



JOINT SELECT COMMITTEE ON
LOCAL AUTHORITIES, SERVICE COMMISSIONS
AND STATUTORY AUTHORITIES
(INCLUDING THE THA)

7th Report
on an
**Inquiry into the Efficiency and Effectiveness of the
Public Service Commission (PSC)**

Third Session (2017/2018), 11th Parliament

Seventh Report

Of the

Joint Select Committee on Local Authorities, Service

Commissions and Statutory Authorities

(including the THA)

on an

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Public Service Commission (PSC)

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ACRONYMS AND ABBREVIATIONS

ABBREVIATION	ORGANISATION
ACE	Assessment Centre Exercise
CPO	Chief Personnel Officer
DPA	Director of Personnel Administration
DPS	Deputy Permanent Secretary
HOD	Heads of Department
PS	Permanent Secretary
THA	Tobago House of Assembly

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EXECUTIVE SUMMARY

1.1 At its fourteenth meeting held on Wednesday 22nd March, 2017, the Committee resolved to inquire into the efficiency and effectiveness of the Public Service Commission and agreed that the following three (3) objectives would guide the inquiry:

- **To evaluate the performance of the Commission in executing its mandate.**
- **To determine whether the resources, systems and procedures of the Public Service Commission are sufficient to allow it to operate efficiently.**
- **To determine the challenges affecting the operations of the Commission and the possible solutions for alleviating these challenges.**

1.2 To this end, the Committee agreed to meet in public with officials of the Ministry of Public Administration (MPA), the Office of the Prime Minister (OPM) and the Public Service Commission (PSC) on Wednesday 26th April, 2017 to discuss matters pertaining to the objectives of the inquiry.

1.3 The Committee obtained both oral and written evidence based on the objectives listed above. Some of the issues which were highlighted during the course of the inquiry included:

- a) The Relevance of the Public Service Commission;
- b) Statistics and other details on the Public Service;
- c) The Filling of Vacancies within the Public Service;
- d) The Status Update on the Revised Public Service Regulations;
- e) Order of Merit Lists and Promotions within the Public Service;
- f) The Re-appointment of a Retired Permanent Secretary to the Public Service;
- g) The Assignment of Permanent Secretaries to Ministries;
- h) The Period of Transition from Active Public Servant to Pensioner;

- i) Treating with complaints from the Public regarding the conduct of Public Officers;
 - j) Issues that were raised at the public hearing held in April 24, 2015 (10th Parliament)
 - a. Upgrade of the IT System
 - b. Performance Appraisals
 - k) The Relationship between the PSC and the THA;
 - l) The Relationship between the PSC and the THA
- 1.4 Based on the observations made during this inquiry, the Committee has proffered recommendations which we believed will appropriately address the issues highlighted. A summary of these recommendations follows this Executive Summary.
- 1.5 We anticipate that the Parliament, the PSC and other stakeholders would give due consideration to the findings and recommendations contained in this Report with a view to improving the services at the PSC. The Committee looks forward to reviewing the stakeholder responses to this Report which becomes due, sixty (60) days after it is presented to the Houses of Parliament.

SUMMARY OF RECOMMENDATIONS

The following is a consolidated list of recommendations proposed by the Committee:

The Committee recommended that the following be implemented in the short-term (3-6 months):

- i. The strategies and best practices applied during the Vacancy Reduction Program should be noted and utilized on a small scale by the Commission's HR department.
- ii. The Commission should outline clear criteria during its application process and utilize a grouping method based on the levels of qualifications and the number of years of experience of applicants, in order to reduce excessive applications that lack the requisite qualifications and experience.
- iii. Senior offices such as the office of the PS should be filled as soon as possible to ensure that there is effective running of Ministries and departments. An assessment of existing appointments should also be conducted to ensure that assigned PSs have the technical expertise needed for the efficient operations of their assigned Ministry.
- iv. The SCD should prioritize the confirmation of appointments to the position of PSs to ensure that Ministries have stable executive leadership to spearhead their operations.
- v. An evaluation of the success of the training interventions provided to the PS and DPS should be conducted. Recording these details provides an opportunity for future use of the training mechanisms.
- vi. Given prevailing financial constraints, the SCD would need to determine whether at this time priority can be placed on the creation of an Investigation Unit or whether it would be more feasible to train new and existing investigators.

- vii. The Committee recommends that legal staff be posted as soon as possible, to the Complaints unit to assist in the drafting of legal documents. This will ensure that legal documents are authoritative and well drafted.
- viii. In the Commission's response to this report, it is required to provide the Parliament with a status update on the approval of the Public Service Regulations which were submitted to the Prime Minister. In addition, the Parliament should be advised whether the PSC has or intends seek the input of some of the stakeholders who did not participate in the initial round of consultations.
- ix. The Commission should consider receiving electronic applications in the interim period until an EDMS system can be fully implemented.
- x. The PSC must continue to engage PSs and even the Board of Permanent Secretaries as a means of underscoring the need for Ministries to submit Performance Appraisal Reports in a timely manner.
- xi. Similarly to the Australian Public Service, all internal and external vacancies should be advertised in order to reduce the continued rotation of internal candidates. External candidates may have the required expertise and experience and may be better suited for the existing vacant post. Individual line managers should also be involved in the appointment of persons.

The Committee recommended that the following be implemented in the medium term (7-12 months):

- xii. The SCD should collaborate with the Head of the Public Service and the Ministry of Public Administration to mandate Permanent Secretaries and HOD to conduct regulatory reconciliations of the job positions within their establishments with a view to:
 - Identifying vacancies and ranking them in order of priority; and

- Identifying redundancies.
- xiii.** The Commission should conduct an exercise to determine the number of required Secretarial/Clerical personnel that are necessary to advance the efficiency of the Public Service. In this regard, the Gold to Diamond concept, which was proposed as part of the public sector reform initiative in 2012, should be revisited or reevaluated.
 - xiv.** There should be a more robust utilization of the provisions of Regulation 13(5) of the Public Service Regulations. This may assist with expediting the identification and filling of vacancies in the public service. Therefore, it is recommended that PSs and HODs mandate their HR departments to conduct quarterly assessments on the staffing needs of the Ministries. A priority listing of vacant posts should then be created and forwarded to the Commission.
 - xv.** All Tribunal members should receive training to ensure that they are equipped to address the matters that are within their purview.
 - xvi.** A framework for the continuous strengthening of the institutional capacity of the Service Commission's Department should be developed. This framework should outline in order of priority, the main areas of the operations of the Commission which require improvement. Given prevailing financial constraints confronting the state, innovation and creativity must be infused into the SDC's institutional strengthen plan.
 - xvii.** Notwithstanding that a Service Commission is not mandated by law to consult with external stakeholders, the Commission should continuously engage with key authoritative stakeholders when undertaking major reform initiatives such as legislative reform. This will ensure that the end-users have a proper understanding of what is being proposed and may preempt the inaccurate interpretation of the amendment legislation.
 - xviii.** Given that the changing dynamics of the environment and the increased demand for efficiency in the operations of the public service, the Committee is

of the firm view that the Commissioners who serve on the Public Service Commission must operate on a full-time basis. This recommendation is also applicable to the Teaching and Police Service Commissions.

- xix.** It is further recommended that the Public Service Commission present a proposal to the Prime Minister and to this Committee outlining the legislative and administrative adjustments necessary for the implementation of the previous recommendation.
- xx.** To ensure increased productivity in the Public Service, there must be diversity in the staff complement. The SCD should ensure that all persons, inclusive of differently abled persons, are afforded equal opportunities for employment. The Commission should also engage in a pilot program in order to ensure that differently abled persons are specifically employed and continue to be afforded opportunities in the Public Service.
- xxi.** In keeping with best practices reflected in the UK and New Zealand Public Service a single framework addressing learning, development, and recruitment and performance management should be utilized by the Commission in order to ensure uniformity in their processes.
- xxii.** A continuous performance management system should be utilized to identify the strengths and weaknesses of employees. A section should be created to ascertain appropriate constructive feedback from supervisors and peers which should be documented. This system may hasten the receipt of Performance Appraisals if a continuous record of performance over a period of time is created and simply transposed to one official performance appraisal document.
- xxiii.** It may be expedient for the Commission to engage in training initiatives and programs for public servants during periods of surplus in order to enhance output.
- xxiv.** Ministry structures should continuously be reviewed to ensure that it is performing at its optimal capacity with increased productivity and

institutional effectiveness. When paralleled against international service commissions, some key areas that should be reviewed continuously are strategic planning, leadership, workforce capability, delivery and organizational effectiveness.

xxv. When drafting policy, the PSC should ensure that rigorous research and data analysis is conducted prior to the implementation of new policy frameworks. The Commission should partner with academic and research institutions which can result in increased networking and expert guidance for policies.

xxvi. The Commission should endeavor to engage in online communicate with citizens and stakeholders. It reduces the need for paper based messaging and it allows for real time updates and releases. It can also be used as a mechanism to update the public about lapses in the system and other issues that may affect the efficiency of the Commission.

INTRODUCTION

Background

Public Service Commission

2.1 The Public Service Commission was established by Trinidad and Tobago Order in Council 1950.⁴ In 1959, the Trinidad and Tobago (Constitution) (Amendment) Order in Council, amended the previous Order and provided for *inter alia* a new Public Service Commission.⁵ Section 120 of the Constitution of the Republic of Trinidad and Tobago stipulates the creation of a Public Service Commission for Trinidad and Tobago.

Composition of the Commission

2.2 Section 120 of the Constitution states that this Commission shall consist of a Chairman, a Deputy Chairman and not less than two, nor more than four other members, who shall be appointed by the President, after consultation with the Prime Minister and the Leader of the Opposition. Further it stipulates that the members of the Public Service Commission shall hold office in accordance with Section 126 of the Constitution.

2.3 As of December, 2017, the Commission comprised the following members:

- Ms. Maureen Manchouck - Chairman
- Mrs. Parvatee Anmolsingh-Mahabir - Deputy Chairman
- Mr. Clive Pegus - Member
- Mr. Martin Franklin – Member
- Ms. Kay Charles - Member⁶

⁴<http://scd.org.tt/index.php/en/the-service-commissions/166-public-service-commission/psc-role-responsibilities-a-composition/87-psc-role-responsibilities-a-composition>

⁵ Page 5 First Report of the JSC Municipal Corporations and Service Commissions with the exception of the Judicial Legal Service Commission

⁶<http://scd.org.tt/index.php/en/the-service-commissions/166-public-service-commission/psc-role-responsibilities-a-composition/87-psc-role-responsibilities-a-composition> (Accessed on 07.04.17)

Regulatory Framework

- 2.4 The Commission is an independent body. Section 129 (1) of the Constitution gives the Commission the power to regulate its own procedures by regulation or otherwise with the consent of the Prime Minister. In 2006, the Commission delegated some of its functions to Permanent Secretaries/Heads of Departments, the Chief Fire Officer, the Commissioner of Prisons, the Chief Administrator, Tobago House of Assembly, and to other senior officials in the Public Service as stipulated in Legal Notice No. 105.

Powers of the PSC

- 2.5 Subject to the provisions of the Constitution, the PSC has the “power to appoint persons to hold or act in offices to which the Public Service officers applies, including power to make appointments on promotions and transfer and to confirm appointments, and to remove and exercise disciplinary control over persons holding or acting in such offices and to enforce standards of conduct on such officers...”⁷
- 2.6 The Director of Personnel Administration (DPA) provides administrative and advisory services which enables the PSC to effectively discharge its mandate.

Fiscal Expenditure

- 2.7 Details of the Recurrent Expenditure of the Public Service Commission for the period 2014⁸-2017⁹ are outlined in Table 1 below:

⁷ Page 25 of the JSC MCSC on An Evaluation of the Efficiency and Effectiveness of the Service Commissions with the exception of the judicial and legal service commission

⁸ <http://www.finance.gov.tt/wp-content/uploads/2016/03/Recurrent-Expenditure-2016-Final.pdf>

⁹ <http://www.finance.gov.tt/wp-content/uploads/2016/10/Numbered-Draft-Estimates-Revenue-2017.pdf>

Table 1

Recurrent Expenditure of the Public Service Commission for the period 2014-2017

2014 (Actual)	2015 (Actual)	2016 (Estimates)	2016 (Revised Estimate)	2017 (Estimate)
\$875,205.00	\$913,580.00	\$900,000.00	\$1,370,000.00	\$1,423,000.00

Objectives of the Inquiry

2.8 The Committee agreed that the objectives of the inquiry will be as follows:

- **To evaluate the performance of the Commission in executing its mandate.**
- **To determine whether the resources, systems and procedures of the Public Service Commission are sufficient to allow it to operate efficiently.**
- **To determine the challenges affecting the operations of the Commission and the possible solutions for alleviating these challenges.**

Conduct of the Inquiry

2.9 A public hearing was held with representatives of PSC on Wednesday April 26, 2017 at which time the Committee interviewed the officials of the PSC on issues relevant to the inquiry objectives. Prior to the public hearing, the Committee wrote to the PSC requesting written responses to certain preliminary questions. The written responses submitted provided a frame of reference for the questions pursued at the hearing.

2.10 The PSC was represented by:

- | | |
|------------------------------------|--------------------|
| a. Mrs. Maureen Manchouck | Chairman, PSC |
| b. Mrs. Parvati Anmolsingh-Mahabir | Dep. Chairman, PSC |
| c. Mr. Clive Pegasus | Member, PSC |
| d. Mr. Martin Franklin | Member, PSC |
| e. Ms. Kay Charles | Member, PSC |

f. Ms. Anastasius V. Creed	Dir. Personnel Administration
g. Ms. Prabhawatie Maraj	Dep. Dir. Personnel Admin.
h. Mrs. Marcia Pile O’Brady	Dep. Dir. Personnel Admin.
i. Ms. Natasha Seecharan	Legal Adviser
j. Mrs. Ramdai Sookdeo	Executive Director, HRM
k. Mrs. Coomarie Goolabsingh	Executive Director, HRM
l. Ms. Allison Hughes	Director of Corporate Services
m. Mrs. Karen Wyllie-Ampson	SHRA
n. Mrs. Allison Salandy-Bernard	Executive Asst. to the Chairman

The Ministry of Public Administration was represented by:

a. Ms. Joan Mendez	Permanent Secretary
b. Mr. Kurt Meyer	Dep. Permanent Secretary (Ag.)

The Office of the Prime Minister was represented by:

a. Ms. Sandra Jones	Permanent Secretary
b. Ms. Nicha Cardinez-Rostant	Director, Legal Services

2.11 The Minutes and Verbatim Notes are attached as Appendix I and Appendix II respectively.

Summary of Evidence together with Findings and Recommendations

Objective 1: To evaluate the performance of the Commission in executing its mandate.

Vacancies in the Public Service

3.1.1. The following tables outline the existing vacancies that exist in both specific and generic offices:

Table 2

These are offices that exist across the Public Service that is in all Ministries and Departments

Class	No of Offices	No of Vacant Offices
Administrative	287	165
Secretarial/Clerical	3,703	2,293
Manipulative	2,421	974
Professional	672	350
Technical	1,675	769
TOTAL	8,758	4,551

Table 3

List of Specific and Generic Offices in the Public Service

OFFICES	TOTAL #	TOTAL VACANT
Specific	12,773	4,636
Generic	8,758	4,551
Total	21,531	9,187

3.1.2. **Appendix IV** provides the Status of Vacancies in the Public Service as at April 24, 2017. According to the PSC there are currently 27,000 to 30,000 public servants and 13,800 contract workers in the Public Service. The realignment of Ministries from 33 to 23 Ministries has resulted in the need to consolidate and realign human resources which can adversely affected the Commission's ability to staff Ministries.

3.1.3. During the Public hearing the Committee enquired whether a study was ever conducted to determine whether the public service may be understaffed or

overstaffed. The Chairman of the Public Service Commission was unable to provide a response. The PS of Public Administration and Communications did, however, affirmed the need to conduct a rationalisation exercise that should be in keeping with the strategic plans of the various Ministries.

