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Government of the Republic of Trinidad and Tobago
Ministry of Public Administration and Communications

09 March 2018

Secretary to the
Joint Select Committee on
Local Authorities, Service Commissions
Statutory Authorities and THA
Parliament of the Republic of T&T
Levels G-9 Tower D
International Waterfront Complex
1A Wrightson Road
PORT OF SPAIN



Dear Sir/Madam

**Re: Fifth Report of the Joint Select Committee on Local Authorities,
Service Commissions and Statutory Authorities (including the THA)
On an Inquiry into the Efficiency and Effectiveness of the
Police Service Commission (PSC)**

I refer to the matter at caption.

Please find attached five (5) copies of the report.

Sincerely

Joan Mendez
Permanent Secretary

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RESPONSES TO THE JOINT SELECT COMMITTEE: Fifth Report of the Joint Select Committee on Local Authorities, Service Commissions and Statutory Authorities (including the THA) on an Inquiry into the Efficiency and Effectiveness of the Police Service Commission (PSC)

Re: Findings and Recommendations of the Committee as outlined on pages twenty-four (24) to thirty-five (35) of the Report.

Objective 1: To Evaluate the Performance of the Commission in executing its Mandate

Recommendations of the Joint Select Committee <u>pages (24) and (25) of the Report</u>	Responses from the Police Service Commission
A. We strongly recommend that the PSC move with alacrity to revise its current performance assessment arrangements to reduce the inordinate amount of time taken to provide appraises with feedback. In this regard, the Committee recommends that the Commission produce an interim report as well as a final performance assessment report. The interim report will provide members of the Executive Leadership of the TTPS with some preliminary feedback regarding their performance in a timelier manner. This committee expects that this proposed modification will be implemented in time for the 2016 or 2017 performance review.	In the Performance Framework for the Commissioner and Deputy Commissioners of Police, continuous feedback on performance is provided by the Police Service Commission (PSC) to the Executive Leadership. The new system allows for continuous feedback on their 'performance-to-date' and the designated months for such feedback are May, September and December 2018. The feedback to the officers would be face-to-face. The PSC would also consider the recommendation to produce a mid-year (Interim Report) as recommended by the Committee.
B. The PSC should (with the assistance of its M&E Consultant) conduct an evaluation of Police Performance Assessment Frameworks that are in operation in other jurisdiction such as "CompStat". This should be done with a view to determining whether such frameworks, some of which are augmented by Information and Communication Technology, would assist with enhancing the efficiency of the PSC's Performance Assessment Scheme.	The PSC through its Secretariat has been continuously reviewing its appraisal system with the aim of ensuring that it is sound and based on international benchmarks. The Secretariat has also been working with the Information and Communication Technology Unit of Service Commissions Department to develop an electronic Performance Management Information System (PMIS) to enhance the efficiency of the appraisal system. The expected

Recommendations of the Joint Select Committee <u>pages (24) and (25) of the Report</u>	Responses from the Police Service Commission
	benefits of this system include improvements in the sharing, storage and retrieval of information pertaining to the monitoring and appraisal of the Executive Leadership. This system is expected to be implemented in 2018/19, based on the availability of funds.
C. We recommend that the PSC consult with the Chief Personnel Officer, Salaries Review Commission and the Ministry of National Security to examine the feasibility of introducing of monetary and non-monetary incentives into the Compensatory Regime of the CoP and DCoP.	The PSC notes the recommendation and will undertake research to identify what applies to other police jurisdictions and provide a comparative analysis report for discussions with the Chief Personnel Officer, Salaries Review Commission and the Ministry of National Security. The research process will commence and a proposal on the matter will be completed by 30th April 2018 to initiate the discussions thereafter.
D. The PSC must continue to seek innovative ways to engage the other agencies involved in the “strategic management” of the police service. In this regard, standing arrangements must be instituted to facilitate the constant flow of information between the PSC and: i. The Ministry of National Security; ii. The National Security Council. Information to be shared with members of the Commission must be strictly relevant to the operation and performance of the TTPS.	The PSC after discussions on the matter will make the necessary arrangements to implement the recommendations of the Committee as outlined and provide feedback to the Committee on the matter.
E. The performance of the CoP as it concerns the fulfilment of his obligation to the Police Complaints Authority, the Parliament and any	The PSC notes this recommendation and after discussions on the matter would revise the framework to include the CoP’s fulfilment of his obligation to other

Recommendations of the Joint Select Committee <u>pages (24) and (25) of the Report</u>	Responses from the Police Service Commission
other oversight body must be included in the performance assessment regime. This committee expects that this proposed modification will be implemented in time for the 2016 or 2017 performance review.	agencies. This modification is expected to be incorporated in the 2018 performance appraisals.
F. We recommend that all complaints made against police officers which are lodged with the Commission be forwarded to both the CoP and the Police Complaints Authority. This should be a standard operating procedure.	The Commission has a standard operating procedure (SOP) in place for forwarding all written complaints it receives against police officers to the Commissioner of Police. The Commission will consider the recommendation. In consultation with the Police Complaints Authority, the Commission will develop a standard policy to forward relevant complaints against police officers and implement a similar procedure to the PCA by the end of May, 2018.

