



COUNTY GOVERNMENT OF BUNGOMA



HB C
1st schedule
1st April 2025
Rec'd
TP

COUNTY ASSEMBLY OF BUNGOMA
OFFICE OF THE CLERK

THIRD ASSEMBLY
FOURTH SESSION

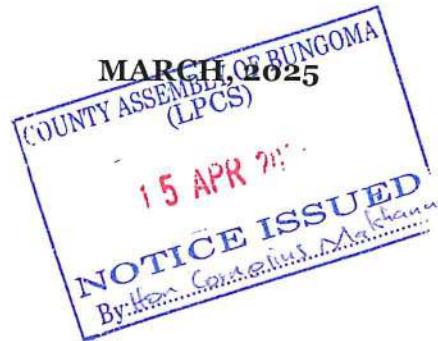
COUNTY ASSEMBLY OF BUNGOMA
(LPCS)

15 APR 2025

TAILED

SECTORAL COMMITTEE ON PUBLIC ADMINISTRATION AND ICT
REPORT ON THE IMPLEMENTATION STATUS OF THE
DECENTRALIZED (ADMINISTRATION) UNITS ACT 2015.

Clerks Chambers
County Assembly Buildings
P.O BOX 1886 - 50200
BUNGOMA, KENYA



Contents

EXECUTIVE SUMMARY	3
1.0 CHAPTER ONE	4
1.2. PREAMBLE	4
1.3. COMMITTEE MEMBERSHIP	4
1.4 MANDATE OF THE COMMITTEE.....	5
1.5. ACKNOWLEDGEMENT.....	6
2.0. LEGAL PROVISIONS	7
2.1.1. Rationale for Post Legislative Scrutiny	10
2.1.2. Implementation Status of Act	11
2.1.3. Formulation of Regulations	11
2.1.4. Achievement of the intended objectives of the Act.....	11
2.1.5. Establishment of Implementing Agencies as outlined in the Act.	12
2.1.5. Functions and Duties of Administrators	14
2.1.6. Delineation and Establishment of Village Units.....	15
2.1.7. Complaints and Disputes Resolution.....	16
2.1.8. Reports and Records	18
2.1.9. Public Participation and Citizen Engagement	18
3.0. CHAPTER THREE.....	20
COMMITTEE OBSERVATIONS AND RECOMMENDATIONS	20
3.1. COMMITTEE OBSERVATIONS	20
3.2. COMMITTEE RECOMMENDATIONS.....	22

EXECUTIVE SUMMARY

Honorable Speaker,

The County Governments Act 2012, Part VI, Section 48 provides that functions and provision of services of each County Government shall be decentralized to the Sub – Counties, the Wards and such number of village units as may be determined by the County Assembly. Section 48(4) outlines that a County Assembly shall enact legislation to provide for the delineation and establishment of the village units in the County.

Further, Sections 50, 51, 52 and 53 of the County Governments Act 2012 establishes Offices of the Sub-County Administrator, Ward Administrator and Village Administrator respectively and outlines the qualifications and functions.

Following the approval of the Bungoma County (Decentralized Units) Administration Act, 2015, the County Government has established devolved units from the Sub-County to the Village levels; and subsequently filled positions for the Sub-County, Ward and Village Administrators.

However, the administration of the decentralized units has had its share of challenges ranging from political interference to inadequate facilitation and infrastructure for operations. Additionally, after 2017 election, the then county government redeployed the sub-county administrators to other offices within County departments hence causing vacancies that have led to some Ward Administrators doubling up as Sub-County Administrators although in acting capacity.

Arising from the above issues, the Sectoral Committee of Public Administration and ICT undertook to inquire into the implementation status of the decentralized Units Act 2015 with the aim to unearth the challenges facing by the department and recommend an amicable solution on the administration of the decentralized units in compliance with the relevant laws. This report therefore, provides analysis of information as submitted by the department through written and oral submissions in this regard, committee views and recommendations on the implementation of the Decentralized Units Act, 2015.

1.0 CHAPTER ONE

1.2. PREAMBLE

Honorable Speaker,

I am pleased to present this report on the implementation status of the decentralized administrative Units Act 2015 in Bungoma County. The information and insights contained in this report have been gathered through oral submissions and analysis of documents submitted by the County Executive department of Public Service Management and Administration.

1.3. COMMITTEE MEMBERSHIP

Honorable Speaker, The Committee on Public Administration and ICT comprise the following members:

1. Hon. Tony Barasa	Chair person
2. Hon. Caleb Wanjala	Vice chairperson
3. Hon. Joseph Nyongesa	Member
4. Hon. Jackson Wambulwa	Member
5. Hon. Busolo Sudi	Member
6. Hon. Francis Chemion	Member
7. Hon. Simotwo Franklin	Member
8. Hon. Grace Sundukwa	Member
9. Hon. Johnston Ipara	Member
10. Hon. Polycarp Kimeta	Member
11. Hon. Cornelius Makhanu	Member
12. Hon. Timothy Chikati	Member
13. Hon. Stephen Kaiser	Member
14. Hon. Jeremiah Kuloba	Member
15. Hon. Job Mukoyandali	Member

1.4 MANDATE OF THE COMMITTEE

Honorable Speaker,

The Sectoral Committee on Public Administration & ICT is established in accordance with the Standing Order No.179.

The mandate of the Committee is derived from the Standing Order 217 (5) and matters assigned under the Second Schedule which shall be exercised within the limits contemplated under Part 2 of the Fourth Schedule of the Constitution of Kenya, 2010.

The functions of a Sectoral Committee are to;

- (a) Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- (b) Consider quarterly reports of the assigned departments and report to the house within twenty one sitting days upon being laid
- (c) Study the programme and policy objectives of departments and the effectiveness of the implementation;
- (d) **Study and review all county legislation referred to it;**
- (e) Study, access and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- (f) 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;
- (g) To vet and report on all appointments where the constitution or any law requires the County Assembly to approve, except those under Standing Order 208 (Committee on Appointments); and
- (h) Make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

In accordance with the Second schedule of the Bungoma County Assembly Standing Orders, the committee is mandated to deal with all matters related to:

Public Administration including County, Sub-County, Ward and Village Administration, public service; broadcasting of the proceedings of the House; public participation; provision of library, publications and research services in the County Assembly, including improvement of the library and research services; utilization of the facilities provided by the library and research services, including use of information and communication technology; and all matters related to Office of the County Attorney.

1.5. ACKNOWLEDGEMENT

Honorable Speaker,

I wish to thank all the Committee Members for their input, dedication and valuable contributions during the entire exercise.

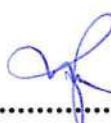
The committee also appreciates the Offices of the Speaker and the Clerk to the County Assembly for the logistical support accorded to the committee in exercise of its mandate of oversight.

The Committee further wishes to record its appreciation to the County Assembly staff attached to it for their dedication during the exercise.

Finally, the Committee appreciates the County Executive team led by CECM Public Administration for providing the requisite information and documents that eased the committee work.

It is therefore my pleasant duty on behalf of the committee to present this report for consideration and approval by this Honorable House.

Thank you,

Signed.....  **Date..... 09/09/2025.....**

Hon. Tony Khaoya Barasa (MCA Lwandanyi Ward)

Chairperson, Sectoral Committee on Public Administration and ICT

CHAPTER TWO

2.0. LEGAL PROVISIONS

Honorable Speaker,

Article 185 of the Constitution of Kenya 2010 vests legislative authority to County Assemblies:

- 1) the legislative authority of a County Assembly is vested in and exercised by its County Assembly
- 2) A County Assembly may make any laws that are necessary for or incidental to the effective performance of the functions and exercise of the powers of the County Government under the fourth schedule.
- 3) A County Assembly while respecting the principle of separation of powers may exercise oversight over the County Executive Committee and any other organs.

Article 185(3) of the Constitution assigns County Assembly the oversight role with respect to the County Executive. In this regard, Article 177 of the Constitution as read together with Sections 8 and 9 of the County Governments Act sets the basis for this assignment with regard to the role of the County Assembly and the members of the County Assembly in representing the people of the Wards and special interest in the County Assembly.

The Constitution provides for oversight by a County Assembly over County revenue expenditure as outlined in the following articles:

Article 183(3) of the Constitution obligates the County Executive Committee to provide the County Assembly with full and regular reports on matters relating to the County.

Pursuant to Article 207, the County Assembly authorizes the County Executive to withdraw money from the exchequer account by passing a law authorizing that withdrawal (Appropriation Act).

The County Assembly approves the budget and expenditure of the County government in accordance with the Public Finance Management Act.

In addition, pursuant to Article 183

(1).A county executive Committee is obligated to:

- a) implement county legislation
- b) implement within the County ,National legislation to the extent that the legislation so requires.
- c) manage and co-ordinate the functions of the County administration and its departments and;
- d) perform any other function conferred on it by the Constitution or national legislation.

(2).A county executive committee may prepare proposed legislation for consideration by the County Assembly.

Article 94(5) of the Constitution precludes all other persons or bodies other than Parliament from making provisions having the force of law in Kenya except under the authority conferred by the Constitution or delegated by a legislature through a statute.

Where such delegation has been conferred; Article 94(6) of the Constitution requires that an Act of Parliament or legislation of a County that confers on any State organ, state officer or person the authority to make a provision having the force of law shall expressly specify:

- a) The purpose and the objective for which the authority is conferred.
- b) The limits of the authority.
- c) The nature and scope of the law that may be made; and
- d) The principles and standards applicable to the law made under the authority.

The Parliament or any other legislature may therefore delegate its legislative power to other persons and bodies.

2.1. OVERVIEW OF THE BUNGOMA COUNTY (DECENTRALIZED UNITS) ADMINISTRATION ACT, 2015

Honorable Speaker,

The Bungoma County (Decentralized Unit) Administration Act, 2015, was enacted to streamline the administration and governance in the County by creating a structured system of decentralized units. This legislation is integral to enhancing local governance, promoting efficient service delivery, and ensuring equitable development across the County.

The Act establishes administrative units at the Sub-County, Ward, and Village levels to facilitate local governance and service delivery. These units are designed to bring government services closer to the people and effectively address local needs as far as the roles and responsibilities of various administrative officials are defined.

The Act also gives a significant focus on public participation, mandating that the community be involved in decision-making processes; this approach is intended to ensure that the needs, preferences and priorities of the local population are considered in governance and development initiatives.

