

COUNTY GOVERNMENT OF GARISSA



**COUNTY ASSEMBLY GARISSA
THIRD COUNTY ASSEMBLY- THIRD SESSION**

**COMMITTEE ON APPOINTMENT
REPORT ON THE VETTING AND CONSIDERATION OF THE NOMINEE OF THE
SECRETARY/ CEO TO THE GARISSA COUNTY PUBLIC SERVICE BOARD.**

**DIRECTORATE OF COMMITTEE SERVICES
CLERK'S CHAMBER
ASSEMBLY BUILDINGS, GARISSA**

JANUARY 2024

TABLE OF CONTENTS

FOREWORD	3
1.0 COMMITTEE MEMBERSHIP	4
1.1. Establishment of the Committee.....	4
1.2. Members of the Committee.....	4
1.3. Committee secretariat.....	5
1.4 Introduction	5
1.5 Notification to the County Assembly.....	6
1.6 Notification of the nominee and the Public.....	6
1.7 Vetting of the Nominee	7
1.8 COMMITTEE MEETINGS.....	8
1.9 Committee general observation on the nominee qualification, experience and suitability	8
2.0 Committee Proceedings: -Oral Submissions	11
2.1. Submissions during committee proceedings	12
4.0 Committee Recommendations	14
5.0 REPORT ADOPTION LIST (ANNEX I).....	15
6.0 Annexures	16
Annex I: Report adoption List.....	16
Annex ii: Letter from the Governor forwarding the nominee.....	16
Annex iii: Advert inviting nominee for vetting.....	16
Annex iv: Adoption Minutes.....	16

FOREWORD

Hon. Speaker sir,

On 15th November 2023, the County Assembly of Garissa received a nomination letter from the County Secretary on behalf of H.E the Governor, pursuant to Section 58A (7) of the County Government Act No. 17 of 2012 as read with section 6 of the Public Appointment (County Assembly Approval) Act, 2017. The letter contained the nomination of **Ms. Rakia Farah Ibrahim** for consideration by the County Assembly for appointment as Secretary/CEO of the Garissa County Public Service Board.

On 18th January 2024, the Committee on Appointment proceeded with the vetting process for the nominee, Rakia Ibrahim, for the position of Secretary/CEO of the Garissa County Public Service Board. During the vetting, the nominee appeared before the committee and presented all necessary documentation for review. The Committee meticulously evaluated the nominee's qualifications and suitability in alignment with the stipulations outlined in Section 58 (1)(c) and (3)(1) and 58 (7) of the County Government Act No. 17 of 2012.

Following a comprehensive vetting process, the Committee has ascertained that Ms. Rakia Ibrahim has not only met but exceeded the requirements set forth in the Act. The nominee demonstrated exceptional competence and proficiency, scoring well above the designated pass mark during the vetting process. Therefore, the Committee recommends the appointment of Rakia Ibrahim as the Secretary/CEO of the Garissa County Public Service Board by the Governor.

Signed

HON: ABDI IDLE GURE

CHAIRPERSON OF THE COMMITTEE ON APPOINTMENTS

Dated this.....day.....2024

1.0 COMMITTEE MEMBERSHIP

1.1. Establishment of the Committee

Hon. Speaker sir,

The Committee on Appointments was constituted on Wednesday, 29th November 2023 during the second Session of the third County Assembly pursuant to the provisions of Standing Orders 185 (1) (Amended). The Committee executes its mandate in accordance with the provisions of Standing Order 185 (4), from which it draws its mandate to consider, for approval by the County Assembly, appointments under Articles 179(2) (Members of County Executive Committees and that of the County Attorney who have the status and rank of a member of the county executive committee and any other relevant appointment committed to it by the Assembly.

1.2. Members of the Committee

Hon speaker sir,

The Committee on Appointments Comprises of the Following Members as constituted by the county Assembly pursuant to Standing order 185: -

1. Hon.Abdi I. Gure	Chairperson
2. Hon Mustafa Abdirashid	Member
3. Hon. Timira Bishar	Member
4. Hon. Fardowsa Jelle	Member
5. Hon. Mahat Abdikadir	Member
6. Hon.Mohamed Sheikh Abdisalat	Member
7. Hon. Ahmed Abdirahman Sheikh	Member
8. Hon. Amina M Bulu	Member
9. Hon.Mohamed Abdi Farah	Member
10. Hon Fatuma Mohamed Shide	Member
11. Hon Hassan Dahir Noor	Member
12. Hon Adow Omar Said	Member
13. Hon Abdirahman Mohamed Ali	Member

14. Hon Zamzam Mohamed Hassan Member

1.3. Committee secretariat

- 1) Hon. Abdiaziz Mohamed Noor-Committee Clerk
- 2) Hon. Saadia Abdi Salah – Researcher
- 3) Hon. Ibrahim – Hansard Reporter
- 4) Hon. Issack Gab – Sergeant-at-arms

1.4 Introduction

Hon. Speaker sir,

Pursuant to Section 58A (1) of the County Government Act, 2012 states that whenever a vacancy arises in a county public service board, the governor shall nominate and, with the approval of the county assembly, appointed members and the chairperson to selection panel for the purpose of selecting suitable candidate for appointment as the secretary/CEO of the county public service board.

