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Sida Decentralised Evaluation

Mutahi Ngunyi
Rayhab Wangari

Civil Society Urban Development Program (CSUDP) End-Term Evaluation

Final Report

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LIST OF ABBREVIATIONS

AfD	Agence Française de Développement
ALGAK	Association of Local Government Authorities in Kenya
CBO	Community Based Organization
CSO	Civil Society Organization
CSUDP	Civil Society Urban Development Program
CSUF	Civil Society Urban Forum
CUSWG	Civil Society Urban Sector Working Group
FMA	Fund Management Agency
HIV/AIDS	Human Immune Virus/ Acquired Immune Deficiency Syndrome
IP	Implementing Partner
KISIP	Kenya Informal Settlement Improvement Program
KRA	Kenya Revenue Authority
LOE	Level of Effort
LUFs	Local Urban Forums
M&E	Monitoring and Evaluation
MEAL	Monitoring, Evaluation, Accountability and Learning
NGO	Non Governmental Organization
NSA	Non State Actor
NUDP	National Urban Development Policy
Oxfam GB	Oxfam Great Britain
PwC	Pricewaterhouse Coopers
SDS	Sharp Development Solutions Consulting
TCH	The Consulting House
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs

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0 Executive Summary

INTRODUCTION

1. **The Brief.** The Embassy of Sweden is supporting three priority areas in Kenya as directed by its Development Cooperation Strategy 2009-2013. One of these areas is the urban development sector. In doing so, it supports the Government of Kenya through the Ministry of Housing and the Ministry of Local Government and some CSOs with a niche in the urban development sector. These CSOs have been partners with Sweden for quite an extended period of time getting support for their various programs. In 2009, the Embassy made a decision to restructure this support so as to galvanize results and achieve grant effectiveness through an efficient administrative structure. Thus the CSUDP was borne.
2. The CSUDP was designed by extensive consultations and participation by various stakeholders in 2009. Eight¹ CSOs in the urban development sector attained direct funding from the program managed by a Secretariat, which was hosted by one of the CSOs, Maji Na Ufanisi. Advocacy, training and public awareness campaigns have been mixed with hands-on demonstration projects in informal settlements, all with a focus on rights-based approaches to urban planning and service delivery.
3. This report is based on three inter-joined activities that cumulatively built on each other. **One**, the CSUDP Rapid Assessment² that took place on February 11 – 24, 2013. This was a quick review to prepare for the CSUDP Annual Review Meeting. The De-brief Note and Scenario Building that were additional outputs from the Rapid Assessment are attached herewith as annexes. **Two**, the Consultants facilitated the CSUDP Annual Review Meeting scheduled for February 25 – 26, 2013 in Naivasha, Kenya. This culminated into Agreed Minutes that are annexed herewith. **Three**, further evaluation was carried out to satisfy the CSUDP End-Term Evaluation criteria³.

¹ These include Maji na Ufanisi as the host organization, Pamoja Trust, Hakijamii Trust, Uwezo, NACHU, K-Rep Development, Shelter Forum and Umande Trust

² The CSUDP Rapid Assessment TORs are annexed herewith.

³ The CSUDP End-Term Evaluation TORs are annexed herewith.

4. The report therefore focuses on the evaluation of the performance and results of the CSUDP program in attainment of its vision and goals. We were meant to establish what was **done** (outputs) what **happened** (outcomes), and what **changed** (impact). Specifically, we answered three questions: One, what has *worked*, what has *not* and the reasons *why*? Two, what were the lessons learnt? And how can they feed into the future CSUDP program? Three, what do the results tell us? This question was meant to give us a logical connection between the findings and the recommendations.
5. **Methodology and Process.** The Consultants relied on both primary and secondary sources of data. The primary sources included respondents who took part in the implementation of the program⁴. Data extraction employed three techniques; In-Depth Interviews (IDIs), Key Informant Interviews (KIIs) and Focus Group Discussions (FGDs). Tools for data extraction varied, but deferred to a generic Check List developed at the Inception Stage of the first phase of the assignment, the Rapid Assessment. The secondary data included program and other forms of literature⁵.

SUMMARY OF FINDINGS

Overall Assessment

6. **Overall Verdict.** It is the position of this report that the CSUDP program performed its activities satisfactorily. In the face of emerging and pre-existing challenges, the program was innovative and flexible enough to adapt effectively. This aided its operations within a dynamic urban landscape; particularly with paradigm shift in Kenya's governance structures, occasioned by the new Constitution.

Specific Findings

PROGRAM DESIGN

7. Flexibility of Design Leading to Innovations.

- a. The design was sufficiently flexible to catalyse the formation of the CSUF where the CSUWG could not work. We have recorded CSUF as an innovation that resulted from the challenge the formulation of

⁴ The schedule of meetings and respondents is attached as an annex herewith.

⁵ A list of literature reviewed is attached as an annex herewith.

the CSUWG. CSUF then led to the formation of the LUFs. The LUFs were a brilliant novelty which aided the percolation of the program intent to the urban poor.

8. Investment in Process.

- a. The Embassy of Sweden shifted from an investment in a project to an investment in a process. This was because the support was to the urban development sector process. This investment led to the collectivization of experiences and sharpening of competencies. And it resulted to an elevated buy-in from the Government⁶.
- b. Initially, the grant was individually to various projects undertaken by the different Implementing Partners. The IPs worked independently and did not have a forum for working together. Although the comparative advantages were not harnessed, it should be noted that 'bringing them together' was a positive result of the program. In the next phase their comparative advantages should be intentionally collectivized.

9. The Challenge of the Emphasis on Administrative Functions over Attainment of Results.

- a. The program was designed as an administrative back-office. The design presupposed that once CSUDP is in place, results would follow. Design paid little attention to the delivery of results. It was heavy on the administration of the process as opposed to the results of the process. It was important to set up the administrative architecture to assist the smooth management of the process.

IMPLEMENTATION ARCHITECTURE

10. Structure

- a. **Hosting Arrangement.** It is the Consultant's view that the hosting of the program in one of the IPs worked. This ensured that the fiduciary responsibility was adequately taken care of. However, this was challenged. The arrangement did not eliminate the risk of conflict of interest. The IP hosting it was a beneficiary of the grant hence playing a double-role of managing and implementing created a 'papacy effect' to the other IPs.

⁶ For instance the KISIP program at Ministry of Housing partnered with Pamoja Trust, one of the IPs, and used the social enumeration data developed by the latter.

- b. **Technical Advisory Group.** This was a useful arm of the program, although too academic⁷. The ultimate intent of having it was not felt by the program and its restructuring in the next phase of the program is paramount.
- c. **Financial Management Agency.** The resourcefulness of the FMA was felt at two levels. **One**, in capacity building of the IPs in financial administration of the grant. As a result, the needs assessment led to filling of capacity gaps including putting in place full-time financial officers at the IPs. **Two**, in arbitration of the conflict arising when one of the IPs declined to be audited as set out by the grant agreement.
- d. **Secretariat.** Here, we banked two items. **One**, the Secretariat's capacity in management of *process* was sound. This entailed proper planning, executing and monitoring of the program's inputs and outputs. **Two**, and which was a challenge, the Secretariat's capacity in management of *results* was stretched. This was occasioned by the limitation of the time for the achievement of the program's impact as well as the exit of two IPs before the conclusion of the program.
- e. **Implementing Partners.** The IPs had a clear division of labor based on their comparative advantages. They fit perfectly to the EoS's specific interest areas in the urban development sector. Their proposals in those interest areas were sharpened to deliver desirable intents. However, we banked two limitations with the IPs. **First**, the intra-IP dialogue to collectivize their gains was non-existent. Their minimal collaboration was on an *ad hoc* basis first amongst them and secondly with the emerging LUFs. **Secondly**, the IPs were at the beginning selected as the beneficiaries of the grant. This resulted in them becoming the sector's gate keepers. It is the Consultant's view that the next phase of the program to be more unlocked to many other entrants.

PERFORMANCE FRAMEWORK

- 11. **Coordination Pillar.** This pillar was executed satisfactorily due to two outcomes. The **First** is the collaboration with various entities including Government, academic institutions, the private sector and other development partners. This included partnerships with ALGAK, the Ministry of Local Government, Maseno University, AfD, OXFAM, and

⁷ Interview with Mary Mathenge, NACHU

private sector corporate amongst others. This had a positive and direct effect to the implementation of the program. The **Second** outcome was the increase in funding to the sector⁸. The bringing together of many players ensured a vibrant program that attracted buy-in from various actors.

12. Basic Services Pillar.

- a. **Demonstration Projects.** The report recorded the successful nature of some the demo projects whereby sustainability was built around them. The utilization of the enumeration data by the KISIP program, which was developed by Pamoja Trust, was noted as good. Similarly, the attractive nature of the bio-gas projects implemented by Umande Trust resulted in additional funds to the organization to upscale the project. NACHU's demonstration houses in the same way caused vast demand among the urban poor. All these are examples that give the program an edge in sustainability.
- b. **Collaboration.** The program reached out into partnerships with corporate institutions and service providers. The cooperation with entities, *inter alia*, Safaricom, Davis and Shirtliff, General Electric, Nairobi Water and Sewerage Company, Mombasa Water and Sewerage Company, impacted the delivery of the program's intent.

13. Policy Pillar.

- a. **Catalytic Effect.** It is the view of this report that various policy and legal frameworks were catalysed by the CSUDP program. In particular, the development of the NUDP was given a thrust and made easier by the program⁹. Others included the development of; *inter alia*, the Evictions and Resettlement Bill, the Urban Areas and Cities Act (UACA), and the National Slum Upgrading and Prevention Policy (NSUPP). The program was also able to mobilize the participation of the urban poor in the Task Force on Devolved Government that gave way to the Transitional Authority¹⁰.
- b. **Consequential Effect.** This policy engagement resulted visibly to some extent by having occupants of an informal settlement saved

⁸ Different IPs received various grants and/or increased leverage with Government, corporate, and other private sector partners

⁹ Interview with Patrick Adolwa, Ministry of Local Government

¹⁰ This is an Authority mandated to ensure smooth transition from the national to county governments.

from eviction¹¹. The CSOs in addition played double roles in the policy engagement by first participating in the processes as enshrined in the Constitution and secondly by playing a watchdog role in guaranteeing the principle of consultation of the urban poor is not lost in the policy and legal instruments. The providence of spaces for the urban communities in the devolved government is a fundamental opportunity for the next phase of this program.

SUMMARY OF RECOMMENDATIONS

Overall Recommendations

14. In as much as the program outcomes were satisfactory, the next phase of the program needs to build on the opportunities availed by the new devolved structures. There are numerous emerging spaces in the county governments that can be utilized to escalate the program into new horizons with massive results.
15. The program's ability to groom the accrued results into the next phase is paramount. This will lead to the realization of the impact to the urban poor and marginalized. Further funding to the program is, therefore, fundamental.

Specific Recommendations

16. **Collectivizing the Comparative Advantage.** This report finds that much as the Implementing Partners were incorporated into the program *because* of their comparative advantage within the Urban Sector, these strengths were not sufficiently consolidated. To mitigate this, the IPs¹² motivate for the creation of a '*Steering Committee*' within the program organogram, which will drive a periodic *IP Heads Summit*. However, it is the consultants' view that this step will not be sustainable for two reasons. One, there would be a conflict of interest from a governance perspective. As beneficiaries of the program, the IPs cannot at the same time be part of a steering committee. Two, a change into a '*Peer Structure*' for the IPs will clash with the Secretariat's oversight role. We recommend two alternatives to achieve the collectivization of the IPs comparative advantage. One, the program should put in place an IP forum regulated within a monitoring framework

¹¹ Hakijamii Trust went to court over the evictions of the Garissa settlement and won the case by having the court put up an injunction

¹² Interview with Steve Ouma, Pamoja Trust

or within the CSUF. Two, the annual review meeting, which is an existing provision, should be deliberately harnessed as a platform for collaboration and continuous learning amongst partners.

- 17. Independence of the Secretariat.** Discontent was voiced amongst the IPs over the hosting arrangement that exists between the secretariat and MnU. This was because they felt there was functional discord to have one of the IPs, who is also a program recipient, to host the program and have management oversight for it. Our recommendation is for steps to be taken towards the independence of the Secretariat. This autonomy gives it room to effectively dispense its functions.
- 18. Percolation of LUFs to County Governments.** We record that the formation of the Local Urban Forums has the nontrivial distinction of being a sound and relevant innovation by the program in the urban sector. However, the reach for a wider scope nationwide must be undertaken in close conjunction with the newly laid out county structure.
- 19. Capacity Building in-built; Technical Support.** As a recommendation going forward, there was a felt need to have in place an 'in-built' capacity building organ that would be accessible as and when the need arises. This organ would be in-house and would be on call to offer services associated to technical advisory, support and capacitation.
- 20. The LUF-IP Dynamic.** The LUFs were innovated to become a platform for the urban citizenry to articulate their concerns and inform urban governance. An attachment of the LUFs to the IPs will mutate that innovation hence lose its initial intention. We record that the LUFs are an essential platform that will inform the next phase, and so should be kept as is. We propose that a LUF-IP partnership should be on a need basis, with the IP being on the demand side. This is in the event that IPs, in implementing certain projects, need the LUFs to gain better reach at the local level.
- 21. Partner Exclusivity in the Program.** This report finds that the collection of IPs has gained an 'Old Boys Club' connotation. This point to non-inclusivity in the sector. The risks that it presents are potential complacency and a sense of entitlement amongst current IPs. It also risks the inclusion of future partners with bigger value addition. As it is, the roles of some specific IPs might be diminishing. We recommend that the program opens up and allows competition that will take onto account not just the more developed NGOs but also seek to develop other organizations with current IPs helping to deliver capacity.

22. Models uptake and sustainability. We recommend that the program not only takes up, but also works towards the continual supporting of successful models. A key example is the KISIP program, which has gained invaluable input from one of the program's Implementing Partners¹³. This is crucial to CSUDP's goal of scaling up of the demonstration projects as well as ensuring the program's sustainability.

23. The New Government Leadership. The government change of guard has seen the entry of two executives that face charges in the International Criminal Court. The program must, in the face of the new leadership take into account three possibilities. One, in the event that the new leaders do not co-operate with the ICC, then funding to the government becomes problematic. Two, consideration should be made about the possible change of applicable laws and regulations subsequent to changes in government structures. Recent developments independent of the leadership shift includes legislation that requires CSOs to be deregistered if they fail to meet audit and accountability thresholds within specified timelines. This poses the danger of the program finding itself supporting groups that it shouldn't, for statutory reasons. Three, slow processes in the structuring of new government systems could hinder the ambition to have CSUDP up and running within the desired timeline.

¹³ The KISIP proponent of enhancing tenure security for instance have seen a direct linkage to CSUDP by having the KISIP program use social enumeration data developed by one of its IP, Pamoja Trust.

1 Introduction

1.1 The Context of the CSUDP

1. The government of Sweden, through the Embassy of Sweden, is currently providing support to urban development in Kenya. This is informed by Sweden's Country Development Strategy for Kenya 2009- 2013, which expresses Urban Development as one of its priority areas to support in Kenya. It is from this premise that the Civil Society Urban Development Program (CSUDP) was designed.
2. The CSUDP was formulated in an extensive consultative process with relevant stakeholders in the Urban Development sector in 2008- 2009. The program's overarching goal is "vibrant, dignified and secure urban living environments". The mission is to facilitate equitable and sustainable urban development through improved: management; access to basic services; governance; and coordination, particularly for the urban poor¹⁴.
3. The program commenced in January 2010 and its first phase of support ended in March 2013. It supported eight not-for-profit organizations to execute initiatives in key urban development themes amongst them water and sanitation; housing; security of land tenure; urban citizenry participation; and youth development. The operations were coordinated by a Secretariat hosted by one of the NGOs, Maji Na Ufanisi, in Nairobi. The Embassy of Sweden entered into an agreement with the host NGO in December 2009, and the NGO had the fiduciary responsibility to oversee the grant¹⁵.
4. There is the need to continue with a second phase of the CSUDP for the realization of its impact in the Urban Development sector. This End-Term Evaluation, the Rapid Assessment and previous reviews, including the Mid-Term Evaluation, have indicated good successes thus far and allude to achieving results at the outcomes and impact level if funding is sustained. Moreover, there is the need to ensure a spin-off of CSUDP in the upcoming phase for sustainability and growth. This will result in having a legal entity

¹⁴ CSUDP Program Framework, October 2009

¹⁵*Ibid.*

for the program such that it can receive grants directly with the Embassy of Sweden and other development partners.

