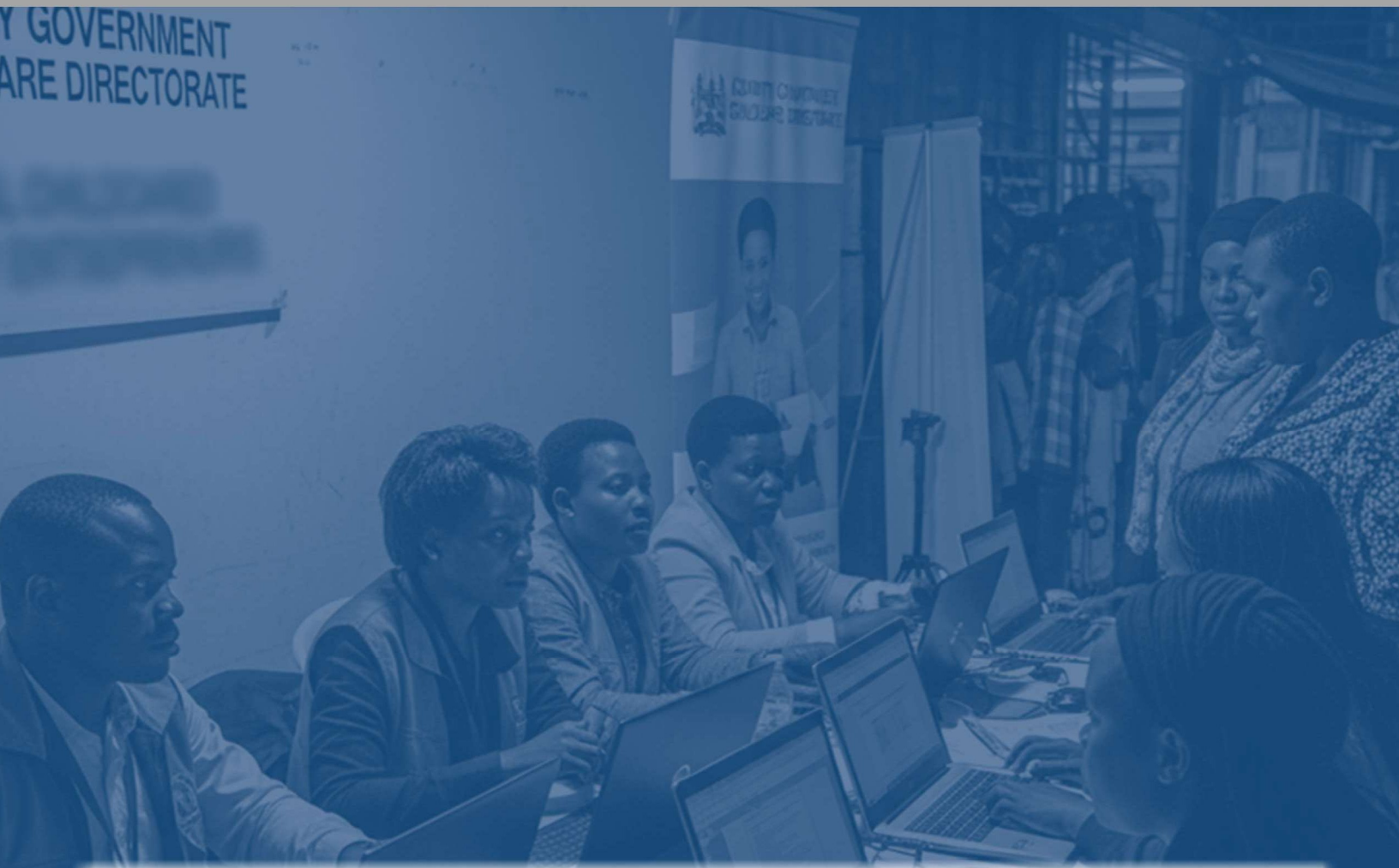




THE COUNTY GOVERNMENT'S ROLE IN CHILDCARE IN KENYA: A POLICY VISION FOR COUNTY GOVERNMENT LEADERSHIP



**THE COUNTY GOVERNMENT'S ROLE
IN CHILDCARE IN KENYA:
A POLICY VISION FOR COUNTY GOVERNMENT LEADERSHIP**

**Technical Working Group
Localizing Women's Economic Empowerment
and Childcare in Kenya**

February 2026

© Copyright 2026. Local Public Sector Alliance.

Acknowledgements. This document was prepared by Jamie Boex and Jacqueline Muthura. The preparation of the document was guided by the Technical Working Group on Localizing Women’s Economic Empowerment and Childcare in Kenya. The views and opinions expressed in this document are those of the authors and do not necessarily reflect the official policies or positions of the Technical Working Group, any of the working group members, or any organization, institution, or individual with which the authors are affiliated.

Rights and Permissions. This work is available under the Creative Commons Attribution 4.0 NC license (CC BY-NC-SA 4.0), <https://creativecommons.org/licenses/by-nc-sa/4.0/>. Under the Creative Commons Attribution license, you are free to copy, distribute, transmit, and adapt this work, for non-commercial purposes, under specific conditions.

Attribution—Please cite the work as follows: Local Public Sector Alliance. 2026. The County Government’s Role in Childcare in Kenya: A Policy Vision For County Government Leadership. Nairobi, Kenya.

Contents

- Contents i
- 1. Introduction 1
- 2. What do we mean by childcare? 3
 - Defining childcare 3
 - The constitutional mandate for childcare 4
- 3. Why is—or why should childcare be—important to county governments? 5
 - Advancing human rights and gender equity..... 5
 - Unlocking women’s labor force participation and economic growth 6
 - Promoting women’s entrepreneurship and creating livelihoods through paid care work .. 6
 - Strengthening communities and livability 6
 - Reducing gender-based violence through economic empowerment..... 7
 - Promoting child health and development 7
- 4. The current state of childcare provision in Kenya..... 9
 - Childcare in Kenya is primarily provided by informal providers 9
 - Lack of national norms and standards for childcare facilities 10
 - County childcare policies and legislation are often inadequate..... 10
 - Gaps in county registration, regulation, and inspection 11
 - Limited (if any) direct county provision or support 11
 - Lack of dedicated county childcare units and staff..... 12
 - Childcare is unfunded or underfunded by counties, but counties have considerable fiscal space..... 12
 - Risks and rewards for county governments..... 13
 - The role of childcare champions and civil society actors in the childcare ecosystem 13
- 5. What would a well-functioning county childcare system in Kenya look like? 15
 - Childcare providers are registered providers..... 15
 - Registered providers are regularly inspected based on childcare norms and standards 17
 - Inspection information for all childcare facilities is available to parents..... 17
 - County officials work on an ongoing basis with childcare providers and partners to improve the quality of care 17
 - County governments work to promote access to safe, affordable childcare provision as suitable for their context 18
- 6. The journey from informal childcare provision to a vibrant, well-regulated and well-supported childcare sector..... 20
 - Recognizing informal providers as central to reform 20
 - Registration as a pathway, not a barrier 21
 - Moving from punitive to developmental registration and regulation 22
 - County support for childcare providers 23
 - Expanding county interventions in support of childcare over time 24
 - Building trust as the foundation of reform..... 25
 - Sequencing the reform journey..... 26

7. Establishing a County Childcare Directorate as the county’s childcare champion	27
Rationale for a dedicated County Childcare Directorate	27
Institutional positioning	28
Mandate and functions	29
The County Childcare Portal	31
Organizational structure and staffing	32
Budget and financing	34
Start modestly... while planning for scale.....	36
8. From Vision to Reality	38
The costs and benefits of county leadership in childcare	38
A multi-year roadmap for institutionalization	39
County champions and county political leadership.....	41
The role of childcare provider networks and other partners	42
Concluding thoughts	42

THE COUNTY GOVERNMENT’S ROLE IN CHILDCARE IN KENYA: A POLICY VISION FOR COUNTY GOVERNMENT LEADERSHIP

1. Introduction

Childcare is increasingly recognized as a cornerstone of inclusive development, gender equality, and early childhood well-being. Across Kenya, county governments are beginning to respond to this imperative by drafting policies and initiating programs aimed at expanding access to affordable, safe, and quality childcare. These efforts reflect growing consensus among policymakers, civil society actors, and development partners that childcare is not merely a private concern—it is a public good with far-reaching social and economic implications.

Despite this momentum, the role of county governments in the childcare sector remains poorly defined. Unlike other devolved functions that were clearly assigned to counties under Kenya’s 2010 Constitution—such as health, agriculture, and early childhood education—childcare was not an established public sector mandate at the time of constitutional adoption. As a result, the institutional architecture for childcare remains fragmented, and the terminology used to describe childcare responsibilities is often inconsistent or ambiguous. This lack of clarity has created confusion among stakeholders and has hindered the development of coherent, county-led childcare systems.

In the absence of a clear public sector mandate, civil society organizations and childcare networks have stepped in to fill the gap. Their contributions—ranging from advocacy and service delivery to policy innovation—have been instrumental in elevating childcare on the national agenda. However, while these actors play a vital role, they cannot substitute for a responsive, inclusive, and accountable public sector. The long-term sustainability and scalability of childcare services in Kenya depend on the ability of county governments to lead, coordinate, and institutionalize childcare as a core component of local governance.

Currently, only a handful of counties have begun to articulate childcare policies, often in partnership with civil society organizations. Yet, most county governments lack the technical capacity to envision, establish, and implement comprehensive childcare

strategies. This gap underscores the urgent need for a shared vision—a framework that defines the role of county governments in promoting and supporting childcare, and that aligns with Kenya’s broader commitments to decentralization, equity, and human development.

This report seeks to provide that clarity. It offers a conceptual and practical roadmap for county governments to engage meaningfully in the childcare sector. By defining the contours of county-level responsibility and identifying pathways for institutional development, the report aims to support counties in becoming proactive stewards of childcare systems that are affordable, safe, and high-quality.

Establishing such a vision is not merely a technical exercise—it is a foundational step toward building a multilevel governance ecosystem capable of scaling innovations and ensuring that childcare services reach all Kenyan families, regardless of geography or income. In doing so, county governments can help transform childcare from a fragmented set of initiatives into a coherent, rights-based system that supports children, empowers caregivers, and strengthens communities.

