

Deft in Action: Summary of Consultancy Experience

Advisory and Research on NPO Compliance, Governance and Risk

1. **January 2022- Advice to the Board of Directors of Nuru International Kenya (NIK) on the establishment of the Nuru Regional Technical College (NRTC) as a TVET.** The objective of this consultancy was to produce a paper for the NIK board that showed options and implications for NIK for the establishment of the NRTC across the following parameters: governance, compliance, and risk. Specifically, the paper:
 - Advised the Board on the options for the legal establishment of the NRTC and state the factors to be considered, implications for governance as well as potential risks
 - Provided various scenarios including case studies where possible, for the establishment of the NRTC
 - Made recommendations
2. **September 2021- Training for the Board of Directors of International Aid Services (IAS) on governance, compliance, and ethics.**
3. **August to September 2021- Evaluation of the Board of Directors of Nuru International Kenya (NIK)-** The evaluation sought to:
 - Assess the balance of skills, knowledge, and experience on the Board.
 - Assess the performance of board members in Board governance and compliance.
 - Identify the areas of concern and areas to be focused on for improvement.
 - Identify and create awareness about the role of directors individually and collectively as a Board.
 - Determine what is needed to maintain or increase Board members level of commitment
4. **August 2021- Consultancy to conduct legal research and advice Send a Cow a registered charity in the United Kingdom on the options for registration of Send a Cow Africa Hub as a Not-for-Profit Organisation in Kenya.** The consultancy involved a detailed review of the policy, legal and regulatory framework of Not-for-Profit Organisations (NPOs) engaged in public benefit or charitable work in Kenya
5. **July to August 2021-Support to integrate the Nuru Regional Training College (ATVET) and the requirements of the TVET Act in the governance processes and procedures of Nuru International Kenya (NIK).** The consultancy involved establishing the legal compliance requirements as per the TVET Act, reviewing current governance procedures at NIK, developing relevant policies, and offering advice on corporate governance and legal compliance and included developing a Memorandum of Understanding between the ATVET and the NIK.
6. **June 2021 to August 2021: Support to Protection International Africa on effective governance and legal compliance-**The consultancy involved supporting the client to assemble, develop and file a complete set of documents notifying the NGOs Board of changes to its officials, second, facilitating the establishment of the client as an African Regional Hub, third, reviewing the constitution of the NGO to reflect a self-perpetuating governance structure and to accord with the provisions of the law and good practice in the governance of Not for Profit Organisations(NPOs)
7. **2020-2021 Due diligence and advisory to Nuru Kenya International and Nuru International USA on the proposed acquisition of Nuru Enterprises Limited** viz. The consultancy was undertaken together with OPTIMATAX Consultants (Legal and Tax Due Diligence, KKCO East Africa (Financial Due Diligence. Deft was responsible for Governance

and Regulatory Due Diligence.

- Establish if NIK had the legal powers to acquire a company limited by shares
 - Determine any regulatory requirements and processes to facilitate the acquisition
 - Detail the specific steps NIK should take in the acquisition process to comply with the law.
 - Identify any conflict of interest and related party transaction issues that might need to be addressed to ensure the appropriate corporate structure and good governance practices
8. **2021 Compliance and Governance support** to Self Help Africa in terms of a retainer agreement (Since 2020) viz.
- Advisory on governance and compliance matters on a need basis
 - Assist in the preparation of Board minutes/resolutions
 - Filing of statutory documents arising from Board resolutions or any other changes that require filing with the NGOs Coordination Board regulator.
 - Updates on any changes to statutory or compliance requirements.
 - Development and updating of a compliance inventory
 - A report submitted every quarter for the support provided
9. 2020-2021 **Amendment of the Brooke EA (BEA) Constitution** involving the reviewing the BEA constitution to align with the requirements of the NGOs Coordination Act and good practice in NGOs governance and to accord with the governance structure of BEA
10. 2020-2021 **Support to Palmhouse International to comply with a compliance notice issued by the NGOs Coordination Board involving the following tasks:**
- Conducting a file search at the NGOs Coordination Board to establish the compliance status of the Palmhouse Foundation.
 - Researching and advising Palmhouse on the ideal membership governance structure to adopt
 - Reviewing the Palmhouse constitution to align with the new governance structure and further file the necessary documents with the NGOs Coordination Board.
 - Facilitating the Palmhouse Foundation to comply with the relevant laws and regulations
 - Assisting in the development of a compliance inventory for Palmhouse Foundation to guide future compliance.
11. **2020- Domestication of the Brooke Hospital for Animals/ Brooke United Kingdom (BUK) Brooke Governance Manual 2020 to align with Kenyan laws and regulations to facilitate adoption by its Kenyan affiliate Brooke East Africa (BEA).** The assignment involved reviewing a Board governance manual prepared by the Brooke United Kingdom for use by its global affiliates and domesticating it for use by its Kenyan affiliate the Brooke East Africa by ensuring it conformed to the relevant Kenyan laws and regulations.
12. Review of the draft amended constitution of Practical Action East Africa. The task involved identifying areas of non-compliance with the NGOs Coordination Act and its Regulations as well as with good practice in NGO governance; ensure compliance with relevant laws and regulations, provide for an independent Board, and make provisions that meet internationally accepted good practice in NGO governance and finally consult with the NGO Board to make sure the constitution is duly registered