3.1.4. Effective March 31, 2017, there are approximately 9,000 vacancies in the Public Service.

The Reasons for the Delay in the Appointments in the Public Service

3.1.5. Based on the evidence received from the Service Commission Department the reasons for the delays in filling vacancies are:

1. The volume of applications to be short listed and assessed for the number of offices advertised;
2. Staffing issues within the SCD – for example the Recruitment Unit is comprised of 1 Senior Human Resource Adviser, 1 Human Resource Adviser I, 4 Clerk IIIs and 1 Human Resource Assistant (on contract);
3. Issues with sourcing subject matter experts;
4. Outdated information on applicants e.g. contact information, address. This results in having to either do a press release or submit letters to such persons;
5. The inability of applicants to list their work experience in accordance with the experience requirements stated in the Vacancy Notice;
6. Interpretation of the equivalency clause;
7. Representations and Court matters; and
8. The pace of the screening process having regard to the multiplicity of qualifications cited by applicants.

➤ Promotion and Appointment

1. The lack of available Records;
2. Identification of vacancies;

3. Realignment of Ministries which impacts transfers;
4. Reconciling of establishments;
5. Updating of internal records (approximately 700 pieces of correspondence are received daily) on a system that is far from being fully automated;
6. Receipt of Performance Appraisal Reports.

➤ SCD

- Staff shortage;
- Attrition rates have led to a high turn-over of staff which has resulted in the loss of institutional knowledge;
- SCD is a paper based environment with over 80,000 CPFs and 40,000 operational policy files and accessing records are challenging; and
- Reduction in the number of Notes submitted to the PSC due to the Internal restructuring/merging of sections within SCD.

Vacancy Reduction Project

- 3.1.6. Based on the evidence received from the Public Service Commission (PSC), an Institutional Strengthening Exercise of the SCD was conducted which resulted in the creation of a Vacancy Reduction team, which assisted in filling 13,578 vacancies during the period of August to December 2016. The project was discontinued due to a lack of funds.
- 3.1.7. During the Vacancy Reduction Project, four (4) Ministries were specifically chosen as a result of their socio-economic impact on the society. General and specific offices were filled in the Ministry of Education, the Ministry of Finance the Ministry of Health and the Ministry of National Security (Fire).

The following table outlines the offices that were filled with the selected sample of Ministries from August 1, 2016 to December 31, 2016

Table 4

Offices	Number Filled
Finance	234
National Security	407
Health	207
*Education	47
Manipulative	419
Total	1,314

*The Ministry of Education was in the process of relocating its office and was unable to reconcile its records nor provide recommendations for the filling of vacant offices in the Civil Service that were specific to that Ministry.

Utilization of Regulation 13 (5) of the PSC Regulations

3.1.8. Due to the limited resources of the SCD, it has been unable to efficiently and effectively service approximately 35,000 public officers. Therefore, it has endeavored to implement provision 13(5) of the Public Service Regulations which states

“(5) Notwithstanding sub regulation (4), a Permanent Secretary or Head of Department may with the consent of the Public Service Commission and in consultation with the Director of Personnel Administration by – (a) circular memorandum; and (b) publication in the Gazette, give notice of vacancies which exist in offices specific to the particular Ministry or Department to which any eligible officer may apply¹⁰.”

3.1.9. The guidelines to initiate implementation was provided to the Permanent Secretaries of the following Ministries:

1. **Ministry of Rural Development and Local Government;**
2. **Ministry of Energy and Energy Industries;**
3. **Ministry of Labour and Small Enterprise Development;**
4. **Ministry of Finance; and**

¹⁰ http://scd.org.tt/attachments/article/118/Public_Service_Commission_Regulations.pdf

5. Ministry of Health.

3.1.10. Table 4 provides statistical data on the activities undertaken by the Commission and the exercise of delegated authority by Ministries during the period of March 2015 to March 2017

Table 5

Year	Vacancies Filled	*Appointment Confirmed	*Retirement	*Resignation	Suppressed offices
March to December 2015	1818	276	493	73	5
Jan to Dec 2016	2,694	337	576	48	0
January to March 2017	217	95	189	20	0

*these functions have been delegated to Permanent Secretaries and Heads of Departments

The Assignment of Permanent Secretaries to Ministries

3.1.11. The reduction of Ministries from 33 to 23 has affected the efficient assignment of Permanent Secretaries and has resulted in an increased number of unassigned PSs.

To alleviate this apparent anomaly, multiple PSs were assigned to a single Ministry while others were assigned in the Office of the Prime Minister. The Commission has also experienced difficulty in placing PSs according to their technical expertise which has resulted in what some may describe as haphazard placement of PSs.

3.1.12. Based on the submission received from the PSC, nineteen (19) Permanent Secretaries retired in the last three (3) years. The table below illustrates the number of Permanent Secretaries who have retired and number of PSs that were appointed over the last three (3) years:

Table 6

Year	No. of Permanent Secretaries retired	No. of Permanent Secretaries appointed
2014	6	15
2015	3	8
2016	9	2
Jan to March 2017	1	0

3.1.13. As at April, 2017 the existing forty-three (43) offices of the Permanent Secretary consist of:

- i. Fourteen (14) substantive holders;
- ii. Twenty-nine (29) vacant offices - Twenty-nine (29) vacant offices - Eighteen (18) acting incumbents and eleven (11) without office holders.

3.1.14. Consequently, the Permanent Secretary to the Prime Minister has been requested to submit recommendations and Performance Appraisal Reports for possible candidates that may fill the vacancies outlined.

3.1.15. During the Public hearing the Committee inquired into the training for Permanent Secretaries. It was stated that the Inter-American Development Bank

has proposed training for PSs. The Ministry of Public Administration and the IDB conducted a training session which targeted PSs and HODs during the period of November 30, 2017 – December 02, 2017.

The Appointment of Deputy Permanent Secretaries

3.1.16. In 2014, the completion of an assessment centre exercise (ACE) led to forty (40) promotions. In 2014, when the post was advertised, 212 applications were received, 102 were assessed in Phase I. Thirty-Three were shortlisted for phase II and sixteen were selected for interviews in 2017 by the PSC and were being vetted by the Ministry of National Security. There are currently twenty-four (24) vacancies in this office. However, the number of established offices is presently before the Cabinet.

3.1.17. Table 7 below outlines the number of Deputy Permanent Secretaries that were appointed over the last three years:

Table 7

Year	No. of Deputy Permanent Secretaries Appointment
2015	Nil
2016	Nil ; ACE in progress
January to March 2017	To be finalized once the security vetting reports are received from the Min of National Security

3.1.18. The PS of the MPAC informed the Committee that it has designed an Executive Development Programme for Deputy Permanent Secretaries.

Disciplinary Matters

3.1.19. The submission of the SCD to the Committee identified the creation of an Investigation Unit as a critical requirement for the speedy resolution of disciplinary matters, as delays are often encountered with trying to identify staff to be Investigation Officers. The structure that existed previously for the Investigation Unit comprised of one Senior Legal Officers and two Legal Officers. The PMCD, Ministry of Public Administration and Communication has been approached to consider changing the structure to provide for one Senior Investigation Officer and two Investigation Officers.

Complaints made to the Service Commission's Department

3.1.20. When complaints are submitted to the SCD, an acknowledgment letter is issued to the complainant. However, there is difficulty in addressing complaints in a timely manner because of the inability to attain relevant files due to the volume that is stored in an archaic filing system and the absence of a computerized system.

3.1.21. The Service Commission also has the responsibility to address complaints from the Equal Opportunity Tribunal which receives greater priority as entities have strict timelines set out by law for acknowledgement and action, which may increase the backlog of complaints received from public persons.

3.1.22. Additionally, the Committee was advised by the PSC that requests for information can also be made under the Freedom of Information Act. The unit assigned to addressing complaints has a small staff compliment which has diminished its ability to be efficient. During the Public hearing, there were 240 representations and only four members of staff to address these complaints in addition to other matters.

3.1.23. It was further submitted that persons that have not been legally trained are tasked with drafting letters requesting additional time, accessing files and preparing statement of facts in this Unit.

Disciplinary Tribunal

3.1.24. Based on the submission of the SCD, the Co-Chairmen of Tribunals are required to be trained and experienced Attorneys-at-Law, while Members must have retired from the public service in a range that is not lower than Clerk IV

Table 8: Investigators Reports referred to Disciplinary Tribunal for hearing

<u>MATTERS REFERRED TO TRIBUNAL</u>		
2011	-	18
2012	-	7
2013	-	18
2014	-	17
2015	-	17
2016	-	35
Total	-	112

Table 9

List of Matters Completed by the Tribunal

<u>YEARS</u>	<u>MATTERS COMPLETED BY TRIBUNAL</u>	<u>RESOLVED BY OTHER MEANS</u>
2011	16	-
2012	20	-
2013	6	-
2014	15	-
2015	11	-
2016	7	-
Total -	75	-

3.1.25. Matters have also been referred from PSs and HODs to the Commission.

As at April 2017, the status of those matters were as follows:

- 42 - Hearings Ongoing
- 4 - Awaiting Reports from the Disciplinary Tribunal panel for submission to the Public Service Commission

The following is a summary of the current matters being processed by the Discipline Unit:

Table 10

Matter	Service			Total
	<i>Public</i>	<i>Prisons</i>	<i>Fire</i>	
Allegations of Misconduct	51	28	3	82
Court Charges	47	59	29	135
Abandonment of office	51	21	8	80
Adverse Security Vetting	8			8
Retirement in the Public Interest	8			8
Termination of Temporary Appointment/Medical Board	1			1
Unsatisfactory Work and Conduct	3			3
Did not offer himself for further Temporary Appointment	1			1

FINDINGS AND RECOMMENDATIONS

Based on the evidence set out in the previous section the Committee concluded as follows:

Vacancies

1. an assessment of the adequacy of the manpower of the public service has not been conducted (at least by the PSC);
2. the Vacancy Reduction Program appeared to have been a relatively successful on-off strategy for filling vacancies;
3. The high number of vacancies in Secretarial/ Clerical posts may allude to an oversubscription of persons in those posts. It may also require that the Commission re-evaluate and restructure, if necessary, those posts.
4. The re-alignment of Ministries has had an adverse impact on the Commission's ability to appoint personnel through the suite of Ministries;
5. The Committee noted that high attrition rates at the SCD have resulted in the loss of institutional knowledge and have diminished the Commission's ability to quickly fill vacancies;
6. Permanent Secretaries and HODs are not as actively involved in addressing the issues of vacancies as may be required. Therefore, there may be a reasonable case for the expansion or more active use of the authority delegated to PSs and HOD under Regulation 13 (5) which may alleviate some of the demand on the SCD to manage the filling vacancies.
7. The process that is utilized in assessing applications is not efficient and it is unable to treat with the influx of vacancies.

The Appointment of Permanent and Deputy Permanent Secretaries

8. The realignment of Ministries in 2015 resulted in a surplus of Permanent Secretaries. Arguably, this is an example of the inefficient allocation of resources in the public service. A contrasting view may be that the assignment of multiple PSs to "mega-ministries" such as Education and Social Development may assist with improving the operational efficiency of these Ministries. The consequences are yet to be evaluated.

9. There has been a gradual decrease in the number of appointed PSs over the last 3 years. Perhaps this is indicative of a stabilization of this cohort of public service executives which has appeared to be influx in recent years.
10. The Committee noted that PSs needed to be trained and applauds the initiative to arrange such training through the IDB. It is further noted that an Executive Development Program has also been developed for Deputy Permanent Secretaries.
11. The use of Assessment Centers has been useful in accelerating the appointments and promotions of the DPS however the current financial circumstances have affected the frequency in which it can be utilized.

The Committee was surprised to hear that the Commission was unaware of the number of posts assigned to the DPS due to the lack of finalization by the Cabinet.

Disciplinary Matters

12. The Committee endorses the Commission's requests or proposal for the establishment of a dedicated and properly resourced Investigation Unit. This advancement can result in more efficient and effective investigations.
13. The Committee notes the difficulty the Commission has experienced in treating with complaints emanating from the public and channeled through other public bodies such as the Equal Opportunities Commission. In a central public body of this nature, prioritizing activities with inadequate resources will be an inherent shortcoming. Notwithstanding, it is incumbent on the DPA and the rest of her management team to challenge the existing staff to strive to perform an optimum level.

Recommendations

- A. **A full manpower audit of the public service may be a herculean task at this time, however, we recommend that the SCD collaborate with the**

Head of the Public Service and the Ministry of Public Administration to mandate Permanent Secretaries and HOD to conduct regulatory reconciliations of the job positions within their establishments with a view to:

- Identifying vacancies and ranking them in order of priority; and
- Identifying redundancies.

- B. The Committee recommends that the strategies and best practices applied during the Vacancy Reduction Program be noted and utilized on a small scale by the Commission's HR department.
- C. The Committee recommends that the Commission conduct an exercise to determine the number of required Secretarial/Clerical personnel that are necessary to advance the efficiency of the Public Service. In this regard, the Gold to Diamond concept, which was proposed as part of the public sector reform initiative in 2012, should be revisited or reevaluated¹¹.
- D. The Committee recommends that there be a more robust utilization of the provisions of Regulation 13(5) of the Public Service Regulations. This may assist with expediting the identification and filling of vacancies in the public service. Therefore, it is recommended that PSs and HODs mandate their HR departments to conduct quarterly assessments on the staffing needs of the Ministries. A priority listing of vacant posts should then be created and forwarded to the Commission.
- E. The Committee recognises the efforts of the SCD to utilize its resources to address the impending vacancy circumstance, however, it is

¹¹http://www.mpac.gov.tt/diamond/sites/default/files/Pocket%20Guide%20to%20attaining%20Diamond%20Status_0.pdf

recommended that the Commission outline clear criteria during its application process and utilize a grouping method based on the levels of qualifications and the number of years of experience of applicants, in order to reduce excessive applications that lack the requisite qualifications and experience.

- F. The Committee recommends that senior offices such as the office of the PS should be filled as soon as possible to ensure the effective running of Ministries and departments. An assessment of existing appointments should also be conducted to ensure that assigned PSs have the technical expertise needed for the efficient operations of their assigned Ministry.
- G. It is recommended that the SCD prioritize the confirmation of appointments to the position of PSs to ensure that Ministries have stable executive leadership to spearhead their operations.
- H. It is recommended that an evaluation of the success of the training interventions provided to the PS and DPS be conducted. Recording these details provides an opportunity for future use of the training mechanisms.
- I. Given prevailing financial constraints the SCD would need to determine whether at this time priority can be placed on the creation of an Investigation Unit or whether it would be more feasible to train new and existing investigators.
- J. The Committee recommends that legal staff be posted as soon as possible, to the Complaints unit to assist in the drafting of legal documents. This will ensure that legal documents are authoritative and well drafted.

- K. **The Committee recommends that all Tribunal members receive training to ensure that they are equipped to address the matters that are within their purview.**

Objective 2: To determine whether the resources, systems and procedures of the Public Service Commission are sufficient to allow it to operate efficiently.

Resources in the Public Service Commission

Human Resources within the Public Service Commission

- 3.2.1. Based on the submission of the PSC, the Committee note that the Commission's Secretariat has a staff complement that includes an Executive Director, Five (5) Human Resource Advisers III, eighteen (18) Human Resource Advisers II, nine (9) Human Resource Advisers I and twenty eight (28) Clerks III.
- 3.2.2. Despite the increased growth in the Public Service, the staff of the Monitoring and Evaluation Unit has not increased. The PMCD has been tasked with revising staff arrangements in this unit and to implement a ratio of 1 officer to 125 public officers.

- 3.2.3. The SCD reported that it was desirous of replacing the positions of Human Resource Officers with the post of Human Resource Analysts to reduce the movement of staff from within the SCD to the wider public service.
- 3.2.4. The Committee noted that the Commission shares resources and services with the other three Service Commissions in relation to matters concerning Discipline, Complaints, Freedom of Information, Investigations, Equal Opportunities and Corporate Services.

Financial Resources of the PSC

- 3.2.5. The Public Service Commission was allocated \$1M for the fiscal year 2016/17, which is grossly inadequate for the efficient operations of the Commission. The Committee was informed that most of this allocation was used for the payment of legal fees and on assessment centers to conduct training for the Deputy Permanent Secretaries.
- 3.2.6. The Commission was further allocated \$40,000 for staff training and the minuscule amount of \$1000 for an Employees Assistance Program (EAP). The Commission is especially concerned about the allocation for the EAP program due to the distress that Employees have faced in the past at the hands of aggrieved persons. It was stated that an officer was shot on the compound and another officer committed suicide at the same venue.

Systems and Procedures of the Public Service Commission

Order of Merit List

- 3.2.7. The policy of the Commission is to utilize an Order of Merit List to assist with promotions and appointments in the Public Service. The Order of Merit List, which is subject to Section 129 of the Constitution, is a standard document that is valid

for two years in the Public Service Commission, however, during the Public hearing, the Legal Advisor stated that the lifespan of the list can be extended.

