

NAIROBI CITY COUNTY ASSEMBLY



FIRST ASSEMBLY - SECOND SESSION

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NAIROBI CITY  
COUNTY ASSEMBLY  
P. O. Box 45844-00100  
NAIROBI

THIRD REPORT OF THE

COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

ON

THE VETTING OF THE NOMINEE FOR CHIEF OFFICER, NAIROBI  
CITY COUNTY INFORMATION, COMMUNICATION AND  
e- GOVERNMENT.

SEPTEMBER, 2015

*Paper paid  
by Chair of  
Justice Comm. II  
J/Sec.  
of CCA  
29/9/15*

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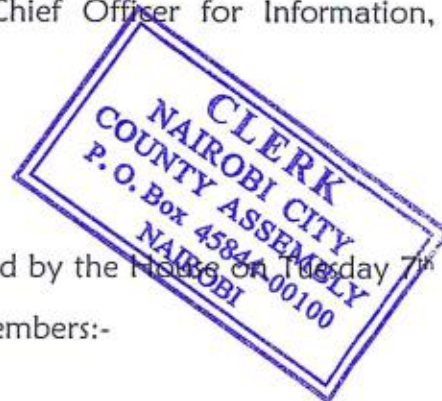
## 1.0 PREFACE

On behalf of the Members of the Committee on Justice and Legal Affairs and pursuant to the provisions of Section 45 (l) (b) of the County Governments Act and Standing Order No. 191, it is my pleasure and duty to present to the Assembly, the Committee's Report on the vetting of the nominee for the position of Chief Officer for Information, Communication and e-Government.

## COMMITTEE MEMBERSHIP

The Committee on Justice and Legal Affairs was constituted by the House on Tuesday 7<sup>th</sup> May, 2013. The Committee comprises of the following Members:-

1. Hon. Jaffer Kassam - Chairperson
2. Hon. Moses Ogeto Nyangaresi - Deputy Chairperson
3. Hon. Elkana Mauti
4. Hon. Maurice Akuk Omondi
5. Hon. David David Mberia
6. Hon. Martin Karanja Kingethu
7. Hon. Julius Mwaniki
8. Hon. Peter Migwi
9. Hon. Kamau Thuo
10. Hon. Jacqueline Awino
11. Hon. Jane Muasya
12. Hon. Manoah Mboku
13. Hon. Elias Otieno
14. Hon. Mercy Kariuki
15. Hon. Jackson Kiama
16. Hon. Njoroge Maina
17. Hon. Dorcas Noroge





## COMMITTEE MANDATE

The Committee on Justice and Legal Affairs is one of the Sectoral Committees established under Standing Order No. 191 (5) (f) which provides that, *the functions of a sectoral committee shall be to-*

*“to vet and report on all appointments where the constitution or any law requires the County Assembly to approve, except those under Standing order 185 (Committee on Appointments).*

### Nomination of Chief Officer, Information, Communication and e-Government

Pursuant to Section 45 (i) (a) of the County Governments Act, H.E. the Governor, forwarded to the Speaker of the County Assembly, the names of the nominee, Mr. Kennedy Okong'o, vide a letter dated 2<sup>nd</sup> July, 2015 for vetting by the Committee on Justice and Legal Affairs, and consideration for approval by the County Assembly for appointment as Chief Officer, Information, Communication and e-Government.

On Tuesday 7<sup>th</sup> July, 2015, the Honorable Speaker in a message to the Assembly informed the Assembly that he had received the name of the said nominee and directed that the name and Curriculum Vitae of the said nominee be referred to the Committee on Justice and Legal Affairs for vetting and reporting to the Assembly.

## COMMITTEE MEETINGS

The Committee held four sittings in which it considered the vetting of the nominee; one of which, Mr. Kennedy Okong'o appeared before the Committee on Justice and Legal Affairs and was vetted in accordance with the provisions of the County Governments Act for appointment as Chief Officer, Information, Communication and e-Government.

On behalf of the Committee on Justice and Legal Affairs, I have the honour and pleasure to present the Committee's Report on the vetting of the nominee for appointment as Chief Officer, Information, Communication and e-Government of the Nairobi City County. May I take this opportunity to thank all Members of the Committee for their input and invaluable contributions during the deliberations on vetting of the said nominee.



Thank you.

Signed .....

Hon. Moses Ogeto, MCA

Vice Chairperson, Committee on Justice and Legal Affairs

Date .....

