Rolling-out rural water regulation in Kenya: a review of progress and key processes

Discussion document | January 2025

WASREB
Water Services Regulatory Board

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Funding acknowledgement

Funding for the development of this document was provided by the Enabling Safe Rural Water Services in Kenya project funded by the UK Research and Innovation Medical Research Council (UKRI MRC) grant reference MR/Y503174/1 and by the REACH programme, funded by UK Aid from the UK Foreign, Commonwealth and Development Office (FCDO) for the benefit of developing countries (Project Code 201880). The views expressed, and information contained in this article are not necessarily those of or endorsed by the FCDO or UKRI, which accept no responsibility for such views or information, or for any reliance placed on them.

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1. Introduction

Article 43 of the Constitution of Kenya guarantees every person the right to clean and safe water in adequate quantities and meeting reasonable quality standards. However, a comprehensive regulatory framework for water services has yet to be extended to rural areas of the country. This absence of a comprehensive framework means that rural areas still rely on community management models based on voluntary management with little or no accountability. As a result, people in rural areas are effectively discriminated against regarding their rights to water and sanitation and the sustainability of these services over time. To redress this inequality, Kenya's Water Services Regulatory Board (Wasreb, the Regulator) has prioritized extension of regulation to the rural sector in its strategic plan for 2023-2027.

Sustainable service provision is underpinned by several key building blocks including appropriate institutional arrangements and capacity for provision and management of infrastructure; oversight and monitoring; and post-implementation support (Moriarty et al., 2013). These building blocks cannot be implemented and strengthened under the fragmented community management model. This is a pressing issue that demands immediate attention and action.

The 'Guideline for the provision of water and sanitation services to rural and underserved areas in Kenya' (hereafter the Guideline) published by Wasreb in 2019 is a crucial regulatory tool that has the potential to improve rural water services significantly. To see this improvement, uptake of the Guideline by the Kenyan county governments must progress. Through this progression, the Guideline can be strengthened through iterative adaptation based on reflective learnings from implementation. Fundamental assumptions in the rollout of regulation in rural areas of Kenya are that:

- There is a national consensus on the strategy, particularly between the Ministry of Water, Sanitation, and Irrigation (MWSI) and Wasreb.
- The county governments have clear water policy and legal frameworks (the enabling environment) that clarify the county vision for rural water and the water sector, including commitment to ongoing support for the water sector. As per the Kenya Water Act 2016 [s.158], these county policy frameworks should be aligned to the national policy framework.

If county water policy and legal frameworks are unavailable, the rollout can proceed as guided by Legal Notice 168, Water Service Rules, 2021. However, preparing clear policy and legal frameworks should be part of the rural water services regulation roadmap.

1.1 Purpose of this document

This document discusses the need for step-wise progression towards implementing Wasreb's Guideline for management of rural water and sanitation services. To that end, it combines insight from engagements with Wasreb, rural water service providers, and other stakeholders to identify where there is a need to develop, strengthen and/or clarify key processes.[1] It has been written to serve as a resource for:

- clarifying the key challenges and potential ways forward to progress regulation to improve the sustainability and quality of rural water services in Kenya;
- supporting Wasreb in communicating its rollout plan to counties, rural water service providers, and other partners working in rural water; and
- sharing insights for broader application from Kenya's progress on rural water regulation that may be helpful in other countries.

1.2 Basis of the discussions synthesised in this document

This discussion document draws from meetings, conference and workshop discussions, and the authors' professional experience. The information captured herein has developed out of:

- Discussions held in August and September 2023 around the 'Within REACH': A Water Secure World international conference (Charles et al., 2023).
- Focus group discussions and a question and answer session with Wasreb at the 'Safe Services for Small Water Supplies in Kenya' workshop held in Nairobi in January 2024. The workshop, hosted by FundiFix, Wasreb, the University of Oxford and Wageningen University, convened 40 representatives from organizations that are working on improving rural water services in Kenya and organizations that fund or supply goods to the rural water sector.
- Regular online and in-person bilateral meetings between the Wasreb, Blackburn Associates, University of Oxford, and FundiFix authors between July 2023 and September 2024.

