



Case Study: Building an Enabling Environment Leads to Improved County Sanitation Services

The Nakuru County Experience



In the sanitation sector, most counties in Kenya are facing near similar challenges, which include the need to expand sanitation coverage, adopt low-cost technology and coordinate the multiple players in the sector in each county. A big challenge facing most of the counties is lack of a supportive legal and policy framework, within which to provide improved services and introduce new technology.

In 2017, Nakuru County became one of the first counties in Kenya to pass a specific public health and sanitation law. When fully enforced, the law will go a long way in promoting sanitation and hygiene in the county and in creating an environment suitable for the sector to flourish. This case study discusses how Nakuru County was able to seize opportunities to reform its sanitation programme and to create an enabling environment for effective sanitation and hygiene programmes through policy and legislation.

Nakuru County sanitation status at the onset of devolution (2013):

- Gaps in the Municipal Council by-laws and the Public Health Act (1986): Laws regulated water, sewerage and sanitation but it was not clear whose mandate it was to deliver sanitation services
- High public demand for sanitation services and lawful, affordable sludge disposal methods
- Aging sewerage infrastructure that could not keep up with public demand
- Frequent disease outbreaks, including cholera and typhoid
- Many partners working in the county, but each running own initiatives without coordination
- Inadequate funding for sanitation services
- Inadequate personnel for sanitation service delivery

Context: Poor sanitation and gaps in existing laws

Limited access to improved sanitation

In 2012, Nakuru County had a population of 1,756,950, projected to rise to 2,046,395 by 2017.¹ Nearly half of this population live in densely populated low income urban areas. At the onset of devolution in 2013, the county had poor levels of sanitation and most of the population had poor access to improved toilets,² with the most commonly used sanitation facilities being pit latrines. Pit latrines have limited capacity and require new ones to be dug every so often to replace filled-up ones, which is a challenge in urban centres due to lack of space.

In 2014, only 42% of the population had access to improved sanitation,³ while 23% used unimproved sanitation. Most of the population relied on onsite sanitation services (septic tank) and pit latrines. About 3% of the county population was practicing open defecation. Unimproved sanitation and open defecation are associated with multiple health issues due to water pollution and an unhygienic environment. In addition, most areas in Nakuru County have a high water table and loose volcanic soils, increasing the risk of water contamination from poorly disposed of faecal matter.

Inefficient and aging sanitation infrastructure

The county was also grappling with an inefficient and aging water and sewerage system, as well as poor solid waste management, which posed a major threat to the health of the population. In some of the low income areas, it was common to find burst sewers and poor waste management, leading to increased risk of water contamination and the resultant disease outbreaks and an unsanitary environment. However, improving and expanding the sewerage system was difficult due to prohibitive costs.

Restrictive laws

In addition, the then existing Nakuru Municipal Council by-laws were restrictive, limiting the provision of sanitation services and adoption of new innovations. For instance, the municipal by-laws and the Public Health Act (1986, revised 2012) outlawed the construction of pit toilets in urban areas and emptying of filled up pit latrines, and sludge disposal services with small exhausters was illegal. Nakuru also had a significant problem managing storm water disposal.

Poor sector coordination

Although partners were supporting sanitation services in the county, they were uncoordinated and each was implementing their programme independent of the others and without collaboration. In addition, it was not clear which of the county departments was responsible for

the actual provision of sanitation services. While the county health department was responsible for enforcing the policies and regulation around public hygiene and sanitation and provision of public toilets, the department of the environment was responsible for management of non-hazardous waste and the Nakuru Water and Sanitation Services Company (NAWASSCO) was responsible for water and sewerage services.

In summary, the sanitation sector in Nakuru County immediately after devolution was characterised by increasing demand for services from a growing population and an unsupportive legal framework that did not support the reorganisation of the sector and the adoption of innovative, low-cost and easy to install sanitation technology. The county had to confront the challenge of how to provide efficient and reliable sanitation services within a supportive policy and legal environment.

Opportunities for Change and Improvement

Opportunity for a new development plan and a reallocation of functions

The opportunity to change and improve the sanitation sector in Nakuru County came with devolution, as the county government sought to put in place a new development plan to guide its priorities over the next five years. The 2013-2017 County Integrated Development Plan (CIDP) included priority activities to be implemented in a bid to improve sanitation services in the county. To address the gap about service provision, in 2013, the governor issued an executive order, moving solid waste disposal and management from the health department to environment, to allow the health team to better provide strategic leadership with vision towards sanitation services.