- 3.2.8. The PSC uses a Point Based System for the assessment of Prison and Fire Officers. The PSC Regulations allows for Prison Service Officers (168 (4)) and Fire Service Officers (160 (3)) to make representations and seek redress before the Courts, if they are aggrieved by the outcome of an assessment. The Commission, then considers the representations made and may adjust the Order of Merit List accordingly. Therefore, swift placement on the Order of Merit List for Fire and Prison officers has proven to be difficult due to the prolonged representation process.

Redrafting and review of the Public Service Regulations

- 3.2.9. The PSC reported that the draft amended Public Service Regulations was submitted to the Prime Minister. Subsequent to this the PSC was asked by the PM to submit a Draft Policy framework to accompany the Draft Regulations.
- 3.2.10. The Public Service Commission, as set out in the Constitution, has the authority to regulate its internal procedures and is not mandated to consult with external stakeholders. However, consultations on the draft regulations and framework were held with the Chief Personnel Officer (CPO), the Director of Personnel Administration, the Permanent Secretary of the Ministry of Public Administration and consultants engaged in the Human Resource Modernization Office Project in the Public Service. The Chairman lamented the lack of engagement with the Employers Consultative Association, the Trade Unions and the Law Association.

3.2.11. Based on the submission of the PSC the following areas are currently being hindered by the shortcomings of the existing Public Service Regulations:

- i. The impact, interpretation and application of judgments in relation to process to be used in the determination of abandonment and retirement on medical grounds;
- ii. The criterion/criteria for acting appointments under Regulation 26 where the office is vacant and there is no substantive office holder;
- iii. the authority of the PSC to determine the competencies required for recruitment to offices in light of rulings of the Privy Council;
- iv. Clarity with respect to the determination of equivalent combinations of training and experience in the job specifications;
- v. What principles should govern the interpretation of the regulations;
- vi. Alternative methods such as settlement conferences and ADR are not provided in the regulations;
- vii. Absence of provision in regulations on procedure, guidelines and processes for receiving and addressing representations;
- viii. Absence of provision in regulations which guides the authority of the PSC in cases where requests for requisite recommendations or no objections or training accreditation or equivalency are not received within a reasonable timeframe;
- ix. Authority of Commission to confirm appointments where no Performance Appraisal Report (PAR) has been received within a reasonable period and in cases where an Officer reaches retirement age and no report of the requisite medical examination has been received
- x. Promotion of an officer where PAR has been requested and not received.

Electronic Data Management System

- 3.2.12. According to the evidence submitted by the PSC, funds for the EDMS were first released in December 2015 and were used to purchase computers. In May 2016, when the program was implemented, the Ministry of Labour, Small and Micro Enterprise Development was approached and asked to provide Data Entry personnel for the project. Twenty four (24) persons were hired on 6am to 2pm and 2pm to 10pm shifts to scan and enter data onto a data system.
- 3.2.13. The lack of allocated funds has delayed the implementation of the EDMS. This has resulted in the need for back file conversion to attend to the files which have accumulated during the waiting process. In fiscal year 2017, the allocated sum of \$5M was used to pay salaries, the rent for a heavy duty scanner and the purchase of consumables. To date, 6450 CPFs have been scanned. Discussions have commenced with iGOVTT on the feasibility of restarting this initiative.
- 3.2.14. Additionally, the inability to implement an Electronic Data Management System has resulted in the need to physically transfer information between both islands which has been halted due to the lack of funds for inter-island travel.
- 3.2.15. The implementation this system, would greatly assist with the paper challenges that have affected the Public Service Commission.

Performance Appraisals

- 3.2.16. The PS and the HODs are responsible for ensuring that performance appraisals are sent to the Public Service Commission. In many cases, Ministries are tardy in the submission of Performance Appraisals. One of the reasons that has contributed to this, is the utilisation of a paper based system. These issues have been brought to the attention of the Board of Permanent Secretaries.

Findings and Recommendations

Based on the evidence set out in the previous section the Committee concluded as follows:

Human Resources

1. The Secretariat of the PSC is not equipped with the manpower to proficiently meet the demands of the Public Service;
2. The sharing of services among the three Service Commission appear to be an imperative given the shortfall in financial allocations to the SDC.

Redrafting and Review of the Public Service Regulations

3. The Draft Policy Framework on the PSC Regulations is a useful tool to assessing the Prime Minister and other stakeholders in their consideration of the Draft Regulations.
4. The Commission did not capture the views of certain key stakeholders regarding the draft regulations.

Electronic Data Management System

5. The lack of an EDMS system has prolonged the inadequate and ineffective operations of the Commission.

Performance Appraisals

6. The tardy submission of performance appraisals is a pervasive matter which has been reported on by previous Joint Select Committees and continues to affect the PSC's efficiency in making appointments and effecting promotions. More rigorous systems that place greater demand on PSs and HoDs to submit PAR expeditiously ought to have already been instituted.

Recommendations

- A. A framework for the continuous strengthening of the institutional capacity of the Service Commission's Department should be developed. This framework should outline in order of priority, the main areas of the operations of the Commission which require improvement. Given prevailing financial constraints confronting the state, innovation and creativity must be infused into the SDC's institutional strengthen plan.
- B. In the Commission's response to this report, it is required to provide the Parliament with a status update on the approval of the Public Service Regulations which were submitted to the Prime Minister. In addition, the Parliament should be advised whether the PSC has or intends seek the input of some of the stakeholders who did not participate in the initial round of consultations.
- C. Notwithstanding that a Service Commission is not mandated by law to consult with external stakeholders, the Committee strongly recommends that the Commission continuously engage with key authoritative stakeholders when undertaking major reform initiatives such as legislative reform. This will ensure that the end-users have a proper understanding of what is being proposed and may preempt the inaccurate interpretation of the amendment legislation.
- D. The Committee recommends that the Commission consider receiving electronic applications in the interim period until an EDMS system can be fully implemented.
- E. The PSC must continue to engage PSs and even the Board of Permanent Secretaries as a means of underscoring the need for Ministries to submit Performance Appraisal Reports in a timely manner.

- F. Given that the changing dynamics of the environment and the increased demand for efficiency in the operations of the public service, the Committee is of the firm view that the Commissioners who serve on the Public Service Commission must operate on a full-time basis. This recommendation is also applicable to the Teaching and Police Service Commissions.
- G. It is further recommended that the Public Service Commission present a proposal to the Prime Minister and to this Committee outlining the legislative and administrative adjustments necessary for the implementation of recommendation (F).

Objective 3: To determine the challenges affecting the operations of the Commission and the possible solutions for alleviating these challenges.

Challenges Affecting the Operations of the Commission

3.3.1. Some of the regulatory and administrative hindrances impacting the operations of the PSC was outlined in previous sections. Additionally, most of these challenges were well articulated in reports prepared by previous Joint Select Committees on the PSC. It appears that bureaucratic hurdles, compounded by serious financial and human resource deficiencies have thwarted the Commission's progress in implementing the recommendations which were espoused in previous JSC reports. There is no doubt that the SDC with the input of the Ministry of Public Administration, Consultants and its internal experts and specialists has reflected on various solutions to its institutional shortcomings. Nonetheless, the Committee took note of the following major challenges outlined by the Commission during its appearance before the Committee on Wednesday April 26, 2017:

1. The incompleteness of Performance Appraisals on a continuous basis;
2. Non-compliance and non-familiarity with the Regulations by Directors of Human Resources and PSs;
3. Lack of succession planning;

4. Utilisation of a paper-based system;
5. Pending implementation of the amended Public Service Regulations
6. Placement on the Order of Merit List
7. Reappointment of Retired Permanent Secretaries;
8. Disciplinary matters;
9. Unsuitable building access for the Differently Abled.

Recommendations

Recommendations

- A. To ensure increased productivity in the Public Service, there must be diversity in the staff complement. The SCD should ensure that all persons, inclusive of differently abled persons, are afforded equal opportunities for employment. The Commission should also engage in a pilot program in order to ensure that differently abled persons are specifically employed and continue to be afforded opportunities in the Public Service.
- B. Similarly to the Australian Public Service, all internal and external vacancies should be advertised in order to reduce the continued rotation of internal candidates. External candidates may have the required expertise and experience and may be better suited for the existing vacant post. Individual line managers should also be involved in the appointment of persons.
- C. In keeping with best practices reflected in the UK and New Zealand Public Service a single framework addressing learning, development, and recruitment and performance management should be utilized by the Commission in order to ensure uniformity in their processes.
- D. A continuous performance management system should be utilized to identify the strengths and weaknesses of employees. A section should be

- created to ascertain appropriate constructive feedback from supervisors and peers which should be documented. This system may hasten the receipt of Performance Appraisals if a continuous record of performance over a period of time is created and simply transposed to one official performance appraisal document.
- E. It may be expedient for the Commission to engage in training initiatives and programs for public servants during periods of surplus in order to enhance output.
 - F. Ministry structures should continuously be reviewed to ensure that it is performing at its optimal capacity with increased productivity and institutional effectiveness. When paralleled against international service commissions, some key areas that should be reviewed continuously are strategic planning, leadership, workforce capability, delivery and organizational effectiveness.
 - G. When drafting policy, the PSC should ensure that rigorous research and data analysis is conducted prior to the implementation of new policy frameworks. The Commission should partner with academic and research institutions which can result in increased networking and expert guidance for policies.
 - H. The Commission should endeavor to engage in online communicate with citizens and stakeholders. It reduces the need for paper based messaging and it allows for real time updates and releases. It can also be used as a mechanism to update the public about lapses in the system and other issues that may affect the efficiency of the Commission.

The Committee respectfully submits the foregoing for the consideration of the Parliament.

H.R. Ian Roach
Chairman

Ms. Ramona Ramdial, MP
Vice-Chairman

Dr. Lovell Francis, MP
Member

Mr. Esmond Forde, MP
Member

Mr. Darryl Smith, MP
Member

Ms. Khadijah Ameen
Member

Mrs. Jennifer Baptiste-Primus
Member

Mr. Nigel De Freitas
Member

January 22, 2018

Appendices

Appendix I

Minutes

**MINUTES OF THE 15TH MEETING OF THE JOINT SELECT COMMITTEE APPOINTED TO
INQUIRE INTO AND REPORT ON LOCAL AUTHORITIES, SERVICE COMMISSIONS,
STATUTORY AUTHORITIES (INCLUDING THE THA) HELD IN THE LEVEL 2 CONFERENCE
ROOM AND THE J. HAMILTON MAURICE ROOM, MEZZANINE FLOOR, OFFICE OF THE
PARLIAMENT, TOWER D, 1A WRIGHTSON ROAD, PORT OF SPAIN ON WEDNESDAY APRIL
26, 2017**

PRESENT

Members

Mr. H. R. Ian Roach	Chairman
Ms. Ramona Ramdial, MP	Vice-Chairman
Mr. Nigel De Freitas	Member
Ms. Khadijah Ameen	Member

Secretariat

Mr. Julien Ogilvie	Secretary
Ms. Khisha Peterkin	Assistant Secretary
Ms. Katharina Gokool	Graduate Research Assistant

ABSENT

Mr. Faris Al-Rawi, MP	Member (Excused)
Mr. Stuart Young, MP	Member (Excused)
Mr. Darryl Smith, MP	Member (Excused)
Mrs. Jennifer Baptiste-Primus	Member (Excused)

Those who appeared in public are as follows:

**The Officials of the Public Service Commission and the
Service Commissions Department**

Mrs. Maureen Manchouck	Chairman – PSC
Mrs. Parvatee Anmolsingh-Mahabir	Deputy Chairman – PSC
Mr. Clive Pegus	Member – PSC
Mr. Martin Franklin	Member – PSC
Ms. Kay Charles	Member – PSC
Ms. Anastasius V. Creed	DPA
Ms. Prabhawatie Maraj	Deputy DPA
Mrs. Marcia Pile O’Brady	Deputy DPA
Ms. Natasha Seecharan	Legal Adviser
Mrs. Randai Sookdeo	Executive Director, HRM (PSC)
Mrs. Coomarie Goolabsingh	Executive Director, HRM (PSC)

Ms. Allison Hughes

Director Corporate Services

The Officials of the Office of the Prime Minister

Ms. Sandra Jones

Permanent Secretary

Ms. Nicha Cardinez - Rosant

Director Legal Services

The Officials of the Ministry of Public Administration and Communications

Ms. Joan Mendez

Permanent Secretary

Mr. Kurt Meyer

Deputy Permanent Secretary (Ag.)

PUBLIC HEARING WITH OFFICIALS OF THE PUBLIC SERVICE COMMISSION (PSC)

- 8.1 The Chairman reconvened the meeting (*in public*) at 10:10 a.m.
- 8.2 Introductions were made.
- 8.3 The Chairman highlighted the objectives of the inquiry and acknowledged the submissions that the Committee received from the Public Service Commission.

Opening Statements

- 8.4 The Chairman invited the Chairman of the Public Service Commission (PSC) to make a brief opening statement. She advised the Committee of the following:
 - i. the misconceptions the public has about the powers, functions and responsibilities of the Commission;
 - ii. the mandate of the Commission as set out under Section 121 of the Constitution;
 - iii. the two key powers of the Commission – making appointments and disciplinary control; and
 - iv. the issues from Ministries that affect the efficiency and effectiveness of the Commission.
- 8.5 The Chairman invited the Permanent Secretary, OPM, Ms. Jones to make an opening statement. She advised the Committee that as the PS to the Prime Minister and the Chair of the Board of Permanent Secretaries she will be able to address certain issues and propose recommendations.
- 8.6 The Chairman then invited the Permanent Secretary in the Ministry of Public Administration and Communications to make a brief opening statement. She advised the Committee that her Ministry has the responsibility for the public service and is committed to making the public service more effective and efficient. The key areas that will be improved are the structuring of the public service, training and development, performance management and policy development in relation to public administration.

8.7 The following issues arose from the discussions held with the officials of the Public Service Commission:

i. **The Relevance of the Public Service Commission**

The Committee enquired whether the Commission is still relevant in today's society. The Chairman of the Commission indicated that the Commission is relevant because it is the oversight body that ensures appointments and promotions within the public service are made impartially and it also monitors and evaluates the exercise of delegated powers.

ii. **Statistics and other details on the Public Service**

- a. There are currently 27, 000 to 30, 000 public servants and 13, 800 contract workers serving in 23 Ministries. The DPA and PS Ministry of Public Administration and Communications further explained that under the previous Administration there were 33 Ministries but the number of public servants remained the same. The Commission further explained that when there is a change in the number of Ministries and or Departments, a consolidation and realignment of human resources is done. The realignment of Ministries places a strain on the human resources of the Commission and the respective Ministries. For example, the PSA was required to issue approximately 10, 000 letters of appointment in 2016, following the realignment of Ministries.
- b. The PS, Public Administration and Communications also admitted that the reassigning of PSs following the reduction in the number of Ministries was not very efficient, as it resulted in a number of unassigned PSs. To address this, some Ministries were assigned more than one PS while the others were placed in the Office of the Prime Minister.
- c. The Committee enquired whether a comprehensive study was ever done to ascertain whether the public service is overstaffed or understaffed. The Chairman, PSC Chairman indicated that she was unable to provide that information. The PS Public Administration and Communications admitted that a rationalization exercise of the public service should be conducted in tandem with the strategic plans of the various Ministries.

iii. **The Filling of Vacancies within the Public Service**

- a. Members sought clarification on the number of vacancies within the public service and the termination of the special project that was used to fill 13, 578 vacancies. The DPA explained that the special project comprised a group of former employees of the Service Commissions Department that were specifically hired to fill vacancies within the public service. The project was concluded in 2016 due to the lack funds.

