

(Bungoma County Legislative Supplement No. 1)

LEGAL NOTICE NO. 1

THE COUNTY ASSEMBLY SERVICES ACT

(No. 24 of 2017)

IN EXERCISE of the powers conferred by Section 45 of the County Assembly Service Act, the County Assembly Service Board makes the following Regulations –

BUNGOMA COUNTY ASSEMBLY SERVICE REGULATIONS, 2019

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BUNGOMA COUNTY ASSEMBLY SERVICE REGULATIONS, 2019

Citation

1. These Regulations may be cited as the Bungoma County Assembly Service Regulations, 2019.

Scope and application

2. These Regulations shall apply to County Assembly Service and all persons holding or acting in an office in the Service.

Interpretation

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

"Board" means the County Assembly Service Board established under section 12 of the County Governments Act (No. 17 of 2012);

"Chairperson" means a person presiding at a sitting of the Board and includes the Vice-Chairperson or any other member of the Board when discharging the functions of the Chairperson;

"Clerk" means the Clerk of the County Assembly;

"County Assembly service Values" means the values and principles of the service specified under section 5;

"Office", in relation to the service, means a paid office as an employee of the service, not being the office of a member of the Board, or a part-time office, or an office the emoluments of which are payable at an hourly or daily rate;

"Officer" or "employee" means any person who holds or acts in any office of the service otherwise than as a part time officer or employee;

"Secretary" means the Clerk of the County Assembly or, in the absence of the Clerk, the person exercising the functions of the Clerk;

"Speaker" means the Speaker of the County Assembly.

"Acting Appointment" means temporary conferment upon a public officer, by the Board or the relevant appointing authority, the power to perform duties of a public office other than the office the officer is substantively appointed to hold, while the public officer continues to hold the substantive appointment;

"Authorized Officer" in relation to the Board, means any officer, body or authority appointed by the Board to perform its delegated functions in a public body, or any member of the Board;

"Casual Employee" means a person the terms of whose engagement provide for his payment at the end of each day and who is not engaged for a longer period than 24 hours at a time.

"Code of Conduct" means any written standard that is issued by any lawful authority

"Conditions of service" means any right or obligation relating to a

- (a) appointment;
- (b) remuneration;
- (c) standards of conduct;
- (d) removal;
- (e) working hours;
- (f) grievances;
- (g) disciplinary control;
- (h) medical care;
- (i) water;
- (j) welfare;
- (k) working environment;
- (l) housing; and
- (m) pension benefits.

"Confirmation in appointment" means the placement of a public officer on permanent and pensionable terms upon completion of the probation period;

"Deployment" means a written decision requiring a public officer to move between duty stations while the officer holds the same public office in the same grade in the public usually without change in the pay point;

"Disciplinary control" means control in so far as it relates to due process of justice and any of the lawful penalties that are provided for in these regulations or specified in any written law;

"Delegation instrument" means a document by which the Board delegates its powers and functions under the Act and these regulations to an authorized officer;

"Indent" means a declaration instrument for vacancy to be filled and includes job descriptions and specifications;

"Induction" means training provided to new employees by the employer in order to assist in adjustment to the new work environment and responsibilities;

"Merit" in referring to a person, means the person has abilities, aptitudes, skills, qualifications, knowledge, experience and personal qualities relevant to the carrying out of the duties in question and has potential for development;

"Official Document" means any document or paper prepared by any public officer in the course of employment or any document or paper which comes into the custody of any public officer in the course of employment;

"Orientation" means workplace familiarization and socialization;

"Pensionable Public Officer" means a public officer who has been confirmed in appointment and admitted to the permanent and pensionable establishment;

"Pension Benefits" means any pension, compensation, gratuity or other similar allowances payable to a person in respect of such person as a public officer, or to the widow(s)/widower, children, dependants or personal representatives of such person, in respect of that ;

"Re-Designation" means the movement of a public officer from one career path or cadre to another at a grade equal to or substantially equal to the one held before the movement, to facilitate the public officer's horizontal mobility; Provided that the posting, deployment or secondment of a public officer from one duty station to another in the same grade in the public service shall not be regarded as a re- designation;

"Reprimand" means a form of disciplinary action imposed after formal charges that declare an officer's conduct improper;

"Resignation" means the action of a public officer's exit from the public entity;

"Retirement" means the exit of an officer from the public service with full separation benefits, including pension benefits as may be provided for in the applicable law, contract of or a special retirement scheme agreed upon between the public officer and the relevant lawful authority;

"Secondment" means an arrangement in which a pensionable employee is temporarily released from an organization within the public service to another organization, to provide critical skills or acquire new knowledge and skills.

PART II GENERAL

Values and principles of public service

4.(1) The Board shall be guided by the national values and principles of governance in Article 10 and the values and principles of public service in Article 232 of the Constitution.

(2) Every public officer shall uphold and promote the values and principles in Articles 10 and 232 of the Constitution.

(3) Every public officer shall uphold the principle that it is the right of every person to be accorded ethical, responsive, prompt, effective, efficient, impartial and equitable public service.

(4) The Board shall promote the values and principles in sub-paragraph (1) with respect to the service as provided for in the Constitution, any legislation and these Regulations.

(5) Any person has a right to complain individually or collectively, and to make representation to the Board regarding the violation of the values and Principles in Articles 10 and 232 of the Constitution.

Decisions may be made by circulation of papers.

5.(1) Where majority of members of the Board are not in a position to attend a meeting in person and an urgent matter arises, decisions may be made by the Board without a meeting by circulation of the relevant board paper to all the members and the expression of concurrence in writing of at least three members.

(2) Where a decision is made by the Board without a meeting by circulation of the relevant board paper to all the members, the decision shall be recorded in the minutes of the next meeting of the Board.

(3) The Board may hold virtual meetings through teleconference or videoconference as circumstances shall determine and decisions made at the virtual meeting shall be recorded in the minutes.

Dissent by Members

6. Any member who dissents from a decision of the Board shall be entitled to have the dissent and the reason for dissenting set out in the records of the Board.

Record of Meetings

7. A record shall be kept of the members present and of the business transacted at every meeting of the Board.

Implementation of Board decisions and failure to implement a decision

8.(1) All decisions of the Board including those made under delegated authority, once communicated, shall be implemented within thirty days from the date of the communication.

(2) Any officer who fails to implement the decisions referred to in 8(a) of these regulations shall be guilty of misconduct and shall be subjected to disciplinary proceedings in accordance with their terms of Service.

(3) Penalties for failing to implement decisions of the Board shall be as provided for in Section 43 of County Assembly Services Act.

(4) Where the failure to implement a decision is by an authorized officer who does not fall within the disciplinary powers of the Board, the Board may recommend to the appointing authority to take the necessary disciplinary action in accordance with the relevant terms of service for the authorized officer.

(5) Where an authorized officer fails to implement the decisions of the Board, the Board may withdraw the delegated powers and functions.

Violation of Regulations

9.(1) Any public officer who violates provisions of these Regulations shall be guilty of misconduct and shall be subjected to disciplinary proceedings in accordance with their terms of service.

