organizations. PASGR also coordinates a collaborative Masters of Research and Public Policy programme operating in over 12 universities across Africa.

He noted that the 'Utafiti Sera' house on social protection is important in generating evidence to drive the social protection agenda, not only in Kenya, but also in Africa. The convening brings together people with diverse knowledge and expertise, and this provides a learning opportunity for everybody engaged. He challenged the house to work together for support its growth, impact and sustainability.

> " .....the idea to establish houses on specific governance issues is driven by the desire to see a society built on tenets of compassion, justice and inclusivity.

Source: The Star, Kenya

2.0 Remarks by Principal Secretary, Ministry of Labour and Social Protection, Ms. Susun Mochache

The speech by the Principal Secretary was read by Mrs. Cecilia Mbaka. She noted that since 2006, African Governments, Kenya included, have prioritized social protection as a means of poverty reduction. The Livingstone Call to Action of 2006, as well as the Ouagadougou Declaration and plan of Action of 2008 provide an impetus for social protection budgeting and programming, with a growing interest in investments in safety nets as a means of providing predictable social assistance to the poor, vulnerable and those at risk.

In the last decade there has been a considerable expansion of cash transfer programmes, starting with the pilot cash transfer programme for Orphans and Vulnerable Children (CT-OVC), which is now fully funded by the government and covers the entire country. The government has also introduced cash transfers for other vulnerable groups, including the cash transfer for older persons (OPCT), and the cash transfer for Persons with Severe Disabilities (PWSD-CT). She said that the government is currently supporting about 1,500,000 households through regular and predictable monthly cash transfers of ksh.2000. She also highlighted other existing programmes like the National Hunger and Safety Net programme (HSNP) which targets populations in the Arid and Semi-arid areas, school feeding programmes, agricultural input subsidy programmes among others. In addition to these programmes, Kenya joins other countries in 2018 to roll out a universal pension for older persons who are 70 years and above. This gradual increase in programmes and coverage demonstrates Kenya's commitment to cushion families from risks and shocks of poverty.

She noted that the growth of cash transfer programmes has relied heavily on research, impact evaluations, case studies and other evidence that is produced by development partners, civil society organizations, and academia. For example the government has greatly reduced targeting errors through the introduction of a single registry and improved timely payments and accessibility by subcontracting the payment role to two of the largest banking institutions in the country (Equity and KCB). She highlights some of the topics that emerged during previous Utafiti Sera deliberations held in 2016 including legislation on social protection; universalism as a way of reducing targeting errors; exit/graduation mechanisms; financing mechanisms; and effective coordination of social protection. She affirmed that the outcomes of these forums continue to inform policy and administrative processes. Evidence-based practice implies a decision making process where the policy and practice is informed by credible research evidence.

She also noted that the Utafiti Sera Stakeholders' Forum on social protection brings together the best available research, professional expertise and inputs from communities and beneficiaries to influence policy decisions, and strengthen the capacity of social protection practitioners. She noted that some of the key gaps in the cash transfer programmes include inadequate legislation for the social assistance sector, and lack of coordination of social protection programmes especially in view of emerging programmes by county governments. The discussions on programmes, policy, legislation as well as financing and sustainability of social protection programmes will provide insights that will inform future actions. She pleaded that it is her sincere hope that the outcome of this meeting will not be directed to the shelves, but rather provide a clear roadmap on areas of research that will inform policy surrounding any of the pillars of social protection in general and social assistance in particular.

> " ...the government is currently supporting about 1,500,000 households through regular and predictable monthly cash transfers of ksh.2000.

3.0 Update on Utafiti Sera House - by Dr. Martin Atela, Programme Manager, PASGR

Dr. Atela said that the 'Utafiti Sera' house on Social protection was constituted in May 2015 and previously hosted by AIHD and funded by Knowledge Platform on Inclusive Development (INCLUDE). The membership of the house comprises of policy makers, social protection practitioners, media and researchers. The key objective of the house is to build and sustain a vibrant community of researchers, policy makers and practitioners who can advocate for evidence-based policy uptake in social protection. The house has a rich composition of experts from diverse backgrounds bridging the gap between researchers, practitioners and the general public.

