



POSITION PAPER ON THE MOMBASA COUNTY CHILDCARE FACILITY BILL, 2024

Submitted to:

Mombasa County Assembly of Mombasa

Submitted by:

**Center For Resilience and Sustainable Africa
(CEFRESA)**

INTRODUCTION

The **Center for Resilience and Sustainable Africa (CEFRESA)** is a non-profit organization that alleviates poverty and promotes holistic community development through strategic policy advocacy. Over the past five years, CEFRESA has actively worked to foster cohesive communities, champion gender equality, enhance governance and democracy, and improve public health, with a particular emphasis on the comprehensive well-being of children. Leveraging its expertise in policy reforms, the organization's engagement in legislative processes seeks to ensure that policies and laws are comprehensive, inclusive, and aligned to the diverse needs and rights of children and the community at large.

The **Mombasa County Childcare Facility Bill, 2024**, currently under consideration by the County Assembly of Mombasa, is a significant piece of legislation that governs the assessment, registration, licensing, and management of childcare facilities within Mombasa County. It establishes governance structures, outlines obligations for childcare providers, and prescribes standards for operations. However, after reviewing the bill, we have identified several gaps and omissions that require substantial attention to ensure it effectively addresses children's well-being while upholding the principles of equity, fairness, and inclusivity.

This position paper highlights the lack of children's mental health provisions in the Mombasa County Childcare Facility Bill, 2024 and proposes recommendations to guide the Mombasa County Assembly in refining the Bill before it is enacted into law. As the County Assembly of Mombasa reviews the Mombasa County Childcare Facility Bill, 2024, it is imperative to adopt a holistic children wellness lens. The Center for Resilience and Sustainable Africa (CEFRESA) remains available for further dialogue, stakeholder engagements, and technical assistance in refining this legislative framework.



KEY IDENTIFIED GAPS

1. Exclusion of Children Mental Health Provisions

- The Bill does not recognize or integrate mental health as a critical component of children's wellbeing and social welfare.

2. Lack of a Framework and Institutional Structure

- The Bill does not establish a structured framework for the provision of children's mental health services within the childcare facilities in Mombasa County
- There is no institutional structure defining the services, guidelines, roles, and responsibilities of relevant departments and stakeholders in children's mental health service provision in the Childcare Facilities

3. Capacity Issues

- There are no provisions for capacity-building programs, including training, recruitment, and retention of mental health personnel in the Childcare facilities.

4. Lack of Stakeholder Involvement of Children's Wellbeing in Childcare Facilities

- The Bill has no provision for consultation, and public participation mechanisms fail with stakeholders on mental health awareness, stigma reduction, and the role of community-based interventions on children's Mental Health within Childcare facilities.

5. Lack of Referral Mechanisms

- The Bill does not establish clear referral pathways for children's mental health cases within the childcare facilities
- There is no guidance on coordination between childcare facilities, mental health specialists, and emergency response units for mental health crises in childcare facilities.



RECOMMENDATIONS

1. Inclusion of Children's Mental Health Provisions

- The Bill should introduce a specific clause recognizing children's mental health as an essential component of children's development within childcare facilities.

The Bill should mandate the inclusion of children's mental health services within childcare facilities, including screening, counseling, crisis intervention, and rehabilitation services.

2. Establishing a Framework and Institutional Structure for Mental Health Services

- The Bill should have a clause that establishes a structured framework for the provision of children's mental health services within the childcare facilities in Mombasa County
- Have a provision defining the services, guidelines, roles, and responsibilities of relevant departments and stakeholders in children's mental health service provision in the Childcare Facilities.

3. Addressing Capacity Issues in Childcare Facilities

- The Bill should have a provision for capacity building programs, including continued professional development such as training, recruitment, and retention of mental health personnel in the Childcare facilities

4. Enhancing Stakeholder Engagement in Children's Mental Health Child-Care Facilities

- The Bill should have a framework for continuous public participation, including awareness campaigns and feedback mechanisms to improve children's mental health services in Childcare facilities.

5. Strengthening Referral Mechanisms in Childcare Facilities

- The Bill should have a provision to establish clear referral pathways for children's mental health cases within the childcare facilities
- There should be a provision for guidance on coordination between childcare facilities, mental health specialists, and emergency response units for mental health crises in childcare facilities.



A woman with dark hair tied back is looking at a large digital screen displaying various analytics. The screen has a teal background with yellow and white text. The word 'CONCLUSION' is overlaid in large, bold, yellow letters. The dashboard includes sections for 'ANALYTICS SUMMARY', 'Estimated Upscale Revenue' (25:1), 'Negotiations' (274), 'Leads' (877), and 'Signed Contracts' (175).

CONCLUSION

In conclusion, the Mombasa County Childcare Facility Bill, 2024, represents a positive step toward addressing the management and standard operations of the Childcare Facilities, but several gaps need to be addressed for its successful implementation. By adopting the above recommendations, the County Assembly will strengthen the bill and ensure that it has the desired impact on the children's well-being and holistic development.

Thank you for your attention to this matter. We remain committed to working together to ensure the bill's success.

