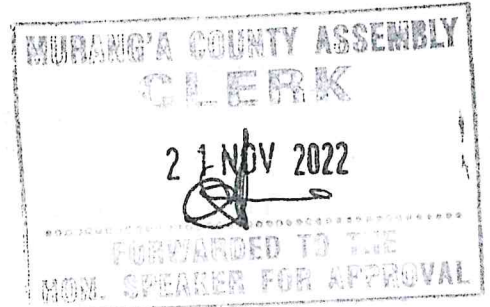


REPUBLIC OF KENYA



COUNTY ASSEMBLY OF MURANG'A

THIRD ASSEMBLY - FIRST SESSION

THE SELECT COMMITTEE ON APPOINTMENTS

REPORT ON

**VETTING OF NOMINEES FOR APPOINTMENT TO THE
SELECTION PANEL FOR RECRUITMENT OF A COUNTY
SECRETARY**

*Clerks Chambers
Murang'a County Assembly
MURANG'A*

November 21, 2022

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LIST OF ABBREVIATIONS/ACCRONYMS

BOM	Board of Management
CGA	County Governments Act, 2012
CPSB	County Public Service Board
CRB	Credit Reference Bureau
DCI	Directorate of Criminal Investigations
HELB	Higher Education Loans Board
ICPAK	Institute of Certified Public Accountants of Kenya
KRA	Kenya Revenue Authority
KUPPET	Kenya Union of Post Primary Education Teachers
LSK	Law Society of Kenya

1.0 PREFACE

1.1 Establishment and Mandate of the Committee

The Select Committee on Appointments is established pursuant to Standing Order no. 198. Under the provision of Standing Order no 198 (4), *'the Committee on Appointments shall consider, for approval by the Assembly, appointments under Articles 179(2) (Members of County Executive Committees)'*.

1.2 Committee Membership

The Committee on Appointment was constituted by House on Tuesday 27th September 2022, and comprises of the following members:-

1.	Hon. Johnson Walter Mukuha	Chairperson/Speaker County Assembly
2.	Hon. Francis Kibe Kamau	Leader of the Majority Party
3.	Hon. Liz Muthoni Mbugua	Deputy Leader of Majority Party
4.	Hon. Stephen Muigai Kimani	Deputy Majority Whip
5.	Hon. Peter Murigi Ngugi	Member
6.	Hon. Naomi Nyambura Maina	Member
7.	Hon. Edwin Mwangi Wairagu	Member
8.	Hon. Moses Macharia Mirara	Member

1.4 Terms of Reference

The Committee was guided by the following terms of reference;

- a. To conduct approval hearings of persons nominated by H.E the Governor for appointment to the selection panel for recruitment of a County Secretary.
- b. To report on observations of the vetting of nominees and their suitability for appointment to the section panel.
- c. To recommend the approval or rejection of the nominations.

1.5 Acknowledgement

May I take this opportunity to thank the Hon. Members of this committee for their dedication, patience and valuable input during deliberations of the entire vetting process. The committee also extends its gratitude to the offices of the Hon. Speaker and the Clerk of the County Assembly for the professional, technical and logistical support accorded to it during the vetting exercise, which enabled the completion of this report.

On behalf of the committee on Appointments and pursuant to Section 44 and 58 A of the County Governments Act, 2012 and Section 9 of the Public Appointments (County Assemblies Approval) Act 2017, it is my pleasure and duty to present to the House, the Committee's report on the vetting of the nominees by His Excellency the Governor for appointment to the selection panel for recruitment of a County Secretary.

Thank You.

Signed: 

Dated this; ^{21st}.....Day of November, 2022.

HON. JOHNSON MUKUHA
SPEAKER OF THE COUNTY ASSEMBLY /
CHAIRPERSON OF THE COMMITTEE ON APPOINTMENTS

2.0 BACKGROUND

2.1 Communication from His Excellency the Governor

Pursuant to Section 44 and 58A of the County Governments Act, 2012 (Rev. 2020) and Section 6 of the Public Appointments (County Assemblies Approval) Act No. 5 of 2017, H.E. the Governor Dr. Irungu Kang'ata, vide a letter **Ref; MCG/GOV/ST/ 2 (4)** dated 6th September (*Annexure 1*), forwarded to the Clerk of the County Assembly names of five nominees for appointment to the **selection panel for recruitment of a County Secretary.**

The nominations were forwarded for purposes of vetting by the committee on Appointments and consideration for approval by the County Assembly. The names of the persons nominated were forwarded as follows;

No.	Name	ID Number	Position
1.	Mr. Francis Manyeki	2036377	Chairperson
2.	Mr. Paul Muturi Njuguna	7167000	Private Sector
3.	Ms. Ruth Waithira Muiruri	22491263	Advocate of the High Court of Kenya and LSK Member
4.	Ms. Catherine Wangari Kamau	21055667	Accountant and Member of ICPAK
5.	Mr. Dominic Gitau Ndung'u	22861969	Trade Union and KUPPET

2.2 Committal of Notification of Nomination

During a special sitting held on **Wednesday 12th October, 2022 at 9.30 a.m.** the Hon. Speaker informed the House that he had received a notification from H.E. the Governor on his nomination of five candidates for appointment to the selection panel for selection of suitable candidates for appointment as the County Secretary. He then referred the notification to the Committee on Appointments for vetting and reporting to the House within 21 days from the date on which the Committee first sits to consider the nomination in accordance with Section 9 (1) of the Public Appointments (County Assemblies Approval) Act, 2017. Curricula vitae and testimonials of the nominees were also committed to the Committee on Appointments, pursuant to Section 6 (4) of the Public Appointments (County Assemblies Approval) Act, 2017.

2.3 Pre-Vetting Committee Sitzings

In a sitting held on 1st November, 2022 at 2.00 p.m. in the County Assembly, the committee deliberated on and adopted the work plan of the vetting process. The committee also held a sitting on Monday 7th November, 2022 at 9.00 a.m. in the County Assembly boardroom to scrutinize the submitted curricula vitae, testimonials and clearance requirements of the nominees, as a preliminary observation of their suitability for appointment with regards to their education, training, work experience and Integrity. (*Appendix 4*)

3.0 ANALYSIS ON THE LEGAL PROVISIONS FOR THE SELECTION PANEL FOR SELECTION OF THE COUNTY SECRETARY

Compliance with Legal Provisions

Section 44 of the County Government Act, 2012 (Rev. 2020) states that-

44 (2A) The Governor shall, for the purpose of competitive recruitment of a county secretary under subsection (2), constitute a selection panel.

(2B) The selection panel shall consist of the following persons —

(a) a chairperson, not being a public officer;

(b) one person from the private sector;

(c) an Advocate of the High Court of Kenya, who is a member of the Law Society of Kenya;

(d) an accountant who is a member of the Institute of Certified Public Accountants of Kenya; and

(e) one person from an association representing workers.

(2C) The provisions of section 58A shall, with such modification as shall be necessary apply to the recruitment of a County Secretary.

3.1 Committee Observations on Compliance with the Law

In view of the nomination by H.E. the Governor of persons for appointment to the selection panel for recruitment of a County Secretary, the committee made the following findings;

1. **THAT**, H.E. the Governor complied with the legal provisions as contemplated under Section 44 (2A); (2B (a)(b)(c)(d) (e) and (2C) of the County Governments Act, 2012 (Rev. 2020) on the composition of nominees to the selection panel for selecting of suitable candidates for appointment of the County Secretary and;
2. **THAT**, H.E the Governor further complied with Article 27 (8) of the Constitution of Kenya 2010, on “Equality and Freedom from Discrimination” which states that-

Article 27(8):

“In addition to the measures contemplated in clause (6), the State shall take legislative and other measures to implement the principle that not more than two thirds of the members of elective or appointive bodies shall be of the same gender.”