Most importantly, Utafiti Sera is a platform is for connecting social protection actors who might not otherwise have the opportunity to interact, creating synergies between different efforts transpiring in the field and sharing insights and best practices to enhance policy outcomes. He also said that the house stimulates learning by serving as a vehicle for authentic communication, mentoring, coaching, and self-reflection. He noted that the house has carried out a mapping study o existing Social protection initiatives and areas in need of intervention. These areas include legislation, financing, coordination and targeting/graduation mechanisms. Other areas where gaps have been identified include the need for a comprehensive legislation on social assistance and sustainable financing for social protection programmes. The house has produced policy briefs, documentaries, media articles and research papers to inform knowledge enhancement and advocacy in the field.

4.0 The Status of the Social Protection in Kenya: Legal & Policy Frameworks, Social Protection Programming & Programs, and Financing & Investment - by Mr. Richard Obiga, National Social Protection Secretariat

Mr Obiga noted that Social protection in the Kenyan context is defined as 'policies and actions, including legislative measures, that enhance the capacity of and opportunities for the poor and vulnerable to improve and sustain their lives, livelihoods and welfare, that enable income-earners and their dependants to maintain a reasonable level of income through decent work, and that ensure access to affordable healthcare, social security and social assistance'. Social protection in this case is broad and encompasses different types of programmes such as: access to quality healthcare, education and employment, subsidised agricultural input schemes, cash transfer programmes such as the CT-OVC and OPCT schemes and contributory schemes such as National Social Security Fund (NSSF) and the National Health Insurance Fund (NHIF).

He noted that the overall goal of SP in Kenya is to 'ensure that all Kenyans live in dignity and be able to exploit their human capabilities for their own social and economic development.' The main objectives of Social Protection in Kenya include; cushioning the poor and vulnerable from the hard socio-economic risks and shocks, building their resilience against poverty situations, promoting equity and reducing socio-economic exclusion. Social protection in Kenya is provided under three pillars as shown in table 1.

Table1: Social protection core components

Category	Aims/functions
Social Assistance	Provide direct transfers to the poor and vulnerable throughout the life-cycle
Social Security	Extend existing social security schemes to all workers in formal or informal sectors & their dependents
Health Insurance	Provide universal access & healthcare coverage to all citizens to mitigate against health risks

He noted that social protection should consider the varying risks and vulnerabilities associated with different phases in the life-cycle. Vulnerabilities and risks in childhood may include stunting, reduced cognitive development, lack of access to antenatal care and loss of parental care among others. School age may include child labour, lack of access to education, malnutrition, and deprivation of parental care. Vulnerabilities related to the youth include inadequate skills, unemployment, alienation and early parenthood. For working age, vulnerabilities may range from unemployment, underemployment, debt, lack of support in childcare, increased responsibilities of caring for children and ageing parents as well as domestic violence. For older persons risks include increased frailty, inability to work, discrimination in the labour force, and lack of care by families among others. He noted that the current social protection programmes in Kenya are modelled around the life-cycle approach.

Social Protection Coordination in Kenya

The National Social Protection Secretariat (NSPS) was established by the government of Kenya in 2010 shortly after the new Constitution was enacted, which domesticates the provisions of international Conventions, including the Universal Declaration of Human Rights of 1948.

The NSPS guides the practice of social protection in the country and facilitates the coordination, integration and harmonization of social protection interventions for more effective implementation and delivery geared towards establishing a comprehensive, coherent and sustainable Social Protection system.

