



OFFICIAL HANSARD REPORT

COUNTY ASSEMBLY OF BOMET

THIRD COUNTY ASSEMBLY

ASSEMBLY DEBATES

Vol. 2 No. 99

DAILY HANSARD

The Assembly met at the Main Assembly Chamber,

Dr. Joyce Laboso Centre at 2:30 p.m.

Third County Assembly- Second Session

Thursday Afternoon 16th November, 2023

(The Assembly met at 2:30 p.m. in the

County Assembly Mini Chamber at County Assembly Buildings)

[Hon. Deputy Speaker (Hon. L. Rotich) in the Chair]

PRAYER

Hon. Deputy Speaker (Hon. L. Rotich): I see that there is no quorum, I request the Serjeant-at-arms to ring the quorum bell for ten minutes.

Okay the quorum has been attained, welcome honourable members for this afternoon session, and the clerk kindly takes us through the items in the order paper.

PAPERS

THE COUNTY GOVERNMENT OF BOMET REVIEW OF THE INTEGRATED STRATEGIC URBAN DEVELOPMENT PLAN FOR BOMET MUNICIPALITY FOR THE PERIOD 2010/2030. THE COUNTY GOVERNMENT OF BOMET CONSULTANCY SERVICES FOR THE PREPARATION OF LOCAL PHYSICAL DEVELOPMENT PLAN FOR MULOT TOWN FOR THE PERIOD 2020/2030. ALONG THE SAME ARE MAPS FOR THE TWO TOWNS.

Hon. P. Kirui, Leader of Majority (Ndanai/Abosi ward, UDA): Hon. Speaker I beg to table the following papers; one the County Government of Bomet review of the integrated strategic urban development plan for Bomet Municipality for the period 2010/2030.

Two the County Government of Bomet consultancy services for the preparation of local physical development plan for Mulot town for the period 2020/2030. Along the same are maps for the two towns. I beg to table.

Hon. Deputy Speaker (Hon. L. Rotich): Kindly proceed. The papers which have been laid I commit them to the committee on urban planning and housing to expedite within 14 days and report to this honourable Assembly. Chair urban planning and housing? Any member who belongs to the committee on urban planning. Okay, honourable Emily you've noted the urgency of the papers which have been tabled kindly ask our chair that you deal with the papers and report to this Assembly within 14 days.

Hon. E. Cheruiyot, Minority Whip (Nominated MCA, CCM): Thank you Hon. Speaker.

QUESTIONS AND STATEMENTS

Hon. Deputy Speaker (Hon. L. Rotich): The following statement honourable Felody?

Hon. F. Chepkirui (Nominated MCA, UDA): Thank you Mr. Speaker I am rising to answer a statement by honourable Stephen Changmorik. I am representing the chair committee on Labour and public service who is honourable Bernard Rotich who is attending an official duty. Mr. Speaker on 28th of September 2023 honourable Changmorik member representing Longisa ward raised a statement in the assembly concerning policies implemented by the County Government. Particularly the honourable member raised concern on whether the following policies are in existence; a) The Human Resource Policy and Procedural Manual.

- b) The Career Progression Manual
- c) Training and Development Policy
- d) Code of Conduct (Discipline Manual)
- e) Staff Establishment and Succession Planning or any other manual that is currently being implemented by the Human Resources department.
- f) Scheme of Services for ECD teachers

Mr. Speaker further to these the honourable member requested that he be supplied with the copies of the said documents of indeed they are in existence. On the other hand the honourable member also sought to be supplied with the information on which policies are being implemented by the county government if the aforementioned policies are not in existence.

Mr. Speaker on 25TH September 2023 the committee wrote to the county secretary to be supplied with the information stated via a resolution of a committee sitting. On the 2nd October 2023 the county secretary forwarded the following policies via a letter reference number BC3051.

- i) The human resource management policies and procedural manual.
- ii) Staff establishment.
- iii) Succession policy/ recruitment plan.
- iv) Career progression guidelines.
- v) ECDE scheme of service.

In the same correspondence the county secretary indicated that the human resource policy and procedural manual encompasses the following; code of conduct, disciplinary control, training and developments policy, gender mainstreaming policy, performance management policy, retirement benefit policy.

