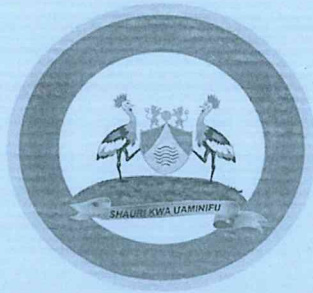


GOVERNMENT OF NAIROBI CITY COUNTY



THE NAIROBI CITY COUNTY ASSEMBLY

OFFICE OF THE CLERK

THIRD ASSEMBLY

(THIRD SESSION)



NCCA/TJ/PL/2024(22)

21ST MAY 2024

PAPER LAID

SUBJECT: REPORT OF COMMITTEE

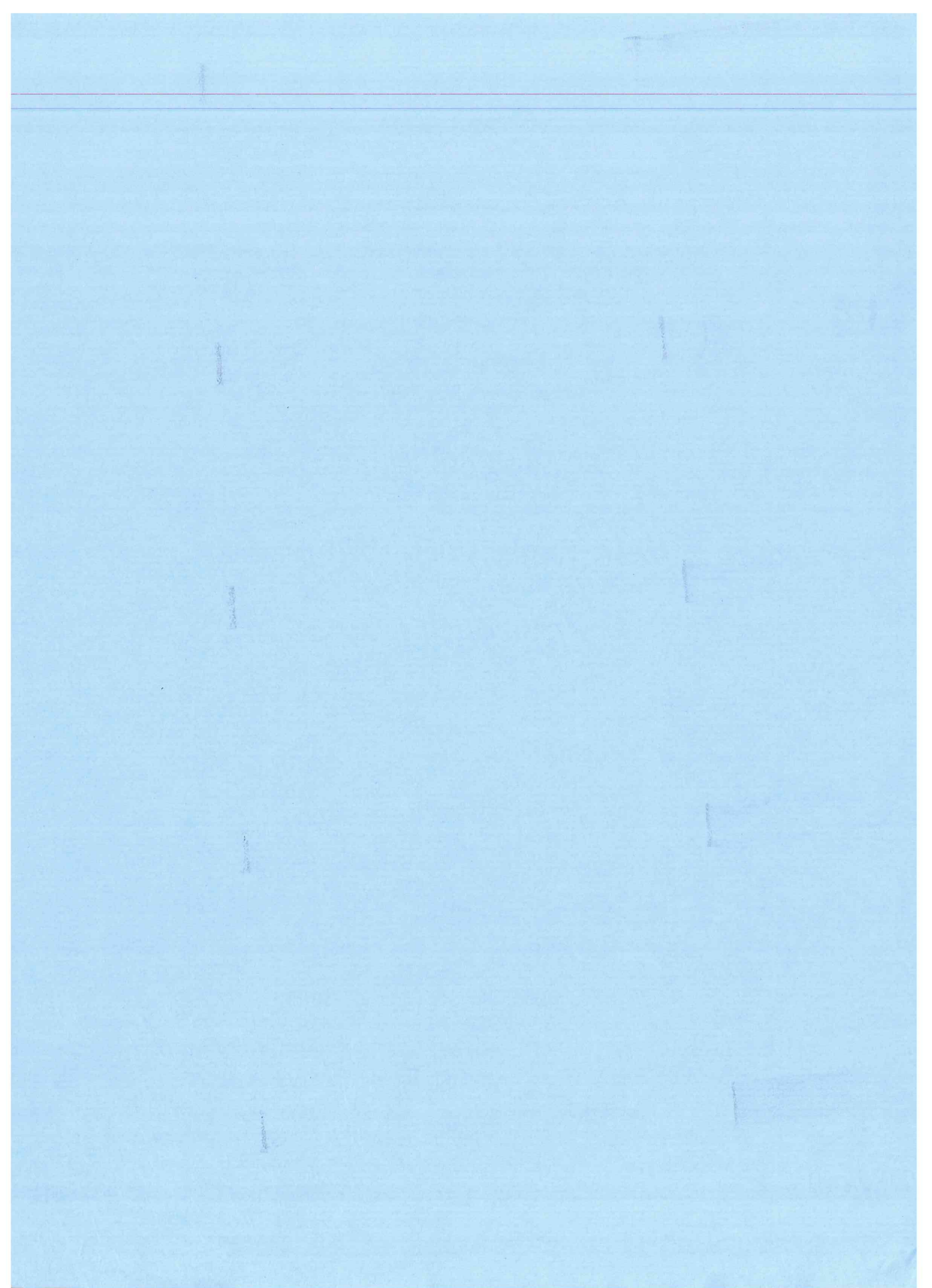
Pursuant to Section 9 of Public Appointments (County Assemblies Approval) Act, 2017; and Standing Orders 48 (4) and 209 (6)(f), I beg to lay of the following Paper on the Table of this Assembly, today Tuesday 21st May 2024:

- **THE REPORT OF THE SECTORAL COMMITTEE ON HEALTH SERVICES ON VETTING OF CHIEF OFFICER NOMINEE FOR WELLNESS, NUTRITION AND SCHOOL FEEDING.**

(Chairperson, Sectoral Committee on Health Services)

Copies to:
The Speaker
The Clerk
Hansard Editor
Hansard Reporters
The Press

*Paper laid by Hon
Maurice Ochieng
Chairperson Health
Services Committee
on 21/05/2024
21/05/2024*

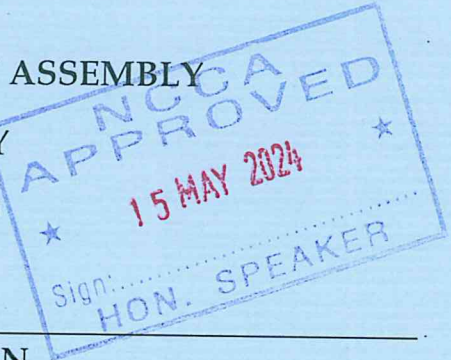


NCCA/TJ/NTC/2024(7)

GOVERNMENT OF NAIROBI CITY COUNTY



THE NAIROBI CITY COUNTY ASSEMBLY
THIRD ASSEMBLY
(THIRD SESSION)
21st May 2024



NOTICE OF MOTION

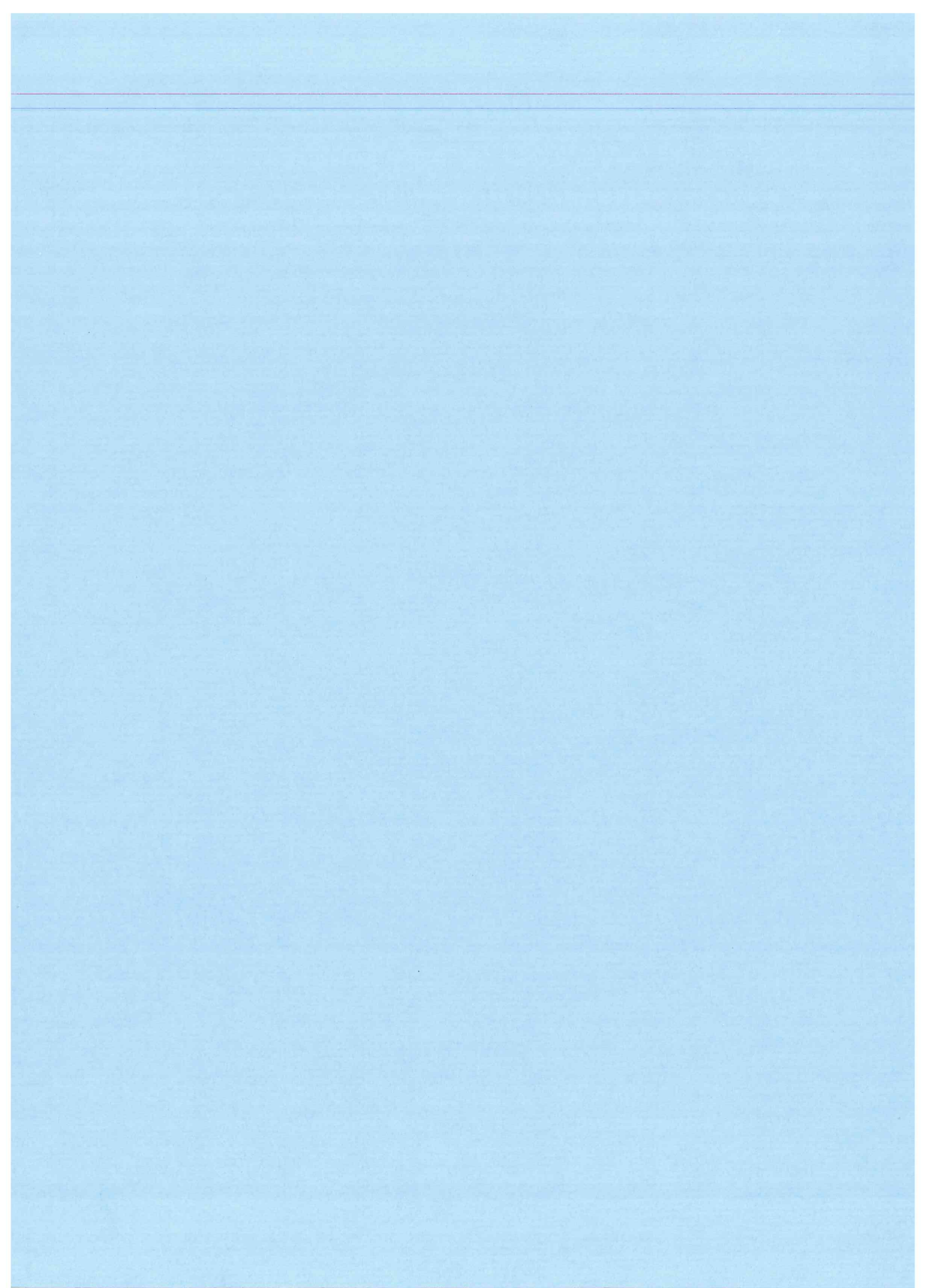
Subject: Adoption of report of a Committee

Hon. Speaker, I beg to give notice of the following motion:-

THAT, taking into consideration the findings of the Sectoral Committee on Health Services in its Report on the *Vetting of Nominee for Approval as Chief Officer*, laid on the Table of the Assembly on Tuesday, 21st May, 2024 and pursuant to the provisions of Section 45 (1)(b) of the County Governments Act, 2012; Sections 3 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017; and Standing Order 48 (4) and 209(6)(f), this Assembly **approves** the appointment of Amina Mohammed as Chief Officer for Wellness, Nutrition and School Feeding.

(Chairperson, Sectoral Committee on Health Services)

*Notice given on
21/05/2024
[Signature]
21/05/2024*



COUNTY GOVERNMENT OF NAIROBI CITY



NAIROBI CITY COUNTY ASSEMBLY
THIRD ASSEMBLY- THIRD SESSION



REPORT
OF THE SECTORAL
COMMITTEE ON HEALTH SERVICES
