COUNTY GOVERNMENT OF KISUMU

COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

THIRD ASSEMBLY – FOURTH SESSION

Wednesday, 01st October, 2025

House met in the Main Chamber at 09:00 a.m.

(The Speaker (Hon. Elisha Jack Oraro) in the Chair)

PRAYERS

The Speaker (Hon. Oraro): Honourable members, I direct that the quorum bell be rung for the first five minutes, and as that is done, I am not able to spot the Whip, neither his Deputy Whip, but you can appoint somebody to mobilize members who are outside. Honourable Moses Ochele, please proceed and mobilize members who are outside.

(Quorum bell rung for the first minutes)

The Speaker (Hon. Oraro): Honourable Moses Ochele, confirm if you have quorum, and we proceed if you have quorum.

Hon. Ochele (MCA, East Kano/Wawidhi): Thank you Mr. Speaker. We have quorum.

The Speaker (Hon. Oraro): Clerk, take is through the Order Paper.

The Speaker (Hon. Oraro): Next order!!

PAPERS LAID

KISUMU COUNTY EDUCATION FUND FOR THE YEAR ENDED 30TH JUNE 2025

BY

HON. KENNEDY OOKO, MCA, AHERO

[LEADER OF MAJORITY]

(Paper laid by Hon. Adega on behalf of the Leader of Majority)

FIRE INCIDENTS REPORT AT KANYAMEDHA AND KISUMU BUS PARK

BY

HON. MOSES OCHELE, MCA, EAST KANO/WAWIDHI

[CHAIRPERSON, ADMINISTRATION OF LAW, JUSTICE, CONSTITUTIONAL AFFAIRS, GOOD GOVERNANCE AND SECURITY COMMITTEE]

The Speaker (Hon. Oraro): I am seeing Honourable Adega occupying the seat of the Honourable Leader of Majority.

Hon. Adega (MCA, Kajulu): Mr. Speaker, if you allow me to lay paper on behalf of Majority Leader.

The Speaker (Hon. Oraro): Granted.

Hon. Adega (MCA, Kajulu): Thank you. Pursuant to the provision Section 164 (1) of the Public Finance and Management Act 2012 I wish to table today, Wednesday 01st October 2025, the Annual Financial Statement of Kisumu County Education Fund for the year ended 30th June 2025. Thank you.

(Hon. Adega lays the report before the House for consideration)

The Speaker (Hon. Oraro): Honourable members. The Annual Financial Statement of Kisumu County Education Fund for the year ended June 30th 2025 is properly laid before the House. And I do not know how many documents or pending work is with the Departmental Committee on Finance and ICT?

This is because, I am thinking of either committing this report to the Departmental Committee on Education, Technical Training, Innovation and Social Services or the Departmental Committee on Finance and ICT. Honourable Carren, Ajwang' can you please inform the House on the status of other reports committed to your House Committee?

Hon. Carren Ajwang' (MCA, Kaloleni/Shaurimoyo): Thank you, Honourable Speaker. We have a lot before us. If it is possible, we can commit this report to the Departmental Committee

on Education, Technical Training, Innovation and Social Services. As a House Committee, we will really appreciate.

The Speaker (Hon. Oraro): I direct the Departmental Committee on Education, Technical Training, Innovation and Social Services to look at this report as per our Standing Order and report back to the House. I so direct.

The Speaker (Hon. Oraro): Yes, Honourable Moses Ochele.

Hon. Ochele (MCA, East Kano/Wawidhi): Thank you Mr. Speaker. Pursuant to the provisions of Orders No. 182 (6) of the Kisumu County Assembly Standing Orders, I wish to table today, Wednesday 01st October 2025, the Report of the Departmental Committee on Administration of Law, Justice, Constitutional Affairs, Good Governance and Security Committee on the Fire Incidents at Kanyamedha and Kisumu Bus Park. Thank you, Mr. Speaker.

(Hon. Ochele lays the report before the House for consideration)

The Speaker (Hon. Oraro): Honourable members, the report of the Fire Incidents at Kanyamedha and Kisumu Bus Park is properly laid before the House by the Departmental Committee of Administration of Law, Justice, Good Governance and Security. I direct that the House Business Committee consider scheduling this report for debate.

The Speaker (Hon. Oraro): Next order!!

NOTICES OF MOTION

FIRE INCIDENTS REPORT AT KANYAMEDHA AND KISUMU BUS PARK

BY

HON. MOSES OCHELE, MCA, EAST KANO/WAWIDHI

[CHAIRPERSON, ADMINISTRATION OF LAW, JUSTICE, CONSTITUTIONAL AFFAIRS, GOOD GOVERNANCE AND SECURITY COMMITTEE]

The Speaker (Hon. Oraro): Honourable Moses Ochele.

Hon. Ochele (MCA, East Kano/Wawidhi): Thank you Mr. Speaker. As per the provisions of Orders No. 45 (1) of the County Assembly Standing Orders, THAT, this House adopts the Report of the Departmental Committee on Administration of Law, Justice, Constitutional Affairs, Good Governance and Security on the Report of Fire at Kanyamedha and Bus Park. Thank you.

