

COUNTY ASSEMBLY OF EMBU



*PCA-Lef*  
*FN*  
*[Signature]*  
*14/6/2017*

FIRST ASSEMBLY: FIFTH SESSION

REPORT OF THE SECTORAL COMMITTEE ON ADMINISTRATION  
AND PUBLIC SERVICE ON THE EMBU COUNTY EXECUTIVE STAFF  
ESTABLISHMENT



SUBMITTED TO THE COUNTY ASSEMBLY FOR ADOPTION

Clerk's Office  
County Assembly of Embu  
P.O Box 140-60100  
Embu

*CCA*  
*Forwarded.*  
*[Signature]*  
*PCA-S*  
*24/05/2017.*

*Hon. SPEAKER*  
*Kindly approve*  
*for tabling*  
*[Signature]*  
*6/6/2017*

MAY, 2017

*Notice of Motion*  
*given on 14/6/2017*  
*[Signature]*

*Tabled on 14/6/2017*  
*[Signature]*

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## EXECUTIVE SUMMARY

This report arises from the responses received from the County Executive Committee (CEC) Member for Public Service and Administration following questions sought in the County Assembly by Member for Kiambere Ward, Hon. Martin Mwangi Nyaga on Embu County Executive Staff Establishment. The Honorable Member sought to know:

1. *How many employees are there in the County Establishment (by Name, Designation and Grade/Job Group)*
  - a) *Permanent and Pensionable*
  - b) *Contractual*
  - c) *Casual*
2. *What is the staff distribution per portfolio in the County Executive?*
3. *Who are the casual workers that have been consistently retained for more than three months by name, designation, grade and department*

The CEC Member was summoned in the County Assembly Plenary on 27<sup>th</sup> September, 2016 pursuant to the provision of the amended Standing Order No. 41 which provides for admission of the County Executive Members at a suitable place in the County Assembly for the purposes of presenting information in answer to questions in the County Assembly Plenary. The responses provided by the CEC member were subsequently committed to the Committee on Administration and Public Service for interrogation and compilation of a report for consideration and adoption in the County Assembly.

The Committee made an initial examination of the responses presented by the CEC Member and thereafter decided to write to the Embu County Public Service Board (CPSB) seeking clarifications on the issues alluded to by the CEC Member in her response.

The Board responded on the matter on 10<sup>th</sup> November, 2016. The Committee interrogated the Embu CPSB responses vis-a-vis the CEC Member responses. Disparity on the number of employees in the County Executive was noted from the presentation made by the CPSB and the CEC Member. This variation necessitated the invitation of the County Public Service Board Members and CEC Member for Public Service and Administration on 29<sup>th</sup> November, 2016 and 9<sup>th</sup> February, 2017 respectively to shed light and give clarifications.

The apparent disparity and disconnect on the two responses was subsequently cleared after the Committee was satisfied with explanations provided by the two departments. The Committee therefore established that there were 3609 No. of employees in the County Executive where 2795 No. were in Permanent and Pensionable terms, 174 No.



on contractual terms and 640 No. on temporary terms of engagement and had been retained as casual for more than three months.

It was clear to the Committee that the County Government had no systems in place for monitoring performance of employees in the various sectors. Comparatively, the health docket was noted to have the bulk of employees with a workforce of 1704. The docket was also encountering a few management issues.

The Committee recommends that the County Government puts in place a Complementary Control System which will keep record of employees in real-time and that registers of employees be maintained in departments and be updated with records of staff performance. In a bid to control haphazard and arbitrary hiring and engagement of contractual staff and casual labourers, the Committee encourages the docket of Public Service and Administration and County Public Service Board to establish an employment policy to guide the hiring, engagement and separation procedures of casual and contractual staff.

## **1.0. BACKGROUND**

The admission of CEC Member in the plenary to respond to issues raised on the floor of the house is a new phenomenon in an effort to hasten service delivery in the County.

The amendment to Standing Order No. 41 provides admission of the County Executive Members a suitable place in the County Assembly for the purposes of presenting information in answer to questions in the County Assembly Plenary.

Pursuant to provisions of Article 195 (1) of the Constitution of Kenya 2010, a County Assembly or any of its Committee has powers to summon any person to appear before it for the purpose of giving evidence or providing information.