3.2 Committee Findings on Compliance of the Nomination with the Law

In view of the nomination by H.E. the Governor of persons for appointment to the selection panel for recruitment of a County Secretary, the committee made the following findings;

- i. **THAT**, nomination of the five persons as submitted by H.E the Governor of Murang’a County, Dr. Irungu Kang’ata to the selection panel for selecting suitable candidates for appointment as the County Secretary, legally complies with Article 27(8) of The Constitution of Kenya, 2010 and Section 44 (2a); (2b) And (2c) of the County Governments Act, 2012 (Rev. 2020).
- ii. **THAT**, in view of the above, the nominees are eligible for vetting by the committee on Appointments.

3.3 Notification to the Public

Section 7 (10) of the Public Appointments (County Assemblies Approval) Act, 2017 provides that; *“any person may, prior to the approval hearing and by a 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”*.

Having confirmed that the nominees were fit for vetting and pursuant to section 7 (4) and (5) of the Public Appointments (County Assemblies Approval) Act, 2017, the Clerk of the County Assembly placed an advertisement in the print media on **Wednesday November 2, 2022** specifically on page 8 of ‘The Standard’ and page 25 of the ‘Daily Nation’ Newspapers (*Annexure 3*). The purpose of the advertisements was to invite members of the public to attend the hearing and/or submit memoranda by way of written statements on oath (sworn affidavits) on the suitability or otherwise of the nominees.

The advertisement indicated that the submissions were to be received on or before **Wednesday November 09, 2022 at 4:00 a.m.** through the postal address or official County Assembly email provided. Nominees were also notified in the advertisements that they were scheduled to appear before the committee on **Thursday, November 10, 2022 at 9.00 a.m.** in the County Assembly.

4.0 LEGAL ANALYSIS OF THE ISSUES FOR CONSIDERATION IN VETTING

4.1 Issues for Consideration

The Committee observed that the issues for consideration in relation to the nominations and approval exercise are provided for in Section 8 of the Public Appointments (County Assemblies Approval) Act as follows –

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

The Committee was satisfied with the competitive process used to arrive at the nominee, and that the constitutional requirements were met when selecting the nominees by the appointing authority. The Committee noted that the face of the County was well represented, as well as consideration on gender.

The Committee was further satisfied that the nominees' credentials, abilities and vast experiences in their respective careers made them suitable for the membership to the Selection Panel they were appointed to.

4.2 Memoranda from the Public in respect of the nominee

Section 7 (10) of the Public Appointments (County Assemblies Approvals) Act, provides *that 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 candidate has been nominated.*

The Clerk of the Murang'a County Assembly placed an advertisement in the print media on November 02, 2022 inviting the public to submit written memoranda by way of written statements on oath (affidavits) on the suitability or otherwise of the nominees in conformity with Section 7 (10) of the Public Appointments (County Assembly Approvals) Act, 2017. The Committee confirmed that by Wednesday, November 9, 2022, the Office of the Clerk had **not received ANY** memoranda.

4.3 Procedure used to arrive at the nominee;

The procedure for appointment of Members of the Selection Panel for the competitive recruitment of a County Secretary is outlined in Section 44 (2A) (2B) & (2C) of the County Governments Act as;

44 (2A) The Governor shall, for the purpose of competitive recruitment of a county secretary under subsection (2), constitute a selection panel.

*(2B) The selection panel shall consist of the following persons —
(a) a chairperson, not being a public officer;*

- (b) one person from the private sector;*
 - (c) an Advocate of the High Court of Kenya, who is a member of the Law Society of Kenya;*
 - (d) an accountant who is a member of the Institute of Certified Public Accountants of Kenya; and*
 - (e) one person from an association representing workers.*
- (2C) The provisions of section 58A shall, with such modification as shall be necessary apply to the recruitment of a County Secretary.*

As per the initial analysis on compliance, the Committee was satisfied that the correct procedure enshrined under law was followed by the appointing authority in the appointment of the Selection Panel for the competitive recruitment of a County Secretary.

4.4 Leadership and Integrity

The Committee, in determining the suitability of the nominees, took into consideration the provisions on leadership and integrity as outlined under Chapter Six of the Constitution. In particular, the Committee took cognizance of following provision -

Article 73(2) of the Constitution which provides that the guiding principles of leadership and integrity include:-

- (a) selection on basis of personal integrity, competence and suitability, or election in free and fair elections;*
- (b) objectivity and impartiality in decision making, and in ensuring that decisions are not influenced by nepotism, favoritism, and other improper motives or corrupt practices;*
- (c) selfless service based solely on the public interest, demonstrated by-*
 - (i) honesty in the execution of public duties; and*
 - (ii) the declaration of any personal interest that may conflict with public duties;*
- (d) accountability to the public for decisions and actions; and*
- (e) discipline and commitment in service to the people.*

The Employment Act No. 11 of 2007, Section 9 (5) provides that **state officers** shall provide compliance and clearance certificates at such time in the recruitment and **approval process** as they may be required. However, the selection panel members are not state officers but they pass through an approval process.

The Committee was satisfied that all the nominees complied with the constitutional provisions on leadership and integrity. Further, the Committee was satisfied that all legal and constitutional provisions of the vetting process were observed.

5.0 VETTING OF NOMINEES FOR APPOINTMENT TO THE SELECTION PANEL **COMPETITIVE RECRUITMENT OF A COUNTY SECRETARY**

In conducting the vetting process, the Committee on Appointments observed that the suitability of the nominees shall be evaluated holistically taking into account the following criteria amongst others as set out in section 7(8), (10) and (11), Section 8 and Section 9 of the Public Appointments (County Assemblies Approval) Act and the Constitution of Kenya, 2010.

- i. Academic credentials
- ii. Professional training, experience and employment record
- iii. Potential conflict of Interest
- iv. Statutory Obligations
- v. Vision, Leadership and knowledge of the sector
- vi. Integrity
- vii. Expectations and Key Priorities
- viii. Performance and presentation during the interview
- ix. Overall suitability

Clearance Requirements

Prior to the hearing, the Committee also resolved that the nominees be asked to submit their updated clearance documents with the following institutions for the vetting exercise which it verified against the originals.

- a) Kenya Revenue Authority (KRA)
- b) Directorate of Criminal Investigations (DCI)
- c) Higher Education Loans Board (HELB)
- d) Credit Reference Bureau (CRB)

Clearance by the foregoing institutions was primarily meant to provide information about the nominees on: -

- a) Matters touching on integrity;
- b) Tax compliance;
- c) Loan repayments; and
- d) Presence or absence of criminal records.

The nominees' original academic certificates were also verified prior to the approval hearings.

5.1 VETTING OF MR. FRANCIS BENSON MANYEKI - NOMINEE TO THE SELECTION PANEL FOR RECRUITMENT OF THE COUNTY SECRETARY (CHAIRMAN)

Mr. Francis Benson Manyeki, of National Identification Number 2036377, the nominee to the selection panel for recruitment of County Secretary appeared before the Committee on Thursday 10th November, 2022 at 9.15 a.m. and was cross examined under oath. The approval hearing commenced as per the Public Appointments (County Assemblies Approval) Act, 2017 and the County Governments Act, 2012 (Rev. 2020).