The Speaker (Hon. Oraro): Next order!!

MOTION

REPORT OF THE DEPARTMENTAL COMMITTEE ON LABOUR AND SOCIAL WELFARE SERVICES ON THE MATTER OF MANDATORY RETIREMENT AGE

BY

HON. ZACHARY OKOYO, MCA, CENTRAL KISUMU

[CHAIRPERSON, LABOUR AND SOCIAL WELFARE SERVICES]

The Speaker (Hon. Oraro): Honourable Zachary Okoyo.

Hon. Okoyo (MCA, Kisumu Central): Thank you, Mr. Speaker and Honourable Members. The Committee on Standing Orders No. 41 (2) (b) of the Kisumu County Standing Orders received a Statement, a Request that sought an Explanation on the Matter of Compliance with Regulation No. 71 of the Public Service Commission Regulations 2020 by the County Public Service Board on the Mandatory Retirement Age Provisions.

And that is Annex No. 1. In the Statement, it was noted that Regulation No. 71 of the Public Service Commission Regulations 2020 provides the Mandatory Retirement Age in the Public Service to be 60 years and 65 for persons with disability and such age as may be determined by the Commission for Lecturers and Research Scientists serving in public universities, research institutions or equivalent institutions as determined by the Commission in consultation with such universities, research institutions or equivalent institutions.

Mr. Speaker and Honourable members, in the Statement, the Chairperson was required to inquire into and report on 1. A detailed record of all employees of the County Government of Kisumu since 2013 evidenced by a payroll printout including their names, ID numbers and dates of birth as per official identification 2. A report on officers who have reached the retirement age since 2013 including those who have retired during the period 3. Information on employees due to retire within the next years including a specific timeline for recruitment and onboarding processes 4. A detailed report on officers who have reached the mandatory age and yet continue to draw salaries while still employed by the County Government This report should include reasons why these officers have not retired as stipulated by law 5.

Mr. Speaker and Honourable members, a report of any instance where contracts have been extended or issued for officers post-retirement detailing the rationale for each extension the specific roles these officers are serving and the terms of their engagement 6. Information on policies or guidelines the County Government has in place regarding succession planning especially in departments with a significant number of employees approaching retirement to ensure continuity of services 7. An outline of any training, mentorship or skills transfer

programs designed to prepare younger employees or successors for roles that will be marketed due to mandatory retirement 8.

A summary of any audit findings or internal reviews conducted since 2013 regarding compliance with retirement laws and regulations within the County Government including any corrective actions taken Mr. Speaker and Honorable Members The report reflects information provided by the County Public Service Board supporting annexes, the Committee's observations and findings It concludes and makes recommendations grounded in the legal and regulatory frameworks governing public service in Kenya Committee Observations, Mr. Speaker and Honorable Members The Committee received a response from the Kisumu County Public Service Board in a letter referred to KPSB/03/012/2024 and that is Annex No. 2 The Committee noted the following from the response used to it by the Board regarding issues sought in the Statement 1.

Mr. Speaker and Honourable members, record of all employees of the County Government of Kisumu since 2013 and this and the Board provided a summary of detailed records of all employees of the County Government of Kisumu since 2013 as per the IPPD and the Board is well put and in 2013 we had 1,312 employees 2014 we had 34, 57 2015 we have 34, 57 2016 we have 35, 61 2017 we have 35, 19 2018 we have 35, 46 2019 we have 34, 49 2020 we have 38, 38 2021 we have 38, 82 2022 we had 44, 63 2023 we had 46 23 and 2024 we had 5, 021 that is 5,021 Data soft copy of payroll including payroll number ID numbers and dates of birth as per official identification from 2013 to 2024 is in that report and that is annex number 3.

The table below highlights the number of officers appointed on permanent and pensionable who have attained the mandatory retirement age of 60 years and 65 years for PLWDs and have retired from the service from 2013-2024.

Mr. Speaker, I believe Members can see the table, However, for the sake of those who may not have the report, I beg to read it. In 2014, we had 36 number of employees according to IPPD.
In 2015, we had 25 and 4 PWDs. In 2016, we had 123 and 1 PWD. In 2017, we had 103 and 4 PWDs. In 2018, we had 141 and 2 PWDs. In 2019, we had 111 and 1 PWD. In 2020, we had 163 and 1 PWD. In 2021, we had 81 and 2 PWDs. In 2022, we had 156 and 2 PWDs. In 2023, we had 123 and 4 PWDs, and in 2024, we had 79 and 2 PWDs.

Mr. Speaker, that is a soft copy of payroll including a payroll number, ID numbers, and dates of birth, as per official identification from 2013 to 2024 has been indicated under Annex 04.

INFORMATION ON EMPLOYEES DUE TO RETIRE WITHIN THE NEXT YEARS

The table below highlights employees who have attained the mandatory retirement age of 60 years and 65 years for PWDs appointed on permanent and pensionable terms who are due to retire within the next years. According to the table, in 2025, we had139 employees who are due to retire and 18 who are PWDs. That is according to the IPPD.