The selection panel invited applications from qualified individuals through advertisement, shortlisted the applicants, conducted interviews of the shortlisted applicants and submitted the names of qualified applicants for the position of secretary to the Governor.

The Governor, upon receipt of the names forwarded by the selection panel, nominated and forwarded **Ms. Rakia Farah Ibrahim** to the county assembly for approval. The county assembly will then be obligated to consider each nomination and approve or reject them within twenty-one days of receipt of the names.

1.5 Notification to the County Assembly

Hon. Speaker sir,

In accordance with the provisions of Section 58A (7) of the County Governments Act, 2012, and Section 7 and 8 of the Public Appointments (County Assemblies Approval) Act, 2017, the County Secretary on behalf of the H.E the Governor vide a letter to the Clerk dated **15th November 2023, REF NO CG/GVN/ADM/VOL1/15** (Annex II); notified the County Assembly, for consideration and approval, the nomination of the Secretary to the County Public Service Board.

Pursuant to standing order 42, Upon receipt of the notification of nomination for appointment to the office of the secretary to the county Public Service Board, the nomination shall stand committed to the relevant Committee of the County Assembly for consideration.

1.6 Notification of the nominee and the Public

Hon. Speaker sir,

Further standing order 42 (3) Before holding an approval hearing, a Committee to which proposed appointments have been referred shall notify the candidate and the public of the time and place for the holding of the approval hearing at least seven days prior to the hearing.

In light of the above, the Office of the Clerk, published an advertisement (Annex iii) on 12th January 2024 in *The Standard* for nationwide circulation notifying the nominee and the general public about the vetting scheduled for 18th January 2024 in the County Assembly Chambers at 10:00am.

Further, the notice equally invited presentations from the public contesting the suitability of the nominee through submissions of sworn statements or affidavit to the clerk of the county assembly

Additionally, in the same advert, the committee requested and received the following documents from the nominee.

- i. Duly completed vetting criteria form
- ii. Curriculum vitae, personal credentials and academics certificates.
- iii. identity card.
- iv. Compliance certificate from KRA.
- v. Clearance certificate from EACC.
- vi. Clearance certificate from HELB.
- vii. Police clearance certificate from CID department.
- viii. Clearance certificate from credit reference bureau (CRB)

1.7 Vetting of the Nominee

Hon. Speaker sir,

The Committee vetted the nominee on Thursday 18th January 2024. The nominee appeared before the committee and provided the necessary documentation. The Committee assessed the nominee for the position of Secretary/CEO of the County Public Service Board based on specific requirements laid out in Section 58 (1)(c) and (3)(1) of the County Government Act No. 17 of 2012.

The assessment focused on the following criteria:

1. The nominee for the position of Secretary/CEO was required to be a certified public secretary of good professional standing.
2. The nominee was required to satisfy the provisions of Chapter Six of the Constitution, and not be a state or public officer.

3. Additionally, the nominee should not have held office or stood for election as a member of Parliament or county assembly, or been a candidate for such positions within the preceding five years.
4. Furthermore, the nominee should possess a minimum qualification of a bachelor's degree from a recognized university
5. demonstrate relevant working experience and professional conduct of not less than five years.

1.8 COMMITTEE MEETINGS

Hon. Speaker sir,

The committee held pre-vetting meeting prior to approval hearing to familiarize themselves with the public appointments (county assembly approval) Act No 5 of 2017, curriculum vitae of the nominee, consider any memoranda received thereof and other preparations relevant to the exercise.