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

Recommendations of the Joint Select Committee page (30) of the Report	Response from the Police Service Commission
A. Given prevailing financial circumstances, attaining the full complement of staff of the Pol.SC. Secretariat may be a challenge. In view of this, we recommend that the Commission develop an Order of Priority for the vacant positions. Therefore, the Commission must work with the DPA with a view to incrementally recruit persons for these priority positions.	The Commission considered the recommendation of the Committee to develop an Order of Priority for the filling of vacant positions. It should be noted that action is being taken presently to fill the undermentioned offices that are deemed critical for the effective functioning of the Police Service Commission Secretariat: • Director, Monitoring, Evaluation and Public Education; and • Financial Analyst
B. We recommend that the DPA submit to the Parliament a status update of the filling of contract positions	<u>See Appendix "A" for Status Update</u>

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

Recommendations of the Joint Select Committee pages (34) to (35) of the Report	Response from the Police Service Commission
A. We recommend that discussions be held with the Executive Director, HRM, the DPA, Permanent Secretary to the Prime Minister and Head of the Public service and members of the Commission with a view to resolving the internal administrative discord which is seriously affecting the efficiency of the Commission. It is quite likely that this internal disharmony may be affecting the operation of the other Service Commissions. As such, the modalities and protocols agreed to during this meeting must be documents in the form of guidelines for future reference.	Following the re-appointment/ appointment of a Chairman to the Police Service Commission as the present Chairman term of office ends on 28th January, 2018, the recommendations as outlined will be implemented, that is, “discussions be held with the Executive Director, HRM, the DPA, Permanent Secretary to the Prime Minister and Head of the Public Service and members of the Commission with a view to resolving the internal administrative discord which is seriously affecting the efficiency of the Commission.” It is not certain as to the period of time that will lapse following the re-appointment/ appointment of a Chairman of the Police Service Commission. Notwithstanding, on an ongoing basis, efforts are being made to develop and maintain harmonious relationships. However, feedback will be provided to the Committee in respect of the above. It should be noted there has been some improvement in respect of the internal administrative discord and internal disharmony. The Commission after discussions with the DPA will seek to alleviate the abovementioned with the exercises as outlined: • Team building exercises • Communication skill exercises • Alternative Dispute Resolution techniques

Recommendations of the Joint Select Committee <u>pages (34) to (35) of the Report</u>	Response from the Police Service Commission
B. We recommend that the current Commission prioritize the formulation and finalization of the necessary amendments to the Pol.SC Regulations. This objective does not demand a significant amount of financial resources, rather legal expertise can be sourced through other state bodies. In this regard, this Committee expects that the Pol.SC will collaborate with internal legal counsel in the SCD and perhaps the Ministry of the Attorney General and Legal Affairs to advance this process within three (3) months	The PSC met with and sought advice from the Chief Parliamentary Counsel (CPC) on redrafting the Regulations. As a result a Draft Policy which was prepared internally was submitted to the Commission for its consideration. The Commission planned a retreat for a comprehensive review of the proposed draft on 9th and 10th November 2017. This event had to be postponed owing to unavailability of funds at that time to host the retreat. Meanwhile some of the material to be considered has been circulated and the additional legal staff which joined the Unit of the Commission in August, 2017 has begun its research and review of the Regulations. It is noteworthy that the additional legal staff comprised two Senior State Counsel and a Legal Research Officer. The Commission intends to begin the review in the first quarter of 2018.
C. We recommend that the current Commission work with the SCD to present a Position Paper on its proposal for members of the Pol.SC to serve on a full time basis and for the creation of the position of Deputy Chairman	The Commission will liaise with the Director of Personnel Administration (DPA) to request a meeting with the Chief Personnel Officer (CPO) and the Salaries Review Commission with respect to the proposal of a Position Paper for members of the Commission to serve on a full-time basis and the creation of the position of the Deputy Chairman. Following the/re-appointment/appointment of a Chairman of the Police Service Commission such Position Paper will be submitted to the