The Act outlines procedures for the allocation and management of resources to the decentralized units by ensuring that resources are distributed equitably across the County, promoting balanced development and also creating provisions for regular reporting and accountability of all administrators on resource utilization to foster trust.

The Act establishes legal and institutional framework for the effective management of decentralized units and provisions for the resolution of disputes and the enforcement of the Act.

The First schedule shows allowances for administrators of Mlango, Second schedule states the functions of Sub -County, Ward, Village administrator's, Mlango

administrators and the village councils while Third schedule shows names of Sub-County, Ward, approximate population per Ward and number of village units per Ward.

2.1.1. Rationale for Post Legislative Scrutiny

Honorable Speaker,

In exercising its oversight mandate pursuant to Article 185(3) of the Constitution, Select Committees are mandated to monitor the implementation of a legislation as intended with the expected effects, and where necessary to review legislation and propose amendments.

In addition, pursuant to Article 183 of the constitution of Kenya 2010,

- (1). A county executive Committee is obligated to:
 - e) implement county legislation
 - f) Implement within the County, National legislation to the extent that the legislation so requires.
 - g) manage and co-ordinate the functions of the County administration and its departments and;
 - h) Perform any other function conferred on it by the Constitution or national legislation.
- (2) .A county executive committee may prepare proposed legislation for consideration by the County Assembly.

Honorable Speaker,

The Committee on Public Administration therefore, sought to inquire from the Department of Public Service Management and Administration on the implementation status of the Act, specifically: Whether the provisions of section 16 of the Act on establishment of the Task Force Committee on Decentralization in every eighth year after the enactment of the Act to carry out the functions outlined in Section 17 of the Act have been implemented and the implementation status of section 53 of the County Governments Act No.17 of 2012 and sections 5(2)(e) and 6 of the Bungoma County

(Decentralized Units)Administration Act,2015 with regard to the appointment of village elders as administrators of Milango.

2.1.2. Implementation Status of Act

The Bungoma County Decentralized Units Act, 2015 was enacted by the County Assembly in 2015 and its implementation commenced on 10th July 2015 upon assent by H.E the Governor and publication in the Kenya Gazette.

2.1.3. Formulation of Regulations

The Act is majorly self-executing. However, as provided under Section 33 of the Act, the CEC Member in-charge of Public Service and Administration may, in consultation with the Management Committee,(outlined in section 19 of the Act) make regulations for the better carrying into effect the provisions of the Act.

As at the time of production of this report, the CECM had not formulated regulations. The CECM submitted that the Department has so far developed policy frameworks, i.e Public Participation Policy among others which shall guide the formulation of regulations which shall continue to guide the implementation of the provisions of Act. The main challenge to the formulation of the regulations has been limited funding to the department.

2.1.4. Achievement of the intended objectives of the Act

Honorable Speaker,

The Objectives of the Act were to

1. To provide for the administrative structure of the County Government;
2. To provide for the delineation of the administrative units of the County Governments;
3. To give effect to the provisions of the Constitution and the County Governments Act with regard to devolution;
4. To provide for a legal framework for delivery of service by the County Government
5. To provide for the appointment of the administrators of devolved units.

The Bungoma County (Decentralized Units) Administration Act, 2015 has achieved most of its objectives. For instance:

- a) There is established decentralized units of administration comprising the Director, the Sub-county administrators, Ward Administrators and the Village administrators in accordance with Section 5 of the Act. However, the appointment of village elders as administrators of Milango has not been done as required under section 53 of the County Governments Act No.17 of 2012 and Section 6 of the Act.
- b) The delineation and establishment of village units in the County has been done in accordance with Section 15 of the Act.

2.1.5. Establishment of Implementing Agencies as outlined in the Act.

Honorable Speaker,

The Act established the decentralized units of administration as the main implementing agencies. Section 5(2) of the Act outlines the decentralized units of administration as; the Director, Sub-County Administrator, Ward Administrator, Village Administrator and the Administrator of Milango.

1. Director of Administration

The position was created by the County Public Service Board and the Director of Administration was competitively sourced.

2. Sub-County Administrators

Nine (9) Sub-County Administrators were competitively recruited by the County Public Service Board in 2013, each for the nine (9) Sub-Counties of Bungoma County. The pioneer Sub-County Administrators were however deployed in other County Departments as Deputy Directors of Administration. The Department has initiated the process of re-designating and promoting the pioneer Sub-County Administrators to fill the directors' posts. This process is at an advanced stage awaiting the County Public Service Board to advertise.

3. Ward Administrators

Forty-five (45) Ward Administrators were recruited in the year 2014 each representing the forty-five Ward Administrative Units in Bungoma County. Since then, five (5) of them have exited service as follows:

- a) Retirement: Two(2) officers for Ndivisi and Khasoko Wards
- b) Re-designation: One (1) officer from Kabula Ward
- c) Secondment to other Government Agencies: Two (2) officers from Maraka and Kamukuywa Wards

The department has initiated and submitted an intent to the County Public Service Board to recruit five (5) Ward Administrators to replace the above.

4. Village Administrators

Two hundred and thirty-six (236) Village Administrators were competitively sourced and recruited in the year 2022 each for the 236 Village Administrative Units. Since then, three (3) Village Administrators have exited service as follows:

- a) Exit to Judicial Service Commission: Officer from Kakamwe Village in Tongaren Ward
- b) Exit to Teachers Service Commission: Officer from Milima Village in Milima Ward
- c) Deceased: Officer from Chepkurkur Village in Chepyuk Ward.

The department has initiated and submitted an intent to the County Public Service Board to replace the three (3) Village Administrators.

However Section 5(2) (e) and Section 6 on appointment of village elders as administrators of Milano as read together with Section 53 of the County Governments Act No.17 of 2012 is yet to be implemented since the Administrators of Milano have not yet been recruited.

In his response, the CECM submitted that the Village Councils' advert was put up in 2022. Applicants submitted their applications as stipulated in section 12 of the Bungoma Decentralized Act 2015, however due to inadequate budget provisions, the recruitment did not take place. In the FY 2025/26, the Department has drafted a proposed budget for

the operationalization of the Village Councils, as per the First Schedule of the Act; subject to the consideration and approval of this House as follows;

S/N	Description	Number per village	Meetings per Week	Rate per member in every meeting	Total Number	Amount per week	Amount per month	Amount per year
	Elders	4	1	1,000	944	944,000	3,776,000	45,312,000
	Secretary	1	1	1,500	236	354,000	1,416,000	16,992,000
	TOTAL	5	1		1,180	1,298,000	5,192,000	62,304,000

The committee however notes that despite establishment of the decentralized administrative units comprising the Director, the Sub-County administrators, Ward administrators and the Village administrators in accordance with Section 5 of the Act, there are several vacancies occasioned by re-designation of Sub-County Administrators and exit of some of the Ward Administrators and village administrators. The committee notes that the delivery of the set objectives can be achieved by filling the said vacant positions.

The Committee was informed that a request had been submitted to the County Public Service Board to recruit new Administrators. This move is aimed at promoting effective governance and administration in the affected administrative units.

2.1.5. Functions and Duties of Administrators

Honorable Speaker,

Section 10 (3) of the Act stipulates that the County Government shall ensure the administrators of the devolved units are adequately facilitated, financed and equipped to effectively perform the functions and duties assigned by the Act.

The committee confirmed through the submitted and approved annual budgets that the administrators are provided with a budget, supplied with uniforms and provided with office spaces and equipment to perform their functions and duties.

Section 11 of the Act outlines the functions and duties of the Administrator of a devolved unit, among them to be ready to account for everything done by their office and avoid involvement in political activities of any person or political party.

The committee however notes that there are some notable challenges in the execution of these functions, among them; untimely communication from other departments in coordinating Government activities and programs to the grass root level and conflicts between the Administrators and the Members of the public especially, on beneficiaries of government programs and identification of projects.

2.1.6. Delineation and Establishment of Village Units

Honorable Speaker,

Section 14(1) of the Act stipulates that the county executive shall, subject to subsection (2), and the approval of the County Assembly, delineate and establish village units of administration for purposes of the Act. A village unit shall be delineated or established except in accordance with the recommendations of the Task Force Committee.

Section 16 of the Act establishes the Task Force Committee on Decentralization in every eighth year after the enactment of the Act to carry out the functions as outlined in Section 17 of the Act.

Section 17(4) stipulates that the Task Force Committee shall be provided with adequate financial and human resources by the County Government to enable it deliver on its mandate timely.

The Village Units were established in 2015. The delineation and demarcation of the Village boundaries was done through a Task Force Committee appointed by H.E the Governor. The exercise was undertaken by the Department of Public Service Management and Administration in consultation with the County Assembly.

Pursuant to Section 17(5) the Task Force Report was submitted to the Governor, ratified by the County Executive Committee and forwarded to the County Assembly for approval on 23rd August 2019.

However, upon lapse of the required period, the Task Force report was deemed approved and was implemented as submitted

As at the time of production of this report, a second Task Force Committee on Decentralization was required to have been formulated to review the Village Units boundaries, and /or create further decentralized units pursuant to sections 16(1) and 17(2). This has not been formulated as required.

The CECM submitted to the committee that the formulation of a Taskforce attracts an Operational budget for the Taskforce and its functions whose implications are but not limited to hiring of more Administrators. The budget for the same had not been provided for.

The Department forwarded to the County Assembly proposals and recommendations made by the taskforce of boundary addition and naming of village Units as provided for in **(sections 14 (1) (2) and section 17 sub section (5))** of the decentralized Act 2015 for consensus and adoption.

The Department submitted on 23rd August 2019 a report on the delimitation exercise to the County Assembly, containing proposed amendments, including the renaming of certain units and the establishment of additional village units. However, the Department is yet to receive any formal response from the Assembly regarding the matter.

The Committee notes with concern, that a considerable period has since elapsed, and therefore, the report is no longer tenable for consideration.

2.1.7. Complaints and Disputes Resolution

Honorable Speaker,

Section 24(1) of the Act; outlines that every resident of the county has a right to present any complaint against the administrator of a devolved unit.

Sub-section(2) stipulates that there shall be maintained at the County Government headquarters, a citizen compliant register to receive every complaint against the administrator of a devolved unit or county government devolved units administration.

The County Government has established a Citizen complaints register at the County Headquarter to deal with complaints as may be presented against an Administrator of any Unit by the citizens of Bungoma County.