1 To unite the different forms of policy components and to make the temporal dimension explicit, we use the term 'processes'. Here, process is defined as a series of actions or steps taken in order to achieve a particular end goal.

2. Background

Rural water supply and sanitation lags behind urban provision in terms of accessibility, reliability and safety. In Sub-Saharan Africa, 80% of people who do not have access to at least basic water services live in rural areas. In Kenya, specifically, this proportion is closer to 90%.[2] The characteristics of rural water supply and sanitation – including decentralized small water supplies, non-sewered sanitation systems, low population density, complex asset ownership issues, and a large gap between affordable user tariffs and the cost of delivering safe and reliable services – make rural services, and the regulation of these services, particularly challenging (ESAWAS, 2022).

In Kenya, several professionalized rural service delivery model innovations are emerging or are under trial. However, in the majority of the country, responsibility for water supply and sanitation in rural areas is borne by community-based management committees or individual households (self-supply). In these circumstances, government or other professionalized support for post-construction operation and maintenance (O&M) of water supplies or sanitation infrastructure is limited or absent. There is a lack of technical support from professionals trained in water and sanitation management. There is minimal monitoring of service quality and there is no reporting on service quality to the government or an independent regulator. These conditions often translate into a lack of transparency and accountability, failing to deliver safe and reliable services.

Pressures on rural water supply are further exacerbated by multiple source use and multiuse systems (MUS), in which many communities continue to use a portfolio of multiple water supplies and to utilize supplies that have variable water safety for multiple uses. Under these circumstances, water management can be complicated by competing needs, particularly between water for drinking and other domestic uses[3] versus for irrigation and other productive uses. Uncertainty over continued natural resource availability and unclear responsibilities for decisions that impact access to water resources (including ad-hoc infrastructure delivery often driven by political competition) create a fragmented, uncoordinated rural water sector.

2 WHO / UNICEF Joint Monitoring Programme (JMP) Water Supply, Sanitation and Hygiene (WASH) data.

3 It is important to recognize that public health benefits accrue from having sufficient quantities of water for hygiene practices as well as good quality water for consumption.

2.1 Institutional context for water services in Kenya

The Constitution of Kenya under Article 43 guarantees every person the right to clean and safe water in adequate quantities and to reasonable sanitation standards. Article 21 obliges a state organ to take legislative, policy, and other measures, including setting standards, to progressively realize the rights guaranteed under Article 43. Article 10 of the constitution outlines the principles and values that guide the making and implementing of public policy decisions. Under Schedule 4 of the constitution, water and sanitation services are the responsibility of the counties. To facilitate the implementation of these constitutional provisions, the national government has aligned, through a consultative process, the policy and legal framework for the water sector as articulated in the National Water Policy, 2021, The Water Act 2016, and the Legal Notice 168 [Subsidiary Legislation].

Despite the constitutional guarantees, a comprehensive regulatory framework for the entire country is yet to be fully extended to rural areas. The 'Guideline for the provision of water and sanitation services to rural and underserved areas in Kenya' is a crucial regulatory tool that has the potential to improve rural water services significantly. This Guideline was developed following intensive public participation across a broad spectrum of stakeholders. Since its approval and release, the Regulator has identified almost 10,000 small water systems in rural areas, many in various stages of disrepair. In line with sound governance principles and the human rights obligations of the State, these small water systems need to be better planned, managed, and regulated for sustainability. This can only happen through government [national and subnational] leadership and commitment.

Photo by Jeff Waweru

The Guideline recommends a corporatized entity wholly owned by the county to deliver/manage rural water services. This entity can mediate/organize other models, if any, that may be appropriate within the county context. An essential aspect of this arrangement is the separation of ownership and management of service delivery. The counties remain responsible as the function owners, but hold the water service providers accountable for sustainable service delivery. This is in line with the reforming principle of separation of roles (Ministry of Water and Irrigation, 2008; Rouse, 2013). It is envisaged that the Counties can support their rural water services through this entity, and it is the entry point for support to water service provision from other partners as coordinated by the County. With the implementation of this guideline, we can look forward to a brighter future for rural water services in Kenya, with improved access, quality, and sustainability.