Opportunity to develop new laws and mandates

The existing Municipal Council was about to dissolve, with the coming of the new county government, providing an opportunity for the county to develop new laws that were more supportive of innovations in sanitation services. In addition, the devolution of health and environmental management functions to counties created an opportunity to restructure the water service providers (WSPs) in the county, to enable them to expand their coverage and take up new mandates beyond water services, and this included providing sanitation services.

The Water Services Trust Fund (WSTF) also started providing funding through water companies to extend water services to the poor. In Nakuru, NAWASSCO took the opportunity to pilot provision of sanitation services under a pro-poor approach, specifically providing construction of toilets in low income areas and schools

¹ Source: Nakuru County Integrated Development Plan, 2013-2017

² Personal communication – Samuel King'ori, County Public Health Officer

³ Nakuru County Sanitation Profile (2014). Water and Sanitation Program and Ministry of Health

and carrying out public education and promotion on sanitation and hygiene.

New sanitation technology becomes available

Faecal sludge management was a significant challenge in Nakuru County, and new ways of dealing with it were needed.

With only about a quarter of its population connected to the sewerage system, the majority relied on onsite methods (septic tanks, soak pits and pit latrines). Some of the sewage seeped out due to a crumbling infrastructure and the rest was inadequately treated. Partners in a collaborative project implemented by NAWASSCO brought in new technology for pit latrine and sludge emptying and transportation to the company's treatment plant.

The new technology allowed the waste matter to be recycled and used to produce bio-fertilisers and biomass fuel briquettes.

Creating Change: The Interventions

A new sanitation law introduced

To take advantage of these opportunities and improve the sanitation sector, the Nakuru County government needed to create the right policies, laws and regulations. Without an appropriate policy, legal and regulatory environment, the county could not take advantage of these opportunities to improve its sanitation services.

For instance, a new law was needed that would enable the county to overcome challenges in safe disposal of sludge and other sanitation gaps in the Public Health Act and support the adoption of new technology. Further, a new law would open up the sanitation market and support the introduction of new sanitation products and businesses in this area.

In 2014, the county began the process of preparing a new law, which concluded in 2017 with the passing of the bill into the Nakuru County Public Health and Sanitation Act (2017) in March. Importantly, the new law addresses faecal sludge management and allows the county to approve the removal, transportation and treatment of faecal sludge by other agencies, and the reuse of treated sludge in agriculture and other economic activities. The law also provides for the licensing and regulation of a new line of business in small scale emptying services, through the use of approved technology.

New regulations and guidelines introduced

To guide implementation of the new law, Nakuru County has developed regulations and guidelines and a faecal sludge management policy. Among others, these documents detail who will be licensed to provide sanitation services and how they will be regulated.

Box 1

Leading the way - Piloting sanitation services by a water services company

NAWASSCO works with the Nakuru County government as a partner in providing water, sewerage and on-site sanitation services.

In 2013, the agency launched an innovative pilot project to deliver sanitation services to the low income sections of Nakuru town, under a pro-poor approach, with funding from the Water Services Trust Fund. This was the first ever sanitation project implemented by a water service provider in Kenya and has contributed significantly in the progress Nakuru County has made in the sector.

"NAWASSCO got involved in providing sanitation services on a pilot basis because we were convinced that water companies were best placed to provide the service," says Zaituni Kanenje, the low income consumers manager at the water company. The project was fully supported by the Department of Public Health and Sanitation, who seconded staff there, and partners who brought in funds and technical expertise to the project.

The pilot projects implement a range of activities including construction of public sanitation and hand wash facilities, introducing improved pit latrine models, setting up systems and facilities for large scale collection and removal of human waste from the low income areas and production and sales of human waste-based products.

To ensure expansion and sustainability of the sanitation services, in 2016, NAWASSCO applied to the Water Services Regulatory Board (WASREB) for a review of tariffs and the introduction of a new levy to cover sanitation services. NAWASSCO's experience contributed to a decision in 2018 by WASREB to require all water service companies in Kenya to include sanitation in their range of services.

Collaboration, building capacity and forging new partnerships

Reforming the sanitation sector requires multiple players bringing in different capacities and resources. By 2015, Nakuru County had 25 partners implementing different activities in the Water, Sanitation and Hygiene (WASH) sector.⁴ The county has constituted an inter-agency coordinating committee (ICC) to bring the partners together under four technical working groups.

The ICC also brings on board other relevant county government department and some players from the private sector engaged in sanitation. The departments at the county governments involved in sanitation (health and water and environment) also collaborate through regular inter-departmental meetings and joint annual planning, to take advantage of each department's strength in the sector.

