



Making Kenya's hospitality globally competitive
KENYA ASSOCIATION OF HOTEL KEEPERS AND CATERERS

18th ANNUAL KAHC SYMPOSIUM 2022

16th – 17th June 2022

Sarova Whitesands Beach Resort & Spa

Mombasa, Kenya



THEME:

REBÜILDING



T



CONSTRUCTION



Table of Contents

Abbreviations & Acronyms	iv
Executive summary	1
KAHC Office Bearers (Board of Directors)	5
DAY 1	6
Welcome address	
By Mike Macharia, Chief Executive, KAHC	6
By Christopher Musau, National Chairman, KAHC	6
Keynote address	
By Hon. Jackson Kalla, CAS, Ministry of Labour	8
Presentations	
1.0 Rebuilding Tourism	9
2.0 Connecting your business to profits	11
3.0 Data protection act & regulations: Compliance & Enforcement	12
4.0 Brookside Dairy	15
5.0 The role of NITA in the Tourism industry	16
Plenary discussions	17
6.0 Developing resilience in crisis	18
DAY 2	21
7.0 Tourism fund	21
8.0 Reengineering & transformation of Kenya Utalii College (KUC)	22
Plenary discussions	23
Vote of thanks	24
Appendix 1: Symposium agenda	26
Appendix 2: List of partners and sponsors of the 2022 KAHC Symposium	27
Gallery	28

Abbreviations and Acronyms

CAS	Chief Administrative Secretary
COTU	Central Organization of Trade Unions
DRC	Democratic Republic of Congo
EABL	East African Breweries Ltd
FKE	Federation of Kenya Employees
IHTI	International Hotel and Tourism Institute
KAHC	Kenya Association of Hotel Keepers and Caterers
KRA	Kenya Revenue Authority
KUC	Kenya Utalii College
KWS	Kenya Wildlife Services
NITA	National Industry Training Authority
PAYE	Pay As You Earn
TVET	Technical and Vocational Education and Training Authority



EXECUTIVE SUMMARY

The 18th Annual KAHC Symposium was held from 16th to 17th June 2022. In attendance were 150 participants that constituted investors in the hospitality industry, senior managers, service providers, and representatives from hospitality training colleges and state corporations. Also in attendance, digitally, were 1090 individuals following the live Facebook transmission of the Symposium

The Theme of the 18th Symposium was “Rebuilding Tourism” which was appropriate, considering the sector was just coming out of a difficult two-year period occasioned by the Covid-19 pandemic that had devastating effects on the sector. Speakers at the Symposium focused their presentations on the following subject areas:

- Rebuilding Tourism
- Connecting your business to profits
- The Data Protection Act and Regulations: Compliance and Enforcement
- The role of NITA in the tourism industry
- Reengineering and transformation of the Kenya Utalii College (KUC)
- Developing resilience in crisis
- Tourism Fund
- Brookside Dairy

Mr Christopher Musau, National Chairman of KAHC, in his Welcome Address, affirmed that the Covid-19 pandemic had devastating effects on the sector. He thanked the government, both central and county levels, for providing KAHC with the much-needed support to enable it achieve its goals. In this regard, through the Magical Kenya Tourism Health and Safety Protocols, he stated that KAHC has worked with all its members to ensure their staff get vaccinated against Covid-19 and that they continue to adhere to the preventive measures. Mr Musau outlined the following key activities that KAHC has undertaken over the last one year:

- Working in partnerships with the Mombasa County government, it participated in a joint-clean-up exercise on the beach fronts.
- Hosted the second Finance Directors conference.
- Through several joint communique, the Human Resources Committee and KAHCs social partners played a crucial role in enabling the KAHC to navigate through the Covid-19 pandemic crisis.

The Keynote Address of the Symposium was delivered by *Hon. Jackson Kalla, CAS, Ministry of Labour*. In his remarks, he affirmed that the government is ready and willing to work with the tourism and hospitality sector to put in place measures that will help the industry effectively recover from the pandemic. He challenged all players in the sector to interrogate the key lessons learnt from the Covid-19 pandemic and their state of preparedness for future pandemics. He further urged them to take advantage of NITA and have skills audits carried out on their staff so that training that is carried out is specific to filling in the existing gaps that have been identified. In closing, he challenged NITA to ensure that the curriculums they develop for the tourism and hospitality sector be modelled in such a way that they capture the needs and aspirations of the sector.

Below is a summary of the key outcomes from the seven subject areas of the Symposium:

Rebuilding Tourism: *Dr Betty Radier, Managing Director, Kenya Tourism Board* delivered this presentation. She stated that rebuilding tourism should be a partnership that showcases the industry's competitive advantage to those interested in the sector. The challenge, however, remains on how best to deliver it. She outlined several approaches that can be employed to act as drivers for tourism recovery as well as key programs and product packages that can go towards promoting the various tourist destinations in the country. She urged players in the sector to embrace new and innovative approaches that would meet the demanding needs of the new crop of tourists, Generation Z

Connecting business to profits: In this presentation, DSTV Business outlined the support and differentiated services they provide to the hospitality industry.

Data Protection Act and Regulations: Compliance and Enforcement: *Collete Akwana, a Partner at CMS Law-Tax-Future* outlined the regulations contained in the Data Protection Act whose registration deadline is 14th July 2022. She expounded on the importance of adhering to the regulations citing the principles and obligations of how personal data should be processed, the grounds for processing it, as well as the areas of risk that the hospitality industry needs to look out for and ensure all its members remain compliant. She further outlined the legal consequences, as stated in the Act, on businesses that will be found to be non-compliant.