1.2 Evaluation Rationale

5. **General Objectives.** The purpose of this assignment was to examine the overall impact, efficiency and effectiveness (performance) of CSUDP and its contribution to achieving the overall goal stated for the program. This culminated incrementally from the other related assignments including the CSUDP Rapid Assessment; Scenario Building of the urban landscape to inform the next phase of the CSUDP; and the facilitation and recordation of the CSUDP Annual Review Meeting. It is our hope that the next phase of the CSUDP will be strengthened from this report. Additionally, it is our hope that the findings and recommendations in this report will enhance the Embassy of Sweden's strategy development in the urban sector.
6. **Specific Objectives.** The specific objectives of this assignment were five-fold.
 - a) Assess the project institutional and management structure and suggest alternatives for the future.
 - b) Assess, within the context of the CSUDP 2009-2012 document, the performance of the various implementing organs in achieving the goal of the programme.
 - c) Provide a professional assessment of the CSUDP design, scope, status of implementation and capacity to achieve the set objectives.
 - d) Analyse lessons learned and emerging good practices obtained that shall be taken into consideration in preparing any future phase of CSUDP including the long-term sustainability strategies such as the stakeholders' roles and contributions.
 - e) Furnish independent advice to the Swedish Embassy on how best to operate for maximum impact in the urban sector.
7. The Consultant took four steps in the evaluation of the program. One, we made an assessment of the CSUDP program design. Two, we made an assessment of the program implementation architecture and financial management. Three, we assessed the program's performance and offered bankable recommendations to the next phase of the program. The focus was on the significance of the administration of resources in the urban development sector. The Consultant understood the key question of the evaluation to be; **what did Sweden's support to the CSOs in urban development sector achieve?**

1.3 Evaluation Methodology

8. This rapid assessment was undertaken using two sources of data; secondary and primary.
 - a) The secondary data we relied fell under two clusters. One, there were documents generated by the program including the Program Framework 2009, the Annual Reports 2010, 2011 and 2012, Minutes of the Annual Review Meetings, Mid-Term Evaluation report and concept notes of the LUF platforms. Two, we reviewed literature that was external but had a direct link to the program. This consisted of relevant Acts like the Urban Areas and Cities Act, Devolved Government Act, Transition to Devolved Government Act, amongst others. Additionally, relevant policy instruments examined here included the National Urban Development Policy and the National Slum Upgrading Policy. A detailed list of all the literature reviewed is attached herewith as an Annex.
 - b) Primary data consisted of key respondents categorized into four. The first category included the Embassy of Sweden, the development partner in the CSUDP program. Here, we met the Program Manager and Program Advisor in the urban development sector. An Inception Meeting with them facilitated an agreement on the evaluation process. More meetings were held with them and the CSUDP Secretariat to jointly formulate the De-brief Note and Scenario Building for the Annual Review Meeting. The second category comprised of the CSUDP Secretariat and host organization Maji na Ufanisi. These were the entities responsible for overseeing the implementation of the programme. The third category was the implementing partners and beneficiaries of the program. Here we sampled four NGOs who were recipients of the grant and three LUFs who were urban citizenry fora and direct beneficiaries. The fourth category included the government as a key stakeholder in the program. Here, we had a KII with the Ministry of Housing and the Ministry of Local Government. This was with the Deputy Director of the KISIP/ KENSUP program and the Coordinator of the NUDP respectively.

1.4 Evaluation Limitations

9. The limitation surrounding the evaluation was due to time constraints. This tightness in schedule posed a challenge when setting up interviews on short notice.

2 CSUDP Program Design

2.1 THE DESIGN INTENT

1. **The Intent.** The Swedish intention for the genesis of CSUDP was to create a hub for coordination in the urban center. The resulting Secretariat was housed within Maji na Ufanisi. The purpose for this epicenter was largely realized in the delivery of the three program objectives¹⁶:
 - a. To identify, strengthen and coordinate urban CSOs, networks, coalitions and selected local authorities for effective delivery of the urban development program.
 - b. To facilitate and promote pro-poor basic service delivery by inculcating the rights based approach on both the duty bearers and rights holders.
 - c. To influence policies to improve Governance, promote integrated urban planning and slum upgrading options with particular emphasis on economic empowerment.
2. **Creating the Links.** The establishment of CSUDP birthed two pivotal fora in the urban landscape; the CSUF and the LUF networks. This was an innovation, in our view, that activated sector collaboration with over 900 CSOs.
3. **Focus on the administrative function.** This report records that the Design Intent of CSUDP was emphatic on the establishment of administrative and coordinating structures. This appeared to take precedence over the grooming of results from the Implementing Partners. The impression is that CSUDP initially focused on harvesting results at the Secretariat level before expanding to the IPs. The assumption was, once the Secretariat was in place, the achievement of results would naturally follow. It appears to be an oversight in design. The establishment of the Secretariat was recognized as a key output in the first pillar¹⁷ of the program. This was not

¹⁶ CSUDP Program Framework (2009-2012) pg 8

¹⁷ CSUDP Framework Final Draft Oct 09 Section 3.1 *Structure* pg. 3

reflected in the Logical Framework.¹⁸It thus makes it difficult to anchor results from the establishment of the CSUDP Secretariat within the logical framework. This notwithstanding, the establishment of CSUDP catalyzed the achievement of results in the urban sector. An important area is the galvanization of both the existing, and created networks to build a platform for urban communities' participation in law formation.¹⁹

4. **Country Reach.** Much as the program considers itself a national platform with a countrywide scope in the urban sector²⁰, its engineering does not reflect it. The design did not factor in the country reach in the context of the then impending decentralization. We acknowledge the need to piecemeal, however the efforts appear spasmodic. There is therefore a need in the face of the restructured government; to lower the focus of the program objectives from the national to county level, but in a methodical approach. There is a need to increase the LUFs to all the 47 counties from the 14 municipalities they currently operate in. The government transition to county governments has a three-year phased implementation period. We propose that the LUF expansion mirror this for a more structured and systematic roll out plan.
5. Looking forward, it is our recommendation that as CSUDP reviews its design, and as it carries forward its best practices, more funding options should be allowed and greater oversight over the Implementing Partners is exercised.

2.2 THE DESIGN OF IMPLEMENTATION

6. **Lack of Structured Collaboration.** We discern that the structure anticipated in the program framework was to a large extent implemented as designed, however, there is no evidence of a deliberate attempt to design the collective implementation approach at the inception stage.
 - a. The IPs were implementing projects separately within the urban sector when they came together under the CSUDP canopy, they did not collectivize their implementation approach.
 - b. During this program phase, the comparative advantages of each of the funded Implementing Partners was sharpened individually. However, getting them to act in concert around these advantages

¹⁸Appendix 3 Logical Framework.

¹⁹ This is further discussed in the Implementation Architecture section of this report.

²⁰ Inclusion of the CUSWG was to aim at gains at a national level.

was not fully achieved. Our recommendation would be to deliberately give a strategic shape to corporation. The efforts can then percolate to an operational level. The spontaneity in alliances that took place in the previous cycle because of lack of structure risks replication, wastefulness of time and resources and the attainment of more consolidated gains.

7. We find that the implementation arrangements were sound enough to encompass all internal and external stakeholders. Much as the formation of CSUF to replace the CUSWG was calculated²¹, that evolution seems to have lost its inclusive nature. The transition from CUSWG to CSUF did in fact lose some technical capacity. While acknowledging the initial need for the shift to CSUF, its instituting caused shrinkage in program scope, losing the previous amalgamation of expertise and strengths that the sector wide grouping provided.
8. This report strongly recommends, for the next phase of the program, a focus on collectivizing the **comparative advantages** of the individual implementing partners, including the opting in of partners in the urban sector that would have something to bring to the urban sector table.

2.3 RESPONSIVENESS OF DESIGN

9. **The Fora Innovation.** We note that the establishment particularly of the LUF networks was an innovation, the novelty of which matched the changing dynamic in governance. In this regard, the program rose to the occasion and met, in a timely manner, the need for public engagement as new laws were formulated. This report records this as a progressive and innovative step. We note however that amorphousness within the LUF configuration poses a probable challenge going forward. A more structured approach is recommended.
10. We perceived that the program design was responsive. The design was cognizant of the changing environment within which the program was being implemented. As such, it monitored the shifts in the environment and adjusted accordingly. This resulted in not only in the formation of the LUFs but the engagement with institutions arising from the new constitutional dispensation. Interest in the LUFs has been generated with both local CSOs/CBOs and with government. As a result of CSUDP

²¹ The CUSWG was in place with the initial goal of attaining a national scope; the CSUF however was seen to be more instrumental in giving a voice and creating an engagement platform for the urban poor.

capacitation, LUFs are primed to take up the role of '*Citizens Fora*' as anticipated in the Urban Areas and Cities Act 2011.

11. **The Link.** In the course of the program, multiple legislative and policy overhauls, beginning with the promulgation of a new Constitution, changed the urban sector environment. We determine that the pace of implementation was not affected by the landscape changes, this is in great part due to the swift response from the EOS in granting approval where the Secretariat needed to fit within, and support the changing setting.²² A cited example is the program's role in swiftly supporting the Evictions and Resettlement component of the Guidelines to, within the constrained timelines, be introduced into parliament as a Bill.
12. Although transformative capacitation²³ of the LUFs was anticipated, we found that the understanding of their role was not unified among the individual forums. This calls for the programs clarification of the functions within itself, as well as the comprehensive workings of the LUF within the urban network.
13. The LUFs are strategically positioned to attract and serve the interest of the county governments and to deliver the program objectives at the local level. We recognize that local government is in the process of redefining itself. With the repeal of the Local Government Act upon the final announcement of all the results of the March 4th election²⁴, the Transition Authority is tasked with managing all issues that may arise out of the transition from local governments to county governments. We recommend that the LUFs closely work with the Transitional Authority and the county governments to influence and monitor the transition.

²² A noted challenge was the need for swift flexibility to meet shifting deadlines and participate sufficiently and fittingly in facilitating the urban communities to contribute the law-making arena.

²³ Instrumental Capacitation is an end in itself whereas Transformative capacitation is a means to an end.

²⁴ Section 134, County Government Act, 2012

3 Implementation Architecture

3.1 MANAGEMENT OF RESOURCES

3.1.1 The Management Team of the Program Organogram

1. **Hosting Arrangement.** The Embassy of Sweden signed a contractual agreement with Maji na Ufanisi in December 2010. This was because of three things²⁵. One, Maji na Ufanisi was to act as the organ with the fiduciary responsibility for the funding. Two, it was to competitively recruit and host the CSUDP Secretariat at its offices. Three, it was to oversee the management of the program in conjunction with the Secretariat. We note that this arrangement worked quite well in the first two components. In the juxtaposing of management, conflict arose amongst the IPs. They did not appreciate the ‘papacy’ effect of the host organization, which they deemed to be part of and equal to them²⁶. It is the Consultants view that the secession of the CSUDP Secretariat into a fully-fledged entity independent of a host organization will mitigate this setback. Fortunately, this is already in the pipeline as it is anticipated in the second phase²⁷ of the CSUDP.
2. **Secretariat.** In fulfillment of its duties, the Secretariat based at Maji na Ufanisi exerted itself in steering the program. Even though its formation was delayed, the efforts towards the achievement of the program goals are worth noting. One instance is the creation of LUFs to help garner participation and consultation of the urban communities in the formulation of policies and laws that affect their livelihoods. These included *inter alia* the NUDP, NSUPP, UACA and the Evictions and Resettlement Bill. Secondly, even though the Civil Society Urban Forum (CSUF) was not operational as envisaged, the Secretariat quickly coordinated the IPs and other non-state actors to take part in policy dialogue with the duty bearers, the national government. Thirdly, efforts

²⁵ CSUDP Program Framework

²⁶ Interview with Steve Ouma, Pamoja Trust on March 28, 2013

²⁷ This second phase is expected to commence after an 18 month Transitional Phase ending in September 2014, as agreed in the CSUDP Annual Review Meeting held on March 25-26, 2013 in Naivasha.

towards management of program risks were assessed by ensuring the non-compliant IPs were suspended until a point of compliance.

3.1.2 The Technical Support

3. **Tackling Capacity Constraints.** During the start up of the program, organizational capacity assessments were carried out on the IPs to identify and fill the gaps. This resulted in targeted training, institutionalization of systems and even hiring of staff amongst them the M&E Officers. This, nevertheless, did not solve the capacity problems if the financial disbursement delays to the IPs were anything to go by. The disbursements were to be made once a satisfactory proposal and/or report was given to the Secretariat. As a **recommendation** going forward, there was a felt need to have in place an 'in-built' capacity building organ that would be accessible as and when the need arises²⁸. This organ would be in-house and would be always on call to offer services associated to technical advisory, support and capacitation.
4. **Role of Advisory and Capacity Organs.** The program had in place two key appendages to offer support including the Technical Advisory Committee (TAC) and the Capacity Building Team (CBT). These were to work in tandem with the program's management team and partners to ensure effective and efficient implementation of CSUDP's goals. The Consultant noted two things. One, the TAC's full potential was never realized in the program phase²⁹. This could have been as a result of the tribulation of having a balance between theory and practice in the urban development sector. Two, in as much as the CBT executed the capacity needs assessment; continuous holistic capacitation is necessary to guarantee effectiveness and efficiency.

3.1.3 Implementation Structures: Abstract and Emerging

5. **Local Urban Forums.** From the initial design of the CSUDP program, a new shift of focus came to be. This was the LUFs, located in 14 towns and municipalities in the country. They were the so-called 'happy accidents' that came to the fore in supporting the achievement of CSUDP's goals. This is because they consolidated *quick-wins* by taking part in policy dialogue in their localities and nationally. They served as a direct and consolidated voice for the urban communities representing the poor and marginalized seeking for their rights.

²⁸ Interview with Mary Mathenge, NACHU on April 2, 2013

²⁹ Interview with CSUDP Secretariat, February 13, 2013

6. This, we recorded in the second part of this report, as responsiveness of the design of the program. Nonetheless, amalgamating the LUFs directly with the IPs has been noted as a challenge. For instance NACHU was not able to directly incorporate the LUFs into its working structures of Primary Housing Cooperatives (PHCs) because of the danger of managing expectations. The PHCs do not get financial resources from NACHU whereas the LUFs would expect such support when they partner.
7. **Recommendations.** In the next phase of the program, it is the Consultants view that these important appendages work directly with the IPs as opposed to working directly with the Secretariat. A clear partnership guideline stipulating the roles and responsibilities should be developed to manage expectations of such arrangements. Similarly, the technical support by the 'in-built' advisory and technical facility that will given to the IPs be should be directed as well towards the LUFs.
8. **CSO Urban Sector Working Group.** The failed takeoff of the CSUWG might have caused some serious loses to the implementation of the program. The Secretariat, however, quickly responded to this gap by having in place a Civil Society Urban Forum (CSUF)³⁰ that enshrined some of the roles and responsibilities of the CUSWG of coordination, information sharing and collaboration of the urban sector CSOs. It is the Consultant's view that the transformation of this organ could have led to some crucial loss of value proposition to the program. However, we note that the formation of the CSUF was innovative.

3.1.4 The Implementing Partners

9. **Boys Club.** The selection of the IPs was predetermined at the beginning of the program. This was primarily due to the thematic areas that the Swedish Embassy targeted to support in the urban development sector. All the IPs were therefore bringing on board comparative advantages in the areas touching on the urban poor including water, sanitation, housing, and security of land tenure amongst others. This has resulted in stamping a sense of entitlement amongst the IPs ending up into some sort of a 'Boys Club'³¹. This has been accepted as a big challenge to the program and is expected to be mitigated in the next phase of the support.
10. **The Suspension of Primary Beneficiaries.** Two of the eight NGOs supported by the program tailed off due to matters of non-compliance. This consequently led to lessening of the overall plans of the program

³⁰ CSUDP Annual Report 2011

³¹ Interview with Gustaf Asplund and John Ndiritu, EoS on February 14, 2013

implementation. This will in turn have a denting effect on the expected results. This, however, has been a lesson learnt in this phase of the CSUDP program which can be mitigated in the next phase. Nonetheless, it is worth noting that results from the demonstration projects undertaken by one of the suspended IPs, Umande Trust, endured success as other development partners hopped on board to support its scaling up³².