- b. The Commission advised that as at March 31, 2017, there were 9,000 vacancies in the public service (both in specific and generic offices). Due to resource constraints, the PSC and Service Commissions Department are forced to utilise its limited staff along with innovative strategies to fill these vacancies.

iv. **The Status Update on the Revised Public Service Regulations**

- a. The Committee enquired about the status of the Public Service Regulations, the Chairman of the PSC advised that the regulations were forwarded to the Prime Minister for review and consent. However, the PM advised the PSC to produce a draft policy framework and guidelines to accompany the Regulations. This policy was completed and will be forwarded to the PM's office shortly.
- b. The Chairman of the Committee noted with disdain that although the PSC held consultations with a number of stakeholders, certain stakeholder were not included such as the trade union, the Law Association and the Employers Consultative Association. In response, the Legal Advisor, PSC indicated that the PSC has the authority under the Constitution to regulate its procedure. She also stated that although there is a role for the union and the CPO under the Civil Service Act, these entities do not have an equivalent role under the PSC Regulations.
- c. The Chairman suggested that there should have been more breadth applied to the interpretation of the law to allow for wider consultation on the proposed revisions to the public service regulations. He suggested that wider engagement of stakeholders would ultimately benefit the legislative review process. However, the Legal Advisor disagreed with the Chairman's suggestion and cited the function of the commission, the Endell Thomas ruling, the peculiarities of our nation and the political systems as the reasons for her disagreement.

v. **The Order of Merit List and Promotions within the Public Service**

- a. The Committee sought clarification on the Court ruling which suggested that the Commission had treated a public servant unfairly because the person was bypassed for promotion four times in two years. Mr. Pegus (Member of the Commission) advised that Circular Memo No. 1 of 2004 advised that for a public servant to be eligible for acting he must have the requisite qualifications and experience for the position. However, in 2011 the Privy Council ruled that in instances where persons act in a position for short periods where there is no substantive office holder, such acting appointments should be made based on seniority. As a result, the PSC revoked the Circular and made the adjustment in accordance with the Court's ruling.
- b. Members were also informed that based on the Commission's policy, the merit list is valid for a period of two years. Notwithstanding, in special circumstances the Commission has the authority under Section 129 of the Constitution to extend the period of the list.

- c. In response to a query on whether the extension of the lifespan of Order of Merit Lists would elicit legal challenge, the Legal Adviser submitted that the Commission is empowered under section 129 of the Constitution to do so. Although there have been some challenges with respect to placement on the merit lists, no legal challenges have been brought regarding the lifespan of the list.

vi. **The Re- appointment of a Retired Permanent Secretary to the Public Service**

- a. The Committee requested an explanation for the re-appointment of Mr. Selwyn Lashley as Permanent Secretary in the Ministry of Energy and Energy Industries. A member of the Commission informed the Committee that Regulation 15 of the Civil Service Regulations provides for the re-employment of pensioners, particularly if he possesses an *“essential experience or technical qualification which makes him particularly useful to the specific Ministry or Department.”*
- b. Members asked whether the Commission would rather re-appoint a retiree than promote other persons who were suitably qualified. The Chairman of the Commission advised that it was only in exceptional cases that it would be justified and it was for a specified period of one year. The Committee was also informed that the Commission recommended to the PS to the PM that succession planning for the position of Permanent Secretary should be instituted to avoid similar scenarios from occurring in future.

vii. **The Assignment of Permanent Secretaries to Ministries**

- a. The Chairman of the Committee highlighted the haphazard assignment of Permanent Secretaries to Ministries as it would seem that appointments are not aligned with the officer’s skill set. The Chairman of the Commission agreed with the Committee and advised that a policy is to be developed which would recommend that certain Ministries have a permanent Accounting Officer with the relevant technical expertise. She advised that this policy initiative should be implemented against the philosophy of the public service.
- b. The Committee also raised the issue of training for Permanent Secretaries. In response, the PS in the Ministry of Public Administration and Communications informed the Committee that her Ministry has designed an Executive Development Programme for Deputy Permanent Secretaries. In addition, the Inter-Development Bank has proposed training for Permanent Secretaries. She further stated that the Executive Development Programme has already commenced with training for middle level management.

viii. The Period of Transition from Active Public Servant to Pensioner

- a. The PS to the Prime Minister advised that there are several challenges with this in the public service. She informed the Committee that the Ministry of Finance has brought to the attention of the Board of Permanent Secretaries all of the issues that are causing delays in persons receiving pensions. These include:
 - i. persons moving from one Ministry to the other and their personnel files were not developed or transferred;
 - ii. incorrect pension records;
 - iii. outstanding leave issues.
- b. The Committee was informed that the average time period for someone to receive pension following retirement spans from three months to two years.
- c. The Committee was further advised that a major reform initiative is required and it is the responsibility of the Permanent Secretary to ensure that all systems are in place to ensure personnel records are submitted in a timely manner and the relevant staff involved in the processing of pension and leave records are trained in this area.

ix. Treating with complaints from the Public regarding the conduct of Public Officers

- a. The DPA informed the Committee that complaints received from members of the public by the Service Commissions Department are immediately acknowledged in writing. However, in the absence of a computerized system it is very difficult to investigate complaints in a timely manner. The Commission also has the responsibility to address complaints from public officers, Equal Opportunity Tribunal and requests for information under the Freedom of Information Act. In 2015, there were 240 representations and there are four managers and staff to address these complaints and other matters.
- b. The Chairman of the Committee recommended that rather than seeking legal counsel from the Solicitor General's office, the Commission should hire a legal officer to address the pre-action protocol letters.

x. Issues that were raised at the public hearing held in April 24, 2015 (10th Parliament)

- a. The Committee requested an update on the following issues that were raised at the previous inquiry during the Tenth Parliament. The Commission identified the following matters conducted:
 - Upgrade of the IT System – due to the lack of financial resources the SC was unable to fulfil this recommendation;
 - Performance Appraisals- the PSC advised that many Ministries have been tardy in providing performance appraisals, the issue was brought to the attention of the Board

of Permanent Secretaries and the DPA advised that Circulars were issued advising that promotions will not be done unless the Appraisals are submitted.

xi. **The Relationship between the PSC and the THA**

- a. The Chairman of the Commission informed the Committee that there is a good working relationship between the PSC and the THA and there has been a SC office in Tobago since 2009 to deal with related matters. The DPA advised that it has been difficult to staff the office because many persons are from Trinidad and do not want to work in Tobago. The DPA advised that the Committee intends to address this issue by ensuring that when vacancies are advertised the location of the office is stated/declared.
- b. The Monitoring and Evaluation Unit visits the office in Tobago to account for the operations of the office and meet with members of the public to hear their concerns. One of the main challenges associated with operating the Office in Tobago during the current financial year was that the number of visits had to be reduced due to financial constraints.

xii. **Financial Resources of the PSC**

- a. The PSC informed the Committee that the Commission's budgetary allocation for the year was \$ 1 Million which cannot meet all the Commission's financial obligations. The Commission informed the Committee that most of the money was used for the assessment exercise for Deputy Permanent Secretaries and legal fees.
- b. The Committee sought to ascertain whether the Service Commission receives adequate funding to conduct its work. The DPA informed the Committee that the Service Commissions Department received \$40, 000 for staff training and only \$1000 was allocated for Employee Assistance Programme. The staff of the Commission have been subjected to abuse from aggrieved public servants and required counselling in the past.

8.8 The Chairman then invited the Chairman of the PSC, the DPA and the Permanent Secretaries to make closing comments.

8.9 The Chairman thanked the officials for their attendance and invited the officials from Ministry of Public Administration and Communications and the OPM to remain at the witness table. The meeting was suspended to facilitate the exit of officials of the PSC and the entrance of officials of the Statutory Authorities Service Commission.

ADJOURNMENT

11.1 The Chairman thanked all present for attending.

11.2 The meeting was adjourned at 12:53 p.m.

I certify that the Minutes are true and correct.

Chairman

Secretary

May 22, 2017

Appendix II

Verbatim Notes

VERBATIM NOTES OF THE FIFTEENTH MEETING OF THE JOINT SELECT COMMITTEE APPOINTED TO INQUIRE INTO AND REPORT ON LOCAL AUTHORITIES, SERVICE COMMISSIONS, STATUTORY AUTHORITIES (INCLUDING THE THA), HELD IN THE LEVEL 2 MEETING ROOM (IN CAMERA) AND (IN PUBLIC) IN THE J HAMILTON MAURICE ROOM, MEZZANINE FLOOR, TOWER D, INTERNATIONAL WATERFRONT CENTRE, #1A WRIGHTSON ROAD, PORT OF SPAIN, ON WEDNESDAY, APRIL 26, 2017 AT 9.44 A.M.

PRESENT

Mr. H. R. Ian Roach	Chairman
Miss Ramona Ramdial	Vice-Chairman
Miss Khadijah Ameen	Member
Mr. Nigel De Freitas	Member
Mr. Julien Ogilvie	Secretary
Miss Khisha Peterkin	Assistant Secretary
Miss Katharina Gokool	Parliamentary Intern

ABSENT

Mr. Faris Al-Rawi	Member [<i>Excused</i>]
Mr. Stuart Young	Member [<i>Excused</i>]
Mr. Darryl Smith	Member [<i>Excused</i>]
Mrs. Jennifer Baptiste-Primus	Member [<i>Excused</i>]

10.10 a.m.: *Meeting resumed.*

PUBLIC SERVICE COMMISSION

Mrs. Maureen Manchouck	Chairman, PSC
Mrs. Parvati Anmolsingh-Mahabir	Dep. Chairman, PSC
Mr. Clive Pegus	Member, PSC
Mr. Martin Franklin	Member, PSC
Ms. Kay Charles	Member, PSC
Ms. Anastasius V. Creed	Dir. Personnel Administration
Ms. Prabhawatie Maraj	Dep. Dir. Personnel Admin.

Mrs. Marcia Pile O’Brady	Dep. Dir. Personnel Admin.
Ms. Natasha Seecharan	Legal Adviser
Mrs. Ramdai Sookdeo	Executive Director, HRM
Mrs. Coomarie Goolabsingh	Executive Director, HRM
Ms. Allison Hughes	Director of Corporate Services
Mrs. Karen Wyllie-Ampson	SHRA
Mrs. Allison Salandy-Bernard	Executive Asst. to the Chairman, Public Service Commission

**MINISTRY OF PUBLIC ADMINISTRATION
AND COMMUNICATIONS**

Ms. Joan Mendez	Permanent Secretary
Mr. Kurt Meyer	Dep. Permanent Secretary (Ag.)

OFFICE OF THE PRIME MINISTER

Ms. Sandra Jones	Permanent Secretary
Ms. Nicha Cardinez-Rostant	Director, Legal Services

Mr. Chairman: Good morning, ladies and gentlemen. Good morning to the listening public. I would like to welcome you and the viewing public to the Fifteenth Meeting of the Joint Select Committee on Local Authorities, Service Commissions and Statutory Authorities, including the Tobago House of Assembly, the THA.

This morning, the Committee will first hold a public hearing with officials of the Public Service Commission and at 11.30 with the Statutory Authorities Service Commission. These hearings are being convened further to the Committee's current enquiry into efficiency and effectiveness of the service commissions.

My name is H. R. Ian Roach, I am Chairman of this Committee and I will invite my other members on my right to introduce themselves to you.

[Introductions made]

Mr. Chairman: Thank you very much. I will now welcome the officials, welcome yourself Public Service Commission, the Office of the Prime Minister is represented here, the Ministry of Public Administration

and Communications. I will invite you to introduce yourself please to the Committee, starting with the Chairman of the Public Service Commission.

[Introductions made]

Mr. Chairman: And the DPA.

[Introductions made]

Mr. Chairman: Thank you very much, ladies and gentlemen. The Office of the Prime Minister.

[Introductions made]

Mr. Chairman: I guess all have been accounted for? Thank you very much.

This morning I just would like to remind members that the object of this enquiry is to evaluate the performances of the commission in executing its mandate, to determine whether the resources, systems and procedures of the Public Service Commission are sufficient to allow it to operate efficiently, and to determine the challenges affecting the operations of the commission and possible solutions for alleviating these challenges.

The last occasion the commission appeared before the Joint Select Committee to account for the execution of its mandate was on April 24, 2015. I would like to acknowledge the submissions submitted by the Public Service Commission. Thank you for this. It has been helpful in us preparing our hearing this morning. I will now invite Mrs. Manchouck to give a brief opening remark.

Mrs. Manchouck: Thank you, Mr. Chairman. I was appointed Chair last July, so this is my first appearance before the Committee in which effectiveness and efficiency of the Public Service Commission are being discussed.

In assessing the performance of the Public Service Commission in executing its mandate, it is important to be mindful of what that mandate actually is and what it is not. There is a lot of confusion or lack of awareness on the part of the public at large around the specific powers, functions and responsibilities of the PSC.

According to section 121 of the Constitution, the mandate of the PSC is to appoint persons to hold or to act in offices in the civil service, prison service and fire service, to make appointments on promotions and transfers, confirm appointments and remove and exercise disciplinary control over persons holding or acting in such offices.

The two main powers therefore of the commission are making appointments and exercising disciplinary control. Before taking any action on these matters, on these powers, we rely on the Permanent Secretaries and heads of departments to submit to the Director of Personnel Administration recommendations for appointments and complaints in respect of disciplinary matters.

To carry out this mandate, the PSC relies on the support services of the DPA and staff of the SCD, the Service Commission Department, in administering the commission's activities, and the commission ensures

strict adherence to its policies and procedures.

The SCD is responsible for all the preparatory research work, the technical advice and the preparation of the notes for the commission's consideration and approval which are the final steps in the process, as well as monitoring compliance by Permanent Secretaries and heads of departments with delegation orders and PSC Regulations.

The commission can by no means be efficient and effective when the SCD is handling appointments and promotions, the bulk of the administrative activities there, on a manual, paper-based system just as in colonial days, with files on trolleys from floor to floor, files on chairs and boxes, and checking around by email for files that cannot be located. Resources have not been provided to the extent that the SCD needs to be efficient and effective. The Ministry of Public Administration and Communications has recognized this and is working on the computerization of records. Hopefully, SCD should see the light of day in the next year and a half or so.

Now, I would like to clarify the misconceptions. These are:

That the PSC is responsible for the management and running of the public service and, in particular, the Service Commissions Department. That is not so. The commission relies on the SCD for executing its mandate.

That performance appraisals are the responsibility of the PSC. They are not. The Performance Appraisal Management System is the responsibility of the Chief Personnel Officer and the Ministries, Departments, agencies. The PSC relies on performance appraisals from Ministries, Departments and agencies when considering appointments and promotions.

That the PSC is responsible for the budget of SCD. It is not. The Director of Personnel Administration is the accounting officer.

That the PSC is responsible for staff training and succession planning. It is not. This is handled by the Ministry of Public Administration and Communications, the SCD and other Ministries. In fact, the courts have consistently held that the PSC is not the employer of public officers.

Some issues from Ministries and Departments and agencies that need to be highlighted as they affect efficiency and effectiveness:

10.20 a.m.

One, approvals for acting appointments coming long after the fact without recommendations and more often than not, were not the correct decisions thereby exposing the Public Service Commission to legal action and liability.

Performance appraisals not being consistently completed and this limits its benefits in ensuring its succession planning and best fit in promotions, and have resulted in legal action against the PSC where promotions were done by batch and some promotions were awaiting receipt of performance appraisals.

It is my understanding that approximately 40 per cent of contract positions are filled by public officers on no-pay leave on grounds of public policy thus contributing, in no small measure, to the high number of officers acting in consequential vacant positions.

Non-familiarity and compliance failure by Directors of HR and PSs with the Regulations.

And five, lack of succession planning for senior managerial positions.

The Ministry of Public Administration and Communications has been responsible for a project on the institutional strengthening of the Service Commissions Department recently completed the Deloitte and the Institute of Public Administration of Canada, IPAC outlining recommendations for the future state of the PSC and the SCD. I look forward to the future state of the PSC which will essentially be one of oversight and monitoring, policy direction and reporting with Ministries handling all appointments under further delegated authority. The PSC will continue to rely on the SCD of administering these functions.

The transition to this state has already started, but needs consistent follow through to ensure completion and the necessary resources at both the SCD and the Ministries. A word of caution, in order for Ministries to handle further delegation in addition to what they handle plus the contract positions, adequate resources need to be put in place otherwise the inefficiencies would be transferred from the SCD to the Ministries and the cycle repeated which would not be desirable.

On before of the PSC, I wish to assure that within the ambit of its mandate, the PSC is committed to an efficient and effective public administration. Thank you.

Mr. Chairman: Thank you very much. Ms. Jones.

Ms. Jones: Chair and members of the Committee, it is my pleasure to be here this morning to contribute to the discussions. From over here I am sitting as the PS to the Prime Minister, as well as Chair of the Board of Permanent Secretaries, it will give me an opportunity to speak to some of the issues that have been raised in report and to be able to contribute to looking towards making recommendations moving forward. Thank you very much.

Mr. Chairman: Thank you very much. Ms. Mendez.

