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COUNTY ASSEMBLY OF BUNGOMA
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COUNTY GOVERNMENT OF BUNGOMA



**COUNTY ASSEMBLY OF BUNGOMA
OFFICE OF THE CLERK**

THIRD ASSEMBLY
SECOND SESSION

**COMMITTEE ON LABOUR RELATIONS, MEMBERS SERVICE AND
FACILITIES**

**REPORT ON THE VETTING OF NOMINEE FOR APPOINTMENT AS A
MEMBER TO THE COUNTY PUBLIC SERVICE BOARD**

COUNTY ASSEMBLY OF BUNGOMA
(LPCS)
22 NOV 2023
TABLED

COUNTY ASSEMBLY OF BUNGOMA
(LPCS)
22 NOV 2023
NOVEMBER 2023
NOTICE ISSUED
By:.....

**Clerks Chambers
County Assembly Buildings
P.O BOX 1886 - 50200
BUNGOMA, KENYA**

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EXECUTIVE SUMMARY

Pursuant to Section 45(1)(a) of the County Governments' Act, 2012 and Section 4 of the Public Appointments (County Assemblies Approval) Act No. 33 of 2017, His Excellency the Governor nominated one **Mr. Kikete Munga'hu Siambi of ID. NO. 0087659**, for appointment as a member of the County Public Service Board. The nomination was conveyed to the Speaker of the County Assembly through letter **Ref. No. CG/BGM/GVN/CA/VOL.I/ (005)** dated 12th October, 2023 (Annexure 1).

On Tuesday, 24th October, 2023 in the afternoon sitting, the Speaker of the County Assembly relayed the Message from His Excellency the Governor communicating the nomination of the nominee to the House pursuant to Standing Order 45 (1), the and Section 4 of the Public Appointments (County Assemblies Approval) Act, 2017. The name of the nominee stood committed to the Committee on Labour Relations, Member Services and Facilities for vetting and reporting to the House within twenty-one (21) sitting days in accordance to Standing Order 217(5) (g).

Consequently, and in accordance with Section 7 (10) of the Public Appointments (County Assemblies Approval) Act, 2017, the Clerk of the County Assembly placed an advertisement in the print media on Monday, 30th October, 2023, inviting the public to submit memoranda by way of written statements on oath (affidavits) on the suitability or otherwise of the nominee in accordance with the Public Appointments (County Assemblies Approval) Act, 2017. The advertisement indicated that the submissions were to be received by Friday 3rd November, 2023 at 5:00 P.M. By close of the submission deadline, the Committee had not received any memoranda touching on the suitability of the nominee for appointment (Annexure 2).

Similarly, in fulfillment of the provisions of Article 196 (1) of the Constitution, Section 7 (5) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 56(3), the Clerk of the County Assembly on the same advert, dated Monday, 30th October, 2023, notified the public through the print media that the Committee on Labour Relations Members Service and Facilities would conduct the approval hearing on Tuesday, 7th November, 2023 at 9:00 A.M.

The nominee appeared before the Committee as scheduled on Tuesday, 7th November, 2023 for approval hearings in accordance with the provisions of the

CHAPTER ONE

1.0 PREFACE

1.1 Establishment and Mandate of the Committee

Mr. Speaker Sir,

The Sectoral Committee on Labour Relations Members Service and Facilities is constituted pursuant to the provisions of Standing Order No. 217(1) of the County Assembly of Bungoma Standing Orders and executes its mandate in accordance with Standing Order 217(5) (g) which provides as follows:

To vet and report on all appointments where the constitution or any law requires the House to approve, except those under Standing Order 208 (Committee on Appointments);

1.2 Committee Membership

Mr. Speaker,

The committee as currently constituted comprises of the following members.

