

THE NAIROBI CITY COUNTY GOVERNMENT



THE NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY – FIRST SESSION

THE SECOND REPORT OF THE SECTORAL COMMITTEE ON CHILDREN, EARLY
CHILDHOOD EDUCATION AND VOCATIONAL TRAINING

ON

THE VETTING OF THE NOMINEE FOR THE CHIEF OFFICER FOR THE SUB-
SECTOR OF EARLY CHILDHOOD EDUCATION AND VOCATIONAL TRAINING

Clerk's Chambers,
CITY HALL,
NAIROBI.

*Paper laid by the Clerk
On 23rd Dec, 2022*
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1. PREFACE

1.1. Establishment and Mandate

Hon. Speaker,

The Sectoral Committee on Children, Early Childhood Education and Vocational Training is established on 27th October, 2022 pursuant to the Standing Order 209. The Committee's mandate amongst others, as outlined under Standing Orders 209 (6) is to:

- a. investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- b. study the programme and policy objectives of departments and the effectiveness of the implementation;
- c. study and review all county legislation referred to it;
- d. study, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- e. investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
- f. to vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 196 (Committee on Appointments); and
- g. make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

1.2 Committee Membership

The Committee Membership comprises of:

1. Hon. Perpetua Mponjiwa, MCA – Chairperson
2. Hon. Kennedy Swaka, MCA – Vice-Chairperson
3. Hon. Robert Mbatia, MCA
4. Hon. Waithera Chege, MCA
5. Hon. Jared Akama Ondieki, MCA
6. Hon. Maurice Ochieng Onyango, MCA
7. Hon. Peter Oweru Oluoch, MCA
8. Hon. Abel Osumba Atito, MCA
9. Hon. Absalom Odhiambo Onyango, MCA
10. Hon. Agnes Wambui Njeri, MCA
11. Hon. Carrington Gichunji Heho, MCA
12. Hon. Diana Katile Mwangangi, MCA
13. Hon. Eric Kiogora Murigu, MCA
14. Hon. Eutychus Mukiri Muriuki, MCA
15. Hon. Fredrick Njogu Njoroge, MCA
16. Hon. Gerald Irungu Mukuru, MCA
17. Hon. Hannah Wanjiku Muriuki, MCA
18. Hon. Hellen Awuor Okello, MCA

19. Hon. James Karanja Karis Kariuki, MCA
20. Hon. Lily Akoth Kidenda, MCA
21. Hon. Naomi Kerubo Bosire, MCA
22. Hon. Rachel Wanjiru Maina, MCA
23. Hon. Tricer Jeptoo Ayabei, MCA

1.3 Committee Secretariat

The Committee Secretariat is comprised of the following officers: -

1. Mr. Kevin Wasike – Snr. Clerk Assistant
2. Ms. Rose Edna Kanana – First Clerk Assistant

1.4 Message from His Excellency the Governor

Hon. Speaker,

Pursuant to Section 45 of the County Governments Act, 2012, H.E. the Governor, Hon. Sakaja Arthur Johnson vide a letter ref. NCC/GOV/Legal/438/2022 dated 2nd December, 2022 forwarded to the Speaker of the Nairobi City County Assembly, the name of the following one (1) nominee for vetting by the Sectoral Committee on Children, Early Childhood Education and Vocational Training and consideration for approval by the County Assembly for appointment as County Chief Officer responsible for the Early Childhood Education and Vocational Training as follows:-

S/NO	NAME OF NOMINEE	Sub-Sector
1.	Mr. Ahmed Mohamed Abdi	Early Childhood Education and Vocational Training

1.5 Committal to the Committee

Hon. Speaker,

On 13th December, 2022, pursuant to Standing Order 45(1) and Section 7 (1) of the Public Appointments (County Assemblies Approval) Act, 2017, the Honourable Speaker informed the Assembly on the receipt of the notification of the nomination. The notification of nomination was therefore referred to the Sectoral Committee on Children, Early Childhood Education and Vocational Training for vetting and reporting to the Assembly within 21 days in accordance with Section 9(1) of the Public Appointments (County Assemblies Approval) Act, 2017.