The role of NITA in the tourism industry: *Eng. Stephen Ogenga, Director General, National Industry Training Authority* delineated the role of NITA, which falls under the Ministry of Labour, specifically, its role as an enabler for skills development in the context of supporting industries. A key function of NITA, he stated, is to integrate labour market information into skills development. He stressed that the skills available within the hospitality industry need to be up-skilled for purposes of labour mobility. NITA does this, through its existing framework, by offering a National Skills Set Certificate – Level 3, which is at the lowest level; it contains the TVET Pathway, National Vocational Certificate Level 2, and National Skills Certificate Level 2. This training, he said, grows

vertically and has a horizontal mapping to other qualifications and other pathways, across the different levels. NITA's Apprenticeship Training Program has over 500 accredited service providers who deliver various pieces of training as may be demanded by the market or industry.

Reengineering and transformation of the Kenya Utalii College (KUC): The *Ag. Principal & CEO of Kenya Utalii College, Prof. Charles Musyoki* shared the vision of KUC as well as the reengineering and transformation process through which the college is undergoing. Currently, the institution's status is being assessed and its goals are being redefined to make it relevant to the needs of modern society through its new 5-year Strategic Plan.

Developing resilience in a crisis: *Mr Anthony Gitonga, a Management Consultant,* spoke on strategic approaches that managers can employ to effectively respond to a crisis, as well as how to have the much-needed resilience to follow through on the new approaches that would bring about more productivity through people, processes and systems.

Tourism Fund: The *Ag. Chief Executive Officer Mr David Mwangi* gave an overview of the mandate of the Tourism Fund. He stated that apart from collecting the 2% levy, the Tourism Act gave the Fund the mandate of mobilizing resources that would go towards building or strengthening the tourism sector. In this regard, the Tourism Fund has operationalized this mandate and now has a fully-fledged directorate of resource mobilization.

Brookside Dairy: *Mr Elias Ochola, Sales Director,* stressed on the value Brookside attaches to the partnership it has with the association, citing the priority it gave in consistently delivering milk and milk products to all association members amidst the biting milk shortage being experienced in the country. He declared that Brookside Dairy contributed Kshs 1 million towards the 2022 KAHC Symposium and a further Kshs 700,000 worth of product giveaways.

Key Issues & Recommendations arising from the Symposium

From the plenary discussions, the following were the key discussion outcomes – concerns and recommendations.

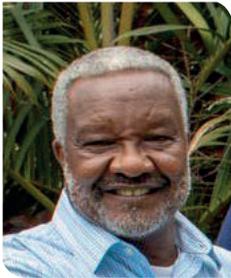
1. The Open Skies Policy is a discussion that needs to be revisited between the players in the hospitality industry and the government. The stakeholders need to:
 - Unpack to the government what 'Open Skies' really means?
 - Outline the critical factors in the open skies discussion that will be a game-changer in the industry?
 - Determine the one "Ask" that can be given to the government that would help facilitate the increase of tourists into the country.
 - Facilitate discussions with the government on the opportunities and benefits of having wide-bodied direct flights, for example between Kisumu/Bujumbura, Mombasa/DRC, Turkey/Mombasa.

2. Enhanced guest experiences: Hoteliers need to enhance out-of-the-hotel experiences for their guests. This they can do in partnership with facilities within, for example, Mombasa.
3. Music Copyright: Hoteliers should pay only the amount as prescribed in the ruling by the High Court. The industry will continue fully supporting artists and content producers in this regard.
4. Levies by NITA on the hospitality industry (penalties & arrears): The hospital industry feels that this levy, which is meant to meet the training needs of the sector, is a form of double taxation. NITA charging areas and penalties, dating back 10 years, is deemed unfair because it has hardly carried out any training in the hospitality industry, not to mention the effects Covid-19 has had on the industry.
5. The Data Protection Act and Regulations - Registration Process: This process will be done online. Based on the technical nature of the questions that will require legal interpretation, a regular user may need guidance from experienced legal firms. This notwithstanding, controllers and processors need to start putting in place their documentation, including having contracts as well as other documentation in place that will be needed at the point of registration.
6. The hospitality industry needs to tailor-make some specific training programmes that would be of direct benefit to its staff and demand for training to be carried out on those who are already compliant. Through this approach, the industry can work out ways in which it can get back refunds on investments on the same.
7. The hospitality industry needs to demand a place in the sector training committees so that their direct interests are well represented.

The following is the list of sponsors of the *18th Annual KAHC Symposium*:

- | | |
|------------------------|-------------------------|
| 1. Brookside | |
| 2. Coca-Cola & Dasani | 8. Kenya Utalii College |
| 3. Dasani | 9. Novacom |
| 4. DSTV | 10. Safaricom Business |
| 5. EABL | 11. Tourism Fund |
| 6. IHTI | |
| 7. Kenya Tourism Board | |

KAHC OFFICE BEARERS (BOARD OF DIRECTORS)



Chris Musau,
National Chairman



Wasike Wasike,
National Vice Chairman



Cathrine Murage,
Finance Chairlady



Dr. Florence Njau,
Nairobi Region Chairlady



Walter Reif,
Perak Rep



Vickram Korla,
Neptune Hotels



Maureen Awuor,
Malindi/Watamu Region
Chairlady



Harald Kampa,
Chairman, Coast Region



Ali Kibwana,
Sopa Lodges



Mugo Maringa,
Serena Hotels



Willie Mwadilo,
Chairman, Amboseli-Tsavo



Fairman Muhingi,
Chairman, Rift Valley Region



Edward Wangechi,
Chairman, Mt. Kenya Region



Jimi Kariuki,
Sarova Hotels



Mike Macharia,
Chief Executive Officer

WELCOME ADDRESS

By Mike Macharia,

Chief Executive, KAHC

Mr Macharia welcomed all participants to the 18th Annual KAHC Symposium. He took stock of the infrastructural developments in Kenya over the last 20 years that have helped increase the tourist numbers to the various destinations. He further recognized the development of the other sectors including telecommunication, the rebranding of the Kenya Wildlife Services (KWS), the development of the various national parks in the country as well as the reduction in the number of licenses needed to operate a hotel, all of which have enormously boosted the tourism sector in Kenya.

In closing, he noted that the theme of the 2022 Annual KAHC Symposium, “Rebuilding Tourism”, is especially relevant considering the negative effects the Covid-19 pandemic had on the sector.