- | | |
|---------------------------|------------------|
| 1. Hon. Hentry Nyongesa | Chairperson |
| 2. Hon. Catherine Kituyi | Vice Chairperson |
| 3. Hon. Anthony Lusenaka | Member |
| 4. Hon. Joan Kirong' | Member |
| 5. Hon. Milliah Masungo | Member |
| 6. Hon. Everton Nganga | Member |
| 7. Hon. Charles Nangulu | Member |
| 8. Hon. Jerusa Aleu | Member |
| 9. Hon. Linda Kharakha | Member |
| 10. Hon. Polycarp Kimeta | Member |
| 11. Hon. Metrine Wilson | Member |
| 12. Hon. Everlyne Anyango | Member |

- | | |
|------------------------|--------|
| 13. Hon. Alice Kibaba | Member |
| 14. Hon. Brigid Katasi | Member |
| 15. Hon. Caleb Wanjala | Member |

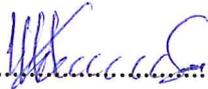
1.3 Acknowledgement

May I take this opportunity to acknowledge all the Members of the Committee of Labour Relations Members Service and Facilities for their input and valuable contributions and time during the approval hearings and deliberations during the compilation of this report. The Committee also takes this opportunity to thank the Offices of the Speaker and of the Clerk of the County Assembly for the logistical and technical support accorded to it during the exercise.

The Committee is indebted to the secretariat for their dedication throughout the exercise.

Finally, the Committee expresses its gratitude to the nominee for appearing for the approval hearing.

On behalf of the Committee of Labour Relations Member Services and Facilities pursuant to Section 9(1) of the Public Appointments (County Assemblies Approval) Act, 2017 and the provisions of Standing Order 217 (g), it is now my pleasant duty and privilege to present to the House, the Report of the Committee on the approval hearing of the nominee for appointment to the position of Member to the County Public Service Board.

SIGNED  Date: 21/11/2023

Hon. Hentry Nyongesa,

MCA BUMULA WARD

Chairperson, Labour Relations Members Service and Facilities

CHAPTER TWO

2.0 BACKGROUND INFORMATION

2.1 ESTABLISHMENT OF THE COUNTY PUBLIC SERVICE BOARD

Section 57 of the County Governments Act, 2012 provides for the establishment of the County Public Service Board.

Section 58 (1) of the same Act provides for the composition of the Board which avers that:

(1) The County Public Service Board shall comprise-

- a) A chairperson nominated and appointed by the county Governor with the approval of the County Assembly;*
- b) Not less than three but not more than five other members nominated and appointed by the county governor, with the approval of the county assembly; and*
- c) A certified public secretary of good professional standing nominated and appointed by the governor, with the approval of the county assembly, who shall be the secretary to the board.*

2.2 Nomination of the Member of the County Public Service Board.

His Excellency the Governor, vide a communique to the Clerk of the County Assembly of Bungoma vide REF. CG/BGM/GVN/BCA/Vol. 1 (005) dated 12th October, 2023 indicated that in the exercise of the powers conferred to him under Section 58A of the County Governments Act, 2012 appointed a Selection Panel vide Gazette Notice No. 4402 dated 3rd April, 2023 for purposes of selecting a suitable person to be appointed as a Member of the Bungoma County Public Service Board. The Panel undertook its duty diligently and submitted its final report to the Governor on 6th October, 2023 pursuant to Section 58 A (6) of the same Act.

2.3 Notification to the House and Committal to the Committee of Labour Relations Members Service and Facilities.

Mr. Speaker Sir,

In compliance with Section 58 A (7) of the Act as read with Section 6 (1) of the Public Appointments (County Assemblies Approval) Act No. 5 of 2017, the Governor nominated and forwarded the name **Kikete Mung'ahu Siambi** to the County

Assembly of Bungoma for vetting, approval and subsequent appointment as a member to the Bungoma County Public Service Board.

2.4 Notification to the Public

Article 196 of the Constitution provides that the County Assembly shall facilitate public participation and involvement in the legislative business and other business of County Assembly and its Committees.

