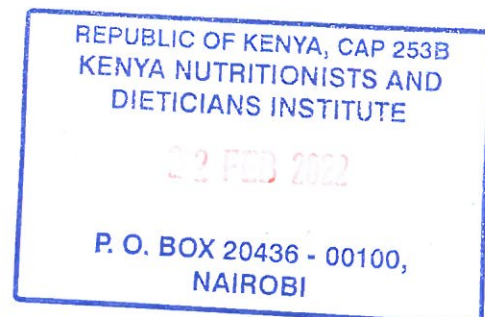




REPUBLIC OF KENYA
Setting gold standards in nutrition and dietetics



KNDI
Kenya Nutritionists &
Dieticians Institute



PRESS RELEASE

SUSPENSION OF INTERNSHIP POSTING AND LICENSURE OF GRADUATE STUDENTS OF NUTRITION AND DIETETICS FROM NON-COMPLIANT INSTITUTIONS

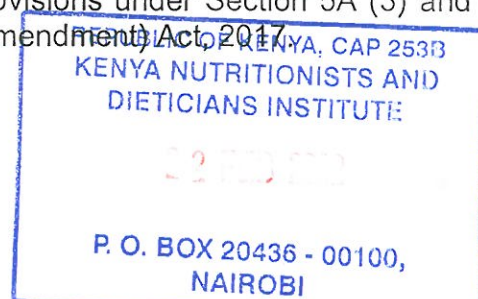
- 1) Kenya Nutritionists and Dieticians Institute (KNDI) some of the universities training nutritionists and dieticians on suspension of their graduate from further pursuing internship programme and licensure within Cap 253B's mandate. These are institutions who have chronic non-compliance status with training standards despite several reminders not complied with professional training requirements on. The affected institutions included University of Eldoret, Egerton University and Kenya Methodist University. (Vide letter dated 6th February 2022; Ref: REF/CEO/10/02/2022)
- 2) In view of the above, KNDI received a reply from University of Eldoret with a defiant content mentioning the Commission for University Education's (CUE) exclusive accreditation mandate as outlined under Section 5A (1) of University (Amendment) Act 2017 and making citations to previous Court ruling between the same University and Engineering Board (Vide Letter: Ref: UOE/ADM/337). **Paragraph 3 of the letter demonstrate that CUE is not yet ready to implement Section 5A five years after the enactment of the new amendments into law. It also demonstrates that University of Eldoret is publicly accepting their non-compliance status and would be comfortable with the current status without any interference.**
- 3) The Institute therefore has chosen to address this matter with CUE in the interest of Kenyan Public on matters of quality of nutrition service delivery within Cap 253B under health sector during post University training period.
- 4) In view of (3) above, Nutrition and Dietetics students who graduated from the affected universities shall from henceforth not be posted for internship nor licensed by KNDI to practice in Kenya, until we are assured that training standards are met as per the 11 standard checklist which we have shared with them.
- 5) In regard to this, KNDI wishes to notify the public that this action is taken for the best interest of the Kenyan people including parents and students who intend to pursue this important health subject within the Constitution 2010 framework (*under Articles 1, 2, 3, 4(2), 50(1), 73 and 75*) with details explained in two parts.

PART A: NUTRITIONISTS AND DIETICIANS ACT, 18, 2007 AND UNIVERSITY (AMENDMENT) ACT, 2017.

- 6) The Council of Kenya Nutritionists and Dieticians Institute and the Commission for University Education are all bound by Section 130 of *Penal Code* (Cap 63) and the Constitution of Kenya, 2010 which is sovereign on matters of public interest.
- 7) The functions of the KNDI Council in executing the mandate of Cap 253B is outlined under Section 6 (a) – (j) as follows: -

- i. Determine and set framework for the professional practice of nutritionists and dieticians.
- ii. Set and enforce standards of professional practice and ethics on nutrition and dietetics;
- iii. Enforce a program of quality assurance for the nutrition and dietetics profession
- iv. Approve institutions for the purpose of training persons seeking registration under this Act;
- v. Research into and provide public education on nutrition and dietetics;
- vi. Maintain the competence of members by updating their knowledge through publications and the conduct of continuing professional education;
- vii. Provide training for nutritionists and dieticians;
- viii. Design programs and methods for sensitization on suitable dietary and nutritional habits, and
- ix. Perform such other functions as may be necessary for proper administration of the Act.
- x. Working jointly with other bodies participate actively in the review of food, food supplement and nutrition supplement's with nutrition claims. **{Health Laws (Amendment) May 2019: Nutritionists and Dieticians Amendment}**.