Mr. Speaker the committee received the submitted reference and policies by the county secretary and noted the following; some of the submitted documents and policies were unsigned rendering

them inadmissible before the committee.

Hon. F. Chepkirui (Nominated MCA, UDA): Some of the requested policies were not availed for authentication. The Committee could not establish whether the submitted staff establishment was approved by the County Secretary. The submitted Scheme of Service appeared to be a product of the Council of Governors.

In light to the aforementioned concerns the Committee sought clarification from the County Secretary in a letter dated October 11th, 2023, requesting his office to respond to the stated issues by Thursday, October 26th, 2023. The County Secretary via a letter dated October 27th, 2023, clarified the issues noted by the Committee. In addition to this the County Secretary supplied the copies of the requested policies.

Hon. Deputy Speaker, Sir, the Committee has analyzed all the responses by the County Secretary and noted the following:

1. That all documents requested by Hon. Changmorik have been supplied.
2. That the county is implementing the specified policies.
3. That the submitted Policies are broad giving indication that the County Government has developed prerequisite policies governing employees in the county.

Based on the formal proceedings of this Assembly, the Committee impressed upon Hon. Changmorik on the availability of the contents of the submitted policies. It is therefore my pleasure and honour to submit the said policies and information to Hon. Changmorik, as requested through this Statement.

Hon. Deputy Speaker (Hon. L. Rotich): Thank you. Hon. Ruttoh

Hon. R. Ruttoh (Chemaner Ward, UDA): Hon. Deputy Speaker, the Statement seeker is not in. I do not know if it is in order to proceed with the report given by the Member.

Hon. Deputy Speaker (Hon. L. Rotich): It will proceed because the information gathered will be of benefit to all the Hon. Members. Hon. Felody, are you done with the presentation?

Hon. F. Chepkirui (Nominated, UDA): Yes. I am just waiting for your permission to present the document as requested by the Hon. Member.

Hon. Deputy Speaker (Hon. L. Rotich): Yes. You can proceed.

Hon. F. Chepkirui (Nominated, UDA): Thank you.

(The Member tabled the document)

Hon. Deputy Speaker (Hon. L. Rotich): There was also another Question asked by Hon. Eric Kirui on 18th October 2023 committed to the Committee on Labour and Public Service. Hon. Felody, are you armed with the response?

Hon. F. Chepkirui (Nominated, UDA): Hon. Deputy Speaker, thank you. As a Committee, we sat and expedited on the same but we are still waiting for the response from the Public Service Board. We do not have the response yet. Thank you.

Hon. Deputy Speaker (Hon. L. Rotich): Hon. Eric

Hon. E. Kirui (Kimulot Ward, UDA): Hon. Deputy Speaker, thank you. You directed on Tuesday that the Committee needed to give a response by today. By the look of things, they did not look at it. The fact that a directive from your desk was given and it has not been followed says a lot about how we treat businesses in this Assembly.

In the prayer that we say every day, we say,

“Let your blessings descend upon us here assembled and that we treat and consider all matters that shall come under our deliberation in so just and faithful a manner as to promote you honour and glory and to advance the peace, prosperity and welfare of our county and of those whose interest you have committed to our charge.”

That paragraph speaks to us every day but the failure by the Committee to respond, even after you have given a directive, says a lot about how condescending we are to the business of this Assembly. I request you, with all due respect, to kindly commit that Question to another Committee because they are stealing an opportunity and livelihood of the people we represent. It is high time that we treated the businesses of this Assembly seriously. Thank you.

Hon. Deputy Speaker (Hon. L. Rotich): Hon. Philip.

Hon. P. Korir (Kiprerer Ward, UDA): Hon. Deputy Speaker, thank you. I request you, Hon. Deputy Speaker, because I am one of the members of the Committee on Labour and Public Service, to give us more time because the Public Service Board have not responded.

Hon. Deputy Speaker (Hon. L. Rotich): Hon. Rutttoh

Hon. R. Rutttoh (Chemaner Ward, UDA): As our senior Member, Hon. Philip Korir has requested, I would like to raise a concern on the various Committees on how they handle issues raised by the Hon. Members. This is a matter of concern which needs quick response. What the Public Service Board has done to this county needs an intervention of this Assembly so that we can put the Board in order.