Subsequently, the Clerk of the County Assembly placed an advertisement in the local dailies, specifically the Daily Nation Newspaper and the Standard Newspaper of Wednesday 14th December, 2022, informing the candidate the time and place for the holding of an approval hearing pursuant to Section 7 (4) of the Act. In addition, the Clerk further placed an advertisement in the local dailies inviting the public to submit memoranda by way of written statements on oath (sworn affidavits) on the suitability or otherwise of the nominee in conformity with Section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017.

2.0 BACKGROUND

2.1 Establishment of the Sectoral Committee on Children, Early Childhood Education and Vocational Training

The Sectoral Committee on Children, Early Childhood Education and Vocational Training is one of the Sectoral Committees established under Standing Order No. 209 (1) with the mandate to vet and report on appointments under Section 45 of the County Governments Act, 2012, (County Chief Officers). The said Section requires H.E. the Governor of Nairobi City County, Hon. Sakaja Arthur Johnson to nominate as recommended by the County Public Service Board and with the approval of the County Assembly, appoint County Chief Officers.

In addition, Section 10(1) of the Public Appointments (County Assemblies Approval) Act, 2017 provides that: -

“Where the nomination of a candidate is rejected by a County Assembly, the appointing authority may submit to the relevant County Assembly the name of another candidate, and the procedure for approval specified in this Act shall apply accordingly.”

2.2 Appointment process of the County Chief Officer

Section 45 (1) (a) and (b) of the County Governments Act, 2012 provide for the Governor's power to appoint County Chief Officers, with the approval of the County Assembly, from among persons who are not members of the County Assembly.

A letter from the Office of the Governor ref. NCC/GOV/Legal/438/2022 dated 2nd December, 2022, addressed to the Speaker of the County Assembly indicated that pursuant to the provisions of Section 45 of the County Governments Act, 2012, H.E. the Governor, Hon. Sakaja Arthur Johnson had nominated one (1) nominee to be considered for approval by the County Assembly for appointment as County Chief Officer responsible for the Sub-Sector of Early Childhood Education and Vocational Training.

On Tuesday, 13th December, 2022, the Honourable Speaker in a Message to the Assembly informed the Assembly on the receipt of the names of the one (1) nominee, and directed that the name and curriculum vitae of the said nominee be referred to the relevant Sectoral Committee for vetting and reporting to the Assembly pursuant to Standing Order 209 (6) (f) and Section 10 (1) of the Public Appointments (County Assemblies Approval) Act, 2017.

2.3 Notification to the Public

Section 7(4) and (5) 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” and “the committee shall, by notice in at least one newspaper of national circulation, notify the public of the time and place for holding an approval hearing at least seven days prior to the hearing”.*

1.6 Committee Meetings

Hon. Speaker,

The nominee appeared before the Committee on Thursday, 22nd December, 2022 and was vetted in accordance with the provisions of the Constitution, Public Appointments (County Assemblies Approval) Act, 2017, the County Governments Act, 2012 and the County Assembly Standing Orders on this suitability for appointment to the position of County Chief Officer. In total, the Committee held three (3) sittings in consideration of this matter.

1.7 Acknowledgement

Hon. Speaker,

I take this opportunity to thank the Members of the Committee for their input and valuable contributions during the deliberations and vetting exercise. The Committee also takes this opportunity to thank the Offices of the Speaker and of the Clerk for the support accorded to it during the vetting exercise. The Committee is grateful to the staff of the County Assembly attached to the Committee for their services rendered to the Committee. Their efforts and input made the work of the Committee and the production of this Report possible.