3.2 PLANNING

3.2.1 Three-Tier Planning.

11. Program planning was undertaken at three levels; the Secretariat, the IPs and the LUFs. Our assessment of planning was sound at the Secretariat level. They served as a coordinating mechanism between the other two levels of planning in which execution was satisfactory. Additionally, the anchoring of the other two levels to the supplementary implementation arrangements including the CBT and CSUF was apt.
12. Planning at the IP level was good. This was because they were able to roll out their work plans, albeit delayed at times. The incorporation of the technical arm of the institutional arrangements was instrumental. The demonstration projects for instance were sharpened through relevant inputs. However, the planning at the IP level during the proposal development phase was done individually. This was accentuated by competition for available resources. We noted that capturing gender gains from the projects was wanting. Similarly, HIV/AIDS mainstreaming was deficient and the development of gender and HIV/AIDS policies by the IPs was not adequately addressed.
13. Planning at the level of the LUFs was demand driven; they planned as they moved and sometimes failed to plan. This was because the program was flexible enough to hitch onto opportunities. As a going concern, the program should probably cement the working relations with the LUFs incorporating participatory planning as a key element.

3.2.2 Recommendations.

14. The *program's malleability* was key in ensuring new opportunities and urban spaces were taken. The LUFs were a perfect case for this. This flexibility should be maintained even in the next phase of the program.

³² Interview with the CSUDP Secretariat, February 13, 2013

15. Due to the anticipation of the competition of resources as a probable hindrance to the pace of implementation, planning towards its mitigation is paramount. *Competitive bidding* as a measure will have a positive effect to the pace and quality of the program.
16. *Incorporation of gender gains and HIV/AIDS mainstreaming* will have to be incorporated into the program for a holistic scope. As already noted in previous reports, the first step would be to begin charity at home by ensuring all IPs have gender and HIV/AIDS policies at the workplace. Moreover, targeted interventions in the gender and HIV/AIDS areas could be yoked in the next phase of the program.

3.3 ROLL OUT

3.3.1 Vibrant Partnerships

17. The versatility factored into the implementation process permitted CSUDP to forge partnerships with emerging Government actors in the sector along the way. These new actors within the spaces were not envisioned in the design of the program and included the Transitional Authority, the Task Force on Devolution and ALGAK³³. This better placed CSUDP as one of the central contributors to the urban development sector.
18. CSUDP recognized the comparative advantages of CSOs in towns where LUFs are in operation. These strong points have been harnessed towards the attainment of CSUDP pillars. Collaborative efforts have yielded results and real change realized with a case in point being Thika where the LUF is taking on factories and corporations to stop water pollution and the endangerment of The Fourteen Falls rapids.
19. We noted that CSUDP has created opportunity for government to constructively work with CSOs. This is because of the structured way in which the LUFs facilitated public engagement during the public County Consultation for the National Urban Development Policy and with the Task Force on Devolved Government.

3.3.2 Value Proposition

³³ CSUDP Joint MTR Workshop Report

20. CSUDP has augmented the profile of a number of their Implementing Partners. This has earned the IPs formal recognition³⁴ and hence strengthened their participation in policy dialogue and sector bill formulation. This is a significant gain in efforts towards the realization of CSUDP's third pillar. The program's quarterly meetings were instrumental in increasing the pace for implementation to ensure completion.
21. CSUDP has also institutionalized the working arrangements between the CSOs and the government programs in the urban sector. This has enabled a formal memorandum of understanding with the KISIP program based at the Ministry of Housing. The KISIP proponent of enhancing tenure security for instance have seen a direct linkage to CSUDP by having the KISIP program use social enumeration data developed by one of its IP, Pamoja Trust. This is key to CSUDP's goal of scaling up of the demonstration projects as well as ensuring the program's sustainability.

3.3.3 Costly Impediments

22. There were principally two forms of delays in the implementation of the program. One, the extended set up of the administrative structure contributed to the slow pace of the program. This was meant to happen in six months but stretched to about ten months. Two, there were delays in grant disbursement to the Implementing Partners which resulted to delays in project activities³⁵. Shelter Forum and Uwezo particularly received their inception funding later than the rest due to prior submission of poor proposals.
23. The Implementing Partners and the Secretariat were to develop Gender and HIV Aids workplace policies as a means of conventional crosscutting issues. Consequently, the Human Rights and Best Practice Tool was developed to mainstream the addressing of cross cutting issues. We find that this tool will not suffice in taking the place of actual policies.

3.3.4 Recommendations

24. The documentation and knowledge management of demonstration interventions is essential for scaling up of the innovative models. Increased corporation amongst the IPs and with local partners would derive greater marketing processes for these models hence creating mutual benefits.

³⁴ Annual Report 2011

³⁵ CSUDP Joint Medium-Term Report 2012

25. Playing down bureaucratic procedures and enhancing the capacity of weak organizational IP structures could help out with potential protracted delays in the next CSUDP phase.

3.4 TRACKING OF RESULTS

26. The Secretariat had a robust Monitoring and Evaluation system. This was development at the inception of the program and improved by the development of the Monitoring, Evaluation, Accountability and Learning framework.
27. The program built the capacity of Monitoring and Evaluation of individual IPs. This further strengthened the overall M&E Framework. The periodic program assessments allowed continuous program improvement. This ensured the operating modalities remained relevant in the fast evolving urban development sector.
28. However, the Consultant was unable to ascertain the measurement of attribution versus contribution of the Swedish support to the program. This was due to the realization that some of the gains made by the IPs were cumulative from periods preceding the program. All the IPs were recipients of individual Swedish grants preceding the CSUDP program.
29. It is worth noting that clear opportunities for synergies arise when the program has core understanding of the need for learning. This will ensure an intrinsic measurement for a value-chain analysis.

3.5 SUFFICIENCY TEST

30. The falling off of two IPs during the program phase did some damage to the program's outcomes. This of course meant that the program accomplished only about 75% of its intended purpose by this phase's closure. Nonetheless, it is the Consultants impression that by and large the activities carried out did quite a big deal in achieving the program's goals. Similarly, the program contributed adequately to the urban landscape. This came to pass when it filled the urban spaces and opportunities in policy dialogue including participation and consultation. It would now be ideal to build CSUDP as a robust and sought after platform to reckon with in the urban development sector especially in the upcoming devolved government.

3.6 RELEVANCE TEST

31. The development of a sound M&E framework within CSUDP made the program versatile enough to learn and grow. This framework is bound to have a multiplier effect on the IPs as well as their M&E systems were strengthened. This means that organizational sustainability and development is fostered both at the Secretariat and IP levels.
32. With the creation of the LUFs, the CSUDP has surety of sustainable local urban dialogues in the upcoming devolved government structures. These fora can take up spaces envisioned to pop up with the county governments like for instance the Citizens Fora stipulated by the UACA.

3.7 APPROPRIATENESS TEST

33. The mechanics used to roll out the activities were suitable albeit the few setbacks like inflation ³⁶ and delays. Constant self-evaluations and reflections made the program fine-tune its products and re-engineer itself into gorging up opportunities in the urban landscape. The support given to the stakeholders was tandem with the delivery of the program goals. As already noted, however, more continuous and 'in-house' technical assistance is indispensable within the next phase.
34. **The New Government Leadership.** The government change of guard has seen the entry of two executives that face charges in the International Criminal Court. The program must, in the face of the new leadership take into account three possibilities. One, in the event that the new leaders do not co-operate with the ICC, then funding to the government becomes problematic. Two, consideration should be made about the possible change of applicable laws and regulations subsequent to changes in government structures. Recent developments independent of the leadership shift includes legislation that requires CSOs to be deregistered if they fail to meet audit and accountability thresholds within specified timelines. This poses the danger of the program finding itself supporting groups that it shouldn't, for statutory reasons. Three, slow processes in the structuring of new government systems could hinder the ambition to have CSUDP up and running within the desired timeline.

³⁶ CSUDP Joint Medium-Term Report, 2012

4 Performance Framework

4.1 PARAMETERS OF PERFORMANCE

1. To measure performance, we used three parameters; efficiency, effectiveness and responsiveness. Similarly, we made an assessment of the results and pitched them against the pillars of the CSUDP program

4.1.1 The Results of Project Support

2. The banking of results for CSUDP results were clustered around the three program pillars of coordination, access to basic services and policy.
3. Within each of these pillars, the consultant isolated results at two levels; **Outputs** and **Impact**. Most returns were banked at the level of outputs, limited returns at the level of outcomes and limited returns at the level of impact.

4.1.1.1 Output Level

4. The output level is what the CSUDP and the Implementing Partners did. It is different from activities in the sense that activities are a means to the outputs. For instance, in the coordinating pillar, LUF meetings or consultations on the NUDP for were an activity. The output produced by meetings and conferences is the formulation of the National Urban Policy. And this is what yielded intermediate results for the programme. In the view of this assessment, the outputs of this project were bankable.

4.1.1.2 Impact Level

5. We could not establish impact. And this is partly a question of assessment design and partly a question of programme lifespan³⁷. That is, the period in which the programme outputs have been in existence is still too short for a notable change to have occurred in the quality of life for urban residents.

³⁷Lifespan because the programme envisaged a cumulative chain where results from one level would be aggregated and animated to catalyse results at a higher level. Most of the programme outputs begun to be realized after the establishment of the administrative arrangements.

We note that the potential for impact exists but it is a function of two things; **One**, how the transition to the next phase of the programme will be handled. **Two**, an explicit intention to significantly expand the programme both vertically in terms of resource and actor diversification as well as horizontally in terms of geographic reach.

4.2 THE CSUDP PILLARS

6. The CSUDP program is anchored on 3 pillars. These are the coordination pillar, basic services pillar, and the policy pillar.

4.1.1.3 Coordination Pillar³⁸

7. The logic behind this pillar was to initiate a co-ordination urban sector working group that brings all urban actors together. By bringing these actors together, best practice from their past experience of working in an urban context could be shared. The competitive bidding of civil society actors who formed the CSUDP Implementing Partners and the introduction of LUFs increased the coordination space.
8. The most visible results for the programme were consistently achieved in the coordination pillar. The CSUDP successfully established administrative and coordinating bodies that acted as rallying points for actors located at different levels. For instance, the LUFs were the engagement forums for actors located within the newly emerging devolved governance units at the grassroots level. The CSUFs occupied a similar position in policy spaces at the national level bringing together CSOs, Government and Private Sector actors.
9. The CSUDP also yielded notable outputs from collaborative arrangements with external implementing partners³⁹. For instance, the MEAL framework for the program was generated through engagements with non-funded implementing partners and this is an indicator of the level of confidence external actors had in the program.
10. The program also recorded a consistent expansion in the number and scope of collaborating partners year-on-year. 2011 saw the entry of academic institutions such as Maseno University into programming as well as other NSA coordination agencies such as UNOCHA.

³⁸ The Program Framework- Oct 2009

³⁹ These included OXFAM GB Kenya, Kenya Informal Settlement Improvement Program (KISIP), National Urban Development Policy (NUDP) and National Urban Vulnerability Forum (NUVF)

11. The main achievements of coordination were; **One**, the CSUDP was able to reanimate the process of formulating the National Urban Development Policy (NUDP). **Secondly**, program sparked the interest of other external funding agencies such as Oxfam and AfD. This will in essence facilitate funding to the urban agenda especially after the transition of CSUDP to a legal entity that can be funded by other agencies apart from the Embassy of Sweden.

4.2.1.1 Challenges in the implementation of the Coordination Pillar

12. Several challenges were experienced in producing outcomes within this pillar. The **First** was experienced at the inception phase of the program and it revolved around protracted process of actually setting up the CSUDP Secretariat. For instance, externalities such as identifying, interesting and recruiting staff that met the stringent qualification thresholds demanded by the program had a knock-on effect on the implementation calendar. The **Second** challenge was experienced during the latter stages of rollout when 2 of the selected implementing partners exited the program. This resulted in the creation of vacuums in the sectors of implementation that had been allocated to these partners. The **Third** challenge lay in the paradigm shift the CSUDP proposed in terms of NSA engagement in the urban sector. This proved to be a hard sell in some areas for instance Nyanza province where local CSOs displayed some skepticism. As a result, CSO coordination was uneven across the program sites with some areas exhibiting a better rate of program uptake than others. The **Fourth** test the program faced was in adjusting the initial concept of coordination of the urban sector through a sector-working group. This was because CSO coalitions already in place at the sector level adequately fulfilled this role. The CSUDP consequently reviewed its intervention strategy and made an entry at the lower policy spaces through the LUFs. **The Fifth** was the highly fluid political and regulatory environment that characterized the program's lifespan. This was due to a radically altered governance framework of the nation. Constitutional changes were far-reaching particularly with respect to the introduction of devolved government, which meant a complete change in the existing model of urban management.

4.2.1.2 Recommendations

13. The dropping out of some implementing partners midstream due break of contractual obligations gives two lessons. **One**, that CSUDP is keen on sound program and financial management practice of the grants that are administered in the next phase. **Two**, Implementing Partners should be

keen on meeting the terms and conditions of the grant agreement. It's the view of this report that the all stakeholders should understand the weight and responsibility that they carry in creating a better urban environment. This should be the focus of all players.

14. It is the view of this report that as the program contemplates a renewal, it should significantly address challenges associated with transition to devolved governments. There is clear disillusionment in some of the partners and the LUFs on the opportunities and threats that are brought by devolution.
 - a. It's the position of this report that a deliberate strategy needs to be taken to harness the niches and comparative advantages amongst the Implementing Partners. Uptake of the new networking approach amongst different Implementing Partners at various project demos may increase impact of the projects.
 - b. It's the position of this report that the program should envision growth in the next phase as government. The KISIP and KMP programs intend to expand beyond the 14 project sites. CSUDP should take a similar approach, with a focus on aligning with the percolation of devolved government. There needs to be a change in approach as we shift focus from national policy formulation spaces to the devolved policy implementation spaces.

4.2.2 Basic Services Pillar

15. The logic behind this pillar⁴⁰ is to contribute to improving the living conditions for the urban poor working alongside sectorial line ministries. This is based on the human rights perspective, whereby under each sector – including water, sanitation, health, education, and shelter – each and every person has a right to a certain standard of service and should be able to access all basic services. The projects should build on existing services available, encourage initiatives that are working, and support Urban Authorities in replicating these best practices.
16. Considering that most of the 'hardware' components of the program are located here, this pillar got off to a slow start. And this is because the program design was structured to first yield outputs around software issues that were necessary to the achievement of hardware results. For instance, the program focused on extending technical assistance by the

⁴⁰ The CSUDP Program Framework, October 2009

CSUDP Secretariat staff, the Technical Advisory Group and short-term expert services for capacity enhancement of the IPs to enable them deliver on proposed projects.

17. This resulted in tangible outcomes including collaboration with external actors through new partnerships with GE-Electric, Davis & Shirtliff and Safaricom. NACHUs incremental housing model increased access to affordable housing to over 1000 urban poor and its resource mobilization model expanded the resource envelope available to the urban poor. The program can record the extension of lending facilities to incremental housing as a result. However, we were unable to determine the success rate and transformational effects of these interventions upon the lives of the intended beneficiaries. And this is a result of the relatively recent timeframe within which these outputs have been generated. We note that potential for impact of these activities exists.
18. Among notable success of the CSUDP programming is the continuous engagement with service providers such as NWSC, MWSC, KWSC⁴¹ by Pamoja Trust. ⁴²This has resulted to tangible life change among residents of informal settlements. The opening up of services to urban poor dignifies their lives and has a multiplier effect of social economic growth.