The nominee presented as follows, both orally and in writing :-

Date and Place of Birth

1. He is a Kenyan Citizen born on 12th June, 1953 in Gitui Wangu Ward Murang'a County and resides in Murang'a.

Marital Status

2. He is married

Academic and Professional Qualifications

3. He attended Sirimba Teachers College from 1972 – 1974 and was awarded certificates of Teacher Education for P1 and P2.
4. In November/December 1981 he sat for the Kenya Advanced Certificate of Education Examinations (KACE) and passed the two subjects.
5. As a private student he sat for the East African Certificate of Education Examination (E.A.C.E) in 1975 and 1979 and attained a Division IV.
6. He attended Mugoiri Boys High School and sat for his Kenya Junior Secondary Education in 1970 where he attained a credit.
7. He attended Gitui Primary School from 1961 to 1970 and attained a Certificate of Primary Education (CPE).
8. He attended Njiiri from 1988 to 1991 High School where he attained a Kenya Certificate of Secondary Education, KCSE with an aggregate of B Plus.

Employment Record

The nominee listed his work experience as follows;

9. He is the Chairman, Murang'a Matatu Owners Association from (2000 to date).
10. He is also the Chairman of Murang'a Jua Kali Welfare Group (2000 to date).
11. Chairman, Murang'a United Housing Investment Co-operative Society (2000 to date).
12. Chairman, Mumea Investment (2000 to date).
13. Land Control Board Member (L.C.B), Ministry of Lands (2000 to date).
14. Director, MTN Sacco (2000 to date).
15. Inspector of Schools, DEOs Office, Murang'a from 1994 to 2000.
16. He worked as a TAC Tutor in Ithanga Zone in 1994.
17. He was Inspector of Police Reservist (KPR) (Ministry of Defense), Murang'a Police Station from 1992 to 2000.
18. He was a Primary School Headmaster between 1984 to 1992 in the following schools;
 - i. Iyego Primary School
 - ii. Gatheru Primary School
 - iii. Gituto Primary School
19. He is involved in private practice as the principal architect at Saxon Services Ltd.
20. He has been a director at Uaitas Sacco Ltd.
21. He is a lecturer at Kabete Technical Building and Construction Department under the Ministry of Education.

Public Office, Political Activities and Affiliations

22. The nominee has held the following public positions in various public institutions;
 - i. Appointed by the Ministry of Education as a Headmaster in Iyego, Gatheru and Gituto primary schools.
 - ii. Appointed by the Ministry of Education as an Inspector of schools in Murang'a from 1994 to 2000.
 - iii. Appointed by the Ministry of Defense as an Inspector of Police Reservist (KPR).
 - iv. Appointed by the Ministry of Land as a member of the Land Control Board from 2000 to date.

- v. He also indicated that he does not have affiliations with any political party.

Honors and Awards

23. The nominee did not indicate any awards of special recognition for outstanding services

Professional Associations

24. He did not indicate status of any professional associations.

Memberships

25. He indicated that he is a member and Chairperson of the Murang'a United Housing Investment Co-operative Society.
26. He is a member and Chairperson of MUMEA Investment Cooperative Ltd.
27. He is also the Chairman of Murang'a Jua-kali Welfare Group.

Published Writings

28. He did not indicate any works that he has authored, edited or published.

Deferred Income/Future Benefits

29. He did not list any deferred incomes

Sources of Income

30. He listed his sources and amounts of all income received during the calendar year preceding his nomination and in the current calendar year as follows;

- i. Matatu Industry - Kshs. 2,000,000
- ii. Businesses * Butchery - Kshs. 500,000 * Carwash -Kshs. 500,000

Tax Status

31. He has fully complied with tax obligations to the state as confirmed by the Kenya Revenue Authority through the compliance certificate submitted valid up to 29th April, 2023.

Net Worth

32. The nominee estimated his financial net worth at Kshs. 5 million.

Deferred Income/Future Benefits

33. The nominee did not list any deferred incomes or future benefits.

Potential Conflict of Interest

34. He asserted that currently, he does not have any persons or matter that would present a potential conflict of interest should he be appointed as the Chairperson of the selection panel.

Pro-Bono, Charity Work and Donations

35. The nominee indicated that he gives donations to the needy through the ACK Mukuria Hungu Church

36. He also supports the Murang'a Rescue Center through the MTN Sacco.

Outside Commitment during Service in office with or without compensation

37. The nominee stated that he has social responsibilities such as welfare groups, peace campaigns and church responsibilities.

Leadership and Integrity

38. The nominee stated that he has not been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. He has also not been adversely associated with practices that depict bias, favoritism or nepotism in the discharge of public duties. He also submitted that he has not been charged in a court of law in the last three years neither has he been adversely mentioned in an investigatory report of parliament or any other commission of inquiry in the last three years.

General and Specific Questions to Mr. Francis Benson Manyeki

a. Self-introduction,

In self-introduction, the nominee stated that he hails from Gitui Village in Weithaga, Kiharu Sub-County. He came back to Murang'a in 1985 and is currently a resident and business man in Murang'a town. Besides that, he is intensively involved in social and community affairs in Murang'a.

b. His understanding of the selection panel he has been nominated and his role

He explained that he was nominated as the Chairperson of the selection panel and his role will be to guide members of the panel on how they will select a county secretary who should be a person of integrity, accommodative and a professional. He further emphasized that being a very senior person in the County, the County secretary is expected to be the head of the County public service and the secretary to the cabinet. In this regard, his recruitment should be very well thought out since he will be expected to control the office he will be appointed to and interact with external stakeholders.

c. If he is a Public Officer

He clarified that he is no longer a public officer since he retired in the year 2000 from his teaching career under the Ministry of Education. He also submitted that he is currently a businessman in the matatu industry and a community leader. He highlighted that his leadership is demonstrated through his capacity as the Chairperson of all matatu operators in the County, the Vice-Chairperson of Mt. Kenya Matatu operators. He further stated that he is a member of the National Government Council and a member of the Land control board (LCB) in the County. He gave examples of other sector groups where he is holding Chairmanship for instance the Murang'a juakali welfare group of about 400 members, Murang'a United Housing Investment Co-operative Society and Mumea investment group.

d. If he is privy to any person who has applied for the position of County Secretary

He stated that he was not aware of any persons interested in applying for the position of County secretary and further clarified that advertisements for the position have not yet been done. He asserted that he would only be in a position to know specific applicants after the advertisements are out, applications made and during shortlisting of candidates. The nominee further assured the committee that if appointed, he will ensure that the panel will not in any way be biased or

compromised and that his role will be to ensure that they select the most suitable candidate for the position.

e. His understanding of the role of a County Secretary

The nominee explained that the county secretary will play an important role as the secretary to the County Executive members. He will also be the head of the public service in the County hence he ought to be a sober person. The nominee further explained that the County secretary will be responsible for writing the minutes of the executive and will be delivering the decisions of the county executive to the relevant stakeholders.

f. Skills and Attributes that will make him an efficient Chairperson of the Selection Panel

He cited leadership skills as one of his strengths manifested through the various Chairpersons positions that he has held over the Years. He informed the committee that having retired at the age of 47 in the Year 2000, he felt that he was still too energetic to contribute to society and become a solution provider to various issues facing people in his community. Driven by this passion to serve, he decided to take up community leadership roles especially in the matatu industry and became the Chairman of various Matatu SACCOs, and other welfare and investment groups to date which have over 1000 members.

g. His first role if appointed Chairperson of the selection panel

The nominee stated that if appointed, his first role would be to know his panel members and to request for a sitting with the Governor to be given a go ahead to advertise for the position of a county secretary. With the Governor's approval, he will then ensure that within seven days the advertisements for the position are done, after which they will proceed with shortlisting of applicants. The panel will thereafter call candidates for interviews and at the end of it will forward two names to the Governor who will pick one name and forward to it to the County Assembly for vetting.

h. Knowledge of the selection panel composition and membership categories.

