

REPUBLIC OF KENYA



BOMET COUNTY ASSEMBLY

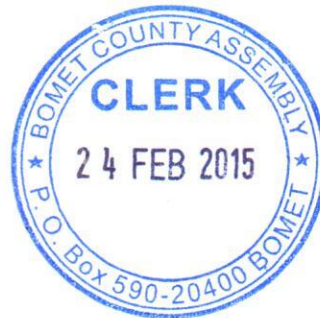
FIRST ASSEMBLY-THIRD SESSION

REPORT OF
GENDER CULTURE AND SOCIAL SERVICES

THE VETTING OF THE CHIEF OFFICER FOR SOCIAL SERVICES

BOMET COUNTY

FEBRUARY, 2015



*Filed on
24/2/2015
Clerk*

Report for Vetting of the Chief Officer Social Services

Table of Contents

1.0 PREFACE.....	4
2.0 ACKNOWLEDGMENT.....	5
3.0 Committee Membership.....	6
4.0 Ownership of the Report	7
5.0 Committee’s Mandate	8
6.0 Nomination of the Chief Officer for Social Services	9
Committee Meetings on Vetting	10
6.2 Establishment of Gender Culture and Social Services.....	10
6.3 Appointment Process of the Chief Officer for Social Services.....	10
6.4 Vetting of the Chief Officer of Social Services.....	12
6.5 Hellen C Baliach: County Chief Officer for Social Services	12
In her oral submission she stated that;.....	13
i) Academic Qualifications.....	13
ii) Professional Training	13
iii) Employment Record.....	13
iii) Potential Conflict of Interest	14
iv) Overall Suitability for the Position	14
v) Knowledge of the Relevant Field	14
vi) Tax Compliance.....	14
vii) Integrity.....	14
7.0 COMMITTEE’S OBSERVATIONS	15
8.0 COMMITTEE’S RECOMMENDATIONS.....	16

(i) Appendix (1) –Correspondence

- Kenya Revenue Authority
- Higher Education Loans Board
- Ethics and Anti-Corruption Commission
- Education Certificates and Credentials
- Other Documents as requested by the committee

(ii) Appendix (2)

Minutes

(iii) Appendix (3) – Curriculum Vitae

- Annex (1)- Hellen Chepkoech Baliach

(iv) Appendix (4)- Questionnaire for vetting/approval as submitted to the County Assembly by the Nominee

1.0 PREFACE

Mr. Speaker Sir,

The Social Services has not had a Chief Officer since the County Government came into force. Pursuant to section 45 (1) of the County Government Act, 2012 on the appointment of county chief officers, the Governor shall:-

(a) Nominate qualified and experienced county chief officers from among persons competitively sourced and recommended by the County Public Service Board; and (b) with the approval of the county assembly, appoint county chief officers.

Section (3) describes the role of a County chief officer who shall be responsible to the respective county executive committee member for the administration of a county department as provided under section 46.

Mr. Speaker Sir,

On behalf of the Members of the Gender Culture and Social Services Committee and pursuant to the provisions of Standing Order No. 193 (5) (f), it is my pleasure and duty to present to the Assembly, the Committee's Report on the vetting of the Bomet County Chief Officer of Social Services

KNOWLEDGMENT

Speaker Sir,

ould like to thank the Members of the Gender Culture and Social Services for their
ation, commitment, integrity and valuable contributions in carrying out the vetting

ould also wish to express my gratitude to the office of the Speaker and Clerk of the
ity Assembly and also the staff for their effort and support during ther process

Speaker Sir,

behalf of the Gender Culture and Social Services Committee, it is therefore my
urable duty and privilege to table ther Report and recommend it to the House for
ation.



.....
THE CHAIR HON.WILLIAM MOSONIK

CHAIRPERSON, GENDER, CULTURE AND SOCIAL SERVICES

TE..... 24/02/15.....