(2) Where the violation is by an authorized officer who does not fall within the disciplinary powers of the Board, the Board may recommend to the appointing authority to take the necessary disciplinary action in accordance with the relevant terms of service for the authorized officer

Attendance and production of documents

10. (1) The Board may require any public officer to attend and give information before it concerning any matter which the Board is required to consider in exercise of its functions.

(2) The Board may require the production of any official document relevant to any exercise of its functions, and any public officer who submits any matter for consideration of the Board shall ensure that all relevant documents and papers are made available to the Board.

(3) Any public officer who without reasonable excuse fails to appear before the Board when notified to do so, or who fails to comply with any request lawfully and properly made by the Board, commits a breach of conduct and the Board may on its own motion institute disciplinary proceedings or may recommend to the relevant body responsible to initiate disciplinary proceedings against such officer.

Correspondence

11. All correspondence to the Board shall be addressed to the Secretary

Access to Board Services

12. The Board shall ensure reasonable access to its services in the County and may conduct its business in any part of the County as the Board may determine.

Committees of the Board

13. (1) The County Assembly Service Board may establish such committees as the Board may consider appropriate to perform such functions and discharge such responsibilities as the Board may deem necessary.

- (2) Without prejudice to the provisions of subsection (1), the County Assembly Service Board shall establish the following Committees with responsibilities as follows—

- (a) Committee on Finance: Oversees all financial transactions of County Assembly Service; controls; evaluates and monitors the County Assembly Service budget; negotiates for all funding for the County Assembly; ensures there is adherence to prudent financial management and establishes priorities and goals of development for the County Assembly.
- (b) Committee on Tender and Procurement: Ensures that the procurement process in the County Assembly adheres to the procurement procedures, rules and regulations as provided under the Public Procurement and Disposal Act.
- (c) Committee on Human Resource and Development: Oversees recruitment; appointments; promotions; terms and conditions of service of the staff of the County Assembly, including dealing with disciplinary issues; ensures that the necessary and appropriate policies are put in place regarding the provision of facilities and services for Members; ensuring that staff of the County Assembly have access to appropriate training and exposure visit programmes to other Parliamentary jurisdictions.
- (d) Committee on Security, Infrastructure and Development: Ensures that there is adequate /appropriate security within the precincts of the County Assembly.

- (3) Such Committees shall consist of at least three members and the quorum of the committee shall be two members.

- (4) The Board Secretary shall assign to a committee such staff of the Secretariat as may be necessary for the effective working of the Committees as per Section 13 (2) of the County Assembly Services Act.

PART III— ESTABLISHMENT AND ABOLITION OF OFFICES IN THE SERVICE

Board act on its motion

14. (1) Subject to the provisions of the Section 24 of the Act, on its own motion, the Board shall establish and may abolish any office in the service.

- (2) The Board may, before establishing or abolishing an office under subsection (1), give the authorized officer of the concerned service an opportunity to make representation in respect of the action to be taken under subsection (1).

- (3) The Board's decision to act on its own motion shall be based on the need to facilitate improvement in delivery of services and shall comply with the conditions prescribed in these regulations.

Establishment of offices

15. The Board shall establish such offices in the Service as per section 24 of the County Assembly Services Act.

Scope of establishment of offices

16. (1) The function of establishment and abolition of offices in the service shall entail the determination of the function, nature, structure, number and kinds of offices in the Service.

(2) The Board shall maintain and have custody of the approved establishment of all offices in the service.

Conditions for establishment of offices

17. (1) The Board may establish an office in the service after receipt of a written request by an authorized officer if the Board is satisfied that —

- (a) the request is based on comprehensive plans informed by the service workload analysis;
- (b) the financial implications of creating the office are indicated;
- (c) the office to be created relates to or supports the core functions of the service;
- (d) the office to be created is to be domiciled in the requesting service;
- (e) information on the current authorized establishment, level of grading, designation, extra posts required and evidence of optimum utilization of existing posts has been submitted;
- (f) the office including its level of grading, qualification and remuneration shall not disadvantage similar offices in the service or occasion unfair competition for staff among service bodies; and
- (g) the functions of the office to be established are consistent with the Constitution or any other legislation.

(2) The written request for establishment of an office shall include a statement by the respective authorized officer verifying that the conditions in subsection (1) have been met.

Abolition and Conditions for abolition of offices

18. (1) The Board may abolish offices in the Service as per section 24 (3) (b) of the County Assembly Services Act.

(2) The Board shall abolish an office in the service upon receiving a written request by an authorized officer.

(3) The Board in making a determination as to whether to abolish an office, shall satisfy itself that—

- (a) the office relates to the provision of services that are no longer necessary in view of improved methods for delivery;
- (b) the request is based on a comprehensive plan informed by the department's workload analysis;
- (c) there is an indication of the financial implications of abolishing the office, including savings to be made in relation to services relating to the office;
- (d) information on the current authorized establishment, level of grading,

designation, and evidence of optimum utilization of existing posts is submitted;

- (e) the office when abolished shall eliminate duplication and overlaps of functions in the service; and
- (f) the functions of the office, if not abolished are inconsistent with the Constitution or any other legislation.

(2) Any decision by the Board to abolish an office in the service shall be subject to the due process of deployment, transfer, removing or retiring the affected public officer as prescribed under this Act or the terms and conditions applicable to the public officer.

PART IV— DELEGATION, APPOINTMENTS, ACTING APPOINTMENTS,
PROMOTIONS, RE-DESIGNATIONS, CONFIRMATION OF APPOINTMENTS,
TRANSFERS, SECONDMENTS AND DEPLOYMENTS

Delegation

19. (1) The County Assembly Service Board may, where appropriate and in writing, delegate any power or assign a duty conferred to it under the Law to its members, an officer, body or authority in the public service.

(2) A delegation or assignment under subsection (1) shall not prevent the County Assembly Service Board from exercising the power.

(3) A delegation under this section —

- (a) shall be subject to any conditions that the County Assembly Service Board may impose;
- (b) shall not divest the County Assembly Service Board of the responsibility concerning the exercise of the powers or the performance of the duty delegated, and
- (c) may be withdrawn, and any decision made by the person to whom the delegation is made may be withdrawn or amended by the County Assembly Service Board.

(4) The County Assembly Service Board may, at any time, institute an audit, investigation, inquiry or visit to determine whether the delegated powers are properly exercised by the authorized officer.

(5) Where the audit, investigation, inquiry or visit establishes that an authorized officer has breached any condition or improperly exercised delegated powers, the County Assembly Service Board shall take corrective measures including revoking the delegation.

Delegation of authority to Management Committee

20. (1) The Committee established under Section 28 of the Act, shall exercise its delegated mandate as follows—

- (a) direct and supervise the administration of the services and facilities
- (b) reviews and recommends all proposals on terms and conditions of service for staff.
- (c) monitors the implementation of directives by the County Assembly Service Board.