Further, the County Government has established complaints and dispute resolution mechanisms Committee at the headquarters. The committee handles both complaints raised against the Administrators and the concerns about government services rendered to the citizens. Reports are submitted quarterly to the Chief Officer for action.

The Department has received a number of complaints against Administrators. Such as administrative challenges between legislators and the Administrators i.e. conflicts in identification of Government program beneficiaries and identification of projects among others.

The Department has put mitigations in place subjecting such complaints to thorough scrutiny before taking any actions since some claims may be politically instigated and may also attract litigations.

The Departmental Human Resource Advisory Committee has been handling issues related to the discipline of Administrators with guidance of the laid down Human Resource procedures.

This has seen recall of some Ward Administrators for Tongaren, Milima and Mbakalo to the Departmental headquarters pending investigations of the allegations leveled against them by the community.

With regard to reporting cases of mismanagement and misadministration by the local residents in the Wards and Villages, the Department through the Office of the Chief Officer gave a directive of creating Sub County Human Resource Advisory Committees whose aim was to cascade and decentralize all round reporting mechanisms in the entire

County. The reports are thereafter submitted to the Office of the Chief Officer on a quarterly basis for action.

2.1.8. Reports and Records

Honorable Speaker,

Section 25 of the Act provides the provisions on reporting and record keeping of the administrative works of the administrators. The section provides for preparation of monthly reports by administrators of their activities and submission in the pecking order to the Director on quarterly basis. The Director is required to consolidate the reports and submit the report to the CECM through the Chief Officer. The CECM prepares a consolidated annual report and submits the same to the Governor who then submits the report to the County Assembly.

The Committee established that Administrators are required to prepare and compile quarterly, semi-annual, and annual reports, which are submitted to the Chief Officer, who in turn forwards them to the CECM for onward transmission to H.E. the Governor. The Governor is expected to present these reports to the County Assembly through the Annual State of the County Address.

However, the Committee observes that the County Assembly has not received any such reports in accordance with the provisions of section 25 of the Act.

2.1.9. Public Participation and Citizen Engagement

Honorable Speaker,

Section 11(b)-(f) of the Act mandates an Administrator to establish efficient and reliable citizen and public participation systems and forums in his or her area of jurisdiction, implement sound and good communication systems with the residents, ensure efficient and satisfactory public service delivery in every sphere and set in place adequate machinery for consultation with the residents and the national government organs or other agencies within the devolved unit.

The County Government has enacted a Public Participation and Civic Education Act which provides a framework for coordination and administration of all public participation and civic engagements in the County.

3. O. CHAPTER THREE

COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

3.1. COMMITTEE OBSERVATIONS

Honorable Speaker,

The Committee made the following observations.

1. The Act has been well implemented and achieved most of its objectives as outlined below:
 - a) The County has established decentralized units administration comprising the Director, the Sub-county Administrators, Ward Administrators and Village Administrators in accordance with section 5.2(a-d) of the Act.
 - b) The delineation and establishment of village units in the County has been done in accordance with Section 14 of the Act.
 - c) Mechanisms for complaints and dispute resolution have been put into place and implemented.
2. Contrary to the provisions of Section 25 of the Act, reports and records of the activities of the administrative units have not been submitted to the County Assembly for consideration.
3. Whereas Section 5 of the Act creates the position of the administrator of a Mlango as one of the decentralized units administration, whose appointment shall be in accordance with Section 53(1), of the County Governments Act No: 17 of 2012, the appointment of village elders as administrators of Milano has not been done.
4. While Section 16 of the Act obligates the County Government to establish, every eighth year after its enactment, a Task Force Committee on Decentralization to, among other functions outlined under Section 17, make recommendations to the County Executive on matters relating to the delineation and establishment of devolved units of administration, the Committee observes that no such Task Force has been constituted to date, contrary to the provisions of the Act.

5. Although Section 24 of the Act makes provision for complaints and dispute resolution mechanism; whereby County residents have a right to present any complaint against the administrator of a devolved unit, the Act provides for this service to be only offered at the County government headquarters. In addition, the section does not provide for complaints and dispute redress mechanisms for aggrieved residents on the general County matters affecting them.
6. The Act does not make provision for the manner of convening meetings of the village council, quorum and procedure of meetings of the village council.
7. The Act has progressive provisions such as public participation and citizen engagement. These provisions are important in ensuring that citizens participate in governance at the County level thus enhancing transparency and accountability.
8. The Act allows the relevant County Executive Committee Member to formulate Regulations for the better carrying into effect the provisions of this Act. However, there are no Regulations pursuant to the Act that have been submitted to the House for scrutiny and consideration.

3.2. COMMITTEE RECOMMENDATIONS

Mr. Speaker Sir,

The Committee recommends as follows;

1. THAT the County Executive Committee Member for Public Administration should, pursuant to Section 33 of the Bungoma County (Decentralized Units) Administration Act, 2015, formulate the necessary Regulations within 90 days after adoption of this report. The Regulations should provide for:

- a) The manner of convening meetings of the Village Council, including the quorum and procedure of such meetings;
- b) The manner of conducting elections, convening meetings, and procedures for regulating the affairs and business of the Management Committee.

2. THAT the County Executive Committee Member for Public Administration should initiate a review of the Act, on:

- a) **Section 25(5)** – to correct the reference to the submission date of the annual report, currently stated as “not later than the thirtieth day of every year” to read “not later than thirtieth day of February every year”
- b) **Section 24(2)** – to ensure the citizen complaint register is maintained down to the village level;
- c) The need to prescribe appropriate Alternative Dispute Resolution (ADR) mechanisms; and
- d) The establishment of effective public sensitization mechanisms regarding the complaints channels available to citizens.”

3. THAT, the department of Public Service and Administration should expedite in the implementation of Section 53 of the County Governments Act No.17 of 2012 and Sections 5(2) (e) and 6 of the Act with regard to the appointment of village elders as administrators

of Milango within 90 days after approval of the adoption of the annual budget FY 2025/26.

4.THAT, that the County Executive Committee Member for Public Administration should ensure full compliance to the provisions of Section 25 of the Act by submitting timely comprehensive reports and records of the activities of the administrative units to the County Assembly for consideration.

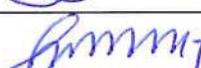
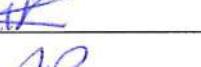
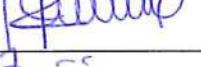
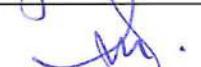
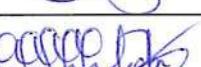
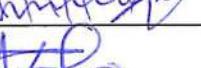
5.THAT, the County Executive Committee Member for Public Administration and ICT should, subject to budgetary availability, expedite the constitution of the Task Force Committee in accordance with the provisions of the Act and report progress to the Committee within 60 days after the approval of the Annual Budget for the Financial Year 2025/2026.

Thank you

I move

ADOPTION SCHEDULE

The Members of the Sectoral Committee on Public Administration and ICT hereby adopt and append the signatures to this report with the contents herein.

S/N	Name	Designation	Signature
1	Hon. Tony Barasa	Chairperson	
2	Hon. Caleb Wanjala	V/Chairperson	
3	Hon. Joseph Juma	Member	
4	Hon. Jack Wambulwa	Member	
5	Hon. Sudi Busolo	Member	
6	Hon. Grace Sundukwa	Member	
7	Hon. Francis Chemion	Member	
8	Hon. Johnston Ipara	Member	
9	Hon. Stephen Kaiser	Member	
10	Hon. Timothy Chikati	Member	
11	Hon. Cornelius Makhanu	Member	
12	Hon. Jeremiah Kuloba	Member	
13	Hon. Franklin Simotwo	Member	
14	Hon. Job Mukoyandali	Member	
15	Hon. Polycarp Kimeta	Member	

ANNEXURES

1. The Bungoma County Decentralized (Administrative) Units Act 2015.
2. Intent
3. Complaints against Administrators
4. Departmental Human Resource Committee reports.

SPECIAL ISSUE

Bungoma County Gazette Supplement No. 10 (Acts No. 6)



REPUBLIC OF KENYA

**BUNGOMA COUNTY GAZETTE
SUPPLEMENT**

ACTS, 2015

NAIROBI, 10th July, 2015

CONTENT

Act—	PAGE
The Bungoma County (Decentralized Units) Administration Act, 2015	1

THE BUNGOMA COUNTY (DECENTRALIZED UNITS)
ADMINISTRATION ACT

No. 6 of 2015

Date of Assent: 1st July, 2015

Date of Commencement: By Notice

ARRANGEMENT OF SECTIONS

PART I—PRELIMINARY

Section

- 1— Short title and commencement.
- 2— Application.
- 3— Interpretation.
- 4— Object and purpose of the Act.

**PART II—ESTABLISHMENT OF THE DECENTRALIZED UNITS
OF ADMINISTRATION AND THE APPOINTMENT OF
ADMINISTRATORS.**

- 5— Establishment of the County Government decentralized Units.
- 6— Appointment of County Government devolved Units Administrators.
- 7— Qualifications for appointment as Administrator.
- 8— Remuneration of the Administrators.
- 9— Vacation of office of Administrator.
- 10—Functions of the Administrators.
- 11—Duties of the Administrators.

PART IV—ESTABLISHMENT OF VILLAGE COUNCILS

- 12—Establishment of Village Council.
- 13—The program of activities of the Village Council.

**PART V—DELINEATION AND ESTABLISHMENT OF VILLAGE
UNITS**

- 14—Delineation and establishment of Village Units.
- 15—Boundaries of devolved Units.
- 16—Establishment of the taskforce Committee on Decentralization.
- 17—Functions of the taskforce Committee.

PART VI—ADMINISTRATION CONSORTIUMS

- 18—Establishment of Administration Consortium.
- 19—The Management Committee of the Administration Consortium.
- 20—Tenure of the member of the management Committee.
- 21—Administrative consortium annual conference.

PART VII—COUNTY DIRECTOR OF ADMINISTRATION AND INTER-GOVERNMENTAL RELATION

- 22—Deployment of the County Director of Administration.
- 23—Devolved Units Administrators, Intergovernmental and non-state relation.

PART VIII—COMPLAINTS AND DISPUTES RESOLUTION

- 24—Making of complaints.

PART IX—REPORTS AND RECORDS

- 25—Reports of the Administrators.
- 26—Records of the Administrators.