By Christopher Musau,

National Chairman, KAHC

The following are the key highlights of the Chairman’s speech.

On behalf of the KAHC Board of Directors, Mr Musau welcomed all participants to the 18th Annual Symposium.

In celebrating the 18 years milestone since the first annual KAHC Symposium was held, he thanked all members, who over the years, have provided their support/call to duty which, more often than not, has been beyond what was expected.



He noted that during the two-year Covid 19 pandemic period, the KAHC adjusted its Constitution to allow for online meetings, specifically the Annual General Meeting (AGM). As a result, two AGMs took place. He thanked the government, both at the central and county level, for providing support to the KAHC thereby enabling achieve its goals. This interaction will ensure that KAHC will become the leading African hospitality association.

Mr Musau listed out the following key activities that KAHC has undertaken in the last year:

- Through several joint communique, the Human Resources Committee and KAHCs social partners played a crucial role in enabling the KAHC to navigate through the Covid-19 pandemic crisis.
- KAHC, together with Mombasa County and the KWS, participated in joint clean-up exercises on the beach fronts.
- The second Finance Directors Conference was held in April 2022 . The Human Resources Conference will take place in October 2022.

He thanked both Ministries of Labor and Tourism, who, during the Covid-19 pandemic, brought all tourism stakeholders together to draw up approaches on how to navigate the crisis as well as how best to handle the industry's employees. He affirmed that through this engagement, a majority of the KAHC members were able to retain a big percentage of their staff.

Mr Musau informed the meeting that the tourism industry, together with other stakeholders, came up with the Magical Kenya Tourism Health and Safety Protocols for the new norm, post-Covid-19. Towards this end, KAHC has worked towards ensuring that all its members ensure that their staff get vaccinated against Covid-19 and that they continue to maintain high hygiene standards.

In closing, he introduced the following KAHC Board Members:

Office Bearers (Board of Directors)

1. Chris Musau, National Chairman
2. Wasike Wasike, National Vice Chairman
3. Cathrine Murage, Finance Chairman
4. Dr Florence Njau, Nairobi Region Chairman
5. Walter Reif, Perak Rep
6. Vickram Korla, Neptune Hotels
7. Maureen Awuor, Malindi/Watumu Region Chairman
8. Harald Kampa, Chairman, Coast Region

Board Members absent with apologies

1. Jimi Kariuki, Sarova Hotels

¹ In 2003 one required 36 licenses to run a hotel establishment.

² The Human Resources Conference will be held in October 2022.

KEYNOTE ADDRESS

By Hon. Jackson Kalla,

CAS, Ministry of Labour

The following are the key excerpts of Hon Kalla's speech:

As a result of the Covid-19 pandemic, the Kenya government had to put in place containment measures that, as a consequence, negatively impacted the tourism sector. The government worked to ensure nobody lost their job as a result of the pandemic; this was achieved by having an agreement with its social partners whereby an MOU was signed to suspend the Common Bargain Agreement (CBS). FKE was then tasked to ensure all employee's jobs were retained.



The government, he said, is ready and willing to work with the tourism and hospitality sector to bring into place measures that will help the industry effectively recover from the pandemic, an example of which is by ensuring people adhere to the health protocols, and the offering incentives to industry players to help sustain their businesses

It is paramount, he said, for the tourism and hospitality industry players to interrogate the key lessons learnt from the Covid-19 pandemic and their state of preparedness for future pandemics. Employing and deploying various approaches of technology, including, for example having flexible work schedules for staff (working remotely), can quickly help revamp the sector.

In closing, he urged the hospitality sector to take advantage of NITA and have skills audits carried out on their staff so that training that is carried out is specific to filling in the existing gaps that have been identified. He urged NITA to ensure that the curriculums that they develop be modelled in such a way that they capture the needs and aspirations of the tourism and hospitality sector.

PRESENTATIONS

The following were presentations by speakers on the following subject areas:

1. Rebuilding Tourism
2. Connecting your business to profits
3. Data Protection Act and Regulations: Compliance and Enforcement
4. Brookside Dairy
5. The Role of NITA in the Tourism Industry
6. Developing resilience in a crisis
7. Tourism Fund
8. Reengineering and transformation of Kenya Utalii College (KUC)

Below are excerpts of each of the presentations:

1.0 *Rebuilding Tourism*

By Dr Betty Radier,

Managing Director, Kenya Tourism Board

In her presentation that focused on the subject of Rebuilding Tourism, Dr Radier began her presentation by stating, “if we, as an industry, are coming to the table and say we are rebuilding tourism, we need to come to the table like the Express Way and have game-changing ideas.” Rebuilding tourism, she stressed, should be a partnership that

showcases the industry’s competitive advantage to those interested in the sector. The challenge, however, remains on how to deliver it.

Her presentation focused on the following key approaches needed to rebuild the tourism and hospitality sector:



⁴ These drivers are driven by available information

Rebuilding the tourism and hospitality sectors:

- *Drivers for tourism recovery :*
 - Enhancing domestic and regional travel.
 - Outdoor and nature-based experiences. This was driven and precipitated by the Covid-19 pandemic.
 - Unique brand experiences. This needs to be developed and uniquely packaged - “working with what we have” and sold.
- *Emerging trends for hospitality 2.0:* There are existing trends that the sector either needs to be aware of or not shy away from. Examples of these trends include:
 - Technology that can provide seamless guest experiences, for example, an enhanced seamless check-in experience. Generation Z, who now have more disposable income put in a little effort but have a lot more expectation that needs to be met by the hotels or industry. Meeting these increased expectations can be the game-changer for a facility or the industry at large.
 - Stakeholders in the sector should collectively work together to meet the new and emerging demands of travellers, such as Generation Z.
- *Bleisure travellers and hotel workspaces:* This approach can allow or provide flexible options for working that would suit or attract long-stay travellers and optimize their stay.
- *Flexibility and affordability:* This is necessitated by an increased number of younger travellers who are attracted by competitive packages or offers. Flexibility in meeting their demands is imperative.
- *Staging memorable experiences:* The sector should go beyond advertising or investing in food and beds and instead focus on staging memorable experiences; this can be in areas that may be in or around the hotel’s locality. It calls for working on partnerships to manage captive audiences around different experiences.
- *Trends for hospitality 3.0:* This should involve looking for innovative approaches to optimize capacity and experiences within the establishment, for example, leveraging technology.
- *Sustainable tourism:* This is where travellers are more conscious about the impact they have on the environment; this can be packaged accordingly and presented to those who appreciate it.
- *Plus 254 travel:* This is one of the biggest opportunities yet in the tourism and hospitality sector.

