

**Report of the Public Service Commission
on the Recommendations/Comments contained in Seventh (7th) Report of the Joint
Select Committee on Local Authorities, Service Commissions and Statutory
Authorities on the Inquiry into the Efficiency and Effectiveness of
the Public Service Commission**

The following is a consolidated list of recommendations proposed by the Committee with responses of the Public Service Commission (PSC):

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.*

Response:

The Vacancy Reduction program applied to specific offices within selected Ministries that Permanent Secretaries recommended to be filled. Except for the Director of Personnel Administration (DPA), Deputy DPA and Executive Directors, Human Resource Management that are specific to the Service Commissions Department, the other offices such as clerical, secretarial, accounting, manipulative are generic offices and the filling of such vacancies are therefore done for offices in all Ministries and Departments in the Public Service.

The offices of Human Resource Advisers III, II, I were created in November 2016 for the Service Commissions Department (SCD) and can also found in the other central HR agencies such as the Personnel Department and the Ministry of Public Administration and Communications (MPAC). With the transfer of the Scholarships and Advanced training Division from MPAC to the Ministry of Education, these offices can be found in that Ministry. The offices for the SCD were advertised, and examinations held. The results of the exams are to be accepted by the Examination Board and the Public Service Commission. A further assessment was expected to be completed by 31st March, 2018 but this was delayed due to the submission of representations from officers who were not selected to write the Main exams. Assessments and filling of vacancies will therefore be completed in the second quarter of 2018. The Vacancy Reduction exercise is therefore being implemented on a very small scale at this time.

The Commission recently promoted officers in the secretarial stream (Executive Secretary, Clerk Stenographer IV and Clerk Stenographer III). Promotions in the accounting stream are expected to be finalized within the next quarter.

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.

Response:

The recruitment and selection process consists of the following actions:

- Advertisement
- Screening
- Short-listing
- Selection
- Appointment

An Advertisement is issued for each office as provided for in the Commission's Regulations. Applications are invited during the period of the advertisement.

In issuing Notices of Vacancies and Advertisements, the Commission is guided by the minimum requirements of the office as stipulated in the job specifications, which are provided by the Chief Personnel Officer. The Commission is stymied by the parameters of these documents which provide for:-

1. the minimum training requirements; and
2. the minimum experience requirements; or
3. an equivalent combination of both.

Notwithstanding, all Notices of Vacancies and Advertisements state clearly the requirements of the office and gives prospective applicants a summary of the job. With respect to the recommendation that a grouping method based on levels of qualifications be utilized, during the shortlisting phase of the Commission's Recruitment and Selection process, a framework is developed for each office against which applications are separated and grouped as follows:

- Persons who satisfy the minimum requirements; and
- Persons who satisfy based on an equivalent combination of the training 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.

Response:

In 2017 the PSC filled ten (10) offices of Permanent Secretaries and fifteen (15) offices of Deputy Permanent Secretaries. These offices are generic offices in the Public Service. Nonetheless, the PSC

recognizes certain Ministries require specialized skill sets and considers as far as it is practically possible, officers' qualifications and experience in assigning PSs and Deputy PSs to Ministries.

The Commission recently decided to request from Ministries the list of duties and responsibilities for the offices of Deputy Permanent Secretaries to assist in its deliberations.

The Committee is asked to note that in February 2018 Cabinet agreed to the re-allocation of offices of Deputy Permanent Secretaries, with a review in two (2) years' time, and also a review of the number of Permanent Secretaries assigned to Ministries and Departments. This review is being undertaken by the Public Management Consulting Division of the Ministry of Public Administration and Communications.

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.

Response:

The PSC, at its meeting of 6th June 2017, promoted ten (10) Deputy PSs to the office of PS. Due to attrition through retirement the PSC will consider further promotions to this office in the year 2019 pending a completion of the review mentioned at (iii) above.

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.

Response:

Although this does not fall under the purview of the PSC, the Commission has been collaborating with the Ministry of Public Administration and Communications as well as the PS to the Prime Minister and Head of the Public Service to provide such feedback.