Ms. Mendez: Good morning, again. We at the Ministry of Public Administration and Communications with the responsibility for the public service, we are very committed in making the public service more efficient and effective in carrying out our various responsibilities which include: structuring of the public service; training and development; performance management and other policy developments that relate to public service administration.

Mr. Chairman: Thank you very much. Mrs. Manchouck, after that opening statement, I mean, I am wondering what it is we can ask you. I mean, it was so comprehensive. Right? Like you want to take the wind out of the sail. But I am tempted to ask you immediately concerning, what is the relevance therefore of the Public Service Commission into this public service. Does it still have a relevance? I mean, there

seems to be a lot that is not your remit, there is a lot of misconception. Is it still a relevance in offices?

Mrs. Manchouck: I would say so. There is the need for oversight of the issues if, in fact, we are going to be doing further delegation, it is important to ensure that we are neutral in terms of how we make our appointments, and that the appointments are fair. And with respect to monitoring and evaluation, that, to me, would be key in terms of the new state that we in. We do do some monitoring and evaluation for the delegations that are already there. And if, in fact, we go along the route of further delegation, the monitoring and evaluation of the human resource and the appointments and so would be key.

Mr. Chairman: So you would see in the Public Service Commission, significantly, as an oversight body then?

Mrs. Manchouck: It could be. Yes. That is the idea. Policy, reporting, oversight, and monitoring. To make sure that all the processes were followed in the delegation of the appointments and promotions, the procedures and so are followed.

Mr. Chairman: Tell me something, I mean, to get to ask your commission, what is the size of the public service in Trinidad and Tobago in numbers? What is the number of public servants?

Mrs. Manchouck: As I understand it is between 27,000 and 30,000, about 30,000.

Mr. Chairman: Servicing 20,000 to 30,000—27,000 to 30,000?

Mrs. Manchouck: Twenty seven to thirty thousand.

Mr. Chairman: Serving how many Ministries?

Mrs. Manchouck: Right now it is about 28 Ministries, 23 Ministries.

Mr. Chairman: Twenty-three Ministries.

Mrs. Manchouck: Yeah.

Mr. Chairman: Now, has a comprehensive study been done thus far to measure, to ascertain, really and truly, what is the required and the efficient number of public servants to service these Ministries? Is it over—do we have an oversubscription of public servants to man the Ministries or is there an undersubscription of public servants to man the Ministries?

Mrs. Manchouck: That is an exercise, information of which I would like to know too. I do not know.
[Crosstalk]

Mr. Chairman: Anybody, from Mrs. Manchouck, I am sorry, the PS, Ms. Mendez or Ms. Jones.

Ms. Mendez: Yes. This is one of the exercises that we at Public Administration and Communications would like to engage in. Following the strategic plans and work plans that are prepared by the Ministries and Departments, we expect that we can undertake such an exercise. From where sit we see some areas that there may be over staffing, and then there are some other areas that they are understaffed. So a rationalization needs to be undertaken and we are hoping that we can engage in that exercise.

Mr. Chairman: But has not been done? Up to now that has not been—to me, that is the first start, you

start with first to know what you require to service how many Ministries?

Ms. Mendez: Actually this preliminary would have been undertaken with the realignment of Ministries. In the previous administration there were about 33 Ministries. The current administration we are carrying 23 Ministries, for the first alignment would have looked at the various units and departments collapsing into the 23 Ministries. So further restructuring needs to be undertaken, but at this time we are looking at the top level and we do hope as the Ministries complete their strategic plans and work plans, we can engage in further realignment.

Mr. Chairman: Following from this, if you are estimating between 27,000 to 30,000 public servants, in your submissions I was reading somewhere there, you have a problem with the alignment of contract workers or non-public workers. Is that estimate of 27,000/30,000 include contract workers?

Mrs. Manchouck: We do not have a clue how many are there, at least, I do not.

Mr. Chairman: Wow. You do not have a clue of how many contract workers there are?

Mrs. Manchouck: No. Because we are not responsible for contract workers.

Mr. Chairman: Who is?

Mrs. Manchouck: Each Ministry, I guess. I do not know.

Mr. Chairman: Ms. Mendez, again.

Ms. Mendez: I would not like to provide an estimate, but we can provide that in written form. From where we view it, it can reach 15,000 to 20,000 in contract, but I do not want to—

Mr. Chairman: In addition to the 27,000 to 30,000 we just heard from the public servants?

Ms. Mendez: As I said, it is an estimate, but we can do that exercise with the Ministries, but it can be— Deputy PS oversees the areas for me regarding structure and size, probably he might have a fairer view, but from where I sit because we have Ministries embarking on retention of posts and further employment on contracts or every week we might have two or three Ministries seeking for the retention of positions and, you know, it is a fair number that does come in terms of those requests.

Mr. Chairman: Mr. De Freitas.

Mr. De Freitas: Good morning, again. You gave an estimate of 27,000 to 30,000 public servants. I want to ask: Is that fluid? And I use the word fluid because as Ministries as you increase the number of Ministries or decrease the number of Ministries, does the number of public servants increase or decrease or is it that you have that stable number and you just restructure to suit?

Mrs. Manchouck: There is that stable number and we restructure to suit.

Mr. De Freitas: Right. And I thought it was stable. So the question I want to ask is that: given that we have reduced the number of Ministries in 2015, has the number of vacancies increased or decreased since then? Because ideally if what you are saying is true and the number of public servants does not change, but the number of positions by way of Ministries does and it decreased, then you should have a decrease in

the number of vacancies.

Ms. Creed: If I may, Member, the number of vacancies has not decreased. What there has been is a shifting of offices due to the realignment, but overall there has not been an impact on the number of vacancies being decreased, the number of positions. Let me put it this way, the number of positions being decreased. So the size of the public service has not decreased, it is a realignment from where I sit. That is how I understand it, how I see it. Public Administration and Communications would be the Ministry that will be able to give further information on that.

Mr. De Freitas: All right. Well, I was just seeking clarification. So, for example, the Ministry had existed in 2014 having a generic post like Clerk III and that Ministry no longer exists, does that post of Clerk III still exist in that Ministry?

Ms. Creed: Yes. It would have gone to another Ministry.

Mr. De Freitas: Oh. So the other Ministry would have increased the number of Clerks that they had.

Ms. Creed: Yes.

Mr. De Freitas: Okay. Thank you.

Mr. Pegus: If I may say, Mr. Chairman, whenever a Ministry is restructured, the Public Service Commission has to do a realignment of all positions that have been affected. And I think for last year we did almost 10,000 realignments, that is each person has to get a new letter of appointment for the restructured Ministry.

Mr. Chairman: What is the cost involved in doing something like that? Is it an extra cost or this is absorbed in the normal bureaucracy of the public service?

Mr. Pegus: Well, what happens is that the Director of Personnel Administration has to direct or deflect from the resources to be used in other areas in order to do this exercise. I understand that it is a very time consuming exercise.

Mr. Chairman: We are talking about human resources or are we talking about financial resources as well?

Mr. Pegus: Human resources, Mr. Chairman.

Mr. Chairman: Just human resources.

Mr. Pegus: Human resources. It adversely affects the other areas of operations of the Service Commissions Department.

Miss Ramdial: All right. So how do we reconcile that with the special project to fill vacancies, as well as the implementation and utilization of the information chart developed to indicate all vacancies filled, unfilled and unfillable? And from what I am seeing here from the last report, 13,578 offices were filled and due to a lack of funding the project came to a halt in 2016. So how do we reconcile that now with the existing number of vacancies there are and then, of course, with these Ministries being realigned and having these positions restructured and realigned, how do we reconcile that special project with the existing

environment?

Ms. Creed: If I may, Chair, the special project came to an end because we have no financial resources to have kept that special project. The special project was a project where we sought persons who had experience working in the Service Commissions Department that came on board to assist us with the filling of vacancies. That was the special project. That came to an end last year. I do not know if I am answering you clearly.

Mr. Chairman: Yes.

Ms. Creed: What is happening now, whatever has to happen, the filling of vacancies, the realignment exercise is being done with the present resources in the Service Commissions Department.

Miss Ramdial: Okay. So based on that, a follow-up question, based on that, how many existing vacancies are there at this point in time?

Mr. Chairman: Across the board?

Miss Ramdial: Yeah.

Ms. Creed: Ms. Maraj who has responsibility for client services will respond.

Ms. Maraj: Good morning again, Chair, and members.

Mr. Chairman: Sure.

Ms. Maraj: If I may, I would just like to give a small explanation in terms of the realignment.

Mr. Chairman: Sure.

Miss Ramdial: Could you just, before you go to realignment—

Ms. Maraj: How it affects us, but I know I will get to your number. A *Gazette*, sorry, the notice of the change in portfolios are in the *Gazette*, published in the *Gazette*. The Public Management Consulting Division of the Ministry of Public Administration and Communications would now have to match the portfolios with the Ministries and Departments, the current Ministries and Departments, and then they try to allocate positions, you move the positions.

So take for example, a Ministry of National Diversity and Social Integration, for example, they now have to move these positions to another Ministry and Department where the functional area is. So, for example, Archives was there, they would move Archives to another Ministry. After the Public Management Consulting Division does that, we would get the information now from the Ministries and Departments. Who are these persons and where are they now, and we will then go ahead and do the transferring of those persons from that Ministry to the new Ministry before they can get paid. All right?

So what we have been doing, and to answer a question from another member, the situation is fluid in terms of how the positions move. So the Service Commissions Department at all times we need to know where the positions are, and it is a term we use, you may have seen in other documents the identification of the vacancies. So when the Clerk III moves from one Ministry to another Ministry, we have to make sure that

that Ministry has that office of Clerk III.

So, we have been doing some updates. The last official update we did was in May 2016, but for purpose of this exercise what we did, we went to each Ministry and Department from our records and we broke them down in what we call specific offices, those are specific to a particular Ministry or one or more Ministries. No. Sorry. When it comes to one and more Ministries, it becomes what we call a generic office. So it is a different way of filling.

So as of the 31st of March there was a total, the specific offices, we had a total of 4,636 vacant, and for the generic offices 4,551 that were vacant.

Miss Ramdial: So let us just assume a total an average of 8,000 vacancies.

Ms. Maraj: Nine thousand.

Miss Ramdial: Nine thousand.

Ms. Maraj: Approximately 9,000 vacancies.

Miss Ramdial: Existing.

Ms. Maraj: Yes. And these, of course, will be subject to confirmation from the Ministries and Departments.

Miss Ramdial: So with the realignment with the Ministries being decreased over the past couple of years from 33 to 23, these vacancies are they being filled by the existing workers who were there previously?

Ms. Maraj: We try as far as possible. So when I speak to the specific offices, those the Permanent Secretaries and heads of departments will submit recommendations to us to fill with the person, the incumbent in the office. If that person—we will need to see, as the Chair said, the performance appraisal and the specific recommendation, and most times that person is appointed to the position.

In terms of the generic offices, those are a bit more difficult in terms of clerical. We have to look to see where the vacancies are. So, take for example a Clerk may be in one Ministry, but is he on that seniority list ready for promotion? If he is ready, we have to look to see where the vacancy exists. And sometimes in those cases that person will have to move. We try as far as possible to keep persons where they are, but in most cases where the offices are generic, they have to move because it all depends on where the vacancies are.

Mr. Chairman: Thank you very much, Ms. Maraj. Could I ask a question? I do not know who will be competent to answer it among you all now, but I am trying for the purposes of the public as well. When Governments change, okay, you have a number of Ministries either they increase or they decrease, you have a fixed amount of public servants, so to speak, a stable, for want of a better word, 27,000 to 30,000. The last administration, there were how many Ministries? Does anyone know offhand? [*Crosstalk*] How much?

Ms. Creed: Forty-one Ministries and Departments.

Mr. Chairman: Forty Ministries and Departments?

Ms. Creed: And Departments.

10.40 a.m.

Mr. Chairman: Right, and you had 27,000 to 30,000 public servants servicing these 41 Ministries?

Ms. Creed: That is right.

Mr. Chairman: Now, under the present administration how many Ministries are there?

Ms. Creed: Twenty-three Ministries.

Mr. Chairman: So, it is almost half?

Ms. Creed: No, remember it was Ministries and Departments. The Departments stayed and the Ministries' numbers reduced.

Mr. Chairman: By how much, half?

Ms. Creed: I do not know if OPM or Public Admin could give you the exact figure.

Mr. Chairman: Please, anybody that can assist us?

Mr. Meyer: The number dropped by about—it was 10. We lost 10 Ministries. Approximately 10 Ministries.

Mr. Chairman: Okay, so what became of those public servants?

Ms. Creed: They were assigned to other Ministries. So, the size of the public service does not change with this exercise. And I do not know if you would like me to share a little additional information.

Mr. Chairman: Just now, I do not want to lose the trend of thought just yet. You have it there, right? You see, I am trying to get to the efficiency of the use of public servants. If you move from a larger number to a smaller number and all those persons are being reassigned, we are going to have a situation of duplication of efforts of offices? How are they reassigned? So, if you had 41, you would have had, say, 41 PSs and now you only have 20, what becomes of those other PSs? How are they going to be utilized?

Ms. Creed: That is an exercise that is conducted by the Public Management Consultant Division of the Ministry of Public Administration, and maybe that Ministry could explain how they do the shifting and the placement, because what we get is the end product.

Mr. Chairman: Right. Could you assist us, please? Yes, Ms. Mendez or Ms. Jones.

Ms. Jones: Yes, thanks. With respect to the issue of Permanent Secretaries—

Mr. Chairman: No, I just use Permanent Secretaries as an example. I want to know what happened generally with the staff that is being realigned or the surplus staff.

Ms. Jones: Public Administration can assist.

Ms. Mendez: Chair, this will be guided by the portfolios. So, for example we may have 33 Ministries; with the change of administration we have 23 Ministries. The responsibilities will be outlined in the *Gazette*

for each Ministry. So, the portfolio of X, for example, National Diversity, would have had the portfolio of archives, arts, music, whatever, and these responsibilities may go under Community Development, Culture and the Arts.

So likewise, the staff who would have fulfilled the responsibilities under national archives, culture, music, will be transferred. The positions will be transferred to the new Ministry, the Minister of Community Development, Culture and the Arts. When the positions are transferred, the Ministry of Community Development, Culture and the Arts will approach the Service Commissions Department and identify: John Smith was the Clerk I under National Archives, this person is to be transferred in this position now under the Ministry of Community Development, Culture and the Arts.

Mr. Chairman: So, in other words there is a consolidation?

Ms. Mendez: That is right. Similarly, for the Permanent Secretaries this would be determined between the Office of the Prime Minister and the Public Service Commission as well as PMCD, we might determine so many portfolios in a particular Ministry may require two Permanent Secretaries at that Ministry. Or, you might have a smaller Ministry may require only one Permanent Secretary. So, with PMCD and the Office of the Prime Minister, and the service commissions, the positions will be transferred to the various Ministries. One Permanent Secretary where it is needed in one particular Ministry, two or three Permanent Secretaries if it is needed in a Ministry that has amalgamated with various portfolios.

Mr. Chairman: If you look at all the Ministries, yes, and you have an adequate supply of Permanent Secretaries, what becomes of the surplus Permanent Secretaries? Where are they facilitated?

Ms. Mendez: They may be in a pool within the Office of the Prime Minister where they can be assigned, or, as I said, within the Ministries and given portfolios. This would have happened in the case of the Ministry of National Security or the Ministry of Education, the Ministry of Agriculture, Land and Fisheries.

Mr. Chairman: Ms. Mendez, does that lend itself to efficiency?

Ms. Mendez: That is why at Public Administration we engage in further review of structures and portfolios and the necessary requirements. At this time we are doing it for the top level part of the public service.

Mr. Chairman: Yes, but could you answer my question, please. Is it efficient?

Ms. Mendez: In some instances, yes; in other instances, no. We have various challenges may arise.

Miss Ramdial: Going back to the issue of promotions within the public service, now over the past couple of months you would have been in the media space with respect to a court case where a senior public servant was bypassed for promotion four times in the space of two years, what are you doing as a body to prevent further instances and incidents like this?

Mr. Pegus: In that particular case you are referring to, the issue concerned acting appointment and not promotion as I understand it.

Miss Ramdial: It was promotion.

Mr. Pegus: It was acting, an acting appointment.

Miss Ramdial: Page 10 of the—I will just read it over for you. It was a senior public servant who was bypassed for promotion four times in the space of two years, and of course it was found that that individual was unfairly treated by the Public Service Commission.