2.2 Objectives to guide the roll-out of rural water regulation

The idea behind rural water regulation is to address the apparent discrimination in rural areas regarding the requirements of human rights to water and sanitation under the constitution. The intention is to enhance inclusiveness and ensure everyone is entitled to minimum standards of service provision. Simultaneously, rural water regulation is intended to support the sustainability of rural water service providers by strengthening their legitimacy, reducing inefficient overlaps in service provision areas, and enabling mechanisms to address the rural water supply cost gap. The need for better governance of the rural water services sector complements these intentions. Sector players need to understand and appreciate the need for better and more sustainable responses to rural water needs, hence the 2019 ‘Guideline for water service provision in rural and underserved areas’. However, several implementation issues need to be considered to guide the implementation of the Guideline.

- Supporting progressive improvement
- Learning through benchmarking and knowledge sharing
- Maintaining flexibility so that the framework is adaptable to place-based context
- Deepening an emergent paradigm shift in rural water toward professionalization of supply planning, development, operation, and maintenance
- Incentivizing cooperation and shared value for the county and water service providers (both large and small)

3. Progress and key process developments

Since the launch of the Guideline in 2019, progress has been mixed. The early implementation efforts for the Guideline were drastically interrupted by pandemic measures as Kenya grappled with COVID-19. More recently, implementation efforts have been gaining momentum again but, as observed by Wasreb, it has caused anxiety in some communities. Many sector partners are seeking clarification, and most continue with business as usual. There is a need to remove ambiguity in rural water supply management responsibilities and expectations – this must be guided by the Water Act 2016 and the LN 168 on water service rules. A small-scale service provider license document has been established but is not yet in common use.

On a progressive note, some counties have either newly established or are in the process of establishing rural water service providers to organize and consolidate rural water provision (e.g. Garissa, Isiolo, Kakamega, Laikipia, Makueni, Marsabit, Turkana, and Uasin Gishu counties). Most are yet to operationalize the entities, but the Kakamega rural water service provider has been licensed by Wasreb and has taken over the operations of some water supply projects which were previously under unsupported community-based management. However, in another case where the rural water provider was merged with the bigger urban provider, the merger is not working well and there are indications that the rural provider might be disengaged.

Photo by FundiFix / Jeff Waweru

Partners working in the rural water sector have played a key role in facilitating these processes in several counties. Notable programs, such as K-WASH funded by the World Bank, and the Sustainable Transformational and Accessible Water Interventions (STAWI) and Western Kenya Water Project (WKWP) projects funded by USAID have provided valuable support and incentives for the initial implementation of Wasreb's Guideline for rural water services, but sustainability will require that counties appreciate the need for rural water service providers and commit to their long-term implementation.

Some public benefit organizations have also sought advice on establishing private water service provision. While Wasreb and the Water Sector Trust Fund are urging counties to establish rural water service provision entities in accordance with the Guideline, there are open questions as to how this can be done without undermining other innovative models from public benefit organizations in the sector. Once a rural WSP is established, they may begin setting up direct operations and/or they may seek to collaborate with existing service provision organizations (delegation of responsibilities). While clarifying that all these options are provided in the Guideline, all stakeholders must recognize the county's centrality in any envisaged arrangement.

Wasreb notes that regulation of rural water services is a strategic objective in its current strategic plan and, therefore, needs to be progressed. However, if the experience so far is any indication, internal and external consensus is crucial. This discussion document, therefore, aims to clarify the rollout process and thereby support the deepening of overall ownership by the stakeholders in the rural water sector.

3.1 The role of the county government

Rural water is characterized by fragmented and uncoordinated planning, development, duplication, management, and funders who only answer to the funding sources. Building partnerships is critical for the sector to deliver sustainable outcomes. In many cases, partners have also been accused of weakening governance in the water sector (Harvey and Mukanga, 2020). The regulatory Guideline envisages public sector responsibility as a critical success factor for rural water sustainability. Therefore, the county government's leadership and commitment are necessary for rural water services to progress. This must be clear from the outset of community and stakeholder engagement. The understanding should be that partners support government programs by understanding government priorities and that the state authorities are responsible for public service provision.[4] Sector partners should, therefore, support government programs in line with the principles of aid effectiveness (OECD, 2005).