The core functions of the NSPS include:

- Providing overall strategic direction, technical support and strengthening institutional governance for an effective social protection system
- Facilitating the development, review and monitoring of social protection policies & legislations
- Establishing strategic coordination mechanisms across and between social protection actors in Kenya, including Ministries and Development Partners.
- Facilitating research for the improved delivery of social protection programs and interventions.
- Supporting the development of the Management Information Systems (MISs) to reinforce data collection, collation and dissemination (the Single Registry)
- Refining mechanisms for effective targeting, mapping and resource allocation of social protection initiatives
- Establishing and maintaining effective advocacy, communication and influencing social protection frameworks

Financing of social protection in Kenya

In 2004, Kenya began to develop more conventional tax-financed social security transfers, beginning with the cash transfer for orphans and vulnerable children, then later the older persons cash transfer in 2007 and the persons with severe disabilities cash transfer in 2011, alongside other region specific programmes like the Hunger Safety Net Programme (HSNP) as illustrated in graph 1.

Graph1: Kenya Government Progression in Tax Financed Social Protection

Legend: CT-OVC, HSNP, OPCT, PWD-CT, UFS, FFA/CFA work, FFA/CFA unconditional
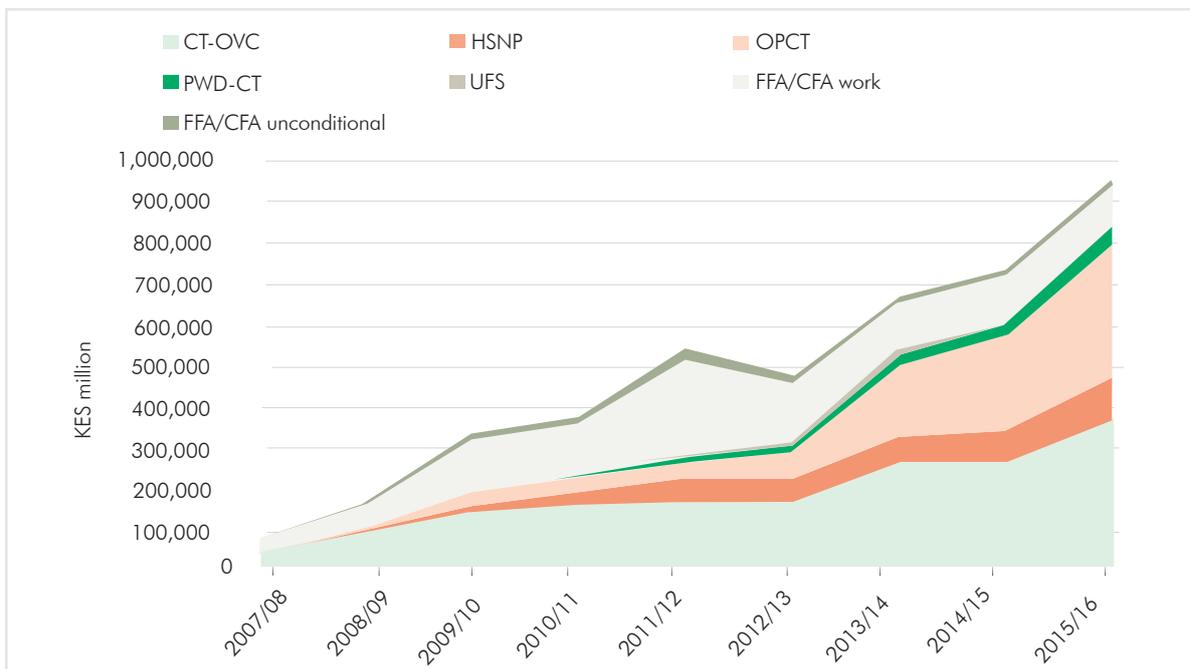
Graph 2: Social protection expenditure in Kenya 2007-2016
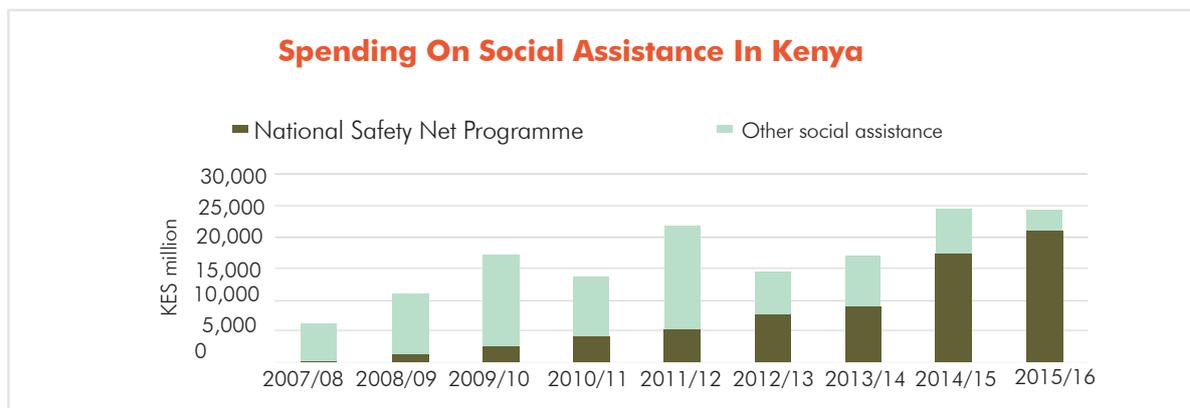
Spending On Social Assistance In Kenya