He informed the committee that the selection panel comprises of a chairperson, a person from the private sector, a person from the judiciary who is a member of the Law Society of Kenya and a person representing workers.

i. Suitability for the position in relation to his age

Noting that he is almost attaining the age of 70 years, the nominee was taken to task to explain if he would be best suited to take up the position of Chairperson of the panel due his old age compared to other younger persons. In his defense, the nominee strongly disagreed with the Chairpersons sentiments and stated that age is just a number. He insisted that ever since he retired at the age of 47, he has remained energetic, has leadership skills, is ambitious, and has what it takes for the role he has been appointed to.

j. His temperamental nature

The Chairperson drew the nominees' attention to his assertiveness and highlighted that the position of a Chairperson will require someone who is sober, who does not talk with a lot of vigor, power and authority. He questioned the nominees' suitability for the position based on his temperamental nature.

In his defense, the nominee explained that his experience in various capacities of leadership calls for adoption of diverse approaches to issues. That is why as an all-round seasonal leader, some situations warrant the use of force and authority. He submitted that since the community over the years has shown confidence in his leadership, then he pleads with the committee to also find him fit for leadership in the role he has been appointed to.

k. Names to be forwarded to the Governor

The committee sought a response from the nominee on the number of names the panel would forward to the Governor for consideration after interviews are concluded. He explained that he was not in a position to state how many since he would have to wait for guidance after shortlisting is done and, despite being the Chairperson, he would engage in consultations with his panel members.

COMMITTEE OBSERVATIONS ON THE SUITABILITY OF MR. FRANCIS BENSON MANYEKI NOMINEE TO THE SELECTION PANEL FOR RECRUITMENT OF THE COUNTY SECRETARY (CHAIRMAN)

Having considered the nominee's filled questionnaire pursuant to Section 7 (9) of Public Appointments (County Assemblies Approval) Act, 2017, his Curriculum Vitae and having heard his oral submission during the approval hearing/vetting exercise, the Committee made the following observations on his suitability for appointment as the Chairperson of the selection panel for recruitment of a County Secretary :-

Leadership and Integrity

1. **THAT** in compliance with the requirements of Chapter 6 of the Constitution of Kenya on leadership and integrity, the nominee was given clearance by the following statutory bodies;
 - i. The Directorate of Criminal Investigations (DCI),
 - ii. The Kenya Revenue Authority (KRA)
 - iii. The Higher Education Loans Board (HELB).
2. **THAT** he has never been adversely associated with practices that depict bias, favoritism or nepotism in the discharge of public duties.
3. **THAT** he has not been charged in a Court of Law in the last three (3) years.
4. **THAT**, the nominee has no potential conflict of interest.

5. **THAT** his academic qualifications and experience in various leadership positions are relevant to the position he has been nominated to.

Other General Observations

1. The despite his age, the nominee exhibited leadership qualities from his experience, duties and responsibilities bestowed on him by the Community.
2. The nominee is conversant with the role of the selection panel as well as his role as a Chairperson.

Committee Recommendation

The committee noted that despite his assertive nature, the nominee demonstrated that he was capable of executing his leadership role in the selection panel. With his numerous leadership responsibilities in the community, he exhibited passion in working for his County and ensuring that the selection panel selects the most suitable candidate for the position of a County Secretary. Therefore, the committee found the nominee **SUITABLE** for appointment to the selection panel for recruitment of a County Secretary.

5.2 VETTING OF PAUL MUTURI NJUGUNA - NOMINEE TO THE SELECTION PANEL FOR RECRUITMENT OF THE COUNTY SECRETARY (PRIVATE SECTOR)

Mr. Paul Muturi Njuguna of National Identification Number 7167000 the nominee for the selection panel on county secretary appeared before the Committee 10th November 2022 at 10:05 a.m. and was cross examined under oath, pursuant to Article 195 of the Constitution. The approval hearing was undertaken in accordance with the Public Appointments (County Assemblies Approval) Act, 2017 and County Governments Act, 2012 (Rev. 2020).

The nominee presented as follows, both orally and in writing: -

Date and Place of Birth

1. He is a Kenyan Citizen born on 9th February 1965 in Murang'a County and resides in Murang'a.

Marital Status

2. He is married

Academic Qualifications

3. He holds a Diploma Certificate from National College Thika
4. He attended Mukuria Secondary School from 1981 to 1984 where he attained a Kenya Certificate of Education (KCE)

Employment Record

The nominee listed his work experience as follows;

5. He served as an elected member of Naro High School Parents Association from the year 2022 to date.
6. He has been a director at Unaitas Sacco from 2000-2008
7. He has worked as a finance manager at Mwangi Enterprise Nairobi.

Public Office, Political Activities and Affiliations

8. The nominee has held the following public positions in various institutions of learning;
- vi. Appointed as a BOM at Githumu Boys High School
 - vii. Appointed as BOM at Mukuria Secondary school
 - viii. He has been serving as an NGCDF member from 2015-2017

He also indicated that he is a member of United Democratic Party (UDA) and was a coordinator of gubernatorial campaigns in Kandara Sub-County.

Honors and Awards

9. The nominee has not received any award of special recognition for outstanding services.

Professional Associations

10. The nominee is not a member of any professional association.

Published Writings

11. He did not indicate any works that he has authored, edited or published.

Deferred Income/Future Benefits

12. The nominee indicated that he did not have any deferred income

Sources of Income

13. He listed his sources and amounts of all income received during the calendar year preceding his nomination and in the current calendar year as follows;
- i. Tea Farming -Kshs.160,000
 - ii. Dairy Farming -Kshs. 15,000
 - iii. Remuneration/allowances Kshs. - 30,000

Tax Status

14. The nominee did not submit a clearance certificate from KRA. He explained that he could not be cleared by Kenya Revenue Authority (KRA) since he has arrears amounting to Kshs. 4,000. This he stated was as a result of financial constraints arising from high college fees for his child, but he undertook to sort out the arrears once he is financially stable.

Net Worth

15. The nominee did not indicate his estimated financial net worth.

Potential Conflict of Interest

16. He asserted that currently, he does not have any persons or matter that would present a potential conflict of interest should he be approved for the position of a member of the selection panel for recruiting the county secretary. In the event of any conflict of interest, he indicated that he would establish the source and reasons, then negotiate and get resolutions. He also admitted to having a cordial relationship with the governor.

Pro-Bono, Charity Work and Donations

17. The nominee indicated that he has been participating in charity works which include food donations to the needy. He is also involved in a community-based organization called Ruchu empowerment and development organization.

Leadership and Integrity

18. The nominee stated that he has not been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. He has also not been adversely associated with practices that depict bias, favoritism or nepotism in the discharge of public duties. He also submitted that he has not been charged in a court of law in the last three years neither has he been adversely mentioned in an investigatory report of parliament or any other commission of inquiry in the last three years. The Committee however questioned his integrity on the basis of non-compliance on tax remittance and failure to be cleared by KRA.