- (d) reviews and assesses all budget estimates of the County Assembly for approval by the Service Board
- (e) reviews and recommends the Schemes of Service for Staff for approval by the County Assembly Service Board
- (f) initiate, reviews and recommend all regulations and policy proposals for approval by the County Assembly Service Board.
- (g) proposing strategies relating to the development of the Service including making, reviewing and implementation of the Strategic Plans;
- (h) proposing programmes for training and capacity building of Members and Staff of the County Assembly and other persons;
- (i) promote ideals of parliamentary democracy as set out in Article 127(6)(d) of the Constitution;
- (j) promotion of public awareness and participation in the activities of the County Assembly; and
- (k) preparation of the departmental reports annually in relation to performance of the service and attendant challenges as per section 36 (2) (c) of the Act, within three months after the end of each financial year.
- (l) compiling reports in regard to all the social security schemes (NHIF, NSSF, LAPFUND, LAPTRUST etc) that has been established as contributory pension scheme for all its employees; rates of contribution to the pension schemes, provident or medical fund or any other schemes for its employees, gratuities, retiring allowances or sickness or injury benefits to any employee.
- (m) develop, review and monitor the implementation of the County Assembly Service Charter.
- (n) develop and Coordinate the County Assembly Departmental Work Plans for approval and implementation.

Delegation of authority to Staff Advisory Committee

21. (1) The Board may delegate its authority to Staff Advisory Committee which shall be responsible for advising the Committee on Human Resource and Welfare;

- (a) in respect to public offices at levels to be determined by the Board from time to time –
 - (i) the power of appointment, including acting appointment, re-designation, promotion, transfer and initial appointment;
 - (ii) the power of extension of the probationary period of any such officer;
 - (iii) the power to terminate the probationary appointment of any such public officer under these Regulations and any other regulation that may be in force.
- (b) in respect of all public officers, irrespective of their rank or seniority, the power of confirmation in appointment of any public officer appointed on probation;
- (c) in respect of all public officers, irrespective of their rank and seniority, the power to deploy;

- (d) in respect of public officers serving on contract, the power to terminate, otherwise than by dismissal, in accordance with the provisions of the contract the appointment of public officer serving on such contract:

Provided that nothing in these regulations shall affect the power of the Board to terminate the appointment of such public officer in accordance with a term or condition contained in the officer's contract or letter of temporary appointment.

(2) A Staff Advisory Committee exercising the powers conferred under this Part shall act in accordance with these regulations and any other law which may be in force, as appropriate.

(3) A public officer affected by the decision of the Staff Advisory Committee under this Part may, through the authorized officer, appeal to the Committee on Human Resource and Welfare of the Board within thirty days from the date of receiving the decision appealed against.

(4) Notwithstanding the provisions of this paragraph, the Board may, when necessary, institute an audit, investigation, inquiry or visit to determine whether or not the powers delegated under this paragraph have been properly exercised.

(5) The Committee established under Section 29 of the Act, shall be subject to the criteria for appointment under regulation 23 to exercise its delegated mandate for a period of three years and thereafter shall be re-constituted.

Advertisement of vacancies and Record of applicants

22. (1) Where a vacancy in a public office is to be filled, the Board or authorized officer shall invite applications by advertising the vacancy in the County Assembly website, at least two daily newspapers of nationwide coverage and other modes of communication, so as to reach as wide a population of potential applicants as possible.

(2) The Board or an authorized officer shall ensure that an invitation for application does not discriminate against any person.

(3) The advertisements in subsection (1) shall be conducted in an efficient and effective manner so as to ensure that the applicants, including persons who for any reason have been or may be disadvantaged, have an equal opportunity to apply for the advertised positions.

(4) An advertisement inviting applications to fill any vacancy in a public office shall provide for —

- (a) the title and rank of the public office;
- (b) the public body in which the office is tenable;
- (c) the background and context of the work, where necessary;
- (d) the terms of employment;
- (e) the applicable remuneration including salary, allowances and other benefits;
- (f) the prescribed qualifications applicable, including any desired previous achievements;
- (g) the core duties of the office;
- (h) the expected deliverables of the office;
- (i) the supervision, accountability and reporting arrangements;

- (j) any added advantage applicable;
- (k) the mode and deadline of transmitting the application;
- (l) any consideration that may occasion disqualification; and
- (m) any consideration of equity or affirmative action.

(5) The Board or any other lawful appointing authority shall maintain a record of all applications received in response to an advertisement inviting applications

Criteria for appointment and promotion

23. (1) In selecting candidates for appointment or promotions, the County Assembly Service Board or other lawful appointing authority shall have regard to—

- (a) merit, equity, aptitude and suitability;
- (b) the prescribed qualifications for holding in the office;
- (c) the efficiency of the public service;
- (d) the provable experience and demonstrable milestones attained by the candidate; and
- (e) the personal integrity of the candidate.

(2) For the purposes of this section, "merit" in regard to a person means, the person—

- (a) has the abilities, aptitude, skills, qualifications, knowledge, experience and personal qualities relevant to the carrying out of the duties in question;
- (b) has potential for development; and
- (c) meets the criteria set out in subsection (1).

(3) In making appointments or promotions, the County Assembly Service Board or authorized officer are bound by the constitutional principles which require that —

- (a) no applicant or candidate is discriminated on any ground;
- (b) no one gender constitutes more than two thirds of those appointed;
- (c) at least five percent of the appointments constitute persons with disabilities;
- (d) there is proportionate representation of all ethnic communities; and
- (e) the youth are appointed.

(4) For purposes of ensuring representation of the diverse Kenyan Communities in the public service, the County Assembly Service Board or authorized officer shall, where necessary, adopt affirmative action measures in line with Articles 27(6) and 56(c) of the Constitution.

(5) For all the recruitments in the service applicants shall enter the details in the prescribed Standard Application Forms for submitting applications for employment as attached in the first and second schedule

(6) Where an expatriate is to be appointed to a position that falls within the County Assembly Service Board's jurisdiction, the County Assembly Service Board shall approve such an appointment.

(7) The County Assembly Service Board shall approve the appointment of an expatriate only where the expertise sought is not locally available.

Decision to be in writing

24. Any appointment, acting appointment, promotion, re-designation, transfer, deployment, delegation or assignment of a duty in the service shall be in writing.

Effective date of appointment promotion and re-designation

25. The effective date of appointment, acting appointment, promotion or re-designation shall be the date of the decision to appoint, promote or re-designate or such date as the Board may determine.

Confirmation in appointment

26. All persons recruited to the public service on first appointment to a permanent and pensionable position shall, before confirmation, serve on probationary terms. The probationary period shall not exceed six months but may be extended, with the consent of the public officer, for a further period of not more than six months.

Acting appointments

27. (1) Acting appointments shall be —

- (a) made by the lawful appointing authority; and
- (b) Subject to the prescribed regulations and procedures which apply to appointments.

(2) A person shall not be appointed to hold a public office in an acting capacity unless the person satisfies all the prescribed qualifications for holding the public office.

(3) An officer may be appointed in an acting capacity for a period of at least thirty days but not exceeding a period of six months.

(4) A public officer may be assigned to perform duties vested in another public officer during a temporary absence of the other public officer.