28/09/2015



### COMMITTEE MEMBERS

### SIGNATURE

- |                                 |                      |       |
|---------------------------------|----------------------|-------|
| 1. Hon. Jaffer Kassam           | - Chairman           | _____ |
| 2. Hon. Moses Ogeto             | - Deputy Chairperson | _____ |
| 3. Hon. Elkana Mauti            |                      | _____ |
| 4. Hon. Maurice Akuk Omondi     |                      | _____ |
| 5. Hon. David David Mberia      |                      | _____ |
| 6. Hon. Martin Karanja Kingethu |                      | _____ |
| 7. Hon. Julius Mwaniki          |                      | _____ |
| 8. Hon. Peter Migwi             |                      | _____ |
| 9. Hon. Kamau Thuo              |                      | _____ |
| 10. Hon. Jacqueline Awino       |                      | _____ |
| 11. Hon. Jane Muasya            |                      | _____ |
| 12. Hon. Manoah Mboku           |                      | _____ |
| 13. Hon. Elias Otieno           |                      | _____ |
| 14. Hon. Mercy Kariuki          |                      | _____ |
| 15. Hon. Jackson Kiama          |                      | _____ |
| 16. Hon. Dorcas Njoroge         |                      | _____ |
| 17. Hon. Njoroge G. Maina       |                      | _____ |

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## 2.0 BACKGROUND

### 2.1 ESTABLISHMENT OF THE COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

The Committee on Justice and Legal Affairs is one of the Sectoral Committees established under Standing Order No. 191 with the mandate to vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing order 185 (Committee on Appointments).

### 2.2 APPOINTMENT PROCESS OF THE NOMINEE FOR POSITION OF CHIEF OFFICER, INFORMATION, COMMUNICATION AND e-GOVERNMENT.

- (i) Pursuant to Section 45 (i) (a) of the County Governments Act, H.E. the Governor, forwarded to the Speaker of the County Assembly, the names of the nominee, Mr. Kennedy Okong'o, vide a letter dated 29<sup>th</sup> June, 2015 for vetting by the Committee on Justice and Legal Affairs, and consideration for approval by the County Assembly for appointment as Chief Officer, Information, Communication and e-Government.
- (ii) On 30<sup>th</sup> June, 2015, the Honorable Speaker in a message to the Assembly informed the Assembly that he had received the name of the said nominee and directed that the name and Curriculum Vitae of the said nominee be referred to the Committee on Justice and Legal Affairs for vetting and reporting to the House.

The public was invited to participate in the vetting process through submission of memoranda (affidavits) on the suitability or otherwise of the Nominee. On Thursday 9<sup>th</sup> July, 2015, the Clerk of the County Assembly Placed an advertisement in the print media inviting the public to submit memoranda by Friday, 17<sup>th</sup> July, 2015 on the suitability or otherwise of the said nominee. No memoranda were received from the public.

### 3.0 VETTING OF THE NOMINEE FOR POSITION OF CHIEF OFFICER, INFORMATION, COMMUNICATION AND e-GOVERNMENT.

In conducting the vetting process, the Committee on Justice and Legal Affairs examined the nominee against the following criteria, amongst others;

- (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) Tax compliance
- (viii) Integrity

During its Sitting held on Wednesday 22<sup>nd</sup> July, 2015, at the 2<sup>nd</sup> Floor, Assembly Board Room, the Committee orally interviewed Mr. Kennedy Okong'o for appointment as Chief Officer, Information, Communication and e-Government. The Minutes of the vetting proceedings are attached (*Annex 2*).

### 3.1 MR. KENNEDY OKONG'O - NOMINEE FOR POSITION OF CHIEF OFFICER, INFORMATION, COMMUNICATION AND e-GOVERNMENT.

Mr. Kennedy Okong'o appeared before the Committee on Wednesday 22<sup>nd</sup> August, 2015. He stated to the Committee that;

- i. He is a Kenyan Citizen from Western Kenya, Bungoma County born in 1982, raised in Bungoma and married with children;
- ii. He holds an MBA, Information Systems from the University of Nairobi, an MSc in ICT Policy from Jomo Kenyatta University of Agriculture and Technology (JKUAT), and a BSC, Engineering from JKUAT;
- iii. He is currently an ICT Consulting Expert at Telephone Systems International in United Arab Emirates and a Member of the Universal Service Advisory Council of Kenya;