Legend: National Safety Net Programme, Other social assistance

Sources: Treadury budget documents, State Department for Social Protection tables, WFP, HSNP

Graph 3: Sources of social protection expenditure in Kenya 2007-2016
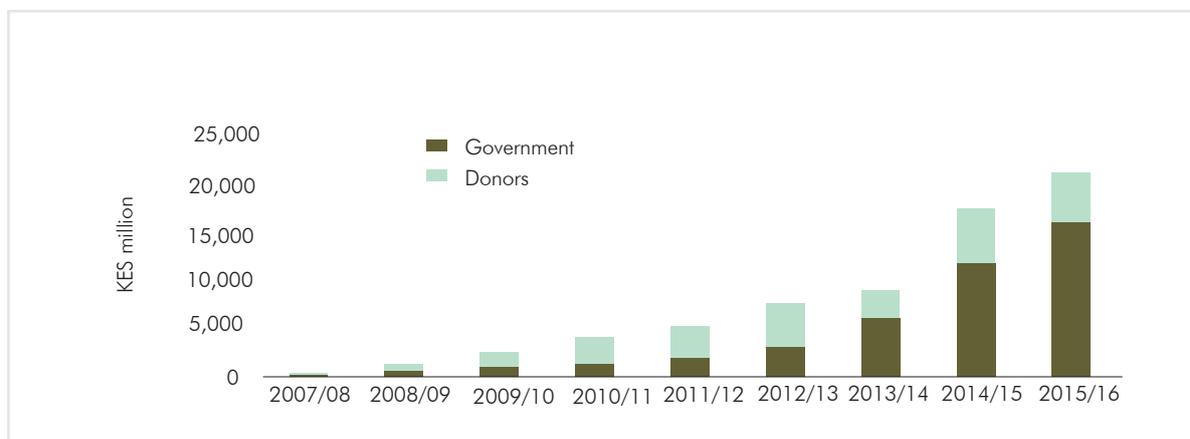
Legend: Government, Donors

Sources: Treadury budget documents, State Department for Social Protection tables, WFP, HSNP

Graph 4: A comparative Analysis of social protection expenditure in Kenya and Other selected countries in Africa

**Comparative Spending by some African countries on SP (%GDP)**

Social protection spending in Kenya is low relative to other countries in Africa, as a proportion of GDP, at 1.3%.