County governments are not expected to take on a regulation role, the State Law Office stipulates that the Regulator cannot delegate regulation, mainly because it is primarily about consumer protection. Based on the 2021 National Water Policy and the Guideline for rural water regulation, the primary responsibilities of the county government within the scope of rural water services are:

4 Responsibility does not mean provision, but rather oversight and facilitation of provision. However, if government has to be involved directly in provision, good practice would be to ring-fence and support management operations as distinct from ownership.

a. Allocating service provision areas: Service areas have been mapped out within counties. Wasreb now has records of 10,000+ small-scale and community water systems, which have been entered into their geospatial MajiData system, which generates maps of system locations. It is expected that there are still several thousand more small-scale systems to be documented in Kenya. Overlaps in service area allocations have been noted. In these instances, a way forward must be agreed with the county government and community engagement is often required to rationalize and avoid duplication and resource waste.

b. Overseeing the water service providers that are operating in the county. Oversight of small rural service providers may be delegated to an intermediary such as a large water service provider, but the County government has the final responsibility to ensure that aggregated monitoring information is submitted to Wasreb.

Wasreb's water regulation information system (WARIS), which collects operational data from water service providers, now includes a county reporting module. Based on the 2021 National Water Policy, the County Executive Committee Member (CECM) for water affairs and County Water Directors are supposed to spearhead the process of collecting data on small-scale water service providers. However, many are unfamiliar with the Guideline for rural regulation and further clarification is needed regarding expectations for data submission. A template of what to monitor and submit is needed.

The variable rate of uptake of the Guideline across the counties is partly driven by: a) uncertainty around the incentives for county governments and large water service providers to take on oversight of small rural water service providers; b) uncertainty around expectations and timelines for communication between rural water service providers, large water service providers, county governments and Wasreb[5]; and c) capacity development needs. Capacity development will be a continuous process that requires support and the preparation of comprehensive plans for professionalizing water services. Capacity development can also take many forms, including benchmarking and sourcing the right personnel to manage the water services. Training for implementing effective management structures and constructive oversight/mentorship arrangements; running operations; and making efficient use of technologies are needed. However, it is essential to avoid the trap of relying solely on one-off training workshops or even ad hoc benchmarking visits, vital though these activities may be.

Key processes for progressive migration towards implementation of the Guideline:

1. **Clarifying incentives, expectations and timelines.**
2. **Ongoing capacity building for county government uptake of the Guideline.**
3. **Rapid assessment of county rural water and sanitation services situation to enable allocation of service provision areas and articulation of the county vision and approach for rural water and sanitation services.**
4. **Allocating rural water service areas, including clarifying terms of engagement between the county government and water service providers.**

5 There is uncertainty in the sector about who should initiate engagement and when.

3.2 Community engagement and transition of roles

Further to the challenges discussed in the previous section, the variable rate of uptake of the Guideline is also related to challenges in navigating legacy asset ownership issues for rural schemes. This is especially the case for schemes which were co-developed with community investment (often labour and/or land). Historically, NGOs and donors have transferred ownership of water supply assets to communities after supporting installation. Likewise, most water supply assets installed by government programmes have been turned over to community-based management arrangements. To bring community-managed schemes into regulated service provision under any of the models set out in the Guideline, county governments cannot forcibly acquire schemes. It is necessary to reach agreements with communities, with full recognition of the communities' past and ongoing efforts. There are modalities for the government to compensate communities where asset acquisition occurs.

Reaching an agreement with communities is crucial because there are no guarantees of ongoing support as these arrangements are being implemented. Community engagement is a foundation for sustainability and transparency in water supply management and regulation. It should be clear that the community has a right to decline the envisaged arrangements, but they should also understand the implications. Engagement processes must be sensitive to hierarchies and marginalization within communities. There is a need to mitigate issues of elite capture, particularly by water committees and local politicians. Community members who may benefit the most from retaining control over water supplies outside of regulatory arrangements should not be able to decline regulated service delivery on behalf of the whole community.