ON

THE VETTING OF CHIEF OFFICER NOMINEE FOR WELLNESS,
NUTRITION AND SCHOOL FEEDING PROGRAM

Clerk's Chambers
City Hall Buildings
NAIROBI

MAY, 2024

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ANNEXES

- (i) **Annexure (1)–Clearance Certificates**
 - 1) Kenya Revenue Authority
 - 2) Higher Education Loans Board
 - 3) Ethics and Anti-Corruption Commission
- (ii) **Annexure (2)**
 - 1) Minutes
- (iii) **Annexure (3) – Curricula Vitae**
 - 1) Ms. Amina Mohammed
- (iv) **Annexure (4) – Correspondences**
 - 1) Ethics and Anti-Corruption Commission

1.0 PREFACE

1.1. Committee Mandate

Hon. Speaker,

The Sectoral Committee on Health Services is one of the Committees of the Nairobi City County Assembly established under Standing Order 209 (1) whose mandate, pursuant to the Standing Order 209 (6) is to, among others;-

- 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 programmes 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 its 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) 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): and*
- g) Make reports and recommendations to the County Assembly*

The Committee is also mandated to deal with all matters related to health services, including, in particular County health facilities and pharmacies, ambulance services, promotion of primary health care, licensing and control of undertakings that sell food to the public, veterinary services (excluding regulation of the profession), cemeteries, funeral parlours and crematoria.”