It is in line with the above provisions that the County Assembly summoned the CEC Member for Public Service and Administration on 27<sup>th</sup> September, 2016 in the County Assembly Plenary for the purposes of giving information to questions raised by the Honourable Member for Kiambere Ward on the Embu County Executive Staff Establishment.

The responses presented by the CEC Member was subsequently committed to the committee on Administration and Public Service for further consideration. The Committee in the process of executing its mandate made invitations to the CEC Member for Public Service and Administration and Embu County Public Service Board to shed light and give clarifications.

It is on the above proceedings and as informed by Committee interrogations and consideration of the Officers presentations that the Committee drew its resolutions contained in this report.

## 1.1. MANDATE OF THE COMMITTEE

The Committee on Administration and Public Service has made this report pursuant to Standing Order No. 191 (5) of the County Assembly of Embu which defines the functions of the committee as being;

- (a) *To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the department;*
- (b) *To study the program and policy objectives the department and the effectiveness of the implementation.*
- (c) *To study and review all County legislation referred to it*
- (d) *To study, assess and analyze the relative success of the department as measured by the results obtained as compared with their stated objectives*
- (e) *To investigate and inquire into all matters relating to the department as it may deem necessary, and as may be referred to it 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 understanding Order 185 (committee on appointments); and*
- (g) *To make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.*

## 1.2. COMMITTEE MEMBERSHIP

The Committee on Administration and Public Service is composed of the following members;

1. Hon. Martin Mwangi Nyaga, MCA	-	Chairperson
2. Hon. Loise Mbuya Ngondi, MCA	-	Vice Chairperson
3. Hon. Michael Njeru Kariuki, MCA	-	Member
4. Hon. Shunem Ngira Gatiti, MCA	-	Member
5. Hon. Albert Muchira Kigoro, MCA	-	Member
6. Hon. Susan Wangai Ndwiga, MCA	-	Member
7. Hon. James Kathendu Ntamugwika, MCA	-	Member



### **1.3. PROBLEM STATEMENT**

This report arises from questions sought on 27<sup>th</sup> September, 2016 by Member for Kiambere Ward Hon. Martin Mwangi Nyaga. The Member sought to know the number of employees in the County Executive by their names, designation and job group who were permanent and pensionable, contractual and casual. He further sought to know the staff distribution per portfolio and the number of casual workers who have been retained for more than three months. The matter was committed to the Committee on Administration and Public Service to scrutinize the responses submitted by the CEC Member and cause a report in the County Assembly.

### **1.4. OBJECTIVES/TERMS OF REFERENCE**

The Committee's terms of reference/objectives were as follows; -

1. To consider and scrutinize the responses on the Embu County Executive Staff Establishment
2. To establish whether the responses given adequately addressed the questions raised in the County Assembly.
3. To make a report with recommendations to the County Assembly for consideration and adoption.

### **1.5. METHODOLOGY**

The Committee applied the following methods to come up with this report;

1. Committee meetings.
2. Perusal and scrutiny of the responses on the Embu County Executive Staff Establishment
3. Invitation of County Public Service Board and CEC Member for Public Service and Administration to give clarifications on matters contained on the responses.

### **1.6. TOOLS OF REFERENCE**

The Committee made reference to the following documents and relevant laws to come up with its observations, findings and recommendations;

- a) The Constitution of Kenya, 2010
- b) The County Governments Act, 2012
- c) Embu County Executive Staff Establishment responses.
- d) The Standing Orders of the County Assembly of Embu.

## 1.7. ACKNOWLEDGEMENT

The Committee acknowledges the efforts of the CEC Member for Public Service and Administration and Members of the County Public Service Board for providing invaluable information when preparing this report.

The Committee also thanks the office of the Speaker and Clerk for the assistance provided throughout the process of coming up with this report and the secretariat for the advice and guidance in preparation of the report.