- 8) Under Section 6(d), the KNDI Council shall approve institutions for purpose of training persons to be registered to practice as nutritionists and dieticians (Ref: Cap 253B). This approval can be done by consultation before or after CUE's accreditation.
- 9) Under Section 5A (2), The University (Amendment) Act gives the CUE an exclusive mandate for recognition, licensing, students indexing, approval or accreditation of programmes offered at the university.
- 10) Under Section 5A (1) of The University (Amendment) Act, 2017 the superiority on matters of accreditation or approval of programmes prevails and therefore vested upon the commission as matters stands now.
- 11) In view of items (9) and (10) above, such functions are bound within the training period of university and does not extend to practice and service period.
- 12) Under Section 6 (a) of Cap 253B, the Council shall determine and set a framework for the professional practice of nutritionists and dieticians.
- 13) One of the pre-requisites for a graduate student to be admitted into the practice of Nutrition and Dietetics is successful completion of internship under Section 13 (f) of Cap 253B in Health Laws (Amendment) Act, 5, 2019.
- 14) The criteria for admission of a graduate students into internship is that they must have graduated with BSc in Nutrition and Dietetics or Food Science and Nutrition from a programme recognized or accredited under Section 5A (2) of University (Amendment) Act, 2017 read together with Section 6 (d) of Cap 253B.
- 15) As it stands today, CUE has not demonstrated that the affected universities are compliant with programme accreditation matters specified under Section 5A (2) of University Act, 2012 and the amendments with regard to training of Nutritionists and Dieticians.
- 16) The Commission therefore has obligation to ensure that such programmes are accredited or approved before students are admitted into professional practice Vide letters: (Ref: CUE/13/2/Vol. 3(5) and CUE/13/2/Vol.2).
- 17) Item (16) above may be fulfilled by executing provisions under Section 5A (3) and Section 5A (4), sub-paragraph (a) of University (Amendment) Act, 2017.

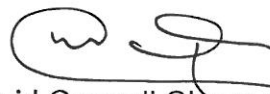


18) Under Section 49(b) of Legal Notice 76 of University Act, 2012 which has not been repealed and was meant for better operations of the Act, CUE had intention to work with professional bodies and would only approve programmes that were cleared by such bodies with existing statutes.

49. The Commission shall only approve a professional programme when it confirms that- (a) the requisite basic programmes on which it is dependent are on offer at the said university; and (b) the relevant professional body recognized by law has granted its approval for the programme.

PART B: KNDI's POSITION

- 19) Due to the exclusive mandate of CUE under Section 5A (1) and (2), all institutions training in nutrition and dietetics are advised to get certificate of accreditation for nutrition and dietetics programmes before their students are further admitted into professional programmes under Cap 253B.
- 20) In the event that certificate of clearance is not provided by CUE, students who have graduated from such institutions shall not be posted for internship and subsequently shall not be licensed to practice as nutritionists and dieticians in Kenya in the interest of protecting the Kenyan Public on matters of health risk with regard to matters of quality service delivery and professional indemnity.
- 21) CUE therefore is at liberty to consult with KNDI Council on Standards of Practice for professionals in nutrition and dietetics in a manner alluded to under Section 5A (3) and Section 5A(4-a) where all fees as per Legal Notice No. 215 shall apply.
- 22) For purposes of clarity on this matter, the affected universities are *University of Eldoret, Egerton University and Kenya Methodist University*.
- 23) With this regard, the commission is reminded that the spirit and the letter of University (Amendment) Act, 2017 was to ensure quality of training and not to compromise quality by cushioning non-compliant programmes offered at the university (Ref: TPY/CUE/13/2/Vol.3/7).
- 24) We also want to inform CUE that we have noted the weakness of Section 5A (1) and (3) of University Act (Amendment) Act, 2017 and we intend to petition parliament to align it with the Constitution of Kenya by deleting Section 5A (1) on the basis that no statute should act superior to another statute and making section 5A (3) mandatory by deleting the term "may" and replacing it with "shall" among other section of quality.



Dr. David Omondi Okeyo (MSc. PhD, MPH, RPHNS)
CHIEF EXECUTIVE OFFICER