4.2.2.1 Challenges in the implementation on Basic Services Pillar

19. Though innovative in their own right and having sparked significant interest amongst sector actors, the bulk of the demonstration projects have not translated into substantive uptake by the principal service provider i.e. the government⁴³. Currently, the government appears to be amenable to taking up the 'soft' aspects of the demonstration projects i.e. the policy outputs over practice outputs. However, as we make the transition to county governments, opportunities for engagement and uptake of the 'hard' aspects of demonstration projects may arise.
20. The cost of some of the demo projects involve construction in an environment of sky rocketing supply prices⁴⁴ Some of these projects include NACHU's low cost housing projects and MnU's⁴⁵ water projects in informal settlements.

⁴¹ Nairobi Water & Sewerage Company, Mombasa Water & Sewerage Company and Kisumu Water and Sewerage Company

⁴² Pamoja trust annual report 2012

⁴³ Interview with Patrick Adolwa, Assistant Director , Ministry of Local Government

⁴⁴ Interview with Mary Mathenge, CEO, NACHU.

⁴⁵ Interview with Prof. Edward Kairu, CEO, Maji na Ufanisi

4.2.2.2 Recommendations

21. It's the position of this report that emphasis in programming should be made to the responsibility of duty bearer, i.e. the government in the provision of basic services. It is unsustainable if such services are carried out by CSOs. This however doesn't underscore the relevance of the interventions. The focus of the programming should be not only be offering the basic services but also empowering the right holders to lobby for their constitutionally projected rights to basic service from the government. Efforts taken by organizations such as Hakijamii in facilitating the communities in the seeking of legal redress should be encouraged.⁴⁶

4.2.3 Policy Pillar

22. The logic behind this pillar was to influence policies to improve governance, promote integrated urban planning and slum upgrading. The program strategy will endeavor to link the communities' concerns into urban governance and legislation.
23. Results within this pillar were convened around four processes, the **Evictions and Resettlement Guidelines, Urban Areas and Cities Act, National Slum Upgrading and Prevention Policy** and the **National Urban Development Policy**. What is notable on outputs from this pillar is how results from the coordination pillar, namely the LUFs and the CSUFs played a critical role in collectivizing the voice of CSUDP partners to make representation to government. The overall outcome was a catalyzing of the policy and legislative formulation processes. This in turn led to the translation of intent into practice such as the unprecedented positive ruling secured for 1,200 forcefully evicted residents of Medina slums in Garissa. Outcomes from the National Urban Development Policy are yet to be realized, as government is yet to adopt it.
24. The CSUDP program has banked many notable successes including the lobbying for smaller size in appropriation of land by NACHU⁴⁷ hence making land accessible to more of the urban poor, as smaller portions sold are more affordable. This has also facilitated greater demand of the incremental housing model. The work⁴⁸ by Hakijamii, Pamoja Trust and Maji Na Ufanisi in the development resettlement and eviction guidelines

⁴⁶ Haki Jamii annual report-2012

⁴⁷ Interview with Mary Mathenge CEO, NACHU & the NACHU presentation

⁴⁸ The Annual CSUDP report 2012

act among many other urban development acts will forever change Kenya's urban environment

4.2.3.1 Challenges in the implementation on Policy Pillar

25. The gap between policy intent and practice realization is still wide. Though the evictions and resettlement guidelines now constitute part of national legislation through precedent, they are yet to be fully incorporated by way of enactment. Secondly, even after enactment, the challenge of enforcement will still arise. Thirdly, it is incumbent on the program to acknowledge that prevention of evictions is merely a stopgap measure and the real problem lies in addressing the structural causes of public land disputes such as urban poverty and skewed land tenure systems.

4.2.3.2 Recommendations

26. It's the position of this report that deliberate efforts should be made to envision a process that safeguards the gains made under this pillar for instance, public sensitization on the new regulatory regimes. The program needs to employ a clear strategy to empower local CSOs to rapidly respond to emerging spaces e.g. illegal evictions in the interim period.
27. The program needs to thoroughly examine the regulatory terrain for other gaps, overlaps and double binds in policy and legislation that could prove to be an impediment to urban development going forward.

4.3 THE EFFECTIVENESS OF PROJECT SUPPORT

28. **Attribution vs. Contribution.** Effectiveness is the extent to which results were achieved and the **cause-effect** relationship between the results and the support extended to the CSUDP. As already noted, program effectiveness was most pronounced at output level and is yet to realize impact due to time notable impact takes to mature. Also noteworthy is this: We cannot confirm **attribution** as most of the projects the implementing partners undertook had previous accruing benefits from previous funding. But we can infer to **contribution** as the program has made significant strides in the furthering of the urban agenda. And the higher the results level, the more we can speak of contribution as opposed to attribution.

5 Financial Administration

1. In this Chapter, the consultant interrogates the financial administration environment in which the programme is anchored on. The consultant makes an assessment of the legal, governance, technical, infrastructural, and control capacity of the organization.

5.1 LEGAL FINANCIAL ADMINISTRATION ENVIRONMENT

2. CSUDP did not have an independent legal identity of its own. It was anchored under Maji na Ufanisi as the host organization. The organization hence had to piggybank on the legal software of its host.
3. CSUDP had *de jure* operational independence as it ran her own programme with little interference from the host. The only operational link was the sharing of a CEO and Finance Manager who gave partial LOE⁴⁹ to the CSUDP programme but had fiduciary responsibilities as top representatives of the host organization, MnU.
4. With poor financial management practice this arrangement can pose as high risk⁵⁰. However a success⁵¹ that the consultant noted is the commitment to operational and implementation independence given by the host MnU to CSUDP.

5.2 GOVERNANCE

5. CSUDP did not have in place a Board of Governors that was independent to it. The Maji na Ufanisi Board doubled up as the CSUDP Board. This ensured that though CSUDP had no legal identity, there was no governance vacuum. The existence of Technical Advisory Group and Capacity Building Team⁵² were strategic to the support by the Board. The

⁴⁹ Level Of Effort

⁵⁰ Principals of grant management

⁵¹ Interview with Alex Nyaga . Senior Manager, Advisory Division PWC.

⁵² Interview with Alex Nyaga. Senior Manager, Advisory Division PWC.

Board took “guarantors” role and took ultimate fiduciary responsibility in CSUDP’s operations.

5.3 TECHNICAL AND INFRASTRUCTURAL FINANCIAL MANAGEMENT CAPACITY

6. Key to sound financial management is having competent staff to manage the administration of the grants. The CSUDP secretariat employed two highly competent Finance staff, The Finance Manager and one Program Accountant. The Finance Manager was tasked with financial oversight and offers 60 % LOE⁵³. The Program Accountant managed grant finances on a day-to-day basis. He offered 100% LOE⁵⁴. These two finance staff, were, however, to an extent stretched. To cope with the high demand of financial management services the host organization deployed some of her accounts department staff to assist. This resulted to a strain to the host’s operations.
7. With the exception of a few, most Implementing Partners had full-time competent finance staff with experience in managing grant funding. One of them, for instance, made local arrangements with part-time/ volunteer accountants⁵⁵.
8. The CSUDP Secretariat employed robust financial management software for Financial Information Management. This was commendable and ensured accurate reports in addition to better and easy financial analysis. Most IPs also had good financial management software.

5.3.1 Recommendation

9. It’s the view of this report that CSUDP should establish the extent of workload to the finance staff and in the event that there is a gap in personnel, CSUDP should recruit more finance staff. This will facilitate smooth flow of services to the Implementing Partners. There is also need to recruit a grants manager to be the contact point between the Implementing Partners and the Secretariat.
10. It’s the view of this report that where possible, finance staff should be recruited for all IPs who do not have a sitting grant accountant. This will

⁵³ Level Of Effort

⁵⁴ Ibid

⁵⁵ UWEZO did not have a staff budget but made local arrangements with a volunteer to ensure that accounts were done.

ensure that there is better accountability managed by persons who have longevity in their contractual relations with their organizations.

11. It's the view of this report that all IPs should have financial management software to better administer the grant funding.

5.4. THE CONTROL ENVIRONMENT

12. The consultant examines the control environment in two ways. **One** the role of the Financial Management Agent and **two**, the role of external auditors.

5.4.1 The FMA⁵⁶

13. Price Waterhouse Coopers (PwC) was appointed as the Financial Management Agency (FMA) for the CSUDP program to ensure transparent procurement and effective financial management for the Embassy of Sweden funds. As the FMA, PwC undertook:⁵⁷

- 1.5 Assessment of administrative, financial management and procurement systems;
- 1.6 Provided the financial oversight role including review of work plans, budgets and procurement policy;
- 1.7 Periodic spot checks including periodic expenditure reviews, compliance checks and discussions with the Secretariat and the Implementing Partners;
- 1.8 Quarterly review of the financial reports prepared by the Secretariat, host and the Implementing Partners. This included ensuring timely and accurate reporting, compliance with the reporting formats and budget variance analysis;
- 1.9 Capacity strengthening including needs assessment, capacity building initiatives and development of a capacity building plan; and
- 1.10 Grants management including reviewing the grantees contracts, monitoring visits to grantees, expenditure verification and capacity building for the grantees.

⁵⁶ TOR of the FMA

⁵⁷ Interview with Alex Nyaga, Senior Manager, PWC

14. The capacity assessment, and capacity building conducted by PWC was welcomed by the Implementing Partners. And this has catalyzed financial management prowess of the Implementing Partners.
15. Though the FMA was a strategic control in Financial Management, the procurement of their services was done almost one and a half years after rollout of the program. And then there was an impression that Financial reports would be sent to them. This was not welcomed by the Implementing Partners as it caused another tier of reporting⁵⁸. This was, however, clarified by the Secretariat.

5.4.2 Delays in disbursement of funds by CSUDP

16. At the beginning of the program there were long delays in the disbursement of funds by CSUDP. This was a trickle down challenge from The Embassy of Sweden. It was occasioned by the change of their financial management system. Midstream into the program, the delays significantly reduced. The few delays still experienced were occasioned by:
 - a. Protracted delays in submission of deliverables by the Implementing Partners.
 - b. Time consuming internal control systems at the Embassy of Sweden.
17. The reasons for delay notwithstanding, they caused three challenges. **One**, delay in the execution of program activities. **Two**, loss of goodwill by the recipients of planned activities. **Three**, low absorption of the funds by the Implementing Partners.

5.4.2.1 Recommendation

18. The position of this report is that for future programming CSUDP and IPs should ensure that they meet all pre-requisites for funds disbursement. Embassy of Sweden should ensure that the disbursement of funds is timely and predictable. There should be an understanding by the donors that the financial delay can cause expiry of achieving time specific results.
19. There may be a need to recruit a Grants Manager to monitor reporting challenges that are faced by different grantees and jointly design with them possible remedies.

⁵⁸ Interview with NACHU Finance Manager

20. It should also be noted by all the Implementing Partners that failure to report in time is in breach of the grant agreement.⁵⁹

21. The reports should be submitted within the required time frame as stipulated in the agreement to ensure good relationship with the donors.

5.4.3 External Audits

22. As per best practice standards, CSUDP contracted the services of an external auditor to audit the Secretariat and the Implementing Partners. There has been a general appreciation of the audit process and a deliberate attempt to remedy the financial management system as per the audit recommendations. The exception of this is two Implementing Partners; One, Umande Trust which was reluctant to the audit process. Two, K-Rep Development, who were not prepared for the audit, and though it was still conducted, there was heavy limitation of scope for the auditors. K-Rep Development have, however, reached out to the Secretariat and expressed their current preparedness for the audit.

5.4.3.1 Recommendation

23. Both the Secretariat and the Implementing Partners should welcome the audit process. It should be viewed not just as a statutory obligation but also as a sound financial management tool. It should also be noted by all the Implementing Partners that auditing is a requirement in the partnership.⁶⁰ Failure to auditing is an action in breach of the grant agreement.

5.4.4 Lack of an income tax exemption certificate

24. All Implementing Partners have not been able to secure a tax exemption certificate as required by the Kenya Revenue Authority (KRA). KRA requires all Non-Governmental Organization (NGOs) to apply for an income tax exemption certificate from the government.⁶¹ In a public notice issued in July 2011, KRA revised the requirement to state that the income tax exemption certificated would be granted for 3 years from the date of issue and is subject to renewal upon expiry of the period. The notice also rendered all previously issued certificates without expiry date invalid.

⁵⁹Grant agreements Chapter 8.1 – Review and Reporting

⁶⁰ Grant agreements Chapter 8.2 - Audit

⁶¹Paragraph 10 to the first schedule of Income Tax Act Cap 470

Non-compliance may lead to penalties and interest being charged on the organization.

5.4.4.1 Recommendation

25. All Implementing Partners should ensure that they pursue the acquisition of the Tax Exemption Certificate with immediate effect.

5.4.5 Submission of Financial Reports

26. The Secretariat set timelines for the submission of reports by the Implementing Partners. Though some partners were keen on observing this, others delayed their reports submission. The question that the consultant would pose would be: What is the cause of these delays?

5.4.5.1 Recommendation

27. The reports should be submitted within the required time frame as stipulated in the agreement to ensure good relationship with the donors. The causes of the delays should be a point of interrogation by the Implementing Partners for the purpose of finding workable solutions to these challenges. It should also be noted by all the Implementing Partners that failure to report in time is in breach of the grant agreement⁶².

⁶²Grant agreements Chapter 8.1 – Review and Reporting.

E. ANNEXES

ANNEX I: CSUDP RAPID ASSESSMENT TERMS OF REFERENCE

TERMS OF REFERENCE FOR RAPID REVIEW OF THE CIVIL SOCIETY URBAN DEVELOPMENT PROGRAMME (CSUDP)

I. Introduction

Urban Development is one of three priorities of Sweden's Strategy for Cooperation with Kenya (2009-2013). This has culminated into several urban programs supported by Sweden amongst them the Civil Society urban Development program (CSUDP).

CSUDP's **vision** is a "Vibrant, Dignified and Secure Urban Environments". The **mission** is to facilitate equitable and sustainable urban development through improved: management; access to basic services; governance; and coordination, particularly for the urban poor. CSUDP is implemented in association with local civil society partners and seeks to achieve the following specific **program objectives**:

1. Identify, strengthen and coordinate urban CSOs, networks and coalitions and selected Local Authorities for effective delivery of the urban development program.
2. Facilitate and promote pro-poor basic service delivery by inculcating the rights based approach on both the duty bearers and rights holders.
3. To influence policies to improve Governance, promote integrated urban planning and slum upgrading options with particular emphasis on economic empowerment.

The CSUDP is currently supported exclusively by the Embassy of Sweden. It is hosted by Maji-na-Ufanisi and managed through an autonomous⁶³ Secretariat structure with institutionalized Technical Assistance support from a long-term Technical Advisory Group and a Financial Management Agent procured by the Embassy. The Implementing Partners of the program are selected Civil Society Organizations (CSOs) that implement projects that demonstrate best practices in urban development with focus on the poor within the informal settlements.

An important output of the program the last three years is the Civil Society Urban Forum (CSUF), a multi-stakeholder platform that brings together relevant non-state actors in the urban sector to dialogue and generate consensus on issues of immediate and longer-term concern in the sector. The program has also supported

⁶³CSUDP core activities are implemented independent of Maji-na-Ufanisi operations.

Local Urban Forums in 14 municipalities in the country. The purpose of the LUFs is coordinate urban dialogue in the main urban areas of the country.

The ultimate beneficiaries of the CSUDP are the urban poor who include men and women, youth and children, people with disabilities and other vulnerable groups resident in urban areas, especially the informal settlements.

II. Purpose of Assignment

The purpose is to carry out a rapid assessment of CSUDP. It will entail a review of CSUDP's work in the last three years to identify the main program results. In addition, the rapid review will identify main opportunities for the future through a scan of the urban landscape, including the constitutional, legal and policy environment as well on-going major initiatives by government. The results from this assignment will set the agenda for the program Annual Review Meeting (ARM) planned for February 25 and 26. The Rapid Review will serve as a program gap analysis in addition to identifying future strategies of engagement. The findings and recommendations will strengthen the Embassy's dialogue strategy in the sector.

III. Specific Objectives

The specific objectives of this assignment are six-fold.

