

COUNTY GOVERNMENT OF KITUI



**THE COUNTY ASSEMBLY OF KITUI
SECOND ASSEMBLY – SECOND SESSION**

**THE COMMITTEE ON APPOINTMENTS
REPORT ON THE VETTING
OF
COUNTY CHIEF OFFICERS, OFFICE OF GOVERNOR.**

- 1. MR CLEMENT MUYUNGI MUNYITHYA THE NOMINEE FOR APPOINTMENT AS COUNTY CHIEF OFFICER FOR OFFICE OF THE GOVERNOR, DEPARTMENT OF ADMINISTRATION & COORDINATION OF COUNTY AFFAIRS, AND**
- 2. AGNES KAWILA MULEWA THE NOMINEE FOR APPOINTMENT AS THE COUNTY CHIEF OFFICER, OFFICE OF THE GOVERNOR**

**CLERK OF ASSEMBLY CHAMBER'S
P. O BOX 694
KITUI**

MARCH, 2018

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1.0 PREFACE

Mr Speaker sir,

On behalf of the select Committee on Appointments and pursuant to the provisions of Standing Order no. 184(4) as read together with standing order no. 179(6), it is my pleasant privilege and honor to present to the House the report and recommendations of the Committee on the vetting of the following nominees for the position of County Chief Officers in the office of the Governor:

NOMINEE	DEPARTMENT
Mr. Clement Mulyungi Munyithya	Office of the Governor, department of Administration & coordination of county affairs.
Ms. Agnes Kawila Mulewa	Office of the Governor

1.1 MANDATE OF THE COMMITTEE

Mr. Speaker Sir,

The mandate of the committee on appointments is stipulated in Standing Order No. 184 which states inter alia: -

- 1) There shall be a select Committee to be designated the Committee on Appointments to be appointed by the County Assembly, consisting of the Speaker as a Chairperson, the Leader of the Majority Party, the Leader of the Minority Party and not more than three other members nominated by the County Assembly Business Committee, on the basis of proportional Party Membership in the County Assembly, taking into consideration the numerical strength of the Parties and interests of Independent Members.*

2) *The Committee on Appointments shall consider for approval by the County Assembly appointments under articles 179(2) (Members of County Executive Committees).*

1.2 COMMITTEE ESTABLISHMENT AND MEMBERSHIP

Mr. Speaker Sir,

The Committee on appointments was established pursuant to the provisions of Standing Order No. 184 and it comprises of the following Members:

- | | |
|------------------------------|-------------|
| 1) Hon. George.M. Ndotto | Chairperson |
| 2) Hon. Peter. M kilonzo | Member |
| 3) Hon. John M. Kisangau | Member |
| 4) Hon. Elizabeth N. Peter | Member |
| 5) Hon. Ruth Kyene | Member |
| 6) Hon. Jefarson Ngui Kiruru | Member |

1.3 ACKNOWLEDGEMENT

Mr. Speaker Sir,

The committee compliments the Speaker's office for the support extended during the vetting. The Clerk's office shares credit also for the facilitation and provision of technical support to the committee while executing its mandate.

Further, I wish to acknowledge the Honorable Members of the committee for their dedication and determination that saw the completion of this exercise.

Finally, Mr Speaker, the committee is obliged to the secretariat assigned to cover its proceedings and who went beyond the normal call of duty to ensure

this report was delivered on time. The commitment and devotion to duty of all those involved in this noble task made the work of the Committee and production of this report a success.

On behalf of the Committee, I now wish to table the report to the House.

SIGNED

DATED.....

HON. GEORGE MUTUA NDOTTO.
CHAIRPERSON, COMMITTEE ON APPOINTMENTS,
COUNTY ASSEMBLY OF KITUI.

2.0 BACKGROUND INFORMATION

2.1 COMMITMENT OF NOMINEES TO THE COMMITTEE

On 14th March, 2018 the Speaker of the County Assembly in his communication to the House and Pursuant to the provision of standing Order No. 39(1) informed honorable members that he had received a list of thirteen nominees for the positions of County Chief Officers from Her excellency the Governor. He further, referred the names to the relevant sectoral and select committees for vetting and table a report in the house within 21 days as provided for in section 9(1) of the Public Appointments (County Assemblies Approval) Act No.5 of 2017.