2. What do we mean by childcare?

Defining childcare

Childcare—as used in the report—refers to the provision of supervision and care of infants and young children, up to age four, during the daytime or nighttime hours. Childcare services enable parents and caregivers to engage in employment, education, or other essential activities, while ensuring the safety and developmental support of their children.¹

Childcare may be delivered through a range of modalities. In Kenya, formal childcare services are offered by facilities variously referred to as daycare centres, crèches, or nursery schools. Childcare services may also be provided in a family-based or community-based setting, for instance, in the home of a childcare provider. These providers are referred to as home-based childcare providers or home-based childcare facilities.

Care for children up to age four—including a child’s “first 1000 days”—is a critical element in a child’s overall social, emotional, intellectual, and physical development. As such, promoting affordable, safe, quality childcare services for infants and toddlers under four is an important part of the public sector’s role in ensuring comprehensive care for children and social protection. Ensuring access to childcare services for children under four should be seen as a distinct priority, separate from the benefits of ECDE services that are provided by county governments and private sector establishments for children aged 4-5.

Beyond its developmental benefits, childcare has profound implications for gender equity. In Kenya, the burden of unpaid care work—especially for children aged 0–3—is disproportionately borne by women, limiting their participation in the labor market and public life. Expanding access to childcare is thus a strategic intervention for women’s economic empowerment and inclusive growth.

¹ The National Care Reform Strategy for Children in Kenya (2022-2032) generally uses the term “day care”, defined as “[c]are of a child during the day by a person other than the child’s parent(s) or legal guardian. It is

an ongoing service during specific periods of time, such as the time when parents are at work. It can be provided in nurseries, crèches or a childcare provider caring for children in their own home.” However, work commitment may require parents to seek childcare not just during the day, but also during nighttime hours.

The constitutional mandate for childcare

The Constitution of Kenya (2010) affirms the rights of all children to protection from abuse, neglect, harmful cultural practices, violence, and exploitation (Article 53). In addition, the Fourth Schedule assigns county governments the responsibility for “[p]re-primary education, village polytechnics, homecraft centres and childcare facilities,” thereby embedding childcare within the framework of devolved functions.

Despite this constitutional assignment, the interpretation and operationalization of county responsibilities in childcare have varied. Some counties have equated their mandate with the direct provision of childcare services—mirroring their role in ECDE centre construction and management. However, the more strategic and sustainable role for county governments lies in regulation, oversight, and system-building. This includes registering and licensing both public and private childcare providers, enforcing national norms and standards, and conducting regular inspections to ensure quality and safety.

Recent clarifications by the Intergovernmental Relations Technical Committee (IGRTC), in accordance with the Intergovernmental Relations Act (Rev. 2022), have delineated the respective roles of national and county governments in the childcare sector. As published in The Kenya Gazette (16 December 2024), the National Government is tasked with developing overarching policy, norms, and standards for childcare facilities. County governments, in turn, are assigned the following responsibilities:

- Implementing the national framework for childcare norms and standards
- Formulating and enacting county-level policies and legislation to regulate childcare
- Establishing and managing childcare facilities
- Registering and regulating all childcare providers
- Enforcing quality assurance and conducting inspections

These responsibilities are further reinforced by the Children Act (2022), which mandates county governments to “provide or facilitate the provision of childcare facilities” and to develop policies and guidelines in consultation with the Cabinet Secretary.

Together, these legal instruments establish a clear mandate for county governments—not only to expand access to childcare services, but to shape a coherent, accountable, and rights-based childcare system. Realizing this mandate requires technical capacity, institutional commitment, and a shared vision for multilevel governance in the childcare sector.

3. Why is—or why should childcare be—important to county governments?

As county governments in Kenya continue to refine their service delivery mandates in line with the devolved constitution, it is time to ensure that childcare is recognized as a core county mandate—one that intersects with economic development, gender equity, and child wellbeing. While childcare has often been treated as a private concern or left to civil society, it is fundamentally a public sector challenge—requiring coordination and action across all levels of government and society.

This section outlines six key reasons why childcare should be treated as a strategic priority for county governments. Each reason reflects a different dimension of public value—from advancing gender equity and economic empowerment to strengthening community wellbeing and child development. Together, these arguments build the case for county governments to move beyond *ad hoc* initiatives and toward a coherent approach to childcare—one that is aligned with constitutional mandates, responsive to community needs, and capable of delivering lasting impact.

For county governments, engaging in childcare isn't just about building facilities—it's about shaping communities where families can thrive, women can participate fully in economic life, and children can grow up safe, supported, and ready to learn. County-led childcare initiatives also provide county leaders with an opportunity to show that they care about all the priorities of all their constituents—including those who are politically underrepresented at the county level and whose voices not always heard.

Advancing human rights and gender equity

At its core, access to safe and affordable childcare is a matter of basic fairness. In an equitable society, men and women should have equal opportunities to participate in economic, educational, and civic life. Yet in Kenya, the disproportionate burden of unpaid care work—particularly care for children under four—falls on women, limiting their ability to pursue these opportunities. County governments have a responsibility to address this imbalance by supporting systems that redistribute care work more equitably.

By investing in childcare infrastructure and regulation, counties can help shift the societal norm from unpaid, invisible labor to recognized and supported caregiving. This not only affirms the rights of women to equal participation, but also promotes a more inclusive and just society where caregiving is valued as a shared responsibility.

Unlocking women’s labor force participation and economic growth

Access to childcare is a key enabler of labor force participation, particularly for women. When parents—especially mothers—have reliable childcare options, they are more likely to enter or remain in the workforce, pursue education, and contribute to household income. Over time, this leads to improved lifetime earnings, greater economic security, and enhanced productivity at both the household and community levels.

County governments that prioritize childcare are making a strategic investment in human capital. By removing barriers to employment and education, counties can foster inclusive economic growth and reduce dependency. The ripple effects extend beyond individual families to the broader economy, reinforcing the case for childcare as a public good with measurable economic returns.

Promoting women’s entrepreneurship and creating livelihoods through paid care work

Beyond the general economic impact of transforming unpaid care into paid childcare provision, the emergence of a formalized childcare sector itself presents a powerful opportunity for women’s entrepreneurship and local job creation. County governments can catalyze this transformation by supporting the formalization of facility-based and home-based childcare providers, offering links to training and certification programs, and facilitating access to finance and business development services.

Such initiatives not only professionalize the childcare sector but also create dignified livelihoods for women—many of whom are already engaged in informal caregiving roles. By recognizing and investing in care work as a viable economic activity, counties can promote women’s economic empowerment while expanding the supply of quality childcare services.

Strengthening communities and livability

Affordable, quality childcare contributes to the overall livability of a community. It enables families to thrive, supports working parents, and fosters social cohesion. Communities with accessible childcare are more attractive to residents and businesses alike, and are better positioned to retain talent and promote inclusive development.

County governments have a unique opportunity to embed childcare into local planning and service delivery. Whether through public provision, partnerships, or regulatory

support, counties can ensure that childcare is available where families live and work—making communities more resilient, inclusive, and family-friendly.

Reducing gender-based violence through economic empowerment

Gender-based violence (GBV) remains a pervasive challenge across Kenyan society, affecting women and girls in both urban and rural settings. It manifests in many forms—physical, emotional, sexual, and economic—and is often rooted in unequal power dynamics, economic dependency, and entrenched social norms. GBV not only violates the rights and dignity of individuals, but also undermines community cohesion, public health, and national development.

Tackling gender-based violence requires a multifaceted approach, one that includes legal protections, social services, and—critically—economic empowerment. While often seen as a national challenge, this challenge is best tackled from the bottom-up, as the county government level is the closest to the community. County-led childcare initiatives can serve as a strategic entry point for advancing women’s economic empowerment, which in turn helps reduce vulnerability to GBV.

Childcare plays a critical role in this empowerment by enabling women to work, study, and participate in public life. When women have access to affordable, quality childcare, they are better able to pursue employment, education, and leadership opportunities. This increased autonomy and financial independence can shift household dynamics, reduce dependency on abusive partners, and strengthen women’s ability to seek support and assert their rights.

County governments that invest in childcare are thus not only supporting economic development—they are also contributing to safer, more equitable communities. By integrating childcare into broader gender and social protection strategies, counties can help address the root causes of gender-based violence and promote long-term resilience.

Promoting child health and development

The preceding arguments underscore that childcare is not a single-issue intervention—it is a multidimensional lever for inclusive development by contributing to a more equitable and prosperous society. Yet at the heart of these benefits lies the child.

Kenya’s National Care Reform Strategy for Children (2022-2032) reaffirms the significance and the leading role of the family in the care, nurturing, growth and development of children. At the same time, the strategy recognizes that economic

factors often play an important role in the decision to institutionalize children. As such, the National Care Reform Strategy recognizes that a family-centered care strategy requires the increased provision of accessible day care and after-school care to allow parents and carers to work during the school day. Quality childcare is ultimately about ensuring that young children—especially those under four—receive the nurturing, stimulation, and protection they need to thrive.

Formal childcare settings can, in some cases, offer developmental advantages that complement or even exceed what is available in the home. Quality daycare environments provide structured routines, age-appropriate stimulation, peer interaction, and access to trained caregivers who understand early childhood development. For children in households facing economic hardship, social isolation, or limited caregiving capacity, these settings can offer an alternative to institutionalized care while providing children with greater consistency, nutrition, safety, and emotional support than what may be available at home.

The societal benefits of quality childcare are well-documented: children who receive early care and stimulation are more likely to succeed in school, avoid negative health outcomes, and contribute positively to society.

County governments that regulate and support childcare services can ensure that childcare providers meet adequate standards of care and are accessible to all families. By investing in childcare, county governments are laying the foundation for a healthier, more educated, and more productive population.