3.0 Committee Membership






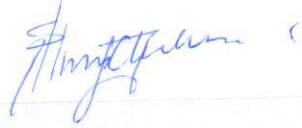



Mr. Speaker Sir, the County Assembly Gender Culture and Social Services Committee as currently constituted comprises of the following Members:

NAME	DESIGNATION
1. Hon. William Mosonik, MCA	Chairperson
2. Hon. Rose Boiyon, MCA	V/Chairperson
3. Hon. Taplelei Rotich, MCA	Member
4. Hon. David Rotich Big Five, MCA	Member
5. Hon. Hellen Chepkirui, MCA	Member
6. Hon. Sammy Chelule, MCA	Member
7. Hon. Samwuel Bor, MCA	Member
8. Hon. Julius Korir, MCA	Member
9. Hon. Reuben Langat, MCA	Member

4.0 Ownership of the Report

Mr Speaker Sir,

On behalf of the Members of County Assembly Committee on Gender Culture and Social Services we do append our signatures confirming that we as a committee sat and undertook the agenda therein and we unanimously agree with the contents of the report.

NAME	DESIGNATION	SIGNATURE
1. Hon. William Mosonik	Chairperson	
2. Hon. Rose Boiyon	V/Chairperson	
3. Hon. Taplelei Rotich	Member	
4. Hon. David Rotich Big Five	Member	
5. Hon. Hellen Chepkirui	Member	
6. Hon. Sammy Chelule	Member	
7. Hon. Samwuel Bor	Member	
8. Hon. Julius Korir	Member	
9. Hon. Reuben Langat	Member	

5.0 Committee's Mandate

Mr. Speaker Sir,

County Assembly Sectoral committee draws its mandate from County Assembly standing orders no.193 which state that the mandate of Sectoral Committee in respect of the subject matter assigned under the Second Schedule of these Standing Orders shall only be exercised within the limits contemplated under part 2 of the Fourth Schedule to the Constitution.

Mr. Speaker Sir,

Functions, roles and duties of the Committee

The functions and roles of the Committee is drawn from no.193 (5) 1 and 2 and which shall be to:

- (a) Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned department.
- (b) Study the programme and policy objectives of departments and the effectiveness of the implementation.
- (c) Study and review all County Legislations referred to it
- (d) Study, assess and analyse the relative success of the departments as measured by 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 187.

Mr. Speaker Sir,

The subject areas on the committee are as follows:-

The committee on Gender Culture and Social Services is mandated as per the standing order number 190 to deal with child care facilities, all matters related to cultural activities, public entertainment and public amenities, including betting, casinos and other forms of gambling, racing liquor licensing, cinemas, video shows and hiring, libraries, museums and cultural activities as well as facilities and county parks, beaches and recreation facilities. They are also mandated in controlling drugs and pornography.

Standing Order No. 193 (5) (f) provides that a Sectoral Committee shall, **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)**

6.0 Nomination of the Chief Officer for Social Services

Mr. Speaker Sir,

Pursuant to Section 45 of the County Government Act, 2012, The Governor, via office of the County Attorney, forwarded to the Clerk of the Bomet County Assembly, the name of the following nominee for Social Services for consideration and approval by the Bomet County Assembly for appointment as the Bomet County Chief Officer for Social Services:-

Nominee	Department
Hellen Chepkoech Baliach	Social Services

On Tuesday, 10th February 2015, the names of all nominees for the position of County Chief Officers were all tabled, with their Curriculum Vitae directed and referred to the relevant sectoral committees including the Committee on Gender Culture and Social Services. An advert was placed in the Standard Newspaper on Thursday, 12th February, 2015 inviting the public to submit any information/memorandum/petition that may have a bearing on the selection of the candidates by Thursday 18th February, 2015.

The public was expected to participate in the vetting process through the submission of memoranda (affidavit) on the suitability or otherwise of the nominee. However, no memoranda were received from the public.

Mr. Speaker Sir,

The nominee submitted copies of the following documents on 18th February 2015:-

- I. Curriculum Vitae/ Personal credentials/ academic certificates
- II. Clearance certificate from the Ethics and Anti-Corruption Commission
- III. Compliance Certificate from Kenya Revenue Authority (KRA)
- IV. Clearance Certificate from the Higher Education Loans Board (HELB)
- V. Certificate of Good Conduct from Criminal Investigation Department (CID)

Committee Meetings on Vetting

The Committee held one sitting on 20th February 2015 in which Hellen C Baliach appeared before the committee and was vetted in accordance to the provisions of the County Government Act 2012 and Appointment Approval Act No. 7, 2014 for appointment as Chief Officer for Social Services.