Other challenges for meaningful community engagement can include a lack of a standard approach to how participation is facilitated and measured, low capacity among community institutions, and limited access to resources. These challenges have been explored in detail, alongside case studies of successful community engagement, in a recent report on ‘Public participation and community engagement in domestic water supply management in Kenya’, which Wasreb also contributed to (Korzenevica et al., 2024).

Key processes for progressive migration towards implementation of the Guideline:

5. **Regulated service provision arrangements are established with communities through meaningful and fair consultation.**

3.3 Setting performance expectations and tariffs

The progressive realization of the rights to water and sanitation requires a robust monitoring framework that is clear on what is being measured. The Wasreb small-scale service provider document has minimum service level expectations that can be a starting point. However, as monitoring is a means to an end, each county must build the capacity and resources to aggregate data and take corrective action where necessary to meet key performance indicators (KPIs). The flexibility embedded in the 2019 Guideline provides routes for counties to efficiently develop this capacity for monitoring and response by coordinating with partners through a variety of service delivery models.

The critical categories of KPIs are hereby proposed to be:

- Governance – service delivery model, coordination framework
- Operation and maintenance – volume, reliability, water safety, and non-revenue water
- Coverage – availability, access[6]
- Financial management – financial sustainability, revenue collection, O&M expenditure, subsidies
- Customer relations – complaints, tariff acceptability

Other parameters for the KPIs could be included. For example, a parameter within the governance category could assess the degree to which steps have been taken to establish an entity to coordinate rural water service delivery within a county.

Photo by FundiFix / Christoph Koestlin

6 Water resources management is a critical domain to ensure ongoing availability and access of water supply; however, it is recognized that catchment protection and water allocation decisions are largely outside the mandate of water service providers, being under the purview of the Water Resources Authority (WRA).

Wasreb is seeking data from rural water service providers to guide decisions about performance expectations and KPIs for rural water service provision. Recognizing that performance standards designed for large urban water utilities will often be inappropriate for rural contexts and that regulatory KPIs for rural contexts are uncommon internationally (Charles et al., 2023, further insight into rural water service levels is needed to refine reasonable rural KPIs. For example, expectations for water safety management, as part of the operation and maintenance KPI dimension, need to be reasonable given the starting conditions, water quality testing challenges, and limited treatment options that are reasonable in rural settings. Resources such as the WHO small systems guidance and sanitary inspection packages (WHO, 2024), and tools and guidance for fit-for-purpose rural water quality monitoring and decentralized water treatment[7] are useful to refine reasonable expectations for water safety management. The Uptime Global results-based funding approach for safe drinking services may also inspire setting targets that encourage progressive improvement in water safety (Charles et al., 2023).

Performance is, of course, related to the cost of service delivery; thus, work is ongoing to understand the true cost of different levels of service. Wasreb are asking service providers to provide data to enable cost analysis for purposes of tariff-setting. Wasreb released a revised tariff setting guideline in December 2023, which was developed with public consultation. Service providers are expected to propose a tariff that is suitable for their operational context and to provide justification.[8] In principle, surplus is allowable but public acceptance of tariffs will be required. Water service providers that are registered as for-profit entities will also need to consider taxation implications.[9]

Understanding tariff considerations is essential to building a sustainable cost recovery model. Notwithstanding tariffs' political sensitivity, policymakers must appreciate subsidies' short-term nature and unpredictability as an option for sustaining water service provision. When tariffs are collected through an organized and professional arrangement, communities contribute to the maintenance of their systems. Defining a framework for determining tariff levels guided by the principles of affordability and sustainability is critical. This is proposed to be aligned with the financing strategy under Kenya’s National Water and Sanitation Investment Plan (NAWASIP), which includes a significant portion from households and repayable private sector finance. Utility reforms, which present an opportunity to organize water service provision better, will support the latter. The guideline is, therefore, well-timed. The implementation will, however, require funding commitments and predictability to support.