Finally, on behalf of the Sectoral Committee on Children, Early Childhood Education and Vocational Training, pursuant to the provisions of Section 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Orders 48 (4) and 196 (6), it is my pleasure and duty to present to the County Assembly, the Committee's Report on the vetting of the nominee for appointment to the position of County Chief Officer in charge of Early Childhood Education and Vocational Training for approval pursuant to the provision of Section 45(1) (b) of the County Governments Act, 2012; Section 9(1) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 48 (4) of the County Assembly.

Thank you.

Signed
Hon. Perpetua Mponjiwa, MCA
Chairperson

Date 23/12/2022

Pursuant to the above provisions of the law, the Clerk of the County Assembly placed an advertisement in the local dailies, specifically the Daily Nation Newspaper and the Standard Newspaper on Wednesday 14th December, 2022 inviting the public to submit memoranda by way of written statements on oath (sworn affidavits) on the suitability or otherwise of the nominee. At the close of business on Wednesday, 21st December, 2022 no memoranda contesting the suitability of the nominee had been received from the public.

In accordance with the Section 7(4) of the Public Appointments (County Assemblies Approval) Act, 2017, the general public was also notified in the local dailies by the Clerk of the County Assembly of the intention of the Sectoral Committee on Children, Early Childhood Education and Vocational Training to conduct the vetting and approval hearing of the one (1) nominee on Thursday, 22nd December, 2022 at 9.00 am in the Committee Room two (2), Assembly Wing, City Hall Building.

2.4 Clearance Requirements

To ensure compliance with the provisions of Chapter 6 of the Constitution, the nominee was asked to submit his clearance status with the following institutions for the vetting exercise –

- a) Kenya Revenue Authority (KRA)
- b) Directorate of Criminal Investigations (DCI)
- c) Higher Education Loans Board (HELB)
- d) Credit Reference Bureau (CRB) and
- e) The Ethics and Anti-Corruption Commission (EACC)

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

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

3.0 VETTING OF COUNTY CHIEF OFFICER NOMINEE

In conducting the vetting process, the Sectoral Committee on Children, Early Childhood Education and Vocational Training examined the nominee against the following criteria, amongst others, as set out in the First Schedule of the Public Appointments (County Assemblies Approval) Act, 2017–

- (i) Academic qualifications;
- (ii) Employment record;
- (iii) Professional associations;
- (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 Thursday, 22nd December, 2022 in the Committee Room two (2), Assembly Wing, City Hall Building from 9:00am, the Committee conducted face to face interview of the nominee. The minutes of the vetting proceedings are attached to this report.

3.1 APPEARANCE BEFORE THE COMMITTEE BY MR. AHMED MOHAMED ABDI

Mr. Ahmed Mohamed Abdi appeared before the Committee on Thursday, 22nd December, 2022 at 9.00 am and after introductions, he was informed by the Chairperson that in line with the provisions of the Public Appointments (County Assemblies Approval) Act 2017, the Committee had invited Memoranda from the Public on his suitability or otherwise for appointment to public office, but none was received. He was further requested to forward his original credentials for verification by the Committee.

While under oath, he proceeded to inform the Committee as follows: -

- A. Regarding self-introduction, knowledge, experience and qualification, the nominee informed the Committee that he was born on 16th February, 1974 and;**
- a. He was working as an Assistant Director in charge of gender at Garissa County Government at the time he was nominated;
 - b. He holds a Bachelor Degree in Business Management from the Kampala University (2008-2011) and a Diploma in Medical Laboratory.
 - c. He's a member of Kenya Red Cross Society Since 2015.
 - d. The nominee previously worked as a National Bank Branch Manager, Garrissa (2014-2016), Gulf African Bank Branch Manager, Eastleigh (2013-2014), First Community Bank Branch Manager, Eastleigh (2008-2013) amongst others.

The Nominee stated that he has fifteen (15) years of experience in management both in private and public Sectors and therefore has management skills, public relations and customer service skills which made him to apply for the position of the Chief Officer.