Section 7 (5) of the Public Appointments (County Assemblies Approval) Act, No. 5 of 2017 and Standing Order 56 (3) of the County Assembly of Bungoma further provides that the Clerk shall notify the public of the time and place for holding approval hearings at least seven days prior to the hearings.

Further, Section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017 provides that;

“any person may, prior to the approval hearings and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated.”

Pursuant to Article 196 of the Constitution as read with section 7 (4), and (10) of Public Appointments (County Assemblies Approval) At, 2017, the Clerk of the County Assembly placed an advertisement in the print media on Monday, 30th October, 2023 (Annexure 2) inviting the public to submit memoranda by way of a written statement on oath (affidavit) on the suitability or otherwise of the nominees in conformity with Section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017. The advertisement indicated that the submissions were to be received by Friday 3rd November, 2023 by 5:00 P.M.

Further, pursuant to Article 196 of the Constitution, Section 7 (5) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 56(3), the Clerk of the County Assembly notified the general public in the print media that the approval hearings of the nominees would be conducted on Tuesday, 7th November, 2023.

2.5 Notification to the Nominee

Through the advertisement of Monday, 30th October, 2023, the Clerk of the County Assembly invited the nominee, in writing and through print media, for the approval

hearings in accordance with Section 7 (4) of the Public Appointments (County Assemblies Approval) Act, 2017

2.6 Clearance and Compliance Requirements.

On the notice of appearance for approval hearings, the Clerk of the County Assembly informed the Nominee to provide Clearance and Compliance requirements from Ethics and Anti-Corruption Commission (EACC), Kenya Revenue Authority (KRA), Directorate of Criminal Investigations (DCI), the Higher Education Loans Board (HELB) and the Credit Reference Bureau (CRB)

On matters ethics and integrity, the nominee availed to the Committee certified clearance copies issued on diverse dates as follows;

NOMINEE	KRA	EACC	HELB	DCI	CRB
Kikete Mung'ahu Siambi	25/06/2023	21/11/2022	26/10/2023	22/11/2022	16/11/2022

2.7 Report of the CPSB on the nomination of the Member to the County Public Service Board

Following the advertisement by the Selection Panel for the position of a Member to the County Public Service Board, the position attracted 32 applicants out of which 12 candidates were shortlisted and interviewed. The nominee emerged the best candidate having scored 74.6%.

2.8 Suitability of the nominee with regard to the nominees' abilities, experience and qualities.

The suitability of the nominee was assessed after scrutiny of the academic credentials, professional training and experience, personal integrity, background and qualities as well as his performance during the approval hearings conducted on Tuesday, 7th November, 2023.

2.9 Memoranda from Members of the Public in respect of the Nominee

Pursuant to Section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017

“any person may, prior to the approval hearing, and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold office to which the candidates has been nominated”,

The Clerk of the County Assembly placed an advertisement in the print media on 30th October, 2023 inviting the Public to submit memoranda by way of written statements on oath (affidavit) on the suitability or otherwise of the nominee in conformity with Section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017. In this regard, by Friday 3rd November, 2023 at 5:00 P.M. the Committee had not received any memoranda.

2.10 Pre- Approval Hearing Meeting

The Committee held a pre-approval hearing meeting on Monday 6th November, 2023 and noted the following: -

- (i) **THAT**, the nominee had not notified the Clerk of the County Assembly of his withdrawal from the approval process as outlined under Section 7 (12) of the Public Appointments (County Assemblies Approvals) Act, 2017.
- (ii) **THAT**, the Committee would examine the nominee in accordance with the criteria set out in Section 8 of the Public Appointments (County Assemblies Approval) Act, 2017.