General and Specific Questions to Mr. Paul Muturi

a. Self-Introduction

He stated that he is 57 years old and was born in Gateiguru Village in Ruchu Ward Kandara Sub-County. He is married and is a father of five.

b. His general understanding of the role of a County Secretary

In order to evaluate the nominee's overall suitability for the position, the committee cross-examined the nominee pertaining to his experience and knowledge on the role of County Secretary. The nominee submitted that the role of the County Secretary is to take minutes and keep records of all deliberations of the Executive.

c. How his experience would help in recruitment of the County Secretary and if he has participated in a recruitment process before

The nominee informed the Committee that as a BOM member he has participated in recruitment of persons for various jobs. For instance, he mentioned that he has participated in hiring of BOM teachers and non-teaching staff like watchmen, and that he will use that experience during recruitment of the County Secretary. He also stated that he participated in job interviews when he was a director at Unaitas Sacco.

d. His legacy at Githumu High School

The nominee highlighted improved performance as part of the legacy he would want to leave at Githumu high school where he is still serving as a BOM member. He explained that he would want to achieve this by collaborating with the school principal and staff especially on the aspect of motivation. The nominee's perception was that this would create a favorable working environment in the learning institution.

e. Specific Qualifications for a County Secretary

The nominee was not able to state the specific qualifications for a county secretary in accordance to the law. However, he made an effort of explaining that a county secretary should be a person of merit and who has the capability to deliver on mandates given.

f. Question on his suitability to execute the mandate of the selection panel

The nominee was confident about his suitability to perform the task he was nominated for. He also stated that that with proper induction, he believes that the selection panel will deliver the best candidate for appointment to the position of County Secretary.

COMMITTEE OBSERVATIONS ON THE SUITABILITY OF MR. PAUL MUTURI NJUGUNA FOR APPOINTMENT TO THE SELECTION PANEL FOR RECRUITMENT OF A COUNTY SECRETARY

Having considered the nominee's filled questionnaire pursuant to Section 7 (9) of Public Appointments (County Assemblies Approval) Act, 2017, his curriculum vitae, testimonials and clearance documents, and having heard his oral submission during the vetting, the Committee made the following observations on his suitability for appointment as a member of the selection panel for recruitment of a county secretary.

Leadership and Integrity

1. **THAT**, the nominee has been honoring his tax obligations as part of the requirements of Chapter 6 of the Constitution of Kenya on Leadership and Integrity, he was not cleared by KRA as at the time of vetting. He however, explained that he has arrears of Kshs. 4,000 which he assured the committee he would pay, once he is financially stable. Nonetheless, the nominee was given clearance by other statutory bodies as follows;
 - i. The Directorate of Criminal Investigations (DCI)
 - ii. Higher Education Loans Board (HELB)

2. **THAT**, he has never been adversely associated with practices that depict bias, favoritism or nepotism in the discharge of public duties.

3. **THAT**, he has not been charged in a Court of Law in the last three (3) years.
4. **THAT**, the nominee has no potential conflict of interest.

Other General Observations

1. **THAT**, the nominee was conversant with the roles of the County Secretary.
2. **THAT**, the nominee demonstrated that he has experience in conducting interviews which will be instrumental during the County Secretary interviews.

Committee Recommendation

The committee noted that the nominee was not give a clearance certificate by Kenya Revenue Authority (KRA), nonetheless he gave a genuine explanation and undertook to pay the arrears once he is financially stable. Therefore, the committee found the nominee **SUITABLE** for appointment to the selection panel for recruitment of a County Secretary.

5.3 VETTING OF RUTH WAITHIRA MUIRURI - NOMINEE TO THE SELECTION PANEL FOR RECRUITMENT OF THE COUNTY SECRETARY (ADVOCATE OF THE HIGH COURT OF KENYA, AND LSK MEMBER)

Ms. Ruth Waithira Muiruri of National Identification Number 22491263, an Advocate of the High Court of Kenya and nominee to the Selection Panel for Recruitment of the County Secretary appeared before the Committee on Thursday, November 10, 2022 at 11:00 a.m. and was cross-examined under oath. The approval hearing was undertaken in accordance with the Public Appointments (County Assemblies Approval) Act, 2017.

The nominee presented as follows, both orally and in writing: -

Date and Place of Birth

1. She is a Kenyan Citizen born on January 27, 1982 in Mbiri, Kiharu in Murang'a County

Marital Status

2. She is single

Academic Qualifications

3. She holds a Bachelor of Laws (LLB) Degree from the University of Nairobi awarded on 4th December 2006.
4. She holds a Diploma in Law from the Kenya School of Law (2007)
5. Currently undertaking a Masters in Business Administration at United States International University.

Employment Record

The nominee has worked in different organizations as indicated below;

6. S. K Muendo Advocates, Partner,
7. Kenya Mortgage Refinance Company, Head of Legal & Board Secretary,
8. Guaranty Trust Bank Limited Head of Legal & Board Secretary and;
9. Ecobank Kenya Limited as Legal Counsel.

Professional Associations

10. The nominee indicated that she is a member of the following professional organizations though she didn't attach any membership certificates or prove;
- i) Law Society of Kenya,
 - ii) East African Law Society Bar Association
 - iii) International commission of Jurists

Membership

11. The nominee indicated that she is a Patron of ACK Church Kongoini, Kiharu in Murang'a.

Published writings

12. She published a Thesis titled "Ethnicity and Power in the Contemporary world in fulfilment of her law degree in 2006.

Sources of Income

13. She listed her sources and amounts of all income received during the calendar year preceding her nomination and in the current calendar year as follows;
- i. Law firm - 9,600,000 per year
 - ii. Rental Income - 244, 000 per year

Tax Status

14. She has fully complied with tax obligations to the state as confirmed by the Kenya Revenue Authority through the compliance certificate submitted valid up to 29th June, 2023.

Net Worth

15. The nominee estimated her financial net worth at Kshs. 55,000,000 (Fifty-Five Million).

Potential Conflict of Interest

16. She asserted that currently, she does not have any persons or matter that would present a potential conflict of interest but if such conflict were to arise, she would declare it.
17. On how to resolve conflicts, the nominee indicated that she would first start by declaring the interest and give all the material facts relating to the Conflict of interest. She would

then allow the Committee to review and rule on the matter in her absence and would be willing to step down from the position where a conflict of interest is determined to exist.

Pro-Bono, Charity Work and Donations

18. The nominee indicated that she undertakes quarterly free Legal Aids to widows and orphans in Gatanga Constituency
19. Half yearly elderly feeding donations in Kiharu, kongoini, Muranga
20. Contributes Kshs 200, 000 annually for development projects for ACK Church, Kongoini Parish

Leadership and Integrity

21. The nominee stated that he has not been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. He has also not been adversely associated with practices that depict bias, favoritism or nepotism in the discharge of public duties. He also submitted that he has not been charged in a court of law in the last three years neither has he been adversely mentioned in an investigatory report of parliament or any other commission of inquiry in the last three years.

General and Specific Questions to Ms. Ruth Waithera Muiruri by the Committee

In order to evaluate the nominee's overall suitability for the position, the committee cross-examined the nominee as follows;

a. Self- Introduction

The nominee stated that she was born in Murang'a and started her schooling at Murang'a township, St Triza Primary School and then proceeded to Bishop Gatimu Ngandu girls where she sat for her KSCSE examination. She was then admitted to the University of Nairobi to undertake a Bachelor of Laws Degree.