Mr. Pegus: In that particular case the Public Service Commission had taken a decision in 2004 concerning the basis on which acting appointments would be determined. The Circular Memorandum No. 1 of 2004 had provided that, with effect from 1st January 2005, for a public officer to be eligible for acting, he must have the requisite qualifications and experience for the particular job. Prior to that, acting was determined on the basis of seniority within a department. May I?

Mr. Chairman: Sorry, Mr. Pegus, are you dealing with the Regulations as exist now. Regulation 18, if I recall, deals with—

Mr. Pegus: Regulation 26.

Mr. Chairman:—the point when you are acting temporarily and acting towards promotion, which one are you speaking and addressing at this point in time?

Mr. Pegus: Regulation 26, acting arrangements, not as a prelude to promotion.

Mr. Chairman: Not as a prelude to promotion?

Mr. Pegus: Not as a prelude to promotion. So, that happened in 2004, and then there was a Privy Council case in 2011 which indicated that acting for short periods where there is no substantive office holder, where someone is just filling—“standing”, as the court said—that that acting should be done on the basis of seniority and not on the basis of the person having the requisite qualifications and training, provided, however, that the person had the ability to assume and discharge the functions of the position. But since then, the Public Service Commission has taken a decision to revoke that circular, and we had sent a circular memorandum to all Permanent Secretaries to the effect that for short-term acting where there is no substantive office holder in a position, that acting would be done on the basis of seniority, provided that the person can assume and discharge the functions.

Mr. Chairman: That takes me to a question I would like to ask you right now, dealing with the Regulations, the redrafting, the review, or the redrafting regulations, this being pending some time. I read in your submission where it has been now forwarded to the Prime Minister’s office for his review and consent, could you give us an update on that? Mrs. Manchouck, you might be able to.

Mrs. Manchouck: It was submitted to the Prime Minister’s office and we got some comments. The amended regulations were submitted, but we were supposed to have put it in a context, a framework. We were supposed to have a draft policy framework and guidelines to go along with the amended regulations, that has been done, and it will be forwarded shortly, in the next week or so, back to the Prime Minister.

Mr. Chairman: Now, in your consultations—I noticed your consultations you all consulted with—the

revised submissions, you all consulted with the Public Service Commission—the Director of Personnel Administration; you also consulted with the Chief Personnel Officer; you also consulted with the Ministry of Public Administration, the Permanent Secretary; and also consultants engaged for the Human Resource Modernization Project in the public service. But, I did not see other stakeholders like the unions? I did not see the Law Association? I did not see the Employers Consultative Association? Those are key members in this, so why were they left out of this consultation?

Mrs. Manchouck: Our legal advisor will answer that.

Mr. Chairman: Please.

Ms. Seecharan: At the point when the commissions are preparing the draft to go to the Prime Minister, it is done under the section of the Constitution that allows them as an independent autonomous body to regulate their procedure. If you look for instance at the Civil Service Act you see where there is a prescribed role for the unions and the CPO, but that is not in the commission regs, because they are an independent body. So, no they did not have consultations with the unions.

Mr. Chairman: But I am seeing here that you had consultations with the CPO and so forth, right?

Ms. Seecharan: “Hmm, hmm.”

Mr. Chairman: As stakeholder you are going to revise something to make it more efficient and applicable to the parties who are going to be dealing with on a regular basis, to me the wider consultation, I mean, one does not have to follow the letter of the law to its T, you have to give some sort of breadth and interpretation in terms of giving some realistic approach to this consultation, so the wider the consultation the better informed the legislation would be and more acceptable and user-friendly, so I think it is a shortcoming. You do not think so?

Ms. Seecharan: No, I do not.

Mr. Chairman: You do not.

Mr. Pegus: Chair, if I may?

Ms. Seecharan: Based on the role and function of the commissions and the specific functions that the Chair referred to, which is appointment and promotion, transfer, discipline, removal, and vis-à-vis, the Endell Thomas decision, and the peculiarities of our island states and our political systems—no, I do not think it is.

Mr. Chairman: So, what have you to lose by consulting with these persons, the Law Association, with the unions, with the other stakeholder? What do you have to lose from that?

Ms. Seecharan: No, well, okay. Commissioner Pegus.

Mr. Pegus: Chair, if I may say, with respect to consultations with the union, it is presupposed that the Chief Personnel Officer.

Mr. Chairman: Indirectly?

Mr. Pegus: Yes.

Mr. Chairman: What about the Law Association?

Mr. Pegus: The Law Association, I am not aware why consultations were not held with the Law Association. But my view would be, yes, consultations ought to have been held.

Mr. Chairman: To me it makes sense, because, here it is the Vice-Chair is referring to a case where somebody was bypassed because X, Y, and my personal experiences going against the public service on many occasions for judicial review was always because something like that repeats itself. So, why would you not consult those persons who will be involved on a regular basis to give some sort of input to avoid these kinds of things, so when you are making new regulations they will take breadth of the history experience that has gone by so it is not replicated or it is covered in it, moving forward? To me it makes much more sense. More information cannot be a deterrent, cannot be a hindrance or a negative. Mrs. Manchouck, could you say something?

Mr. Pegus: Chair, if I may?

Mr. Chairman: Sorry?

Mr. Pegus: Yes, if I may? An external consultant was engaged and the external consultant is the person who would have had to make the consultations. That person would have made the consultations. I am not aware whether in fact she made consultations with the Law Association, and if she did not, I am not aware why those consultations were not had.

Mr. Chairman: Mrs. Manchouck, can you?

Mrs. Manchouck: Yes, Chair, what I would say is I heard what you said, particularly in terms of the Law Association, and really there is no harm in letting the Law Association have a look at it, and even you.

Mr. Chairman: Sure. I have heard your name many times in the public service, so I think you have given yeoman service to the Trinidad and Tobago public service. So, it is a pleasure me meeting you here for the first time. I have heard your name, I have probably seen you sometime, and I know you come with a significant amount of experience, and I think the public must owe, indeed, a sense of gratitude to your service to the country. Because public service is not always a rewarding thing where the public is concerned. You know, you do many good things but they remember the little flaws we may make from time to time, unfortunately, but it is all par for the course. So, on behalf of the public I would like to tell you thank you for your service, and again it is quite obvious from your opening remarks and understanding comprehensively the nature of the beast, *[Laughs]* we are dealing with the public service. Right?

Having said that anyway, there is something again with the regulations, in terms of the merit list. The merit list I remember my dealings with it, it was in existence, a merit list lasted for a year, and then I think there was some proposal that it would go to two years. I do not know what it is at this point in time; probably Ms. Anastasius Creed may be able to assist us with that?

Ms. Creed: The commission's policy at this point in time is an order of merit list is valid for two years.

Mr. Chairman: For two years?

Ms. Creed: Two years, and there are special instances when the commission may decide depending on the instances to extend the list, but under the special circumstances.

Mr. Chairman: Is that provided for? Would that elicit legal challenge?

Ms. Creed: That is a policy of the commission. I do not know from a legal—order of merit list first of all is a policy that was determined by the commission, and they regulate that policy. I do not know if the legal officer can recall any challenge that we had with regard to order of merit list and its duration.

Ms. Seecharan: No, the order of merit list and the procedure relating to the validity of the lifespan and all of that, it was done by way of policy decisions, because the commissions have the powers subject to 129 of the Constitution to do so. And there have been some challenges with respect to placement on order of merit list in terms of prisons and fire, but not in terms of, you know, lifespan and—really, no.

Mr. Chairman: Okay, thank you. Miss Ramdial.

Miss Ramdial: Thank you. Do the regulations have a provision where a Permanent Secretary who has reached retirement age, can that Permanent Secretary be reappointed to the substantive position? Do the regulations allow for that?

Ms. Seecharan: May I?

Miss Ramdial: Sure.

Ms. Seecharan: If you would recall when Chair gave her opening remarks, she tried to clarify the role and function of the commission in terms of appointment, promotion, and all of that. So that, the extension of that would be a term and condition that will have to be done in the Civil Service Act, and then it would also be reflected in the commission's Regulations so that they would do the actual extension. So, currently, no. It is not within the Public Service Commission Regulations because it is not within the Civil Service Act. They work in sync together.

Miss Ramdial: Okay, so, can you explain to me the reappointment of the Permanent Secretary at the Ministry of Energy and Energy Industries, Mr. Selwyn Lashley? Can you explain to me the process there?

Mr. Pegus: The Civil Service Regulations provide in Regulation 15 for the re-employment of pensioners, and if I may read it for the record.

Miss Ramdial: Sure.

Mr. Pegus: It reads, 15(1) reads:

“A pensioner may, with the approval of the Prime Minister, be re-employed in a public office on contract, if it is established to the satisfaction of the appropriate Commission—that the pensioner is in possession of essential experience or technical qualification which makes him particularly useful to the specific Ministry or Department;”

And:

“(b) that it is not possible to fill the particular post by the promotion of a suitable officer or by a new appointment.”

And then 15(2) says:

“Where the re-employment of a pensioner is contemplated, the Director of Personnel Administration shall, before making any recommendations thereof to the Public Service Commission, report the matter to the Chief Personnel Officer who shall consult with the appropriate recognised association, so, however, that in a case where there is disagreement between the Chief Personnel Officer and the appropriate recognised association, a dispute shall be deemed to exist and the provisions of sections 18 and 20 of the Civil Service Act may apply.”

And then subsection (3) defines the term “re-employment of pensioner” to include:

“the continuation of employment of an officer beyond the age of compulsory retirement, i.e., 60 years,”—
of age.

Miss Ramdial: So my follow up question would be, in light of what you have just read, does the Public Service Commission hold the opinion that it is okay, and you would agree to that, based on what is there in the provisions, in light of persons waiting to be promoted to those positions, and who have written exams, who have passed it, and who are just waiting to be promoted rather than reappointing a Permanent Secretary, who is a retiree by the way?

Mrs. Manchouck: Only in exceptional circumstances. Only in exceptional circumstances. We considered it very carefully and we came to the decision that it was justified.

Mr. Pegus: In addition to that, if I may say, a very strong case was made to the Public Service Commission by the Permanent Secretary to the Prime Minister, and the matter was reported to the Chief Personnel Officer in accordance with the Regulations. The Chief Personnel Officer had consultations with the union, and there was consent given by the union before that decision was taken.

But, the commission was convinced that there was no suitable person within the Ministry to assume the functions at that particular point in time. We had done an assessment exercise for promotion to the Deputy Permanent Secretary, and the Deputy Permanent Secretary to that particular Ministry would be the person who would be eligible to act, and the persons in our view did not have the requisite experience to assume that portfolio at this particular point in time. And we made very strong recommendations to the PS to the Prime Minister to ensure that succession planning takes place, so that we would not be faced with this situation again.

Mr. De Freitas: Through you, Mr. Chairman, I wanted to ask, understanding that that particular circumstance could happen, is there a stipulated time period by which you would have the retired Permanent Secretary come back? So, for example, a year or two to train the person who does not have the experience

understanding that you are here for that particular purpose, is there a stipulated time period?

Mr. Pegus: Yes, there is a one-year time period. The appointment is for one year, and the commission had strongly recommended to the Permanent Secretary to the Prime Minister, who has overall supervision of Permanent Secretaries to ensure that that succession planning takes place.

Mr. Chairman: Okay. Let me just change the focus a bit since we are dealing with efficiencies. One of the things in your overview of challenges, 5.1, draws specification of Permanent Secretaries; I was quite concerned about that, with the juggling and the moving of Permanent Secretaries easily from one place to the next place it seems, I do not want to say willy-nilly, but, to me it seems to act against the efficiency of competence developing a particular industry. For instance, if you are moving somebody who has been in the Ministry of Energy and Energy Industries who has a required special knowledge in that type of critical skills and so forth, and you move that person to Sports because of whatever reason, how are you all treating with this? I am seeing that as an issue. I see this as a problem, eh.

Mrs. Manchouck: Mr. Chair, this is something that the commission has been discussing very often. And, as a matter of fact, we have not finalized yet, but we are coming to the conclusion that certain Ministries really should have Permanent Secretaries specific to them. And, in discussing this I think it will have to be underpinned as well by the whole philosophy of the public service. It is something, you know, if we are going to be having—because more and more we are seeing that Ministries and so are really gearing their staff and so to be specific to them. So, yes, I would say that we may have to give consideration that some Ministries, some specialized Ministries may have to have their Permanent Secretary, special Permanent Secretary, assigned to their Ministry with the technical expertise and so.

Mr. Chairman: And as it stands now, once a person is appointed as a Permanent Secretary or a Deputy Permanent Secretary, is that person given specialized training?

Mrs. Manchouck: You are absolutely on target. We have been having discussions with the Ministry of Public Administration and Communications about training, particularly for the new batch of Deputy Permanent Secretaries that we are about to appoint. They have already put some things in training for that. So, maybe, PS would you like—

Mr. Chairman: You can answer, Ms. Mendez?

Ms. Mendez: Yes, at the Ministry of Public Administration we have designed an executive development programme for our Deputy Permanent Secretaries. Those who have just gone through the Deputy PS assessment, as soon as we have received the list of successful candidates we will be mounting that programme. At the same time we are working with the Ministry of Planning and Development. The IDB has also proposed training for the Permanent Secretaries, so we are in discussions, designing and developing a suitable programme that will fulfil the needs of the executive level of Permanent Secretaries.

Mr. Chairman: And of course, by extension, a continuous process of retraining, ongoing training?

Ms. Mendez: Yes, this will be continuous. Actually our executive development programme has initiated, targeting the middle level personnel in the public service, and as we move up we will have a series of training and other interventions to develop our cadre of professionals.

Mr. Chairman: Can I ask a further question? Again, a bit off. When somebody leaves the public service, how long it takes that person to transition from an active public servant to a pensioner? From what I remember from the Regulations, I am asking from my recollection, I think you are supposed to have something like three months' notice that you are going to retire or the PS is supposed to give that information to the DPA that you are leaving in three months. So, it is supposed to be a smooth streamline of transitioning from an active employee to a pensioner. And most times, from my understanding, from my information, that does not happen. As a matter of fact, people are sometimes months without a pension, moving from a salary with your same financial commitments, is that still an ongoing process? And correct me if I am wrong with anything I have just said there?

Ms. Jones: Chair, the challenge exists. Currently, the Ministry of Finance, they are looking at it, to actually address that. Recently at the Board of Permanent Secretaries, the Ministry of Finance drew it to our attention, all the regulations and so on, and clearly identified some of the issues that really and truly have been causing the problems with persons not getting their pensions on time. The whole issue of persons moving from Ministries to Ministries and not having their circulating personnel files developed and transferred, so at the end of their journey in the public service—you know, it is difficult at the end. So, when those records go to the pension department in the Ministry of Finance, sometimes it is wrong, a lot of pension and leave issues are outstanding. Currently, it is a major reform initiative, and we at the board have recognized that it is really the Permanent Secretaries of a Ministry who must take that responsibility to ensure that your systems are in place so that persons' records are done on a timely basis. That is currently ongoing.

Mr. Chairman: So, what is the correct period of time? Is it not three months?

Ms. Jones: Yes, it is three months.

Mr. Chairman: And what is the average time a person takes currently to get their pension?

Ms. Jones: In some instances, if your records are up-to-mark, you may take at least about six months, or some persons have been fortunate, if they remain in a Ministry all the time they may get it within three months. And in some cases, because you have had issues where you cannot find the records, it may take a year or two, or even more.

Mr. Chairman: Just now, is this underscoring the need for the information system, the management system, I see you all trying to reach?

11.10 a.m.

Ms. Jones: Certainly. Yes.

Mr. Chairman: That would clear up this?

Ms. Jones: Yes.

Mr. Chairman: Because as you move, your records will be able to follow you, wherever you go. You can pull it from wherever.

Ms. Jones: That is true. In addition, what we have also recognized is that some training is required, because to develop that pension and leave record, it requires a certain kind of skills and competencies and the Ministry of Public Administration and Communications they are actually treating with that issue of ensuring that persons are trained on a continuous basis, how to really and truly prepare pension and leave records.

Mr. De Freitas: I just wanted to add to that, on that very particular topic, is there any awareness going on whereby you make staff in the Ministries aware that they too should follow up over the years in terms of their records, because what you are saying is absolutely true. I have heard that before where people may be working for 30 years to 35 years in the public service only to find out that a document is missing from year two and that will slow down the process by way of pension for a very long time. But if they were following up year to year, then they would not have that problem when they come to the end of their tenure. So awareness for the actual employees in terms of making sure that they follow up with their records from time to time, maybe yearly, may alleviate a lot of that problem in the short term as you get the management system in place.