CHAPTER THREE

3.0 APPROVAL HEARINGS OF THE NOMINEE.

The Committee conducted the approval hearing on Tuesday, 7th November, 2023 and the nominee was vetted under oath pursuant to the Public Appointments (County Assemblies Approval) Act, 2017 and the Standing Orders of the County Assembly of Bungoma

3.1 MR. KIKETE MUNG'AHU SIAMBI- NOMINEE FOR THE POSITION OF MEMBER OF THE COUNTY PUBLIC SERVICE BOARD.

Mr. **Kikete Mung'ahu Siambi** of ID. No. **0087659** appeared before the committee on Tuesday 7th November, 2023 at 9:00 A.M and orally responded to the questions from the Committee as follows:

Date and Place of Birth

Mr. Kikete Mung'ahu Siambi was born on 27th of January, 1952 in Sango, Malakisi, Bumula Sub County of Bungoma County.

He is a Kenyan Citizen of ID **0087659** and does not hold any other citizenship.

Academic and Professional Qualification

The nominee is a holder of a Master's Degree of Education from University of Illinois, USA attained in 1990, a Bachelor's Degree in Education (Science) from University of New Brunswick, Canada attained in 1982 and holds a diploma in Education (Science) from the Kenyatta University College attained in 1977.

Employment Record

The nominee has a cumulative 28 years working experience in management in both public and private sector.

He has served as a Principal at Sang'alo Institute of Science and Technology between 1994-1995, Chief Principal at Sigalagala National Polytechnic from 1996- 2007 as well as a Lecturer at Friends University College in Kaimosi from 2009-2011. Until his nomination to this position, he had retired as Chief Principal at Sigalagala National Polytechnic in 2007.

Income and net worth

The nominee submitted that he had a net worth estimated at Kshs. 36.5 million from land assets, farming and consultancy.

Professional association and membership

He was registered with the Teachers Service Commission.

Published writings

The nominee has no published works.

Potential Conflict of Interest

The questionnaire filled by the nominee indicated that there were no areas that would create potential conflict of interest. During the approval hearing he stated that as a public officer if such cases arise then he would declare his interest and disqualify himself from participating in the process.

Pro-bono/Charity Work

The nominee was not involved in any.

Integrity

The nominee has neither been charged in a court of law nor mentioned in any investigatory report of Parliament or any Commission of Inquiry in the last three (3) years. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

3.1.1 General and Sector Specific Questions

The Committee posed several questions to the nominee on his knowledge of the County Public Service Board. The nominee responded as follows: -

- On the Composition, powers and functions of the Board, the nominee stated that he was aware and highlighted a few in accordance with Sections 58 & 59 of the County Governments Act, 2012.
- On suitability to the appointed position, the nominee submitted that he has vast experience as a public servant having served as a Chief Principal equating it to the secretary to the Board of Management. Additionally, he would rely on Article 232 of the Constitution of Kenya in service provision.
- On being a team player and an effective one, the nominee submitted that he is a team player, a good listener, open to ideas from others and an effective communicator.
- On conflict of interest, having been a member of the Ford Kenya Party and a member of the County Education Support Scheme, the nominee admitted that he would resign from both and serve in the CPSB.

- On enhancing public satisfaction in service delivery, the nominee submitted that he would adhere to openness, transparency and ethics when discharging his duties.
- On ethical dilemmas, the nominee submitted that he would ensure that the Board complies with relevant laws and regulations as well as Articles 10 & 232 of the Constitution.

3.1.2 Committee's observations on the suitability of the nominee

The Committee having considered the nominee's filled questionnaire pursuant to Section 6(8) of the Public Appointments (County Assembly Approval) Act, 2017, his curriculum vitae and having heard his oral submission during the approval hearing, made the following observations on his suitability for appointment as a Member to the County Public Service Board.