- B. In response to questions put to him by Members of the Committee, Mr. Ahmed Mohamed Abdi stated as follows: -**

I. Education and experience suitability for the position nominated –
The nominee informed the Committee that he holds a bachelor degree in Business Administration (Accounting) from Kampala University, a Diploma in Medical Laboratory and that he has gained sufficient managerial experience necessary for undertaking the tasks of the Sector he has been nominated to, having been in management for over fifteen years. The Nominee stated that he worked as a banker in 2008 when the First Community Bank

was being established in the Country and that he raised in ranks to spearhead the opening of a new branch where he became a manager. He stated that the skills gained from experience makes him suitably qualified for the position nominated.

II. Why he applied for the position nominated –

The nominee informed the Committee that he has fifteen years of experience in management and that he has management skills from his work experience. He further stated that he has developed public relations and customer care skills from the experience from the bank where he interacted with people of various background. In addition, as an Assistant Director in charge of Gender, he has interacted with many people which gave him the experience to apply for the position.

III. Regarding the knowledge about the Sector and challenges bedeviling the Sector –

The nominee was able to list various departments in the Sector which include Children Welfare, Early Childhood Education, Vocational Training, Gender and Social Services. He stated that with the advancing technology, it provides all stakeholders with opportunity to advance and get employment. He cited the Education System of Finland as a progressive system. The challenges the nominee highlighted included; limited facilities for Early Childhood Education pupils, delay disbursement of funds, ratio of teacher to pupils which was at 1:30, land grabbing and encroachment land meant for Early Childhood Education and Vocational Training Centres, negative perception of the community on Vocational Training amongst others.

The nominee informed the Committee that to address some of the challenges, he will advocate for recruitment of more teacher to meet the global ratio of teacher to pupils which was at 1:15, sensitization of the community on Vocational Training, consult with the relevant land Sector to ensure all public lands meant for Early Childhood Education and Vocational Training Centres are secured and used accordingly.

On the stalled Sector projects and the Assembly Resolutions, the Nominee stated that if appointed as the Chief Officer he would engage the relevant technical officers and the County Executive Committee Member in charge of the Sector to identify the reasons for stalled projects and ensure the projects were concluded. In addition, the nominee stated that if given the opportunity, he would engage with the Committee and other relevant partners to ensure the projects were implemented.

In addition, the Nominee stated that if given the opportunity he would ensure there was timely preparation of Sector budget and consult the Committee where necessary to ensure the Sector operate seamlessly. The nominee stated that if given opportunity he would seek the Committee's support to ensure timely disbursement of the Sector funds.

IV. On the place of Children welfare in the Sector –

The Nominee stated that the children welfare was not fully devolved. However, the Sector would work in liaison with the National Government under the Directorate of Children Services to ensure the welfare children were taken care of within the County.

The Nominee stated that he had a passion for children and shared an experience on how he handled a child abuse experience. He therefore agreed with the proposal to name the Sub-Sector as; Children, Early Childhood Education and Vocational Training.

V. School feeding programme which was under Nutrition and Wellness –

the Nominee stated that it was the wisdom of the appointment authority to place the programme under the Nutrition and Wellness Sub-Sector. However, he was ready to closely work with the Department to ensure the programme was achieved.

VI. On the implementation of the Governor's manifesto to provide psychosocial support to teacher and student–

The Nominee stated that he read through the Governor's manifesto and that he would confirm whether the Sector has psychosocial counsellors and ensure that such officers are employed both for teachers and students. In addition, the nominee stated that if given the opportunity, he would engage the Ministry of Health which had an established psychosocial department.

VII. Navigating the relationship between himself and Members of the County Assembly if appointed –

The nominee informed the Committee as follows -

- a) He will learn on the workings of the County Assembly and have proper sessions with the Members of the County Assembly and Assembly Committees to build a good rapport. That he would consult the Committee from time to time where necessary.
- b) He will ensure the Sector works closely with the Assembly in delivery of its mandates by listening to the issues that may crop-up in the Sector. He assured the Committee of his availability to attend to issues of the Sector when called upon.

The Nominee stated if given the opportunity he would provide the necessary document to ensure the County Assembly undertaken its oversight, representation and legislation role. He cited the Bursary Fund which was key for the Members.