7 Some resources are currently available at CAWST WASH resources. Further resources are in development at the time of writing.

8 For service providers who separate drinking water supply from water supply for general use, differentiated tariffs may be possible. This would require an extension of the main process for tariff setting and affordability will be maintained as they primary objective.

9 Taxation is governed by the Kenya Revenue Agency (KRA). Water services can be registered as tax-exempt if their company structure aligns with a tax-exempt category under KRA rules. Companies that are not registered in a tax-exempt category may request an exemption letter from the Ministry of Water. However, the Ministry will only grant to service providers that are regulated by Wasreb. Given the variable rate of uptake of the Guideline for rural water regulation in the different counties, securing an exemption letter may prove difficult in the near-term.

Key processes for progressive migration towards implementation of the Guideline:

6. **Water service provision data are progressively collected and shared (to Wasreb) to support cost and performance analysis.**
7. **A performance framework and associated KPIs are set with flexibility that is appropriate for rural contexts and encourages progressive improvement.**
8. **Tariffs are set**
9. **Tariffs are publicly accepted**

3.4 Legislated and results-based funding mechanisms

Research and operational analysis of water service provision demonstrate that full cost-recovery from tariffs will not be possible in most rural areas (Libey et al., 2020; McNicholl et al., 2019). Based on the best available evidence, governments and donors are called to acknowledge that long-term support of local water service delivery is both necessary and appropriate. In recognition of the cost-recovery gap between affordability and the true cost of safe and reliable water services, a consumption levy was proposed in Kenya's Water Act 2016 and set at 3% by Legal Notice 168 [s.64]. Further, in Legal Notice 168 [s.13] and [s.14], there are two funds proposed: one at the county level (to support underserved areas) and another one at the national level (as a contingency fund for utilities). Legal Notice 168 has incentives for rural water provision to be better organized, although it has proven challenging for County governments to meet their obligations/commitments.

The consumption levy has yet to be operationalized and the water sector may need to establish alternative arrangements to cover the cost-recovery gap. Some results-based funding programmes are being implemented to support existing large water service providers, but there are no government-backed arrangements to support small providers.

The uniqueness of the rural water sector requires a policy-level commitment to support continued infrastructure financing and service delivery, and continuous capacity support – including private providers where they exist. To date, the national public finance management and procurement laws have limited the county governments' ability to partner with existing private service providers. Policy reform for coherence is needed if resources are to be assured to avoid community and overall stakeholder disillusionment.