1.2 Committee Membership

Hon. Speaker,

The Committee on Health Services was constituted by the Assembly on Thursday 27th October, 2022 comprising of the following Members:-

1. Hon. Maurice Ochieng, MCA - Chairperson
 2. Hon. Lily Akoth Kidenda, MCA – Vice Chairperson
-
3. Hon. Emily Oduor, MCA
 4. Hon. Doreen Mugambi, MCA
 5. Hon. Chege Mwaura, MCA
 6. Hon. Patrick Karani, MCA
 7. Hon. Evans Nyangicha, MCA
 8. Hon. Benter Obiero, MCA
 9. Hon. Ami Perez, MCA
 10. Hon. Dabar Ahmedqadar, MCA
 11. Hon. Cyrus Mugo, MCA
 12. Hon. Hellen Awuor, MCA
 13. Hon. Antony Maragu, MCA
 14. Hon. Fatuma Abdiwahid Abey, MCA
 15. Hon. Naomi Kerubo Bosire, MCA
 16. Hon. Grace Kaheti, MCA
 17. Hon. Stephen Mugo Kimani, MCA
 18. Hon. Chris Mtumishi, MCA
 19. Hon. Patrick Macharia, MCA
 20. Hon. Martin Mbugua, MCA
 21. Hon. Lidya Akoth, MCA
 22. Hon. Davidson Ngibuini, MCA
 23. Hon. Kame Adano, MCA

1.3 Message from His Excellency the Governor

Hon. Speaker,

Pursuant to Article 179(2) (b) of the Constitution and Section 45 (a) and (b) of the County Governments Act, 2012, **H.E. the Governor, Hon. Arthur Johnston Sakaja** vide a letter dated 16th April, 2024 forwarded to the Speaker of

the Nairobi City County Assembly, the name of **Ms. Amina Mohamed** for vetting and approval by the County Assembly for appointment as Chief Officer responsible for the Wellness, Nutrition and School Feeding Program as follows:

1.4 Committal to Committee on Health Services

Hon. Speaker,

Pursuant to Standing Order 43(1), on 17th April, 2024 the Honorable Speaker informed the Assembly that he had received the notification of the Chief Officer nominations. The notification of one (1) nomination for the position of Wellness, Nutrition and School Feeding Program was therefore referred to the Sectoral Committee on Health Services 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 (*hereinafter referred to as "the Act"*).

Subsequently, the Clerk of the County Assembly placed an advertisement in the in the local dailies, specifically the Daily Nation Newspaper on Tuesday 23rd April, 2024, inviting the public to submit memoranda by way of written statements on oath (sworn affidavits) on the suitability or otherwise of the nominees in conformity with Section 7(10) of the Act.

1.5 Committee Meetings

Hon. Speaker,

The nominee appeared before the Committee on Monday 6th May 2024 and was vetted in accordance with the provisions of the Constitution, Public Appointments (County Assemblies Approval) Act, 2017, and the County Assembly Standing Orders on her suitability for appointment to the position of Chief Officer. In total, the Committee held four Sittings in consideration of this matter.

1.6 Acknowledgement

Hon. Speaker,

May I take this opportunity to thank 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 of the County Assembly for the logistical 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. The Committee is also grateful to the media for their coverage of the proceedings of the Committee, thus enhancing accountability and transparency of the vetting exercise.