PART X—OFFENCES AND PENALTIES

- 27—Offences and penalties.

PART XI—GENERAL PROVISIONS

- 28—Other duties of the Administrators of devolved Units.
- 29—Posting and transfer of Administrators.
- 30—Protection against personal liability.

PART XII—TRANSITIONAL PROVISIONS

- 31—Exemption from the application of some sections of the Act to the devolved Units.
- 32—Decision previously made on matters concerning devolved functions.

PART XIII—REGULATIONS

- 33—Regulations.

SCHEDULES

First Schedule—The scale of Allowances payable to Administrator of Mlango.

Second Schedule—The function of the Sub-County, Ward, Village Administrators and the Village Council.

Third Schedule—The first devolved Units and Names created by the Act on commencement.

THE BUNGOMA COUNTY (DECENTRALIZED UNITS) ADMINISTRATION ACT, 2015

AN ACT of the County Assembly of Bungoma to provide for the structure of the Bungoma County decentralized units of administration and the delineation and establishment of the village units to give effect to Part VI of the County Governments Act, 2012 and paragraph 14 of Part II of the Fourth Schedule to the Constitution of Kenya, 2010 and for connected purposes

ENACTED by the County Assembly of Bungoma, as follows—

PART I—PRELIMINARY

1. This Act may be cited as the Bungoma County (Decentralized Units) Administration Act, 2015 and shall commence on such date as the Governor may appoint by notice in the Kenya *gazette* or County *gazette*. Short title and commencement.

2. This Act shall apply to Bungoma County as established under the First Schedule and Article 6 (1) of the Constitution but not to areas under the Urban Areas and Cities established under the Urban Areas and Cities Act. Application.

3. In this Act unless the context otherwise requires— Interpretation.

“Administrative Consortium” means a grouping of county government devolved units administrators for purposes of addressing issues of common interest arising between them;

“Assistant Chief” means the administrator of a sub-location serving in the county under the national government structure;

“Chief” means an administrator of a location serving in the County under the national government structure;

“Constitution” means the Constitution of Kenya, 2010;

“County Commissioner” means a person appointed under the National Government Co-ordination Act to co-ordinate national government affairs in the County;

“County Government Devolved Units Administration” means a system of government, not being of the national government established under this Act;

“Deputy Governor” means the deputy governor of Bungoma County;

“Deputy Sub-County Administrator” means a person deputizing the Sub-County Administrator;

“Devolved Unit” means a sub-county, ward, village, Mlango, or other unit of the county government administration;

“Governor” means the governor of Bungoma County;

“Mlango” means the first single unit of administration within the village created immediately on the commencement of this Act;

“Location” has the same meaning as that provided under the National Government Co-ordination Act;

“Relevant County Executive Member” means the member of the County Executive in charge of the department responsible for the County government devolved units administration;

“Salaries and Remuneration Commission” means the commission for Salaries and Remuneration provided for under Articles 230 and 248 of the Constitution;

“Sitting” means a meeting of the Village Council of Elders;

“Sub-County Administrator” means a person appointed under this Act to be in charge of the administration of a sub-county;

“sub-location” means a unit of administration within the county existing under the national government structure;

“Village administrator” means a person responsible for the administration of a village;

“Village Council” means a council of elders established under this Act and the County Governments Act for purposes of administration of a village;

“Village Elder” has the same meaning assigned to it under section 53 of the County Governments Act;

“Milango” means more than one Mlango;

“Ward” is a unit of administration created under this Act having same meaning as that under the County Governments Act;

“Ward Administrator” means a person responsible for the administration of a ward;

“Panel” means a dispute resolution panel established under section 17 of this Act;

“Director” means a director deployed under this Act to coordinate the administration of devolved units;

“Chief Officer” means a chief officer appointed in accordance with section 45 of the County Governments Act;

“Task Force” means a task force appointed for review of devolved units in accordance with section 17 of this Act;

4. The object and purpose of the Act is—

- (a) to provide for the administrative structure of the County Government;
- (b) to provide for the delineation of the administrative units of the County Government;
- (c) to provide for legal mechanisms for future decentralization of the County Government;
- (d) to give effect to the provisions of the Constitution and the County Governments Act with regard to devolution;
- (e) to provide for a legal framework for delivery of service by the County Government;
- (f) to provide for the appointment of the administrators of devolved units.

Object and
Purpose of the
Act.

PART II—ESTABLISHMENT OF THE DECENTRALIZED UNITS OF ADMINISTRATION AND THE APPOINTMENT OF ADMINISTRATORS

5. (1) There is established a system of administration to be called Bungoma County Decentralized Units Administration.

Establishment of
County
Government
Decentralized
Units.

(2) The Decentralized Units Administration shall comprise of—

- (a) the Director;
- (b) the Sub-County Administrator;
- (c) the Ward Administrator;
- (d) the village administrator;
- (e) the administrator of Mlango.

(3) All offices of devolved units administration shall be offices in the County Public Service.

(4) The Administrators shall be answerable, in the pecking order to the county executive through the relevant county executive member.

6. (1) The County Public Service Board shall appoint administrators of the devolved units through a competitive process having regard to the interests of the women, youths, persons living with disabilities and other marginalized groups;

Appointment of
Bungoma County
Devolved Units
Administrators.

Provided that any appointment of a village elder as an administrator of Mlango shall be as per section 53 (1) of the County Governments Act.

(2) The County Public Service Board shall implement measures to ensure that not more than one administrator of a sub-county, ward or village unit is appointed from the same village.

7. A person shall not be appointed as an administrator of a devolved unit unless—

Qualifications for
appointment as
Administrator.

(1) In the case of a sub-county or deputy sub-county administrator he or she—

- (a) is a Kenyan citizen of at least thirty years of age;
- (b) has been a resident in the devolved unit for a continuous period of at least three years prior to the date of the appointment;
- (c) holds at least a first degree from a recognized university in law, finance, social sciences, planning or related field;
- (d) has three years post graduate working experience in the relevant area and
- (e) has satisfied the requirements of Chapter Six of the Constitution.

(2) In the case of a ward administrator he or she –

- (a) is a Kenyan citizen of at least twenty five years of age;
- (b) has been a resident in the devolved unit for a continuous period of at least three years prior to the date of the appointment;
- (c) holds at least a diploma from a recognized institution in law, finance, social sciences, procurement, planning, community development or related field;
- (d) has three years post graduate working experience in the relevant area; and
- (e) has satisfied the requirements of Chapter Six of the Constitution.

(3) In the case of a village administrator, he or she—

- (a) is a Kenyan citizen of at least twenty five years of age;
- (b) has been a resident in the devolved unit for a continuous period of at least five years prior to the date of appointment
- (c) holds at least a post-secondary certificate
- (d) has satisfied the requirements of Chapter Six of the Constitution.

(4) In the case of an administrator of Mlango, he or she—

- (a) is a Kenyan citizen of at least forty years of age;
- (b) has been resident in the devolved unit for a continuous period of at least five years prior to the date of appointment;
- (c) owns some property within the devolved unit;
- (d) has the ability to read, write and communicate in both English and Swahili languages;
- (e) is generally of good repute and standing in the community; and is serving as a village elder on a village council in the respective devolved unit.

8. (1) The remuneration of the administrator of a devolved unit shall be determined by the County Public Service Board.

Remuneration of
the
Administrators.

(2) Despite subsection (1), a person appointed as an administrator of the Mlango shall be entitled to payment of allowances only specified in the First Schedule to this Act as may be amended from time to time by the county executive on the advice of the County Public Service Board with the approval of the County Assembly.

9. (1) An Administrator of a devolved unit may vacate office –

Vacation of office of administrator.

- (a) in case of death;
- (b) by resignation in writing submitted to the immediate senior administrator thirty days prior to the date of resignation;
- (c) where the administrator is convicted of a criminal offence punishable by a prison term of not less than six months;
- (d) if the administrator is found to be unfit to hold office after the due process;
- (e) where, in the case of a village elder, appointed as an administrator of Mlango, he or she misses three consecutive meetings without the prior written permission of the village administrator or for reasonable and acceptable cause.

(2) For the purposes of subsection (1) (b), a resignation letter shall be submitted to the immediate senior administrator in the pecking order with the sub-county administrator submitting his or her resignation letter to the Director or in his or her absence, the Chief Officer.

(3) Nothing in this section shall be construed to bar any disciplinary action or proceedings being taken against any administrator as may be necessary and appropriate in case of misbehavior or breach of duty.

(4) A vacancy arising in the office of the administrator of a devolved unit shall, unless delayed by lawful cause, be filled within sixty days.

PART III—FUNCTIONS AND DUTIES OF ADMINISTRATORS

10. (1) The Administrator of a devolved unit shall be responsible for, but not limited to the respective functions assigned under the First Schedule to this Act.

Functions of the Administrator.

(2) Notwithstanding subsection 10, the administrator of a devolved unit may perform any other function or duty assigned by the county executive either directly or through delegation.

(3) The county Government shall ensure the administrators of the devolved units are adequately facilitated, financed and equipped to effectively perform the functions and duties assigned by this Act:

11. The administrator of a devolved unit shall be under duty to—

- (a) dress at all times while on duty in a neat attire that is approved by the county executive;
- (b) establish efficient and reliable citizen and public participation systems and forums in his or her area of jurisdiction;
- (c) implement sound and good communication systems with the residents of his or her area of jurisdiction;
- (d) portray the good image of his or her office and the county government both in the public and private life;
- (e) ensure efficient and satisfactory public service delivery in every sphere;
- (f) set in place adequate machinery for consultation with the residents and the national government organs or other agencies within the devolved unit;
- (g) keep proper and satisfactory records of all official activities in the devolved unit;
- (h) submit the requisite reports to the relevant authorities as may be required or directed;
- (i) have at all times a sound understanding of his or her area of jurisdiction;
- (j) be ready to account for everything done by his or her office in the performance of these assigned or related functions;
- (k) to subscribe to the Administration Consortium;
- (l) to avoid involvement in political activities of any person or political party; and

Duties of the administrator.

(m) to treat with decorum and respect any person entitled to the services of such administrator.

PART IV—ESTABLISHMENT OF VILLAGE COUNCILS

12. (1) There shall be established for every devolved unit of village administration a Village Council.

Establishment of Village Council.