The concerns raised by the Hon. Member from Kimulot cuts across the entire county. I had requested the Committee on Labour and Public Service on the same Statement to consider a quick response because some of us were disadvantaged when it comes to the county recruitment process and the failure comes majorly from the Public Service Board.

We need a lot of seriousness. There was a Statement that was raised by Hon. Josphat Kipkirui

from Singorwet and up to date, that information is still pending. We had the same problems touching on the ECDE teachers across the county. The Committee of Labour and Public Service has continued hold the issue. I do not know if it is their mistake or a mistake from the Public Service Board.

The last Question asked by the Hon. Member from Kimulot touches on my ward as well. I am eager to get the right information from the Committee on Labour and Public Service. We need them to clarify on this. Thank you.

(Hon. P. Korir rose on a point of order)

Hon. Deputy Speaker (Hon. L. Rotich): Hon. Philip

Hon. P. Korir (Kiprerer Ward, UDA): Hon. Deputy Speaker, I would like to challenge Hon. Ruttoh since he has mentioned on the Question touching on the ECDE teachers. That response was given and a ruling was given last month.

Hon. Deputy Speaker (Hon. L. Rotich): Statement from J.K.

Hon R. Ruto (Chemaner ward, UDA): We do not know who is J.K honorable speaker. We need your intervention.

Hon. Deputy Speaker (L. Rotich): who is honourable this JK?

Hon. P. Korir (Kiprerer ward, UDA): Josphat Kipkirui from Singorwet ward.

Hon. Deputy Speaker (L. Rotich): Okay. Honorable Felody.

Hon. F. Chepkirui (Nominated MCA, UDA): Thank you Mr. Speaker. I also want to add on what Mweshimiwa Philip has said on the statement of honourable Josphat Kirui, the committee has expedite on it and the motion was brought to the floor of this Assembly and the members have already debated on it and a ruling has be made concerning the same and I don't think honourable speaker it is in order for the honourable member from Chemaner to refer the committee as failures because we have done to the expectation Mr. Speaker and we have given our report to this honourable Assembly. Secondly Mr. Speaker, on the matter of honourable Eric Kirui. As the committee we have sat and expedite on it we have minutes that shows that the committee have deliberated on the same on the same Mr. speaker unless the honourable member requires the committee to give a composition which we can do that but this is an honourable Assembly and we need facts so we are still waiting for the department concerned who have facts to give us the exact information Mr. speaker we do not want to lie to this Assembly. Otherwise, as a member of labour committee, we have sat severally not even once, twice and we can give the minutes to this honourable Assembly if given time so Mr. speaker give us more time for the responses from the public service board

Hon. Deputy Speaker (Hon. L. Rotich): Honourable Felody what are you referring to as composition?

Hon. F. Chepkirui (Nominated MCA, UDA): Mr. speaker, the member is not giving us time for the public service board to give us facts so I am saying unless the member wants us to write composition, of which we can do that as a committee but we are not going to do that because *(inaudible)*.

(Hon. E. Kirui rose on a point of order)

Hon. E. Kirui (Kimulot ward, UDA): Mr. Speaker, the conversation from honourable Felody clearly displays a level of arrogance on the floor of the Assembly Mr. Speaker. She is being arrogant to the fact that she can give me a composition. I was not asking this statement Mr. speaker for my own sake, we are asking for the people of Bomet. For her to insinuate that she can give me a composition, I think we demand an apology to this Assembly Mr. Speaker. We demand her to apologize to this Assembly because one we are not taking things for granted. We have been having other business doing it out there but we come to this Assembly, seriously and committed to the business of this Assembly but when she stands and says for which we can, it is arrogance and I don't know which other definition of arrogance we can give other than what we are seeing from honourable Felody so I want to request you chair to request honourable Felody to withdraw the statement and apologize to this Assembly. Thank you.