13. **Lead Consultant, research, and preparation of a position paper to advise on the legal implications (requirements, risks, and opportunities) for transiting to the Public Benefits Organisations Act 2013(PBO Act) for Amnesty International Ltd (AIL) and Amnesty Kenya (AK) and provide expert opinion on which type of registration would best suit AIL and AK respectively**
14. **Research and advisory to Mkomani Clinic Society a Kenyan NGO, on the legal requirements and procedures for registering a branch of the NGO in Zambia.** Specifically, the consultant was required to analyse the relevant laws, regulations and administrative practice in Zambia and advise on the potential advantages and disadvantages of incorporating Mkomani Clinic Society in Zambia either as a branch or a local organisation.
15. Development of a Board Governance Charter for International Aid Services (IAS)
16. Support to Nuru international to reconstitute its Board of directors involving the development of Board skills matrix, drafting an advertisement inviting application for Board members and participating in a panel to interview prospective Board members and conducting an orientation training for new Board members
17. Review of Nuru Internationals constitution to ensure compliance with relevant laws and regulations to provide powers for the organisation to engage in income-generating activities and to provide for board skills and diversity.
18. Governance and compliance support to Mkomani Clinic Society (Bomu Hospital) since 2015(Ongoing advisory on compliance and governance and filing of documents with the regulator)
19. Governance support to the Arusha Society for the Protection of Animals (review of the constitution to accord with the NGOs Coordination Act of 2002(Tanzania), development of board charter and board training)
20. Advisory to Action Aid International on legal compliance for public benefit organisations
21. Review of Handicap International constitution and registration of directors viz draft a constitution for Handicap International that responded to its governance requirements, met international best practice standards and was compliant with the NGOs Act 1990 and finally, register the Constitution and the Handicap International board of directors with the NGOs Coordination Board.
22. Review of the Mkomani Clinic Society (Bomu Hospital) constitution to restructure its governance from a membership organisation to one with a self-perpetuating board, provide for good governance and accord with the requirements of the NGOs Coordination Act 1990 and its regulations.
23. **Consultancy to assess the Ideal governance system for Action Help Africa International and its branches and affiliates in the East and Central African Region specifically in Kenya, Tanzania, Uganda, Rwanda, South Sudan, Ethiopia, Somaliland, and Zambia.** The overarching objective of the consultancy was to establish the ideal legal arrangement for governance, securing of assets and engagement in income generation in the context of AAHs objective of a regional organisation with a unitary governance structure.
24. **Consultancy on the choice of the location of the secretariat for the African Peace Support Trainers Association (APSTA).** The consultancy sought to identify the best

jurisdiction to locate the African Peace Support Trainers' Association (APSTA) office. The consultancy aimed at comparing the relative suitability of either Addis Ababa, Ethiopia or Nairobi, Kenya in terms of the relevance, effectiveness, efficiency, accessibility, and sustainability that would have comparative advantage for purposes of establishing the seat of the APSTA Secretariat. The consultancy focused on eleven key parameters which provided the basis on which an assessment was made. These were the registration and regulatory regime for not-for-profit organizations; immigration law and regulations, Information Communication Technology (ICT); banking laws and the business environment; housing, education, health, and transport. Data were collected on each of these parameters in both countries and a comparative analysis was done to establish the relative suitability of either country. The consultant analysed secondary data/ literature on the two jurisdictions (Ethiopia and Kenya) and undertook field trips in Addis Ababa, Ethiopia and Nairobi, Kenya.