(2) The Village Council shall comprise of—

- (a) the village administrator who shall be the chairperson;
- (b) not less than three elders and not more than five elders appointed in accordance with sections 7 and 8 of this Act; and
- (c) a secretary appointed by the village administrator from amongst the elders with the approval of the Village Council.

(3) The functions of the Village Council shall be those specified in the Second Schedule to this Act.

(4) For Effective performance of the functions assigned under this Act; every elder shall be appointed as an administrator of Mlango and may be assigned two or more Milango by the village administrator.

(5) In the performance of the functions assigned by this Act; the Village Council shall be guided by a programme of activities formulated in accordance with section 13 of this Act.

13. (1) Every Village Council shall, at least seven days prior to the last day of every month, prepare a programme of activities for the month specifying the date, time, venue and activity to be undertaken within the month and display the same—

The Programme of activities of the Village Council.

(a) on the notice board maintained at the office of the village administrator for the said purpose;

(b) at prominent places in every Mlango identified by the respective administrator.

(2) The programme of activities referred to in subsection (1), shall be submitted to the Director and also posted on the County Government website and published in the county gazette.

(3) Except in the case of an emergency, no Village Council shall hold an activity other than in accordance with the programme.

(4) The Village Council shall hold at least one meeting in a week and not more than six meetings in a month.

(5) Every meeting of a Village Council shall be chaired by the village administrator and in his or her absence, an elder elected from amongst the elders present at the meeting.

(6) The secretary shall keep written records of all proceedings of the meetings and activities of the Village Council in both soft and hard form.

(7) The meetings and activities of the Village Council shall be open to the public unless, except where, owing to the nature of the subject matter and for reasons to be recorded, it becomes necessary to exclude the public.

(8) The quorum at every Village Council meeting shall be one half of the total membership.

(9) The decision of the Village Council shall be by consensus and a vote becomes necessary by a simple majority.

PART V—DELINeATION AND ESTABLISHMENT OF VILLAGE UNITS

14. (1) The county executive shall, subject to subsection (2), and the approval of the County Assembly, delineate and establish village units of administration for the purposes of this Act.

Delineation and establishment of Village Units.

(2) A village unit shall be delineated or established except in accordance with the recommendations of the Task Force Committee established in accordance with section 16 of this Act.

Boundaries of Devolved Units.

15. (1) The administrative boundary of every devolved unit shall be defined—

(a) in the case of a sub-county along the constituency boundary existing in the county on the date of commencement of this Act;

- (b) in the case of a ward, a long a ward boundary existing in the sub-county on the date of commencement of this Act;
- (c) in the case of a village, along a sub-location boundary existing in the ward under the national government structure of administration on the first day of January the year 2002;
- (d) in the case of Mlango, the boundary of a village existing in the sub-location under the national government structure of administration on the date of commencement of this Act; and
- (e) in any other case, as may be determined by the Task Force Committee in accordance with this Act.

(2) Despite subsection (10), the sub-counties, wards, villages and Milango recognized for the purpose of this act on the date of commencement shall be those specified in the Third Schedule.

(3) The boundaries of devolved units shall not be varied to exceed one third of the existing administrative units in the county in a period of ten years.

(4) The devolved units created under this Act shall not become effective without the approval of the County Assembly.

16. (1) There shall be established in every eighth year after the enactment of this Bill, the Task Force Committee on Decentralization.

Establishment of the Task Force Committee on Decentralization.

- (2) The Task Force Committee shall comprise of—
 - (a) a chairperson appointed by the Governor who shall be a qualified surveyor of not less than ten years working experience;
 - (b) the county physical planner who shall be the secretary;
 - (c) the head of county legal department or his or her designate;
 - (d) at least one person appointed by the relevant county executive member from every sub-county in consultation with the local residents;

(e) the chairperson of the Administration Consortium Management Committee; and

(f) the county commissioner or his or her designate who shall be an *ex officio*.

(3) A person shall not be eligible to be appointed under subsection (2) (d) unless he or she—

(a) is a Kenyan citizen resident in the respective sub-county for the last five years preceding the appointment;

(b) is in good standing with the respective community;

(c) holds at least a first degree in finance, social science, engineering or related field; and

(d) has satisfied the requirements of Chapter Six of the Constitution.

(4) A member of the Task Force shall, subject to section 17 serve for a period of two years.

(5) Despite subsection (4), a member of the Task Force Committee may be removed from office for gross misconduct or violation of the Constitution or any other law or for a lawful cause after the due process.

(6) A member of the Task Force Committee shall earn such allowances as may be determined by the County Public Service Board.

17. (1) The functions of the Task Force Committee shall be—

Functions of the
Task Force
Committee.

- (a) to make recommendations to the County Executive on all matters of delineation and establishment of devolved units of administration under this Act;
- (b) to draw the map or maps of the devolved units of administration;
- (c) to recommend, after consultation with the affected residents, the names of devolved units of administration;
- (d) to do everything economical and lawful to fulfill the objectives of decentralization of administration.

(2) In creating further decentralized units of administration, the Committee shall take into account the population size, geographical features, community of interest, historical, economic and cultural ties and means of communication.

(3) In performing its functions under this Act the Task Force Committee shall not be subject to the control of any person or authority but be guided solely by the principle of professionalism, economic and social justice and respect for the people, their leaders and elected representatives.

(4) The Task Force Committee shall be provided with adequate financial and human resource by the County Government to enable it deliver on its mandate timely.

(5) The Task Force Committee shall be submitted to the Governor not later than twelve months after its appointment and shall not be implemented except upon ratification by the county executive and the approval of the County Assembly and shall not be effective until after publication in the county Gazette.

(6) The term of the Task Force Committee shall expire on the last day of the third month after submission of the report to the Governor.

PART VI—ADMINISTRATION CONSORTIUMS

18. (1) Every administrator of a devolved Unit shall, on the date of the Appointment, become and be registered member of the Administration Consortium.

Establishment of Administration Consortium.

(2) The Administration Consortium shall be a consultative forum bringing together all administrators of devolved units for their welfare.

(3) The Administration Consortium shall be non-political and shall not be used to advance trade unionism.

(4) Nothing in this section shall bar any administrator from subscribing to any trade union of his or her choice outside the Administration Consortium.

19. (1) There shall be a Management Committee of the Administration Consortium comprising of—

The Management Committee of the Administration Consortium.

(a) two sub-county administrators;

- (b) four ward administrators
- (c) six village administrators; and
- (d) six administrators of Milango co-opted by the Management Committee three of whom shall be women to represent the Village Councils.

(2) Other than the members co-opted under subsection (1) (d), members of the Management Committee shall be elected by the administrators from amongst themselves under the supervision of the county government at every level of the devolved unit.

(3) The Administration consortium may, by a resolution at the Annual Conference, enlarge the membership to the Management Committee.

(4) The Management Committee shall elect a chairperson and a secretary at its first meeting.

(5) The Management Committee shall, in consultation with the relevant county executive member, regulate its affairs and business.

(6) The Management Committee shall keep proper and satisfactory records of its operations and shall be facilitated by the County Government.

(7) The Chairperson of the Management Committee shall represent the administrators at all functions common to all members of the Administration Consortium.

20. (1) A member of the Management Committee shall, subject to subsection (2) serve for a term of three years and may be eligible for re-election or cooption to one similar term.

(2) Despite subsection (1) the Management Committee member may vacate office—

- (a) by death;
- (b) by resignation in writing submitted to either the chairperson or the secretary thirty days prior to the date of resignation;
- (c) where he or she ceases to hold the office of the administrator;
- (d) if he or she fails to attend three consecutive meetings without permission or acceptable cause;

Tenure of
Member of the
Management
Committee.

- (e) pursuant to a successful petition by the administrators who elected him or her;
- (f) following a vote of no confidence supported by seventy five per cent of members of the Management Committee;
- (3) A vacancy arising in the office of the Management Committee shall be filled in accordance with this Act within sixty days.

21. (1) There shall be held every year before the twenty first day of December the Administration Consortium Annual Conference to be attended by all Administrators.

Administration
Consortium
Annual
Conference.

(2) The Annual Conference shall be held at a venue and on a date to be determined by the Management Committee in consultation with the Governor and shall be facilitated by the County Government.

(3) Where, due to logistical challenges, the organizers of the Annual Conference are unable to secure the attendance of all the co-opted members, the management Committee shall, in consultation with the respective village administrators, organize attendance of the affected members through delegate system.

(4) The main agenda at the Annual Conference shall be the sharing by the administrators of their previous experiences, successes and challenges over the year and laying of the systems and mechanisms for common approach to maximum service delivery to the public in future.

(5) The Governor shall preside over the Annual Conference and in his or her absence the Deputy Governor or the relevant county executive member.

(6) The Annual Conference proceedings shall be properly recorded and shall constitute part of the annual report to be submitted by the Governor to the County Assembly.

PART VII—COUNTY DIRECTOR OF ADMINISTRATION AND INTER- GOVERNMENTAL RELATIONS

22. (1) There shall be deployed at the county headquarters by the Chief Officer in consultation with the

Deployment of
the County
Director of

relevant county executive member, the Director of Administration.

(2) The Director shall hold the same qualifications as the sub-county administrator.

(3) The Director shall be responsible for the coordination of administration of devolved units in the county.

23. (1) Every administrator of a devolved unit shall—

- (a) work harmoniously with the national government officials and non-state bodies operating within his or her respective jurisdiction;
- (b) perform the functions assigned to him or her by this act on the basis of mutual co-operation and consultation with the national government officials and the non-state agencies in the county;
- (c) at all times, engage citizen and public participation in decision making in matters of public interest;
- (d) be open and transparent in his or her inter-governmental relationship;
- (e) understand adequately the laws and regulations applicable to intergovernmental relations and implement them.

The devolved units administrators intergovernmental and non-state relation.

PART VIII—COMPLAINTS AND DISPUTES RESOLUTION

24. (1) Every resident of the county has a right to present any complaint against the administrator of a devolved unit.

Making of Complaints.

(2) There shall be maintained at the County Government headquarters, a citizen complaint register to receive every complaint against the administrator of a devolved unit or county government devolved units administration.

(3) A complaint may be made either verbally or in writing.

(4) Where a complaint is made verbally, it shall as soon as practicable, be reduced in writing by the person to whom the complaint is made but not later than six hours from the time of receipt of the complaint.

(5) The County Public Service Board shall, employ or deploy an officer at a citizen complaint desk maintained at a conspicuous place of the county headquarters where the register shall be maintained for purposes of receiving and registering complaints.