After completion of her law degree, she was admitted to the Kenya school of Law for her Postgraduate diploma in Law and was admitted as an advocate of the High Court of Kenya where she has been for over 10 years.

She started her career at Ecobank as a legal and credit administrator then joined Fina Bank as a legal manager. She is a patron of ACK Kongu-ini and does legal aid clinics in Gatanga Constituency

She is a mother of two boys aged 10 and 13 years and the 2nd born in her family.

5. Practicing status and membership of the Law Society of Kenya

The nominee explained that she is currently not an active member of LSK as she took a sabbatical leave in 2019 but has applied for certification this year. That despite being inactive, she is in good standing with the Law Society of Kenya of which she is a member

6. Areas of specialization in law

The nominee stated as that she is not directly involved in court ligation but specializes in the following areas;

- i. Cooperative and commercial conveyancing
- ii. Acquisition of Assets by ensuring contract obligations are met
- iii. Mediation-dispute ligation

7. Knowledge of qualifications for appointment as a County Secretary

The nominee stated the following qualifications for a County Secretary position;

- i) 10 years' experience in management and administration
- ii) Fulfilment of the requirements of chapter six of the constitution
- iii) servant leadership
- iv) A team player and ability to coordinate meetings

8. Members of the selection panel for recruitment of a County Secretary

The nominee informed the committee that the selection panel comprises of;

- i) A member of ICPAK

- ii) Union member
- iii) Private sector representative
- iv) Advocate of High court of Kenya
- v) Chairperson

9. If the County Secretary a Public Officer

The nominee stated that the County secretary is a public officer working in the County Government.

10. On why she believes she is a suitable candidate for the position

The nominee justified her suitability for the position in the selection panel by stating that;

- i. she has lots of experience in recruitment having worked as a company secretary and legal advisor in several banks.
- ii. she has a good grasp and understanding of the constitution and the County Governments Act, 2012
- iii. as an advocate, her role will be more advisory on various laws concerning the process but cannot represent the County in a Court of law as it would present a conflict of interest having been a member of the selection panel.
- iv. she is a good legal analyst and a good listener.

COMMITTEE OBSERVATIONS ON THE SUITABILITY OF RUTH WAITHIRA MUIRURI FOR APPOINTMENT TO THE SELECTION PANEL FOR RECRUITMENT OF A COUNTY SECRETARY

Having considered the nominee's filled questionnaire pursuant to Section 7 (9) of Public Appointments (County Assemblies Approval) Act, 2017, his Curriculum Vitae and having heard her oral submissions during the vetting, the Committee made the following observations on her suitability for appointment as a member of the selection panel for recruitment of the County Secretary :-

Leadership and Integrity

1. **THAT** in compliance with the requirements of Chapter 6 of the Constitution of Kenya on leadership and integrity, the nominee was given clearance by the following statutory bodies;
 - i. The Directorate of Criminal Investigations (DCI),
 - ii. The Kenya Revenue Authority (KRA)
 - iii. The Higher Education Loans Board (HELB).
 - iv. Ethics and Anti-Corruption Commission (EACC)
2. **THAT** she has never been adversely associated with practices that depict bias, favoritism or nepotism in the discharge of public duties.
3. **THAT** she has not been charged in a Court of Law in the last three (3) years.
4. **THAT**, the nominee has no potential conflict of interest.

Other General Observations

1. Her academic qualifications and experience are relevant to the position she has been nominated to.
2. She has an impressive record of career progression and demonstrated knowledge and skills pertaining to her role in the selection panel.

Committee Recommendation

The Committee noted that even though the nominee is not actively involved in litigation, she has excelled in her other areas of expertise as a legal practitioner. She was also confident and articulate about her contribution to the selection panel as well as her experience in recruitment exercises. Therefore, the committee found the nominee SUITABLE for appointment to the selection panel for recruitment of a County Secretary.

5.4 VETTING OF CATHERINE WANGARI – NOMINEE TO THE SELECTION PANEL FOR RECRUITMENT OF A COUNTY SECRETARY (ACCOUNTANT & MEMBER OF ICPAK)

Mrs. Catherine Wangari of National Identification Number 21055667, the County secretary panel Nomine appeared before the Committee on Thursday, November 10, 2022 and was cross examined under oath. The approval hearing was undertaken in accordance with the Public Appointments (County Assemblies Approval) Act, 2017.

The nominee presented as follows, both orally and in writing: -

Date and Place of Birth

1. She is a Kenyan Citizen born on 2nd Dec 1977, in Kandara constituency, Murang'a County and resides in Murang'a.

Marital Status

2. She is married

Academic Qualifications

3. She holds a Bachelors Degree in commerce (finance)- KCA university.
4. She holds a Certificate in Public Accountant (CPA)K
5. She attended Kamahuha Girls High School and was awarded with KCSE certificate in the year 1996 where she attained a B-

Employment Record

The nominee listed her work experience as follows;

6. Director – EERNCEL' Consultant Services -2018 –TO DATE
7. Branch manager – Tai Sacco Society Limited-2012- 2017
8. Chief cashier - Tai Sacco Society Limited-2006-2012
9. Savings supervisor - Tai Sacco Society Limited-2001-2006
10. Accounts clerk - Tai Sacco Society Limited- Feb 2001- April 2001

Public Office, Political Activities and Affiliations

11. The nominee indicated that she does not have affiliations with any political party.

Professional Associations

12. The nominee submitted that she is a practicing member of ICPAK member number 16002 since 2015.

Sources of Income

13. She listed her sources and amounts of all income received during the calendar year preceding her nomination and in the current calendar year as follows;

- iii. Consultancy in financial management /audit - Kshs, 200,000
- iv. Interest income from shares in saccos - Kshs, 30,000
- v. Income on sale of property - Kshs, 100,000
- vi. Farming (tea, pigs, and dairy) - Kshs, 400,000

Tax Status

14. She has fully complied with tax obligations to the state as confirmed by the Kenya Revenue Authority through the compliance certificate submitted valid up to 25th April, 2023.

Net Worth

15. The nominee estimated her financial net worth at Kshs. 12 Million.

Potential Conflict of Interest

16. The nominee asserted that currently, she does not have any persons or matter that would present a potential conflict of interest should she assume the position of a members of the selection panel.

Pro-Bono, Charity Work and Donations

17. The nominee stated she has given donations of Ksh, 2000 to charity work.

Leadership and Integrity

18. The nominee stated that She has not been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. In addition, she submitted that she has not been charged in a court of law in the last three years neither has she been adversely mentioned in an investigatory report of parliament or any other commission of inquiry in the last three years.

General and Specific Questions to Catherine Wangari

In order to evaluate the nominee's overall suitability for the position, the committee cross-examined the nominee pertaining to her experience, expectations and knowledge of the position.