0.3% of spending is social assistance, the rest is contributory benefits or the civil service pension.
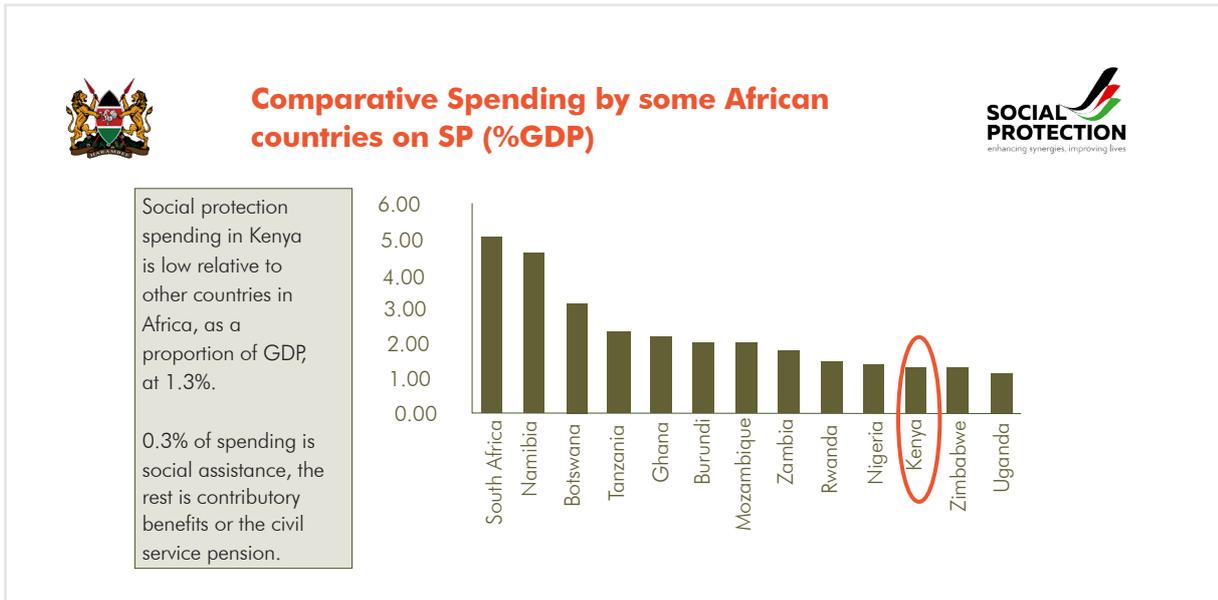
Sources: ILO (2015), *World Social Protection Report: Building economic recovery, inclusive development and social justice.*

Milestones in the Social protection Sector

He noted that some of the of the milestones in the implementation of cash transfers in Kenya include;

01

The management of information of all the cash transfers in a single registry

At the onset of the cash transfer programmes, management of information was a challenge for the implementers. The use of a manual system in managing information was very challenging, a situation that provoked a lot of errors including double entries and wrong beneficiary information. However with time, the National Social Protection Secretariat has developed a management information system, which collates all the information of beneficiaries under a single registry. The single registry has made information sharing among all the service providers efficient.

02

Evolution of payment mechanisms

The payment mechanism has evolved over time. The government has changed the system overtime based on the lessons learnt in different paying cycles. The payment has moved from manual payment systems to mobile platforms and currently to banks and other service providers. Although in some areas people walk for slightly long distance, the government is working enhance proximity in service delivery.

Impact of cash transfers

The impact of cash transfers can be categorized into 3 levels:

Impact at Household level

- Improved household productivity and eventually financial security
- Increased resilience against shocks
- Improved shelther
- Increased retention of children in school especially girls

- Reduced equality gaps precisely among women and other vulnerable groups

Impact at Community Level

- Stimulation of local economy as beneficiaries purchase more goods and services from their surroundings
- Improvement of social networks and social cohesion (social capital)

Impact at National Level

- Increased productivity
- Stimulated demand
- Strengthens social stability
- Reduced inequality

Challenges of implementation of social assistance programmes

- Low investment in the sector by both state and non-state actors
- Low levels of coordination, collaboration & linkages
- Inadequate policies and legislative provisions
- High poverty rates
- Demographic growth
- Inadequate resources (both human & non-human)
- Promoting increased efficiency and effectiveness in design, coordination and delivery of the programmes;

Areas and opportunities for improvement include:

- Increased investment to meet the demand of social assistance;
- More defined policy and legislative framework;
- Enhanced coordination and linkages among the different actors operating in the sector;
- Promoting new payment solutions that are accessible to beneficiaries;
- Development of an integrated comprehensive social protection system; and
- Advocacy for the adoption of the ILO Recommendation 202 on social protection floors which promotes social security across the life cycle.