Finally, on behalf of the Sectoral Committee on Health Services, it is my pleasure and duty to present to the Assembly, the Committee's Report on the vetting of the nominee for appointment to the position of Chief Officer for adoption pursuant to the Standing Orders of the County Assembly and other enabling provisions of the Law.

Thank you.

Signed 

Hon. Maurice Ochieng, MCA
(Chairperson)
Sectoral Committee on Health Services

Dated this 21 day of MAY 2024

2.0. BACKGROUND

2.1 Mandate of the Sectoral Committee on Health Services

The Sectoral Committee on Health Services is one of the Committees established under Standing Order No. 209 and is mandated amongst others 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. Arthur Johnson Sakaja to nominate persons recommended by the County Public Service Board and with the approval of the County Assembly, appoint County Chief Officers.

Additionally, Section 10(1) of the Public Appointments (County Assemblies Approval) Act, 2017 (No. 5 of 2017) provides thus:-

“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 Chief Officer Nominee

Section 45 of the County Governments Act, 2012, provides for the Governor’s power to appoint County Chief Officers, with the approval of the Assembly.

A letter from the Office of the Governor dated 16th May 2024, 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. Arthur Johnson Sakaja had nominated one nominee to be considered for approval by the County Assembly for appointment as Chief Officer of the Wellness, Nutrition and School Feeding Program. On Wednesday, 17th April, 2024, the Honourable Speaker in a Message to the Assembly informed the Assembly that his office had received the names of the nominees, and directed that the names of the said nominees be referred to the relevant Sectoral Committees 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(No. 5 of 2017).

2.3 Notification to the Public

Section 7 (5) and 10 of the Public Appointments (County Assemblies Approval) Act, 2017 respectively provides that-, *“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”* and *“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”*.

Pursuant to the above provisions of the law, the Clerk of the County Assembly placed an advertisement in the in the local dailies, specifically the Daily Nation Newspaper on Tuesday 23rd April, 2024 inviting the public to submit memoranda by way of written statements on oath (sworn affidavits) on the suitability or otherwise of the nominees. At the close of business on Tuesday 30th April, 2024, no memoranda contesting the suitability of the nominees had been received from the public.

In accordance with the provisions of Article 196 of the Constitution and section 7(5) of the Public Appointments (County Assemblies Approval) Act, the general public was also notified in the local dailies by the Clerk of the County Assembly of the intention of the Committee on Health Services to conduct the vetting and approval hearing of the nominee on Monday, 6th May, 2024.

2.4 Clearance Requirements

To ensure compliance with the provisions of Chapter 6 of the Constitution, the nominees were asked to submit their clearance status with the following institutions for the vetting exercise –

- a) Kenya Revenue Authority (KRA)
- b) Criminal Investigation Department (CID)
- 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) Matters touching on integrity;
- b) Tax compliance;
- c) Loan repayments; and
- d) Presence or absence of criminal records.

The nominee had clearance certificates from Higher Education Loans Board (HELB), Ethics and Anti-Corruption Commission (EACC), Tax compliance, Criminal Investigation Department and from Credit Reference Bureau. (See annexure1)

3.0 VETTING OF THE CHIEF OFFICER NOMINEE

In conducting the vetting process, the Sectoral Committee on Health Services examined the nominee against the following criteria, amongst others, as set out in the Public Appointments (County Assemblies Approval) Act No. 5 of 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 Monday, 6th May, 2024, at 10.00am, at the Committee Room 6, Assembly Precincts, City Hall Buildings, the Committee conducted face to face interview for the Wellness, Nutrition and School Feeding Program nominee. The minutes of the vetting proceedings are attached to this report.

3.1 APPEARANCE BEFORE THE COMMITTEE BY MS. AMINA MOHAMED- CHIEF OFFICER NOMINEE FOR THE WELLNESS, NUTRITION AND SCHOOL FEEDING PROGRAM

The Chief Officer nominee for the Wellness, Nutrition and School Feeding Program, Ms. Amina Mohammed, appeared before the Committee on Monday, 6th May, 2024 at

11.30am and was informed by the Chairperson that in line with the provisions of the Public Appointments (County Assemblies Approval) Act No. 5 of 2017 the Committee had invited submissions from the Public on her suitability or otherwise for appointment to Public office, and none had been received by close of business on Tuesday 30th April, 2024.