4. The current state of childcare provision in Kenya

Despite growing recognition of childcare as a public concern, the current landscape of childcare provision in Kenya remains fragmented, informal, and largely unsupported by government systems. While families and communities continue to shoulder the burden of care—often through informal arrangements—there is no coherent national or county-level framework to guide, regulate, or scale childcare services for children under four. As a result, access to affordable, safe, and quality childcare is uneven, and the sector operates in a policy vacuum that limits both innovation and accountability.

This section provides a diagnostic overview of the childcare ecosystem as it exists today. It examines the predominance of informal providers, the absence of national norms and standards, and the limited engagement of county governments in direct service provision, regulation, and budgeting. It also highlights the institutional gaps—such as the lack of dedicated childcare units and trained personnel—and explores the role of civil society actors who have stepped in to fill the void. Taken together, these insights underscore the urgent need for a coordinated, multilevel response to transform childcare from a patchwork of informal efforts into a structured, inclusive public service.

Childcare in Kenya is primarily provided by informal providers

Across Kenya, childcare services are overwhelmingly delivered through informal arrangements. These include small home-based providers, privately operated daycare centres and nurseries, and programs run by religious institutions, social enterprises, and childcare networks. While these providers play a critical role in meeting community needs, the vast majority of these providers operate outside formal regulatory frameworks. They are not registered under the Companies Act (2015), nor do they hold county-issued licenses or single business permits. As such, they fall outside the scope of government oversight, support, and quality assurance.

This informality presents both challenges and opportunities. On one hand, it reflects the entrepreneurial spirit and community responsiveness of women-led microenterprises, many of which serve low-income families in underserved areas. On the other hand, the lack of regulation means that standards of care vary widely, and children may be exposed to unsafe or unstimulating environments. The absence of formal registration also makes it difficult to quantify the scale of childcare provision. For example, a 2024 analysis by Uthabiti estimated that Nairobi alone may host over 7,000 childcare providers—yet this figure remains unverifiable due to the lack of a centralized registry. Much of this care occurs in private homes, often without formal training, infrastructure, or support.

The informal nature of childcare provision in Kenya underscores the urgency of establishing a coherent governance framework. County governments cannot effectively regulate, support, or scale childcare services without first acknowledging and engaging with existing childcare providers. This requires not only national policy guidance but also practical tools for registration, licensing, and capacity-building that are tailored to the realities of community-based childcare providers.

Lack of national norms and standards for childcare facilities

One of the most significant barriers to effective childcare governance in Kenya is the absence of national norms and standards for childcare facilities. While the national government has issued guidelines for Early Childhood Development and Education (ECDE), these apply primarily to children aged 4–5 and do not extend to infants and toddlers under four. As a result, there is no authoritative framework to guide the design, operation, or regulation of childcare services for the youngest children.

This regulatory vacuum has serious implications for county governments. Under the Constitution, counties are responsible for registering, regulating, and inspecting childcare facilities. Yet without national norms and standards, counties lack the reference points needed to perform these functions consistently or credibly. The result is a fragmented landscape in which some counties attempt to develop their own standards, while others operate without any formal criteria at all.

The development of national norms and standards is essential—not only to ensure quality and safety, but also to enable counties to fulfill their constitutional mandates. These standards should be flexible enough to accommodate diverse delivery models, including home-based care, while establishing minimum thresholds for caregiver training, child-to-staff ratios, physical infrastructure, and health and safety protocols. Until such standards are in place, counties will remain constrained in their ability to regulate and support the childcare sector.

County childcare policies and legislation are often inadequate

Despite growing interest in childcare, most counties have yet to develop comprehensive legal and policy frameworks to guide their engagement in the sector. A recent review by LPSA and CREAM (2025) found that only a handful of counties—namely Nairobi, Kisumu, and Tharaka Nithi—have made meaningful progress in drafting childcare-specific legislation or policy instruments. Even in these counties, implementation remains limited, and enforcement mechanisms are often weak or under-resourced.

The absence of robust county-level policies reflects both institutional gaps and conceptual ambiguity. In many cases, childcare is subsumed under broader education or social services mandates, without dedicated attention to the unique needs of children under four. This lack of clarity hampers strategic planning, budget allocation, and interdepartmental coordination. It also makes it difficult for counties to engage with civil society, private providers, and development partners in a structured and accountable manner.

To move forward, counties must develop tailored legal and policy instruments that define their role in childcare provision, regulation, and support. These instruments should align with national care reform strategies, reflect local realities, and include mechanisms for monitoring, evaluation, and stakeholder engagement.

Gaps in county registration, regulation, and inspection

To the extent that counties have adopted county childcare policies, counties need to actually operationalize these policies, first and foremost, by registering and inspecting existing childcare facilities and home-based childcare providers.

The regulation of childcare providers is uneven across counties. While Nairobi and Kisumu have established licensing protocols and enforcement mechanisms, many other counties lack inspection systems or fail to uphold minimum standards. In some cases, the standards themselves are too stringent or poorly adapted to the realities of informal providers, creating barriers to compliance and discouraging registration.

This regulatory gap poses risks to children, families, and providers alike. Without oversight, children may be exposed to unsafe environments, while providers operate without legal protection or access to support services. It also undermines the credibility of county governments and limits their ability to plan, budget, or engage with the sector strategically.

To address these gaps, counties must develop pragmatic registration and inspection systems that balance quality assurance with inclusivity. This includes simplifying licensing procedures, offering training and support to providers, and conducting regular inspections that are both announced and unannounced. Counties should also invest in data systems to track provider registration, service quality, and child outcomes—laying the groundwork for evidence-based policymaking.

Limited (if any) direct county provision or support

Direct public provision of childcare services by county governments remains rare. In counties such as Kisumu, Homa Bay, Kitui, Nairobi, and Narok, childcare services are

largely delivered through informal community arrangements or partnerships with non-governmental organizations. While these efforts are valuable, they do not constitute a systematic or sustainable approach to childcare governance.

Tharaka Nithi stands out as one of the few counties to pilot a county-supported childcare facility—the Chuka Market Crèche. However, even in this case, the facility is not operated or funded by the county government itself. Instead, it relies on external support and informal management arrangements. This highlights a broader trend: while counties may recognize the importance of childcare, they often lack the institutional capacity or political wherewithal to invest in direct provision of childcare services.

Lack of dedicated county childcare units and staff

If counties are to lead the development of their childcare sectors, this will require dedicated county childcare units and dedicated staff. In practice, institutional capacity within county governments is a critical constraint on childcare governance. In most counties, childcare responsibilities are folded into broader ECDE or social services departments, without dedicated units, personnel, or budgets. This lack of specialization limits the ability of counties to plan, coordinate, and oversee childcare services effectively.

Only Nairobi County currently has a dedicated childcare unit, reflecting its status as a pioneer in the sector. In other counties, staff responsible for childcare often juggle multiple portfolios, and may lack the training or mandate to engage meaningfully with childcare providers, parents, or civil society actors. This institutional gap contributes to policy fragmentation, weak enforcement, and limited stakeholder engagement.

Building dedicated childcare units within county governments is a necessary step toward professionalizing the sector. These units should be staffed by personnel with expertise in early childhood development, public administration, and community engagement. They should also be empowered to coordinate across departments, manage budgets, and lead policy implementation. Without such structures, counties will struggle to move from *ad hoc* initiatives to sustained systems of care.

Childcare is unfunded or underfunded by counties, but counties have considerable fiscal space

Childcare for children under three is seldom prioritized in county budgets. While ECDE receives some funding, it typically targets pre-primary learners aged 4–5, leaving a gap in services for younger children. Budget lines specific to daycare or nursery care are often absent, or subsumed under broader education or social service programs.

This underfunding reflects both institutional inertia and political dynamics. Childcare is often viewed as a private concern or a low-visibility issue, making it difficult to mobilize political support or justify budget allocations. Yet counties do have considerable fiscal space to invest in childcare, particularly through own-source revenues, conditional grants, and partnerships with development actors.

Unlocking this fiscal space will require strategic advocacy, evidence-based budgeting, and alignment with broader development goals. Counties can begin by conducting cost-benefit analyses, identifying high-impact interventions, and integrating childcare into existing planning frameworks. Over time, sustained investment in childcare can yield significant returns in terms of child development, gender equity, and economic growth.

Risks and rewards for county governments

Stepping in to fulfill their constitutional mandate to ensure the provision of childcare entails both risks and rewards for county governments. On the risk side, regulation can expose counties to liability and reputational harm—particularly if standards are not upheld or services fail to meet expectations. Political backlash may also arise if childcare initiatives are perceived as costly, ineffective, or misaligned with community priorities.

Yet the potential rewards are substantial. Childcare offers counties a chance to demonstrate leadership, respond to community needs, and deliver tangible benefits to families. It can enhance public trust, strengthen local economies, and position counties as champions of inclusive development. These political and developmental gains are often underappreciated, but they are real—and increasingly within reach.

To navigate these risks and rewards, counties must adopt a strategic, phased approach to childcare governance. This includes piloting initiatives, engaging stakeholders, and building institutional capacity over time. With the right vision and support, county leaders can turn childcare from a liability into a legacy.

The role of childcare champions and civil society actors in the childcare ecosystem

Civil society organizations (CSOs), childcare networks, and community-based initiatives have played a pivotal role in advancing childcare provision in Kenya—often stepping in where public systems are absent or underdeveloped. These actors have been instrumental in raising awareness, piloting innovative service models, advocating for policy reform, and supporting informal providers through training and capacity-

building. Their work has helped elevate childcare as a public issue and laid the groundwork for broader institutional engagement.

However, philanthropy and civil society partners should catalyze systems change, not carry the burden alone. The contributions of civil society are inherently limited by their mandates, resources, and reach. Most CSOs operate within specific geographic or thematic niches, and their funding is often project-based and fragmented. While they can mobilize communities and demonstrate proof-of-concept, they lack the authority to regulate, scale, or sustain childcare systems at the level required for universal access. Moreover, without consistent coordination with county governments, civil society efforts risk duplication, uneven coverage, and missed opportunities for systemic impact.

County governments have a critical opportunity to engage civil society as strategic partners—not as substitutes for public provision, but as collaborators in system-building. This includes formalizing partnerships, aligning efforts with county policies, and creating platforms for joint planning, monitoring, and evaluation. By leveraging the expertise and community trust of civil society actors, counties can accelerate progress toward inclusive, high-quality childcare systems that reflect both grassroots realities and public sector accountability.