Signed



Date

24/5/2017

**HON. MARTIN MWANGI NYAGA, MCA**

**CHAIRPERSON,**

**COMMITTEE ON ADMINISTRATION AND PUBLIC SERVICE**



### 3.0. COMMITTEE INTERROGATION OF THE EMBU COUNTY STAFF ESTABLISHMENT REPORT

The Committee interrogated the Embu County Executive Staff Establishment responses which comprised responses to three sets of questions which the CEC Member was required to address;

1. *How many employees are there in the County Establishment (by Name, Designation and Grade/Job Group)*
  - a) *Permanent and Pensionable*
  - b) *Contractual*
  - c) *Casual*
2. *What is the staff distribution per portfolio in the County Executive?*
3. *Who are the casual workers that have been consistently retained for more than three months by name, designation, grade and department*

The Committee interrogated the responses and found several inadequacies especially on the number of staff in various dockets, this necessitated the Committee to seek for clarifications from the Embu CPSB. The Board responded on 10<sup>th</sup> November, 2016 vide letter Ref. ECG/PSB/CT.ASSEM.37/VOL.1/86 (*see Annex 1*)

The Committee scrutinized the responses provided by CPSB vis a vis the presentations made by the CEC Member on the sets of questions. Disparity on the number of employees was observed which consequently necessitated the invitation of Embu County Public Service Board on 29<sup>th</sup> November, 2016 and County Executive Committee (CEC) Member for Public Service and Administration, on 9<sup>th</sup> February, 2017.

The apparent disparity was then cleared after the Committee was contented with the explanations provided by the two departments. An updated record was provided by the CEC Member on 15<sup>th</sup> February, 2017 which provided the following information and clarification;

No.	Name of the Department	P & P & Contract	Casuals/ Short term Contract	Totals
1	Health	1,285	419	1,704
2	Public Service and Administration	302	24	326
3	Education and Technology	560	-	560

4	Infrastructure, Public work, Housing and Energy	65	-	65
5	Agriculture, Livestock, Fisheries and Cooperative	410	4	414
6	Finance and Economic Planning	141	65	206
7	Trade, Tourism , Industrialization and Investment	22	-	22
8	Gender, Culture, Children and Social Services	11	-	11
9	Sport & Youth Empowerment	7	-	7
10	Land, Water, Environment & Natural Resources	141	125	266
11	Governor's Office	17	3	20
12	County Public Service Board	8		8
	<b>Total</b>	<b>2,969</b>	<b>640</b>	<b>3,609</b>

*(See Annex 2)*

### 3.0 COMMITTEE OBSERVATIONS

Upon scrutinizing the responses on the Embu County Executive Staff Establishment and upon considerations of evidence adduced before the Committee and receiving clarifications from the CEC Member for Public Service and Administration and County Public Service Board, the following was observed;

1. **THAT**, the total number of employees in the Embu County Staff Establishment was 3,609, where the names, designations and job groups were also provided.
2. **THAT**, 2,795 No. of employees was on Permanent and Pensionable terms.
3. **THAT**, 714 No. of employees was on contractual terms.
4. **THAT**, 640 No. of casual workers had been consistently retained for more than three months, where 419 No. was in Health department, 125 No. in Lands, Water, Environment and Natural Resources department and the rest spread in other departments
5. **THAT**, the County Government had no system to record the number of employees in real time for example, keep record of employees who had left service through natural attrition.
6. **THAT**, there was a lot of employee redundancy and most job descriptions were not clearly defined especially those of employees in former local authorities.
7. **THAT**, there were no systems for monitoring the performance of employees in various dockets.
8. **THAT**, the Health docket had the bulk of employees with a workforce of 1,704 and was facing management and leadership issues.
9. **THAT**, that there was no clear and structured mode of engagement between the Department of Public Service and Administration and County Public Service Board. This was evident from the disparities in presentations made to the Committee.
10. **THAT**, the County Public Service Board had no control of the County payroll and all the roles of the payroll were assigned to a single individual.





#### **4.0 RECOMMENDATIONS.**

Upon scrutiny of the responses from the CEC Member for Public Service and Administration and County Public Service Board on Embu County Executive Staff Establishment and putting into consideration all the observations, the Committee recommends the following;