VIII. With respect to the legislative support from the County Assembly –

The nominee informed that if given the opportunity he will initiate legislative support from the County Assembly on Early Childhood Development and Education policy to integrate the Competence Based Curriculum in the County.

IX. With respect to the working relationship with the County Executive Committee Member responsible for the Sector and other officers –

The nominee stated that he would build a teamwork having worked and interacted with people from difference background. That he would consult with his supervisor from time to time and respect both the senior and junior officers from the Sub-Sector. He would create a friendly working environment for all officers.

X. Regarding pressure from family and friends seeking services and favors from the docket

The nominee stated that if given the opportunity the pressure from friends and family seeking favors would conflict of interest where he could declare and deal professionally within the given laws including stepping aside.

XI. With respect to Chapter Six of the Constitution and integrity, corruption and bribery and how he has fought it

The nominee informed the Committee he has been honest in his duties during his employment period and has zero tolerance to corruption and nepotism.

XII. With regard to rendering Community services in the County and the Country

The nominee informed the Committee that he was involved in community service while working in the banking Sector at Eastleigh where he participated in periodic feeding of street children within the area. He further stated that he was involved in fundraising drive in Northern Kenya during the drought period. In addition, the nominee informed the Committee that he was currently involved in a fundraising drive to support a school in Garissa County where due to drought students have no school uniforms and access to clean water.

XIII. With regard to what Nairobi should expect if he is appointed -

The nominee committed to ensure quality services to the residents of Nairobi City County.

The Nominee committed to honor Committee invitations. He stated that his work may not be easy without the support of the Honourable members of the Committee. The nominee stated that he was involved in drafting of Early Childhood Development and Education Meals Programme Implementation Guidelines; Early Childhood Development and Education Policy; and Gender Policy of Garissa County Government.

4.0 COMMITTEE'S OBSERVATIONS AND FINDINGS

The Committee having considered the nominee's curriculum vitae and heard his oral submissions during the vetting exercise made the following observations and findings: -

4.1 General Observations

The Committee having considered the nominee's filled Questionnaires pursuant to the Public Appointments (County Assemblies Approval) Act, 2017, his Curricula Vitae and

having heard the oral submissions during the vetting exercise made the following observations:

THAT: -

1. the nominee satisfies the requirements of Chapter Six of the Constitution of Kenya on leadership and integrity which is a requirement under Section 35(3)(c) of the County Governments Act, 2012 in that: -

The nominee had been cleared by Directorate of Criminal Investigations (DCI), Kenya Revenue Authority (KRA), Higher Education Loans Board (HELB), the Credit Reference Bureau (CRB) and the Ethics and Anti-Corruption Commission (EACC).

2. The nominee has not been charged in a Court of Law.
3. The Committee had invited Memoranda from the Public on suitability of the nominee or otherwise for appointment to public office, but none was received.

The Committee found the nominee suitable and qualified for appointment as the County Chief Officer for the Sub-Sector of Early Childhood Education and Vocational Training.

5.0 RECOMMENDATIONS

Pursuant to the provisions of Section 45 of the County Governments Act, 2012, Section 9 of the Public Appointments (County Assemblies Approval) Act, 2017, and Standing Order No. 209 (6)(f) of the Nairobi City County Assembly Standing Orders, the Committee recommends that the Assembly: -

1. **Approves** the nomination of Ahmed Mohamed Abdi for appointment as County Chief Officer for Early Childhood Education and Vocational Training Sub-Sector;
2. **THAT**, in view of the Committee's observation on the naming of Sub-Sectors, H.E. the Governor re-considers renaming of the following Sub-Sector of Early Childhood Education and Vocational Training to Children, Early Childhood Education and Vocational Training Sub-Sector to cater for the welfare of children within the County; and
3. **THAT**, the School feeding programme be moved from Wellness, Nutrition and school feeding to Early Childhood Education and Vocational Training Sub-Sector.