(5) An acting appointment under paragraph 4 shall —

- (a) be in favour of a public officer who is duly qualified and competent to perform the duty; and
- (b) not undermine the expeditious appointment or deployment of a competent person to the public office concerned.

(6) The Board shall, whenever it comes to its attention that an authorized officer has purportedly made an acting appointment or assignment, in contravention of the provisions of this section, take corrective action.

Promotions

28.(1) The Board or any other lawful authority vested with the function of making a promotional decision shall enhance succession management by making the decision in anticipation of the concerned public office falling vacant and not after the vacancy has already occurred.

(2) The provisions of sub-paragraph (1) shall apply in all promotional decisions except where, with due diligence, the occurrence of the vacancy could not be foreseen.

(3) Where a public officer has been promoted to a Department other than that in which the officer is serving, the officer will be released to take up the appointment on transfer within a period of sixty days from the date of the letter authorizing the promotion.

(4) If the officer is not so released, the officer shall stand released upon expiry of a period of sixty days from the date of promotion.

(5) The authorized officer shall furnish the receiving Department with the relevant documentation relating to the release within the sixty days.

(6) Except where a public officer is on secondment, a public officer who fails to take up the promotion, the promotional decision shall lapse upon the expiry of sixty days from the date of the decision and the officer shall revert to the office held prior to the decision.

Promotion on Merit

29. (1) In these Regulations, promotion on merit means promotion through evaluation based on a combination of experience, personal qualities, exceptional abilities, innovation, tangible creativity, superior leadership, demonstrable milestones and integrity.

(2) An officer may be considered for promotion on merit upon recommendation by the Staff Advisory Committee of the service.

(3) An officer shall be considered for promotion on merit where a vacancy exists.

(4) All promotions on merit shall be made by the Board with recommendation from the Staff Advisory Committee.

(5) Subject to compliance with the Act and these regulations the Board shall not be required to consider more than one person in order for an appointment to be made on the basis of merit.

Service on term contract

30. (1) A person may be engaged on a term of contract, for a period of at least twelve months but not exceeding five years.

(2) A person may be engaged on a term of contract if the following requirements are met—

- (a) the office where such a person is to be deployed has been created by the Board;
- (b) the office where such a person is to be deployed exists in the contractual establishment;
- (c) the person has expressed the desire to serve on a term of contract;
- (d) there is no other public officer performing the function; and
- (e) the person does not qualify to be employed under any other terms of service.

(3) The extension of a term of contract may be allowed by the Board or other appointing authority if—

- (a) the workload justifies further engagement;
- (b) the performance of the public officer is satisfactory;

- (c) the public officer has expressed, in writing, the willingness to engage for a further term of service;
 - (d) the decision shall in no way disadvantage any public officer employed on permanent terms; and
 - (e) the decision is made at least three months before the expiry of the affected public officer's term of contract.
- (4) The Board shall regulate the employment of persons on a term of contract as contemplated under this section.

Affirmative Action

31. The Board shall—

- (a) develop and implement employment equity plans;
- (b) review their recruitment policies to ensure that the mode of advertisement of job vacancies, the pre-selection and conducting of interviews do not in any way disadvantage any particular group; and take deliberate measures including targeted advertisements to bring on board underrepresented groups.

Re-designation

32. (1) The criteria for appointment of public officers prescribed under this Part shall apply when selecting public officers for re-designation.

(2) A public officer who wishes to re-designate shall apply, in writing, to the respective authorized officer or to the County Assembly Service Board through the concerned authorized officer, as the case may be, for re-designation.

(3) A public officer may be re-designated to hold or act in a public office if—

- (a) the office is vacant;
- (b) he or she meets all the qualifications;
- (c) the re-designation shall not disadvantage any public officer who is already serving in the particular cadre;
- (d) the officer has consented to such a decision; and
- (e) the decision shall not reduce the public officer's salary.

(4) A re-designation shall take effect on a date to be determined by the County Assembly Service Board or authorized officer.

Deployment

33. (1) Deployment within a service shall be undertaken by the authorized officer in consultation with the Committee on Human Resource and Welfare of the Board.

(2) In making a deployment decision, the concerned authorized officer shall take into account the —

- (a) efficiency and effectiveness of service delivery;
- (b) promotion of national integration and cohesion; and promotion of representation of Kenya's diverse communities, men and women, the members of all ethnic groups and persons with disabilities.

Secondment

34. (1) The authority to second a public officer shall vest in the Board and shall be carried out on the request of an Authorized Officer or a public officer.

(2) Unless there is an agreement to the contrary, the public body or the organization to which a public officer is seconded shall bear all the costs, remuneration, allowances and other benefits due to the officer during the period of secondment.

(3) Where it is no longer necessary for a public officer on secondment to remain seconded and the secondment period has not lapsed, the public officer shall be entitled to revert to the public office held before the secondment.

(4) The Board shall not approve secondment of a public officer, if —

(a) the public officer to be seconded has not served in the public service for at least three consecutive years after the initial appointment;

(b) the public body or organization to which the public officer is to be seconded presents a conflict of interest with the public office held by the public officer or the core functions of the public body in which the public officer is employed;

(c) the public officer may be exposed to undesirable experience in view of the core functions of the organization to which the public officer is to be seconded ; or

(d) the secondment, if permitted, would bring the public service or the public officer into disrepute.

(5) An authorized officer or other lawful authority shall not approve a request for secondment unless the Board has approved the secondment in writing.

(6) The period of secondment shall vary from case to case depending on the overall assessment under this regulations and any other relevant law but shall not in any case exceed the prescribed period: Provided that a public officer who intends to remain on secondment after the expiry of six consecutive years, shall retire from the public service with accrued retirement and other terminal benefits in accordance with the relevant law or agreement.

Leave of absence

35.(1) Leave of absence may be granted by the Board on recommendation of the Authorized Officer for a period not exceeding three years renewable once.

(2) Leave of absence may be granted to a public officer for purposes of taking up contractual appointments within a public body, private corporation or international organization to which the officer cannot be seconded or transfer service. Provided that an officer may only be granted leave of absence to a private corporation where the Board determines that the experience and expertise that the officer shall gain from the organization shall be of benefit to the service.

(3) Leave of absence may be granted to spouses of foreign service officers during the tour of service.

(4) Leave of absence will not be increment-earning.

(5) During the period of leave of absence, the service will not make a contribution of its portion towards an officer's pension under contributory pension scheme. The officer will however, be free to contribute towards the Scheme.

(6) The period of leave of absence shall not be pension-earning under the Pensions Act.

Unpaid leave

36.(1) Unpaid leave may be granted by the Authorized Officer with the approval of the Board for a period not exceeding one year for purposes of attending to urgent private affairs of exceptional nature.

(2) Unpaid leave will not be increment-earning.

(3) During the period of unpaid leave, the service will not make a contribution of its portion towards an officer's pension under contributory pension scheme. The officer will however, be free to contribute towards the Scheme.

(4) The period of unpaid leave shall not be pension-earning under the Pensions Act.