Mr. Speaker, a soft copy of a payroll including payroll number, ID numbers and dates of birth as per official identification from 2013 to 2024 has been indicated under Annex 05.

TIMELINE FOR THE RECRUITMENT AND ONBOARDING PROCESS

Mr. Speaker, that the recruitment is a process that is initiated by the user departments, approved by the respective Departmental Human Resource Management Advisory Committee (DHRMAC), County Human Resource Management Advisory Committee (CHRMAC), and the cabinet. The board only acts on its request.

DETAILED REPORT ON OFFICERS WHO HAVE REACHED THE MANDATORY RETIREMENT AGE

Annex 6 highlights a detailed report on officers who have reached the mandatory retirement age because they are engaged on a contract or part-time basis, or PWDs.

REPORT ON ANY INSTANCE WHERE CONTRACTS HAVE BEEN EXTENDED OR ISSUED FOR OFFICERS POST RETIREMENT

There are no records of contracts that have been extended or issued for post-retirement, for officers engaged on permanent and pensionable terms.

INFORMATION ON POLICIES OR GUIDELINES THE COUNTY GOVERNMENT HAS IN PLACE REGARDING SUCCESSIONS PLANNING

The succession planning should address the existing capacity and gaps in service delivery and create an effective and efficient human resource workforce. To achieve proper succession management, the county should have skills inventory gaps analysis, development of talent pools, career path and succession planning framework. The Public Service Commission of Kenya has developed Succession Planning Framework Guidelines, but this has not been domesticated by the County Government due to financial constraints.

TRAINING MENTORSHIP OR SKILLS TRANSFER PROGRAMMES DESIGNED TO PREPARE EMPLOYEES OR SUCCESSORS FOR ROLES THAT WILL BE VACATED

Mr. Speaker, that some employees have been sponsored by the County Government to undertake various training at the Kenya School of Government, such as Senior Management Course, Strategic Leadership Development Programme and Supervisory Skills Development Course.

The board approves paid study leave for officers who wish to pursue further studies as recommended by the relevant committees; senior positions are filled through internal advertisement and continuous staff promotion is done as per the prevailing career progression guidelines.

The above instances equip the individual employees with the needed skills, mentorship for higher roles within the County Government.

SUMMARY OF ANY AUDIT FINDINGS OR INTERNAL REVIEWS CONDUCTED SINCE 2013 REGARDING COMPLIANCE WITH RETIREMENT LAWS AND REGULATIONS WITHIN THE COUNTY GOVERNMENT

There is no summary of any audit findings or internal reviews conducted since 2013 regarding compliance with the retirement laws and regulations within the county government, including any corrective actions taken. However, a report on staff establishment was done this year, which is being implemented.

COMMITTEE FINDINGS

Mr. Speaker, the committee made the following findings as per the issues sought in the statement:

1. That the summary of the detailed records of all employees of the County Government of Kisumu in 2024 was 5,021 employees as recorded in Table 1under Observations, while review of the detailed records indicated that the County Government had 4,797 employees by the year 2024 as indicated under Annex seven, resulting in a variance of 224 employees.

Mr. Speaker and Honourable members, further review of the Kisumu County Public Service Board Annual Report for the year 2024, and that is page13 of the report, at Annex number eight, revealed that the county had 4,730 and that is also another variance.

2. That the County Executive has 139 employees due to retire by the end of this year, that is 2025, including PWDs.
3. That Annex 09 provides details of the Persons Living with Disability for the sampled years of 2021, 2022 and 2023.

4. That there were audit findings regarding in compliance with the retirement laws and regulations within the county government. However, the Board submitted the submitted the converse.
5. The Board did not adduce any corrective taken in line with the audit findings to ensure strict compliance with retirement laws and regulations within county government.
6. That a report on staff establishment was done in the year 2024 and the Board is in the process of implementation.
7. The committee, further, noted the following from the Special Audit report of the Auditor General on Payroll Management for the County Executive for the Financial Years 2021/ 2022, 2022/2023 and 2023/2024.

INTEGRITY OF DATE OF BIRTH RECORDS IN THE PAYROLL SYSTEMS

Mr. Speaker, the Special Audit identified 590 employees who had inconsistent dates of birth and remember it is the date of birth on the birth certificate which is being used in the employment record. That an interview with a sample of 51 employees and verification of their identification documents established that the dates captured in the IPPD system for 17 employees were different from those in the in the employees' birth certificates. This is contrary to the Circular Reference No. PSC/ADM/13 (9) dated 19th November, 2020 from Public Service Commission to all authorized officers stipulating that the date of birth as per the Birth Certificate should be considered as a public officer's official date of birth.

That the inaccurate capturing of dates of birth increases the risk of employees retiring before or after the legal retirement age, leading to potential miscalculation of pension dues and other age-based entitlements.