- f) Undertake a quick assessment of the effectiveness, efficiency and relevance of the CSUDP.
- g) Assess the project institutional and management structure and suggest alternatives for the future.
- h) Scanning of the urban landscape to discover opportunities for improving the program. This will entail assessing the policy and legal frameworks in the urban sector; the key urban institutions in the new Constitutional dispensation and especially in the post-election era; and the other complimenting programs in the urban development sector including the Kenya Municipal Program (KMP) and the Kenya Informal Settlements Improvement Program (KISIP).
- i) Prepare an agenda for the 2013 CSUDP annual Review Meeting in the form of major issues to be discussed.
- j) Develop major scenarios for the program in the short, medium and long-term
- k) Facilitate the CSUDP Review Meeting including recording of the proceedings for the preparation of the Agreed Minutes.

IV. Scope of the Assessment

The assignment is a rapid assessment of the program to facilitate the Annual Review. A more in-depth final program evaluation is planned for March-April period. The scope of the assessment will therefore be limited to a general review of the program, including the main results for the last three years, general observations on CSUDP institutional and management structure and development of scenarios for the future. To achieve this, the assessment will be limited to a review of relevant documentation, extensive interviews with CSUDP and the Embassy and limited interviews with Implementing partners, LUFs and government partners. Notwithstanding the limited scope, the review should be able to assess CSUDP's results in terms of relevance, effectiveness and efficiency and especially analyze the gap between planned and actual results. It should identify key issues that require discussions/decisions and enable development of scenarios for the future, particularly for the transition period.

V. Approach and Methodology

As noted, above, the rapid review will combine a synthesis of background literature (project document and policy, legislation and other government documents) with analysis of project reports and results from the interviews. Specifically, the methodology will include:

- Review of CSUDP project documents
- Review of all CSUDP and Maji-na-Ufanisi narrative and financial reports
- Review of previous Evaluation reports
- Review of previous review reports and Agreed minutes
- Review of a selected number of CSUDP products.
- Interviews with Program Embassy Manager, CSUDP staff as well as relevant staff of Maji na Ufanisi,
- Interviews with at least two IPs, two LUFs and one major government stakeholder. This may include limited fieldwork to selected CSUDP locations and collaborating institutions for key informant interviews.
- Review of the constitutions, devolution legislations and relevant policies as well as major government programs such as KISP and KMP.

VI. Expected Outputs and Deliverables

The main outputs are:

- A detailed Inception report indicating how the consultant intends to undertake the assignment, including schedules for deliverables and methodology.

- A Review Report to be discussed during the Annual Review. The report will include summary of results, key emerging issues and program scenarios in the short, medium and long-term.
- Final Review Report, incorporating comments from the Embassy, CSUDP and the Review meeting
- A workshop Report, including draft Agreed Minutes.

VII. Time Frame and Budget

The Rapid Review will commence on February 11 2013 and be completed by March 8, 2013. This includes the rapid review as such, facilitation of the Annual Review Meeting and completion of reports with input from the Review meeting.

The consultant shall deliver the Final Rapid Review Report and Workshop Report no later than March 8. 2013. The Workshop Report will include draft Agreed Minutes.

The consultant budget shall include professional costs and reimbursable expenses to be agree in advance with the Embassy.

ANNEX II: CSUDP END-TERM EVALUATION TERMS OF REFERENCE

1. Evaluation Purpose

This document provides the Terms of Reference for carrying out an end-phase participatory evaluation of the implementation of a three-year (2009-2012) Civil Society urban programme, hereinafter referred to as the Civil Society Urban Development Programme (CSUDP). The services of Consultant(s) to carry out this participatory evaluation will be procured through the Swedish Embassy in Nairobi, Kenya.

The participatory nature of the evaluation will require involvement of different Civil Society organizations who are implementing partners of CSUDP, the Local Urban Forums (LUFs), established organs of CSUDP and stakeholders in the target urban areas. The results and recommendations provided will serve not only to assess implementation accomplishments within this phase of the programme life, but will be used by both CSUDP and the Swedish Embassy to redirect any subsequent phase programme efforts, if necessary, and to inform future planning and design of urban intervention programmes in Kenya.

The findings and recommendations will also inform the Swedish Embassy on potential areas for furthering their cooperation with Kenya. In this regard, the evaluation will analyse emerging lessons and good practices obtained that shall be taken into consideration during the review of the Swedish cooperation with Kenya upon expiry of the current cooperation strategy in 2013. The Consultant is expected to prepare a series of recommendations based on findings to consolidate and promote those actions that have contributed to a successful implementation of the programme in this phase.

It is envisaged that this end of phase evaluation process will be highly participatory given the multiple partner and multi-beneficiary framework of implementation of CSUDP.

2. Background of the CSUDP

Sweden has adopted a Strategy (2009-2013) for Cooperation with Kenya with a goal stated as, *'a Kenya in which all poor people have the opportunity to improve their*

living conditions, and where their human rights are realized’⁶⁴. This strategy directs that Urban Development be one of three priority sectors to be supported by Sweden in Kenya, and provides the framework against which the Civil Society Urban Development Programme (CSUDP) facility is anchored.

The Civil Society Urban Development Program (CSUDP) was initiated in 2009, with the purpose of achieving a strengthened and coordinated partnership for policy advocacy and improved service delivery in selected urban areas. The Swedish International Development Co-operation Agency (Sida) has - through the Embassy of Sweden in Kenya - supported the program. The overall goal of the CSUDP program is to contribute to “*Vibrant, Dignified and Secure urban living environments*”.

The program has been organized in the three key program pillars, namely:

1. Coordination of actors;
2. Service delivery, and;
3. Policy impact.

The goal, purpose and output hierarchy is summarized in table 1.

The CSUDP began in earnest during 2010 and has now established a secretariat with nine staff. The program has been anchored to a Kenyan NGO; Maji na Ufanisi (“Water and Development”). This arrangement with a ‘Host Organization’ has provided a backbone for the program structure.

The secretariat has carried out two annual reviews (reports for 2010 and 2011) and a mid-term evaluation in 2012.

A number of civil society organizations have been

Table 1: Goal, Purpose, Output hierarchy

Goal	Vibrant, dignified and secure urban living environments
Purpose	Strengthened and coordinated partnership for policy advocacy and improved service delivery in selected urban areas
Outputs	1. Effective delivery of urban development programme by improved co-ordination of urban CSOs, networks and local authorities in programme areas. 2. Improved pro-poor basic service delivery in programme areas. 3. Urban planning and human rights perspective integrated into key policies

⁶⁴ Swedish Ministry of Foreign Affairs, January 2009, “Strategy for development cooperation with Kenya 2009-2013”

involved through several platforms of interaction. Advocacy, training and public awareness campaigns have been mixed with hands-on demonstration projects in informal settlements, all with a focus on rights-based approaches to urban planning and service delivery. In addition to the Host Organization, seven 'Implementing Partners' (IPs) attached to the program have been responsible for carrying out grass-root development activities, mainly with a focus on the demonstration projects. These demonstration projects have had an emphasis on promoting pro-poor models for participation and service delivery in urban areas.

The mid-term evaluation in early 2012 established that the program has delivered satisfactorily on its intended outputs and that the program is on track in making impact on urban development in Kenya⁶⁵. The evaluation established that substantial capacity and confidence has been built in the participating organizations, and outputs are now at par with expectations. While there were still some weaknesses in terms of financial and administrative management procedures and skills, these weaknesses were deemed manageable. However, the evaluation noted that there was growing awareness that the program cannot fully exploit some opportunities brought about by the changing urban governance landscape.

Furthermore, the evaluation observed that CSUDP had made important contributions to national policy, in terms of organizing grass-root participation in the formulation of the draft National Urban Development Policy (NUDP), and in preparing a Bill on Evictions and Resettlement. Another notable success was found in the establishment of Local Urban Forums (LUF); local dialogue platforms for raising the awareness of - and influence from - previously marginalized groups in urban areas. The LUFs have been strongly endorsed by many local urban stakeholders, including local governments. At the national level, the CSUDP had assisted the formation of a Civil Society Urban Forum (CSUF) which has coordinated the LUFs and provided a platform for dialogue between national authorities and local urban stakeholders e.g. in national policy processes.

On the implementation aspects, the Mid-term Evaluation (MTE) found that the performance had improved considerably after an initially slow start. Setting up the secretariat at the Host Organization, recruitment of secretariat staff and making agreements with IPs, took longer than anticipated.

The MTE made a number of recommendations in terms of CSUDP's position and strategic direction in relation to these concerns:

⁶⁵ "Mid-term Evaluation of CSUDP 2009-2012", Center for Independent Research, April 2012

- First, it recommended strengthening coordination and dialogue at local level, through aligning the LUFs with the proposed Citizen's Fora provided for in the Urban Areas and Cities Act 2011. It also proposed to devise a new format for CSUDP to select CSO partners through open competition.
- Second, it proposed to increase the level of ambition for the Basic Services pillar, through enhanced capacity building, through more actively seeking to scale up demo-projects, and through actively widening the focus to include more youth and gender issues.
- Third, the recommendations included to better harness the opportunities to influence policy through the impending formulation processes of new legislation and GoK policies and programs, notably the National Urban Development Policy (NUDP) and the World Bank-funded urban programs KISIP and KMP. This would include identifying strategic opportunities and then building the right kind of capacity among CSOs to exploit these opportunities.

A mid-term review meeting held in March 2012 also concluded that while the program has delivered satisfactorily against the original plan, a number of emerging and salient issues would need to be taken into account in a second phase of the program. Of particular importance is the evolving urban governance structure ushered in by the Constitution of Kenya 2010 and the subsequent revision of legislation pertaining to urban governance, development and services, as well as the integration of a human rights approach in statutory legislation and government procedures. This has led to the preparation of a redesigned framework for CSUDP currently under consideration by the Swedish Embassy for a possible second phase of the program.

For this matter, it should also be mentioned that the Swedish support to the program is hinged on the Swedish Government Strategy for Development Co-operation with Kenya 2009-2013. One of the prioritized sectors for co-operation with Kenya is urban development, in which the objective of the Swedish support is *"Improved urban planning which allows for the participation of poor residents."* The Swedish strategy for co-operation is expected to be revised during 2013.

3. Objective of the Evaluation

The evaluation will examine the overall impact, efficiency and effectiveness (performance) of the program and its contribution to achieving the overall goal stated for the program.

It will further assess, within the context of the CSUDP 2009-2012 document, the performance of the various implementing organs in achieving the goal of the programme. This evaluation will provide a professional assessment of the CSUDP design, scope, status of implementation and capacity to achieve the set objectives.

The evaluation will also analyse lessons learned and emerging good practices obtained that shall be taken into consideration in preparing any future phase of CSUDP including the long-term sustainability strategies such as the stakeholders' roles and contributions.

The evaluation will furnish independent advice to the Swedish Embassy on how best to operate for maximum impact in the urban sector.

It is expected that the evaluation will primarily draw participation from the implementing partners; the different organs of CSUDP; the Local Urban Forums (LUFs); Collaborators; communities and other stakeholders in respective locations where projects have been undertaken. Wherever possible the review will draw lessons from previous phases of Swedish support to the various partners including recommendations from previous evaluations.

The documented results of the evaluation will be disseminated for review to CSUDP Implementing Partners, Swedish Embassy – Nairobi, Technical Advisory Group, Host Organization and other identified partners. It is expected that these results will translate into specific guidance to the various programme actors and collaborators, in order to further advance the ideals of the programme and provide recommendations, on how to better achieve any subsequent phase of CSUDP. The results will also guide on how to optimize the chances of success in the rapidly changing urban landscape and especially make suitable recommendations for improving the LUF agenda.

4. Scope of the Assignment

The Consultant will evaluate, in an objective manner, overall impact from implementation of the CSUDP activities at the end period of execution of the current phase. It is however important that the consultant, while assessing the program from its initial objectives, also looks ahead at the changing urban landscape and the possible future roles of the program in a changing urban environment.

It is expected that the following activities will guide the conduct of the evaluation;

1. Assess the overall impact, efficiency and effectiveness (performance) of the program and its contribution to achieving the overall goal stated for the program. This should include an assessment of the logical framework and whether the different project components and activities implemented to achieve the objectives delivered the desired results.
2. Review of coherence of the program design and implementation mechanisms. The Consultant will review the extent to which program design facilitated implementation, clearly identifying limiting design factors for the implementation of the projects.
3. Examine the outcome delivered by the program, clearly identifying capacity constraints if any and extent of incorporation of participatory processes.
4. Assess the use and the adequacy of the M&E system in registering the results of the program, including management of risks.
5. Assess the operational relationships between the different organs involved in the implementation of CSUDP and how these relationships have contributed to achievement of program objectives.
6. Assess the likelihood of continuation of program outcomes upon completion of the current phase funding arrangement; and, propose factors, which will require attention in order to strengthen or even expand the value of these outcomes.
7. Draw recommendations necessary to factor into any subsequent phase of CSUDP to improve programme implementation and consolidate successful aspects from the evaluated phase
8. Assess the benefits accruing from the CSUDP role in relation to National government, local government, and other relevant national urban initiatives (e g KISIP, KMP, NUDP)
9. Establish, through joint participatory sessions, the cumulative impact of CSUDP's activities and its project interventions in meeting the expectations of the stakeholders and target beneficiaries.
10. Determine the extent to which capacity of the secretariat and respective Implementing Partners have been enhanced in supporting programme delivery and establish where possible, the success stories, main outcomes and impacts of the project intervention in the urban sector.

11. Assess the future relevance of CSUDP in light of current and anticipated changes in the urban development landscape, especially within the context of the redesigned framework currently under discussion.

The Consultant is expected to prepare a series of recommendations based on evaluation findings to consolidate and promote those actions that have contributed to a successful implementation of the programme.

5. Methodology

In order to carry out this consultancy, the person(s) chosen will review and familiarize themselves with the origin and design of the CSUDP.

The Consultant shall however develop and propose the exact methodology to be agreed upon in consultation with the Swedish Embassy and CSUDP Secretariat. Every effort should be made to ensure as much participation as possible from a wide range of CSUDP partners and stakeholders.

The task shall include:

- Review of documentation and progress reports
- Review of past annual review reports and the report of the mid-term evaluation
- Participatory stakeholder sessions for in-depth evaluation
- Field work to selected project locations, and collaborating institutions for verification and collection of complementary information and views
- Review of the CSUDP redesign framework

Documentation to be reviewed will primarily include the CSUDP main programme documents; IP project documents; periodic project progress reports; annual progress reports; annual review reports & minutes; various publications; external financial audit reports; LUF reports & minutes.

The participatory stakeholders in-depth review sessions may take the form of (a) workshop(s) bringing together representatives of selected key partners, selected direct beneficiaries as well as officials of the various Local Urban Forums (LUFs).

Selected field visits should be made to the donors (Swedish Embassy), at least one demonstration project location of beneficiary Implementing Partners, and at least two key stakeholders/partners. Key informant interviews may be preferred in this process.

6. Expected Outputs and Schedule

The consultant is expected to generate a comprehensive and concise report based on an objective assessment guided by the items in the scope of assignment and should include practical recommendations and specific measures necessary to improve future CSUDP performance. The outline of the report format is appended herewith.

The assignment is proposed to start with a Start-up meeting with the Embassy of Sweden, Nairobi in March 2013. The Consultant will then perform a desk study including elaboration of a detailed schedule for the field mission. The study and field schedule will be discussed prior to the field visit. The Consultant is expected to spend 2-3 weeks in the field visits. The Consultant is also expected to visit the Swedish Embassy in Nairobi.

At the end of the visit the Consultant shall hold a de-briefing seminar with key stakeholders to present and discuss preliminary findings, after which the Consultant will prepare a draft Evaluation Report. The report will be submitted to major stakeholders for comments, to be taken into account in the final report.

The fieldwork is expected to be undertaken during March 2013.

Draft reports are expected to be submitted to the Embassy of Sweden 5 weeks after commencement. The EoS and selected stakeholders shall thereafter provide comments within 2 weeks. Final reports shall thereafter be prepared within 2 weeks.