The nominee submitted as follows;

a. Role of the county secretary

The nominee stated that she generally understood the role of the county secretary as the head of the public service.

b. Skills that she would contribute to the panel

The nominee stated that she is a professional accountant, with strong analytical skills and is extremely keen to details. She also informed the committee that she has training skills which positions her as a good leader. She submitted that utilizing these skills will be would be beneficial to the panel during recruitment of the county secretary.

c. Qualifications of a county secretary

She told the committee that a according to the County Governments Act, a county secretary should have the following qualifications;

- i. Should be a holder of a recognized university degree
- ii. Should have at least a ten years' experience in relevant field.
- iii. Be an ICPS member and in a good standing.

d. Relevant experience and mandate

The nominee informed the committee that she has progressed through her career from being an accounts clerk to a managerial position presently. She justified that she regularly participates in recruitment of employee and therefore has what it takes to execute the mandate of recruitment of the county secretary.

e. Criteria for nomination to the post

The nominee was asked her appointment was linked to any political affiliations. She stated that her appointment was purely on merit.

f. Terms of service of the selection panel

The nominee acknowledged that the panel would expire upon achieving its mandate which is undertaking a successful recruitment of a county secretary whose name would then be forwarded by His Excellency the Governor to the committee on appointment for vetting.

COMMITTEE OBSERVATIONS ON THE SUITABILITY OF CATHERINE WANGARI - NOMINEE TO THE SELECTION PANEL FOR RECRUITMENT OF A COUNTY SECRETARY

Having considered the nominee's filled questionnaire pursuant to Section 7 (9) of Public Appointments (County Assemblies Approval) Act, 2017, her Curriculum Vitae and having heard her oral submission during the vetting exercise, the Committee made the following observations on her suitability for appointment

Leadership and Integrity

1. **THAT**, in compliance with the requirements of Chapter 6 of the Constitution of Kenya on Leadership and Integrity, the nominee was given clearance by the following statutory bodies.

- i. The Directorate of Criminal Investigations (DCI).
 - ii. The Kenya Revenue Authority (KRA).
 - iii. The Higher Education Loans Board (HELB).
 - iv. Credit Reference Bureau (CRB).
2. **THAT**, she has never been adversely associated with practices that depict bias, favoritism or nepotism in the discharge of public duties.
 3. **THAT**, she has not been charged in a Court of Law in the last three (3) years.
 4. **THAT**, the nominee has no potential conflict of interest.

Other General Observations

1. Her academic qualifications in accounting are relevant to the position she has been nominated in the selection panel.
2. She expressed knowledge of the mandate of the selection panel and demonstrated how she will utilize her analytical and training skills to assist the panel in executing its mandate.

Committee Recommendation

The committee noted that the nominee was knowledgeable on the roles and qualifications of the County secretary. She expressed confidence in her training and analytical skills as an accountant and held high expectations of the selection panel in recruiting the best candidate. Therefore, the committee found the nominee **SUITABLE** for appointment to the selection panel for recruitment of a County Secretary.

5.5 APPROVAL HEARING OF MR. DOMINIC GITAU NDUNGU – NOMINEE TO THE SELECTION PANEL FOR COUNTY SECRETARY (TRADE UNION AND KUPPET)

Mr. Dominic Gitau Ndungu, of National Identification Number 22861969, and nominee to the selection panel for recruitment of County Secretary appeared before the Committee on Thursday 10th November, 2022 at 12:51 p.m. and was cross examined under oath. The approval hearing commenced in accordance with the Public Appointments (County Assemblies Approval) Act, 2017.

The nominee presented as follows, both orally and in writing: -

Date and Place of Birth

1. He is a Kenyan Citizen born on 31st August 1983 in Murang'a County and resides in Githembe - Kigumo Sub-county.

Marital Status

2. He is married.

Academic Qualifications

3. He is currently undertaking a Master's Degree in Educational Leadership and Management from Mt. Kenya University.
4. He holds a Bachelor's Degree in Education (Arts) from Kampala International University (2008).
5. He also holds a Diploma in Education from Kagumo Teachers College (2005).
6. He attended Njiiris High School from 1997 to 2000 where he attained a Kenya Certificate of Secondary Education (KCSE) certificate with an aggregate of C Plus.

Employment Record

The nominee listed his work experience as follows;

7. He is currently a Language and Music teacher at Karega Secondary School.
8. He has been working as a Teacher for the last 14 years.

Public Office, Political Activities and Affiliations

9. The nominee holds no public office, political office and has no affiliated associations.

Honors and Awards

10. He confirmed that he has not received any certificates/awards.

Professional Associations

11. He is a member of the Kenya Union of Post-Primary Education Teachers (KUPPET).

Membership

12. He stated that he is a member of the Kenya Union of Post Primary Education Teachers(KUPPET).

13. He is the Secretary of Kigumo Sub-County Music Committee.

14. He is also the Vice-Secretary Murang'a County Music Committee.

Published Writings

15. None

Deferred Income/Future Benefits

16. None

Sources of Income

17. He listed his sources and amounts of all income received during the calendar year preceding his nomination and in the current calendar year as follows;

- i. Salary 2021 660,000.00
- ii. Salary 2022 550,000.00

Tax Status

18. He has fully complied with tax obligations to the state as confirmed by the Kenya Revenue Authority through the compliance certificate submitted valid up to 1st November, 2023.

Net Worth

19. The nominee estimated his financial net worth at Kshs. 1.2 Million.

Potential Conflict of Interest

20. He asserted that currently, he does not have any persons or matter that would present a potential conflict of interest should he assume office as a member of the selection panel.

Pro-Bono, Charity Work and Donations

21. The nominee indicated that by the time of the interview he had no pro-Bono, charity work or donations.

Leadership and Integrity

22. The nominee stated that he has not been dismissed or otherwise removed from office for contravening the provisions of Article 75 of the Constitution. He has also not been adversely associated with practices that depict bias, favoritism or nepotism in the discharge of public duties. He also submitted that he has not been charged in a court of law in the last three years neither has he been adversely mentioned in an investigatory report of parliament or any other commission of inquiry in the last three years.

General and Sector Specific Questions to Mr. Dominic Gitau Ndung'u

In order to evaluate the nominee's overall suitability for the position, the committee cross-examined the nominee pertaining to his experience, expectations and knowledge of the position he has been nominated to. The nominee submitted as follows;

a. His understanding of the mandate of the selection panel.

He briefly informed the committee that the mandate of the selection Panel is to interview and vet the County Secretary. He explained that the County Secretary is the head of the public service and therefore his office is instrumental in the running of County's day to day activities. He asserted that he would demonstrate and observe impartiality and integrity in the execution of his mandate as a member of the selection panel.

b. Composition of the selection panel

The nominee explained that the selection panel comprises of members from different sectors, namely a member from the private sector, Institute of Certified Public Accountants of Kenya (ICPAK), Trade Unions and a member from the Non-Governmental Organizations (NGOs).

c. How his experience in the Trade Union and KUPPET will be useful in executing the mandate of the selection panel.

He informed the Committee that his experience of 14 years in the Union and having served as a teacher for a similar period and his interaction with various stakeholders at the community level will not only shape his opinions but also his informed advise to the panel. Further it will allow him to have an upper hand while representing concerns of the common *mwananchi* particularly the teacher's interests to the panel.

He further stated that teachers play a major role as opinion leaders at the grassroots level as they have a direct interaction with the main stakeholders, therefore his desire is to represent the interests of all diverse groups equally. The nominee exhibited a lot of confidence in his skills and his contribution to the panel if given a chance.

d. Employees' rights that he advocates for as a Unionist and examples of some of the Labour Laws in Kenya.

The nominee mentioned the right to having proper welfare, good working conditions, right to housing, right to care and right for remuneration for extra hours worked as some of the rights that teachers or Union members should enjoy. The nominee however did not give examples of Labour Laws in Kenya.

e. The nominee was tasked to explain to the Committee on why ECDEs and TVETS teachers go for long periods without salaries and remunerations, and why the County does not take these programs seriously

The nominee informed the Committee that it is quite sad that some workers go for days without pay and this translates into low morale for the staff member which leads to poor output and poor

productivity on the same. The nominee cited proper management at the County level main solution to the problems.

f. Subjects taught by the nominee at Karega Secondary School.