Transfer

37. (1) Where an authorized officer intends to transfer a public officer from the service where such a public officer is currently deployed to another unit or department without a change of designation or grading, the recommendations and comments of the authorized officer on recommendation of the Staff Advisory Committee shall be sent to the Committee on Human Resource and Welfare of the Board for consideration and Board approval.

(2) Where an authorized officer intends to transfer a public officer from the office where such a public officer is currently deployed to another office of different designation but of similar grading in the service the authorized officers on recommendation of the Staff Advisory Committee shall forward their recommendations and comments to the Committee on Human Resource and Welfare of the Board for consideration and Board approval.

(3) In effecting a transfer the following shall be taken into account—

- (a) the transfer shall lead to improved service delivery;
- (b) the interest of the children, if any, of the affected public officer; and
- (c) the transfer shall not be arbitrary.

(4) Nothing in this Part shall apply to the transfer between departments of public officers in any office which is common to departments generally, on recommendation of the Staff Advisory Committee shall forward their recommendations and comments to the Committee on Human Resource and Welfare of the Board for consideration and Board approval.

Casual Service

38. (1) In these Regulations, "casual service" refers to employment of a person on terms of engagement where payment is at the end of each day and the person is engaged for a period of less than twenty four hours.

(2) Where a service is required for more than twenty four hours but not exceeding twenty one days, the concerned authorized officer shall engage the person on a contract not exceeding twenty one days with the approval of the Board.

(3) Where there is need for temporary services, not envisaged in this paragraph the concerned authorized officer shall procure services of independent service providers in accordance with the procurement laws and regulations with the approval of the Board.

Internship

39. (1) Under this paragraph "intern" means a supervised trainee working to gain experience or satisfy requirements for an academic, professional, technical, occupational or trade for purposes of certification, registration or licensing.

(2) The Board shall provide an internship policy for the service.

(3) The power to engage any person as an intern shall vest in the authorized officer with the approval of the Board.

(4) A department shall declare to the Board the available opportunities for internship.

(5) Subject to the provisions of relevant Acts of County Assembly, all opportunities for internship shall be advertised in at least two local daily newspapers with nationwide circulation and on the website of the County Assembly.

(6) The engagement of interns in the service shall be through a competitive process and shall be transparent and accountable so as to accord equal opportunity for all.

(7) Interns shall be deemed to be public officers for purposes of the internship and for the duration of the internship and shall be subject to the prevailing code of conduct for public officers in the service to which the intern is attached.

(8) Interns may be considered for payment of such stipend as the Board may approve or prescribe.

(9) An internship shall be for a non-renewable period not exceeding one year and shall not be a guarantee for employment in the service.

Qualifications for positions in the service

40. (1) In these Regulations, "qualifications" means any prescribed requirement of eligibility or ineligibility attached to holding or acting in a public office.

(2) The Board shall determine the qualifications for all positions to be held in the service.

(3) Except where the Constitution or any other law has vested in another authority the function of determining qualifications attached to a public office, the function of determining qualifications shall vest in the Board.

(4) Qualifications for positions in public office shall be contained in the applicable career progression guidelines.

(5) In exercising the power to review qualifications, the Board shall be guided by the following—

- (a) parity of treatment of public officers;
- (b) the human resource needs of the public office;
- (c) legitimate expectations of the public officers concerned, including career progression;
- (d) the need to eliminate unfair competition for available human resource in the service;
- (e) the prevailing and projected workload status of the concerned public body;

- (f) the capacity of the County to generate persons holding the desired competencies and skills attached to the concerned public office;
- (g) the need to attract and retain competent, qualified and motivated public officers;
- (h) the need to build a service that embraces continuous improvement and innovation;
- (i) the need to standardize qualifications in the service; and
- (j) any applicable convention or treaty relating to employment.

(6) The Board shall give interested or affected parties a chance to make representations before making a review or recommendation under this paragraph

(7) Nothing in this paragraph shall prevent the Board from determining, reviewing or recommending qualifications on case by case basis with respect to a public office or category of public offices.

(8) The Board shall every three years review; publish qualifications relating to all public offices established by the Board or under the authority of the Board.

(9) Every public officer or authorized officer shall, unless waiver has been obtained from the Board based on a justifiable reason, comply with the qualifications prescribed in accordance with this paragraph.

Grading

41. (1) In these regulations, "career progression guidelines" means a tool that facilitates recruitment, retention, training and development in the service

(2) The Board shall review and issue a grading structure in the service

(3) The Board shall provide career progression guidelines for all cadres in the service which shall —

- (a) provide norms and standards for the specific cadres qualifications and progression;
- (b) Prescribe the relevant competencies for all cadres;
- (c) Advise on relevant technical and professional training for all cadres;

(4) The Board shall—

(a) Initiate review of career progression based on the following guidelines—

- (i) specify the public offices, category of public offices, profession or occupation that the qualification applies to;
- (ii) indicate the date on which the qualification was approved by the Board;
- (iii) specify the effective date of the qualification;
- (iv) clearly define job descriptions and specifications, and clearly delineate duties and responsibilities at all grades or ranks within the grading structure, to enable a public officer to understand the requirements and demands of the job; and
- (v) clearly indicate likely career progression and mobility.

- (vi) Partner with professional bodies to ensure compliance with the standards of each profession and require facilitation for Continuous Professional Development of public officers by a public body;
 - (vii) Require facilitation, by the Board, for registration and annual subscription of officers as members of relevant professional bodies;
 - (viii) Cluster the cadres in the into job families.; and
 - (ix) Ensure human resource planning, career and succession management.
- (5) Except where any written law provides otherwise, career progression guidelines shall be administered by the authorized officer in the service.

PART V— DEVELOPMENT OF HUMAN RESOURCE IN THE SERVICE

Human Resource Development

42. (1) In developing human resource in the service—
- (a) the Board shall determine and recommend to the County Assembly the percentage of the recurrent budget for the service;
 - (b) authorized officers shall abide by policies and guidelines issued by the Board in development of human resource;
 - (c) the procedures and instruments governing the development of human resource, the measures for prudent utilization of training funds in the service for ensuring merit in the selection and award of training opportunities for public officers shall be as provided in policies and guidelines issued by the Board.
- (2) The Human Resource Officer shall present a training projection for public officers in the service for approval by the Board.
- (3) All opportunities for training shall be considered and awarded by the Board.
- (4) No officer shall be eligible for training that exceeds a period of six months until after the lapse of a period of two years from the date of the last training that exceeded a period of six months.-
- (5) All public officers proceeding on training shall be bonded in accordance with guidelines issued by the Board.
- (6) The Board shall identify and recommend to the institutions with capacity to undertake human resource development for the service in consultation with the relevant accrediting bodies.
- (7) The Board shall monitor and evaluate the effectiveness of the learning and training programs that lead to qualifications attached to holding a public office and recommend any relevant improvement to concerned learning and training institutions.
- (8) (a) All authorized officers shall submit a report to the Board on the trainings undertaken by public officers within a financial year.
- (b) The report referred to in paragraph 8(a) shall be submitted by 30th June of each year and shall contain the following information;
- (i) personal number;
 - (ii) name;

- (iii) gender;
- (iv) ethnicity;
- (v) disability;
- (vi) age;
- (vii) designation;
- (viii) Department
- (ix) training undertaken
- (x) cost of training
- (xi) duration and location of training;
- (xii) status of the training or certification issued; and
- (xiii) training impact assessment report.