5. What would a well-functioning county childcare system in Kenya look like?

Looking ahead five to ten years, what might a well-functioning county childcare system in Kenya realistically look like—grounded in ambition, but shaped by practical constraints? While the specific details will vary across counties based on local context, capacity, and priorities, there are several core elements that well-functioning county childcare systems are likely to share. These five core elements reflect a shared vision for how county governments can lead, coordinate, and sustain childcare services that are inclusive, high-quality, and responsive to community needs:

1. Childcare is provided by registered providers;
2. Registered providers are regularly inspected based on universal childcare standards and norms;
3. Inspection information for all childcare facilities is publicly available to parents and carers;
4. County officials work with childcare providers and childcare champions to improve the quality of care; and
5. County governments work to promote access to childcare provision as suitable for their local context.

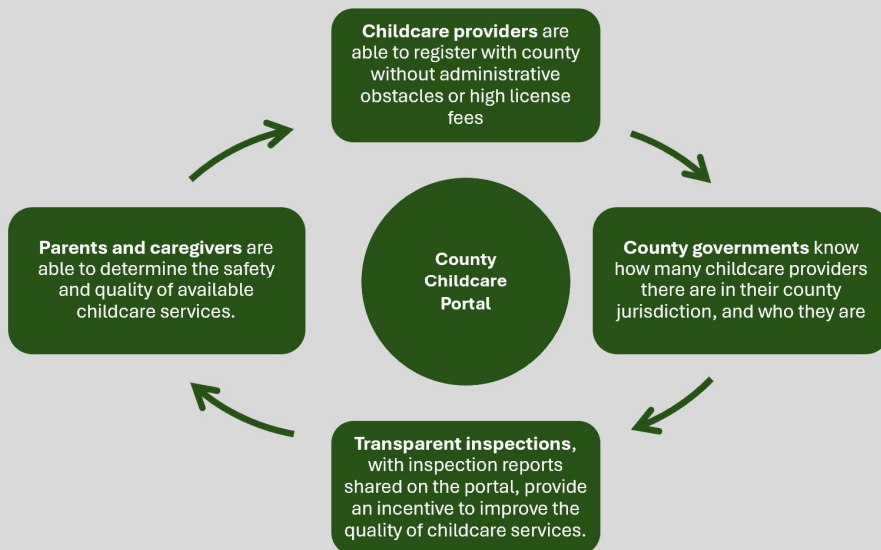
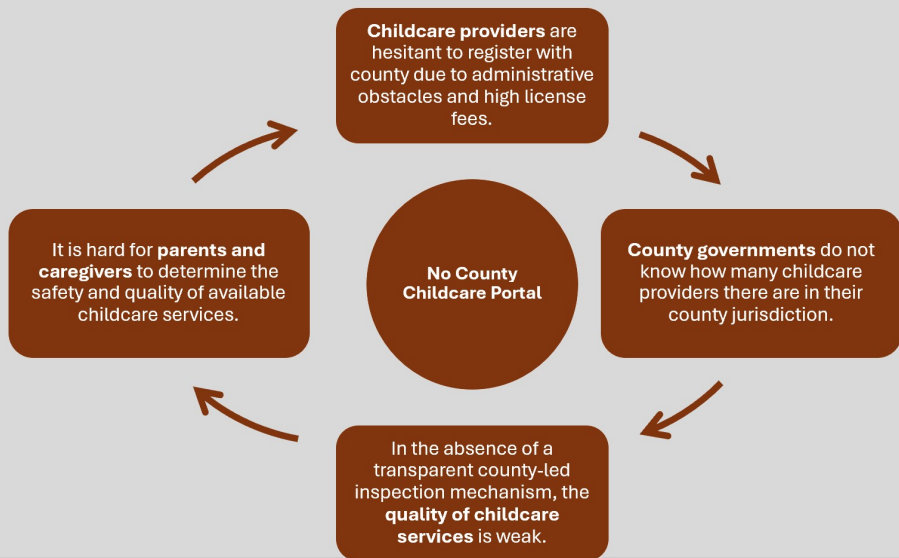
Childcare providers are registered providers

The first element of a well-functioning county childcare system in Kenya—as different from the current situation—is that childcare provision should be provided by registered childcare providers instead of informal childcare providers. Since informal childcare providers are ‘invisible’ to county officials, this requires that informal childcare providers are (gradually) turned into registered providers.

While childcare providers will need to meet certain minimum requirements in order to become registered providers, the threshold for registration by the county should be kept to a minimum, in order to prevent the registration process from becoming an insurmountable obstacle to registration.

Ensuring that childcare providers become registered providers can be facilitated by the establishment of a County Childcare Portal, which can serve as an online ‘one-stop-shop’ for registered and managing childcare providers (Box 1).

Box 1. Advantages of introducing a well-functioning online County Childcare Portal



Registered providers are regularly inspected based on childcare norms and standards

The second element of a well-functioning county childcare system in Kenya is that registered childcare providers should be regularly inspected—for instance, annually—based on clearly stated norms and standards for childcare provision.

A county-led process of regular, often unannounced, inspections—based on clear minimum standards for childcare programs—is needed to hold providers accountable and to protect the children in their care.

Inspection information for all childcare facilities is available to parents

The third element of a well-functioning county childcare system is transparency, so that the inspection results for all childcare facilities are available to parents. Currently, childcare options are informal and hard to find. As a result, it is hard for parents and caregivers to determine the safety and quality of available childcare services.

Childcare registration and inspections help parents by providing transparency about a provider's compliance with health and safety regulations, ensuring children are in safe environments, and equipping parents with information to make informed decisions about their child's care.

Like the inspection and licensing of other businesses, such as restaurants, county governments may require childcare facilities to post their inspection results visibly at the facility itself. In addition, in an ideal situation, each county would have an online county childcare portal that allows residents to easily look up all registered childcare providers in the county, along with their respective inspection reports.

County officials work on an ongoing basis with childcare providers and partners to improve the quality of care

In addition to the management of childcare registration, the inspection of childcare facilities and home-based childcare providers, and providing public access to inspection reports, in an ideal situation, county officials act as champions for access to safe and affordable childcare by working on an ongoing basis with parents, childcare providers, childcare organizations, and other stakeholders, to improve the quality of childcare in their county.

This role does not necessarily mean that a county government's childcare unit ought to necessarily be directly responsible for providing training to childcare providers,

although county officials can do a lot to share information and to make the registration process easier for childcare providers.

Mostly, the county governments ought to see themselves—through a dedicated childcare unit—as a facilitator of information and connections in the childcare sector, connecting childcare providers to capacity development opportunities, and actively working with national and local childcare organizations and networks to ensure that capacity development resources are available to the local community of childcare providers.

County governments work to promote access to safe, affordable childcare provision as suitable for their context

In addition to the different aspects of a well-functioning county childcare system noted above, county governments could take a wide range of different actions to promote greater access to safe, affordable, quality childcare in their respective counties, in a way that is suitable for their specific context. County-led interventions in support of childcare might include the following:

- Promoting or providing childcare services for free, or at reduced cost, to the county government’s own employees;
- Through the county government’s budget, funding the construction of childcare facilities or childcare spaces at markets that are subsequently operated by community partners;
- Directly provision of childcare services through county childcare facilities, or allowing or enabling childcare services to be provided for children under four at county-run ECDE facilities;
- Through county regulations or incentives, encouraging or requiring local business enterprises (above a certain scale) to provide space for, and/or operate, childcare programs on their premises;
- Through the county government’s budget, provide support to children in registered childcare facilities, for instance, by providing educational toys, nutritious biscuits, or other supplies to children at registered childcare providers;
- Through the county government’s budget, provide vouchers to households in need of childcare, or provide subsidies directly to facilities to ensure more affordable care.

County governments should further work to integrate the county’s childcare providers into the portfolio of services provided by the county government. For instance, county childcare units should create linkages between county health providers and registered childcare facilities to ensure that all children in the county receive their childhood

vaccinations on time. Similarly, county childcare units are able to create linkages between childcare providers and ECDE facilities, so that there is a continuous pipeline from childcare under four to county-led early childhood development of 4- and 5-year olds.

It is important to recognize that this last list of county interventions in support of a well-functioning county childcare system is currently a bit of a wish list. After all, few, if any, of these interventions are possible or meaningful until a system of registration, inspection, and promotion of quality childcare providers is in place.

6. The journey from informal childcare provision to a vibrant, well-regulated and well-supported childcare sector

Childcare in Kenya today remains a deeply fragmented sector. For most families, especially those outside the wealthiest urban neighborhoods, childcare is not something purchased in a formal center but a transaction that relies on informal arrangements. Mothers leave young children with older siblings or neighbors. Small-scale providers operate out of living rooms or backyards, caring for a handful of children from their community. Churches, mosques, and even market stalls sometimes double as care spaces during the week, staffed by volunteers.

This mosaic of informal provision reflects both ingenuity and vulnerability. It speaks to families' determination to find solutions, but it also highlights how invisible childcare remains in public planning. Because childcare is typically provided by informal providers outside the regulatory eye of the public sector, the vast majority of Kenya's childcare sector lacks basic safeguards, reliable standards, or pathways for improvement.

Yet it is precisely here—in the reality of informal provision—that any meaningful reform journey must begin. And that journey must be carefully sequenced and orchestrated to ensure buy-in from the informal providers that forms the bulk of the sector.

Recognizing informal providers as central to reform

A first common mistake in policy discussions is to assume that a county government role in childcare means county government provision of childcare, with the county government building its own childcare facilities, staffed by county employees with formal training, and asking families to transition into these new arrangements. While attractive on paper, this vision risks overlooking the fact that informal providers already account for the vast majority of childcare provision. They are not on the margins; they are at the center.

Recognizing this reality changes the reform agenda. It means counties cannot treat informal providers as an embarrassment or a liability to be swept aside. Instead, they must be acknowledged as partners in the journey toward a more professionalized system. By validating their role, counties create the foundation for collaboration. Providers, in turn, are more likely to trust government processes and register voluntarily when they see that recognition comes with support rather than punishment.

