

REPUBLIC OF KENYA



OFFICE OF THE DEPUTY PRESIDENT

STATE DEPARTMENT FOR DEVOLUTION

Second Kenya Devolution Support Program (KDSP II)

Credit No : IDA-7447-KE

Project ID No : P180935

TERMS OF REFERENCE FOR AN INDIVIDUAL CONSULTANT - PROGRAM DEVOLUTION AND INTERGOVERNMENTAL RELATIONS SPECIALIST

A. Background

The Government of Kenya has received an International Development Association (IDA) Credit in the amount of EUR140.7 million (US\$150 million equivalent) from the World Bank for implementing the Second Kenya Devolution Support Program (KDSP II) (Credit Number IDA-7447-KE) over a four-year period, starting December 7th, 2023. KDSP II is supporting a sub-set of reforms envisaged under the Government's Devolution Sector Plan.

The Program, whose development objective (DO) is to “strengthen county performance in the financing, management, coordination, and accountability for resources”, supports a series of key interventions (at the input and output levels) that contribute to intermediate outcomes and, in turn, contribute to outcomes. To achieve the DO, the Program is expected to significantly improve outcomes in the participating counties under three key result areas (KRAs) outlined below:

- **KRA 1: Sustainable Financing and Expenditure Management.** This KRA supports efforts towards enhancing financing to, and expenditure management by counties. In this KRA, the national-level activities, supported through investment project financing (IPF) entail the development of frameworks and guidelines for county revenue mobilization, policy to support financing for service delivery units, and structures and tools to support counties' institutionalization of shared project management functions. The expected outcomes will include an improved revenue mobilization agenda (for example, increased revenue collection, enhanced accuracy of fiscal forecasting, and expansion of revenue base), timely communication on releases of conditional grants, automation of the county exchequer requests, and implementation of pending bills action plans. The relevant disbursement linked indicators (DLIs) under this KRA are on (i) the average number of days it takes for the National Treasury, Office of the Controller of Budget, and the Central Bank of Kenya to process a county exchequer requisition once submitted; (ii) participating counties that have increased their own source revenue by at least 5 percent annually, over and above the rate of inflation; and (iii) participating counties that have prepared and are

implementing action plans to reduce their stock of pending bills and maintain it at minimal levels.

- **KRA 2: Intergovernmental Coordination, Institutional Performance, and Human Resource Management.** This KRA supports national and county government initiatives towards strengthening intergovernmental coordination, institutional performance, and Human Resource Management (HRM). The national-level activities, financed through the IPF, will support the development of policy and administrative procedures for the operationalization of intergovernmental, intercity, and inter-municipality forums. The IPF will also support the development of guidelines, including county HR and skills audits, model organization structures for customization by counties, and performance management. DLIs under this KRA will target counties implementing recommendations of HR, skills, and payroll audits, aligning county staffing with departmental functions in select sectors, and improving the credibility of the payroll. The relevant DLIs under this KRA are on (i) participating counties that have integrated their HR records, authorized staff establishment and payroll, and uploaded cleaned payrolls in the human resource management information system; and (ii) participating counties that are enhancing accountability for results through an integrated performance management framework.
- **KRA 3: Oversight, Participation, and Accountability.** KRA 3 will support improvements in oversight, participation, and accountability. The IPF component will support the development of guidelines on project stocktaking, community-led project management committees, and climate change risk screening and preparedness (including assessment of the climate resilience of existing infrastructure assets). It will also support the rollout of the county (public Investment Management (PIM) framework. The expected outcomes include the establishment of project management committees, county compliance with the PIM framework, and developing and operationalizing a county investment dashboard with a citizen feedback interface (which is used to improve public investments). Additionally, it is expected that county assemblies will establish a fiscal bureau to strengthen the role of the legislatures in budget scrutiny and oversight. The relevant DLI under this KRA is on Participating counties that have established public investment management dashboards with citizen feedback mechanisms.

Terms of Reference for the Program Devolution and Intergovernmental Relations Specialist

Reporting to the NPC, the devolution and intergovernmental relations specialist shall be responsible for, within KDSP II, the overall management of intergovernmental relations. This includes strengthening of institutions, structures, and processes related to intergovernmental relations affairs toward their operationalizing for more efficient coordination of institutional mandates and functions, for effective service delivery.

Responsibilities

- Design and coordination of implementation on intergovernmental and intra-governmental relations building initiatives for the benefit of the IGRTC, CoG, the Senate, independent commissions, and national and county governments institutions
- Technical support toward development of technical papers and synthesis reports for the annual summit and monitoring of implementation of summit resolutions
- TA toward development of frameworks, guidelines, and mechanisms to strengthen vertical and horizontal intergovernmental relations, including the following:
 - Development of a framework for intra-governmental relations between county executives and assemblies

- Support with the development and implementation of a framework for monitoring and implementation of intergovernmental resolutions
- Support with the development of a framework for monitoring the implementation of intercounty agreements and projects
- TA with the development of frameworks and operationalization of intergovernmental sectoral, intercity, and inter-municipality forums
- TA with the review of devolution and intergovernmental legal frameworks
- Technical support for the DSWG
 - Development and operationalization of the DSWG
 - Development of a Mutual Accountability Framework to govern the management of development partners and support the devolution sector
- Provision of legislative and policy advice on the establishment of regional economic blocs
- TA with coordination and oversight of intergovernmental fiscal relations and ensuring of harmony in PFM
- Support with the preparation of the Framework for Administration of Conditional Grants and the CGAAB.

Qualifications and Experience

This is a senior management position that requires professional qualifications in the fields of devolution, intergovernmental relations, and public policy. Additionally, the position requires seasoned leadership skills, strong communication and interpersonal skills, and the ability to engage with high-level government officials and development partners.

The right candidate will have the following qualifications:

- Master's degree or higher in any of the fields in public policy, public administration, social studies, governance, or another relevant field.
- At least 7 years of relevant experience working on devolution in Kenya or working in a context of devolved system of government
- Over 7 years of experience in policy development and implementation
- Good understanding of devolved sector policies, strategies, and regulatory framework
- Specific experience working for or with intergovernmental relations institutions in Kenya
- Demonstrated ability in working with the National Government and county government institutions and collaborating with international organizations
- Demonstrated ability in research and analysis to conduct information gathering and operational research and synthesize evidence from the data
- Demonstrated ability of managing policy reforms and advocacy
- Experience working with or for development partners on donor-funded projects (preferably the World Bank)
- Strong leadership capabilities and a demonstrated record of successful leadership of multidisciplinary teams
- Strong interpersonal skills with evidence of ability to productively interact with a wide range and level of stakeholders (Government, NGOs, and research institutions)
- Strong computer and communications skills (oral, written, and presentation) with proficient working knowledge of MS Office, MS Project, and other relevant software for technical analysis and reporting
- Fluency in written and oral English and Kiswahili.