(9) (a) The Board shall develop guidelines for effective orientation and induction of public officers into the service.

(b) Newly appointed public officers shall undergo an induction within three months of taking up the appointment.

PART VI— INVESTIGATION, MONITORING AND EVALUATION OF THE ORGANIZATION, ADMINISTRATION AND PERSONNEL PRACTICES OF THE SERVICE

Board's duties in administration of service

43. (1) The Board shall, with respect to the service, investigate, monitor and evaluate on the following —

- (a) prevailing systems, processes and instruments for delivery of the service functions;
- (b) co-ordination of measures towards delivery of the core functions;
- (c) reporting systems including supervisory, accountability and appraisal functions; and
- (d) financial implications in the delivery of the functions and powers of the Board in the service.

(2) The Board shall issue guidelines setting criteria for carrying out these duties.

PART VII — SERVICE EFFICIENCY AND EFFECTIVENESS

Promotion of public efficiency and effectiveness

44. (1) The Board shall ensure efficiency and effectiveness of the service by setting standards in delivery which include—

- (a) Establishment of delivery baseline information;
- (b) Issuance of citizen delivery charter;
- (c) Annual evaluation of citizens' satisfaction levels; and
- (d) Grievance management procedure.

- (2) (a) The Board shall in evaluating the organization and core functions of the service, assess the efficiency and effectiveness of standards, norms and practices of the service.
- (b) The Board shall in evaluating the organization and core functions of a service, assess the efficiency and effectiveness of internal processes including—
 - (i) Governance structures;
 - (ii) Documentation and Automation of business
 - (iii) Knowledge management practices;
 - (iv) E-government presence including electronic media, financial and staff management;
 - (v) Decentralization of Service;
 - (vi) Economic use of resources;
 - (vii) Transparency and accuracy

Disciplinary power

45. (1) The power to exercise disciplinary control within the service shall vest in the Board.

(2) Without prejudice to the generalities of sub-paragraph (1) the Board may exercise the following disciplinary powers in respect of all public officers in the service—

- (i) to interdict any public officer;
- (ii) to suspend any public officer;
- (iii) to stop, withhold or defer a normal increment of any public officer;
- (iv) to reprimand a public officer; or
- (v) to stop a public officer's pay or salary.
- (vi) the power of dismissal or reduction in rank or seniority as provided for under this Part.

(3) Where a public officer, at the time of the proceedings for dismissal or reduction in rank or seniority, has served for an aggregate of fifteen years or more, the authorized officer shall not exercise the delegated power of dismissal or reduction in rank or seniority but shall, after the investigations, forward the case to the Board for determination.

PART VIII— EXERCISE OF DISCIPLINARY CONTROL IN THE SERVICE

Interdiction and Suspension

46. (1) Where disciplinary proceedings, which may lead to dismissal, have been commenced against an officer the authorized officer may interdict or suspend the officer in accordance with the relevant Laws.

(2) Subject to the Law, a serious criminal offence means an offence under Penal Code, the Anti-Corruption and Economic Crimes Act or any other legislation where a prison sentence may be imposed. Provided that proceedings for minor offences may be disregarded.

Provision of information on interdictions and suspensions

47. An authorized officer shall provide to the Board a quarterly report on the status of the cases of interdicted and suspended officers. The report shall include the following information:-

- (i) Personal number, name, age and gender;
- (ii) Designation and job group of the officer;
- (iii) Date of interdiction or suspension;
- (iv) Nature of disciplinary proceedings;
- (v) Status of the proceedings;
- (vi) Status of court matter if any; and
- (vii) Where the interdiction or suspension has exceeded six months.

Information on suits arising from disciplinary proceedings

48. Where a case is filed against the Board or authorized officer relating to a disciplinary case involving a public officer, the concerned authorized officer shall, within fourteen days of receipt of summons in the case, notify the Board and provide copies of court documents filed for and against the Board.

PART IX— RESIGNATION, RETIREMENT AND RELATED MATTERS*Resignation*

49. (1) A public officer desirous of resigning from a public office shall write a resignation letter to the public officer's appointing authority.

(2) The public officer shall give one month's notice or pay one month's salary in lieu of notice.

(3) Where a public officer resigns from the public service, the public officer shall be entitled to the benefits in accordance with the—

- (a) terms and conditions applicable or contained in the contract of service; and
- (b) provisions of law governing the resignation of public officers; or employment law governing resignations generally.

(4) A person who had resigned from the public service may rejoin the service in accordance with the provisions of these regulations or any other relevant legislation and procedures governing appointment to the public service.

(5) Resignation shall take effect thirty days from the date of the delivery or registration of the resignation letter at the post office.

(6) The Board or any other appointing authority shall not reject a resignation except on account of —

- (a) fraud or conspiracy where the concerned public officer is innocent;
- (b) Duress where the concerned public officer has proved that the resignation was occasioned by threats or coercion by a person in authority over the officer.
- (c) involuntary decision by the concerned public officer by reason of infirmity of mind arising from ill health or involuntary intoxication; or

- (d) resignation is aimed at avoiding anticipated or on-going disciplinary case.
- (e) outstanding liabilities owed by the officer to the service.

(7) Upon issuance of a resignation letter, an officer shall be required to settle any outstanding liabilities to the service and obtain a clearance certificate.

(8) Subject to the applicable legislation, where a public officer resigns after completing a period of not less than five years pensionable, the officer shall be eligible to pension benefits.

(9) An officer who had resigned shall not, if subsequently re-employed after a break of, count his previous for service for pension.

(10) An officer who had resigned may only re-join the service on new appointment and shall be required to produce a clearance certificate obtained after resignation.

Retirement

50. Subject to section 30 of the Act, an employee shall retire from the Service on attaining the age of sixty years

Retirement on attainment of 50 years

51. (1) A public officer who elects to retire on attainment of 50 years shall submit an application for retirement to the authorized officer.

(2) An application for retirement may be sent by electronic mail, registered post or hand delivery addressed to the authorized officer and relevant evidence of such postage shall be produced as evidence of delivery where necessary.

(3) Retirement shall take effect at the expiry of the three months' notice from the date of the delivery or registration of the retirement letter at the post office.

(4) The Board or any other appointing authority shall not reject a request for retirement on attainment of fifty years except on account of—

- (a) fraud or conspiracy where the concerned public officer is innocent
- (b) duress where the concerned public officer has proved that the retirement was occasioned by threats or coercion by a person in authority over the officer.
- (c) involuntary decision by the concerned public officer by of infirmity of mind arising from ill health or involuntary intoxication; or
- (d) retirement aimed at avoiding anticipated or on-going disciplinary

(4) The power to approve application for retirement upon attainment of fifty years shall vest in the Board.

(5) Applications for retirement upon attainment of fifty years shall be processed in accordance with this regulation.