Key programs and product packages and promotional approaches:

- *The Magical Kenya Signature Experience:* This programme has given the industry a competitive advantage beyond the African region. It has provided the conversation around a unique and authentic Kenya travel experience.
- *Top Experiences Program:* Involves County engagement initiatives that enhance experiences for tourists. Counties have shown interest in tourism as an opportunity to bring the county to the fore through, for example, adventure safaris, cultural, heritage and wellness products.
- *Product and Niches:* This focuses on already existing products that can be transformed or developed into brands that have different experiences, for example, the Kenya coast sub-brands of Mombasa, Diani, Watamu, Malindi, Lamu, Tsavo and Tana River. This approach mirrors the emerging trend of people into segments.
- *Collaboration opportunities:* This is one of those that are similar to help attract people to the destinations.
- *Having Joint campaigns:* To support destination marketing efforts in the various source markets.
- *Digital marketing content generation:* Supporting digital marketing efforts through user-generated content, among other efforts, to enhance visibility.
- Trade engagement. For example, MKE 2022, Trade Fairs, road shows, etc.

2.0 Connecting your Business to Profits

By Elsa Lunani,

Head of DSTV Business, Multichoice Kenya

The focus of the presentation was on the support that Multichoice provides to the hospitality industry. Multichoice Kenya has set up a department that specifically focuses on its commercial customers (DSTV business). This is a differentiated service that is specifically designed for businesses; it has the following benefits:

- Value-added DSTV business packages.
- Seamless customer payment processes, with automated payment reminders.
- Flexible entertainment packages/content that suit the different types of



⁶ Multichoice signed a 5-year agreement with KAHC to support the hospitality industry.

audiences within the different types of establishments – Work, Play & Stay packages.

- A dedicated call centre for DSTV business customers.
- Trained and accredited DSTV installers. This ensures customers get the best picture quality through the use of either of the five types of distribution systems for connecting to DSTV.

3.0 Data Protection Act and Regulations: Compliance and Enforcement

By Collete Akwana,

Partner, CMS Law -Tax-Future

Ms Akwana's presentation reflected the fact that the hospitality industry is rich in personal/customer data. In February 2022, the regulations of the Data Protection Act were enforced which spells out how data should be collected, processed and deleted. *Why is this important for the hospitality industry?*

The following are key highlights of the presentation:



a. Data security concerns in the hospitality industry:

- *Complex ownership structures:* Mergers and acquisitions that have different styles of how to access, process, handle, store and delete data.
- *Reliance on card payments:* If facilities are not secure enough as these transactions take place, there is a possibility of a breach of customers' data, in respect to, for example, their bank accounts.
- *High staff turnover:* Because of the seasonal nature of business in the hospitality industry there is a disconnect on how the staff get equipped to do what is expected of them.
- *Insider threats:* The hospitality industry is the richest in personal data information. This information, if not well secured, can be valuable in the hands of an insider. How this data is then traded can expose the industry or a business to heavy legal fines as spelt out in the Data Protection Act and Regulations.
- *Compliance:* From the 14th of July 2022, any industry/firm within the hospitality sector has to be registered as a data controller and processor.

b. Stakeholder 'risk thermometer'

This shows the hospitality industry the very sensitive pain points that they may be exposed to legally if they do not comply with the Act or Regulations. The sectors' customers, consumers and employees are a specific category as they are the natural persons whose rights will ultimately be infringed if there is non-compliance with the Act and Regulations. They are the ones who will begin to expose the business establishment through compensation and fines.

The Boards of Directors have to ensure that the institution is compliant with the Act and Regulations. Boards who do not ensure compliance expose themselves to a fine of Kshs 3 million or imprisonment of 10 years, or both.

Businesses will have to carry out the necessary checks for all their suppliers, since they may be compliant with the Act and Regulations but the suppliers are not. Agreements will therefore have to be drawn up. If the business is a limited liability company and there is non-compliance, the regulator issues penalties that can harm the company's profits/shares.

c. Areas of risk

- *Fines:* If the business establishment is found to be non-compliant.
- *Regulatory enforcement:* The office of the data protection commissioner has been tasked with the responsibility to ensure enforcement and compliance with the Act and Regulations.
- *Compensation claims:* Business establishments need to have in place proper policies and structures that articulate their compliance with the Act and Regulations.
- Director liability, reputational damage, business disruption.

d. Overview of the Act

- *Registration deadline:* From 14th July 2022, if a business establishment collects personal data of its clients, it can only collect it legally if it is registered as a controller or processor of the personal data, such as identification (ID) number. If not registered, the business establishment will be obtaining this data unlawfully. The hospitality industry MUST, therefore, comply and be in the know of the potential exposures it may face.
- *Principles and obligations of how personal data should be processed:* A business establishment has to have a legal basis on why they should collect personal data from their guests.
- *Grounds of processing:* Business establishments should have to legally justify why they would want certain personal information from their clients, for example, if asking a lady if she is a Ms or Mrs.
- *Transfer of personal data outside Kenya:* This can only be done in a specific manner, in compliance with the law.

e. Outward-facing perspectives

This focuses on the rights of data subjects (the people whose information is being collected – clients, guests, etc). There should be restrictions on the commercial use of a client's data, for example, sending them offers or promotions through the contacts they left in the business establishment the last time they stayed there. This is illegal; the law has now outlined how this should be done.

f. Inward facing perspectives

Collecting data from employees, for example, the number of children they have now has to be legally justified. Having CCTV, with enabled audio, can be a risk factor for being sued for breach of privacy. The Office of the Data Protection Commissioner has the legal right to carry out audits to see if the business establishment is compliant, for example, checking if it has employee records, beyond the number of those who are employed. A business establishment will have to have a legal basis on why it has this information.

g. Obligations of data controllers

Data controllers are those tasked to collect personal data; they determine what the data will be used for. Data processors are those that act on behalf of a data controller. For example, if a business outsources its payroll, it acts as the data controller, and the payroll supplier then becomes a processor.