Hon. R. Ruttoh, Majority Whip (Chemamer ward, UDA): On top of that Mr. Speaker. Thank you very much Mr. Speaker. The honourable member, honourable Felody Mr. Speaker has underrated this honourable members because she cannot say let me write unto you a composition of which we did it in class 8 and some of us in form four and I believe we are done with the composition. The only thing which I want from the honourable member though she has said what the honourable Josphat Kirui is already done Mr. Speaker, the issue which made the question asked by honourable Josphat to be told Mr. Speaker, is for the ECDE teacher Madam Viola which was an issue to this honourable Assembly to an extend of terminating or giving out the directive putting the question when the right thing was about to be discussed and the motion was not supposed to die because we were still waiting *(interruption on a Point of Order)*

Hon. Deputy Speaker (Hon. L. Rotich): Honourable Richard kindly stick to the matter at hand. The other motion has been deliberated on. Kindly stick to the matter.

(Hon. E. Cheruiyot rose on a point of order)

Hon. E. Cheruiyot (Nominated MCA, CCM): Honourable speaker, I have risen to applaud the committee on labour they have done a lot. I want to congratulate honourable Felody on the way

she has put it because the first question by honourable Changmorik, they were given few days and she has done it well. Now I am also asking you honourable speaker to give them some few days to answer this question by honourable Kirui. You know dealing with public service is not something easy so they have to go slowly asking questions, meeting some members of public service so this committee they have done a lot they have given their time to answer this question so I have stood here to support the labour committee. Thank you.

Hon. Deputy Speaker (Hon. L. Rotich): Honourable Felody kindly withdraw the insinuation that you can supply to this Assembly with a composition.

Hon. F. Chepkirui (Nominated MCA, UDA): Thank you Mr. Speaker but unfortunately I am not going to apologize because I did not say I will bring a composition.

Hon. R. Ruto, Majority Whip (Chemaner ward, UDA): Mr. speaker, somebody opposing your directive Mr. speaker is she allowed to remain standing while she is opposing what you have directed Mr. speaker:

Hon. Deputy Speaker (Hon. L. Rotich): Honourable Felody, I am saying kindly withdraw the use of the word and explain properly how you indented to want that word to mean to this honourable Assembly.

Hon. F. Chepkirui (Nominated MCA, UDA) : Okay, I withdraw and apologize (*Applause*) Kindly Mr. speaker give me a chance to clarify what I meant by a composition Mr. speaker, I was trying to explain to the honourable member that this statement requires facts Mr. speaker and the committee cannot just sit and formulate issues to answer the statement. Mr. speaker, this is a statement that needs facts and the concerned department is supposed to answered so as the committee there is nothing we can do in answering the question until the public service board answers. Thank you Mr. Speaker.

Hon. Deputy Speaker (Hon. L. Rotich): Okay thank you. I want to give my ruling on the same because the same discussion happened yesterday and in the two occasions the chair labour was not inside the plenary that is making even the matter very difficult even though as a member vice chair you have also given sufficient information on the same. I will invoke the powers within my jurisdiction and rule that I will take the matter and look into the happenings of the committee on labour because the issues which have been raised are weighty and they need to be answered within the specified time. As I have said yesterday that even if the county public service board are unable to supply you with the information, you always make recommendation on the same and this honorable Assembly will never lack what to do because we have all the powers which have been bestowed to this assembly so kindly honourable Eric the matter will be taken and a

comprehensive report on the same will be given on Tuesday afternoon.

Hon. E. Kirui (Kimulot ward, UDA): Thank you honourable speaker.

Hon. Deputy Speaker (L. Rotich): Thank you. There are no other statements and we are good to proceed.

MOTION

Hon. Deputy Speaker (L. Rotich): Motion mover Honourable Wesley Kiprotich; kindly take the floor. Honorable Emily.

Hon. E. Cheruiyot (Nominated MCA, CCM): Honourable Kiprotich is not around.

Hon. Deputy Speaker (L. Rotich): Okay so we can defer the motion to a later time when the Assembly Business Committee will also slot it in the order paper.

ADJOURNMENT

Hon. Deputy Speaker (L. Rotich): The Assembly is adjourned to 21st November 2023 at 2.30pm.

The Assembly rose at 3.16 pm