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

A. With respect to self-introduction, knowledge, experience and qualification, the nominee informed the committee that;

- a) She was born on 6th August 1986;
- b) She is currently a Customer Experience Officer at the Kenya Power and Lighting Company (KPLC);
- c) She worked previously as a Nutrition Officer at the Kenya Red Cross Society, Tana River Branch from May 2014 to January 2015;
- d) The nominee worked as a Nutrition Officer from July 2012 - February 2013 at International Medical Corps, Dadaab Refugee Camp;
- e) She worked with the Save the Children International, Wajir as a Nutrition Officer from August 2011 – May 2012;
- f) She worked with Horn Consult Firm as a Nutrition Evaluator from May to August 2011;
- g) She worked as an Nutrition intern at Kenyatta National Hospital from May to July 2010 and Kenya Red cross Society respectively;
- h) The nominee holds a Bachelor of Science in Food, Nutrition and Dietetics from University of Kenyatta from 2007 to 2011; and
- i) She has attained Certificates in Institute of Software Technologies, Infant & Young Child Feeding, integrated Management of Acute Malnutrition and conducted a Nutrition survey and is a member of the Kenya Nutritionists and Dieticians Institute (KNDI)

B. In response to questions put to her by Members of the Committee, Ms. Amina Mohammed stated as follows:-

I. With respect to his suitability for the Position Nominated –

The nominee stated as follows –

That she:

- a. Has over 12 years of experience as a Nutritionist and successfully managing various integrated Health and Nutrition projects;
- b. Has developed training curriculum for nutrition educators in the communities she worked; and
- c. Has demonstrated leadership skills in various stations worked;

II. Why she applied for the position nominated -

The nominee mentioned that;

- a. She is conversant with the work she applied for and has capacity and skills to undertake the task given her resulting from her experience while working as a nutritionist; and
- b. She has desire to serve the people of Nairobi.

III. With respect to Challenges she expects to meet in the docket, and how she will address them -

The nominee stated that –

- a. She will prioritize wellness and school feeding Sector and promoting the health nutrition of Nairobi's school going children;
- b. School Feeding Program is a new program introduced by H.E, the Governor and has teething problems with its policies and regulations. She stated that she will ensure that the correct guidelines, policies and frameworks will be put in place to facilitate the implementation of the program;
- c. Will work with donors and stakeholders to ensure the School feeding budget is supplemented for to cater for the program by coming up with alternative programs that will accurately capture the target population so that every child received necessary support; and

- d. Train the staff in the docket so that they can understand the roles and responsibilities of the Sector as well as spearhead the program implementation.
-

IV. With respect to understanding the responsibilities of a Chief Officer who is an accounting officer

The nominee stated that it is the duty of the Chief Officer to oversee the day to day activities of the Sector, approve documents and formulate budget related documents, plans and ensure they are in line with the law.

V. Regarding navigating the relationship between herself and Members of the County Assembly if appointed-

- a. The nominee stated that she will cultivate a close working relationship with the Members of the Assembly, especially the Sectoral Committee on Health Services that oversees the Wellness, Nutrition and School Feeding Program department generally and will offer them training on the activities in the program; and
- b. Ensure issues raised are sorted amicably between the Members of the County Assembly and her office.

VI. With respect to support she sees as priority in her docket which she would want the Assembly to consider -

The nominee noted that -

- a. She will respect the role of the County Assembly to oversight, make laws and approve policy and budget plans; and
- b. If there are matters which require legislation, she will look at the gaps and seek support accordingly from the Assembly.

VII. With respect to her Net worth -

The nominee mentioned that her net worth of 8 million declared was overall wealth that she had accumulated for the years she had worked including investment in cows, goats and camels.