Governance, Compliance and Risk Due Diligence

- 25. December 2021- January 2022- Governance, Compliance and Risk due diligence assessment** of the Africa Network for Animal Welfare (ANAW), Support in Tropical Initiatives for Poverty Alleviation (STIPA), and VSF Germany. The assessment was conducted on behalf of The Brooke East Africa (BEA) which is a donor to the three organisations and aimed.
- To establish the governance structure and decision-making processes and procedures in the three organisations
 - To establish the level of compliance with existing legal requirements
 - To identify and document any risks to the organisations and BEA that needed to be addressed.
 - Prepare a report detailing key findings and recommendations
26. Governance and compliance health check (governance and compliance audits) of partner organisations of the Brooke EA (annually from 2015- 2018)
27. Compliance and governance audit of Keringet Community Socio-Economic Environmental Development (KCSEED) on behalf of Self-Help Africa.
28. Governance, compliance, and risk audit of Mkomani Clinic Society (Bomu Hospital)
29. Compliance audit for the Forum for African Women Educationalists (FAWE).

Training of Board of Directors and Senior Management

1. Governance, Compliance and accountability workshop for board members, chief executive officers and senior managers of Not-for-Profit Organisations engaged in Public Benefit Work in Kenya (The workshop was organised by Development Frontiers and had participants from six organisations from Kenya and Tanzania)
2. Training on governance and compliance for the Board of Directors of Anglican Development Services Mt. Kenya
3. Training on governance and compliance for the Board of Directors of Impact Research and Development Organisation (two training sessions in 2020)
4. Training of the Board of Directors of International Aid Services (IAS) on governance, compliance, and accountability.
5. Training of partners of The Brooke-East Africa, a UK Charity on compliance and governance (2015 and 2016).

6. Training of the Board of Directors of Amref Health Africa on governance and the legal duties and liabilities of the Board of Directors
7. Training of Kenya Tea Development Agency (KTDA) board members and factory directors on governance on behalf of the Institute of Certified Public Accountants of Kenya (ICPAK).
8. Training of the Board of Directors of Mkomani Clinic Society (Bomu Hospital) on governance and the legal duties and liabilities of the Board of Directors
9. Training of Embassy of Finland partner organisations on compliance, governance, and integrity
10. Training on governance and compliance for the Board of Directors of the Evangelical Alliance of Kenya (EAK)
11. Ethics, integrity, and compliance orientation workshop for Boards of Directors of Fanikisha partner organisations. Fanikisha was a USAID funded project being implemented by Management Sciences for Health and PATH amongst other partners.
12. Training on Organisation Development (OD) for the board of directors of associations of health professionals and health institutions in Somaliland, on behalf of Tropical Health and Education Trust (THET) a UK charity and global health specialist organisation that educates, trains, and supports health workers through partnerships and strengthening health systems.

Public Governance

1. **Support towards the establishment of Village Councils for public participation in the County of Kisumu. As part of on-going support to the County Government of Kisumu.** The GIZ Good Governance Programme in Kenya, on behalf of the German Federal Ministry on Economic Cooperation and Development (BMZ), hired the consultant to support the Kisumu County Taskforce on Decentralisation and Establishment of Village Councils to establish Village Councils for public participation in governance in Kisumu County in terms of the Constitution of Kenya and the County Government Act.
2. **Associate Consultant, Annual Capacity Assessment of County Governments in Kenya-subcontracted by Matengo Githae and Associates** under contract by the Ministry of Devolution and Planning, Kenya, and the World Bank Group. This was the first-ever Annual Capacity and Performance Assessment (ACPA) of County governments in Kenya. I was hired as Governance and M&E experts and was responsible for conducting the assessment in 7 Counties and re-conducting a quality check on reports for 12 Counties. The assessment broadly reviewed County Governance and specifically focused on Public Finance Management, Planning and M&E, Human Resource Management, Investments Implementation and Social and Environment Performance Civic Education and Public Participation.

Research, Monitoring and Evaluation

December 2020-January 2021-Development of an M&E System for the Kenya Horticultural Market Access Programme (KHMAP) programme which is implemented by the Fresh Produce Exporters Association of Kenya (FPEAK) in partnership with the Kenya Flower Council and Fresh Produce Consortium of Kenya through a grant from Trademark East Africa. The consultancy involved first, reviewing the existing M&E system and other relevant literature for the Horticultural Market Access Programme being implemented by Fresh Produce Exporters Association of Kenya in partnership with the Kenya Flower Council and Fresh Produce Consortium of Kenya through a grant from Trademark East Africa. Second, training the staff of the three partner organisations on M&E and second, involving them in practical sessions in developing an M&E system and lastly refining the project M&E plan and developing tools for data collection.