1. **THAT**, the County Public Service Board and Department of Public Service and Administration to establish employment policy guidelines to guide the engagement of casuals and other contractual staff in the Public Service as outlined in Section 74 of the County Governments Act, 2012.
2. **THAT**, the CEC Member, Administration and Public Service to organize for development and commissioning of a Complementary Control System which will keep record of all employees in real time.
3. **THAT**, the CEC Member, Administration and Public Service should explore modalities of initiating a voluntary retirement scheme which will entice the redundant, unqualified and any other willing staff into early retirement.
4. **THAT**, CEC Member, Administration and Public Service puts in place measure to have the employees of the former local authorities captured/listed in various dockets where their job titles and or qualifications/experience are defined/needed.
5. **THAT**, the CEC Member, Administration and Public Service to ensure employee registers are opened in all the dockets and the same be maintained and updated with record of employees' performance.
6. **THAT**, the County Public Service Board seeks outcome results of Capacity Assessment and Rationalization of the Public Service (CARPS) Programme conducted by the National Government and ensure the same is implemented.
7. **THAT**, the CEC Member, Administration and Public Service designs a performance management plan to evaluate the performance of Public Service and implementation of County Policies as outlined in Article 47 of the County Governments Act, 2012.
8. **THAT**, the County Public Service Board and the Department of Public Service and Administration ensures there is clear and structured mode of engagement between them to ensure the functions of the Board as contemplated under Section 59 of the County Governments, Act 2012 are easily accomplished.
9. **THAT**, the County Government trains other employees in Human Resource Department on payroll management to avoid the roles being assigned to one employee.

## 5.0 CONCLUSION

The Committee urges the Assembly to adopt the recommendations herein contained in this report.

NAME	POSITION	SIGNATURE
1. Hon. Loise Mbuya Ngondi, MCA	Vice Chairperson	.....
2. Hon. Michael Njeru Kariuki, MCA	Member.	..... 
3. Hon. Shunem Ngira Gatiti, MCA	Member	..... 
4. Hon. Albert Kigoro Muchira, MCA	Member	.....
5. Hon. Susan Wangai Ndwiga, MCA	Member	..... 
6. Hon. James Kathendu Ntamugwika, MCA	Member	.....

Signed  Date 24/5/2017

**HON. MARTIN MWANGI NYAGA, MCA**

**CHAIRPERSON**

**COMMITTEE ON ADMINISTRATION AND PUBLIC SERVICE**







ANNEX 1

REPUBLIC OF KENYA



EMBU COUNTY PUBLIC SERVICE BOARD  
OFFICE OF THE SECRETARY

P.O Box 2871 – 60100, Probation Offices Building, 1st Floor, Embu

ECG/PSB/CT.ASSEM.37/VOL.I/86

10<sup>th</sup> November, 2016

The Clerk  
Embu County Assembly  
P.O. Box 140-60100  
**EMBU**



**RE: EMBU COUNTY STAFF ESTABLISHMENT**

Your letter Ref.CAE/LEG/10/VOL.IX/49 dated 17<sup>th</sup> October, 2016 and ours  
Ref.EC/PSB/CT.ASSEMB.37 VOL.I/181 dated 2<sup>nd</sup> November, 2016 refers.

Forwarded herewith please find information required as per your above quoted letter.

Thank you for your continued support.

CS Johnson Nyaggah  
**SECRETARY/CEO**  
**PUBLIC SERVICE BOARD**

Check 1/c - Administration  
Please inform chair  
and make copies for  
the members (9 copies)

  
9/11/2016





**EMBU COUNTY STAFF ESTABLISHMENT - [PERMANENT AND PENSIONABLE/CONTRACT]**

	DEPARTMENT	ESTABLISHMENT	IN POST	VARIANCE
	AGRICULTURE, FISHERIES, LIVESTOCK, VET AND COOPERATIVES			
1				
	a) Agriculture	666	410	256
	b) Fisheries	291	154	137
	c) livestock	60	31	29
	d) Veterinary	114	123	-9
	e) Cooperative	140	78	62
2	GENDER, CULTURE, CHILDREN AND SOCIAL SERVICES	61	24	37
3	LAND, WATER, ENVIRONMENT AND NATURAL RESOURCES	51	7	44
4	YOUTH EMPOWERMENT AND SPORTS	424	137	287
5	PUBLIC SERVICE AND ADMINISTRATION	83	5	78
6	TRADE, TOURISM, INVESTMENT AND INDUSTRIALIZATION	425	465	-40
7	EDUCATION, SCIENCE AND TECHNOLOGY	199	15	184
8	INFRASTRUCTURE, PUBLIC WORKS, HOUSING AND ENERGY	907	559	348
9	FINANCE AND ECONOMIC PLANNING	273	54	219
10	HEALTH	589	25	564
11	PUBLIC SERVICE BOARD	1886	1283	603
12	GOVERNORS OFFICE	43	7	36
	TOTALS	19	17	2
		5565	2984	2581