Source: Digital @ DAI

5.0 Plenary Discussions

Benefit amount and the Number of Beneficiaries

Participants noted that although there is a commendable increase in the number of beneficiaries covered by the cash transfer programmes, the amount disbursed remains low. It was reported that normally, the government conducts a food basket analysis to help determine the target amount. The amounts currently being offered were derived about 8 years ago. There is need to review this in view of inflation.

There was also a concern on the issue of individual benefit vis-à-vis household benefit. Members noted that the cash transfer should correspond to the number of heads per household and their unique vulnerabilities.

Is the language used in social protection programmes right based?

Participants' debated the need to entrench a rights-based language in social protection. Concerns were raised regarding the use of the term 'beneficiary' which can denote benevolence and agency. Some participants recommended the use of the term "stakeholders" instead, while others contested its vagueness. Social protection is a right guaranteed in the constitution and not an act of charity. The dominant language and narratives emerging from the sector should be reflective of this standpoint.

Social protection legislation

It was noted that although there is a Social Assistance Act, it is yet to be operationalized five years later. The Bill was passed alongside many other laws just before the end of the 11th Parliament, and may have missed inputs from the Kenya Law Reform Commission. There is need for the sector to clearly understand the legislative process and engage the KLRC in the process to provide legal advice.

Advocacy by and within government

It was noted that the government can have an internal advocacy system that leads to better outcomes for social protection. Government departments have access to other state agencies in charge of policy making which are relevant to SP. What is needed is clarity on what support is needed from these other agencies for government departments to support policy changes in SP.

It was also noted that the Utafiti Sera House brings together government representatives, implementers, researchers and civil society actors. The house can enhance the required advocacy efforts by tapping into this potential.

Fragmentation and duplication of social protection efforts

There was a concern on the fragmentation and duplicity in social protection programmes. In addition to the more conventional social assistance schemes (The Orphans and Vulnerable Children cash transfer, The Older Persons Cash Transfer, The Persons with Severe Disabilities Cash transfer), other government ministries also run other forms of social protection. These include NHIF, NSSF, Free Maternity grant, agricultural input schemes among others. It was noted that a Social protection Coordination Bill had been developed in 2016, in response to the need of coordination for social protection programmes. However due to perceived administrative challenges in the Bill, the process for enactment was shelved. There is need for efforts to first strengthen the social assistance component of SP through legislative measures then proceed to addressing the broader coordination of the three pillars of social protection programmes.

> " Social protection is a right guaranteed in the constitution and not an act of charity.
>
> It was noted that although there is a Social Assistance Act, it is yet to be operationalized five years later.

British government through DFID to stop funding social protection by 2024

It was noted that the 10 year aid by the British Government (UKAID) - which has been funding the cash transfers and food assistance programmes for arid and semi-arid lands (ASAL) mainly in the Northern Part of Kenya- will come to an end in 2024. The government of Kenya has gradually taken over many pilot cash transfer programmes, and it is expected that by 2022, the government will have fully taken over the ASAL programmes.

National budgeting and financing for social protection

It was agreed that there is need to advocate and lobby for an increase in budgetary allocation for social protection.

More evidence should be generated on how to diversify funding avenues for SP programs through the use of levies on oil and petroleum, sin-taxes, corporate social responsibility requirements and tax breaks among others. More actors operating in the SP sector should also be sensitized on and participate in the government budget allocation process including the development of medium term plans.

Social protection by religious institutions

Participants noted that religious institutions play a big role in social protection. While of them run various social protection programme, these programmes are often undocumented, or the public is unaware of their contributions. There is need to assess the contribution of religious institutions in the social protection sector and create linkages between such religious institutions and the national and county governments.