6.2 Establishment of Gender Culture and Social Services

Mr. Speaker Sir,

The Committee is one of the Sectoral Committees established under Standing Order No. 191. The function vetting by the committee is stipulated under Standing Order 191(5) with the mandate to consider for approval by the House, appointment of the Chief Officer for Social Services. The said provision as well as the County Government Act requires H.E. the Governor to nominate and with the approval of the County Assembly, appoint the Chief Officer for Social Services .It is important to note that Section 7(10) of the Public Appointments (Parliamentary Approval) Act 2011 *provides that, "where the nomination of a candidate is rejected by the County Assembly, the appointing authority may submit another nominee to the Assembly for vetting and approval accordingly"*

6.3 Appointment Process of the Chief Officer for Social Services.

Pursuant to Article 235(b) of the Constitution and section 45 of the County Government Act 2012, the Governor, through the County Attorney, forwarded to the Clerk of the County Assembly, the name of the nominee vide a letter dated 30th January 2015 for approval by the County Assembly as the Chief Officer for Social Services.

On 10th February 2015, the Hon. Speaker in communication to the House, informed the House that the Clerk of the County Assembly, had received the name of the nominee and directed that the name and Curriculum Vitae of the said nominee be referred to the Gender

Culture and Social Services Committee for vetting and reporting to the House within 21 days from the day it was committed to the committee.

Pursuant to Section 6(8) of the Bomet County Public Appointments (Assembly Approval) Act, 2014 “*an approval hearing shall focus on a candidate’s academic credentials professional training and experience, personal integrity and background*” Section 6(9) of the same acts states that “*the criteria specified in the first schedule shall be used by a committee during an approval hearing for the purposes of vetting a candidate*”

Mr. Speaker Sir,

Section 7 of The Bomet County Public Appointments (Assembly Approval) Act, 2014 further recommends that the issues for consideration by the Assembly in relation to any nomination shall be-

(a) The procedure used to arrive at the nominee;

(b) Any constitutional or statutory requirements relating to the office in question; and the suitability of the nominee for the appointment proposed having regard to whether the nominee’s abilities, experience and qualities meet the needs of the body to which nomination is being made.

Mr. Speaker Sir,

The public was expected to participate in the vetting process through submission of memoranda (affidavits) on the suitability or otherwise of the nominee. On 12th February 2015, the Clerk of the County Assembly placed a notice in the Standard Newspaper inviting the public to submit memoranda by Wednesday 18th February, 2015 on the suitability of the nominee or otherwise. A public notice was also placed on notice boards in wards around the County pursuant to The Public Appointments (BometCounty Assembly) Act 2014. However, no memorandum was received from the public.

6.4 Vetting of the Chief Officer of Social Services

In conducting the vetting process, the Gender Culture and Social Services Committee examined the nominee against the following criteria, amongst others, in accordance with the -Bomet County Public Appointments (Assembly Approval) Act No. 7 of 2014.

Academic Qualifications

Employment record

Professional affiliations

Potential conflict of interest

Knowledge of the relevant field

Overall suitability for the position

Tax compliance

Integrity

During its Sitting held on Friday 20th February 2015 at the Assembly Launch the Committee orally interviewed the nominee for appointment as the Bomet County Chief Officer for Social Services.

6.5 Hellen C Baliach: County Chief Officer for Social Services

Hellen C Baliach appeared before the Committee on Friday 20th February, 2015. After introductions, the Chairperson informed the nominee that despite inviting memoranda from the public, on her suitability or otherwise for appointment to public office, none was received and that the vetting process was strictly guided by the law and more specifically, the Constitution of Kenya, the County Government Act as well as Bomet County Public Appointments (Approval) Act, 2014

In her oral submission she stated that;