Recommendations of the Joint Select Committee <u>pages (34) to (35) of the Report</u>	Response from the Police Service Commission
	Chief Personnel Officer by 1st April, 2018. The Committee is asked to note that, a Job Evaluation Exercise for offices under the Salaries Review Commission is currently being undertaken by the Chief Personnel Officer. The Chairman and members of the Commission have completed and submitted the relevant questionnaires.
D. As it concerns the expansion of the Commission's legal team, given prevailing financial circumstances, we recommend that the Commission develop an Order of Priority for the vacant positions. Therefore, the Commission must work with the DPA with a view to incrementally recruiting persons to fill priority positions.	With respect to the Committee's recommendation that the Commission develop an Order of Priority for vacant positions in respect of the expansion of its legal team, it should be noted that the undermentioned offices were filled in August 2017:- • Senior State Counsel (3) • Legal Research Officer (1) The undermentioned office is yet to be filled:- • State Counsel II (1)
E. Given the reduced mandate of this Commission (instituted by the Constitutional Amendments of 2006) and the multiplicity of issues impacting the Commission and the resultant inefficiencies, serious consideration must be given to reassessing the value and relevance of this Commission. In this regard, it is further recommended that the Ministry of the Attorney General and Legal Affairs examine models for civilian oversight bodies in other jurisdictions with a view to developing alternative options vis-à-vis the PSC.	It is relevant to note that the recommendations of the Committee as outlined on page 34 A. of its Report (See Column A above) bears significant relevance to "the multiplicity of issues impacting the Commission and the resultant inefficiencies". After implementation of the Committee's recommendations to address the abovementioned it is expected that there will be improvement in the efficiency and effectiveness of the Police Service Commission/Secretariat. With regard to the "reassessing the value and relevance of this Commission" and that "the Ministry of the Attorney General and Legal Affairs examine models for civilian oversight bodies in other jurisdictions with a view to

Recommendations of the Joint Select Committee pages (34) to (35) of the Report	Response from the Police Service Commission
	developing alternative options vis-à-vis the PSC" the views of the Commission which were expressed at the Joint Select Committee Hearing on National Security on 20th December, 2017 in respect of the above is outlined below:- <i>"My honest opinion and the opinion of the Commission is that the Police Service Commission, the way how we are structured, that needs to be amended, in terms of giving us financial autonomy, et cetera, giving us the teeth to do what we can do. Bringing in another organization that you are going to start with a new name, I do not think that is going to make the difference. It may appease the public. It may appease the political directorate. But you are going to have to start somewhere. So I am saying why then dismantle an organization that you can improve? Because we have flaws. We have cracks, but those things can be fixed, and that is what I would want to say on that."</i>

APPENDIX 'A'

Current Composition of the Staff Service Commissions Department Police Service Commissions Secretariat

Composition of Staff	No.
Permanent officers	13
Temporary officers	6
Contract Positions	16
Total	35

Status of Positions (Contract and Established) Service Commissions Department Police Service Commissions Secretariat

POSITION	NUMBER OF POSITIONS	STATUS
Director Monitoring , Evaluation and Public Education	1	- Interviews were conducted on 28th November, 2016 - Officer assumed duty 3rd July, 2017 - Officer tendered resignation on 12th July, 2017 - Position to be re-advertised in early February, 2018
Assistant Director Monitoring & Evaluation	1	- Interviews were conducted on 12th January, 2017 - Officer assumed duty on 10th February, 2017
Financial Analyst	1	- Position was advertised in March, 2017 - Interviews was conducted on 3rd May, 2017 - No candidates were found suitable - The Chief Personnel Officer revised the Job Description and Terms of Conditions. The matter is with the HR Unit. A Note is to be prepared on the matter for Cabinet's approval.

POSITION	NUMBER OF POSITIONS	STATUS
Audit Analyst	2	- Interviews were conducted on 12th January, 2017 Officers assumed duty on 1st February, 2017
Human Resource Adviser II (established)	1	Officer assumed duty on 3rd July, 2017
Assistant Director, Public Education	1	- Interviews were conducted on 21st December 2016 Officer assumed duty on 1st February, 2017
Corporate Communications Officer	1	Vacant
Assistant Director, Research and Evaluation	1	- Interviews were conducted on 11th January, 2017 Officer assumed duty on 1st March, 2017
Senior Research Officer (established)	1	Officer assumed duty on 16th March, 2017
Statistician II (established)	1	Officer assumed duty on 4th April, 2017
Performance Evaluator	1	- Interviews were conducted on 8th March, 2017 Officer assumed duty on 3rd April, 2017
Business Operations Assistant II	1	- Interviews were conducted on 8th March, 2017 Officer assumed duty on 3rd April, 2017
Business Operations Assistant I	9	Officers assumed duty on the following dates: 9th May, 2017 (5) 10th May, 2017 (2) 22nd May, 2017 (1) 3rd July, 2017 (1)
Transcription Specialist	2	- Interview were conducted on 8th March, 2017 Officers assumed duties on 3rd April, 2017 - One officer tendered resignation on 15th November 2017

POSITION	NUMBER OF POSITIONS	STATUS
		The other vacant position will be advertised in early February, 2018
Senior State Counsel	3	Officers assumed duty on 2nd August, 2017 and 21st August, 2017 respectively
State Counsel II	1	Vacant
Legal Research Officer	1	Officer assumed duty on 14th August, 2017