Recognition of the current situation also helps to reframe public perceptions. Parents often feel guilty about leaving children in informal care because it is seen as second-best or unsafe. By providing formal recognition of current providers and working with the sector to improve quality across the board, counties can shift this perception and help parents see that childcare—whether in a provider’s home, a community center, or a purpose-built facility—can be safe, nurturing, and dignified.

Registration as a pathway, not a barrier

The most immediate step counties can take to start the journey from informal childcare provision to a vibrant, well-regulated and well-supported childcare sector is to introduce a system of childcare registration. Registration is not merely a bureaucratic process—it is symbolic. It marks the moment when a childcare provider moves from invisibility to recognition. But for registration to succeed, it must be designed as a pathway, not a barrier.

Too often, with the best of intentions, registration regimes impose advanced or complex requirements that only well-resourced operators can meet. If counties apply these advanced standards and norms to informal providers from Day 1, there is a substantial risk—almost a certainty, in fact—that small providers, who serve the majority of children, will remain outside the system.

It is better for county regulation of childcare to pursue a phased and tiered approach, with childcare registration being a distinct process from licensing. At the first tier, all childcare providers are invited to be registered by submitting basic information: their name, location, the number of children in their care, and a commitment to follow minimal safety practices. Registered childcare providers are permitted to operate by the county government—for a period of a number of years, or indefinitely—while they pursue full licensing in line with all childcare norms and regulatory standards.² Thus, childcare providers who demonstrate progress can obtain more formal licensing by fully meeting national standards and norms.

This stepwise process ensures that no one is excluded at the outset. It creates a ladder for providers to climb, offering recognition for progress while keeping the ultimate goal of high-quality care in view.

A critical element for a successful county childcare registration and licensing system, however, is that county childcare registration—the lowest rung on the ladder towards

²² It is not unusual for small-scale home-based childcare providers to be exempted from full licensing, while facility-based providers may be required to achieve full licensing within a period of several years.

formalization—has a low threshold to entry. Counties should *want* childcare providers to register. Preferably, therefore, county registration should both be free and hassle-free. And the process of registration and the subsequent interactions with the county should be positive and supportive.

In fact, a county's journey from informal childcare provision to a vibrant, well-regulated and well-supported childcare sector will only succeed if the county government is able to offer informal childcare providers a win-win proposition, with the county supporting their trajectory towards formality. In the absence of such a constructive, long-term orientation, there would be no benefit for existing providers to register with the county.

One of the critical benefits of a county childcare registration system is that the registration process also provides counties with a clearer picture of the childcare landscape—how many providers there are in their jurisdiction, where providers are located, how many children they serve, and what support they might need. In fact, most county governments in Kenya have no insight whatsoever in the most basic question regarding childcare in their own county: how many childcare providers there are in their county.

To the degree that childcare champions have tried (or are trying) to help counties answer this question, this question has been approached as a one-off research topic. Counts or estimates have been provided by childcare advocates without empowering the counties to leverage the information so obtain. A more effective strategy would be to help counties set up a simple registration system which not only provides a one-off count of childcare providers, but that forms the entry point for a constructive relationship between the county government and childcare providers.

Moving from punitive to developmental registration and regulation

Kenya's regulatory culture, in many sectors, has historically been punitive or extractive. Inspectors arrive unannounced, documentation fails, fines are issued, or businesses are threatened with closure. Poor working conditions or inadequate pay and oversight may even cause inspectors to seek side-payments from childcare providers in order to overlook areas where providers fall short in meeting expected norms or standards. Such failures in the exercise of the public sector's regulatory functions causes not only distrust between citizens and government, but also creates economic disruption and inefficiency.

In childcare, this approach would be particularly damaging. A traditional, enforcement-based or punitive approach towards regulation and licensing is almost a certain guarantee for failure. At best, if not well-implemented, the registration and inspection exercise would be meaningless, failing to provide parents with accurate

information about the quality of childcare providers. In the more likely case, childcare providers, fearing extractive or punitive regulation, would avoid registration altogether, preferring to remain invisible to the public sector. In other words, the *status quo* would remain and forward progress would be impossible.

A developmental approach to regulation and inspection takes a different view. Inspections still matter, but their purpose shifts from punishment to improvement. Inspectors become mentors. They identify weaknesses, but rather than issuing sanctions, they provide advice, connect providers to training, and revisit to check progress. This model builds trust and encourages providers to engage openly with the system.

In practical terms, this might mean an inspector pointing out the need for safer sleeping arrangements and then helping the provider source affordable cots or mats. Or it might mean noting the absence of first aid knowledge and linking the provider to a county-organized training course. In this way, inspections become learning moments, not moments of fear.

Such a developmental approach to childcare registration and inspection, however, does not emerge on its own, especially in a context where the public sector has often relied on top-down regulation. The mission of developing and nurturing the county's childcare sector, rather than primary relying on the county government's enforcement power, must permeate the county's approach. The relationships of trust between childcare providers, parents, and county officials, and aligning the system's mechanisms and incentives to support growth rather than to punish incomplete achievement of standards and norms, must be built one link at a time.

County support for childcare providers

Recognition and regulation can only succeed if counties also offer meaningful support to childcare providers in improving their standards of service delivery. Most childcare providers—who often operate with minimal resources—cannot raise their standards without help. County governments therefore need to position themselves as enablers.

The first step in functioning as an enabler is to streamline administrative processes. Many providers struggle with permits and compliance reporting processes. By simplifying procedures, providing clear guidance, and offering help desks or online portals, counties reduce the bureaucratic burden and encourage more providers to engage. In other cases, county government can simplify administrative processes and improve compliance by coordinating with other stakeholders or providing support when applications require online transactions: for instance, the county may organize regular ward-level events for childcare providers to obtain their Good Conduct

Certificate; to secure a food handling license, as needed; or to ensure that building inspections are done in an efficient manner.

Even the simple gesture of coming to the provider’s location upon initial registration as a first informal visit, or hosting ward-level events—rather than requiring the provider to come to the county government offices at headquarters—can be used as an entry point to a supportive relationship.

Offering or facilitating training is a critical starting point. Counties can offer or facilitate—for free, or for a small fee—regular workshops on child nutrition, early learning practices, hygiene, and small business management. These sessions not only raise the quality of care but also elevate providers’ confidence and sense of professionalism.

Providing material support to new childcare providers is another option. Counties could supply starter kits with toys, books, and a first-aid kit, or offer small grants to improve facilities. Even modest assistance can make a significant difference in quality and safety, and achieves a constructive relationship between the county government and childcare providers.

By investing a small amount in a constructive relationship with childcare providers, counties send a powerful signal: childcare is not charity, it is an essential service worth supporting.

Expanding county interventions in support of childcare over time

Providing regulatory oversight and basic support to childcare facilities and home-based childcare providers sets a minimum baseline for the county government’s engagement with childcare providers. Counties can take a wide array of direct actions to expand access to safe and affordable childcare in their jurisdictions—the examples below are merely illustrative. However, none of these interventions are possible when childcare providers continue to operate as informal entities, stressing the importance of starting with developmental registration and oversight.

Given the desire of county government leaders to channel county resources in support of the neediest Kenyans, supporting childcare provision at public markets is an obvious place to start. Many women who work as traders bring their young children with them, leaving them in unsafe corners or with older siblings. By establishing spaces for childcare centers within markets, and offer training for market-based childcare providers, counties can dramatically improve safety while creating an enabling environment for working mothers.

Counties can also set an example as employers. By offering childcare services for their own staff, they demonstrate commitment and provide a model that private employers can follow.

Another option is for county governments to provide subsidies in support of childcare provision. Direct and indirect subsidies could be provided in different forms. For instance, subsidies may come in the form of county-provided vouchers to parents or caretakers who meet certain criteria or conditions (e.g., single-parent households with children). Such vouchers would allow parents to select any registered childcare provider of their own choice. Alternatively, or in addition, county governments may provide monetary or in-kind subsidies directly to childcare providers in various forms. For instance, county governments may include registered childcare facilities in a county-run school feeding program. Another way for the county government to support the childcare ecosystem—while incentivizing improvements in the quality of care—would be to provide a small financial bonus to providers that achieve certain quality improvement goals (as determined by county inspectors).

Over time, in addition to providing oversight and support to registered childcare facilities, counties may expand the set of regulatory intervention in support of improving access to safe, affordable childcare. For instance, economically vibrant counties might consider requiring large companies or housing developments to provide childcare spaces, embedding the service into local economic and urban planning.

Building trust as the foundation of reform

Any support of a county's childcare ecosystem requires that childcare providers are formally registered with the county. And all steps that stand between providers and formalization—recognition, registration, developmental regulation, and support—depend on trust. Providers must believe that registration will not lead to punishment. Parents must believe that county-registered facilities are safe and worth seeking out. Civil society must believe that county leadership and commitment to childcare is genuine, not merely an opportunity to secure a photo-opportunity or to generate external resources.

Building trust requires consistency. Counties must deliver on their promises—whether it is training opportunities, fair inspections, or material support. They must communicate clearly and transparently, explaining processes and decisions. Trust takes time to build but can be lost quickly. For childcare reform to succeed, counties must prioritize trust at every stage.

Sequencing the reform journey

The journey from informal provision to a vibrant childcare sector cannot happen overnight. Counties need to sequence their interventions carefully. The transformation of childcare in Kenya will not come through sudden leaps but through steady, deliberate steps that will take a least 3-5 years to put in place. Patience will be required on the part of county governments.

By starting with registration as a pathway towards formalization, by shifting to developmental regulation, and by supporting childcare providers, nurturing networks, and sequencing reform carefully, counties can turn childcare from an invisible burden into a visible public good.

The long-term benefit, however, is significant: safer and more stimulating environments for children, greater economic participation for women, stronger communities, and more resilient local economies. By embracing this journey, counties can ensure that childcare moves from the shadows into the heart of Kenya's development story.