The following shall be contributed by the Swedish Embassy in Nairobi:

- I. Consultations and information sharing with all relevant stakeholders on the purpose and work plan of the evaluation/review before commencement of work
- II. Introductory letters and contact addresses
- III. Feedback on proposed work schedules and draft reports

The following will be contributed by CSUDP upon timely request:

- Names and contact addresses of partners, collaborators and key stakeholders
- All basic documentation concerning the projects before the start of the assignment
- Any complementary information necessary (through documentation or interviews)

- Feedback on proposed work schedules and draft reports
- Facilities for meetings etc.
- Organization of field visits

7. Expertise Required

An experienced national consultant or consultants with post-graduate qualifications in development studies, social sciences or other relevant areas with a minimum of 10 years progressive experience in participatory methodologies and project evaluation in Kenya.

A solid background in programme designs, monitoring and evaluation, especially of pro-poor urban services in a national/regional context and of project evaluation techniques and the changing paradigms in urban management is required. Experience with or understanding of the Swedish Embassy procedures will be an added advantage.

A good grasp of the functioning of Civil Society Organizations (CSOs), the dynamics and challenges of urban development within the new constitutional dispensation as well as proof of experience with carrying out evaluations or reviews, and working with organizational development and/or management issues in Non-State Organizations will be additional advantages.

8. Guidelines for Bidding

Interested and qualified consultants shall submit an updated CV/profile indicating core area of expertise and experience to the address here below. The submission should be clearly marked *“Consultancy for the end of phase participatory programme evaluation of the CSUDP 2009-12”*.

- The consultant’s expression of interest should include both the technical and the financial bid. The technical offer should include an interpretation of the terms of reference, a clear methodology and approach to the evaluation, a time schedule, CVs of the experts to be deployed on the assignment and the relevant references.
- The financial bid should be divided into professional fees and direct costs, and reimbursable expenses, expressed in Swedish Kronor.
- Both the bids must be drawn up in English Language.
- Bidders shall remain bound to their bids for a period of 90 days from the deadline of submission.

- Bids must be submitted to the undersigned at the physical location described below or by e-mail.
- The overall assignment is not expected to exceed 60 person days and the total time of the assignment should not exceed one month.

The deadline for submission of offers is **at 12:00 noon (Kenya local time)**. Proposal documents should be submitted in a single outer envelope as 1 original and 2 copies to;

The selected company is expected to commence work on the and deliver the final report by-----

FINAL REPORT

ANNEX III: LIST OF RESPONDENTS

NAME	INSTITUTION	DESIGNATION	DATE
Cassius Kusienya	Ministry of Housing	Deputy Program Coordinator, KENSUP/ KISP	KII on 19-02-13
John Ndiritu Gustaf Asplund	Embassy of Sweden	- Program Manager - Urban Advisor	FGD on 14-02-13
Edwin Odawo Malasin Hamida Georgina Nyambura	Nairobi LUF	- Chairperson - Secretary - Vice-Chairperson	FGD on 14-02-13
Fred Ogolla Lucy Ndiho Veronica Machira Henry Murage	CSUDP Secretariat	- M&E Officer - Research & Advocacy Officer - Information & Communication Officer - Accountant	FGD on 13-02-13
Prof. Edward Kairu	Maji na Ufanisi	Executive Director	IDI on 13-02-13
George Wasonga	CSUDP Secretariat	Coordinator	IDI on 13-02-13
Peter Kamau Kellen Mugeci Simon Mwanzia	Thika LUF	- Chairperson - Secretary - Member	FGD on 13-02-13
Humphrey	Chairman	Kakamega LUF	Phone Interview on 13-02-13
Prof. Alfred Omenya	Eco Build Africa Trust	CEO	IDI on 15-02-13
Alex Nyaga	Senior Manager Advisory	PriceWaterHouse Coopers	IDI on 5-04-13
Odindo Opiata	Hakijamii Trust	Executive Director	IDI on 14-02-13
Steve Ouma	Pamoja Trust	Executive Director	IDI on 15-02-13 and 28-03-13
Patrick Adolwa	Ministry of Local Government	Deputy Director, UDD	KII on 02-04-13

Mary Mathenge	NACHU	• Executive Director	IDI on 02-04-13
Robert Waweru	Uwezo Trust	• CEO	IDI on 08-04-13

FINAL REPORT

ANNEX IV: RAPID ASSESSMENT DE-BRIEF NOTE

Civil Society Urban Development Program: A Snap Evaluation De-Brief Note

A. PROGRAM DESIGN

A.1 Design Intent

A.1.1 What Worked

14. The CSUDP program was established in Maji na Ufanisi as the host organization as anticipated in design. The program delivered significant gains on its three objectives⁶⁶. The program mapped and identified over 900 CSOs in the urban sector. In addition, through the program, two networks; CSUF and LUFs strengthened and coordinated CSO efforts in the urban sector.

A.1.2 The Challenges

15. The Design Intent of CSUDP was emphatic on the establishment of administrative and coordinating structures. This appeared to take precedence over the grooming of results from the Implementing Partners. The impression is that CSUDP initially focused on harvesting results at the Secretariat level before expanding to the IPs. The assumption was, once the Secretariat was in place, the achievement of results would naturally follow. There appears to be an oversight in design. The establishment of the Secretariat was recognized as a key output in the first pillar⁶⁷ of the program. This was not reflected in the Logical Framework.⁶⁸ This makes it difficult to anchor results from the establishment of the CSUDP Secretariat within the logical framework. The question in our minds is whether the establishment of CSUDP catalyzed achievement of results in the urban sector.⁶⁹

A.1.3 Lessons Learnt

16. One, there is a need to think through the autonomy and restructure of CSUDP. The new organization should carry forward the best practices

⁶⁶ CSUDP Program Framework (2009-2012) pg. 8

⁶⁷ CSUDP Framework Final Draft Oct 09 Section 3.1 *Structure* pg. 3

⁶⁸ Appendix 3 Logical Framework.

⁶⁹ For instance, the formulation of the NUDP.

from its current iteration, allow for more funding options and exercise greater oversight over the implementing partners.

17. Two, with the new restructured government; there is a need to lower the focus of the program objectives from the national to county level. In addition, there is a need to increase the LUFs to all the 47 counties from the 14 municipalities they currently operate in. We acknowledge that the transition to county governments has a three-year phased implementation period. Therefore we ask: should the LUF expansion mirror the three-year government transition phases?

A.2 Design of Implementation

A.2.1 What Worked

18. We discern that the structure anticipated in the program framework was to a large extent implemented as designed.

A.2.2 The Challenges

19. We discern two challenges from the design of implementation.
 - a. One, during this program phase, the comparative advantages of each of the funded Implementing Partners was sharpened individually. However, getting them to act in concert around these advantages was not fully achieved. Some questions: How can the IPs collectivize their efforts? Should collaboration be entrenched into the next program cycle? Or, should it be spontaneous?
 - b. Two, the implementation arrangements were sound enough to encompass all internal and external stakeholders. Much as the formation of CSUF to replace the CUSWG was innovative, that evolution seems to have lost its inclusive nature. Some critical questions are: did the transition from CUSWG to CSUF lose technical capacity along with inclusivity? Did the scope of the CSUF consequently shrink?

A.2.3 Lessons Learnt.

20. The next phase of the program should focus on collectivizing the comparative advantages of the individual implementing partners. The program has retained the same implementing partners since its inception.

A.3 Responsiveness of Design

A.3.1 What Worked

21. We perceived that the program design was responsive. The design was cognizant of the changing environment within which the program was being implemented. As such it monitored the shifts in the environment and adjusted accordingly. This resulted in the formation of the LUFs and engagement with institutions arising from the new constitutional dispensation. Interest in the LUFs has been generated with both local CSOs/CBOs and with government. As a result of CSUDP capacitation, LUFs are primed to take up a role of Citizens Fora anticipated in the Urban Areas and Cities Act 2011.

A.3.2 The Challenges.

22. One, during the duration of the program, multiple legislative and policy overhauls, beginning with the promulgation of a new Constitution, changed the urban sector environment. Did the changing environment affect the pace of implementation? How did CSUDP position itself to influence the changes in the urban sector environment as it evolved?
23. Two, although transformative capacitation⁷⁰ of the LUFs was anticipated, the understanding of their role was not unified among the individual LUFs. There is need to percolate support to the counties, through the LUFs.

A.3.3 Lessons Learnt

24. The LUFs are strategically positioned to attract and serve the interest of the county governments and to deliver the program objectives at the local level. We recognize that local government is in the process of redefining itself. With the repeal of the Local Government Act upon the final announcement of all the results of the March 4th election⁷¹, the Transitional Authority is tasked with managing all issues that may arise out of the transition from local governments to county governments. LUFs can work with the Transitional Authority and the county governments to influence and monitor the transition.

⁷⁰ Instrumental Capacitation is an end in itself whereas Transformative capacitation is a means to an end.

⁷¹ Section 134, County Government Act, 2012

B. IMPLEMENTATION ARCHITECTURE

B.1 Planning

B.1.1 What Worked

25. Program planning at the IP level was good. This was because they were able to roll out their work plans, albeit delayed at times. The incorporation of the technical arm of the institutional arrangements was instrumental. The demonstration projects for instance were sharpened through relevant inputs.
26. Our assessment of planning was sound at the Secretariat level. Planning at the level of the LUFs was demand driven; they planned as they moved and sometimes failed to plan. This was because the program was flexible enough to hitch onto opportunities.

B.1.2 Challenges

27. The planning at the IP level during the proposal development phase was done individually. This was accentuated by competition for available resources. We noted that capturing gender gains from the projects was wanting. Issues such as gender will have to be incorporated into the program for a wider scope.

B.1.3 Lessons Learnt

28. The program's malleability was key in ensuring new opportunities and urban spaces were taken. The LUFs were a perfect case for this. We ask a few questions. Was the competition of resources anticipated as a probable hindrance to the pace of implementation? Was it activated and aggravated by the program unintentionally? Were there positive outcomes arising from this competition? Will competitive bidding have a positive effect to the quality of the program? Will planning for the LUFs be as consultative and participatory as possible to ensure sourcing for more resources?

B.2 Roll Out

B.2.1 What worked

29. The versatility factored into the implementation process permitted CSUDP to forge partnerships with emerging actors in the sector along the way. These new actors within the spaces include the Transitional Authority, the

Task Force on Devolution and ALGAK⁷². This better placed CSUDP as one of the central contributors to the urban development sector.

30. CSUDP recognized the comparative advantages of CSOs in towns where LUFs are in operation. These strong points have been harnessed towards the attainment of CSUDP pillars. Collaborative efforts have yielded results and real change realized with a case in point being Thika where the LUF is taking on factories and corporations to stop water pollution and the endangerment of The Fourteen Falls rapids.
31. We noted that CSUDP has created opportunity for government to constructively work with CSOs. This is because of the structured way in which the LUFs facilitated public engagement during the public County Consultation for the National Urban Development Policy and with the Task Force on Devolved Government.
32. CSUDP has augmented the profile of a number of their Implementing Partners. This has earned the IPs formal recognition ⁷³ and hence strengthened their participation in policy dialogue and sector bill formulation. This is a significant gain in efforts towards the realization of CSUDP's third pillar. The program's quarterly meetings were instrumental in increasing the pace for implementation to ensure completion.

B.2.2 Challenges

33. The extended set up of the administrative structure contributed to the slow pace of the program. This was meant to happen in six months but stretched to about ten months. There were delays in grant disbursement to the Implementing Partners. Shelter Forum and Uwezo received their funding at the point of inception later than the rest.
34. In addition, the suspension of some of the IPs will noticeably affect the expected outcomes of the program.
35. The Implementing Partners and the secretariat were to develop Gender and HIV Aids workplace policies. Consequently, the Human Rights and Best Practice Tool was developed to mainstream the addressing of cross cutting issues. We find that this tool will not suffice in taking the place of actual policies.

⁷² CSUDP Joint MTR Workshop Report

⁷³ Annual Report 2011

B.2.3 Lessons Learnt

36. The documentation and knowledge management of demonstration interventions is essential for scaling up of the innovative models. Increased corporation amongst the IPs and with local partners would derive greater benefit. This is the case for the collaboration with the urban Government programs including KISIP. Some questions we pose are: Were the protracted delays as a result of bureaucracy? Were the financial administration hurdles within the program anticipated? Would better planning decrease the anticipated delays occasioned by either bureaucracy or weak organizational IP structures?

B.3 Tracking of Results

B.3.1 What Worked

37. The Secretariat had a robust Monitoring and Evaluation system. This was development at the inception of the program and improved by the development of the Monitoring, Evaluation, Accountability and Learning framework.
38. The program built the capacity of Monitoring and Evaluation of individual IPs. This further strengthened the overall M&E Framework. The periodic program assessments allowed continuous program improvement. This ensured the operating modalities remained relevant in the fast evolving urban development sector.

B.3.2 Challenges

39. The measurement of attribution versus contribution of the program support is not yet been ascertained. Are some of the gains made by the IPs cumulative from periods preceding the program?

B.3.3 Lessons Learnt

40. Clear opportunities for synergies arise when the program has core understanding of the need for learning. Could a clear demarcation made between the value chain analysis and the measurement of attribution versus contribution be helpful?

C. PERFORMANCE FRAMEWORK

41. The banking of results for the CSUDP was disaggregated into two levels; final program results and intermediate results. The final program results were pitched at the Goal level whilst the intermediate results were pitched at the purpose/ activity level. Furthermore, CSUDP results were clustered around the three program pillars of coordination, access to basic services and policy.
42. Within each of these pillars, the Snap review isolated results at three levels; Outputs, Outcomes and Impact. Most returns were banked at the level of outputs, limited returns at the level of outcomes and limited returns at the level of impact. The output level is what the CSUDP and the Implementing Partners did. It is different from activities in the sense that activities are a means to the outputs. For instance, in the coordinating pillar, LUF meetings or consultations on the NUDP for were an activity. The output produced by meetings and conferences is the formulation of the National Urban Policy. And this is what yielded intermediate results for the programme.
43. **Verdict.** In the view of this assessment, the outputs of this project were bankable. However, this snap evaluation could not establish impact. And this is partly a question of assessment design and partly a question of programme lifespan⁷⁴. That is, the period in which the programme outputs have been in existence is still too short for a notable change to have occurred in the quality of life for urban residents. We note that the potential for impact exists but it is a function of two things;
 - a. One, how the transition to the next phase of the programme will be handled.
 - b. Two, an explicit intention to significantly expand the programme both vertically in terms of resource and actor diversification as well as horizontally in terms of geographic reach.

⁷⁴Lifespan because the programme envisaged a cumulative chain where results from one level would be aggregated and animated to catalyse results at a higher level. Most of the programme outputs begun to be realized after the establishment of the administrative arrangements.

C.1 Coordination Pillar

C.1.1 What Worked

44. The most visible results for the programme were consistently achieved in the coordination pillar. The CSUDP successfully established administrative and coordinating bodies that acted as rallying points for actors located at different levels. For instance, the LUFs were the engagement forums for actors located within the newly emerging devolved governance units at the grassroots level. The CSUFs occupied a similar position in policy spaces at the national level bringing together CSOs, Government and Private Sector actors.
45. The CSUDP also yielded notable outputs from Collaborative arrangements with external implementing partners⁷⁵. For instance, the MEAL framework for the program was generated through engagements with non-funded implementing partners and this is an indicator of the level of confidence external actors had in the program.
46. The program also recorded a consistent expansion in the number and scope of collaborating partners year-on-year. 2011 saw the entry of academic institutions such as Maseno University into programming as well as other NSA coordination agencies such as UNOCHA.
47. But what resulted from all this coordination? We were able to discern two major things.
 - a. One, the CSUDP was able to reanimate the process of formulating the National Urban Development Policy (NUDF).
 - b. Secondly, program sparked the interest of other external funding agencies such as Oxfam and AfD.

C.1.2 Challenges

48. CSUDP faced several challenges in producing outcomes within this pillar;
 - a. The first was experienced at the inception phase of the program and it revolved around protracted process of actually setting up the CSUDP secretariat. For instance, externalities such as identifying,

⁷⁵ These included OXFAM GB Kenya, Kenya Informal Settlement Improvement Program (KISIP), National Urban Development Policy Program (NUDPP) and National Urban Vulnerability Forum (NUVF)

interesting and recruiting staff that met the stringent qualification thresholds demanded by the program had a knock-on effect on the implementation calendar.