The Committee examined the nominee using the guidelines provided for in the Public Appointments (County Assembly Approval) Act No. 5 of 2017. The Committee also followed the following criteria in vetting the nominee: -

- a) Academic qualifications
- b) Employment record and work experience
- c) Professional association
- d) Potential conflict of interest
- e) Suitability to the position
- f) Tax compliance
- g) Integrity

1.9 Committee general observation on the nominee qualification, experience and suitability

The Committee having considered the vetting criteria form, nominee's curriculum vitae and other relevant documents during the vetting exercise made the following observations: -

Criteria		Details
1.	Personal Biodata	Born on 1 st April 1994
2.	Place of Birth	Garissa
3.	Academic qualifications	Aug 2022- Dec 2023 Harvard Law School Master of Laws (LLM) CORPORATE AND FINANCE
		Aug 2020 - Dec 2022 University of Nairobi Master of Laws (LLM) CORPORATE GOVERNANCE
		Jan 2015- Dec 2019 University of Nairobi Bachelor of Laws (LLB)
		2009- 2012 Starehe Girls Centre and school Kenya Certificate of Secondary Education (KCSE)
		2001- 2008 Young Muslim Primary school Kenya Certificate of Primary education (KCPE)
4	Employment details	SEP 2022 PRESENT A&R Advocates Managing Partner April 2022 - August 2023 Fairbrain Consulting Limited Legal Officer

		<p>Oct 2021 – Jul 2022 Parliamentary Service Commission</p> <p>Legal Associate and Researcher</p>
		<p>Feb -Sep 2021 Abdirizak and Company Advocates</p> <p>Legal Associate</p>
		<p>Jul 2019 – Mar 2020 Muri Mwaniki Thige & Kageni LLP Advocates (MMTK)</p> <p>Legal Associate</p>
		<p>April 2016 – Aug 2018 Norwegian Refugee Council</p> <p>Legal Researcher</p>
		<p>April – September 2015 First Energy Services LTD</p> <p>Intern</p>
5	Potential conflict of interest	None
6	Core Skills and Competencies	<ul style="list-style-type: none"> • Strategic Vision: Formulating and communicating a clear and compelling vision for the firm’s growth and development. • Legal Expertise: deep knowledge and experience in the legal field particularly in the practice areas of infrastructure and project finance, procurement law, constitution and administrative law, public and private partnership law. • Leadership: Leading and Motivating a diverse team of lawyers, Tax experts and regulatory specialists, fostering a culture and collaboration

		<p>excellence and innovation.</p> <ul style="list-style-type: none"> • Financial Management: Proficiency in financial planning, budgeting and resource allocation to ensure the firms financial health and sustainability.
7	Professional affiliations	<p>She stated that she is a member of</p> <ul style="list-style-type: none"> • Institute of Certified Secretaries of Kenya (ICPSK) • Law Society of Kenya
8	Knowledge of relevant subject	Nominee displayed knowledge and understanding of the position she was nominated for.
8	Tax Compliance	The nominee has provided Tax Compliance Certificate
9	Integrity	No integrity issues noted
		The Nominee has provided clearance from Higher Education Loans Board
		The nominee has provided clearance from METROPOL credit reference Bureau

2.0 Committee Proceedings: -Oral Submissions

Ms. RAKIA FARAH IBRAHIM appeared before the Committee on 18th January, 2023. Her credentials are as outlined below:

The nominee took an oath to affirm the details she would divulge to the committee. the Committee having heard her submissions during the meeting, made the following observations on her nomination as the secretary/CEO of the county Public Service

Board. The nominee also submitted original clearance certificates required by article 10 of the Constitution, 2010 such as KRA Compliance Certificate, Good conduct, and HELB Certificate together with her original Academic qualifications.

2.1. Submissions during committee proceedings

Hon. Speaker sir,

1. Response to HR Management Experience Inquiry

The nominee, born on April 1, 1994, demonstrated a comprehensive understanding of the task ahead. However, her experience on public sector human resource management was limited. With a Master of Laws (LLM) in Corporate and Finance from Harvard Law School and extensive legal experience, the nominee's track record reflects a commitment to aligning HR strategies with organizational objectives and legal compliance.

The nominee also confirmed to the committee that with her vast experience and strong background in law and particularly labor laws and more so the principals of public service, she will provide advice in regards to recruitment, deployment and other employment related aspects all geared towards employability and high standards adherence to the general public service norms as enshrined in the county government act.

2. Utilization of Legal Background for Governance and Regulatory Compliance

Leveraging her legal expertise, the nominee intends to ensure governance and regulatory compliance within the County Public Service Board. With a Master of Laws (LLM) in Corporate Governance from the University of Nairobi, the nominee aims to establish and maintain processes that adhere to legal standards and promote transparency in all board activities.

From her previous experience in government institutions such as the senate, Parliamentary service commission and as an advocate of the high court she will enhance a positive approach on compliance on the regulations in the operations of the County Public Service Board.