7. Establishing a County Childcare Directorate as the county's childcare champion

Numerous counties are engaged in discussions about a “childcare policy” or a “childcare law.” In fact, a handful of counties—Nairobi City County included—have already adopted county laws or regulatory standards for the provision of childcare. Few counties, however, have carefully thought through what the implementation of such a policy would entail. What would the county government actually *do* to achieve the desired policy outcome? What would implementation of the county policy actually entail? What resources would this require? And what county department, directorate, or unit would lead or implement the policy?

The recognition that childcare is a critical public function is relatively new in Kenya's devolved system of government. While the Constitution and the Children Act make clear that counties are responsible for “childcare facilities”, the institutional architecture to deliver on this constitutional mandate has lagged behind. Institutionally, in most counties, childcare falls between departments: county education departments emphasize county-run ECDE centres; county health departments focus on child nutrition and immunization; while county social protection programs may coordinate with national government and others to look after orphans.

The creation of a formal County Childcare Directorate would drastically change this dynamic. It gives the county's constitutional mandate on childcare a clear institutional home, one that has both visibility and authority. By establishing such a Directorate, counties signal that childcare is not an afterthought or a charitable concern, but a core public service that merits planning, budgeting, and political attention. This move elevates childcare to the level of other essential services, ensuring that it is integrated into each county's development strategy and is appropriately embedded in all other county processes.

Rationale for a dedicated County Childcare Directorate

The case for a dedicated county-level childcare directorate is a compelling one. First, childcare is multisectoral by nature, as the provision of child-related care functions (to the extent that they are actually being pursued) is currently typically spread over different county executive departments. After all, childcare touches on health, nutrition, early learning, gender equality, social protection, and labor markets. Without a dedicated directorate, experience has shown that the responsibility for this constitutional function becomes diluted and fragmented, leaving families and childcare providers without meaningful support. A dedicated directorate provides a

focal point for coordination, making it possible to bridge sectors and deliver coherent strategies.

Second, childcare is a political issue. Budgets reflect political priorities, and without a dedicated institutional anchor, childcare will always lose out to more visible functions and projects such as roads, water, or health facilities. A Directorate serves as a political anchor and institutional advocate, helping childcare secure a line item in county budgets, and giving governors and County Executive Committee (CEC) members a platform from which to champion the cause.

Third, childcare is transformational. It enables women to enter and remain in the workforce, thereby driving economic growth. It improves child development outcomes by ensuring children spend their formative years in safe, stimulating environments. It also strengthens community cohesion, as families feel supported rather than abandoned. These benefits justify a dedicated directorate as the institutional vehicle for delivering such wide-ranging gains.

Key steps in establishing the directorate include identifying its institutional positioning and drafting and adopting legislation or regulations to establish and guide the directorate; determining its specific roles and responsibilities (mandates and functions); establishing its operational aspects (hiring staff; setting up the necessary administrative systems, such as a childcare portal); ensuring it has adequate funding; and establishing systems for performance tracking and accountability.

The sub-sections below explore the key considerations and steps in implementing a County Childcare Directorate as the county’s childcare champion. It is important to think through these steps as—or ideally before—policy discussions commence at the county level about a “county childcare policy”.

Institutional positioning

According to Section 30 of the County Government Act (2012), “the governor shall—... diligently execute the functions and exercise the authority provided for in the Constitution and legislation ... [and] ... constitute the county executive committee portfolio structure to respond to the functions and competencies assigned to and transferred to each county.”

As such, deciding where to locate the county’s childcare directorate within the county structure—in order to fulfil the county government’s constitutional mandate on childcare facilities—is a strategic decision left to each County Governor. It would be appropriate to formalize the institutional position of the county childcare directorate in the county childcare policy or in the county childcare act.

One option is to place it within the county’s education department, thereby aligning childcare with early childhood development and school readiness. This placement would create a link between the years spent in childcare and the formal schooling system.

A potential downside with this option is that the county governments’ role in Early Childhood Development Education (ECDE) is very different from the one envisioned for childcare facilities. County education departments are often charged with constructing and operating county ECDE centres, whereas oversight of childcare facilities outside the public sector requires a more collaborate governance approach—both with childcare providers as well as with other county government departments and agencies.

Alternatively, placing the county childcare directorate within the department responsible for Social Services or Gender highlights its role in advancing social equity, labor force participation, and women’s economic and social empowerment. Here the emphasis is less on pedagogy and more on caregiving, social protection, and labor force participation.

Both options have merits, and the choice will vary by county depending on priorities, relative institutions strengths, and political dynamics. Regardless of its location, the Directorate must be given adequate staff, a protected budget, and the authority to implement its mandate.

Mandate and functions

The functions of the Directorate need to be clearly defined in law and policy to avoid duplication and to ensure accountability. Its mandate could encompass:

- **Policy and regulation.** The Directorate must draft county childcare policies, align them with national frameworks, and ensure consistency across local regulations. It should also help in the development of the county childcare act, to be adopted by the County Assembly, that formalize childcare as a county responsibility.
- **Registration and licensing.** Central to the work of the directorate is the development and management of a public and transparent registration system--a county childcare portal—that brings informal providers into a formalized county childcare system. This system must be publicly accessible, free or affordable, and designed as a pathway toward licensing, not as a punitive barrier.
- **Inspection and quality assurance.** The Directorate should manage inspections of childcare facilities. As already noted, this should be done in a developmental—rather than in a punitive—spirit. This mindset change requires childcare

inspectors that are trained to provide guidance, identify areas for improvement, and link providers to resources, rather than simply threatening to closing facilities in response to infractions. At the same time, by making inspection reports available through the county's childcare portal, the primary purpose of the inspection process is to feed a gradual process of competitive quality improvement while allowing parents greater information about their childcare choices.

- **Data collection and analysis.** A functioning childcare registry or portal is indispensable to ensure that the county operates in a citizen-centric and results-based manner. The Directorate should maintain up-to-date records of providers, monitor trends, and publish reports that inform county planning and budgeting.
- **Provider outreach and professional development.** Childcare providers are often asked to clear a long list of regulatory hurdles before they can be considered fully compliant and licensed enterprises, including building (or fire hazard) inspection, public health inspections, food handlers licensing, and so on. One of the most beneficial roles that county governments can play in childcare is to help uplift the capacity of childcare providers and the quality of childcare services by removing obstacles for providers to become formalized, professional providers. In addition to providing direct outreach to childcare providers (for instance, to inform providers of the applicable norms and standards of childcare provision, or ward-level events for providers that facilitate providers obtaining good conduct certificates of other permits of certificates), the directorate could partner with vocational training institutes, NGOs, and networks to organize regular workshops on child development, safety, and business management.
- **Community engagement.** The Directorate must invest in public awareness. Parents need to know what quality childcare looks like, why it matters, and where to find registered providers. Awareness campaigns can shift cultural attitudes and build demand for better services.
- **Coordination with other county agencies.** Childcare providers provide a unique entry point to promote the wellbeing of Kenya's youngest and most vulnerable citizens. As such, a dedicated childcare directorate is uniquely positioned to coordinate with the county department of health to ensure that children receive medical checkups and vaccines; with the ECDE directorate to ensure that children are prepared to enter preschool; or with the county's social protection department, for instance, to ensure that the nutrition needs of children are met or that teen parents have access to childcare.
- **Management of programs improving access to childcare.** Finally, to the extent that the county implements additional programs improving access to childcare, these programs ought to be managed by the childcare directorate. This might include programs to construct childcare spaces at public markets; childcare programs for county employees; provision of in-kind support to registered

childcare providers, such as diapers, educational toys, or feeding programs; provision of vouchers or subsidies to parents or facilities; and/or the roll-out of public-private partnerships that require businesses above a certain scale to provide spaces within their building to ensure childcare for their own employees.

The County Childcare Portal

As noted above, a critical cornerstone of a childcare directorate's approach to childcare oversight should be the creation and management of a County Childcare Portal. This digital platform would serve four primary audiences or sets of stakeholders.

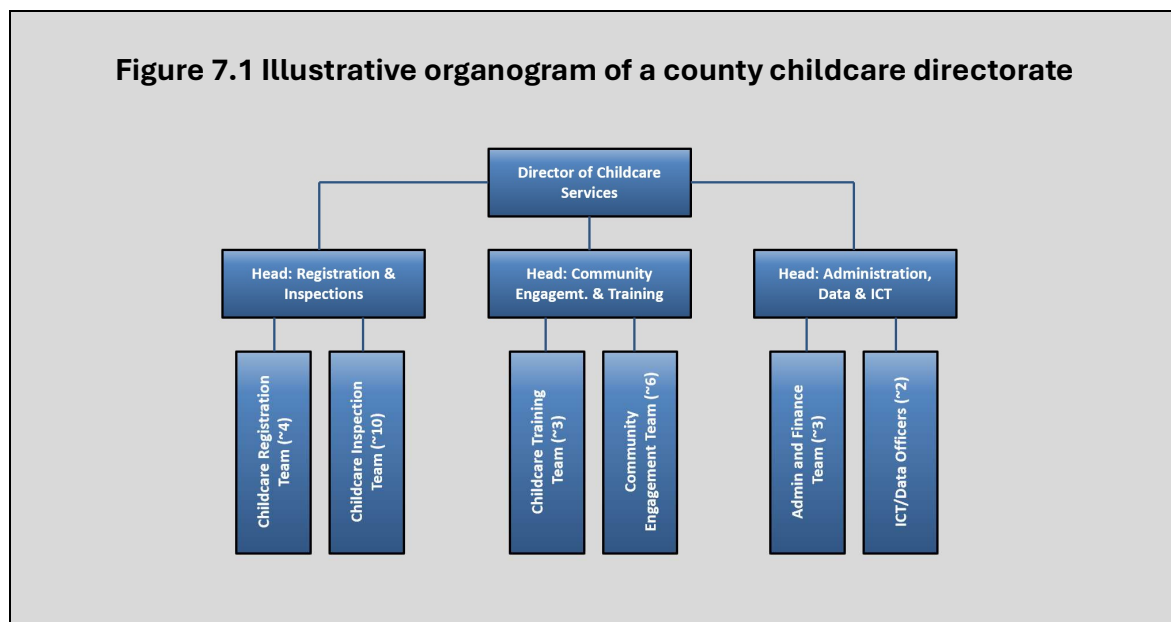
- For **providers**, the County Childcare Portal is the entry point for registration and licensing. It provides checklists, guidance, and templates to help them comply with standards. It reduces the need for endless trips to county offices, saving time and money. But most importantly, registration through the portal provides them with a degree of formality, legitimacy, and visibility, enabling parents to find their services.
- For **parents**, the County Childcare Portal provides transparency about the availability and quality of childcare providers in the county. Parents can search for providers near them, view inspection results, and even lodge complaints. This transparency builds confidence and motivates providers to improve the quality of services.
- For **inspectors of childcare facilities**, the County Childcare Portal is a critical piece of their digital workflow. Inspection reports should be completed digitally, and inspection reports should be uploaded directly to the portal, ensuring that parents have immediate access to inspection results.
- For **county officials**, the County Childcare Portal is both a digital management platform as well as a planning and reporting tool. The portal provides real-time data on how many providers are registered and where providers are located; how many children these providers serve; and what their compliance status is. This information is invaluable for targeting inspections, designing training, and allocating resources.