- b. The second challenge was experienced during the latter stages of rollout when 2 of the selected implementing partners exited the program. This resulted in the creation of vacuums in the sectors of implementation that had been allocated to these partners.
- c. The third challenge lay in the paradigm shift the CSUDP proposed in terms of NSA engagement in the urban sector. This proved to be a hard sell in some areas for instance Nyanza province where local CSOs displayed some skepticism. As a result, CSO coordination was uneven across the program sites with some areas exhibiting a better rate of program uptake than others.
- d. The Fourth test the program faced was in adjusting the initial concept of coordination of the urban sector through a sector-working group. This was because CSO coalitions already in place at the sector level adequately fulfilled this role. The CSUDP consequently reviewed its intervention strategy and made an entry at the lower policy spaces through the LUFs.
- e. Finally, broad-based coordination as envisaged by the CSUDP is subject to a number of externalities first among the different collaborating actors located in different sectors and levels. And secondly, within the implementing environment within which the program is operating. Of note, was the highly fluid political and regulatory environment that characterized the program's lifespan. Between 2009 and 2012, the country adopted a new constitution that radically altered the governance framework of the nation. Constitutional changes were far-reaching particularly with respect to the introduction of devolved government, which meant a complete change in the existing model of urban management.

C.1.3 Lessons Learnt

- 49. From the challenges, a number of questions arise which give an indicator to the thumb suck recommendations.
 - a. As the program contemplates a renewal, how does it propose to address challenges associated with transition?

- b. What is the strategy to leveling the uptake of the new networking approach amongst different implementing partners at various project sites?
- c. Does the next phase of CSUDP envision 'affirmative interventions' at resistant sites to bring them to par with the best performers?
- d. Similarly how does the program envision growth in the next phase as government similarly expands beyond the 14 KMP and KISIP project sites?
- e. How will CSUDP be aligned with the percolation of devolved government?
- f. Does the program anticipate a change in approach as we shift focus from national policy formulation spaces to the devolved policy implementation spaces?

C.2 Basic services pillar

C.2.1 What Worked

- 50. Considering that most of the 'hardware' components of the program are located here, this pillar got off to a slow start. And this is because the program design was structured to first yield outputs around software issues that were necessary to the achievement of hardware results. For instance, the program focused on extending technical assistance by the CSUDP secretariat staff, the technical advisory group and short-term expert services for capacity enhancement of the IPs to enable them deliver on proposed projects.
- 51. This resulted in tangible outcomes including collaboration with external actors through new partnerships with GE-Electric, Davis & Shirtliff and Safaricom. NACHUs incremental housing model increased access to affordable housing to over 1000 urban poor and its resource mobilization model expanded the resource envelope available to the urban poor. The program can record the extension of lending facilities to incremental housing as a result. However, we were unable to determine the success rate and transformational effects of these interventions upon the lives of the intended beneficiaries. And this is a result of the relatively recent timeframe within which these outputs have been generated. We note that potential for impact of these activities exists.

C.2.2 Challenges

52. Though innovative in their own right and having sparked significant interest amongst sector actors, the bulk of the demonstration projects have not translated into substantive uptake by the principal service provider i.e. the government. Currently, the government appears to be amenable to taking up the 'soft' aspects of the demonstration projects i.e. the policy outputs over practice outputs. However, as we make the transition to county governments, opportunities for engagement and uptake of the 'hard' aspects of demonstration projects may arise.

C.2.3 Lessons learnt

53. How does the program intend to convince government to mainstream the practice innovations that have resulted? What is the strategy for banking results from practice outputs into the level of outcomes and impact? Is there a mechanism to mitigate against an anticipated loss of momentum and attrition of results during the transition period to the next phase?

C.3 Policy Pillar

C.3.1 What Worked

54. Results within this pillar were convened around two processes, the evictions and resettlement guidelines and the national urban development policy. What is notable on outputs from this pillar is how results from the coordination pillar, namely the LUFs and the CSUFs played a critical role in collectivizing the voice of CSUDP partners to make representation to government. The overall outcome was a catalyzing of the policy and legislative formulation processes. This in turn led to the translation of intent into practice such as the unprecedented positive ruling secured for 1,200 forcefully evicted residents of Medina slums in Garissa. Outcomes from the National Urban Development Policy are yet to be realized, as government is yet to adopt it.

C.3.2 Challenges

55. The gap between policy intent and practice realization is still wide. Though the evictions and resettlement guidelines now constitute part of national legislation through precedent, they are yet to be fully incorporated by way of enactment. Secondly, even after enactment, the challenge of enforcement will still arise. Thirdly, it is incumbent on the program to acknowledge that prevention of evictions is merely a stopgap measure and the real problem

lies in addressing the structural causes of public land disputes such as urban poverty and skewed land tenure systems.

C.3.3 Lessons learnt

56. Does the program envision a process of safeguarding the gains made under this pillar for instance, public sensitization on the new regulatory regimes? Does it have a clear strategy to empower local CSOs to rapidly respond to illegal evictions in the interim period? Has it thoroughly examined the regulatory terrain for other gaps, overlaps and double-binds in policy and legislation that could prove to be an impediment to urban development going forward?

FINAL REPORT

D. FINANCIAL ADMINISTRATION

D.1 Financial Management Capacity

D.1.1 Impression

57. The CSUDP secretariat has employed two highly competent Finance staff, The Finance Manager and one Programs Accountant. The Finance Manager is tasked with for financial oversight and offers 60 % LOE⁷⁶. TheProgram Accountant manages grant finances on a day-to-day basis. He offers 100% LOE⁷⁷. There is however a huge stretch for this two staff. To cope with the high demand of financial management services the host organization deploys some of her accounts department staff to assist. This causes a huge strain to the hosts operations.

D.1.2 Recommendation

58. There is need to increase the number of finance staff in the project to facilitate smooth flow of services to the implementing partners. There is also need to recruit grants managers to be contact points between Implementing Partners and The secretariat.

D.2 The FMA

59. PwC was appointed as the Fund Management Agency (FMA) for the Maji Na Ufanisi to ensure that there is transparent procurement and an effective financial management of Embassy of Sweden funds as well as correct program implementation. As the FMA PwC undertakes:

- a. Assessment of administrative, financial management and procurement systems;
- b. Provides the financial oversight role including review of work plans, budgets and procurement policy;
- c. Periodic spot checks including periodic expenditure reviews, compliance checks and discussions with other the secretariat and the implementing partners;

⁷⁶ Level Of Effort

⁷⁷ Level Of Effort

- d. Quarterly review of the financial reports prepared by the Secretariat, host and the implementing partners. This includes ensuring timely and accurate reporting, compliance with the reporting formats and budget variance analysis;
 - e. Capacity strengthening and including needs assessment, capacity building initiatives and development of a capacity building plan and
 - f. Grants management including reviewing the grantees contracts, monitoring visits to grantees, expenditure verification and capacity building for the grantees.
60. The capacity assessment, and capacity building conducted by PWC was welcomed by the Implementing partners, this has catalyzed financial management prowess of the implementing partners.
61. Though the FMA was a strategic control in Financial Management, the procurement of the services were done almost one and a half years after rollout of the program , there was an impression that Financial reports would be sent to them. This was not welcomed by the Implementing partners as it caused another tire of reporting. This was however clarified by the secretariat,

D.3 Financial Work plans

D.3.1 Impression

62. Work plans were available through the project. The work plans should provide direction on the expenditure and are a tool for monitoring variances and financial misappropriation. In the presence of work plan were instrumental in the sound management of the grant.

D.3.2 Recommendation

63. The reports should be submitted within the required time frame as stipulated in the agreement to ensure good relationship with the donors.

D.4 Delay In disbursement Of Funds by CSUDP Donors

D.4.1 Impression

64. At the beginning Program there were long delays in the disbursement of funds by CSUDP. This was a trickle down challenge from The Embassy Of Sweden. It was occasioned by the change of their financial management system. Midstream into the program, the delays significantly reduced. The few delays still experienced were occasioned by:

- a. It was as a result of delays in submission of deliverables by the Implementing Partners.
- b. It was that probably caused by internal control systems at the Embassy Of Sweden.

65. The reasons for delay notwithstanding, they caused three challenges. **One**, delay in the execution of project activities. **Two**, Loss of goodwill by the recipients of planned activities. **Three**, low absorption of the funds by the Implementing Partners

D.4.2 Recommendation

66. The position of this debrief note is that for future programming CSUDP and IPs should ensure that they meet all prerequisites for funds disbursement. Embassy of Sweden should ensure that the disbursement of funds is timely and predictable. There should be an understanding by the donors that the financial delay can cause expiry of achieving time specific results. The reports should be submitted within the required time frame as stipulated in the agreement to ensure good relationship with the donors.

67. There may be need to recruit a grants managers to monitors reporting challenges that are faced by different grantees and walk them through possible remedies.

68. It should also be noted by all the Implementing Partners that failure to report in time is in breach of the grant agreement.⁷⁸

⁷⁸Grant agreements Chapter 8.1 – Review and Reporting.

D.5 External Audits

D.5.1 Impression

69. As per best practice standards, CSUDP contracted the services of an external auditor to audit the secretariat and the implementing partners. There has been a general appreciation of the audit process and a deliberate attempt to remedy financial management system as per the audit recommendations. The exception of this is two Implementing Partners, One Umande who was reluctant to the audit process. Two, K-Rep Development, who were not prepared for the audit, and though it was still conducted, there was heavy limitation of scope for the auditors. K-Rep Development have however reached out to the secretariat and expressed their current preparedness for the audit.

D.5.2 Recommendation

70. Both the secretariat and the Implementing partners should welcome view audit process. It should be viewed not just as a statutory obligation but also as a sound financial management tool. It should also be noted by all the Implementing Partners that auditing is a requirement in the partnership.⁷⁹ Failure to auditing is an action in breach of the grant agreement.

D.6 Lack of an income tax exemption certificate

D.6.1 Impression

71. All Implementing partners have not been able to secure a tax exemption certificate as required by the Kenya Revenue Authority (KRA) requires Non-Governmental Organization (NGOs) to apply for income tax exemption certificate from the government.⁸⁰ In a public notice issued in July 2011, KRA revised the requirement to state that the income tax exemption certificated would be granted for 3 years from the date of issue and is subject to renewal upon expiry of the period. The notice also rendered all previously issued certificates without expiry date invalid. Non-compliance of the current regulation, which may lead to penalties and interest being charged on the organization.

⁷⁹ Grant agreements Chapter 8.2 - Audit

⁸⁰ Paragraph 10 to the first schedule of Income Tax Act Cap 470

D.6.2 Recommendation

72. All implementing partners should ensure that they pursue the acquisition of the Tax Exemption Certificate with immediate effect

D.7 Submission of reports

D.7.1 Impression

73. The secretariat set timelines for the submission of reports by the Implementing Partners. Though some partners were keen on observing this timelines, others delayed their reports. The question that the consultant would pose would be: What is the cause of these delays?

D.7.2 Recommendation

74. The reports should be submitted within the required time frame as stipulated in the agreement to ensure good relationship with the donors. The causes of the delays should be a point of interrogation by the Implementing Partners for the purpose of finding workable solutions to the challenges. It should also be noted by all the Implementing Partners that failure to report in time is in breach of the grant agreement⁸¹

⁸¹Grant agreements Chapter 8.1 – Review and Reporting.

ANNEX V: SCENARIO BUILDING

CSUDP State-of-Play		Projected State-of-Play (New Constitutional Environment)		New CSUDP
Policy: Engagement in national policy spaces Legislation: Engagement with one legislative house Practice: Hard and soft innovations pioneered by limited no. Of IPs	Elements of the Environment	Transitional Environment	New Environment	Engagement in upper & lower level policy spaces Engagement with bicameral national legislature & 47 county assemblies Opportunity for civil society to develop dummy laws Diversification of IPs to facilitate exponential increase in practice innovations
	Regulatory Environment Legislation	- Implementation of transitional laws defining relationship between national and county government - Repeal of Cap. 265	Creation and implementation of new laws at national and county levels incl. by-laws e.g. County Government Act, Intergovernmental Relations Act, Public Finance Management Act,	
	Policy (Primarily policy implementation)	- National Urban Development Policy - National Slum upgrading and Prevention Policy (NSUPP)	Constitutional mandate for counties to Implement policy. 4 th Schedule Part 2, at articles 8,11,12, and 14	
	Practice	Exit of National government from active urban management	Exclusive management of individual urban spaces by county governments	

CSUDP engaging with Departing and Transitional institutions (ALGAK, Task Force on Devolution) CSUDP engagement focused on national administrators.	Institutional & Administrative Environment	Evolution of institutions and administrative frameworks Environment of Negotiation between National and county governments Staggered establishment of new devolved institutions. Reference to Article 15 of the 6th Schedule Hybrid administrative architecture	Bi-furcation of functions between national and devolved institutions (Senate, County Assembly) Dominance of Devolved institutions in lower-governance spaces Distinct but inchoate administrative architecture	CSUDP engaging with established national and devolved institutions. Where will the principal efforts directed? Engagement with county administrators
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<i>Ad hoc</i> coordination amongst IPs. Structured but informal engagement between State and CSUDP Entry of new actors into urban arena e.g. LUFs Relationship has been between the line ministry and the local authorities	Actor & Service Delivery Environment	Capacitation of new national and county level actors Formalization of informal spaces and emergence of new informal spaces Entry of new actors, exit of defunct ones Shared service delivery responsibilities Mutations in relationships between Actors at different levels of government.	Establishment of constitutional and legislative <i>bona fide</i> civil society actors in urban spaces Percolation of service delivery intensified in favor of County Government entities Percolation of politicization downwards by new county managers.	Engagement/disengagement with actors
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ANNEX VI: AGREED MINUTES FOR THE CSUDP ANNUAL REVIEW

Minutes of CSUDP Annual Review Meeting Held at Sawela Lodge in Naivasha, Kenya; 25th -26th February 2013

The following are minutes of the annual review meeting that took place in Naivasha, Kenya between 25th and 26th Of February 2013. The review meeting was attended by the following Embassy Of Sweden officials, Technical Advisory Group (TAG) members, Host Organization (Maji na Ufanisi) officials, CSUDP secretariat staff, Heads of the Implementing Partners, The Financial Management Agency, Price Waterhouse Coopers and the evaluators, The Consulting House.

In Attendance:

- | | |
|-------------------------|--|
| 1. Anders Rönquist | - Head Of Technical Cooperation, Embassy Of Sweden |
| 2. John Ndiritu | - Program Officer, Embassy Of Sweden |
| 3. Gustaf Asplund | - Consultant, Embassy Of Sweden |
| 4. John Olof | - Consultant, Embassy Of Sweden |
| 5. George Wasonga | - Program Coordinator CSUDP secretariat |
| 6. Prof. Edward Kairu | - CEO, CSUDP/MnU |
| 7. Steve Kariuki | - Finance Manager CSUDP/MnU |
| 8. Dr Anne Karanja | - Advisor to CSUDP |
| 9. Fred Ogolla | - M&E officer CSUDP Secretariat |
| 10. Lucy Ndiho | - Research Officer CSUDP Secretariat |
| 11. Veronica Machira | - Information& Communications CSUDP Secretariat |
| 12. Henry Murage | - Finance Officer CSUDP Secretariat |
| 13. Diana Waituika | - CSUDP Secretariat |
| 14. Naomi Maina | - CSUDP Secretariat |
| 15. Phillip Gathungu | - The Consulting House |
| 16. Japheth Njau Mwea | -The Consulting House |
| 17. Prof. Alfred Omenya | - The Consulting House- (Rapporteur) |
| 18. Steve Ouma Akoth | - CEO, Pamoja Trust |
| 19. Robert Waweru | - CEO, Uwezo |
| 20. Odindo Opiata | - CEO, Haki Jamii |
| 21. Dora Wairiru | - K-Rep Development Agency |
| 22. Mary Mathenge | - CEO, NACHU |
| 23. Alex Nyaga | - Senior Manager, Advisory PWC |
| 24. Alphan Njeru | - Partner PWC |
| 25. Rich iSiyali | - Naivasha LUF |
| 26. Earnest Wang'ombe | - Nyeri LUF |

Agenda

1. Analyses of progress from CSUDP Phase 1 of implementation.
2. Report by the Financial Management Agency - PWC
3. Report of The CSUDP Snap Evaluation by The Consulting House
4. Re-configuration of CSUDP
5. Way Forward

The review meeting was an open reflection forum facilitated by a consultant who was tasked with moderating deliberations and helping postulate a framework for a detailed implementation plan that is informed by the issues raised at, and outcomes of, the review meeting.