2. Lack of annual recruitment plans.

During the period under audit review, the County executive recruited 665 employees. However, it was established that the recruitment department did not have annual recruitment plans to guide the recruitment, and that no evidence was provided to prove that the budgetary availability was sought before initiating the recruitment process. That the lack of annual recruitment plans and the lack of confirmation of availability of budgets results in either overstaffing, understaffing or hiring staff for roles that do not align with the organization's priorities.

That the control weakness in the recruitment process undermines transparency, accountability and compliance, therefore increasing the risk of irregular hiring. Further review of the Auditor General report revealed that the matter of retention of staff beyond the mandatory age was flagged consecutively as highlighted below.

AUDITOR GENERAL'S REPORT ON FINANCIAL STATEMENT OF KISUMU COUNTY EXECUTIVE FINANCIAL YEAR OR FISCAL YEAR 2020-2023.

Retention of staff beyond mandatory retirement age. The review of the payroll provided for audit revealed that 34 employees who had attained the retirement age of 60 years was still appearing in the June 2023 payroll. This was contrary to Section D-21 of the Human Resource Policies and Procedures Manual 2016, on mandatory retirement age, which states that all officers shall retire from the service on attaining the mandatory retirement age of 60 years and 65 years for persons with disability.

Management did not provide reasons for the irregular retention of the employees beyond the mandatory retirement age. That in the circumstance management was in breach of law.

Auditor General's report on the financial statement of Kisumu County Fiscal year 2023-2024.

Retention of staff beyond mandatory retirement age. During the audit review, examination of the payroll provided for audit revealed that 79 employees who had attained the retirement age of 60 years was still appearing in the June 2024 payroll. This was contrary to gazette notice reference number OPCAB2-7A of March 2009 and Section D-21 of the Human Resource Policies and Procedures Manual for Public Service 2016. The policy stipulates that all officers that shall retire for the service on attaining the mandatory retirement age of 60 years and 65 years for persons with disability and or as may be prescribed by the government from time to time. The management did not explain the anomaly.

Mr. Speaker, these are the committee recommendations.

Based on the foregoing findings regarding the issues raised in the statement, the committee makes the following recommendations;

1. That the CEC member, public service, county administration and participatory development immediately remove from the county payroll all officers who have attained the mandatory retirement age of 60 and 65 for PWDs without valid contractual exemptions in line with the public service human resource policy and gazette notice reference number OPCAB2-7A.
2. That in cases where officers have received payments beyond the mandatory retirement age without valid contractual exemptions or legal justification, the chief officer in charge of public service, county administration and participatory development immediately initiates recovery proceedings. This should include offsetting the overpaid amounts against any post service benefit such as pensions where legally permissible and also

pursuing legal recovery mechanism including civil recovery actions where pensions offsets are not applicable or sufficient.

3. That the CEC member, public service, county administration and participatory development to immediately verify and correct all consistent or inaccurate dates of birth entries in the IPPD system using birth certificate as the official source and initiate disciplinary actions against the officers who are responsible for maintaining employees record where discrepancies in dates of birth are found. This constitutes a direct violation of public service regulation.
4. That the CEC member, public service, county administration and participatory development immediately initiate a reconciliation process for the discrepancies between the 2024 summary detailed payroll data that is 5021. I believe you still remember the discrepancy 5021 employees and the public service board annual report for 2024, which was 4730 employees and equally prefer disciplinary legal action against responsible officers in human resource department.
5. That in cases where public funds have been paid to or in the name of unexplained employees, the chief officer of public service, county administration and participatory development to take immediate and decisive actions to initiate full recovery of the said funds and a detailed report on the recovery efforts to be submitted to the county assembly within 45 days upon adoption of this report. Failure to comply, the ethics and corruption commission take up the matter for further investigations on possible loss of funds.
6. That the county secretary in consultation with the public service commission and the county public service board immediately initiates a comprehensive head count of all employees within the county executive including both permanent and contracted staff to establish the accurate and lawful number of employees currently serving under the county government and submit a comprehensive report on the findings to the county assembly within 120 days upon adoption of this report.
7. That going forward all departments within the county executive must submit annual recruitment plans for approval by the county public service board before start of each financial year. Also, that recruitment shall only proceed if explicitly aligned with these approved plans.
8. That the public service board prioritize the adoption and conceptualizing of the public service commission of Kenya succession planning framework even with financial constraints a first and scalable approach can be implemented to ensure structured succession planning aligned with local needs.
9. That the public service board should initiate a comprehensive audit of current staff skills, identify critical roles at risk due to impending retirement and assess capacity gaps. This data will inform targeted talent development and succession strategy.

In conclusion, Mr. Speaker and honorable members, the committee's inquiry has revealed significant gaps in the county compliance with mandatory retirement provisions as outlined in

regulation number 71 of the public service commission regulations 2020. The continued employment and salary payment to officers beyond retirement age without contractual exemptions, inaccurate births records and lack of structured requirement plan point to systemic weakness in human resource management. These lapses not only undermine the principles of good governance but also expose the county to financial and legal risks. Immediate corrective actions are essential to restore public trust and uphold constitutional values of accountability and integrity. The department of public service county administration and participatory development as well as the county public service board must prioritize and enforce retirement laws and proper succession planning and both disciplinary and legal actions must be taken against the responsible officers.