2.2 THE ESTABLISHMENT OF THE OFFICE OF THE CHIEF OFFICER

Section 45 of the County Governments Act, 2012 inter alia provides that:

The governor shall:

- 1) Nominate qualified and experienced county chief officers from among persons competitively sourced and recommended by the county public service board, and*
- 2) With the approval of the county assembly, appoint chief officers.*

2.3 FUNCTIONS OF THE CHIEF OFFICER

- 1) A county chief officer shall be responsible to respective county executive Member for the county department as provided under section 46 of the county government act, 2012*
- 2) The county chief officer shall be authorized officer in respect of exercise of delegated authority.*

2.4 NOTIFICATION TO THE NOMINEES AND THE PUBLIC

The Clerk of the county assembly on 15th March, 2018 invited the nominees on behalf of the Committee vide a print media advert in the local dailies, inviting the Nominees to appear before the Committee for vetting and further informing the public on the time, date and place for holding the approval hearings as provided for in Section 7(4) and 7 (10) of Public Appointments (County Assemblies Approval) Act No.5 of 2017.

The clerk further requested the public to submit memoranda challenging the suitability or otherwise of the candidates by close of business on 20th March, 2018. He further instructed the nominees to present their clearance certificates from the relevant statutory bodies.

2.5 SUBMISSION OF MEMORANDA

By the close of business on 20th March, 2018 the office of the Clerk had not received any memoranda from the public challenging the suitability or otherwise of the Nominees.

2.6 COMMITTEE PROCEEDINGS

The committee held two sittings on 23rd March, 2018 in Committee Room 2 in the Assembly precincts. The committee's first business was formulate Questions after unanimously agreed that 60% was the average pass mark for both Nominees.

The committee considered public views, examined the nominees' curriculum vitae and testimonials, filled questionnaires and clearance certificates.

3.0 VETTING OF THE NOMINEES

In conducting the vetting, the committee examined the nominees against the following criteria, amongst others, as set out in the Public Appointments (County Assemblies' approval) Act, no. 5 of 2017.

The committee considered the following:

- i. Academic qualifications
- ii. Employment record
- iii. Professional affiliations
- iv. Potential conflict of interest
- v. Knowledge of the relevant subject
- vi. Overall suitability for the position
- vii. Integrity
- viii. Vision and leadership
- ix. Expectations and key priorities

Section 8 of the Public Appointments (County Assemblies Approval) Act, 2017, provides that;

The issues for consideration during vetting shall be: -

- a) *The procedure used to arrive at the nominee.*
- b) *any constitutional or statutory requirements relating to the office in question; and*
- c) *The suitability of the nominee for appointment proposed having regard to whether the nominee's credentials, abilities, experience and qualities meet the needs of the body to which nomination is being made.*

The office of the Clerk received the above information in compliance with section 8 on 22nd March, 2018 and the same was forwarded to the committee.

4.0 COMMITTEE OBSERVATIONS AND FINDINGS

4.1 Mr. Clement Mulyungi Munyithya- Nominee for appointment as County Chief Officer, office of the Governor Department of Administration and Coordination of County Affairs.

Personal background

Mr. Clement Mulyungi Munyithya was born in the year 1973 in Kitui west sub-county and is married to one wife.

Education background

- He is currently pursuing Masters Degree in Business Administration at the University of Nairobi.
- He holds a Bachelors Degree in Arts from the University of Nairobi.
- He holds a diploma in risk management from the College of insurance.

Professional Associations

- He is a certified member of Insurance Institute of Kenya under membership No. 11K-2018.

Work Experience

- Mr. Clement has a span of 18years work experience in Management and Human Resource.
- He began his career in Madison insurance Co. LTD in the year 1998 to 2005 and he proceeded to Pioneer Assurance Co. LTD in July 2006 up to September 2007. He later joined Pacis Insurance Co. LTD in 2007 to date.