Retirement on grounds of ill health

52. (1) A public officer may retire from the service on grounds of ill health if—

- (a) the concerned authorized officer considers that a public officer is incapable by reason of any infirmity of body or mind of discharging the function of the public office and therefore it is in the best interest of the public officer to retire; or

- (b) the public officer requests to be retired on grounds of ill health, and in this case, the authorized officer shall initiate the process for the retirement in accordance with this section.
- (2) Where a public officer is considered for retirement or has requested to be retired in accordance with subsection (1), the authorized officer shall call upon the public officer to appear before a medical board constituted by the Director of Medical Services to ascertain whether or not the public officer should be retired on grounds of ill health.
- (3) After the public officer has been examined in accordance with subsection (2) and the medical board finds that the public officer should be retired on grounds of ill health, the Director of Medical Services shall forward the medical board's records of proceedings and findings together with the Director of Medical Services' comments to the authorized officer who shall—
- (a) request the public officer to make any personal representation in view of the medical board's record of proceedings and findings;
 - (b) make recommendation in view of the medical board's findings on the public officer and the public officer's representation, if any; and
 - (c) forward all the documents referred to in this section to the Board.
- (4) Unless the Board considers that further inquiry is necessary, in which case it shall issue directions to the authorized officer, it shall determine whether the public officer should be called upon to retire on grounds of ill health.
- (5) Where a public officer, who has the ability to appear before the medical board, fails to so appear, the authorized officer shall forward the case together with the relevant background information to the Board and the Board shall make an appropriate decision, including retiring the public officer on grounds of ill health, where appropriate.

PART X — MISCELLANEOUS

Complaints and grievances

53. (1) The Board may on its own initiative or on complaint made by any person investigate any issue relating to its Constitutional and statutory functions and powers and, make such decision as it considers just in the circumstances of the case
- (2) The Board in carrying out investigation under this paragraph shall accord every party involved an opportunity to make a representation of their case.

Conciliation, mediation and negotiation

54. (1) The Board may on its own initiative or on request made by any person undertake or facilitate conciliation, mediation and negotiation of any issue relating to its Constitutional and statutory functions and encourages the parties to arrive at an amicable decision that may be just in the circumstances of the case.
- (2) The Board in carrying out conciliation, mediation and negotiation under this paragraph shall accord every party involved an opportunity to make a representation of their case.
- (3) The Board shall issue guidelines for conciliation, mediation and negotiation.

Communication of Board's decisions

55. (1) Any decision of the Board shall be communicated by the Secretary in writing.

(2) An officer affected by a decision of the Board or the officer's representative shall be entitled to receive information about the decision or the reasons for the decision from the Board if, a request is made by the officer or such representative.

(3) Notwithstanding the provisions of this paragraph, any decision of the Board may be communicated by the Chairperson if circumstances warrant it

Cases not covered by Regulations

56. Any case not covered by these Regulations shall be dealt with in accordance with such instructions as the Board may issue from time to time.

Saving clause

57. Subject to the Constitution and any written law, nothing in these Regulations shall preclude the Board from considering and determining a matter not envisaged in the Act or these Regulations.



SCHEDULE I (Regulation 23 (5))

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY SERVICE BOARD

JOB APPLICATION FORM (FORM 1A)

Before completing this form, please read the following notes:

- (a) Please make sure you have completed all sections of this document. It is an offence to willfully give false information on this form. Do not apply for any position unless you possess all the qualifications given in the advertisement.
- (b) Please do not apply for any position unless you possess all the qualifications given in the job advertisement.
- (c) Do not enclose originals of your testimonials or certificates, instead send certified copies if required. No responsibility can be accepted by the County Assembly Service Board for the custody of original documents, unless a specific request has been made for their production.
- (d) If you are invited to an interview, please bring the originals of your testimonials and certificates with you, including your national Identity Card, but make sure that they are returned to you before you leave the interview room.
- (e) If the space provided in any of the sections is insufficient, please attach a separate sheet and indicate accordingly.

PRELIMINARY

POSITION ADVERTISED:

VACANCY NO.:

DATE ADVERTISED:

SECTION I - BIO-DATA

1. Name of the Applicant

2. Title(e.g. Prof/Dr/Mr/Mrs/Miss/Ms/Rev)

3. Date of Birth

(DD-MM-YYYY)

Place of Birth

Nationality

County

Sub County

Ward

4. Indicate the nature of your citizenship (birth/registration/naturalization)

5. Postal Address Postal Code Town

6. Telephone Mobile

7. Alternative contact person..... Telephone

8. Indicate all languages you can read write and speak proficiently.

9. What is your current employment/occupation (if any)?

Job Title/Position/Designation	
Name and address of Employer	

10. What is your current gross monthly salary (if any)?

11. Do you suffer from any impairment / disability? No Yes

If 'Yes', please give details and attach certificate from the National Council for Persons with Disability.

12. If your application is successful, when would you be available to take up this position?

SECTION II-ACADEMIC/PROFESSIONAL/TECHNICAL QUALIFICATIONS

13. List your Academic/Professional/Technical qualifications for Courses and Training attended (starting with the highest)

SECTION III - SPECIAL SKILLS/OUTSTANDING ACHIEVEMENTS

18. Do you possess any special or outstanding skills as described above?

No Yes

If yes, please give details/evidence. If the skills are in sports, please detail the level achieved. It is in your interest to be as clear and specific as possible. If necessary, attach copies of any relevant certificates.

SECTION IV - INTEGRITY

The County Assembly Service Board is required by Law to facilitate appointment of persons of good character. The Service Board is guided by the Constitution and other relevant laws in matters relating to public officers' character and integrity.

Please read the following guidelines carefully before completing this section.

- (a) It is essential that you answer all the following questions fully.
- (b) You are required to declare all matters whether or not these have been declared in a previous application or to any other body.
- (c) Where you have answered yes, please include any mitigating information you would like the Service Board to take into account when considering your application.
- (d) If you are in any doubt, please include all relevant information. This is a continuing responsibility throughout the process for any matter that may arise, up to the point of appointment.

19. Have you ever been convicted of or cautioned for any criminal offence in Kenya or elsewhere or are any criminal proceedings pending against you?

No Yes

If yes, please give particulars of the case and the penalty (if any) for each such offence:

If yes, please provide details

(The fact that an applicant declares that he/she has been convicted of an offence will not necessarily bar him/her from consideration for appointment. Each case will be considered on its own merits having regard to the nature and the circumstances of the case).

20. Have you ever been dismissed or otherwise removed from any employment or any Board, Council, Trusteeship or any other engagement?

No Yes

21. Have you ever had an action brought against you for professional malpractice and/or negligence, without the matter being dismissed, or are any such proceedings pending against you?

No Yes

If yes, please provide the date(s) and details –

.....
.....
.....

22. In respect of any matter involving you personally or under your supervision, please provide details of any findings made or allegations pending, of professional misconduct brought against you by-

- (a) Your client/any member of the public
- (b) Your Professional Body
- (c) Any other lawful authority or body

If yes, please provide the date(s) and details –

Date(s)

.....
.....
.....