The obligation of a data controller is that they should have a personal data retention schedule, including guest lists. The longer a business keeps its clients' data the higher the onus is on the business to demonstrate to the office of the Data Protection Commissioner, upon the compliance checks, why the data is being kept.

Business establishments should have their data protection and data security policies in place and ensure that it is data privacy compliant; for example, access to employee records, remote working – how secure are the systems – does it have integrity? Is it confidential?

h. Breach Preparedness

A business establishment should have a response plan in place in the event of a breach. This can include, for example, having a team of forensic experts (security, legal and PR experts, etc.) who would help prevent further damage. In the event of a breach, the office of the Data Protection Commissioner has to be informed within 72 hours.

i. Registration process

The deadline for registration is 14th July 2022. The registration process is vigorous and involves a lot of documentation. A business establishment has to have proper legal guidance to ensure its application is successful and thereafter ensure proper steps are in place to maintain the compliance standards.

j. Complainants

This could constitute anybody, including anonymous persons, including business competitors. Compliance by the business establishment is, therefore, absolutely critical. If after investigations a business establishment is found to be non-compliant, the decision of the Data Protection Commissioner is final. A dispute can be resolved by mediation or reconciliation.

k. Compliant roadmaps

Due diligence audits will have to be carried out to determine awareness or compliance. Policies, as well as the necessary contracts, have to be in place to tighten any exposure the business establishment may have against a supplier, employee or its consumers. Employees should all be taken through the relevant training to ensure each of them maintains or adheres to the requirements. Establishments should have in employment or contract a data protection officer to ensure compliance.

4.0 Brookside Dairy

By Anne

Sales Manager, Brookside Dairy

Anne read a message from the Brookside Dairy Sales Director Mr Elias Ochola. The following are excerpts of his message:

Brookside Dairy is grateful for the continued support and partnership with the KAHC. This has been seen, that even despite the milk shortage, that has been experienced across the country, Brookside Dairy was able to prioritise supplies to Association members. This was done in full cognizance of the value it attaches to the partnership which it seeks to further sustain and enhance its growth. As the Kenyan economy moves towards full recovery, Brookside Dairy commits to work together with the Association and support it in all its business endeavours.

Brookside Dairy has contributed Kshs one million towards the 2022 KAHC Symposium and a further Kshs 700,000 worth of product giveaways.



5.0 The Role of NITA in the Tourism Industry

By Eng. Stephen Ogenga,

Director General, National Industry Training Authority

Eng. Ogengo delineated the role of NITA, which falls under the Ministry of Labour, in its role as an enabler for skills development in the context of supporting industries. A key function of NITA is to integrate labour market information into skills development. Employers are its key source of revenue through the industrial training levy through which it makes a return on the investment through the development of human capital.



NITA derives a lot of information from its labour market intelligence to ensure that it draws the needs or demands of the specific market (sector-driven skills development) from which it will support in terms of curriculum and skills development (up-skilling & re-skilling) as well as assessment and certification.

Mr Ogengo stressed that the skills available within the hospitality industry need to be up-skilled for purposes of labour mobility. NITA does this, through its existing framework, by offering a National Skills Set Certificate – Level 3, which is at the lowest level; it contains the TVET Pathway, National Vocational Certificate Level 2, and National Skills Certificate Level 2. This training grows vertically and has a horizontal mapping to other qualifications and other pathways, across the different levels.

All employers in Kenya, are required to support the skills development through industrial training by contributing a specific fee per month (CAP 237). This is being done through a partnership between NITA and the national Treasury. In 2020, NITA and the Kenya Revenue Authority (KRA) partnered to develop a unified payroll returns (UPR) where employees are required a single return for PAYE, and NITA levy through the KRA portal. All industrial training levy returns and payments are now made through KRA. In furtherance of Ease of Doing Business, the government reviewed the Industrial Training Levy Order in the year 2020 to provide for employers to make annual levy payments as opposed to monthly payments.

NITA's Apprenticeship Training Program has over 500 accredited service providers who provide various training as may be demanded by the market or industry.

Plenary Discussions

The following were the discussion outcomes:

- a) *Outside hotel experiences at the coast:* This needs to be enhanced by hoteliers teaming up with various facilities, outside of the hotels that also offer experiences and packages. For example, restoring the fun functor which the north coast was/is known for.
- b) *The Open Skies Policy:* To help facilitate or help advance the opening of the skies by the Kenyan government, the industry needs to:
 - Unpack to the government what 'Open Skies' really means?
 - Outline the critical factors in the open skies discussion that will be a gamechanger in the industry?
 - Determine the one "Ask" that can be given to the government that would help facilitate the increase of tourists into the country.
 - Facilitate discussions with the government on the opportunities and benefits of having wide-bodied direct flights, for example between Kisumu/Bujumbura, Mombasa/DRC, Turkey/Mombasa that would, for example, facilitate trade and increase the number of tourists.
- c) *Retirement tourism:* There is a need to package opportunities for different audiences, based on age groups based on what the location offers. For example, Malindi and Watamu attract more retirees than it does Generation Z.
- d) *Regenerative Tourism:* Existing concrete walls around beaches on the Kenyan coast, specifically in Malindi, has resulted in the deterioration of the beaches and marine parks thereby endangering existing species, like turtles. In partnership with the Kenya Wildlife Service, regenerative tourism needs to be encouraged to help save these natural resources.
- e) *Music Copyright:* Hoteliers should pay only the amount as prescribed in the ruling by the High Court, nothing more. The industry will continue fully supporting artists and content producers in this regard.
- f) *Levies by NITA on the hospitality industry (penalties & arrears):* The hospital industry feels that this levy, which is meant to meet the training needs of the sector is a form of double taxation. In this regard, discussions between the stakeholders need to take place on what the new Act has introduced and an agreement determined/ have a clause introduced to save the sector. NITA charging areas and penalties, dating back 10 years, is deemed unfair considering the fact that it has hardly carried out any training in the hospitality industry, not to mention the effects Covid-19 has had on the industry.
- g) *Data on placements that NITA has undertaken in the hospitality industry:* NITA