VIII. With respect to dealing with Pressure from work–

The nominee mentioned that she would act professionally and within the confines of the law in dealing with pressures and having worked with the Kenya Power and Lighting Company as a Customer Service Officer, she has dealt with complaints of all nature and pressures.

IX. Demonstrated adherence to ethics and integrity – presently under Chapter Six of the Constitution -

The nominee stated as follows -

- a. She has always been guided by integrity values in the over 10 years of working no issues have been raised or pointed on indiscipline issues;
- b. That she is a honest, diligent and hardworking;
- c. She is open and ready to embrace any ideas presented to her by leaders or her fellow colleagues;
- d. Will offer timely and offer effective services by serving residents of Nairobi with equal opportunities; and
- e. Would be ready to resign or implicated in any action that is not beneficial to the residents of Nairobi

X. With respect to what residents of Nairobi expect from her should this Assembly approve her nomination-

The nominee stated that she will work as expected and ensure she delivers the services to the residents under her docket.

Therefore, the Committee found the nominee suitable for appointment as Chief Officer of Wellness, Nutrition and School Feeding Program having met both the Constitutional and the statutory requirements.

4.0 COMMITTEE'S OBSERVATIONS AND FINDINGS

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

4.1 General Observations

~~The Committee having considered the nominees' filled Questionnaires pursuant to the~~
Public Appointments (County Assemblies Approval) Act, 2017, her Curricula Vitae and having heard 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:-
 - a) The nominee was cleared by the Ethics and Anti-Corruption Commission (EACC), Directorate of Criminal Investigations (DCI), Kenya Revenue Authority (KRA), Higher Education Loans Board (HELB) and the Credit Reference Bureau (CRB).
 - b) The nominee has not been charged in a Court of Law.
 - c) The nominee does not exhibit a potential conflict of interest.
2. The nominee met the requirements of Section 35(3) (d) since they exhibited impressive knowledge of topical issues touching on the respective dockets and have the requisite abilities, qualifications and experience.

A summary of the Committee's specific observations for the nominee is highlighted as follows:-

4.2 MS. AMINA MOHAMED- CHIEF OFFICER NOMINEE FOR THE WELLNESS, NUTRITION AND SCHOOL FEEDING PROGRAM

- a. She was born on 6th August 1986;
- b. She is currently a Customer Experience Officer at the Kenya Power and Lighting Company (KPLC);
- c. She worked previously as a Nutrition Officer at the Kenya Red Cross Society, Tana River Branch from May 2014 to January 2015;
- d. The nominee worked as a Nutrition Officer from July 2012 - February 2013

- at International Medical Corps, Dadaab Refugee Camp;
- e. She worked with the Save the Children International, Wajir as a Nutrition Officer from August 2011 – May 2012;
 - f. She worked with Horn Consult Firm as a Nutrition Evaluator from May to August 2011;
 - g. She worked as a Nutrition intern at Kenyatta National Hospital from May to July 2010 and Kenya Red cross Society respectively;
 - h. The nominee holds a Bachelor of Science in Food, Nutrition and Dietetics from University of Kenyatta from 2007 to 2011;
 - i. She has attained Certificates in Institute of Software Technologies, Infant & Young Child Feeding, integrated Management of Acute Malnutrition and conducted a Nutrition survey and is a member of the Kenya Nutritionists and Dieticians Institute (KNDI);
 - j. The nominee confirmed that she is a residence of Nairobi and has the skills and capacity to handle the Wellness, Nutrition and School Feeding Program docket from her working experience and training;
 - k. Has never been charged in a Court of Law, has no potential conflict of interest, and has fully complied with his tax obligation and other relevant clearances from state agencies as required; and
 - l. She 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.

6.0. RECOMMENDATIONS

Pursuant to Article 179(2) (b) of the Constitution, Section 35 of the County Governments Act, 2012, Section 9 of the Public Appointments (County

THAT, this Assembly approves **Ms. Amina Mohammed** for appointment by H.E. the Governor as Chief Officer Chief Officer for Wellness, Nutrition and School Feeding Program.