(6) A complaint presented in writing shall be deposited in the Complaints Box stationed next to the complaints desk whose key shall remain in the custody of the designated officer.

(7) The Complaint Box shall be opened at the close of every day and the complaints presented therein recorded in the Complaints Register which shall be submitted to the county executive through the county secretary by four o'clock in the afternoon of Thursday of every week.

(8) The county executive shall either deal with all complaints received under this section in the manner provided by this Act and communicate the results in writing to those affected not later than seven days.

PART IX—REPORTS AND RECORDS

25. (1) Every administrator shall prepare monthly reports of their activities and submit them in the pecking order to the Director on quarterly basis.

Reports of the
Administrators.

(2) The reports submitted under subsection (1) by the ward and sub-county administrator shall include the consolidated reports received for the period from the lower level of administration and submitted not later than the seventh day of the fourth month for the ward administrator and not later than fifteenth day of every fourth month for the sub county administrator.

(3) The Director shall, not later than the thirtieth day of the fourth month, submit consolidated report of the reports received from all administrators under this section to the county executive through the chief officer and the relevant county executive member.

(4) The relevant county executive member shall prepare a consolidated annual report from the reports received under this section and submit the same to the Governor not later than the twenty fifth day of February of each year.

(5) The Governor shall submit to the County Assembly the annual report received under this section not later than the thirtieth day of every year.

26. (1) Every administrator shall keep proper and accurate records of all transactions including-

Records of the
Administrators.

- (a) the financial records where public funds have been received or spent;
- (b) minutes of all meetings held or presided over by the administrator;
- (c) records of all activities including visits to any site or inspection of any project;
- (d) the records of all visitors received on every day; their status and mission;
- (e) records of any other occurrence which the administrator may consider crucial to record.

(2) The records referred to in subsection (1) shall be documented in writing and may also be in electronic form.

(3) The records maintained under this section shall, unless restricted for reasons to be recorded or by operation of any written law be open to the public and shall form part of the periodic and annual reports to be submitted to the Governor, the county executive and the County Assembly in accordance with section 25 of this Act.

(4) The County Executive shall give directions in writing on the manner in which the records under section 25 of this Act shall be maintained by administrators.

(5) The County Executive shall give directions in writing on the manner the records maintained by administrators under this section for at least six years shall be disposed off.

(6) This section shall not confer any right upon an administrator to maintain official place of work.

PART X—OFFENCES AND PENALTIES

27. (1) Any person who—

Offences and
penalties.

- (a) disobeys a lawful order issued by an administrator in due execution of his or her official duty under this act;

- (b) uses abusive or derogatory language concerning an administrator or another person while at any meeting, office or place where the administrator is in attendance;
- (c) publishes any false, misleading or alarming information about the office of an administrator of which he cannot prove when called upon;
- (d) refuses or disobeys directions given by his or her senior in the line of administration;
- (e) knowingly misleads or lies to a person placed in authority over him on official matters; or
- (f) violates any provision of this Act;

commits an offence and is liable on conviction where no other sentence is provided, to a fine not exceeding Kenya shilling two hundred thousand or a term of imprisonment not exceeding twelve months or to both.

(2) Any person who violates any provision of this Act for which he or she is convicted shall in addition to the punishment imposed by this section be liable to recovery from him or her of the loss suffered to the extent of the offence.

PART XI—GENERAL PROVISIONS

28. (1) Unless expressly prohibited by this Act, or any other written law, the administrator of a devolved unit shall exercise the authority of coordinating public service for all devolved functions within the administrator's unit.

Other duties of the Administrators of devolved units.

(2) While exercising the authority conferred by subsection (1), the administrator of a devolved unit may, with the written approval of the Governor, establish devolved unit intergovernmental forum at his or her level similar to the County Intergovernmental forum established for the county under section 54 of the County Governments Act.

29. (1) The Director may, in consultation with the Chief Officer and the relevant county executive member, transfer, post or deploy an administrator to perform the function of his or her office in any devolved unit of the county.

Posting and transfer of administrators.

(2) No administrator shall serve in the same administrative unit for more than three years.

(3) This section shall not apply to the administrator of mlango.

30. An administrator of or any person discharging any function under this act shall not be personally liable to any criminal or civil proceedings for anything done or omitted to be done if the doing or the omission was in good faith and in due performance of the functions of his or her office under this act or other law.

Protection against personal liability.

PART XII—TRANSITIONAL PROVISIONS

31. (1) The devolved units of administration created by this Act on the date of commencement shall not be affected by the provisions of section 17 of this Act.

Exemption from the application of some sections of the Act to the devolved units.

(2) The Task Force Committee on Decentralization to be established under this act shall not make any report on decentralization whose effect will be adverse to the devolved units created by this Act on the date of commencement.

(3) The first devolved units created by this Act shall be those whose names and description are specified in the Third Schedule to this Act.

(4) The boundaries of a devolved unit whose name is specified in the Third Schedule which was decentralized before the commencement of this Act shall be the boundaries existing prior to the decentralization.

(5) If, prior to the commencement of this Act, an administrator had been appointed to a named devolved unit which on commencement of this Act has either ceased to exist in its original name or is decentralized into two or more devolved units, the administrator so earlier appointed shall be deemed to be the administrator for both the renamed or resulting devolved units until the appointments for the new units are regularized.

32. Any decision made or action taken concerning any of the function devolved by the Constitution prior to the commencement of this Act shall be deemed to be the decision or action of the devolved unit of administration under this Act.

Decision previously made on matters concerning devolved functions.

PART XIII—REGULATIONS

Regulations.

33. The relevant county executive member may, in consultation with the Management Committee, make regulations for the better carrying into effect the provisions of this Act.

THE FIRST SCHEDULE (S. 8(2))

SCALES OF ALLOWANCES FOR ADMINISTRATORS OF MLANGO

1. Administrator of Mlango (village council elder)

Allowance per sitting KSh.1000

2. Secretary, Village Council

Allowance per sitting KSh.1500

Dated the day of 2015

Signed:.....

COUNTY EXECUTIVE MEMBER,
Public Service and Administration

THE SECOND SCHEDULE

FUNCTIONS OF THE SUB-COUNTY, WARD, VILLAGE
ADMINISTRATORS, MLANGO ADMINISTRATORS AND THE
VILLAGE COUNCILS

PART I	PART II	PART III	PART IV	PART V
Sub-County Administrator	Ward Administrator	Village Administrator	Village Council	Mlango Administrator
<p>1. Coordination, management and supervision of the general administrative functions in the sub-county including-</p> <p>(a) the development of policies and plans;</p> <p>(b) service delivery;</p> <p>(c) developmental activities to empower the community</p> <p>(d) the provision and maintenance of infrastructure and facilities of the public services;</p> <p>(e) the county public service;</p> <p>(f) exercise any functions and powers delegated by the County Public Service Board;</p> <p>(g) facilitation and coordination of</p>	<p>1. Co-ordinate, manage and supervise the general administrative functions in the ward including-</p> <p>(a) the development of policies and plans;</p> <p>(b) service delivery;</p> <p>(c) developmental activities to empower the community</p> <p>(d) the provision and maintenance of infrastructure and facilities of the public services;</p> <p>(e) the county public service;</p> <p>(f) exercise any functions and powers delegated by the County Public Service Board;</p> <p>(g) facilitation and co-ordination of citizen</p>	<p>1. Co-ordinate, manage and supervise the general administrative functions in the village including-</p> <p>(a) ensuring and coordinating the participation of the village unit in governance;</p> <p>(b) assisting the village unit to develop the administrative capacity for the effective exercise of the functions and powers and participation in governance at the local level;</p> <p>(c) the exercise of any functions and powers delegated by the County Public Service Board;</p> <p>(d) chairing of the Village Council;</p> <p>(e) appointment</p>	<p>1. ensuring and co-ordinating the participation of the village unit in governance;</p> <p>2. assisting the village unit to develop the administrative capacity for the effective exercise of the functions and powers and participation in governance at the local level;</p> <p>3. monitoring the implementation of policies at the village unit;</p> <p>4. advising the ward administrator and the sub-county administrator on matters pertaining to the village;</p> <p>5. performing</p>	<p>1. shall be in charge of the administration of mlango on behalf of the village council;</p> <p>2. shall implement the functions of the village;</p> <p>3. perform any other function assigned by the village administrator</p>

<p>citizen participation in the development of policies and plans and delivery of services.</p> <p>2. Resolution of non criminal disputes in accordance with traditional disputes resolution mechanisms</p> <p>3. Perform any other function assigned by the Chief Officer; the Deputy Sub-County Administrator shall be the principal assistant to the sub-county administrator and shall act in the office in case of the absence of the sub-county administrator.</p>	<p>participation in the development of policies and plans and delivery of services.</p> <p>2. Resolution of non-judicial and non-criminal disputes in accordance with traditional disputes resolution mechanisms</p> <p>3. Perform any other function assigned to him or her by the sub-county administrator or deputy sub-county administrator.</p>	<p>with the approval of the County Assembly of village elders;</p> <p>(f) establishment of the Village Council;</p> <p>(g) supervision of village elders.</p> <p>2. Resolution of non-judicial and non-criminal disputes in accordance with the traditional disputes resolution systems.</p> <p>3. Perform any other function assigned by the ward administrator</p>	<p>any other function necessary for the better administration of the village unit</p>	
--	--	--	---	--

THE THIRD SCHEDULE

No	Name of Sub-County	Name of Ward	Approx Pop of Ward	No. of Villages	Village Units
1	MT. ELGON	Cheptais	33373	6	Kipsis Ngachi Chebwek Kimaswa/ Kisongo Walanga Chepkube
		Chesikaki	27894	5	Chemondi Chesikaki Sasur Toroso Kimabole
		Chepyuk	29494	6	Chepyuk Kaimugul Korng'otuny Kubura Chepkurkur Emia
		Kapkateny	33234	5	Kamneru Masaek Chelebei Sinoko Sacho
		Kaptama	42,563	6	Kaboywo Kaptama Chepkitale Kongit Chemoge kaborom
		Elgon	36,937	6	Namorio/Kipyeto Kapsokwony Elgon Chemwesus Sambocho/Koshok Kipchiria/Masindet
2.	SIRISIA	Namwela	31,941	5	Kikai/Central Namwela Kolani Mutonyi Menu Toloso
		Malakisi/south kijififi	40,652	6	Ndakaru Bukokholo/Butonge Sirisia Township Welekh Chebukutumi Chongoi
		Lwando/unyi	46,141	6	Machakha Mayekwe Chepkuyi