6.0 Group Work

The participants were divided into groups to reflect on the status of social protection in relation to existing programmes, the legal and policy environment and financing. The groups brainstormed ideas for the next steps to be taken in 2018 by the Utafiti Sera house.

Programmes

- Stakeholders' Mapping: Conduct a mapping of actors involved in social protection in Kenya that should encompass both formal and Informal and actors including traditional authorities, state bodies, NGOs, Faith based groups, etc.

- Strengthen monitoring for impact: Strengthen the monitoring and evaluation mechanisms to document the impact of cash transfer programmes. This will support the justification of cash transfer programmes and help counter debates around the return on investment in cash transfer programmes.

- Promotion of linkages and coordination mechanisms between national level and county level programmes: There is need to enhance the single registry to include information from county government programmes. There is also need to improve the coordination of scattered state and non-state efforts in social protection

- Improve coordination (scattered efforts /players) for efficiency: There is need for cash transfer programmes to pilot emerging practices like graduation mechanisms and exit strategies for beneficiaries. Such pilots can demonstrate the effectiveness of empowerment incentives for beneficiaries who rise from poverty and vulnerability by proving capable of exiting the programme without repercussions. This may include trainings for households receiving cash transfers on investment and income diversification.

- Sensitisation and consensus building around the use of rights based language in social protection to ensure terminologies and language that does not demean those receiving cash transfers.

Financing/Investment

- There were several suggestions on sustainable financing of social protection programmes. This included the imposition of 'sin-taxes' on products like alcohol and tobacco.

- It was also suggested that the sector can also advocate for taxation on widely used services such as communication, and such a tax can be directed to social protection programmes. In this scenario social

protection would be financed by almost the entire population.

- Financing of social protection can also be derived through taxes from natural resource revenues. It was noted that Kenya has diverse mineral deposits and petroleum reserves. The government should consider imposing a tax on the extractive sectors to support social protection.

- Review of the tax breaks that are offered to foreign companies in Kenya, and use the evidence generated by such a report to advocate for a review of tax breaks and waivers in favor of social protection programmes.

- Advocate for the reserve of a certain percentage of the national budget for SP programmes

Policy and legal environment

It was noted that among the three pillars of social protection namely social security, social health coverage and social assistance, the latter is weakly reflected in the existing legal framework. The Social Security sector is guided by the National Social Security Fund Act 2013, while the health sector is guided by the National Health Insurance Fund Act 2012. For the social assistance sector, the Social Assistance Act 2013 remains non-operational owing to some conflicting provisions in the act. The participants agreed that there is need to review the Social Assistance Act 2013, and generate a policy brief that inform the review and enactment of a social assistance law. Key steps towards the realization of a Social Assistance law include:

- Identification of entry points for legal and policy discussions. The platform can consider initiating discussions with the Parliamentary committees on social welfare, the Cabinet Secretary and Principal Secretary Ministry of Labour, other relevant government departments involved in the implementation of social assistance.

- Conduct an analysis of the Social Assistance Act to identify gaps and contentious clauses. This information can be packaged as a policy brief for engagement with various policy makers.

- Lobby for the operationalization of the existing Act. The contentious sections can be excluded in the operationalization, w process of review/amendment is undertaken.

- Identify some efforts in legal litigation on the Social Assistance Act including the case filed by the National Gender and Equality Commission to identify opportunities for synergy.

- Learn from other countries like Brazil and South Africa, and understand what it takes to operationalize such a law, or how the law supports programme functions.

- Review the Social Protection Policy: Much has changed in relation to the context in which this policy was adopted in 2011 including the adoption of the SDGs by the UN, the emergence of County governments in Kenya, and review of the government development blueprint popularly known as the "big four" namely food security, affordable housing, manufacturing and affordable health care. Policy should be revised in light of these changes.

> " It was noted that among the three pillars of social protection namely social security, social health coverage and social assistance, the latter is weakly reflected in the existing legal framework.