1. **THAT**, the nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity; he had a police clearance Certificate and a duly filled self-declaration form.
2. **THAT**, the nominee has never been dismissed from office under Article 75 of the Constitution for Contravention of the Provisions of Article 75(1) (conflict of interest) and Article 76 (financial probity).
3. **THAT**, up to the time of his nomination, he had previously worked and risen to a position of a Chief Principal of Sigalagala National Polytechnic until his retirement.
4. **THAT**, from his submission during vetting he demonstrated knowledge, skills and experience in leadership and institutional management. He was also conversant with role of the County Public Service Board as well as laws and policies related to the position.
5. **THAT**, in accordance with Article 78 (1) and (2) of the Constitution, the nominee is eligible for appointment to State Office since he is a Kenyan citizen of ID number 0087659 born on 27th January, 1957 in Bungoma County and does not hold dual citizenship.
6. **THAT**, the nominee satisfied the Committee on his suitability and was awarded an average score of 78%.

7. **THAT**, the nominee possesses a Bachelor's Degree from a recognized university and has a working experience of more than five years (28).
8. **THAT**, he is a professional and demonstrates absence of breach of the relevant professional code of conduct.

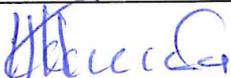
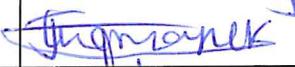
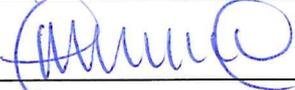
CHAPTER FOUR

4.0 COMMITTEE GENERAL RECOMMENDATION

Having Considered the suitability, capacity and integrity of the nominee and pursuant to **Section (9) (2) of The Public Appointments (County Assembly Approval) Act No. 5 of 2017**, The Committee recommends that the County Assembly **approves** the nomination and subsequent appointment of **Mr. Kikete Mung'ahu Siambi of ID. No. 0087659** as a Member of the County Public Service Board in the County Government of Bungoma.

ADOPTION SCHEDULE

We the undersigned Members affix our signatures adopting this report with the contents therein

	MEMBERS NAME	DESIGNATION	SIGN
1.	Hon. Hentry Nyongesa	Chairperson	
2.	Hon. Catherine Kituyi	Vice Chairperson	
3.	Hon. Caleb Wanjala	Member	
4.	Hon. Anthony Lusenaka	Member	
5.	Hon. Joan Kirong	Member	
6.	Hon. Milliah Masungu	Member	
7.	Hon. Everton Nganga	Member	
8.	Hon. Charles Nangulu	Member	
9.	Hon. Jerusa Aleu	Member	
10.	Hon. Linda Kharakha	Member	
11.	Hon. Polycarp Kimeta	Member	
12.	Hon. Metrine Wilson	Member	
13.	Hon. Everlyne Anyango	Member	
14.	Hon. Alice Kibaba	Member	
15.	Hon. Brigid Katasi	Member	

ANNEXURES

- Annexure 1 Letter of notification from H.E the Governor nominating the nominee
- Annexure 2 Advertisement inviting submission of memoranda from the public, notifying the public of the approval hearings and inviting the nominees for approval hearing.

COUNTY GOVERNMENT OF BUNGOMA



OFFICE OF H.E THE GOVERNOR

*Hon Speaker
for following the
the Hon
16/10/23*

Telephone: 0725-393939
E-mail: governor@bungoma.go.ke

RECORDS SECTION
COUNTY ASSEMBLY OF BUNGOMA
16 OCT 2023
Municipal Building
P O Box 437- 50200
BUNGOMA

REF: CG/BGM//GVN/BCA/Vol.1 (005)

RECEIVED
Date: 12th October 2023
P O Box 1886 50200, BUNGOMA

The Clerk,
BUNGOMA COUNTY ASSEMBLY

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NOTIFICATION AND SUBMISSION OF NAME OF PERSON NOMINATED FOR VETTING BY THE COUNTY ASSEMBLY FOR APPOINTMENT AS MEMBER OF THE BUNGOMA COUNTY PUBLIC SERVICE BOARD.

In exercise of the powers conferred upon me by Section 58A of the County Governments Act No.17 of 2012, I appointed a Selection Panel for purposes of selecting a suitable person to be appointed as a Member of the Bungoma County Public Service Board. The panel undertook its duty diligently and submitted its final report to me on 6th October 2023.