The minutes of the review meeting are organized along the six key items of agenda that formed the substantive content of the review as follows:

Min 1 /AR-CSUDP/ 022013 Analyses of progress from CSUDP Phase 1 of implementation.

The presentations for 5 implementing partners, Haki Jamii, Pamoja Trust, NACHU ,Krep Development, and Uwezo were tabled, presented and discussed in that order. This was followed by tabling, presentations and discussions on the annual progress reports of the CSUDP secretariat and Host Organization (Maji na Ufanisi) respectively

1. In summary all the implementing partners had attained reasonable mileage in the attainment of the coordination pillar, policy dialogue pillar and basic services pillar.
2. **Haki Jamii** In line with her expected outcome has expanded and consolidated linkage between the rights holders (civil society and grass root organizations) and the duty bearers (government agencies) in the adoption and implementation of eviction and slum upgrading laws and policies. In partnership with Urban Housing Coalition, has made significant strides in the policy development space by participating in development of Eviction and Resettlement Bill, the Draft National Urban Policy and the current ongoing Slum Upgrading and Prevention Policy formulation process.
3. **Pamoja Trust**, In line with her output of Increased access to water and nutritional value to urban households in Mombasa, Kisumu and Nairobi. , Has been able to work with Nairobi Water and Sewerage Company and Kisumu Water and Sewerage Company and Mombasa Water and Sewerage Company to facilitate models that increase access and management of water supply to urban poor. Specifically PT influenced KIWASCO and MOWASCO to set up a department dedicated to serving the informal settlements. In Nairobi, NWSC and Pamoja set precedence by setting up a

sub-regional office in Mathare - Kosovo village. This has strengthened the working relationship with the communities in Mathare as NWSC has full time staff that works in the seven Mathare villages on a full time basis. PT during the quarter documented pro-poor models that have worked in increasing access to safe water for the urban poor. Publications on mapping and enumeration produced. SDP approach providing synergy between community level actors rights holders and various duty bearers in enhancing access to rights attained.

4. **Uwezo** aimed at nurturing creative arts talents among the youths in informal settlements and are engaging them in the promotion of human rights and peaceful coexistence they have been able to help establish two leading artists have enlisted commitment to provide regular support to the young artists. They have also conducted talent searches and 15 youth identified. Scripts development on various themes of human rights and peaceful coexistence by the youths ongoing. A total of 4 music scripts have been completed and are undergoing review by stakeholders A total of 100 youths have been involved in review and development of performing arts training guides They have been able to develop a platform with 10 successful music and performing art industry players established They also have been able to develop an Interactive Learning service provision center nurturing the underprivileged urban youths in Nairobi Eastland's to fully exploit their inherent potential is undergoing development for expansion beyond the counties through an e platform is almost complete
5. **NACHU** aimed at using the cooperative model as a tool for mobilizing urban community members from selected urban informal settlements as an effective structure to deliver housing development and improvement of livelihoods for the urban poor promoted. They engaged with Ministry of Cooperative to coordinate housing activities. Cooperative officers were involved in capacity building sessions PHCs. They also engaged with the Ministry of Housing to facilitate realization of the housing targets set by the Government in addition to local and international partners and other strategic partners for support in capacity building and leveraging the loan fund. They have continued to mobilized savings from community members to build up a pool fund They have been able to undertake the construction of demonstration houses with systems for waste management, greening, solar and water harvesting integrated
6. **Krep Development** aimed at facilitating financial inclusion to the urban poor by providing mortgage services and other financial services. Though the organization was suspended, they have been putting efforts in institutional strengthening for future programming engagements.
7. **Maji naUfanisi** aimed at scaling up of community access to suitable, innovative and sustainable basic services solutions. An example of such an activity is one conducted in Kiambiu slum. They were able to facilitate 20% of the Kiambiu residents to access clean and affordable drinking water,

toilet and bathing services. This has helped them saved on time and cost previously incurred in search of water, bathing and toilet facilities. Incidence of preventable diseases like cholera, typhoid and diarrhea, especially among the children, has also reduced noticeably – expenses too. Most of the initial toilets were voluntarily pulled down by the Kiambiu slum dwellers

Min 2 /AR-CSUDP/ 022013 Reports by the Financial Management Agency – PWC

PwC conducted a capacity assessment of the CSUDP/Host and the Implementing Partners. The Assessment results provided both good practices and some improvement opportunities for the Program and the various Implementing partners.

Although the FMA was principally contracted to strengthen the financial and procurement capacity of CSUDP, our assessment approach was organization wide. This would assist to strengthen the organizations capacity beyond procurement and finance.

The Aim of the FMA was to sensitize the Implementing Partners on the need to build strong institutions that can attract funding from various funders due to the strong management good practice.

They advised that focus needed to be put on tax compliance, timely reporting and Governance with specific emphasis on board development, risk management and the strengthening of board committees, reporting, and tax.

Further to the focus areas, they made several suggestions

1. Need to develop a more predictable funding cycle with the Embassy of Sweden and the Host.
2. Strict adherence to reporting timelines by implementing partners.
3. Need to build internal capacities in anticipation of the future growth of the program
4. Need to adopt realities of the changing Urban landscape in future programming

PWC had several capacity building initiatives in the pipeline. These were; Board training on Governance, Risk management and Business continuity.

Min 3 /AR-CSUDP/ 022013 CSUDP Snap Evaluation Report by The Consulting House

CSUDP represents a paradigm shift in NSA coordination and engagement in the urban sector. It sustained the delivery of returns from NSAs

A process of grooming visible program outputs to the level of tangible outcomes and eventual translation to impact has not happened. And this is due in part to program design and in part to program lifespan

Outputs were banked in all 3-program pillars but Outcomes were mainly banked within the coordination pillar. Other 2 pillars yet to sufficiently aggregate outputs that deliver desired outcomes

DESIGN FINDINGS

Achievements.

- CSUDP established secretariat as a HAC structure within the urban sector. Political neutrality, Reduced transaction costs, Dialogue hub and Repository of knowledge
- CSUDP was extremely responsive to changes in the urban sector. Development of a comprehensive urban sector profile allowed the seamless shift in engagement approach from CSUWG to bifurcated CSUFs and LUFs
- Comparative advantages of NSAs was sharpened individually

Challenges.

- CSUDP design was emphatic on initially establishing administrative and coordinating structures as a key result. Roll out for implementation partners took longer than anticipated
- The collective actions by IPs were more spontaneous than deliberate. Did the catalysis of results actually occur as a result of design?
- Changes in the regulatory affected the pace of implementation both positively and negatively

IMPLEMENTATION FINDINGS

Accommodation of new actors requires a process of understanding their role in the program structure to avoid duplication of efforts and creation of a new bureaucratic layer

Lessons Learnt.

- Cumulative successes of CSUDP have created an appetite for its products
- The Program is under pressure to expand in response to this demand while at the same time remaining responsive to the changes in the urban governance landscape

- LUFs are strategically positioned to capitalize on opportunities to influence the transition arrangements post-election. However, this is a function of their political neutrality, degree of flexibility and levels of inclusivity
- A deliberate effort to collectivize efforts of the IPs ought to be built into program design

Achievements.

- Program planning was good especially within the secretariat. Program plans were rolled out to completion despite initial delays. LUF planning was demand-driven and at times failed to happen
- The program established working partnerships with external and emerging actors that added value to implementation e.g. transition authority
- CSUDP streamlined reporting and built the M&E capacity of individual IPs through the popularization of the robust MEAL framework
- CSUDP was able to leverage on collective capacity to sell innovations to GoK

Challenges.

- Initial planning by IPs was done individually and consequently the opportunity to explore areas of synergy was missed.
- Documentation of demo projects was good at secretariat level but uneven amongst the IPs. Capturing of gender gains in particular needs to be streamlined across the program.
- The program has suffered 'partner attrition' where some IPs have dropped out or become crippled in the course of implementation.
- The duration of the program has been too short to effectively ascribe attribution and contribution to the achievement of sector goals

PERFORMANCE FINDINGS

Lessons Learnt.

- The program should expand its IP base and selection of future IPs needs to be thematic. This reduces the possibility of duplication of efforts and cushions the program against loss of momentum when IPs exit

- Capacity building of IPs remains critical to building their resilience to internal and external shocks as well as continually building their profiles

Achievements.

- Results are still pitched at the level of outputs. However, potential for progression to the levels of outcomes and impact exists.
- CSUDP consistently expanded its partnership portfolio in the course of its lifespan, making it the 'go-to' place with regard to urban sector engagement
- CSUDP contributed to the reanimation of the NUDP formulation process and establishment of legislation regulating the process of evictions
- CSUDP supported product innovations by IPs for scaling up and scaling out by government

Challenges.

- Selling the new networking and partnership approaches was a challenge and this affected the pace of implementation
- Slow and selective uptake of CSUDP innovations by government is affecting the march on the program goal
- The fluid political environment in which CSUDP operated in presented both challenges and opportunities to achievement of results.

Lessons Learnt.

- Achievement of results is a cumulative process that requires a concentration and collectivization of efforts in each project site in order to mitigate against the 'cancelling out' effect
- A deliberate effort towards safeguarding program gains made so far needs to be considered especially during the transition period from national to devolved government (Multiplication of Opportunities/Challenges)

The program needs to revisit the issue of how it can rapidly react to urban emergencies even as it considers a structured response.

Min 4 /AR-CSUDP/ 022013 Re-configuration of CSUDP

There was agreement to the need to set up a 'vehicle' to carry the new program to greater heights. The growth of the CSUDP would depend on the identity. Suggestions were made on the set up of a new Independent Grant Making Organization that could take up the implementation of the new program.

Advantages of a New Legal Entity

1. **Resource Mobilization** An independent grant making entity would attract funding from various funding partners, beyond the current funding of Sida. This would enable the program roll out the program throughout the country.
2. **Sustainability** An independent entity is bound to attract more funders, since it will not be viewed as a Swedish entity by other potential funders.
3. **Oversight** An independent legal entity would have a fulltime board of management will provide the oversight required to the program implementation and provide the on going strategic direction of the program. This will also facilitate quick decision-making processes.
4. **Ownership** Once a board is put in place, they will take ownership. With the new grant making organization in place, the entity can sustain the urban development beyond the 'priority sectors' of specific funders, thereby safeguarding the program.
5. **Equal opportunities and scale up.** The scale up will create opportunities for more actors and for more programs to be implemented by the new entity.

The Key Activities envisioned in the set up of CSUDP were as follows;

1) Analysis of legal entities

CSUDP will be registered as a legal entity. The most preferred option at this stage is a Non Governmental Organization (NGO).

2) Reservation of Legal Name

In consultation with the stakeholders, an appropriate name for the legal entity to be formed and reserve it with the registrar of Companies and the NGO Coordination Board

3) Constitution

The drawing up of the constitution or any other statutory document required to set up the CSUDP legal entity. These documents need to be discussed with relevant stakeholders to ensure a common understanding and vision for the organization.

4) Recruitment of Interim Board Members

A board will need to be instituted to take the new organization to the future. The process of recruiting the board members will be as above. This board will initially be in place for 2 years, with specific mandate to build a strong grant making organization.

5) Registration of Legal entity

Once we have the draft constitution/ Legal documents and the interim directors for the CSUDP, the new organization will be set up.

Min 5 /AR-CSUDP/ 022013 Way Forward

The table below gives a summary of the way forward after the annual review meeting

ACTIVITY	COMPLETION DATE	INSTITUTIONS INVOLVED
1. Stakeholders forum 2. CEOs of Implementing Partners	April March	Stakeholders
2. End of program evaluation CSUDP 1	March 2013	1. Embassy of Sweden 2. The consulting house
3. End of program audit	March 2013	Host organization
4. Transitional proposal-18 month	15 th March 2013	1. CSUDP 2. Host Organization 3. Implementing Partners
4.1. Host organization	15 th March 2013	Host Organization
4.2. Secretariat	15 th March 2013	Secretariat
4.3. IPs	15 th April 2013	Implementing Partners
5. New legal entity	September 2013	PWC / stakeholders
6. Development of long term program / concept [To Sweden and other partners]	February 2014 Should start early	New legal entity / stakeholders

Signed as true reflection of the proceedings by;

Anders Rönquist

Head, Development Cooperation, Kenya (SIDA) Date:.....

John Ndiritu

Program Officer, (SIDA) Date:.....

Prof. Edward Kairu

CEO – Maji na Ufansisi / CSUDP Date:.....

George Wasonga

Program Coordinator – CSUDP Date:.....

FINAL REPORT

ANNEX V: LIST OF LITERATURE REVIEWED

1. County Government Act, 2012
2. CSUDP Annual Report 2011
3. CSUDP FINAL Phase II framework
4. CSUDP Implementation Plan 2012
5. CSUDP Joint Medium-Term Report 2012
6. CSUDP Joint MTR Workshop Report
7. CSUDP MTE report-27-04
8. CSUDP Program Framework (2009-2012)
9. CSUDP Program Framework, October 2009
10. CSUDP Progress Report Jan-Sep 2012
11. CSUDP Revised Implementation Plan 2012 for Q4 2012 - Q1 2013
12. Final Draft NUDP_May2012
13. First schedule of Income Tax Act Cap 470
14. Grant agreements Chapter 8.1 – Review and Reporting.
15. Haki Jamii Annual report-2012
16. KISIP Executive Summary Jan 12
17. KISIP Joint Pre-Appraisal Mission-Draft AM-18 June 2010
18. KMP PAD Final Sep 2010
19. MnU_Proposal 12 Dec 09
20. NUDP REVIEW REPORT
21. Pamoja Trust Annual report 2012
22. The Constitution of Kenya 2010
23. TOR of the Financial Management Agency
24. Urban Areas and Cities Act 2011



Civil Society Urban Development Program (CSUDP) End-Term Evaluation

The End-Term Evaluation of the Civil Society Urban Development Programme (CSUDP) in Kenya examines the overall impact, efficiency and effectiveness of the programme. The evaluation concludes that CSUDP has performed its activities “satisfactorily” in the face of existing and emerging challenges in the urban sector in Kenya. A flexible design allowed the project to adapt to a fast changing environment while an innovative approach provided a dynamic framework that fitted well with the paradigm shift in Kenya’s urban governance. Establishment of Local Urban Forums (LUFs) as local platforms for dialogue in the municipalities, for instance, was a creative novelty that allowed the project intent to reach the urban poor. The project established strong working partnerships with different stakeholders in government, private sector, academia and civil society leading to enhanced sector coordination. This allowed CSUDP to effectively influence various policy and legislative processes, including the National Urban Development Policy (NUDP), the Urban Areas and Cities Act, Evictions and Resettlements Bill and the National Slum Upgrading Policy. Moreover, the project demonstrated a number of successful service delivery models, some of which have been integrated into the implementation design of national programmes, such as the Kenya Informal Settlements Improvement Project (KISIP), while others are showing good promise for scaling up. This has given the project an edge in sustainability. The evaluation identified a number of areas that need to be strengthened, e.g.: i) Ensure greater independence of CSUDP to forestall the risk of conflict of interest with the Host Organization; ii) Exploit the initial successes of the LUF model by extending the scope nationwide using the newly laid out county government structure, but also ensure LUFs do not mutate in a way that would make them lose their initial purpose; iii) the next phase of CSUDP should focus on demonstration models’ uptake as a crucial aspect of sustainability, and; iv) the program should beware of potential turbulence that may result from Kenya government’s relationship with the International Criminal Court’s as well as planned legislation to regulate Non-Governmental Organisations and their potential impact on the funding of civil society in Kenya in general and the project in particular.

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