Ms. Jones: Thank you. That is part of the strategy as well, communicating and ensuring that the Human Resource Management Division really and truly lead the process in that regard with communicating with the employees even with the orientation and the employee manuals to make sure that they know that as well.

Miss Ameen: Mr. Chairman, with your permission I would like to touch on an issue that—I mean, all morning we have dealt with internal matters. The fact is that the efficiency, or lack thereof, within the public service has an impact on the quality of service delivered to the public and the citizens of Trinidad and Tobago. In many instances where citizens make complaints against an officer or a department, but specifically an officer, where it has come to the point that you even have complaints that are not being responded to for years at a time.

There are instances where members of the public send pre-action protocol letters and they never get a response. Years pass and they do not get a response. There is a procedure for that in your regulations, in terms of how to treat with that, yet it is not being done. And I know there are many other things that you have to treat with, but as a result the public feels that you are not responsive to their needs and to delivering quality service.

I wanted to just touch on that in terms of how do you treat with complaints from members of the public

against officers, particularly when it gets to the point where there is a pre-action protocol letter and it could become a legal matter.

Ms. Creed: If I may, Chair, I will start and the Deputy DPA with responsibility for those units will give further information. There is a system in place in the Service Commissions Department that upon receipt of a complaint that must be immediately acknowledged. So at least the person would know that we have received it. Now, that is the system in place. The issues we have in the Service Commissions Department is that we get complaints from persons, especially, not about matters that are recent, but matters that have history.

We work in a paper-based environment. At the head office we have over 80,000 personnel files for staff and over 40,000 main files, which is what we deal with matters.

I am saying that to say, that to do research if someone, for instance, is speaking about how many years ago, we have to go back and trace to see what is the issue, if it was a promotion, who was promoted, who was senior, you have to get all those documents. And we have a lot of difficulty sourcing files as we work in a paper-based environment. So it takes us a long time to respond because of, one, records; two, the resources we have in that unit.

I can tell you right now, for instance, that we had, like for instance, we had over 240 representations in 2015 alone in Service Commissions Department and that unit is housed with about four officers to do this amount of research. So at the end of the day—[*Interruption*]

Miss Ameen: These are complaints from the public?

Ms. Creed: We get complaints from the public, we get complaints from public officers, we get freedom of information—

Miss Ameen: And it all would have been dumped in one?

Ms. Creed: It is one unit. We have a Freedom of Information Unit, we get representations from the associations; we get representations from Equal Opportunity Tribunal and we have one unit at this point in time that has to handle all these matters.

Miss Ameen: The process begins by sending an acknowledgment letter?

Ms. Creed: An acknowledgment.

Miss Ameen: How far do you reach in terms of—

Ms. Creed: We have—

Miss Ameen:—acknowledging complaints that come in, to begin with?

Ms. Creed: How far we—that is what we do. We acknowledge the complaints that come and then we have to therefore go and do research. So when your complaint comes, it comes into a pipeline, because we have how many matters before your complaint and we are attempting to deal with them. So we deal with the matters as we get. So not only when we receive them but when we get the research that we are looking

for to be able to address it. I do not know if Mrs. O'Brady would want to give some further details.

Miss Ameen: All right, I will appreciate her input because what we have is that, when a member of the public makes a complaint against a public officer, I just want to use an example in a Ministry delivering social services for example. If there is a report of consistent and unfair treatment or abuse to the public from a public officer and complaints are made, I mean the level of response in terms of acknowledgment, just an acknowledgment of the complaint by letter. I mean, many times people complain and they have not even had an acknowledgment of their complaint. And when it reaches to the point where it is so serious and they decide I am going to send a pre-action protocol letter, even that you have a low level of response even to acknowledge, before even an investigation begins. And I am concerned where there are complaints from members of the public of public officers who may be abusive to them, who may be hindering the delivery of social services and other necessities and there is need to treat with that. And if it takes a very long time to even send an acknowledgment to the member of the public.

Ms. Creed: But before I ask Mrs. O'Brady to step in here now, I am not sure in this instance that you are speaking about, whether they are making a complaint to the Permanent Secretary of the Ministry or whether they are making a complaint to the DPA to place before the Public Service Commission, because those are two different scenarios. If it is that a complaint is being received in a Ministry, that is to be handled by the Permanent Secretary following the process that is set out in the relations. If it comes to the Service Commissions Department we have a policy where within a week we attempt to acknowledge all correspondence.

Mrs. O'Brady: Good morning again. So I just want to support what the DPA has said. Where the complaints come to the commission. Sometimes persons write directly to the Chair, the Chair will pass it on to the DPA, she will pass it on to me and it goes to the unit, they acknowledge. The Chair receives a copy of whatever acknowledgment was sent out and then we have to investigate. Depending on how accessible the files are because the nature of the matter will mean that we have to access the files.

Now, we have four senior—well, middle managers in that unit so they have to direct their staff and we have a backlog of matters in that unit. However, if a matter comes in from the Equal Opportunity Tribunal, that is priority because we have more tight timelines to acknowledge and respond to those matters and there is a cost attached if you do not comply in the time period.

So you would appreciate that member of the public now has to wait in line while we do this matter. But again, it is the same unit. Then we may have, the persons who go before the court because they have a complaint or a representation, again the court gives us a specific timeline and then, of course, you are contravening. So I do not know if that helps in answering the question.

Miss Ameen: It certainly does shed some light. What I want to get into as well is where people complain several times, get no response and they send, let us say they send a pre-action protocol letter, you would

probably have your legal department treat with it. There are a number of instances where people do not get acknowledgments even to the pre-action protocol letters and they cannot make a step further, but tell me your process with that and how efficient or how well is that department managing where you get pre-action protocol letters or threat of legal action.

Mrs. O’Brady: Okay, the pre-action protocol is a schedule of three officers. They are not legal officers, they are not trained. So previously we had two, now we have a third officer we were able to snatch from somewhere. And they are not legal persons. So once the matter comes into us, the attorney writes, we acknowledge. Depending on the timeline we will ask the legal unit to draft a letter asking for more time. If we are given more time they then have to access the files again and prepare the statement of facts. That can take anywhere from a week to two weeks, because you are looking for files to get whatever is the specific information.

In the meantime, the legal advisor will write to the Chief State Solicitor’s Department and ask if they can give us legal representation because up until, maybe about a year or two ago we would have retained our external counsel, but of course we do not have the funds for that. So now we are in the line with chief state to get legal representation. We prepare the statement and it goes to chief state and they proceed from there. The legal advisor will have to give you details on how they proceed because I am not quite sure. But once the affidavit is prepared to be filed then we, well myself or the DPA or Deputy DPA goes to chief state and we sign off on that and then they update us on the outcome of the matters.

Miss Ameen: And that can take some time.

Mrs. O’Brady: Yes.

Mr. Chairman: Mrs. O’Brady, thank you very much for that. That will have to be an improvement from my experiences where those things are concerned, because what member Ameen is saying, I have personal experiences dealing as a practitioner at the Tribunal and sending pre-action protocol letters that will go very much more than two weeks, months sometimes you will get—I mean, it is very tardy in terms of response.

Mrs. O’Brady: Well Chair, if I may add, we did not have officers specifically assigned to that. We got two officers and then a third one. So as they started to deal more and more with the matters they became much more efficient, they became aware of what they had to look for, how urgent it was and I might add it was without much training. We were able to get training for them, but not much training. So they are learning as they go.

Mr. Chairman: No, no. Perhaps I may want to recommend from here that probably one should bring in a legal person within that unit and probably enlarge the unit, because our society has become very litigious, good or bad I do not know what. People have become more litigious, people have become more right conscious and therefore I am sure you have a proliferation of matters coming in on a constant basis to your commission.

Ms. Creed: Chair, I welcome your recommendation and I hope that the Public Management Consultant Division of the Ministry of Public Administration and Communications is also listening to your recommendation.

Mr. Chairman: I do hope so and we will put in our recommendation as well.

Miss Ameen: Chairman, a number of the issues that came up here, some we dealt with, specific incidents, but the underlying inefficiencies, the need for reform as mentioned by, I think it was Mrs. Sandra Jones, Permanent Secretary and others. Several of these recommendations were made before.

In 2013, there was a Public Service Commission Report with a number of recommendations and things that should be implemented. Can you give us an idea if you are working with the recommendations of this report, how are you progressing in terms of implementing the recommendations and if you have a time frame by which you see yourself achieving it? Because the bottom line out of these Committees of Parliament is to make recommendations to the Parliament and it may mean that we could include some of your recommendations for reforms.

So, are you working with the recommendations from the 2013 report and how is that progressing?

Mr. Chairman: Sorry. You are speaking about the report of the Joint Select Committee, “eh”. Yes? Okay.

Ms. Creed: The recommendations from the Joint Select Committee are taken into consideration. So for instance you would have recognized that I just made a reference to public administration. So if it is a staffing recommendation we will sit with public administration and we will say look this is to help us support whatever it is we are doing.

There was a recommendation, if I recall, just off the top of my head, for instance, from IT perspective, databases and—we do take those things into consideration. So it is not that the report is received and ignored, we try in going for funds or whatever we need, we make reference to the Committee’s report to help support whatever resources we seek to acquire.

Miss Ameen: So there is no specific set, like if you have a committee or a clear programme to implement those recommendations? Is there?

Ms. Creed: The recommendations come to the Service Commissions Department and the commission. The commission will give us certain directives as things that pertain specifically to the commission and we will go to see how we could implement it as soon as possible.

With regard to the administration of the Service Commissions Department the Executive of the Service Commissions Department will sit, brainstorm and see how we could resolve it with whatever resources we have at that point in time or seek additional resources if necessary.

Mr. De Freitas: In keeping with the key issues raised by member Ameen from the last enquiry which was done, April 24, 2015, it was stated in regard to the Regulations:

In the new Regulations the timelines for action with regard to appointment and promotion will be tightened. The new Regulations will also mandate Permanent Secretaries or Directors of Heads of Departments to be compliant with submitting information or data necessary to process appointments and promotions and will provide that failure to do so is an act of misconduct and disciplinary action and it can be respectively imposed.

So the question is, could you describe for me if that has been implemented in the new Regulations? And what is the process for appraising the performance of Permanent Secretaries and Heads of Departments, because you indicated earlier on in this enquiry that one of the issues you are having is that data coming forward in respect to filling these vacant positions from the Heads of Departments and Permanent Secretaries.

Mrs. Manchouck: With respect to what you have just outlined in terms of appointments and so, and the timelines, they are included in the amended Regulations, but as I said earlier we have the draft policy and the framework now and it is going to be submitted for approval.

With respect to performance appraisals and so, we are really behind the Ministries and Departments to submit performance appraisals properly and on time. Some Ministries do comply, some do not. And we do plan to bring this again to the attention of the Board of Permanent Secretaries to ensure more compliance with performance appraisals.

Mr. De Freitas: So until the amended Regulations are improved—

Mrs. Manchouck: In terms of the timelines—but there is follow-up as much as it can happen. The real problem is the paper-based system. I know that there had been funds allocated to an electronic database management system, some of the funds, not all of the funds had been allocated. The hardware was purchased but not the software and I guess by the time we get funds for the software, the hardware will need to be upgraded. So the DPA could help with that.

Mr. De Freitas: But with the software system—sorry to cut you off—would the software system improve this, given that you still require the Heads of Departments and Permanent Secretaries to, I guess, approve or recommend for these vacant positions? So the database will give you better information in terms of how many vacancies are there, you may have some red flag to certain Ministries that are critical. But in terms of these recommendations coming forward from the Permanent Secretaries, you still require them to actually do that step. So what I was saying before is without the amendment to the regulation being approved you are still at a lost, so to speak, in regard to getting them to follow up by way of any kind of repercussion if they do not do so—

Mrs. Manchouck: The issue here is one of management. That is the issue. So I agree with you. It has to be tightly managed to ensure that we get the performance appraisals on time. So it requires follow-up and so for it to happen and maybe the DPA could help in that regard.

Ms. Creed: On behalf of the commission, circulars have been issued to Permanent Secretaries indicating the commission's requirement that promotions will not be done unless performance appraisals are submitted on time. And now I am speaking to performance of persons in their Ministry. And then I will speak separately to the performance of the Permanent Secretary themselves, because I gather you wanted to look at the whole picture.

What the commission has been reminding Permanent Secretaries within recent time, the commission has been doing two things, they have been meeting with Permanent Secretaries and drawing issues to their attention, one. They have also been included in correspondence to Permanent Secretaries where they are seeing gaps in their performance. And they are reminding them of the code of conduct which could impact if they do not perform their duties as required according to the Code of Conduct. So the commission has been taking all those actions while awaiting, yes, all the timelines in the revised Regulations.

With regard to the performance appraisals for the Permanent Secretaries, that is something that falls to the PS to Prime Minister and when such performance appraisals are required we will write to the PS to the Prime Minister, I would write on behalf of the commission requesting performance appraisals on the specific officers and up-to-date performance appraisals.

Mr. De Freitas: Okay, one more question. And this is to the PS to the Prime Minister. Can you impose, I guess a timeline, for those performance appraisals in regard to the employees or the vacant positions that are needed? And as much as it would not be in the Regulations, can you impose one that if they are in breach of that in the appraisal for the Permanent Secretaries under their purview you can say, listen this is taking a little too long? It is not a regulation, but I think it is taking a little too long.

Ms. Jones: Member, certainly. That is done through the Board of Permanent Secretaries. I must say that the performance appraisal for Permanent Secretaries, that is not a formalized ongoing system where the Permanent Secretary to the Prime Minister does that. What happens when there are instances where persons who are acting and the commission wants to be able to do promotion, a request is made of the Permanent Secretary to the Prime Minister to send forward some sort of assessment on the performance of the Permanent Secretary or Secretaries.

What we are currently doing, the purview of performance management and performance appraisals, falls within the remit of the Chief Personnel Officer. Currently, what we are looking at is really and truly having a proper structure in place by which to make the position of head of the public service establish, whereby that person/officer would have the responsibility to do ongoing assessment of Permanent Secretaries.

Right now the Permanent Secretary to the Prime Minister largely use moral persuasions to get the Permanent Secretary to comply. But I must say that within the current Public Service Commission Regulations, the Public Service Commission can call for a Permanent Secretary, if the Permanent Secretary is not complying to really and truly address the issues, the problems therein.

Certainly, as the DPA clearly articulated, we do get the circulars on a continuous basis, but sometimes too there are other challenges within the system which prevents a Permanent Secretary from actually treating with the system on a timely basis and it speaks to operational management issues as well. But we are working on that right now.

Mr. Chairman: Thank you very much. Just a few questions before we close. We are coming to a closure shortly. Just picking up from the point of the disciplinary revision of the Regulations. I must commend that I am looking forward to seeing that it is a more efficient type of regulations we are moving to, to make the disciplinary process much more effective and efficient, because I think that is lacking significantly in managing the public service in that aspect.

But something that has been brought to my attention on several occasions is, once a person is being disciplined or go through the disciplinary proceedings and they are absolved from whatever allegations that have been made against them, during the time of disciplinary suspension as the case may be their increments would have been certainly not have been paid. How long does it take for that to be reinstated before a person could be given his or her outstanding increments?

Ms. Creed: I just want to be clear. You are talking about, I have been on discipline, my matter has come to an end and to regularize me back?

Mr. Chairman: That is right.

Ms. Creed: That would be done at the level on the Ministry. So that would be Ministry by Ministry, Permanent Secretary by Permanent Secretary.

Mr. Chairman: Do you know the timeline for that, Ms. Jones?

Ms. Jones: Chair, sometimes that could happen within a month depending on the efficiency of the HR system in the Ministry.

Mr. Chairman: In a month, right. A question that you know, you are not going to leave here without me asking you this. What is the policy going forward for the Public Service Commission dealing with people who are differently abled in terms of recruitment and staff? Is there any policy on that at this point in time?

Mrs. Manchouck: Not as far as I know, but it has been raised and I think we are looking at policy issues now and we will be looking at that one in more detail.

Mr. Chairman: Do you know how many differently abled people are employed as public servants in the various Ministries at this point in time? Is there any number or so?

Mrs. Manchouck: No, we have no report on that, but it is something that we would need to know if we are going to be having a policy on that. That, actually, and mental health are the two policies that we have on the agenda to discuss.