An effective childcare portal is not a standalone IT system that is added to the county childcare directorate's operations: it functions as the core of the directorate's communications, operations, and workflow. Providers, parents, inspectors, and other county officials should have direct access to the portal to access or upload information, as the case may be.

An agile childcare portal can also serve as a critical communications tool. Since all childcare providers are registered through the portal, county governments can use it to provide all childcare providers with all the necessary forms needed to ensure that childcare providers comply with county standards and norms operations. Over time, the portal could further be leveraged, for instance, to provide childcare providers and caregivers access to e-learning modules or by providing parents with resources on child nutrition and development. In this way, the portal becomes more than an administrative tool—it becomes the backbone of a county’s modern childcare management system.

Organizational structure and staffing

The organizational structure and staffing of a county childcare directorate is driven by a number of factors, including the county’s size and population, its fiscal state, the institutional position of the directorate, the specific functions and mandates assigned to the directorate by county policies and/or by the county’s Childcare Act. The extent of political support from the County Governor and County Assembly are other key determinants. The County Public Service Board plays a key role in establishing, appointing, and controlling offices within the county public service, thus playing a critical role in the establishment of the county childcare directorate.



In general, the Directorate should be headed by a Director who reports directly to a County Executive Committee Member (CECM). Beneath this leadership, the Directorate could illustratively be organized into three main functional units:

Registration and Inspections; Community Engagement and Professional Development; and Administration and Support (including Data and ICT).

The organizational structure of the directorate and staffing levels will naturally depend on the (population and geographic) size of the county; the number of wards; and the number of childcare providers to be overseen and supported. For the sake of illustration, one might consider a county of one million residents, with about 100,000 residents from 0-3 years old (under-four). After a multiyear period, with constructive engagement between the county and the childcare sector, such a county might have up to 1,000 centre-based and home-based childcare providers that transform from informal to formal.³ These centre-based and home-based childcare providers might have anywhere between 10-20,000 children under care, and generate formal or semi-formal employment for 2,000-3,000 childcare entrepreneurs and caregivers.

The staff of a county childcare directorate need not necessarily be large, especially in its initial years, when the core challenge is to establish a constructive, trusting relationship with childcare providers, leading them to register and accept county inspections as part of a process of developmental regulation and oversight. An initial team of 10 to 15 officers and staff would most likely be sufficient to establish the directorate, with the staffing structure expanding as the number of registered childcare providers grows over time.

Further details on an illustrative organizational structure and staffing level for a County Childcare Directorate is provided in Box 2 (next page), with an illustrative staffing level of around 30 staff. Over time, such a directorate can become a professional hub for county expertise on childcare provision.

Naturally, the capacity, quality, and mindset of the staff—and thus, their ability to support and work in a collaborative manner with the existing (still largely informal) childcare ecosystem—will matter greatly in terms of their effectiveness and impact. For instance, inspectors need to be trained not only in the inspection process and applicable regulations but in developmental coaching. Likewise, training officers should have backgrounds in child development or education, while ICT officers must be skilled in managing digital platforms and data analysis. Administrative staff should ensure coordination across units and liaise with other county departments as needed.

The ability of the county childcare directorate to operate effectively will critically depend on their capacity to embrace collaborative governance techniques, as

³ Given the current state of data, it is difficult or impossible to validate these (gu)estimates with empirics. The exact figures will be path-dependent and may vary considerably across counties, for instance, based on their degree of urbanization.

opposed to the more traditional top-down governance approaches still commonly practiced in many counties in Kenya.

Box 2. Illustrative Organizational Structure of the County Childcare Directorate

Director of Childcare Services. Reports to the County Executive Committee Member (CECM) for Education or Social Services. Provides overall leadership, policy direction, and accountability.

Registration and Inspections Unit. Handles, registration, inspections, and compliance.

- Head of Registration & Inspections (Manager)
- Registration officers (1 senior registration officer; 3 registration clerks / registration and inspection coordinators)
- Inspection officers (6-10 inspectors; ward-based).

Community Engagement and Professional Development Unit. Drives awareness campaigns, parent outreach, and provider training.

- Head of Engagement & Training (Manager)
- Training Officers (1 senior training officer and 2 training officers, to develop provider workshops in partnership with NGOs/TVETs and liaison with vocational institutes, NGOs)
- Community Engagement Officers (6 ward-level officers, ensuring outreach/awareness campaigns reach parents and providers).

C. Administration, Data, and ICT Unit. Provides the backbone: HR, finance, data systems, and manages the Childcare Portal.

- Head of Administration & ICT (Manager)
- Finance / Administration Officer
- Administrative Assistants (2, finance, HR, logistics support)
- Data/ICT Officers (2 ICT/data officers, maintain registry, develop reports, oversee portal functionality, data analysis)

Budget and financing

No directorate can function without resources. While childcare oversight is less capital-intensive than sectors like health or road infrastructure, it still requires predictable funding. Salaries, inspection logistics, ICT support for a childcare portal, as well as community outreach and training programs for childcare providers all come with costs.⁴

⁴ The costing here reflects the operation of a developmental childcare oversight apparatus. Naturally, cost requirements can increase considerably if the county government decides to support the childcare sector through county-funded construction of childcare facilities; subsidized operation of childcare facilities; or other program in support of childcare programs.

County governments must embed the resources needed to operate the childcare directorate within the county budget, under the appropriate county department. Funding should be provided under a budget program that is specifically linked to its constitutional mandate overseeing childcare facilities, rather than lumping childcare expenditures under the same budget program for ECDE.

The initial investment required by county governments in order to start down the road of creating a vibrant and health childcare ecosystem is relatively modest, and well within the range of available resources for most counties. Based on the organizational structure and staffing levels described above, the total operating cost of a fully-staffed county childcare directorate may fall in the range of 60-90 million Shillings. For a typical county, an initial recurrent budget of 20-30 million Kenyan Shillings per year (roughly USD 150-225,000) may be adequate in the first few years of county engagement in childcare.⁵

Counties can finance the directorate through a mix of funding sources. In particular, the equitable share transfer from the national government will likely provide the mainstay of funding, but counties can also tap into own-source revenues to the extent that county taxpayers might be willing to contribute more tax revenue to their county governments in response to receiving and benefiting from a highly visible public service being provided at the grassroots level in their own neighborhoods and communities.

It should be noted that in the proposed approach, the funding of the actual childcare services themselves largely or fully remains the responsibility of the parents or caregivers (unless or until a subsidy program is introduced).

The main initial role of the county government is thus to provide and fund a formalized framework of registration, oversight, and support of childcare providers. Ideally, the registration of childcare providers takes place free of charge, thereby removing an obstacle to formalization. Modest registration fees may be introduced if necessary, but consideration should be given that any such charges are likely to deter childcare providers from registering.

Conditional grants from national government, or start-up grants from foundations or development partners, can help to carry the county's fiscal burden. At the current time,

⁵ A previous analysis prepared by the Local Public Sector Alliance (2025) under the auspices of the Localizing Women's Economic Empowerment and Childcare Technical Working Group suggests that through the equitable share, the national government has made available a notional amount of resources for childcare roughly equal to KSh. 1,560 per child under age four. This means that a county with 100,000 children under four is provided with a notional allocation of KSh. 156 million for this functional mandate. Based on these figures, the budgetary "ask" for childcare of KSh. 20-90 million—compared to resources notionally made available for this purpose—is therefore quite reasonable.

however, it is unlikely that conditional grants from national government would be forthcoming any time soon.

The most important principles in ensuring county-level budgeting and finance are county-ownership and sustainability. It is critical to recognize that philanthropy and civil society actors are not a substitute for an effective role of the county government. As such, philanthropy and civil society partners should catalyze systems change, and not try carry the burden alone. To the extent that foundations or external partners want to help county governments launch into childcare space, it is critical that such funding is provided to the county treasury and operationalized through the county government's decision-making, budgeting and implementation systems. After all, reforms as not truly county-led or sustainable if they bypass public sector systems.

Start modestly... while planning for scale

The proposed establishment of a county childcare directorate as described in this section is a rather modest affair. That is by design. After all, county decision-makers are unlikely to support programs that are big and expensive, or where the benefit is unproven or creates fiduciary or political risk.

There is also a practical reason to start small: given the current situation on the ground, each county will start with zero registered childcare providers, and—given the limited trust between the parties—it is unclear how many childcare providers might be willing to register with the county government. After all, the willingness of (currently informal) childcare providers to become formalized providers is path dependent, and will depends on the ability of the county to act in a collaborative and developmental manner. In order for any more advanced childcare efforts to succeed (e.g., formalized providers at markets; employer-provided childcare, etc.), there must be registered childcare providers. As such, successful developmental regulation of the childcare ecosystem is a precondition for further successful engagement by the county government in supporting and developing the childcare sector in the future.