According to the WASH Sector Coordinator, having the ICC has helped to streamline partner activities and mobilise resources for the sector. The ICC and technical working groups (TWGs) meet regularly on a quarterly schedule to review issues affecting the sector, map capacities and recommend actions for the county. The ICC was instrumental in assisting the county to draft the Sanitation Bill and in its launch. The partners have also supported the county government to increase its sanitation expertise through facilitating learning and providing technical assistance.

The county government has also forged partnership with NAWASSCO to expand sanitation coverage in Nakuru areas under its mandate. Since 2013, NAWASSCO has been implementing a pilot project on provision of sanitation services to the low income areas under a pro-poor approach, identifying barriers and providing solutions.

The agency has trained local artisans in the construction of improved, low-cost sanitation facilities, as approved by the public health and sanitation department, and rehabilitated existing but crumbling public toilets. The county government supports NAWASSCO's sanitation initiatives by providing strategic direction and seconding technical staff to the agency to help guide programme implementation.⁵ The county government is also setting up a water testing laboratory to monitor the quality of water in the county.

Securing sustainability

In order to make sanitation service delivery sustainable, counties need to allocate sufficient resources and to have a dedicated budget for sanitation. Nakuru County government has included sanitation services as a key sub-programme in its annual budget, providing the funds needed to push forward clearly identified sanitation initiatives.

⁴ Personal communication, Margaret Kuimbata, Nakuru County WASH Coordinator

⁵ Personal communication – Samuel King'ori, County Public Health Officer

Box 2

Winning factors: what has contributed to the success in sanitation services in Nakuru?

- **Political will and progressive leadership open to new ideas:** the county leadership has shown willingness to adopt new ideas and support initiatives that promise better results in sanitation for the people. Key members of the county government have served as sanitation champions, providing leadership and vision to the sector.
- **A supportive legal and policy environment:** the new Public Health and Sanitation Act (2017) and other regulations have given new impetus to the county's efforts to increase sanitation coverage and open up a new market for sanitation technology and products
- **Coordination and mobilisation of partners and resources in a multi-sectoral approach:** Nakuru County has shown commitment in working with institutions and other agencies in collaborative planning, resource mobilisation, and building capacities to improve its sanitation programme. The county government provides strategic leadership to a wide array of partners through different platforms.
- **Adoption of new technology:** Through its partnership with NAWASSCO and partners, the county has introduced revolutionary and low cost sludge management technology, which transforms sludge into useful products. This has significantly reduced the challenge of faecal sludge disposal.



Launch of Sanitation Act in Nakuru

Sanitation activities are budgeted under the Department of Public Health and Sanitation, and the Department of Water, Environment and Natural Resources, to meet several targets.

For instance, to increase the number of new homes connected to the sewerage system, the county allocated KSh 65 million in the 2017/18 budget, up from KSh 10 million in 2015/16.⁶ The county also committed KSh 74.5 million in 2016/17 towards construction of more toilets in households, as part of its initiative towards increasing the number of open defecation free (ODF) villages.

In addition, the government has ensured that there is enough manpower to lead sanitation activities, including supporting community led total sanitation (CLTS) initiatives. By the 2016/17 financial year, the county had hired 220 public health and sanitation staff who were deployed to ward level to lead sanitation activities, in addition to other staff at sub-county and county levels.

Emerging Successes and Challenges

While the results of these collective actions are still emerging, it is clear that Nakuru County has set in motion progress towards significant achievements. According to available data, by 2017, 89% of the households in the county had access to improved sanitation.⁷ The proportion of population in peri-urban areas with access to sanitation was 53%. In addition, out of 2291 villages in the county, 1149 had been triggered towards ODF, and 263 had been independently verified as fully ODF.

The county still faces challenges, among them inadequate finances for sanitation services despite increasing commitment in the county budget. It also requires more staff to implement its activities and more partners to support community-led initiatives. The growing population also poses a significant challenge, especially in the densely populated lower income areas in the urban centres.

Although the new law was passed in March 2017, it is yet to be fully disseminated to the public, which requires resources. With the current directions, commitment and political will, the county will continue to make progress in improving sanitation services for its population.



County housing sanitation blocks - before rehabilitation



County housing sanitation blocks - after rehabilitation

⁶ Source: published Nakuru County budget reports available online

⁷ Data presented by Nakuru County during the 2nd Annual Sanitation Conference, 2017

This Case Study is part of a series of case studies commissioned by SNV Netherlands Development Organisation (SNV) as part of the Voice for Change Partnership (V4CP) programme which advocates for county governments to address water, sanitation and hygiene (WASH) issues affecting their communities. The programme is implemented by SNV in collaboration with the Institute of Economic Affairs (IEA). The case studies were developed by the Centre for Population Health Research & Management (CPHRM).

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