- I. She would give technical advice in the Gender Culture, Children and Social Services
- II. She said that she has passion to work for Bomet County
- III. She would empower PWDs and persons affected or infected with HIV/AIDS
- IV. She would ensure equity and fairness and encourage gender mainstreaming
- V. She would Make sure that the County Government is getting its value for money through integrated planning for social services
- VI. She would ensure that her department is well integrated with other portfolios e.g. Health
- VII. She would ensure that social halls are renovated and they will boost revenue to the county

i) Academic Qualifications

- She recently attained Masters Degree in Applied Human Nutrition at University of Nairobi, Kenya
- She graduated in Bachelor of Science in Home Economics with Education (Foods and Nutrition) at the University of Eastern Africa Baraton

ii) Professional Training

- She is a registered professional member of Kenya Nutritionist and Dietician Institute (KNDI) and also the chairperson Nutrition Welfare Association

iii) Employment Record

- She was serving as acting director in Social Services Department in Bomet County
- She has served as a Senior Assistant Director in charge of Public Health and Nutrition in Bomet County
- She served as an Assistant Chief Nutrition Officer in charge of specialized units, having worked in surgical, orthopaedic, diet kitchen and obstetrics and gynecology wards in Kenyatta National Hospital
- She has served as a resource person in Nutrition Education at KASSFM International and Chamkei FM, Family TV.

iii) Potential Conflict of Interest

There were no areas that could create any potential conflict of interest according to the filled questionnaire and returned by the Nominee

iv) Overall Suitability for the Position

- Has knowledge and experience in the field of Social Services having worked as an acting director in the department of Social Services.
- The nominee submitted academic credentials to the Committee that proved she was qualified for the position despite having done health related courses.

v) Knowledge of the Relevant Field

- She had knowledge, skills and experience in leadership and management having led the department of Public Health appropriately
- She was also conversant with roles of counties, laws and policies related to Social Services

vi) Tax Compliance

She had fully complied with all her tax obligations.

vii) Integrity

She had no integrity issues and provided a police clearance certificate to substantiate them. She was a beneficiary of the Higher Education Loans Board Scheme but the clearance certificate shows she has repaid in full the principal loan and interest. In addition, the nominee did attach a copy of a Certificate from the ethics and Anti-Corruption Commission and Certificate of Clearance from Metropol Credit Reference Bureau. Therefore, she had fully complied with the laid down requirements of being appointed to the said position.

After conducting the oral interview of the nominee on Friday 20th February, 2015 the Committee dedicated the next sitting to scrutiny of the nominee's oral submissions (Curriculum Vitae and Certificates) with the goal of establishing her suitability for appointment as the Chief Officer for Social Services and observed the following:-

7.0 COMMITTEE'S OBSERVATIONS

The Committee made the following observations in regard to the general suitability of the nominee to be appointed as Chief Officer for Social Services

That:-

- i. Hellen C Baliach understands the challenges Bomet County faces in provision of social services i.e. delay in payment of old age and PWDs. She said she would come up with a single registry and keep continuous records and use the EPSS software and even go ahead to approach sponsors like NGOs to fund some programs in the department.
- ii. She understands what she is expected to do in the County department of Social Services. She said she is expected to manage the department and use the system planning and ensure policies pending are done.
- iii. She is well versed with skills on leadership and management which she said would enable her offer advisory services to the C.E.C Social Services
- iv. She applied and was interviewed for the position of Chief Officer Health and Sanitation but nominated for the position of Chief Officer Social Services. Despite that she was still well versed with issues to do with social services having worked as the acting director in social services department
- v. She was very articulate on the interview questions, confident and has good communication skills.
- vi. She was conversant with her expected mandate/ roles.
- vii. She would serve in the post for the required period.
- viii. Hon Julius Korir and Hon Sammy Chelule had a descending opinion that the candidate was not suitable because she had applied for the position of Chief Officer Health and Sanitation and was interviewed for that position but nominated for the position of Chief Officer Social Services

8.0 COMMITTEE'S RECOMMENDATIONS

“Mr. Speaker Sir, in conclusion and pursuant to the provisions of Section 45 (1) (b) of the County Government Act 2012, BometCounty Public Appointment and Approval Act No. 7 2014, and Standing Order No. 191 (5) (f) the Gender Culture and Social Services recommends that:-

(i) Based on the vetting process followed the committee found that the **Nominee was suitable for the appointment as a Chief Officer for Social Services.**

(ii)The County Assembly adopts the Report of the Gender Culture and Social Services on the vetting of Hellen Chepkoech Baliach to be appointed as the Chief Officer for Social Services Department in the BometCounty”.