

**RREPUBLIC OF KENYA**



**COUNTY ASSEMBLY OF SIAYA**

**FIRST ASSEMBLY**

**(FOURTH SESSION)**

**THE COMMITTEE ON HEALTH SERVICES**

**REPORT ON THE FATE OF TWO ACCOUNTANTS AT BONDO SUB COUNTY  
HOSPITAL**

**(MARCH 2016)**

**TABLE OF CONTENTS**

**Table of Contents**

**EXECUTIVE SUMMARY** ..... 3

CONSIDERATION AND ADOPTION OF THE REPORT BY THE COMMITTEE..... 6

SUBMISSIONS FROM THE SECRETARY SIAYA COUNTY PUBLIC SERVICE BOARD.  
..... 7

SUBMISSIONS FROM MR. KENNEDY OBONDO OSODO..... 8

SUBMISSIONS FROM Ms. NELLY NORAH ATIENO..... 8

COMMITTEE OBSERVATIONS..... 9

COMMITTEE RECOMMENDATIONS ..... 9

## **EXECUTIVE SUMMARY**

**Mr Speaker Sir,**

On behalf of members of the Committee on Health Services inquiring into the fate of Nelly Nora Atieno and Kennedy Obondo Osodo who were serving as hospital accountants at Bondo Sub County Hospital, I am pleased to present this report to this honorable House.

On 29th October 2015, the County Assembly received a statement from Hon. Joannes Andiego MCA representing Central Sakwa ward seeking to know the following;

- i. Why the Siaya County Public Service Board did not resort to suitability assessment for the two officers as has been done in other departments of the County Government and instead went for the expensive route of advertisement and subsequent processes.
- ii. Why the two serving officers were not given first priority in the preferred method of recruitment but instead lumped with 19 candidates shortlisted for only two positions.
- iii. Whether the board observed provisions of secondment as laid down in County Government Act, 2012 section 73 when dealing with cases of the above mentioned officers.

**Mr. Speaker Sir,**

The Committee held a total of three (5) meetings and engaged the Secretary to the County Public Service Board and the two officers in question.

### **Summary of findings**

A key finding of the Committee was that the recruitment process for the positions of the Health Accountants has been concluded by the Board and subsequently two successful candidates namely Mr. Kennedy Obondo and Ms. Nelly Norah appointed on merit as Hospital Accountants and deployed in the department of Health and Sanitation.

### **Committee's Mandate**

The Committee on Health Services is one of the Sectoral Committees established pursuant to provisions of *Standing Order No. 192*, whose mandate is to deliberate on all matters related to County health services, including County health facilities and pharmacies, ambulance services, promotion of primary health care, licensing and control of undertakings that sell food to the public, cemeteries, funeral parlors and crematoria and refuse removal, refuse dumps and solid waste disposal.

### **Acknowledgement**

**Mr Speaker Sir,**

I wish to record the committee's gratitude to the House for having entrusted us with the execution of the important duty of contributing to the efforts of improving provision of health services in Siaya County. The Committee is thankful to the entire membership for their dedication and commitment during the fact finding and deliberations that made this report a reality, The Siaya County Public Service Board for their cooperation and the office of the

Assembly Clerk for related facilitations and our Clerk Assistants for ably coordinating communication with the relevant parties.

**Mr Speaker Sir,**

It is now my pleasant duty, on behalf of the Committee on Health Services to present this report for immediate consideration and adoption by the house. The committee prays that this honorable House adopts the recommendations proposed in this report.

**THE HON. NICHOLAS WERE, MCA**

**AG. CHAIRPERSON, COMMITTEE ON HEALTH SERVICES**

**Dated this.....day Of March, 2016**

#### CONSIDERATION AND ADOPTION OF THE REPORT BY THE COMMITTEE

**WE**, the undersigned members of the committee on Health Services, having prepared this report on the fate of Mr. Kennedy Obondo and Ms. Nelly Norah, do hereby confirm our agreement with the content of the report and request the Chairperson to present the Report to the House;

- |                        |   |               |
|------------------------|---|---------------|
| 1. Hon Nicholas Were   |   | Vice Chairman |
| 2. Hon Edwin Otieno    |   | Member        |
| 3. Hon John Gare       |   | Member        |
| 4. Hon Charles Kowii   | - | Member        |
| 5. Hon Jack Odinga     | - | Member        |
| 6. Hon Rose Okite      | - | Member        |
| 7. Hon Maurey Ouko     | - | Member        |
| 8. Hon Margaret Olongo | - | Member        |
| 9. Hon Sylvia Migaya   | - | Member        |
| 10. Hon Anastacia Augo | - | Member        |

## **SUBMISSIONS FROM THE SECRETARY SIAYA COUNTY PUBLIC SERVICE BOARD.**

(See annex 1)

**Mr. Speaker Sir,**

The Committee met the Secretary to the Public Service Board on 26<sup>th</sup> January 2016 to discuss the issues stated above.

The Chief Officer of Health declared a vacancy for recruitment of Hospital Accountant through advertisement and did not disclose to the Board that there are accountants who are already serving in his establishment with the same skills required. The board being the recruitment agent, recruits based on the request of the user department and therefore the Board is not in a position to tell why suitability test was not done.

The two accountants are not in the County payroll either as casuals, contractual or permanent and pensionable staff and their previous engagement to work in the County is not known to the board.

The Officers have been serving on contractual terms between them and the Hospital Administrators contrary to section 74 of the County Government Act, 2012.

Giving the particular candidates priority in the shortlisting would be contrary to the law on recruitment and selection and abuse of powers of the County Public Service Board. Both Mrs. Nelly Norah Atieno and Mr. Kennedy Obondo applied for the position of the Hospital Accountant and were accorded equal consideration among other applicants during the shortlisting and were actually shortlisted.

Since health is a devolved function, the names of the officers would have been sent to the County together with their payroll numbers.

Both the officers underwent a competitive recruitment process and emerged successful and appointed on merit.

### **SUBMISSIONS FROM MR. KENNEDY OBONDO OSODO**

The Committee met the above officer on Friday 18th March 2016.

The Officer stated as follows

Before devolution, he was serving in Bondo Sub County Hospital on contract with the national government.

When health was devolved, the contract was now between him and the facility.

He applied for the position of hospital accountant but was not shortlisted

He raised the complaint with the area MCA Hon. Joannes Andiego who went with him to the office of the Chairman Siaya County Public Service Board.

He was shortlisted afterwards, went for the interview, emerged successful and is now deployed at the Headquarters of the department of health as Accountant II

### **SUBMISSIONS FROM Ms. NELLY NORAH**

The Committee met the above officer on Friday 18th March 2016

Before devolution, she served in Bondo Sub County Hospital on contract with the national government for two years

When health was devolved, the contract was now between her and the facility.

She applied for the position of hospital accountant and was shortlisted.

She however felt that since she has been serving, she ought to have been given first priority. When the vacancies were advertised, she applied, went for the interview emerged successful and was deployed to the Siaya County Referral Hospital.

## **COMMITTEE OBSERVATIONS**

The two Accountants were not on payroll before the inception of devolution and there was no way they could be seconded to The County Government of Siaya.

The issues raised in the statement have been overtaken by events since the two individuals in question have since been hired and deployed.

The statement request did not have facts as shown by the Committee findings.

The Committee further notes that Section 232 (g) of the Constitution of Kenya states that the Public Service should observe *(i), fair competition and merit as the basis of appointments and promotions;* which illegalizes preferential treatment of any candidate.

## **COMMITTEE RECOMMENDATIONS**

It is prudent to have factual information when raising an issue in the floor of this Honorable House.