⁹ Tourism Fund 2% and NITA

coordinates industrial attachment placements; it services the entire university system placements. The current quantification is up to 45000 per year – only about 2000 fall within the tourism sector. There is a need for the opening up of more placement spaces for learners to acquire experience (experiential learning).

h) *The Data Protection Act and Regulations - Registration Process:* This process will be done online. Based on the technical nature of the questions that will require legal interpretation, a regular user may need guidance from experienced legal firms. This notwithstanding, controllers and processors need to start putting in place their documentation, including having contracts as well as other documentation in place that will be needed at the point of registration.

i) *Recommendations:*

- The hospitality industry needs to tailor-make some specific training programmes that would be of direct benefit to its staff and demand for training to be carried out on those who are already compliant. Through this approach, the industry can work out ways in which it can get back refunds on investments on the same.
- The hospitality industry needs to demand a place in the sector training committees so that their direct interests are well represented.

6.0 Developing Resilience in Crisis

By Anthony Gitonga,

Management Consultant

Through his presentation, Mr Gitonga spelt out the stages that managers need to take in responding to a crisis. The following are the key learnings:

- Even after effectively responding to a crisis and rebuilding, many managers still find themselves overwhelmed by the next crisis they face, even when they have the power to control it. Why is this the case?
- The following are the three approaches employed when dealing with a crisis:
 - Negative reflection: In this approach, one only thinks of the loss they have gone through and nothing else (negativity). As a result, one gets overwhelmed by the crisis.



- No reflection: In this approach, the manager does not reflect on the lessons learnt from the last crisis; they instead revert to the old way of doing things, before the crisis.
- Positive reflection: In this approach, the manager employs new ways of doing things that were not done well during the crisis. A manager can effectively do this by responding to the following question: “What is the indispensable skill that if you taught your staff members or learnt as leaders, you would reap a huge return on investment?”
- On Resilience and Productivity:
 - One should have the ability to bounce back after every setback (resilience). The single most important driver of resilience is the Manager. Engagement is related to the resilience of the staff members; how easily they bounce back is 70% dependent on the manager. A Gallup poll statistic revealed that after the Covid-19 pandemic hit, engagement levels rose from the current 30% to above 40%. This was attributed to the caring and engagement nature of managers with their staff.
 - Managers need to understand the amount of leverage they have in driving resilience in their workplaces. In this regard, resilience can be defined as ‘the ability to bounce back from a difficult and stressful situation’. This is done by:
 - Sustaining one’s wellbeing
 - Maximizing the existing possibilities
 - Optimizing one’s productivity

“Excellence in productivity is a function of one’s resilience.” Anthony Gitonga

“Few things are impossible to diligence and skill. Great works are performed not by strength, but perseverance.” Samuel Jackson

- Key strategy questions:
 - What lessons have you learnt from the Covid-19 pandemic and in hindsight what would you have wished to have done before the crisis?
 - What are you doing different now to beat the next crisis?
 - What measures have you taken post-Covid?
 - What is your strategy around people, processes and systems within the organization?
 - What are you doing about the psychological wellness of your staff members?
 - As the manager what are you doing about improving productivity, taking cognizance of the fact that you are 70% responsible for the productivity of your staff members?

- Where do you want to invest as you go forward?
- How do you amplify the attraction and the assurance towards your visitors?
- The new strategies that need to be applied are the strategies of attraction, for example, following up with past guests to know when they are planning for their next holiday.

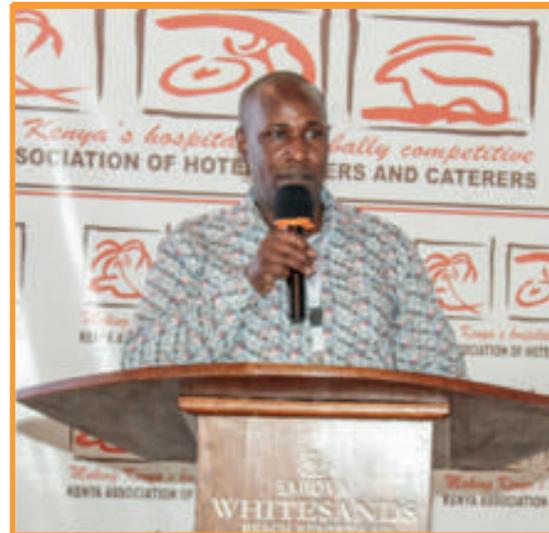
DAY 2

7.0 Tourism Fund

By Mr David Mwangi,

Ag. Chief Executive Officer

In his brief remarks Mr Mwangi affirmed that apart from collecting the 2% levy, the Tourism Act gave the Fund the mandate of mobilizing resources that would go towards building or strengthening the tourism sector. In this regard the Tourism Fund has operationalized this mandate and now has a fully-fledged directorate of resource mobilization.



Mr Mwangi introduced one of the Funds partners, African Engineering Supplies Limited, which works towards providing solutions to cut down the cost of energy. Its CEO, Mr George Oywer then gave a presentation that focused on water heating solutions using solar heating. This solution, he said, is a 100% renewable solar heating approach, has a thermodynamic heating system and works 24/7, no matter the weather conditions. This system gives 100% savings on the cost of electricity and is different from the traditional solar heating systems; it does not have water tanks on the rooftops, it does not overheat the water, and the system contains a refrigerant liquid that, once it gets to the panel, is heated by the air around the panel. It, therefore, does not rely on sunshine and does not get affected by hard water; therefore, rusting will not take place.