### COUNTY STAFF SUMMARY

DEPARTMENT	P & P	CONTRACT	CASUALS	TOTALS
AGRICULTURE, FISHERIES, LIVESTOCK, VET AND COOPERATIVES	407	3	4	414
GENDER, CULTURE, CHILDREN, CHILDREN AND SOCIAL SERVICES	4	3		7
LAND, WATER, ENVIRONMENT AND NATURAL RESOURCES	134	3	125	262
YOUTH EMPOWERMENT AND SPORTS	3	2		5
PUBLIC SERVICE AND ADMINISTRATION	333	132	23	488
TRADE, TOURISM, INVESTMENT AND INDUSTRIALIZATION	13	2		15
EDUCATION, SCIENCE AND TECHNOLOGY	77	482		559
INFRASTRUCTURE, PUBLIC WORKS, HOUSING AND ENERGY	51	3		54
FINANCE AND ECONOMIC PLANNING	20	5	63	88
HEALTH	1281	2	380	1663
PUBLIC SERVICE BOARD		7		7
GOVERNORS OFFICE	2	15		17
TOTALS	2325	659	595	3579





ANNEX 2

# EMBU COUNTY GOVERNMENT



## OFFICE OF THE COUNTY EXECUTIVE COMMITTEE MEMBER FOR PUBLIC SERVICE AND ADMINISTRATION

Tel: 254 68 30686/30656 EXT. 156, 163

Website: [www.embu.go.ke](http://www.embu.go.ke)

COUNTY HEADQUARTER  
TOWN HOUSE  
P. O. BOX 36 - 60100  
EMBU.

REF.EC/CEC-ADM/CAE/VOL.I/(35)

DATE: 15<sup>TH</sup> FEBRUARY, 2017

The Clerk  
Embu County Assembly  
P.O. Box 140,  
**EMBU COUNTY**

Dear Sir

### **RE: QUESTION FOR RESPONSE**

Your letter REF:CAE/LEG/10/VOL.X/77 dated 1<sup>st</sup> February 2017 on the above mentioned subject refers.

I wish to respond as follows:-

#### **1. How many employees in the County Establishment are (by name, Designation and Grade/Job group).**

The total number of employees in the county Establishment is Three Thousand, six hundred and nine (3609). Refer to document labeled number one (1).

##### **a) Permanent and Pensionable**

The Total number of employees in the County Establishment that are permanent and Pensionable is Two Thousand seven hundred and ninety-five (2795).

The description in terms of Names, Designation and Grade/Job Group is on document labeled number (1A).

##### **b) Contractual Staff**

The total number of contractual staff in the County Establishment is one Hundred and seventy four (174).

The details are on document labeled number (1B)

##### **c) Casual Employees**

The total number of casual Employees in the County Establishment is Six Hundred and Forty (640).

The details are on document labeled number (1C).

**2. What is the staff distribution per portfolio in the County Executive?**

The staff distribution per portfolio in the County Executive is as shown below:-

No.	NAME OF THE DEPARTMENT	P&P & CONTRACT	CASUALS/ SHORTTERM CONTRACT	TOTALS
A.	Health	1285	419	1704
B.	Public Service and Administration	302	24	326
C.	Education and Technology	560	0	560
D.	Infrastructure, Public Work and Housing & Energy	65	0	65
E.	Agriculture, Livestock, Fisheries & Cooperative	410	4	414
F.	Finance & Economic Planning	141	65	206
G.	Trade, Tourism Industrial investment	22	0	22
H.	Gender, Culture, Children & Social Services	11	0	11
I.	Sports & Youth Empowerment	7	0	7
J.	Land, Water, Environment & Natural Resources	141	125	266
K.	Governor's Office	17	3	20
L.	County Public Service Board	8	0	8
	<b>TOTAL</b>	<b>2969</b>	<b>640</b>	<b>3609</b>


The details are in the document labeled number (2a) to (2L)

**3. a) Who are the casual workers that have been consistently retained for more than three (3) months by Name, Designation, Grade and Department?**

The number of Casual Workers is Six hundred and Forty (640). Four hundred and Nineteen (419) are in health, two hundred and Twenty-One (221) are distributed in other departments.

The list of casual workers who have been consistently retained for more than 3 months by Name, Designation, Grade and department is indicated on document labeled number (1c)

Yours



**PAMELA RITA KIARIE**  
**CEC PUBLIC SERVICE AND ADMINISTRATION**  
**EMBU COUNTY.**

Encl.