No	Name of Sub-County	Name of Ward	Approx Pop of Ward	No. of Villages	Village Units
					Wamono Sitaticha/Mwalie /Tamulega Kapkara
3.	KABUCHAI	Kabuchai/chwele	41,566	6	Nairumbi Sikusi Namilama Busakala Wabukhonyi Mukhweya
		West nalondo	38,407	5	Kisiwa Sirare/Nalondo Nangwe Luucho Kasosi
		Bwake/luuya	39,578	6	Nangili Nasaka Mabanga Khalitaba Luanda Mabwi
		Mukuyuni	44,039	6	Kuywa Sikulu Kibichori Sichei Milembe Lukhome
4.	BUMULA	South Bukusu	26,820	4	Muanda Lumboka Mateka Kimatuni
		Bumula	37,008	5	Lunao Bumula Kimatuni Mabusi Syekumulo
		Khasoko	16,270	4	Namatotoa Namusasi Mungore Khasoko
		Kabula	24,062	4	Mukhuma Syoa Malinda Wamunyiri
		Kimaeti	42,359	6	Tulukui/Siyombe Nakhwana Khasolo Bitobo Kimaeti Kamurumba

No	Name of Sub-County	Name of Ward	Approx Pop of Ward	No. of Villages	Village Units
		West Bukusu	23,188	4	Lwanja Ng'oli Kibuke Mayanja
		Siboti	37,685	5	Musakasa East-siboti Kisawayi Mukwa Masielo
5.	KANDUYI	Bukembe west	23,546	4	Nalutiri Kisuluni Khaoya/Muyayi Ekitale
		Bukembe east	31,009	5	Misanga Bukembe Tembelela Kongoli Sudi
		Township	22,150	3	Lower Township Central Township Upper Township
		Khalabu	28,343	3	Namuyemba Bondeni Khalaba
		Musikoma	43,975	6	Siritanyi Namasanda Namamuka Musikoma Sio Samoya
		East sang'alo	37,420	6	Mwikhupo Mwibale Khaweli Lutungu Mechimeru Kimugui
		Marakaru/tuuti	41,480	6	Mungeti/Mayanja Nabukhisa Kimukung' Makutano Kibabii Bukananachi
		West sang'alo	38,399	5	Sang'alo Namwacha Bulondo Samulia Ranje
6.	WEBUYE EAST	Mihuu	43,830	6	Mihuu Chetambe Mitukuyu

No. 6 Bungoma County (Decentralized Units) Administration 2015

No	Name of Sub-County	Name of Ward	Approx Pop of Ward	No. of Villages	Village Units
					Magemó Misimo Nabuyole
		Ndivisi	46,048	6	Lutacho Wabukhonyi/Misemwa Makuselwa Marinda Sinoko Sitabicha
		Maraka	41,124	6	Nang'eni Township East Lukhoba Lurare Muchi Lufwindiri/Khamoto
7.	WEBUYE WEST	Misikhu	49,031	6	Mukhe Sirende Misikhu Nambami Kituni Makhese
		Sitikho	43,554	6	Sitikho Kuywa Khalumuli Milo Namutali Kakimanyi
		Matulo	26,492	6	Upper Malaha Lower Malaha Lower Matulo Upper Matulo Hospital village Township West
		Bokoli	29,418	4	Bokoli Mahanga Miendo Matisi
8.	KIMILILI	Kibingei	39,946	6	DarajaMungu Siuna Kibunde Kitoyi Lutonyi Khwiroro
		Kimilili	42,043	6	Chelekei Bahai Matili Lwanda Township Sitabicha
		Maeni	28,065	4	Nasusi

2015 Bungoma County (Decentralized Units) Administration No. 6

No	Name of Sub-County	Name of Ward	Approx Pop of Ward	No. of Villages	Village Units
					Nameme Kamasielo Sikhendu
		Kamukuywa	43,923	6	Mbongi Makhonge Mapera Kimakwa Musembe Nabikoto
9.	TONGAREN	Mbakalo	37,362	6	Makutano/Nzoia Musembe Makunga Mbakalo Karima Kibisi
		Naitiri/kabuyef we	44,079	6	Makhanga Naitiri Sango Siumbwa Pwani Lungai
		Milima	38,664	4	Mukuyuni Nabing'eng'e Milima Maliki
		Ndalu	24,516	4	Muliro Tabani Ndalu Mulembe
		Tongaren	39,308	5	Binyanya Kakamwe Mabusi Tongaren Lukhuna
		Soysambu	33,409	5	Mitua Soysambu Narati Misanga Nalondo

FIC

COUNTY GOVERNMENT OF BUNGOMA



DEPARTMENT OF PUBLIC SERVICE MANAGEMENT, ADMINISTRATION & ICT
Office of the County Chief Officer

Telephone: 0720544691
E-mail: bungomacountygovt@gmail.com

County Headquarters
P.O BOX 437-50200
BUNGOMA, KENYA

Our Ref: CG/BGM/PSMA&ICT/CCO/CPSB/VOL.IV (119)

DATE: 17th February, 2025

Secretary/CEO
 County Public Service Board
 County Government of Bungoma
 P.O. Box 2894 - 50200
BUNGOMA

RE: INDENT FOR RECRUITMENT OF COUNTY ADMINISTRATORS

Reference to your letter CPSBB/P.A/VOL.II (102) on the above subject matter.

We take note that the coming into effect of the scheme of service for County Administrators gives a leeway for the Department to recruit Officers in order to bridge the Human Resource gap which currently exists in our staff establishment.

Having reviewed our previous indent vis-à-vis our confirmed budgetary provision for additional personnel emolument costs Kshs. 6,604,945, the Department has arrived at a decision of re-considering the same as follows;

S/N	VACANT POST	NO. OF VACANCIES	J.G	UNITS OF ADMINISTRATION
1.	Village Administrator	3	G	Kakamwe Village Unit in Tongaren Ward, Tongaren Sub County. Milima Village Unit in Milima Ward; Tongaren Sub County. Chepkurkur Village Unit in Chepyuk Ward; Mt. Elgon Sub County.
2.	Ward Administrator	5	K	Kabula Ward in Bumula Sub County. Khasoko Ward in Bumula Sub County Ndivisi Ward in Webuye East Sub County Kamukuywa Ward in Kimilili Sub County Maraka Ward in Webuye East Sub County
3.	Administration Officer I	18	K	Deployment at the Departmental and Sub County Headquarters

Attached please find the indent for your action,

Thank you,

*COUNTY CHIEF OFFICER
 FOR PUBLIC SERVICE MANAGEMENT & ADMINISTRATION*

EVELYN TERESA WEKESA

FEB 2025

CHIEF OFFICER-PUBLIC SERVICE MANAGEMENT, ADMINISTRATION & ICT

CC: CECM – PUBLIC SERVICE MANAGEMENT, ADMINISTRATION & ICT

INDENT

Applications are invited from prospective candidates for employment in the following positions In the Department of Public Service Management, Administration and ICT.

1. WARD ADMINISTRATOR I J.G 'K' 5 POSITIONS. ADMINISTRATION OFFICER I J.G 'K' 7 POSITIONS (PERMANENT AND PENSIONABLE)

Duties and Responsibilities

- i. Handling public concerns
- ii. Processing administrative documents
- iii. Supervising records management and messengerial services within various departments
- iv. Handling public concerns and issues
- v. Facilitating citizen participation in development activities
- vi. Providing input in organizing public participation awareness at the local level
- vii. Collecting and collating data on development activities
- viii. Perform duties as provided for by Bungoma County (Decentralized Units Administration Act 2015) Schedule II and other related laws
- ix. Perform any other duties as may be assigned by the supervisor

Requirements for Appointment

For appointment to this grade, one must possess the following minimum qualifications

- i. Bachelor's degree or Higher National Diploma in any of the following disciplines: - Public Administration, Education, Business Administration/Management, Community Development or any other Social Science from a recognized institution.
- ii. Be conversant with County and National Policies
- iii. Posses a certificate in computer application from a recognized institution
- iv. Satisfy the requirements of chapter six of the constitution
- v. For Ward Administrators, one must have been a resident in the devolved unit for a continuous period of at least three (3) years prior to the date of appointment.

2. VILLAGE ADMINISTRATOR, J.G. G 3 POSITIONS (PERMANENT AND PENSIONABLE)

RESPONSIBILITIES

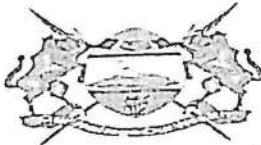
This is the entry and training grade for a post KCSE Certificate holder. An officer at this level will work under the guidelines and supervision of a Ward Administrator. Duties and responsibilities at this level will entail assisting in: -Collecting and collating data on development activities. Providing input in organizing public participation awareness at the local level, Keep proper and satisfactory records of all official activities in the devolved unit, Submit the requisite reports to the relevant authorities as may be required or directed, Put in place adequate machinery for consultation with the residents and the National Government organs or other agencies within the devolved unit, Ensure efficient and satisfactory public service delivery in every sphere, Establish efficient and reliable citizen and public participation systems and forums in his/her area of jurisdiction, Implement good and sound communication systems with the residents of his or her area of jurisdiction, perform duties as outlined in the Bungoma county decentralized unit act, 2015 – Schedule II and other related laws, and Perform any other duties as may be assigned by the supervisor.

Requirements for Appointment

For appointment to this grade, a candidate must: -

- i. Have minimum of D plain in Kenya certificate of secondary education (KCSE)
- ii. Possess Post-secondary Certificate in any of the following disciplines: -Public Administration, Education, criminology, communication, Business Administration/Management, Community Development or any other Social Sciences from a recognized institution.
- iii. Have been resident of a village unit that you wish to be considered for a minimum of five (5) years
- iv. Be proficiency in computer applications from a recognized institution
- v. Satisfy the requirements of chapter six of the constitution.