Africa Engineering Supplies Limited has the following flexible offers for its energy solutions:

- Fully finance the project for the client; once the client has completed paying for it, it is handed over.
- Setup the solution 100% for the client, who then pays a monthly fee.
- Carrying out energy use audits to determine ways of reducing electricity bills.

8.0 Reengineering and transformation of Kenya Utalii College (KUC)

Prof Charles Musyoki,

Ag. Principal & CEO Kenya Utalii College

Prof. Musyoki, in his presentation, shared the vision of KUC as well as the reengineering and transformation process through which the college is undergoing. KUC's new image, perception and brand need to begin redeeming the institution and reposition it to be the leading training institution in the hospitality industry.



a. *Reasons why KUC lost its glory:*

- *Complacency:* It got to a comfort zone and became complacent to the point that it did not realize when things began working against it.
- *Shortsightedness:* It failed to have a long-term view; it did not look at things broadly; it failed to innovate – it continued doing things the same old way.
- *System failure:* The institution ground to a halt as a result of ineptitude and systems that did not respond to what the market demanded.
- *Brain drain:* Competent staff left the institution; this led to increased competition from other upcoming training institutions.

b. **What is being done to transform and reposition KUC?**

This is being guided by the following strategic questions:

- Where are we now?
- What are we lacking?
- What do we need to move us to where we want to go?
- Where do we want to go?
- How can we get there?

Currently, the institution's status is being assessed and its goals are being redefined to make it relevant to the needs of modern society. Its 5-year Strategic Plan has been drawn and will focus on the threats, gaps, constraints and enabling conditions to face the existing threats. Its new Vision is in tune with modern times – a futuristic Vision for where KUC needs to be in the next 25 years.

Vision: "To be a globally recognized and transformative premier tourism and hospitality training centre."

Mission: “To develop a highly qualified and globally competitive human resource for the hospitality and tourism industry by providing; quality tourism and hospitality education, purposeful research and consultancy.”

c. *Pillars of the new vision for KUC :*

- *Training:* Relooking at the entire training model to determine how to make it better and more competency-based. This will involve reviewing the curriculum to adapt it to the changes in society and making it more sensitive to the current and emerging needs of the hospitality industry.
- *Automation:* Automate its admission processes as well as streamline training to include online classes. The institution will work towards having students on campus only when they need to be there; Provision of online training – having students on campus when they only need to be there.
- *Partnerships:* Work with partners who have similar interests in developing and putting in place effective systems and facilities.
- *Enterprise:* KUC will generate funds to supplement what it gets from the government. It will do this by re-looking at all its revenue streams and fully optimizing them.

Plenary Discussions

The following were the outcomes of the discussions:

a. *Student enrollments in training institutions:* Generally, there is less enrollment of students wanting to take up tourism and hospitality training in Kenya than it was in previous years. KUC is working towards improving its training environment to increase uptake of these courses, by among other things, revamping its training curriculum to make it more responsive to what the industry requires in partnership with the Kenya National Qualifications Authority.

b. *Benchmarking KUC:* It should set its benchmarking to that of international hospitality schools and not local training institutions that lack the necessary training facilities for hospitality students.

c. *Making KUC a referral college.* This can only happen through the amendment of the Tourism Act.

¹⁰. These Pillars will guide the institutions for the next 3 years.

Vote of Thanks

By Wasike Wasike,

KAHC National Vice Chairman

Mr Wasike appreciated all partners who helped facilitate the 18th Annual KAHC Symposium. He thanked all presenters for providing knowledge and ideas that would help spur the growth of the sector and all participants for making it to the Symposium.

In closing, he gave special recognition to the Sarova Hotels for their excellent hospitality during the two-day Symposium.



Appendix 1

Symposium Agenda



2022 SYMPOSIUM, SAROVA WHITESANDS BEACH RESORT & SPA

THEME: REBUILDING TOURISM

DAY ONE: THURSDAY 16TH JUNE 2022

TIME	ACTIVITY	ACTOR
08:00 – 08:30 a.m.	Registration	KAHC Secretariat
08:30 – 08:35 a.m.	Welcome Address	Chief Executive Mike Macharia invites KAHC National Chairman to make introductory remarks.
08:35 – 08:40 a.m.	Introduction	National Chairman Mr. Christopher Musau Introduction of KAHC Board; Recognition of Partners & Sponsors; Symposium Highlights.
08:40 – 08:50 a.m.	Welcome to Mombasa County	Hon. Fawz Rashid , CEC Trade, Tourism & Investment, Mombasa County
08:50 – 09:45 a.m.	Key Note Address	Hon. Jackson Kalla , CAS, Ministry of Labour
9:45 – 10:30 a.m.	Discussion	
10:30 – 11:45 a.m.	TEA BREAK/TOUR OF THE EXHIBITION STANDS	
11:45 – 12:15 a.m.	Presentation	Dr. Betty Radier Managing Director, Kenya Tourism Board
12:15 – 12:30 p.m.	Presentation: Connecting your Business to profits.	Elsa Lunani , Head of DSTV Business, Multichoice Kenya.
12:30 – 01:00 p.m.	Presentation: Data Protection and Regulations	Collete Akwana Partner, CMS Law-Tax- Future.
01:00 - 1:15 p.m.	Presentation:	Brookside
01:15 – 01:45 p.m.	Discussion	
01:45 – 02:45 p.m.	LUNCH BREAK	
02:45 - 03:15 p.m.	Presentation: The Role of NITA in the Tourism Industry	Eng. Stephen Ogenga Director General, National Industry Training Authority.
03:15 - 03:45p.m.	Presentation:	Anthony Gitonga , Management Consultant.
03:45 - 04:30p.m.	Discussion	
04:30 – 05:00 p.m.	Wrap up Day One	
05:00 p.m.	TEA BREAK	
07:00 p.m	Welcome Cocktail	