Mr. Speaker and Honourable members, it is therefore my honour and privilege on behalf of the labour and social welfare services committee, to move this motion before this honorable House for consideration and Mr. Speaker, I would like to call upon Honorable Adega to second. Thank you, Mr. Speaker.

The Speaker (Hon. Oraro): Honorable Adega.

(Hon. Adega bowed in secondment of the motion)

The Speaker (Hon. Oraro): Honorable members, now that the motion on adoption of the report of the Departmental Committee on Labour and Social Welfare Services in the matter of Compliance with Regulations Number 71 of the Public Service Commission Regulations 2020 on the Mandatory Retirement Age has been moved, seconded. Honourable members, I want to propose a question and I propose that the motion is open for debate.

The Speaker (Hon. Oraro): Yes, Honourable Tom Nyaoke.

Hon. Nyaoke (MCA, North Nyakach): Thank you, Mr. Speaker. Mr. Speaker, I wish to start by thanking Honorable Joachim Okech who sought this statement on 11th of November, 2024.

Mr. Speaker, when this statement was sought, we also saw the need and the replies which were desired by the statement writer. This is something that must have been realized before. We have gone through this report and we have been taken through this report by Honorable Okoyo who is the Chairperson of this House Committee of Labour and Social Welfare at length, and we have read the committee's findings. Additionally, we have gone through the recommendations that they have provided. Mr. Speaker, they went ahead to identify the gaps that do not need the help of a microscope to see clearly. However, the law and the Public Finance Management Act, 2012 is very clear on management of finance by institutions.

Mr. Speaker, Article 201(d) dealing with Principle of Public Finance which requires responsible financial management including ensuring public funds are not misused through unlawful salary payments to officers past retirement age. Mr. Speaker, this report has given us even the detailed information on how many people have retired, those due to retire, and proper tabulation has been given.

Mr. Speaker, section 149(1) (a) of the PFM Act 2012 talks about responsibility of accounting officer. Mr. Speaker, this section requires that officers must ensure proper use of public funds including the payment of salaries only to legally employed individuals. Mr. Speaker, it is very clear and I am sure the officers that we put into these offices are aware of these Acts. The reason for seeking this statement in this House is properly supported by section 196(1) which establishes the county assembly's authority to oversee county government organs including inquiries into Human Resource Practices and Financial Compliance. Mr. Speaker, the Chairperson, Departmental Committee on Labour and Social Welfare has taken us through all those scenarios. Despite the presence of those articles, I have just referred to, the only problem is that when you come down to recommendations you do not get specific action that should be undertaken by a specific officer.

Mr. Speaker, we are keen on this particular report and my submission is to support because I have seen it and when I sit on the side of Implementation Committee, which I am fortunately to be as a member, I am sure if this motion is passed then definitely it is going to get into our table. I still believe that the gaps that might have been left in this report, we can see a way to cover them up as we deal with it at a later stage.

Mr. Speaker, last but not least, in this particular report we have been shown about the integrity of date of birth records in the payroll being inconsistent. This is one of the fundamental gaps that we have seen in this report. There is no way that the date of birth of a person's ID can be different from the date of birth that has been put in the payroll system. Mr. Speaker, even from that report, it is indicated that this might lead to inaccurate capturing of dates of birth increases the risk of employees retiring before or after legal retirement age. That is also a very serious gap that we will really need to look at and to identify exactly who slept in the job. Mr. Speaker, with that few remarks, I beg to support.

The speaker (Hon. Oraro): Honourable Moses Ochele.

Hon. Ochele (MCA, East Kano/Wawidhi): Thank you, Mr. Speaker. It is good that my brother, Honourable Zachary Okoyo has moved a motion in the way of a report concerning a Statement raised earlier by Honourable Joachim Oketch (also known as Swagga).

Mr. Speaker, in the best of my knowledge, I want to state that, this House Committee has made a lot of effort to come up with at least something in a way of response. Mr. Speaker, it is kudos to

this House Committee because naturally when answers are sought, this House Committee and the Chairpersons fully rely on the response from the County Executive wing of the Government.

However, I just wanted to note that I highly doubt some of the authenticity of the annexes provided by this House Committee. It is either they have been pulled out of the archives or somebody just wanted to appear to be doing something about the request for response. One such annex, Mr. Speaker, is Annex 7, which is handwritten up there as detailed records for the year 2024. It is my belief that, this matter was raised this Financial Year (FY2025/2026). Therefore, the response should have been very conclusive and guiding on the extent to which our staff establishment is positioned. Going roughly in this list, we realize that when we talk of the payroll and if this forms the master payroll, then I believe that, we do not know the number of staff in this County. That is because what we have here is taking us back to those who left employment a long time ago. Some left in the middle of the year 2024 and totaling the number given here listed is 4,797 as employees of Kisumu County Government by the time this document was released.