Details

.....
.....
.....

23. Is there any additional information which should be brought to the attention of County Assembly Service Board which might call into question your eligibility or suitability for this position?

No

Yes

If yes, please provide details-

.....
.....
.....

24. Give the names and addresses of three (3) referees. They should be responsible persons who know you well, either in private life or in business: and one at least should be well acquainted with you in private life. The names of distinguished persons should not be given unless they really know you well and they have consented. The names of relatives or of those from whom you send testimonials should not be given; nor should the names of Members of County Assembly, members or staff of the County Assembly Service.

- (a) Name.....
- Address.....
- Occupation.....
- Period during which he/she has known you.....
- In what capacity has the person known you?.....

(b) Name.....
 Address.....
 Occupation.....
 Period during which he/she has known you.....
 In what capacity has the person known you?.....

(c) Name.....
 Address.....
 Occupation.....
 Period during which he/she has known you.....
 In what capacity has the person known you?.....

25. Are you related in any way to any Member of County Assembly or staffer of the County Assembly Service Board? If so, please give details below:

.....

Final declaration

I declare that:

- (i)The information I have given on this application form is true to the best of my knowledge and belief;
- (ii)I have read and understood the notes at the beginning of the application form and guidelines under Section IV of the form;
- (iii)I understand that any incorrect information may lead to disqualification/legal action; and
- (iv)If I am completing this application form electronically, that the electronic signature I have provided is intended to be my signature.

Name of the Applicant.....Signature

Date.....



COUNTY GOVERNMENT OF BUNGOMA
COUNTY ASSEMBLY SERVICE BOARD

Confidential

APPLICATION FOR PROMOTION (FORM 1B)

Before completing this form, please read the following notes-

- (a) Please make sure you have completed all sections of this document. It is an offence to willfully give false information on this form.
- (b) Please do not apply for any position unless you possess all the qualifications given in the job advertisement.
- (c) Do not enclose originals of your testimonials or certificates, instead send certified copies if required. No responsibility can be accepted by the County Assembly Service Board for the custody of original documents, unless a specific request has been made for their production.
- (d) If you are invited to an interview, please bring the originals of your testimonials and certificates with you, including your national Identity Card, but make sure that they are returned to you before you leave the interview room.
- (e) If the space provided in any of the sections is insufficient, please attach a separate sheet and indicate accordingly.

SECTION A: PERSONAL RECORD:

(To be completed by the applicant)

1. Full name of applicant:
2. Date of Birth:
3. Department:.....
4. Year and Grade of First Appointment in the Service:
5. Qualification on your first Appointment in the Service:
6. Present Grade/Post:
7. Application for Promotion to:
8. Date of last promotion (if applicable):
9. Additional qualifications obtained since last Appointment/Promotion
(List subjects studied & grades obtained where applicable and attach copies)
10. Duties performed in present grade:.....
11. Do you have any suggestions for improvement of your performance?
12. Justification for promotion:
13. Do you supervise other staff or you have been involved to some level? If yes, give details and attach evidence.

ACHIEVEMENTS OF THE PREVIOUS POSITION

14. List some of the achievements done in the previous position held with the institution for the past three or so years?

PUBLICATIONS

15. List some of the publications, giving details of books and articles and stating exact references *(Copies of articles and other publications (where possible) should accompany the application)*

SECTION B

(To be completed personally by Head of Department/Organization)

16. GENERAL DISPOSITION

- (i) Is he/she courteous and affable, cheerful and obliging to his/her colleagues?

- (ii) Does he/she show respect for his/her senior and junior staff?

- (iii) Any other comments?

SECTION C

CONFIDENTIAL ASSESSMENT

(To be completed personally by Head of Department/Organization)

17. KNOWLEDGE OF WORK

(i) To what extent is he/she conversant with his/her work? (Where necessary make reference)

18. TECHNICAL/PROFESSIONAL ASSESSMENT

(i) Is he/she well-informed as to the rules and regulations relevant to his/her duties?
 (ii) Any other comments?

19. SENSE OF RESPONSIBILITY AND DEGREE OF OUTPUT

(i) To what extent is the officer conscientious in the performance of his/her duties?
 (Please tick as appropriate)

Very Good	Good	Satisfactory	Indifferent
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(ii) Can the Officer be relied upon to do the work as required with the minimum of supervision?

(iii) Is she/he willingly to accept additional responsibility?

(iv) Is she/he punctual to work?

(v) Is she/he normally available at work?

(vi) Suggestions for improvement for the officer future performance

(vii) Please state the general impression of the officer e.g. His/her strong points and his/her weakness, personality, temperament and special talents

SECTION D INTEGRITY

The County Assembly Service Board is required by Law to facilitate appointment of persons of good character. The Service Board is guided by the Constitution and other relevant laws in matters relating to public officers' character and integrity.

Please read the following guidelines carefully before completing this section.

(a) It is essential that you answer all the following questions fully.

(b) You are required to declare all matters whether or not these have been declared in a previous application or to any other body.

(c) Where you have answered yes, please include any mitigating information you would like the Service Board to take into account when considering your application.

(d) If you are in any doubt, please include all relevant information. This is a continuing responsibility throughout the process for any matter that may arise, up to the point of appointment.

20. Have you ever been convicted of or cautioned for any criminal offence in Kenya or elsewhere or are any criminal proceedings pending against you?

No Yes

If yes, please give particulars of the case and the penalty (if any) for each such offence:

(The fact that an applicant declares that he/she has been convicted of an offence will not necessarily bar him/her from consideration for appointment. Each case will be considered on its own merits having regard to the nature and the circumstances of the case).

21. Have you ever been dismissed or otherwise removed from any employment or any Board, Council, Trusteeship or any other engagement?

No Yes

If yes, please provide the date(s) details and contact of referees –

.....
.....
.....

22. Have you ever had an action brought against you for professional malpractice and/or negligence, without the matter being dismissed, or are any such proceedings pending against you?

No Yes

If yes, please provide the date(s) details and contact of referees –

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.....

In respect of any matter involving you personally or under your supervision, please provide details of any findings made or allegations pending, of professional misconduct brought against you by-

- (a) Your client/any member of the public
- (b) Your Professional Body
- (c) Any other lawful authority or body

If yes, please provide the date(s) and details –

Date(s)

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Details

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23. Is there any additional information which should be brought to the attention of County Assembly Service Board which might call into question your eligibility or suitability for this position?

No Yes

If yes, please provide details-

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24. Provide referees for your previous employers and professional bodies you have subscribed to.

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(For Official Use Only)

SECTION E:

RECOMMENDATION OF THE STAFF ADVISORY COMMITTEE

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(Signature of Chairperson) *(Signature of Secretary)*

Date.....

SECTION F *(For Official Use Only)*

DECISION OF THE COUNTY ASSEMBLY SERVICE BOARD

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(Signature of Chairperson) *(Signature of Secretary)*

Date.....

Made on the 8th October, 2018.

E. M SITUMA,

*Speaker of the County Assembly/Chairperson,
County Assembly Service Board.*