Source: The Star, Kenya;Big Four agenda

Annex 1: List of participants

	Name	Institution
01.	Cecilia Mbaka	MEACL&SP(Social Protection Secretariat)
02.	Willy Ngeno	MEACL&SP(Social Protection Secretariat)
03.	Richard Obiga	MEACL&SP(Social Protection Secretariat)
04.	Susan Ouma	MEACL&SP(Children department)
05.	Peterson Ndwiga	MEACL&SP(Social Assistance Unit)
06.	Gertrude Mwangi	Senior Citizen(Kawangware Community)
07.	Pauline Makwaka	Senior women (SWCC), Grassroots leader
08.	Cecily Mwangi	Informal workers/Hair dressers(KUHABWO)
09.	Dr. Mogesa B.M	Kenya National Commission on Human Rights (KNCHR)
10.	Mercy Muthuuri	Kenya Law Reform Commission(KLRC)
11.	Richard Rori	NSSF
12.	Yues Dubin	UNICEF
13.	Consolata N. Ntoburi	WFP-K
14.	Prof. Washington.Ouma	University of Nairobi, Institute of Gender, development &African Affairs
15.	Audrey Matsitsa	Media (Editorial Centre)
16.	Dorothy Kweyu	Media (Editorial Centre)
17.	Rebecca Mutiso	Media(People Daily)
18.	Joyce Chimbi	Media (AWC Features)
19.	Thiongo Ngugi	Media(Social Development) Freelance journalist
20.	Toepista Nabusoba	Media (Kenya Broadcasting Corporation)
21.	Winifred Nagaya	Faith Community (NCCK)
22.	Gezahegn K. Gebrehana	Faith Community (ACT Alliance)
23.	Carol Njogu	Faith Community (ACT Alliance)
24.	Michael Owino	Faith Community(OLCGS)
25.	Donotis Lili	Faith Community(OLCGS)
26.	Stephen Kampompe	PASGR(Patita Solutions)
27	Erastus Maina	SPAF(HelpAge)
28.	Peninnah Mello	SPAF
29.	Rebecca Mbuti	SPAF(Basic Needs)

APSP

30.	Brenda Chege	SPAF(KAACR)
31.	Geoffrey Keroji	SPAF(Haki Jamii)
32.	Beryl Onditi	United Disabled Persons of Kenya(UDPK)
33.	Clare Amuyunzu	Africa Institute for Health and Development (AIHD)
34.	Marion Ouma	University of South Africa (UNISA)
35.	Prof. Tade Aina	PASGR
36.	Dr. Martin Atela	PASGR
37.	Dr.Wangui Kimari	PASGR
38.	Mercy Njoroge	APSP
39.	Elizabeth Akinyi	APSP
40.	Helen Mudora	APSP
41.	Martin Mbuvi	APSP
42.	Samuel Obara	APSP

Annex 2: Meeting Agenda

8.00 - 8.30	Registration
8.30 – 9.00	Opening Remarks Africa Platform for Social Protection- Samuel Obara Social Protection Actors Forum-Ms. Helen Mudora (Secretary –SPAF) Prof. Tade Aina, Executive Director, PASGR.
9.00 – 9.20	Keynote Speech, Mrs. Susan Mochache, Principal Secretary, State Department of Social Protection, Ministry of East Africa, Labour and Social protection.
9.20 – 9.30	Status Brief of the Utafiti Sera House on Social protection. Dr. Martin Atela, PASGR.
9.30 – 10.30	Status Report by the Social Protection Secretariat (SPS), Legal and Policy Frameworks, Programme and Financing. Mrs. Cecilia Mbaka, Head SPS.
10.30 – 11.00	Health Break
11.00 – 11.30	Challenges of Implementing the Social Assistance Act 2013 (Kenya law Reform Commission)
11.30 – 12.00	Group Discussions Group 1 Priority areas in Legal and Policy environment Group 2: Priority areas in programmes Group 3: Priority areas in Financing and Investments
12.00 – 12.30	Group Reports/Plenary
12.30 – 1.00	Way forward/priorities for the 2018 House. - Rebecca Mbuti- Basic Needs.
1.00	Lunch