Now, I am just wondering what could have costed this department if at all they took time and gave the current status. The figure we have been getting from the staff establishment is always varying; some 5,000 plus, some 4,035 and so it keeps on varying. But, the figure we have here, Mr. Speaker, just on the first page alone, we have people whereby; some have exited by natural attrition, some have been fired, some have retired and in that page alone, I have like nine known to me. This is because, just one page containing 45. There are nine who since exited employment or engagement with the Kisumu County Government. Those are nine which are well known to me that should no longer be in the payroll. One such individual is the late Mr. Babu Karan, the former Chairperson, Kisumu County Public Service Board. We have Dr. Hongo, Kennedy Akelo, we have Madam Agwa Marylin Yansa, we have Kapiyo who are members of the previous Kisumu County Public Service Board.

Mr. Speaker, by going down, it is my belief that, this document is not informative enough. It is not. Therefore, I am just beseeching this House Committee that by way of presenting this report, I believe we should have just talked of progress report because the actual data has not been provided. If this House can actually give them time if they so request, then it is my considered opinion that, we need a more recent data of this document so that as an Assembly we can actually ascertain if not the actual but; almost actual number of staff we have and the actual number who have died, actual number who have retired and actual number of those who have resigned. Because people resign, some retire while others go through natural means. All these data should be provided.

Secondly, Mr. Speaker, I had the Chairperson read that we have a number of 138 members of the staff who are due for retirement. When we are going through the recent Proposed Kisumu County Annual Development Plan (KCADP) by the sector, the Department of Public Service and

Participatory Development, the figure given to the Department Committee on Administration of Law varies from the figure now being laid by the Departmental Committee on Labour and Social Welfare. So, there is no consistency and it seems like these records are kept from different centers. This is because, if at all they are centrally kept, then the outcome given to this House should be consistent.

Mr. Speaker, we are all aware that JOOTRH which is a consumer of the highest Wage Bill is out of our way. When they provide this document containing all the names of the doctors that we have, what advice can we give or what are they trying to inform this House? They should have separated that; indeed, as at the year 2024, we had this number of employees. But, by JOOTRH exiting, we expect this number to exit too by moving to the National Government. So the Wage Bill is expected to come down to this much. However, this one contains all employees who have ever been there in the County Government. So, it is my belief that, this House Committee should have dug deeper that now that JOOTRH is going: How many workforces has Kisumu County been relieved of? That should appear in their findings.

Finally, Mr. Speaker, there are some small inconsistencies in the number of employees for every Financial Year. I believe that, there could be a way of some people introducing to imagine an error of plus or minus five employees who are not advertised. Because why should the figures keep on fluctuating more so upwards? So, it seems like somebody somewhere is seated and always increasing or adding more staff.

Therefore, I beseech this House Committee and the House that the hyena in this County lies on Wage Bill. When we talk of development to be taking place in our Sub-counties, we must ensure that we manage the Wage Bill. The best way of managing the Wage Bill is going out of our way and ensuring that the right things are done; the right documents are provided and the Assembly is made aware of the actual Wage Bill to work on. Otherwise, what we have here is that if all these factors I have mentioned are taken care of then, I want to be talking of far much below 3,500 staff. That is because going by percentage whereby out of 45 whom I have highlighted; nine cases are known to me to have exited. Therefore, Mr. Speaker, it should be Thirty Per Cent (30%). Assuming that all these pages that the trend is same, then, we are talking of less than Thirty Per Cent (30%) that should be provided for as staff for this County. So I request that this House Committee, accorded time to dig deeper and bring the latest results. Because we do not expect the same question to be raised by Honourable members when we have an opportunity to exhaust it at this point. Otherwise, I thank you so much, Mr. Speaker.

The speaker (Hon. Oraro): Honourable James Omollo.

Hon. Omollo (MCA, West Nyakach): Thank you Mr. Speaker. Allow me to congratulate this House Committee for this work and congratulate Honourable Oketch for bringing the Statement

to this House. This is a monster in this County whereby the payroll numbers are not matching anywhere. It is deliberate, Mr. Speaker, because even from the data provided by the Departmental Committee on Labour and Social Welfare which they were given cannot make sense out of them. These numbers keep on fluctuating and there are very glaring mistakes in terms of those who are in this payroll.

Mr. Speaker, as we speak now, from the point of our master payroll in this County, they know they have over 5,000 employees. However, going by the annex seven alone, we have 4,800 employees. And in that 4,800, I believe that, Honourable Ochele had mentioned it that on the first page, you can detect those who have left this payroll; just recently, last year or the other year. Besides, you can see justification of this number of 5,000 plus in our County and drawing funds as meant to pay for salaries.

Mr. Speaker, how I wish, I do not know how at this point will make it but an Adhoc Committee needs to be constituted to do this to the latter. This is the only sure way we will be able to know; who are working in this County, who are retired and still in the system and who are already attained the age of retirement and are still serving this County.