COUNTY GOVERNMENT OF BUNGOMA



135

135

DEPARTMENT OF PUBLIC SERVICE MANAGEMENT & ADMINISTRATION

OFFICE OF THE COUNTY EXECUTIVE COMMITTEE MEMBER

County Headquarters
P.O. BOX 437-50200
BUNGOMA KENYA

Telephone: 055-30343

Email: bungomacountygovt@gmail.com

OUR REF: CG/BGM/PSM&ADMN/CS/VOL.I (135)

Date: 23RD AUGUST 2019

The Clerk
County Assembly of Bungoma
P.O Box 1886-50200
BUNGOMA

Through

The County Secretary/Head of Public Service
County Government of Bungoma
P.O Box 437-50200
BUNGOMA

RE: PHYSICAL DELIMITATION AND DELINEATION OF VILLAGE ADMINISTRATIVE UNIT BOUNDARIES

Forwarded herewith please find the Bungoma County Report on Physical Delimitation and Delineation of Village Administrative Unit Boundaries for the attention and consideration of the committee on Public Administration and ICT and thereafter present for approval of the County Assembly.

Thank you.

Richard Sabiyami Keya
CECM – Public Service Management and Administration

27 AUG 2019

COUNTY GOVERNMENT OF BUNGOMA



DEPARTMENT OF PUBLIC SERVICE MANAGEMENT ADMINISTRATION & ICT OFFICE OF THE COUNTY CHIEF OFFICER

Telephone: 0725393939
Email: publicadministration@bungoma.go.ke,

County Headquarters
P.O. Box 437 – 50200
BUNGOMA, Kenya

Our Ref: CG/BGM/PSM&ADM/DHRAC/CCO/VOLI/ (7)

Date. 20th November, 2024.

Philip Musila
PF. 20140016860

RE: INVITATION TO APPEAR BEFORE DHRMAC

Reference is made to our letter Ref. CG/BGM/PSM&ADM/DHRAC/CCO/VOLI/ (6) dated 17th September, 2024 that alleged you to have committed the following acts of gross misconduct: -

1. Taking bribes from unsuspecting business people in the name that you will give them trade loans
2. Saving bursary Committee allowances but not remitting to them.
3. Noted that you have been accused of the same behavior from your previous stations.

Note that these offences amounts to gross misconduct that constitute justifiable or lawful grounds for your dismissal.

In view of the above, your dismissal from the service on the specified accounts is contemplated but before this is done, you are hereby invited to appear before the Departmental Human Resource and Management Advisory Committee on Friday 22nd November, 2024 at the Director's Office 9.00 a.m. for hearing, failure to which the contemplated action will be taken without further reference to you.

You may further prepare written response and submit it prior to the date of the committee sitting.

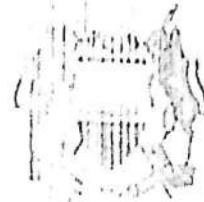
Evelyn Teresa Wekesa
CHIEF OFFICER-PUBLIC SERVICE MANAGEMENT, ADMINISTRATION & ICT

Copy to: CECM - Public Service Management, Administration & ICT
County Director Human Resource Management

Kenya Revenue Authority

Kenya National Revenue Authority

COUNTY GOVERNMENT OF BUNGOMA



6 OCT 2024

REVENUE AUTHORITY
BUNGOMA COUNTY

DEPARTMENT OF PUBLIC SERVICE MANAGEMENT AND ICT

TONGAREN SUB-COUNTY

Telephone: 0722277733

The Chief Officer,
County Government of Bungoma,
Ministry of PSMA and ICT,
P.O BOX 437-50200,
BUNGOMA.

Dear Madam,

RE: VICTOR MASINDE (WARD ADMINISTRATOR MILIMA WARD)

The above matter refers.

Date: 1/10/2024

DDA: *Boys leave to lead*
Act now
1/10/24

I have received several allegation against one Victor Masinde Ward Administrator Milima Ward from resident of the said Ward ranging from demanding bribes before offering Government services reporting to work when drunk and on several occasions not reporting to work (absenteeism). The officers working under him have also complained that he doesn't hold weekly management meetings. The officer never submits monthly reports when called upon to do so. On several occasions he has had some family disputes which spills over to his place of work, thus embarrassing the Government (attached letters of the landlord, Village administrator's complaint and a resident). Bursary committee members complained that he didn't give them their allowances that were disbursed by the Ministry of Education.

In view of the above I request your office to take necessary action to stop the officer from further embarrassing the Government.

Thanking you in advance.

Yours faithfully,

William Wasike Kituyi (Acting Sub-County Administrator)

*Through
intermediary
Supervisor
WBS
MCA
23/10/24
MCA*

COUNTY GOVERNMENT OF BUNGOMA



DEPARTMENT OF PUBLIC SERVICE MANAGEMENT ADMINISTRATION & ICT OFFICE OF THE CHIEF OFFICER

Telephone: 055-2030144

Email: bungoma county govt@gmail.com

County Headquarters
P.O. Box 437 - 50200
BUNGOMA, Kenya

Our Ref: CG/BGM/PSM&ADM/CCO/ADVISORY/VOL.1/(06)

Date: 12th November, 2024

To

1. Director Civic Education & Public Participation
2. Deputy Director of Administration
3. Head of Enforcement
4. Ag. Sub-County Administrators

*File appropriately
Sms
12/11/24*

RE: ADVISORY ON FORMATION OF THE SUB COUNTY HUMAN RESOURCE ADVISORY COMMITTEES CONFIRMATION, PROMOTIONS, TRANSFERS AND RE-DESIGNATIONS OF OFFICERS.

Following the consultative meeting held on 4th November 2024 and by virtue of my roles as the Authorized Officer, I hereby advise as follows:

1. FORMATION OF THE SUB COUNTY HUMAN RESOURCE ADVISORY COMMITTEES

- 1) THAT the Sub-County Human Resource Advisory Committees (SCHRAC) to be established in every Sub County. This is in execution of the EXECUTIVE ORDER NO. 1 OF 2022 that mandated the same entity to undertake the following responsibilities:
 - a. Receive request for promotions, re-designations and transfers
 - b. Forward discipline cases from the Sub-County to the Departmental Human Resource Advisory Committee (DHRAC)
 - c. Receive requests for training from officers at Sub-County level
 - d. Ensure applications for consideration have the correct documentation
 - e. Compile and forward to the Chief Officer the minutes of the committee's deliberations in the prescribed format.
 - f. Implement any action as directed by the Chief Officer.

- 2) THAT the Sub County Administrators to implement the formation of the Sub County Human Resource Advisory Committees (SCHRAC) by 8th November, 2024 with the following composition:

a. Sub-County Administrator	Chairperson
b. Administrative Officer	Secretary
c. All Ward Administrators	Members
d. Sub-County Enforcement Officers (NCO)	Member
e. One Village Administrator from every Ward	Member

N/B. Please note that the committees will NOT BE REQUIRED TO MAKE ANY RECOMMENDATIONS.

2. CONFIRMATION, PROMOTIONS, TRANSFERS, RE-DESIGNATIONS OF OFFICERS

1. The approved Scheme of Service for County Administrators is now applicable and in effect. This will guide staff career progression; therefore, all the Sub County Heads should ENSURE full access to the Schemes of Service.

PROMOTIONS, and RE-DESIGNATIONS are dependent on the following:

- i. Officers' demonstration of competence, merit and ability in performance through recommendation from the immediate supervisor and shall be subject to suitability test.
- ii. Availability of vacancies in the areas of interest
- iii. Availability of funds in case of consideration for a higher grade.
- iv. Conditions for such Schemes of Services shall apply.
2. THAT all requests shall be made to the Chief Officer Public Service Management, Administration and ICT through the office of the Sub County Administrator as guided in section 1.
3. THAT Village Administrators are informed that a request has already been made to the County Public Service Board (CPSB) by the Chief Officer to have ALL the Village Administrators issued with confirmation letters.
4. THAT Enforcement Officers who wish to appeal their transfers should submit their requests in writing to the Chief Officer through their respective supervisors as guided in section 1 by Tuesday 12th November, 2024 meanwhile all MUST report to their deployed stations.

Please take note.

[Signature]
EVELYN T. WEKESA.
CHIEF OFFICER- PUBLIC SERVICE MANAGEMENT ADMINISTRATION & ICT



CC. : CECM Public Service Management Administration & ICT
Director Human Resource Management and Development
Departmental Human Resource Management Officer

COUNTY GOVERNMENT OF BUNGOMA



DEPARTMENT OF PUBLIC SERVICE, ADMINISTRATION & ICT
OFFICE OF THE COUNTY CHIEF OFFICER

Telephone: 0725393939
E-mail: chiefofficerpsm@bungoma.go.ke

Municipal Building
P. O Box 437- 50200
BUNGOMA

Our ref: CG/BGM/PSM/ADM/CCO/APPT/VOL.I (005) Date: 10th September, 2023

1. Mr. Cleophas Bukelemba	Chairperson
2. Mr. Kevin N. Simiyu	Secretary
3. Ms. Gladys Okong'o	Member
4. Mr. Wenslaus Puria	Member

RE: COMPLAINTS AND DISPUTE HANDLING MECHANISMS IN THE DEPARTMENT

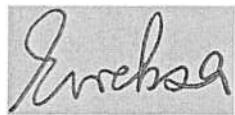
Taking cognizance of the provisions of the Bungoma County decentralized Units Act 2015, particularly (part viii) section 24(1) which gives every citizen of Bungoma County an opportunity to present any complaints against any Administrator of any unit. Further, Sub section (2) gives clear guidelines on how and where shall be established a Citizens complaints register.

Due to the aforementioned, you are hereby appointed as a member of the Dispute handling technical working group for the Department of Public Service Management, Administration and ICT with immediate effect.

Your terms of references shall be but not limited to:

1. Develop and maintain Citizens complaints register
2. Receiving and documenting all the presented complaints on a daily basis
3. Scrutinizing and processing of the submitted complaints' documents.
4. Submitting the report on the complaints to the CECM by Four O'clock in the afternoon of Thursdays of every week.
5. Follow-up on the Implementation of the recommendations as may be required from time to time.
6. Prepare Departmental quarterly and annual reports on the dispute cases reported and actions taken.
7. Performing any other assignment/duty relevant to the implementation of the PMS of Department or the County.

Wishing you well,

A handwritten signature in black ink, appearing to read "Evelyn Teresa Wekesa".

EVELYN TERESA WEKESA
CHIEF OFFICER- PUBLIC SERVICE MANAGEMENT, ADMINISTRATION & ICT

CC:

CECM - PUBLIC SERVICE MANAGEMENT, ADMINISTRATION & ICT