Mr. Chairman: The fact that I am going to ask you almost coming to the end of this does not necessarily put it in terms of lack of importance, but the Tobago aspect of being serviced. How is Tobago staffing

served by the Public Service Commission, is that adequate? Is there an arrangement between the THA and the Public Service Commission? Because I know they have a problem with staffing.

Mrs. Manchouck: Well, in terms of the PSC and the Chief Administrator for Tobago, we do have a very good working relationship and indeed—the DPA may wish to take this—there is an office of the Service Commission in Tobago and, of course, we treat all our appointments and so, all the appointments, Trinidad and Tobago, we treat everybody on an equal, fair basis. DPA would you want to comment on this?

Ms. Creed: The Service Commissions Department have been, since it was about 2009 an office was set up in Tobago for Service Commissions Department. We have had some difficulties though with the staffing for that office. We have advertised—first of all when we went for the establishment of the offices, we got contract offices and not public service offices.

We have advertised on a numerous occasions and we have not been fortunate enough to get persons either to stay or to accept the contract that is being offered. Or we have also had an issue with persons not having the knowledge, the competencies and the experience to be able to operate, to represent the Service Commissions Department totally. So that is one of the problems we have. So right now, again, we are back in discussion with PMCD to review the offices, the positions that have been allocated there.

In the meantime, our Monitoring and Evaluation Unit visits Tobago to report, to redo the review on the delegation. They do not only focus on the delegation when they make the visits, we focus on—they visit the office to see what is happening in the office, if they see the public and any other matters outside of the delegation they also bring it back to head office for us to deal with.

One of the issues we are having with the Tobago office, of course, is if we had—and working from Tobago—all our records on the electronic document management system up it will help us when we are there to be able to interphase and to give feedback immediately, but we have to take the information, come back to Trinidad and send back. I must say though, within the last financial year we have had to cut down on the amount of visits we have made to Tobago, because, of course, of financial constraints, but we are in regular contact with them via email, telephone, whatever, however we could assist them.

Also, there has been a shortage of persons to work in Tobago, so, for instance, we have—the Public Service Commission would have requested that an office be advertised. Sometimes we cannot get persons to work in Tobago. The Public Service Commission in instances like that has been issuing advertisements specific to Tobago. So the persons who applied will know it is recruitment for Tobago purposes and that was an approach taken by the Commission to assist Tobago to fill their vacancies and to get their staff complement quicker than doing it through the entire public service roadway.

Miss Ramdial: Thank you. Just to—from listening to the Chairman of the Public Service Commission, there seem to be some issues with funding. What has been the budgetary allocation for this fiscal year for the Public Service Commission?

11.40 a.m.

Mrs. Manchouck: If you are talking about Public Service Commission, it is very small. It is just about \$1 million.

Mr. Chairman: What?

Miss Ramdial: One million?

Mrs. Manchouck: For the Commission. I do not know what it is for the Service Commissions Department—for the Commission.

Miss Ramdial: Probably the DPA could clarify.

Ms. Creed: In the estimates underneath Service Commissions Department there is a vote that pertains to the Public Service Commission. So when the Chairman was indicating that amount of money, that is what comes under the Commission and that is utilized for, like legal fees, assessment centres, et cetera. For 2017, the total allocation to the Service Commissions Department was \$67 million—to Service Commissions Department—but to the Public Service Commission, their allocation was about a total about \$1 million.

Mr. Chairman: Is that adequate, Miss Manchouck?

Mrs. Manchouck: No, it clearly is not and I will let you know what we use the \$1 million for. Most of it went for the assessment centre exercise for the deputy permanent secretaries and legal fees—and some legal fees.

Mr. Chairman: So you do not even have money for training.

Mrs. Manchouck: Well, do not forget, you know, for training, it would be for commissioners and for the Commissions Department which is a personal assistant and an executive secretary; all the staff, Service Commissions. That is the distinction I was trying to make.

Miss Ramdial: So under the Service Commissions—and I think the DPA can answer this—do you have adequate funding to do your work?

Mr. Chairman: That is a trick question? [*Laughter*]

Ms. Creed: I would say no. For instance, you asked a question pertaining to training. We have been allocated for this financial year, \$40,000 for training—

Mr. Chairman: To train what, the public service?

Ms. Creed:—for the entire Service Commissions Department. That is just for training. We got \$1,000 for an EAP, and I really have to bring up the EAP because that is very dear to my heart. We are a department that has experienced in the past, we had an officer that was shot on our compound; someone who was killed. We had an officer who, two years ago took his life. He committed suicide. We have had threats from members of the public and public officers against our lives. And therefore we work in an environment—people may not realize the type of environment you may work in in Service Commissions Department,

because persons attempt to bribe you; they attempt to—

Mr. Chairman: Coerce you.

Ms. Creed: Yeah. They threaten your life for employment, et cetera. Plus the staff works long hours. It impacts on their family life, et cetera. And for this financial year I got \$1,000 which—I do not need to say anything further.

Mr. Chairman: Wow. I am embarrassed to hear that, really. You know, I hoping to be able to bring this hearing to a positive conclusion and a positive note, but that is very dismal information coming from you, disheartening. It is very disheartening, and I think the public service that provides such a critical service to the country as a whole, that some focus of its critical needs must be addressed as a matter of urgency and as a matter of necessity. So I hope that whoever is hearing us today—and when we finalize our report and we reflect some of these comments coming from you, that something will be done as soon as possible because it cannot continue like this. If we are going to demand high performance from our public service, and efficiency, obviously they have to be resourced properly in those circumstances. And I know we are living in a very hostile environment in the country, unfortunately. It is a problem in the world today. People are less loving and more angry. So I guess even dealing with what you said, the mental health issue, stress is a growing problem across the employment spectrum and it is something that probably people would start coming forward now with litigations in terms of stress. Because you are seeing that coming up on the radar in the medical environment as a very chronic problem, a very frequent problem which never existed before.

So all these things I know we must bear in mind, but still I am hoping that what I have heard from you all, there seems to be some sort of a plan; there seems to be persons who are highly motivated in bringing about a change for the better in the public service and that I know you are hamstrung by not having resources. Resources are always a challenge in any environment. The needs are always infinite and the means are always limited. So I hope that somehow as we are moving forward that we would be able to attract the type of assistance and resources you need to make your job much more efficient and deliver the service that the public is requiring of you all.

So coming to a conclusion, I would like to invite members—Mrs. Manchouck, you can please give your closing comment, and followed by Ms Jones, Ms. Mendez and Ms. Creed.

Mrs. Manchouck: Thank you, Mr. Chair. But before I make my closing comments, just two little points. Is it possible?

Mr. Chairman: Sure.

Mrs. Manchouck: One, with respect to the performance appraisals and working with the Ministries, we have been calling the Ministries one by one to hear their concerns and to let them know of our concerns so that we can have a better relationship and that they would comply with our directives. So that is one. And the second one with respect to the budget, I think it would be better if the Commission had within its

budget—within the budget line—funding to carry out the major activities that are required of us in terms of making the appointments and promotions and so. I think it would be better if we have—

Mr. Chairman: Do you have a figure—an estimate of the figure you will require?

Mrs. Manchouck:—if we have our own budget. So for example, for the assessment centre for Deputy Permanent Secretaries, this was a total of about what, \$3 million, \$4 million approximately. So some came from the SCD, some came from our budget. But, you know, we would be better able to manage if it were all in one place.

So, Mr. Chairman, I would like to thank you, first of all, for your kind comments that you made earlier and I would like to say that the PSC is cognizant of the fact that it depends on a number of stakeholders to assist us in the execution of our mandate. We depend on the Permanent Secretaries, we depend on the Heads of Departments, the CPO and the Ministry of Public Administration and Communications for compliance with regulations and the delegation order. The Commission looks forward to the implementation of the future state of the Service Commissions Department and the reinforced monitoring function. It is hoped that the revised Regulations will be fully approved and implemented, and above all, will certainly take on board the recommendations that you have made, and particularly the input of your good self. We take on board the recommendations of the Joint Select Committee and particularly the input of your good self. So thank you very much.

Mr. Chairman: Thank you very much. Ms. Jones?

Ms. Jones: Thank you, Chair. Like you, I am very appreciative of the role and responsibility and work of the Public Service Commission and the Service Commissions Department with respect to how the public service is managed. I must commit as well to the fact that the Board of Permanent Secretaries, we are very mindful of our responsibilities with respect to executing and administering the regulations. Currently, we are at a place where we, at the board level of Permanent Secretaries, are looking at ourselves and as far as possible working with the Ministry of Public Administration and Communications to really and truly work towards developing ourselves and looking at operational management issues. A lot of training is currently being executed by the Ministry of Public Administration and Communications as well as the Personnel Department with respect to performance management.

I would like to think that very soon the Service Commission can really and truly record that they are seeing a leap with change in some of the issues that they have raised here and some of the challenges at the Ministry's level with respect to the executing of some of the responsibilities. Concerning the member's concern with respect to complaints, I truly believe that those matters should be addressed at the department level and it is the role of the Permanent Secretary and the HR persons as well, to ensure that complaints are addressed very promptly, and we would try our best to really and truly treat with those issues. Even the general issues of customer service and responding to the public when they respond, this is something that

we hold very dearly at the Office of the Prime Minister and we have been speaking to Permanent Secretaries and many of them have been working to comply with a lot of those issues.

So I truly believe that with the level of commitment and leadership, working with the Public Service Commission, we can really and truly make a difference in addressing the key management issues under this particular area of HR management. Thank you.

Mr. Chairman: Thank you very much. Ms. Mendez?

Ms. Mendez: Chair, and Members, I just want to provide an update provided by my Public Management Consulting Division. At current, we are servicing 13,800 contract positions in the public service. We, at the Ministry of Public Administration and Communications, are committed to assisting in the modernizing of the public service. We are engaging in various projects and working with the Public Service Commission and the Service Commissions Department as they follow through on their institutional strengthening projects, in looking at their appropriate structure that is required for them to carry out their mandate.

We are also committed in the capacity building of our public officers through our Public Service Academy. We are also surely going to be engaging in some restructuring and reviewing of our public service Ministries and Departments and various agencies that approach us for staffing and structure. We are very committed in terms of our work for the public service. Dedicated officers at the Ministry of Public Administration and Communications, we do face our constraints and challenges, not only in human resources but in financial resources but we are embracing ICT. We see ICT as the new wave for public service modernization and improving our service delivery to the public. Thank you for this engagement and surely we will continue with our consultations.

Mr. Chairman: Thank you very much. Ms. Creed?

Ms. Creed: Chairman, thank you. I want to utilize this opportunity to thank the executive and the staff of the Service Commissions Department because although we have limited resources we keep plodding and we keep looking and finding ways to get what we have to get done. It may not be to the extent that our customers would prefer, but we are doing as best as we can with the resources. So we even have a plan as limited resources. We came to the Commission with a plan of how to go about filling, prioritizing Ministries, et cetera. There must be a way. We are of the opinion there must be a way.

The institutional strengthening exercise to which PS referred to came to an end in March 2017, and now it is for the Service Commissions Department to try to see how we could reinvent ourselves, how we could suggest to the Commission ways and means to bring a change so that we are more effective. But I have to say that I have been coming to Parliament since I started to act in this position since 2014 and I feel as though I sit here every year to say the same thing. So at this point in time I would like to say, at the end of the day, whether there is one Service Commissions Department, or there are four Service Commissions Department, whatever is the way forward, if the Service Commissions Department, whichever, one or four,

is not provided with all the resources that are required to support the commissions to fulfil their mandate, we will not be successful. Thank you.

Mr. Chairman: Thank you very much. A word to the wise, eh. I hope it falls on the ears that are listening, that can do something about it. But on behalf of my fellow members, I would like to thank all of you for your participation this morning. I think it has been very informative. Some of it sounds bleak, but I think there is a lot of hope in terms of the commitment of those who are at the helm at this point in trying to usher us into a 21st Century efficient public service, and I take on board exactly what Ms. Creed has just said in terms of resources. I mean, it is self-evident. You cannot expect persons to perform at their best with certainly being under-resourced. I think we have moved away from Easter where the miracles were being performed with seven loaves and fishes. Was it three loaves?

Miss Ameen: Five loaves and two fishes.

Mr. Chairman: And five fishes. Here we go. So I am hoping this is not a case that we are going into. But certainly I am hoping that we as a people will play our part in trying to turn around the public service to be the public service that we want it to be, because it will only serve Trinidad and Tobago to be a better country. I thank you again, and good afternoon.

We will suspend. I will ask the listening public to remain tuned because we are going to suspend for about five, 10 minutes, and then we are going to meet with the Statutory Authorities Service Commission.

Thank you very much.

[Officials Depart]

11.56 a.m.: *Meeting suspended.*

Appendix III

Training of PSC Staff (2014- 2016)

Name of Course	Facilitator	Duration	2014	2015	2016	Total
Emotional Intelligence	Public Service Academy	3 days	10	8	4	22
Anger Management	Trinidad and Tobago Chamber of Industry and Commerce	2 days	6	0	0	6
Ethics, Accountability and Good Governance	Public Service Academy	5 days	2	2	2	6
Telephone Etiquette Training	Catherine Gordon's Institute of Finishing Elements	1 day	0	60	0	60
IHRIS Training	Project IHRIS (Various Modules)	1 day	20	22	13	55
Effective Note Writing	Service Commissions Department Training Team	4 days	0	45	50	95
Personal Budgeting Workshop	Garth Thomas	1 day	0	60	0	60
Terms of Reference and Request for Proposal	Public Service Academy	3 days	0	4	4	8
Presentation Skills for Senior Managers	Public Service Academy	2 days	3	4	2	9
Protocol for Senior Officers	Public Service Academy	2 days	3	2	3	8
Registry Systems and Procedures	In house Training Team	1 day	10	0	46	56

Name of Course	Facilitator	Duration	2014	2015	2016	Total
Accounting Workshop	In house Training Team	2 days	0	0	50	50
Conducting Effective Performance Appraisal	Public Service Academy/ Chief Personnel Office	3 days	0	5	9	14
Supervisory Management	UWI Roytec	2 days	0	0	15	15
Critical Thinking Skills	Public Service Academy	2 days	2	3	1	6
Health and Wellness	Caribbean Foundation for Human Grown Development Limited	2 days	15	0	0	15
Institutional Strengthening Workshop	In House Training	1 day	0	0	20	20
Interviewing Skills	Public Service Academy	3 days	1	3	0	4
Orientation Workshop	In House Training	1 day	15	0	38	53
Client Services Training	In House Training	1 day	0	0	74	74
Cabinet Note Writing	In House Training	5 days	0	20	0	20
Cabinet Note Writing	Public Service Academy	1 day	0	1	0	1
Pension and Leave	In House Training	2 days	0	0	23	23
Procurement Efficiency Lab-Second Edition	Caribbean Procurement Institute	1 day	0	0	3	3

Name of Course	Facilitator	Duration	2014	2015	2016	Total
Project Management Training	Outside Facilitator	2 days	0	0	22	22
Total number of officers in the Public Service Commission trained						705

Appendix IV

Vacant Posts in the Public Service as at April 24 2017

Ministry/Department	No of Offices	No of Vacant Offices	Remarks
President	2	2	
Auditor General	151	62	
Judiciary	279	169	
Parliament	35	19	
Service Commissions	58	45	
Statutory Authorities' Service Commission	1	0	
Elections and Boundaries Commission	225	155	
Tax Appeal Board	1	1	
Registration, Recognition and Certification Board	6	2	
Public Service Appeal Board	1	1	
Office of the Prime Minister	14	3	
Tobago House of Assembly	23	6	
Central Administrative Services, Tobago	14	8	
Personnel Department	14	7	
Finance	1528	855	
National Security	7240	1233	
Attorney General and Legal Affairs	113	75	
*Education	63	47	
*Health	12	10	
Labour and Small Enterprise Development	140	50	
Public Administration and Communications	91	62	
Public Utilities	73	21	
Energy and Energy Industries	152	78	
Rural Development and Local Government	277	153	
Works and Transport	336	148	

Ministry/Department	No of Offices	No of Vacant Offices	Remarks
Trade and Industry	64	17	
Community Development, Culture and the Arts	151	31	
Foreign and CARICOM Affairs	129	56	
Planning and Development	192	65	
Sport and Youth Affairs	185	96	
Agriculture, Land and Fisheries	990	313	
Social Development and Family Services	217	128	
Total	12,773	4,636	

*Data from these two (2) Ministries are to be further verified