Mr. Speaker, those who made it sure that we have a retirement age, there was a reason. There is a clear reason that after 60 years, you cannot serve in any Government Entity and if you are categorized under People with Disability (PWD) you are able to extend for another five years after 60 years. It was deliberate and it should be as such. Mr. Speaker, you wonder, unless we are serving here for a five-year term, by October of 2027, you cannot find my name in that payroll not unless I am re-elected and resubmit a fresh biodata. By doing that, it gives the payroll guys authority to know when you are retiring or when you are going home. So, you wonder what could have happened that some number of employees gave the wrong biodata, which is not matching with the birth certificate and the ID. This is because, normally, the ID and the birth certificate will not be inconsistence and should tally in the payroll.

Mr. Speaker, this is a county where almost 57% of our resources goes to Recurrent Expenditure in terms of Wage Bill, if the Assembly could not stamp its authority, this will be a normalcy and at the time it will reach even 80% and we will be doing nothing in our wards because all the resources we get from Nairobi and from Own Source Revenue will ever be going to the paying salaries to employees. It would not make sense because Mr. Speaker, the previous Kisumu County Public Services Board did some anomalies and I believe that, this assembly is aware that there are some departments that they over-employed and that forms part of the Annex 7 again.

Mr. Speaker, we need a thorough clean-up of the payroll. We need a very big and huge clean-up. And Mr. Speaker, I just still beseech you and the House to go Adhoc Committee way and with the clarity you are, to clean up all this mess, and that will be the end of this era. I am very certain

that this is manufactured, and it is intentional, and it is by those who do not mean well for this county. They just want to fix things for quick fixes and mess up the whole county. Mr. Speaker, if we just lie down and keep cool on this, then it will be messy in the future.

Mr. Speaker, on the committee recommendations, they are very good. But you don't find them tying each and every officer who did this. There are people who did such kind of anomalies. There are people in the Directorate of Payroll who are manning our payroll, who are still insisting on paying those who are underage in terms of public service. These people should be reprimanded because there is no way. They know. They have been trained on Human Resource. And we have a Human Resource Information System (HRIS) which really details when someone goes into it and exits. It's very clear when to exit. And if someone somewhere is sitting in the office refusing to exit, somebody who has been exited by the system, then that person is culpable. We want to get these officer responsible for this. This is manufactured, and it is not human error. It is intentional, and it is fraud, and we have to go deep, deep. Thank you. I support. Thank you.

The Speaker (Hon. Oraro): Honorable Kennedy Ouko.

Hon. Ouko (MCA, West Kisumu): Thank you, Mr. Speaker. I stand here to support the report and the motion by the Chairperson, Departmental Committee on Labour and Social Welfare. Mr. Speaker, we have a lot of loopholes in our system.

Mr. Speaker, we have people who got these positions out of our fair recruitment. These are people who are qualified, and that is why they are heading these very sensitive departments. Mr. Speaker, it is very clear that there is some kind of incompetency in these officers. Mr. Speaker, there is what we call staff establishment. If I can explain very clearly, this is a document approved structure of positions within the County Public Service Board. It shows all posts that exist, the numbers, title, job groups, grades, and terms of service.

Mr. Speaker, there are reasons why the staff establishment document is produced, and it has to be approved by the County Public Service Board. Why do they do that? Mr. Speaker, it has to cure some things. One, it will control the wage bill, which is more than what is prescribed by the Salaries and Remuneration Commission (SRC).

Mr. Speaker, it also guide the recruitment process and promotions. Mr. Speaker, it is also very clear that it can help in the payroll cleansing, which is a process that will always identify where the problem is within the payroll. It will also help in guiding illegal hiring of employees and proper staffing.

Mr. Speaker, you can understand why we lack what is called an Annual Recruitment Plan. Without staff establishment document approved by the County Public Service Board, we must be in this kind of situation. And remember, without this plan, we have been recruiting employees within the system. What are the guidelines? In the absence of Annual Recruitment Plan, this shows there is a lot of ineffective workforce in place now. Even the planning itself, it has led to overstaffing, which has blown our wage bill.

Mr. Speaker, it is very important that we must address this weaknesses which we have realized here. But it is unfortunate that at times when we give recommendations, we do not tie people involved to the problems which are realized for their failures. Mr. Speaker, we have a Director, Human Recourse who is responsible for all this.

Mr. Speaker, I would like to bring an amendment. We know you have the powers, it is within your jurisdiction to accept amendment at this time that the people involved, like the Director, Human Recourse, should be responsible for the messes within our workforce. Thank you, Mr. Speaker.

The Speaker (Hon. Oraro): Honorable Samuel Onyango, can you call the mover to reply.

Hon. Onyango (MCA, Railways): Mr. Speaker, I would like to call the mover to reply.

The Speaker (Hon. Oraro): Honorable Okoyo.