This is not to say that county-level champions of safe and affordable childcare shouldn't think big—they should. They should think and plan ahead about how the county might support the construction of childcare facilities in markets or slum areas. They should think ahead about how the county might provide support deserving parents who need access to childcare in order to work or study, or how the county might incentivize higher-quality care by providing cash awards to childcare providers that achieve certain quality standards. They should think ahead about how the county might provide access to childcare services to its own employees or how it might require large businesses in the county to set aside space for employer-sponsored childcare

programs. But all of these efforts are predicated on registered, formalized childcare facilities existing in the county. So, first things first.

8. From Vision to Reality

Putting aside idealism, county political leaders are ultimately faced with two pragmatic questions: *Why should a county government invest political capital and public resources in childcare?* And *what level of investment is both defensible and realistic within a constrained fiscal environment?* This section answers these questions by translating the preceding vision into a concrete, implementable case for county leadership in childcare—one grounded in costs, benefits, sequencing, and political economy.

The costs and benefits of county leadership in childcare

From a county executive perspective, the most important insight is that the county government's core role in childcare is primarily developmental and institutional—not service-delivery heavy. The approach that yields the highest value-for-money is not for counties to finance childcare provision at scale (through construction of facilities and/or fund the operating cost), but rather, to establish the governance infrastructure that enables a safe, regulated, and supported childcare ecosystem to emerge.

Estimated costs. Based on the institutional model outlined in Section 7, the annual recurrent cost of a County Childcare Directorate—covering staffing, inspections, outreach, and operation of a basic childcare registry or portal—is likely to fall in the range of KSh. 60–90 million per year, depending on county size and ambition. The estimated operating cost of County Childcare Directorate in the initial years is closer to 20–30 million Shillings.

For most counties, this represents roughly less than half of one percent of the county's total budget envelope, thus placing county childcare regulation and support well within a county's fiscal space. For many counties, therefore, the question isn't really whether they can afford to engage in childcare, but rather, whether the outlays generate enough benefit (both political benefits to elected leaders as well as service delivery dividend to constituents) for the county government to pursue this course of action.

Expected benefits. In return for this modest investment, county leadership in childcare can generate a set of tangible, politically and developmentally meaningful outcomes:

- **Safer, higher-quality childcare for children.** Within a few years, county registration and developmental oversight could bring 10,000–15,000 children under four into safer, more stimulating, and more accountable childcare

environments in a typical medium-sized county—out of an estimated population of roughly 100,000 under-four children.

- **Increased economic participation by parents, especially women.** Reliable childcare enables 10,000–15,000 mothers (and fathers) to work, study, or engage in productive activities with greater peace of mind—directly supporting household incomes, county productivity, and women’s economic empowerment.
- **Strengthened local entrepreneurship and employment.** Formalization of the childcare sector creates dignified livelihoods for an estimated 2,000–3,000 mostly female childcare entrepreneurs and caregivers, shifting care work from invisibility to recognized economic activity.
- **Improved public sector performance and transparency.** A functioning childcare registry and inspection system promotes citizen-centric, results-oriented county administration, offering parents visibility into service quality while giving counties actionable data for planning and budgeting.
- **Better child health and ECDE readiness.** Formalized childcare provides an entry point for linking children to immunization, nutrition, and early stimulation—improving health outcomes and strengthening readiness for county-run ECDE services.

Taken together, these benefits position childcare not as a “social sector add-on,” but as economic and social infrastructure with clear returns for counties willing to lead.

A multi-year roadmap for institutionalization

As already noted previously, across Kenya, many counties have begun drafting—or are considering drafting—a “county childcare policy” or childcare bill. While this momentum is welcome, experience from other devolved functions suggests that policy-first approaches often fail when they are not anchored in a clear implementation pathway. Too often, counties adopt well-intentioned policy statements that articulate ambitious goals, but leave unanswered the more difficult questions of who will do what, with what resources, and in what sequence. The result is policy on paper, without institutional traction.

For childcare in particular, this risk is acute. Childcare is a relatively new public sector function, institutional responsibilities are still evolving, and trust between county governments and largely informal childcare providers remains fragile. In this context, drafting policy before clarifying the county’s intended role, level of ambition, and

implementation pathway can lock counties into commitments they are not yet equipped to deliver—or, conversely, produce policies so vague that they change little on the ground.

Counties are therefore well advised to invert the conventional sequence. Rather than starting with policy and legislation, counties should first develop a clear roadmap: a shared understanding—at political and technical levels—of what the county intends to do in childcare over the next three to five years, how responsibilities will be institutionalized, how trust will be built with providers, and how resources will be mobilized over time. Only once this pathway is clear should counties codify it in policy and law.

Box 3. An illustrative multi-year implementation roadmap

Phase 1: Establishing the foundation (Years 1–2). Counties formally establish the County Childcare Directorate through policy or legislation, recruit a small core team, and launch a simple childcare registration system or County Childcare Portal. The emphasis during this phase is recognition, relationship-building, and visibility—not enforcement.

Phase 2: Building quality and capacity (Years 2–3). Counties introduce developmental inspections, publish basic inspection results, and begin structured engagements with providers through training, outreach, and partnerships with childcare networks, NGOs, and training institutions.

Phase 3: Expanding and integrating (Years 3–5). Counties roll out a full-fledged County Childcare Portal, deepen partnerships, and begin integrating childcare into broader county planning—linking providers to health services, ECDE pipelines, market infrastructure, and targeted subsidy or support programs where appropriate.

Starting by thinking through a multi-year roadmap serves several critical purposes. It forces realism by aligning ambition with capacity and fiscal space. It clarifies sequencing, ensuring that foundational steps—such as provider registration, developmental oversight, and data systems—precede more complex interventions. It also provides political leaders with a defensible narrative: childcare reform is not an open-ended commitment, but a staged, manageable process with clear milestones and accountability.

The roadmap outlined in Box 3 is therefore not a technocratic planning exercise. It is a governance tool—one that helps counties move deliberately from vision to implementation, reduces political and fiduciary risk, and ensures that childcare policy

and legislation are ultimately instruments of delivery rather than symbolic gestures. Sequencing further prevents institutional overload, creates visible milestones for political leadership, and ensures that each step builds on trust and demonstrated results.

County champions and county political leadership

County-level childcare reform should not be treated as a purely technical exercise. At its core, it is a political economy challenge that requires navigating incentives, interests, institutional norms, and budgetary trade-offs. Counties that approach childcare as a narrow policy or administrative task—driven only by technical advocates—are unlikely to achieve durable change.

Technical champions within county administrations remain essential. Committed county-level officers can shape design choices, coordinate across departments, and sustain momentum. However, technical leadership alone cannot resolve the political questions that childcare reform raises: whether childcare is seen as a public responsibility, how it competes with other priorities, and who bears the costs and benefits of formalization and regulation.

For reform to take root, the county government's embrace of the childcare function must be politically owned. Governors and County Executive Committee Members play a decisive role in framing childcare as economic and social infrastructure rather than as a private family matter or a marginal welfare issue. Political leadership is often what determines whether childcare secures budget space, survives leadership transitions, and moves from policy intent to implementation.

Equally important is the involvement of a broader set of stakeholders. Childcare providers, parents, women's groups, market associations, employers, civil society organizations, and frontline county staff all shape how reform is perceived and whether it succeeds in practice. Effective reform therefore requires coalition-building, not just advocacy—creating early winners, sequencing reforms carefully, and building trust, particularly with informal providers who may fear regulation.

Seen in this light, childcare reform is both a challenge and an opportunity. It challenges entrenched top-down approaches to governance, while offering counties a chance to demonstrate a more collaborative, citizen-centered model of devolution—one that aligns political leadership, technical capacity, and stakeholder incentives around shared outcomes.

The role of childcare provider networks and other partners

A nascent county-led childcare system cannot succeed in isolation. A range of stakeholders—including childcare provider networks, civil society organizations, NGOs, training institutions, and academic partners—bring community trust, technical expertise, and implementation capacity that counties cannot—and should not—attempt to replicate on their own.

Childcare provider networks, in particular, are emerging as important intermediaries. They facilitate peer learning, disseminate information, and help establish shared norms of quality and professionalism. From a county perspective, these networks provide an efficient channel for engagement, training, and feedback, while reinforcing compliance through collective identity and mutual accountability among providers.

At the same time, partnerships must be clearly structured and carefully governed. Counties must remain in the lead—setting rules, maintaining registries, and ensuring accountability—while partners support, rather than substitute for, public authority. There is a real risk that, in the absence of clear boundaries, civil society or academic institutions may take on functions that properly belong to county governments, or redirect county systems to serve project-specific or research objectives. For example, a childcare registration or inspection system should generate public, county-owned data to support oversight and service improvement—not merely feed standalone studies or external analyses.

Well-designed coordination mechanisms, such as regular stakeholder forums or formal partnership agreements, can help align roles, avoid duplication, and ensure that data and tools developed with partner support are embedded within county systems and remain publicly accountable.

Other actors—including ECDE facilities, county health services, employers, and market authorities—also have important roles to play. Over time, effective childcare systems will be integrated into broader county service ecosystems, reinforcing linkages across sectors rather than operating as stand-alone or externally driven interventions.

Concluding thoughts

A county government’s commitment to fulfilling its constitutional mandate with regard to childcare is not a trivial task, and the establishment of a County Childcare Directorate is not merely an administrative innovation. However, there is no real path to scaling safe and affordable childcare in Kenya without county governments getting on-board. As such, county governments are the institutional champion that childcare

has long lacked within Kenya's devolved system of government. By giving childcare a clear home, mandate, and budget within the public sector's architecture close to the people, counties can move from symbolic commitments to sustained impact.

The rewards for Kenya as a whole are substantial: safer childhoods, stronger families, higher levels of women's economic participation, more vibrant local economies, and more responsive, citizen-centered county governments. At the same time, building an effective devolved and collaborative approach to childcare challenges the persistence of top-down, sector-siloed mindsets that still characterize much of Kenya's public sector. Moving toward a genuinely multilevel governance model for childcare will therefore require vision, patience, and political courage—but the investment is modest, the risks are manageable, and the potential returns are compelling.

With deliberate leadership and careful sequencing, county governments can transform childcare from an invisible burden borne by families into a visible public good—one that stands as a cornerstone of Kenya's devolution success story.