3. a) Strategic Approach to Realignment of HR Functions

Drawing from her experience as the Managing Partner at A&R Advocates and other legal roles, the nominee outlined a strategic approach to address historical challenges with recruitment, layoffs, inadequate training, and stagnant promotion practices. Her legal expertise and leadership experience positions her well to develop tailored solutions to address each challenge.

b) Management of County's Wage Bill

Given her proficiency in financial planning and resource allocation, the nominee proposed a strategy to manage and potentially reduce the county's wage bill without resorting to mass layoffs. Being a certified public accountant and her experience in financial matters aligns with the approach focusing on optimizing operational efficiency and preserving service delivery and staff morale. Further, the nominee confirmed to the committee that in planning and managing county wage bill, that she will adhere to principle of best human resources practices and as such where necessary do some restructuring without laying off the staff.

c) Ensuring Diversity and Inclusion in the County Public Service

With a background in leading and motivating diverse teams, the nominee emphasized a commitment to fostering diversity and inclusion within the county public service, aligning with her track record of fostering a culture of collaboration, excellence, and innovation. The nominee further, confirmed that she will strictly follow the constitutional threshold of 30% placement for the marginalized and the venerable groups such as Youths, Disability and the non-Locals.

4. Handling of Wrongful Dismissals or Hires

The nominee expressed a commitment to conducting a thorough review in the event of wrongful dismissals or hires, rectifying any injustices, and establishing preventative measures to avoid similar occurrences under her leadership. The nominee also informed the committee that under her watch such will not arise and if such instances are reported, she will subject the matter to the relevant committee within the Board before cascading to the relevant departments and amicably solve in full adherence to the laid down Human resources procedures in regards to each of the case that is the wrongly dismissed and the hired employees.

5. Ensuring Just and Transparent Employment Decisions

Given her legal expertise and experience, the nominee emphasized the commitment to ensuring that any decisions related to employment matters are made in accordance with established legal frameworks, promoting transparency and fairness.

6. Strategies for Delegation of Board's Functions

Drawing from her vast experience in leading and motivating diverse teams, the nominee outlined an approach to delegating the Board's functions with a focus on

accountability, transparency, and adherence to due process. she assured to the committee, given the opportunity, in board delegation, she will make sure that the necessary scope of the cadres, the timeframe and the area of recruitment shall be elaborated and in return put measures to validate the results of such, making sure that all HR practices are followed to the latter.

7. Understanding of "Good Professional Standing" and Role of Secretary

The nominee, as a member of the Institute of Certified Secretaries of Kenya (ICPSK) and the Law Society of Kenya, provided a comprehensive understanding of "good professional standing" as outlined in the County Government Act, 2012, and highlighted her commitment to embodying these qualities as the secretary to the board.

8. Management of Conflicts of Interest

The nominee's experience and affiliations position her well to implement robust conflict of interest identification and management protocols, emphasizing the importance of ethical conduct, transparency, and adherence to the established legal and ethical frameworks.

Overall, the nominee demonstrated a strong understanding of the role of the secretary and challenges within the county public service sector and articulated clear strategies to address them, reflecting a commitment to ethical and transparent leadership within the County Public Service Board.

4.0 Committee Recommendations

Hon. Speaker sir,

Following the conclusion of the vetting exercise, the committee makes the following recommendations:

1. Having considered the academic credentials, professional training and experience, integrity and background of the nominee and pursuant to the provisions of of Section 58 (1)(c) and (3)(1) of the County Government Act No. 17 of 2012 and Section 9 of the Public Appointments (County Assemblies Approvals) Act, 2017, the Committee recommends that the County Assembly of Garissa approves the nomination and subsequent appointment of **Ms. Rakia Farah Ibrahim** as Secretary of Garissa County Public Service Board

5.0 REPORT ADOPTION LIST (Annex i)

NO	Member	Designation	Signature
1	Hon.Abdi I. Gure	Chairperson	
2	Hon Mustafa Abdirashid	Member	
3	Hon. Timira Bishar	Member	
4	Hon. Fardowsa Jelle	Member	
5	Hon. Mahat Abdikadir	Member	
6	Hon.Mohamed Sheikh Abdisalat	Member	
7	Hon. Ahmed Abdirahman Sheikh	Member	
8	Hon. Amina M Bulu	Member	
9	Hon.Mohamed Abdi Farah	Member	
10	Hon Fatuma Mohamed Shide	Member	
11	Hon Hassan Dahir Noor	Member	
12	Hon Adow Omar Said	Member	
13	Hon Abdirahman Mohamed Ali	Member	
14	Hon.Zamzam Mohamed Hassan	Member	

6.0 Annexures

Annex I: Report adoption List

Annex ii: Letter from the Governor forwarding the nominee

Annex iii: Advert inviting nominee for vetting

Annex iv: Adoption Minutes