December 2021- January 2022- Rapid Assessment of the Health Seeking Behaviours of Resident of Ongata Rongai for the Kilimani Children's Clinic. The overarching objective of the rapid assessment was

to assist Kilimani Children's Clinic (KCC) to develop an appropriate business model and to identify the ideal services to offer at the hospital it is establishing in Ongata Rongai. The assessment specifically sought to describe the socio-economic profile of residents of Ongata Rongai as well as their current health-seeking behaviours.

August 2021- October 2021- Data Collection for the Kenya Horticulture Market Access Programme Portal. The purpose of the consultancy was to collect data on horticulture from 28 Counties and three government institutions. The data is supposed to go into the horticultural portal being developed by the Horticultural Market Access Programme (KHMAP). The portal seeks to create a platform where buyers, growers, government, partners, and other supply chain actors can easily access relevant and timely information on Kenya's Horticulture industry. Fresh Produce Exporters Association of Kenya (FPEAK) is currently implementing the **Kenya Horticulture Market Access Programme (KHMAP)** running from February 2020 and February 2022 with financial support from Trade Mark East Africa (TMEA). The KHMAP is being implemented jointly with the Kenya Flower Council (KFC) and Fresh Produce Consortium of Kenya (FPC Kenya).

June 2021, **Development of a monitoring and evaluation training manual for the Kenya Horticultural Market Access Programme which is being implemented by the** Fresh Produce Exporters Association of Kenya in partnership with the Kenya Flower Council and Fresh Produce Consortium of Kenya through a grant from Trademark East Africa. The consultancy aimed to develop a manual as a training and reference guide to equip staff with knowledge and skills to apprehend M&E in their day-to-day activities and to effectively manage their organisations' M&E portfolio.

June 2020 and September 2020- **Baseline study of the Horticultural Market Access Programme** The consultancy involved the collection of baseline data for the Kenya Horticulture Market Access Programme a partnership of the Fresh Produce Exporters Association of Kenya (FPEAK) in partnership with the Kenya Flower Council and Fresh Produce Consortium of Kenya through a grant from Trademark East Africa The programme aims to improve competitiveness and enhance market access for Kenya's horticultural produce. The purpose of the assignment was to conduct a study to establish baseline positions/figures against each indicator given in the project monitoring plan attached. The consultancy also involved a review of the M&E plan to suggest additional/alternative outcomes and indicators in strategic programme areas

December 2019- April 2020- Midterm evaluation of the Food Security Programme (FOSEK) targeting 70,000 and 50,000 farmers coffee in Kenya and Ethiopia and implemented by Solidaridad Eastern & Central Africa Expertise Centre. The midterm evaluation sought to:

- Assess performance towards the program's outcome and output indicators so far and identify gaps towards achieving full results (accountability).
- Capture lessons learnt and provide information on the project approaches identifying what has worked and what has not worked for learning and as a guide for future planning and potential upscaling (learning)

May 2018- July 2018- **Customer exit survey of the Enabling Sustainable Health Equity (ESHE)** programme implemented by Palladium Group (formerly Futures Group) and funded by the Department for International Development (DFID). This study aimed to determine whether the service providers working in Integrated Health Kiosks (IHKs) and private facilities were reaching clients with quality FP services.

Specifically, the study sought to:

- Examine individual service providers' performance on quality.
- Determine whether individual service providers use job aides during counselling and whether they provide FP related information comprehensively.
- Determine whether clients receive a service that they want from individual service providers.
- Determine reasons why some clients do not get a service that they want to identify gaps in quality of services and provide recommendations on the same.

December 2017- February 2018- **End of project evaluation of the Concern Worldwide, Enhancing Citizens Participation in County Governance project** funded by the European Union (EU), which sought to assess the relevance, effectiveness, efficiency, impact, and sustainability of the project. The evaluation was intended to contribute to an improvement of policies, processes and methods and make recommendations on whether the project approach should be replicated and continued.

May 2018- **Training for the staff of the County Government of Murang'a on the County Integrated Monitoring and Evaluation Systems (CIMES)**- The overall objective of the training was to improve the delivery of devolved services. Specifically, the training sought to

- Introduce the county planners and leadership to the fundamental concepts, principles, and practical models for an effective county planning process for higher results.
- Increase County staff appreciation of the concepts and principles in the design and implementation of M&E plans for the policies, projects, and programmes in the County Integrated Development Plan (CIDP).

May 2018- **Training for the staff of the County Government of Tana River on the County Integrated Monitoring and Evaluation Systems (CIMES)**- The overall objective of the training was to improve the delivery of devolved services. Specifically, the training sought to

- Introduce the county planners and leadership to the fundamental concepts, principles, and practical models for an effective county planning process for higher results.
- Increase County staff appreciation of the concepts and principles in the design and implementation of M&E plans for the policies, projects, and programmes in the County Integrated Development Plan (CIDP).