Potential conflict of interest

The nominee does not foresee any potential conflict of interest that may arise while carrying out his duties as a chief officer if appointed.

Integrity

The nominee has no integrity issues given that he was cleared by the Ethics and Anti-Corruption Commission any other statutory bodies.

Overall suitability for the position

The nominee had requisite academic qualifications and relevant work experience thus suitable the docket nominated for.

Committee findings

1. Mr. Clement Mulyungi Munyithya scored 70% and met the set pass mark of 60%.
2. The nominee satisfies the requirements of chapter six of the Constitution.
3. He has a clear understanding and appreciation of the role of the office of County Chief Officer as established under the relevant law.
4. His professional background and experience was relevant to the docket he was nominated to.
5. That the nominee understands clearly the five pillars contained in the manifesto of Her Excellency the Governor.

4.2 M/s. Agnes Kawila Mulewa - Nominee for appointment as County Chief Officer, office of the Governor.

Personal background

Ms. Agnes Kawila Mulewa was born in Kitui west constituency in the year 1980. She is married with two kids.

Education background

- She holds a Masters Degree in Arts from Kenyatta University.
- She holds a Bachelors Degree in Education.

Work Experience

- She is currently the Associate Dean of students at SEKU University from the year 2010 to date.

Professional Associations

- She is a member of the Council for the Development of Social Science Research in Africa (CODESRIA)
- She is a member of Chama Cha Kiswahili SEKU (CHAKISEKU) - Patron from 2013 to date.

Professional Writings

- International Journal of Educational Research and Reviews Vol I (4) 2013- “Effects of Head Teachers’ Leadership styles on performance of Examination in Public Primary Schools in Kikuyu District Kenya”

Potential conflict of interest

The nominee informed the committee that she does not foresee any potential conflict of interest.

Integrity

The nominee has no integrity issues given that he was cleared by the Ethics and Anti-Corruption Commission any other statutory bodies.

Overall suitability for the position

The nominee had requisite academic qualifications and relevant work experience thus suitable the docket nominated for.

Committee findings,

1. Ms. Agnes Kawila Mulewa scored 69% and met the set pass mark of 60%.
2. That the nominee has satisfied the requirements of chapter six of the Constitution.
3. That she has a clear understanding and appreciation of the role of the office of county chief officer as established under the relevant law.
4. That the nominee understands clearly the five pillars contained in the manifesto of Her Excellency the governor of Kitui County.
5. His professional background and experience was relevant to the docket he was nominated to.

5.0 COMMITTEES RECOMMENDATIONS

The Committee, having considered the nominees' filled questionnaires pursuant to the First Schedule of the Public Appointments (County Assemblies Approval) Act No.5 of 2017, their Curriculum Vitae and having heard their oral submissions during the vetting and Having considered the suitability, capacity and integrity of the nominee and further pursuant the provisions of section 45 (1) (a) of the County Government Act of 2012 and section 9 (2) of the public Appointments (County Assemblies Approval) Act No. 5 of 2017, the Committee recommends that the County Assembly approves the nomination and subsequent appointment of;

- 1. Mr. Clement Mulyungi Munyithya as County Chief Officer, office of the Governor Department Of Administration and Coordination of County Affair and;**
- 2. M/s. Agnes Kawila Mulewa as County Chief Officer, office of the Governor.**

ADOPTION OF THE REPORT

We the honourable members of the Appointments Committee do hereby affix our signatures to this report to affirm its accuracy, validity and authenticity;-

- | | | |
|--------------------------------|-------------|-------|
| 1. Hon. George. Mutua. Ndotto | Chairperson | |
| 2. Hon. Peter. Mwikya. Kilonzo | Member | |
| 3. Hon. John Mutuku. Kisangau | Member | |
| 4. Hon. Elizabeth. N. Peter | Member | |
| 5. Hon. Ruth Kyene | Member | |
| 6. Hon. Jefarson N. Kiruru | Member | |

REPORT COMPILED BY

Ms. Grace Musombo – Procedural clerk

Ms. Esther Mwele – Procedural clerk