Hon. Okoyo (MCA, Central Kisumu): Thank you, Mr. Speaker. Let me thank also the Honourable members who have found time to contribute to this report. Mr. Speaker, I really want to agree with the members who have contributed and it is indeed a blessing in disguise when Honourable Oketch brought this statement. I want to believe this statement has is an eye-opener to many of us and maybe also those who might have had this information with them, but they could not speak about it.

Mr. Speaker, this report has exposed a lot of rot in the County department, more so the Human Resource. Mr. Speaker, allow me to agree with Honourable Nyaoke for being very keen and he really understood our predicament and what we really went through when we were bringing this report.

Mr. Speaker, the gaps are inevitable, are evidently seen and are there, Mr. Speaker. And when we were doing this report, Mr. Speaker, you certainly know that we were being guided by the statement which was sought by Honourable Joachim Oketch. However, Mr. Speaker, that does not bar us from doing what we are now prepared to do and what the Honourable members are asking.

Mr. Speaker, it is indeed high time as a House that we dig deeper into whatever has been brought forth or whatever we brought to this Honourable House. We have the recommendations, Mr. Speaker, and there are nine in numbers. Mr. Speaker, the recommendations are very, very tough and if they are implemented then, whatever is happening or whatever we have discovered in these departments will definitely stop. And, Mr. Speaker, we did not mince words when we were recommending because we did a thorough background check, we had the findings. We asked all the departments to bring every information which was related to this. And what we could get is what we have provided, and we did a report on this. Nonetheless, that does not bar us from whatever I am going to inform the House when I will be winding up.

Mr. Speaker, it is pathetic that some of these staffs being employed have discrepancies on their birth certificate dates and as we recommended, that is something which should not be done. So we provided that so that members also to check on that.

We believe they did not use the ID dates for recruitment because it is recommended that you use the birth certificates. So, if the dates of ID and the dates of birth certificate are different, then that is a red flag to be watched Mr. Speaker, We were deeply concerned when we encountered those discrepancies. That is why, as Honourable Nyaoke rightly pointed out, we recommended that whoever made that mistake must be held accountable. Thank you, Honourable Ochele, for also noting the same irregularities.

Indeed, Mr. Speaker, the payroll figures—showing either approximately 4,800 staff or 5,021 staff— this is unacceptable. Such inconsistencies should not exist. The payroll must be clean, transparent, and accurate, with responsibility placed where it belongs.

Mr. Speaker, as a House Committee, we unanimously agree that the elephant in the room remains the wage bill. It is consuming a large portion of our budget. If our recommendations, together with the contributions of Honourable members, are implemented, then the county will finally have some relief.

Mr. Speaker, I also agree with Honourable Omollo, who clearly emphasized the importance of a recruitment plan. Without one, these anomalies will persist. Every department must table its recruitment plan before the next financial year to avoid a repeat of the same problems. Honourable Ouko and other members have echoed similar concerns, which I will not repeat.

Allow me to conclude, Mr. Speaker. I urge Honourable Members to adopt this report. We identified significant gaps that must be addressed urgently. While preparing this report, we sought more details but could not obtain them. Shockingly, the payroll still lists deceased staff—

people well known to no longer be alive. This is evidence of laxity within the department, which we cannot and must not tolerate.

We are firm on this matter, Mr. Speaker. We do not want to see another statement brought before this House on the same issue without concrete action being taken. As a House Committee, we have already embarked on preparing a more detailed report, which we shall table at an appropriate time. That is why we have also recommended conducting a headcount to establish the actual number of staff employed. If this House passes the report, it will serve as the foundation for a thorough and final resolution to this matter. And with those remarks, Mr. Speaker, I beg to reply. Thank you.

The Speaker (Hon. Oraro): Honourable members, in accordance with the dictates of the Kisumu County Assembly Standing Orders, the Motion on the Adoption of the Report of the Departmental Committee on Labour and Social Welfare Services on the Matter of Compliance with Regulation No. 70, Part I of the Public Service Commission Regulations, 2020, regarding the Mandatory Retirement Age, has been moved, seconded, and debated. I now put the question on the adoption of the Report.

(Question put and agreed to)

The Speaker (Hon. Oraro): Honourable members, the Motion on Adoption of the Report of the Departmental Committee on Labour Social Welfare Services on the Matter of Compliance with Regulations No. 71 of the Public Service Commission Regulations 2020 on the Mandatory Retirement Age have been adopted today Wednesday 01st October, 2025 at 10:34 hours.

Honourable members, I recommend that the resolutions of this report be formally communicated to the relevant departments for immediate action. Further, the Select Committee on Implementation to conduct follow up to ensure implementation of the same. In addition, matters that fall under the Departmental Committee on Labour and Social Services will continue to be addressed by this House Committee. Thank you.

The Speaker (Hon. Oraro): Next Order!!

ADJOURNMENT

The Speaker (Hon. Oraro): Honourable members, please be upstanding. There being no any other business to transact, this House stands adjourned until today, Wednesday, 01st October, 2025 at 02.30 p.m.

(House rose at 10.35 a.m.)

Addendum

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