- iv. He submitted to the Committee that he is suitable for this position as he is passionate about working in the Information, Communication and e- Government field in order to offer high standards of service. His drive to apply for this job was because this post is a Delegated position in Nairobi which is the Capital of Kenya. He has the passion to work for government so as to improve service delivery and expand & support ICT Infrastructure even though the pay is lower than what he earned at his past organizations.
- v. He has had several achievements which he will have to offer at Nairobi County that include:
- a. Headed the Project Team while working at IT & Telecom in Qtel, Qatar as a Project Manager that was responsible for launching Qtel 3G in Iraq whereby he developed the Operational Project Plan Comprising Spatial Data Infrastructure, IT Based Location addressing online Map for service Planning and distribution of Strategy in Kurdistan using Geo-spatial IT Tools;
  - b. Successfully analyzed existing policies, programs and strategies in Malawi, Seychelles, Ethiopia, Lesotho, Eritrea, Botswana and Zambia while working at GeSCI, UN ICT Task Force, Africa as an ICT Research and Policy Analyst;
  - c. Successfully implemented short, Medium and long term Plans in line with the overall organizational Mission and Strategy while working as an e- Government Program Manager at Orange, Kenya; Succeeded in attracting over \$10 million in revenues from Postal Corporation of Kenya, Kenya Water Institute, NSSF, Kenya Institute of Education, Middle East Bank, Agakhan, Co-operative Bank and International Finance Corporation; and
  - d. As a Senior GIS Analyst, he explored, identified and mapped in a Geo-Info Data Base, Indicators that informed CapEX steering Committees and refined Radio Network Design Plans; as well as Management Reporting of regional performances reporting of the portfolio.
- vi. When asked about proof of any operating system he had developed, he responded that as a Project Manager at Qtel, Qatar from July, 2011 – February, 2012, though he had no documentation to substantiate on the same, he had developed the Operational Project Plan Comprising Spatial Data Infrastructure, IT Based Location addressing online Map for service Planning and distribution of Strategy in Kurdistan using Geo-spatial IT Tools; and designed GIS-based Online Platform for regional Management Reporting.

- vii. He stated that he was a Member of the following Professional Bodies related to Information, Communication and Technology (ICT): Institute of Directors (Kenya); Computer Society of Kenya; and Project Management Institute (USA).
- viii. On the Published Writings he responded that he had authored, he responded that he had authored the following articles: Okong'o, K (2014); Okong'o, K and Sakwa, M (2012); Okong'o, K (2011).

#### 4.0 COMMITTEE'S OBSERVATIONS

##### 4.1 NOMINEE FOR POSITION OF CHIEF OFFICER, INFORMATION, COMMUNICATION AND E-GOVERNMENT – MR. KENNEDY OKONG'O

- 
- i He has used some additional names in some documents and testimonials and not in others;
  - ii That one of his result slips had inadvertently not been stamped by the issuing University;
  - iii He failed to prove that he had developed and/or participated in the development of an operating system;
  - iv As a qualified ICT Expert, he did not have any ICT International networking packages such as CISCO, Oracle (Database);
  - v He has never been convicted of any offence nor sentenced to serve in prison, has never falsified his official or personal records and has never discriminated anyone on any grounds; and
  - vi He has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers that are adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.

##### vii The Committee recommended that the nominee provide :

- a. An affidavit to verify identity due to the use of additional name in some documents and testimonials;
- b. Rubber stamped result slips since one of the result slips had inadvertently not been stamped by the issuing University; and
- c. Letters from the previous employers stating IT solutions he had developed and/or participated in their development.



The nominee submitted the documents requested by the Committee on Wednesday, 29<sup>th</sup> July, 2015.

#### COMMITTEE'S OBSERVATIONS

- i. That the nominee was able to get:
  - a. an affidavit to verify identity due to the use of additional name in some documents and testimonials; and
  - b. Rubber stamped result slips since one of the result slips had inadvertently not been stamped by the issuing University;
- ii. The Nominee failed to prove that he had developed and/or participated in the development of any IT Solution development programs. Though of the employers the nominee had served in his working life, only two – Airtel and Orange are within reach. None of the two Companies has a policy to guide on confirming that he had developed an operating system. Thus the respective Human Resource Departments could not detail to a third party a list of projects or IT Solution development programs an ex-staff had participated in while in their employment. However an ex-staff may approach a current staff to act as a point or reference in future job prospects;
- iii. He failed to demonstrate to the Committee that he could perform his duties under pressure independently. For instance, he stated that unless he is given assistance, it would be difficult for him to perform his work effectively; and
- iv. As a qualified ICT Expert, he did not have any ICT International networking packages such as CISCO, Oracle (Database).

## COMMITTEE'S RECOMMENDATIONS

Pursuant to section 45 (i) (b) of the County Governments Act and Standing Order No. 42 and 191 (5), the Committee recommends that:-

This Assembly disapproves the nomination of Mr. Kennedy Okong'o for appointment by H.E. the Governor as the nominee for Chief Officer, Information, Communication and e-Government.

[illegible]