November 2017- Client exit survey for the Enabling Sustainable Health Equity (ESHE) programme implemented by the Palladium Group, funded by the Department for International Development (DFID). This study aimed to determine whether the service providers working in Integrated Health Kiosks (IHKs) and private facilities are reaching clients with quality FP services. Specifically, the study aimed to:

- Examine the individual service provider's performance on quality.
- Determine whether individual service providers used job aides during counselling and whether they provide FP related information comprehensively.
- Determine whether clients receive a service that they want from individual service providers.
- Determine the reasons why some clients do not get a service that they want. Identify gaps in quality of services and provide recommendations on the same

March 2017-April 2017- A rapid survey to determine the determinants and socio-economic effect of the involuntary loss of donkeys in Kenya. The assignment was conducted on behalf of The Brooke East Africa. The rapid assessment sought to explore the push and pull factors influencing involuntary loss of donkeys in Bomet, Nakuru and Narok Counties, specifically:

- What are the reported proportions of involuntary loss of donkeys in four Counties in Kenya?
- What are the socio-economic effects of the involuntary loss of donkeys?
- What are the drivers and determinants of involuntary donkey loss in the four counties?

- What are the factors that determine the voluntary sale and purchase of donkeys in the four counties under assessment?
- What are the current/existing interventions (formal and non-formal) on donkey welfare and their impact on the wellbeing and safety of donkeys and their owners?
- What is the potential for reduction/elimination of involuntary donkey loss?

December 2015- March 2016- **End of phase programme evaluation of the Mutonguni ADP Integrated Livelihoods Interventions** for World Vision Kenya. This was an end phase programme evaluation aimed at finding out what had been achieved over the 4 years programme and coming up with suggestions on how the design and implementation of future programming can be improved. Specifically, it studied the impact of Mutonguni ADP integrated livelihoods interventions on the lives of the Mutonguni community and set benchmarks for additional relevant indicators for program redesign. This was done by assessing programme progress towards programme goal, project goals and outcomes as outlined in the PDD.

January 2016- April 2016- **End of phase programme evaluation of the Osiligi ADP Integrated Livelihoods Interventions** for World Vision Kenya. This was an end phase programme evaluation aimed at finding to assess and determining progress made towards respective programme objectives and their impacts as well as programme effectiveness and sustainability to inform future programming and promote learning within World Vision. Specifically, the evaluation sought to assess and determine progress made towards respective program objectives, program effectiveness and sustainability to inform future programming and promote learning within WV. The evaluation assessed child well-being, access to quality education, improved health status and a conducive community environment for children

December 2015- January 2016, **Development of a Social Protection Policy** for the County Government of Kisumu. The main output of the assignment was a social protection policy for the county. It involved conducting a scoping study that entailed rapid assessment methodologies combining desk reviews, meetings with county officials, key informant interviews and analysis of existing data sets. The consultants were to deliver the following:

- Provide strategies for identifying Individuals who are entitled to social protection Identify existing systems and structures with the potential to be incorporated into social protection mechanisms.
- Explore the potential for effective reporting and feedback to the County Government.
- Identify mechanisms for effective management of complaints and redress.
- Develop a policy framework for the provision of social protection in Kisumu County

Business Development and Agricultural Value Chains

July 2019- October 2019 -**Consultancy to build the capacity of 61 SMEs in Kwale in Agripreneurship, financial services, NHIF and other health insurance plans, tax compliance support and general enterprise development- The consultancy was undertaken on behalf of GIZ for the** Employment and Skills for Eastern Africa (E4D/ SOGA) - Kenya initiative co-funded by UK's Department for International Development (DFID) and the Ministry for Economic Cooperation and Development (BMZ), Nora and other private sector partners. Specifically, the project addressed the following:

- Conducted a capacity and training need assessment by performing a "gap" analysis to identify capacity gaps and training and support needs of SMEs, farmer enterprises and Biashara centres in Kwale.
- Facilitated access to health, financial services, and other Business Development Services (BDS) for SMEs and Farmer entrepreneurs in Kwale and support the engagement of the county government in business registration, establishing tax support structures, legal services, and continuous capacity building services in the areas of formation, compliance, and business opportunities in Kwale County.
- Conducted the training of one hundred farmers on Agri-preneurship to be engaged by Africa Eco Safaris as suppliers in line to increase local content procurement.