In compliance with Section 58A (7) of the Act as read with Section 6(1) of the Public Appointments (County Assemblies Approval) Act No. 5 of 2017, I hereby nominate and forward the name of the person appearing below to the Bungoma County Assembly for vetting and approval to enable subsequent appointment of the named person to the position of Member of the Bungoma County Public Service Board.

NAME OF THE NOMINEE	GENDER	CONSTITUENCY	POSITION
Kikete Mung'au Siambi	Male	Bumula	Member

Thank you in advance as you execute your statutory mandate.

**H. E. Rt. Hon. Kenneth Makelo Lusaka EGH, CBS
GOVERNOR-BUNGOMA COUNTY**

*C.C Labour
Received for qu
Noted
25/10/2023
[Signature]*

COUNTY ASSEMBLY OF BUNGOMA



OFFICE OF THE CLERK

NOTICE OF APPROVAL HEARINGS BY THE COMMITTEE ON LABOUR RELATIONS, MEMBER SERVICES AND FACILITIES FOR NOMINEE TO BUNGOMA COUNTY PUBLIC SERVICE BOARD

In the matter of the approval by the County Assembly of Bungoma of person nominated to be appointed as member of the Bungoma County Public Service Board.

Pursuant to Section 58 of the County Governments Act and Section 7(4) of Public Appointments (County Assemblies Approval) Act, No. 5 of 2017, the nominee listed below for appointment as Member to the Bungoma County Public Service Board is invited to appear before the County Assembly Committee on **Labour Relations, Member Services and Facilities** for approval hearing.

Pursuant to Section 7(5) of Public Appointments (County Assemblies Approval) Act, No. 5 of 2017 and Standing Order 56(3), the general public is hereby notified that the Committee on Labour Relations, Member Services and Facilities shall conduct the approval hearing of the person nominated for appointment as Member of the Bungoma County Public Service Board in the County Assembly Plenary on **Tuesday 7th November, 2023** as per the following schedule:

TUESDAY 7 TH NOVEMBER, 2023			
No.	NOMINEE	GENDER	TIME
1.	KIKETE MUNG'AU SIAMBI	MALE	9:00 A.M

The nominee is required to collect vetting questionnaires from the Office of the Clerk to the County Assembly between 8:00 a.m. and 5:00 p.m. from **Wednesday 1st November, 2023** and return them with copies of the following documents on or before **Friday 3rd November, 2023 at 5:00 p.m.**:

1. National identification Card or passport
2. Curriculum Vitae and relevant academic and professional certificates
3. Letters/ certificates of clearance/ compliance from the following bodies.
 - a. Kenya revenue Authority (KRA)
 - b. Criminal Investigation Department (CID)
 - c. Higher Education Loans Board (HELB)
 - d. Ethics and Anti-Corruption Commission (EACC)
 - e. Credit Reference Bureau (CRB)

The nominee is advised to bring the **ORIGINALS** of the above-mentioned documents on the day of appearing for vetting.

Submission of Memoranda

Further, Pursuant to the provisions of Section 7(10) of the Public Appointments (County Assemblies Approval) Act, No. 5 of 2017, the **Labour Relations, Member Services and Facilities** invites members of the public to submit any information or comments on the suitability or otherwise of the candidate by written statement on oath (affidavit) with supporting evidence contesting the suitability of the nominee for appointment to the position.

The written memoranda may be forwarded to the **Clerk of the County Assembly of Bungoma, P.O Box 1886-50200, BUNGOMA**; hand – delivered to the **Office of the Clerk, Bungoma** or emailed to info@bungomaassembly.go.ke; to be received on or before **Friday 3rd November, 2023 at 5:00 p.m.**

CHARLES W. WAFULA
CLERK OF THE COUNTY ASSEMBLY OF BUNGOMA