The nominee listed English and Literature as his teaching subjects at Karega High School and added that he heads the languages Department. He went further to praise his school for being the best performing day school in Murang'a County. He further added that he heads language Department.

g. If his nomination was a reward by the appointing authority or by merit

The nominee stated that he was nominated on merit and attributed his nomination to his exemplary service at Karega Secondary School and his influence in the teaching fraternity as a Union leader.

f. The nominee was requested to explain whether his good skills and competency were as a result of him schooling at one of the best schools in the County-Njiiris High School

The nominee disagreed explaining that he attributes his competency to all the learning institutions that he has interacted with over the years namely Kagumo Teachers College as well as Kampala International University. He attributed the good culture and high level of discipline of all the stakeholders at Karega Secondary School to his good performance.

g. On ensuring that the selection panel selects the best candidate

The nominee stated that his fourteen years in the service will be of essence in ensuring that the selection panel gets the best candidate for the job of County Secretary. He added that he would utilize his skills such as good organizational skills, problem solving skills as well as independent minded capabilities in executing the mandate of the panel.

h. If being a trade Unionist will have a negative impact on the other members of the Select Panel negatively

The nominee dispelled the bad notion about trade unionists and added that he was vying to be the Chairperson of the Union with the aim of bringing positive change. He was hoping to eradicate the negative activism that was there and although he never won his team managed to garner five positions at the Union. The nominee further noted that with the democracy they created through their campaigns, the Union has over the years become robust and in fact has implemented some of the manifestos that he and his team "Team Change" were advocating for.

He said that his team brought a lot of positivity to the Union which can be felt across Counties and especially Murang'a County. He promised to bring in the same vibrancy to the selection panel if given a chance.

i. His expectations of the County secretary that the selection panel will recruit

He submitted that he has very high expectations on the candidate for the position of County Secretary. He mentioned that the position requires someone who will have the best interest for children rights from the start. He further informed members that for us to have a good society, the foundation of children is of essence.

j. Definition of the role of a County Secretary

The nominee explained that that the County Secretary is the head of the County Public Service and his role is to follow up on the decisions made by the County Executive Committee.

k. On what is happening on the first of December

The nominee responded that the National Examinations shall be commencing on the mentioned date.

l. His undivided attention to students during the said period and if he was granted permission to attend the interview

He acknowledged that he was attending the interview on permission from his school principal and that he was aware of the task ahead. He stated that he is conversant with national examinations

preparations and he has duly complied with the Ministry of Education guidelines. In addition, he mentioned that only contracted professionals by the Kenya National Examinational Council (KNEC) shall be overseeing the examination exercise. Further, he noted that not all teachers shall be involved in the exercise and in fact he shall be on leave during the said period since he has not been contracted this year.

m. If he is a politician/is it in order if I say that you are a politician?

The nominee stated that he sees himself as more of a leader than a politician.

n. On if he would have influenced the political directions of KUPPET if he had been duly elected.

The nominee responded that, he was joining KUPPET to bring change and address the welfare of the members.

o. If it was appropriate for him to be in the selection panel while he has other political aspirations

The nominee explained that his political aspirations are within the context of the teaching profession and do not prohibit him from being appointed to the selection panel. He added that for him to run for a political seat he would have to resign from his teaching career which he doesn't hope to do. He is content with his teaching profession and his role in the Union at the moment.

COMMITTEE OBSERVATIONS ON THE SUITABILITY OF MR. DOMINIC GITAU NDUNGU FOR APPOINTMENT TO THE SELECTION PANEL

Having considered the nominee's filled questionnaire pursuant to Section 7 (9) of Public Appointments (County Assemblies Approval) Act, 2017, his Curriculum Vitae and having heard his oral submission during the vetting, the Committee made the following observations on his suitability for appointment as a member of the selection panel for selection of a County Secretary:

Leadership and Integrity

1. **THAT**, in compliance with the requirements of Chapter 6 of the Constitution of Kenya on Leadership and Integrity, the nominee was given clearance by the following statutory bodies;
 - i. The Directorate of Criminal Investigations (DCI).
 - ii. The Kenya Revenue Authority (KRA).
 - iii. The Higher Education Loans Board (HELB).
 - iv. Credit Reference Bureau (CRB).
2. **THAT**, he has never been adversely associated with practices that depict bias, favoritism or nepotism in the discharge of public duties.
3. **THAT**, he has not been charged in a Court of Law in the last three (3) years.
4. **THAT**, the nominee has no potential conflict of interest.

Other General Observations

1. **THAT**, the nominee demonstrated that he has leadership skills and passion for transformative change especially in the education sector.
2. **THAT**, the nominee exhibited impressive knowledge and experience of trade Union affairs.
3. **THAT**, he has an outstanding record of performance in his teaching career at Karega Secondary School.

Committee Recommendation

The committee noted that despite the nominee being perceived as a politician, his leadership attributes far much outweighs the political aspects. The nominee also exhibited great enthusiasm in applying his competencies to the selection panel with the aim of recruiting the best candidate for the position of a County secretary. Therefore, the committee found the nominee SUITABLE for appointment to the selection panel for recruitment of a County Secretary.

6.0 RECOMMENDATION

Having conducted approval hearings of the nominees Pursuant to Pursuant to Section 44 and 58A of the County Governments Act, 2012 (Rev. 2020) and Section 7 and 8 of the Public Appointments (County Assemblies Approval) Act No. 5 of 2017, **the Committee on Appointments found all the nominees SUITABLE for appointment and hereby RECOMMENDS;**

THAT, this House **Approves** the nomination of the following persons for appointment by His Excellency the Governor to the selection panel for competitive recruitment of the County Secretary.

1. Mr. Francis Manyeki - Chairperson
2. Mr. Paul Muturi Njuguna - Private Sector
3. Ms. Ruth Waithira Muiruri - Advocate of the High Court of Kenya and LSK Member
4. Ms. Catherine Wangari Kamau - Accountant and Member of ICPAK
5. Mr. Dominic Gitau Ndung'u - Trade Union and KUPPET

8.0 ANNEXES

Appendix 1: Notification of Nomination

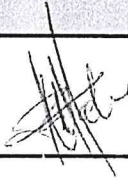
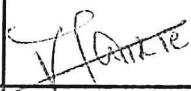




Appendix 2: Newspaper Advertisements

Appendix 3: Cv Summaries

Appendix 4: Minutes of Meetings

7.0 REPORT ADOPTION

This report was unanimously adopted by the underlisted members of the committee on Appointments by way of appending their signatures, in a sitting held on **Monday 21st November, 2022:-**

S/N	NAME	TITLE	SIGNATURE
1.	Hon. Johnson Walter Mukuha Mwangi	Chairperson	
2.	Hon. Francis Kibe Kamau	Leader of the Majority Party	
3.	Hon. Liz Muthoni Mbugua	Deputy Leader of Majority Party	
4.	Hon. Steven Muigai Kimani	Deputy Majority Party Whip	
5.	Hon. Peter Murigi Ngugi	Member	
6.	Hon. Naomi Nyambura Maina	Member	
7.	Hon. Edwin Mwangi Wairagu	Member	
8.	Hon. Moses Macharia Mirara	Member	