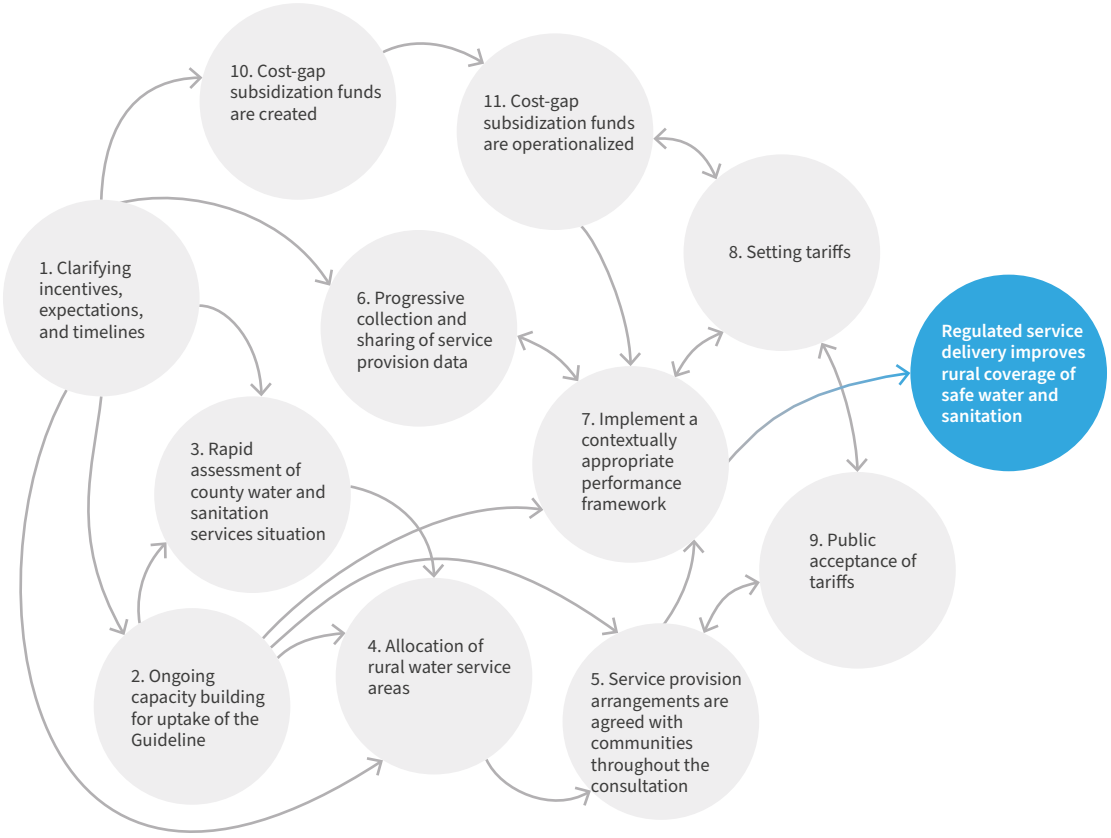
Key processes for progressive migration towards implementation of the Guideline:

10. **Cost-gap subsidization funds are created**
11. **Cost gap subsidization funds are operationalized**

3.5 Process sequencing and challenges

Eleven key processes are identified in the previous sections – all of which must be established to achieve improvement in rural water service delivery through regulation. These processes are interrelated through several dependencies and, as indicated in the preceding sections, they require coordinated collaboration of different organizations including government, Wasreb, service providers, and donors (Figure 1).

Figure 1: Linked key processes for progressive migration towards implementation of the Guideline



In the near-term, particular attention is needed to clarify incentives, expectations and timelines; share data to support cost and performance analysis, and initiate a process of ongoing capacity building. These 'upstream' processes create the conditions that enable the other key processes to be successful. Establishing these processes is difficult and efforts are particularly challenged by high staff turnover rates and, more fundamentally, by misalignment of values and aspirations between county and national government levels. This misalignment is exacerbated by policy incoherence and mistrust between the two levels. Even Wasreb's function as an independent regulator is contested at times, with regulation being framed as national government overreach.

Crucially, the processes for creation and operationalization of cost-recovery gap subsidization funds are highly influential. These funds are required to enable better rural water service performance standards (KPI setting) and tariffs that are operationally feasible and publicly acceptable. Without subsidization, rural water service delivery will always be plagued by a mismatch between sector organizations' mandated functions and their resources.

4. Conclusion: Framing a way forward for county governments

Based on the key processes and challenges identified in the previous section, this section proposes a series of actions for county governments to move forward on improving rural water services in alignment with the Guideline. The formation of two county-level teams is hereby recommended: a technical team (preferably headed by the Director for Water) and a strategic guidance team, headed by the County Executive Committee Member [CECM] for water affairs.

The technical team would coordinate sector activities, identify the needed support, and advise the high-level team at the county leadership level. The team would be responsible for understanding the national and county vision for rural water supply and supporting all partners to have clear roles and responsibilities, including dispute resolution mechanisms, aligned with this vision.

The strategic guidance team would gauge the county's appetite for support and responsibility for rural water services and steer the process of signaling the government's intent to improve rural water service provision. This team will be the focal point for discussing and building a consensus on the various issues that may arise regarding rural water regulation. The team could benefit from the inclusion of local representatives such as MCAs and administrators at sub-county, ward, and village levels.

Working in conjunction, these teams could progress key activities as outlined in Table 1. These activities may not progress in the order that they are presented in the table many will be ongoing activities that can progressively improve over time.