2022 SYMPOSIUM, SAROVA BEACH RESORT & SPA

THEME: REBUILDING TOURISM

DAY TWO: FRIDAY 17TH JUNE 2022

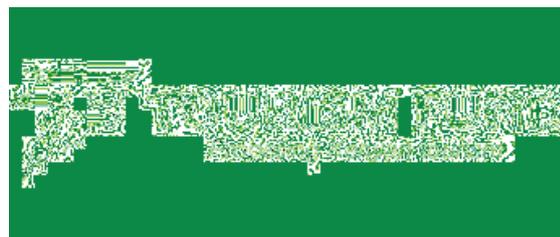
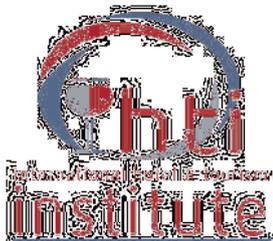
TIME	ACTIVITY	ACTOR
09:00- 9:30 a.m.	Registration	KAHC Secretariat
09:30 – 09:40 a.m.	Welcome Address	Chief Executive Mike Macharia ; Recognition of Partners & Sponsors.
09:40– 10:00 a.m.	Presentation: Tourism Fund	David Mwangi , Ag. Chief Executive Officer, Tourism Fund
09:45 -10:15 a. m.	Presentation:	Prof. Charles Musyoki , Ag. Principal & CEO Kenya Utalii College
10:15 – 10:35 a.m.	Discussion	
10:35 – 10:40 a.m.	Wrap up	
10:40 – 11:00 a.m.	TEA BREAK/TOUR OF THE EXHIBITION STANDS	
11:00 – 1:00 p.m.	KAHC AGM	KAHC MEMBERS
01:00 - 02:00 p.m.	LUNCH BREAK	
07:00 p.m	Gala Dinner	

**KAHC CHARITY GOLF TOURNAMENT
NYALI GOLF CLUB
DAY THREE: SATURDAY 18TH JUNE 2022**

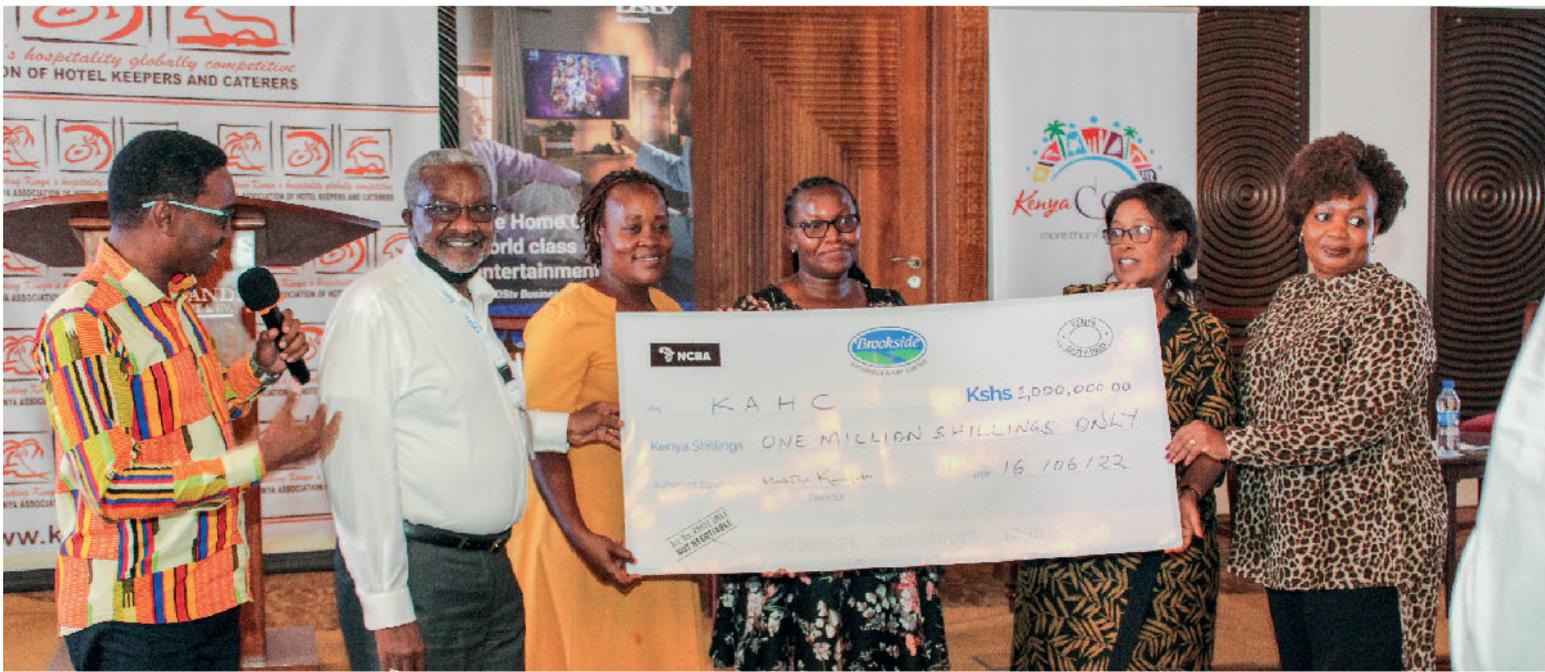
TIME	ACTIVITY	ACTOR
09:00- 9:30 a.m.	Registration	KAHC Secretariat
09:30 – 05:00 p.m.	KAHC Golf Tournament	Nyali Golf Club
7:00 p.m.	Prize Giving Dinner	Nyali Golf Club

Appendix 2

List of Partners and Sponsors of the 2022 KAHC Symposium



GALLERY

















Making Kenya's hospitality globally competitive
KENYA ASSOCIATION OF HOTEL KEEPERS AND CATERERS