Photo by Jeff Warewu

Table 1: Key activities for county technical and strategic guidance teams.

No.	Key activity	Leading team
1	Articulate the county's vision, policy, and legal framework.	Both, jointly
2	Conduct a rapid assessment of the county water and sanitation services situation – existing management/governance models, stakeholders in the rural sector, rural water services plans and sustainability proposals, budgets, etc.	Both, jointly
3	Assess the various service delivery models and agree on an approach for the county, including allocating service provision areas. The strategic guidance team may support the technical team in evaluating service provision and financial sustainability plans that will be politically feasible. Share the agreed approach with Wasreb.	Both, jointly
4	Progressively improve assessment of the county water and sanitation services situation, including mapping system locations (for input into the MajiData system) and collecting operational service delivery data (for input into the WARIS system). Wasreb can provide a template to clarify expectations on what data are needed. Water service providers and Wasreb can support this ongoing effort, which can be expanded over time. This activity should not prohibit progress on the other key activities.	Technical
5	Communicate to signal the government's intent to accelerate organized sustainable access, equality under the constitution, and protection of public health and the environment (long-term). This will be important to enhance the buy-in from stakeholders, especially communities.	Strategic
6	Guide community engagement to explain the arrangements and establish community buy-in, but also hear the community's views on their water service organization and proposed service delivery model in their context. Wasreb can support strategic guidance and knowledge exchange on approaches to community engagement across the country.	Strategic
7	Guide the transition from a community-based management arrangement for rural water supply to a regulated rural water sector coordinated the county's chosen approach (see activity 3). County contexts vary socially and politically, so this transition must be guided at the county level.	Strategic
8	Oversee the service delivery implementation phase during which service providers monitor and report on their activities to the county government and thereafter to Wasreb, with sanctions and rewards to service providers made accordingly.	Technical
9	Monitor and evaluate the overall rural water regulation process: document lessons and share with Wasreb, take corrective action where necessary and address community concerns.	Technical

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About Wasreb

The Water Services Regulatory Board (Wasreb) is a regulatory state corporation initially established under the Kenyan Water Act of 2002 and maintained by the Water Act 2016. Its mandate, as outlined in Section 70 (1) of the Water Act 2016, is to protect consumers' interests and rights in water services. Wasreb is responsible for determining and prescribing standards to guide the sector, ensuring consumer protection, and promoting access to water services that are efficient, affordable, safe, inclusive, and financially sustainable.

For more information, visit wasreb.go.ke

About Blackburn Associates

Blackburn Associates Limited is a water, sanitation, and hygiene (WASH) consultancy firm founded in Kenya in 2019. It focuses on policy implementation, institutional development, and regulation as key elements of an enabling environment for the realization of growth and value in the entire WASH value chain in urban and rural areas, particularly in terms of governance effectiveness, creditworthiness, financing, and bankability of both utilities and their investment projects for enhanced service and financial sustainability.

About FundiFix

FundiFix is a social enterprise that has since 2015 provided a professionalized repair and maintenance service for rural handpumps and small piped systems, guaranteeing quality and timely repairs upon failure, which has seen a reduction in waterpoint downtime from months to an average of two days. FundiFix's service also integrates water quality monitoring and treatment, prioritizing sources used for drinking and therefore securing safe and reliable water services for over 75,000 people in communities, healthcare facilities, and public schools in rural Kenya.

For more information, visit fundifix.org

About the Enabling Safe Rural Water Services in Kenya project

Funded by a UK Research and Innovation Medical Research Council (UKRI MRC) Public Health Intervention Development (PHIND) grant, 'Enabling Safe Rural Water Services in Kenya' (2023-2024) was a solution-oriented research project that brought together water sector stakeholders to increase access to safe drinking-water in rural Kenya.

About the REACH programme

REACH is a global research programme to improve water security for the poor by delivering world-class science that transforms policy and practice. The programme (2015-2025) is led by Oxford University with an international consortium of partners and funded with UK Aid Direct from the UK Government's Foreign, Commonwealth & Development Office, Project code 201880.

For more information, visit www.reachwater.org.uk