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.

Response:

The SCD has obtained approval in 2017 for the creation of the offices of one (1) Senior Investigator and two (2) Investigators. There are no existing Investigators to train at this time, however, the Department will advertise the offices within the second quarter of 2018 to fill the vacancies. The new officers will have to be trained.

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.*

Response:

A Senior State Counsel will be assigned to the Complaints Unit during the second quarter.

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.*

Response:

The revised Public Service Regulations were sent to the Prime Minister, who reviewed and submitted his comments to the PSC. The PSC is considering the comments with a view to the way forward. Although the PSC is not required by law to consult with stakeholders as the Regulations guide the operations of the PSC in carrying out its mandate, the Commission will consider this recommendation of the Committee in the context of the future state of the Commission and the further review of its Regulations.

ix. *The Commission should consider receiving electronic applications in the interim period until an EDMS system can be fully implemented.*

Response:

The Commission continues to give serious consideration to online applications and is mindful that an electronic/online application system and an EDMS system are two systems that could operate independently and although they do not necessarily depend on each other, they may complement each other. The Service Commissions Department has in fact consulted with two (2) companies who provide online recruitment services and IGovTT; however, and notwithstanding the availability of funds, the following issues must be addressed before any decision is made:-

- Appropriate infrastructure (hardware as well as software);
- Review of manual processes, work flows
- Appropriate staffing

- 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.*

Response:

When the PSC meets with individual PSs, the importance of Performance Appraisal Reports is always highlighted. Also, as a member of the Board of PSs the DPA has been mandated by the PSC to underscore the significance of Performance Appraisal Reports in its decision making. . The DPA has informed the Board of the importance of these reports to the PSC in considering appointments, promotions, and disciplinary matters.

- 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.*

Response:

There are entry level offices and promotional offices in the Public Service. As such, in determining whether to advertise internal to the Public Service or within and outside the Public Service, there are various factors that the Commission considers. Some of these factors are – recommendations from PSs and Heads of Departments, the number of vacancies, newly created offices, difficulty in attracting applicants. For example, for entry level offices and where there is a dearth of qualified officers in the Public Service, the office is advertised within and outside of the Public Service. The job specification sometimes require experience in the next lower level, in such a case the candidate is sourced from within the Public Service.

Individual line managers are involved to some extent in the appointment of persons. When interviews are held, the PSC seeks the inclusion of subject matter experts who are employed with the particular Ministry or Department to assist the Selection Panels in the technical aspect of the job..

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.*
- *Identifying redundancies.*

Response:

Ministries and Departments are mandated to provide quarterly reports on the offices on their establishments and the vacancies that exist. Ministries and Departments do not currently prioritize

vacancies identified in order of need to fill. The Policy and Research Unit, in keeping with the JSC recommendation, proposes to request Ministries and Departments to begin to provide this priority information in their quarterly submissions. The identification of redundancies cannot be determined by the SCD. This is a function of the Ministry of Public Administration and Communications and the individual Ministries and Departments. However, it has been noted that there are several offices that exist on the establishments of Ministries and Departments that are not being filled.

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.

Response:

The Gold to Diamond concept resides with the Ministry of Public Administration and Communications, hence revisiting or reevaluating of the concept falls outside the purview of the PSC. Nonetheless, the Commission is of the view that it should be revisited/reevaluated in view of the changing demands of the jobs and the outdated training and experience requirements of the offices in the clerical and secretarial stream.

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.

Response:

The utilization of Regulation 13(5) was initiated on a small scale in 2017. However, in view of the judicial review brought by the Public Services Association against the Permanent Secretary, Ministry of Energy and Energy Industries, the Commission was stymied in issuing new approvals. In light of the failure of the application for judicial review, the PSC will increase in 2018 and beyond, its use of Regulation 13 (5) with careful oversight of the process by the SCD. This will enable the increased filling of vacant offices specific to Ministries and Departments and also to build capacity in those agencies. T

xv. All Tribunal members should receive training to ensure that they are equipped to address the matters that are within their purview.

Response:

A Co-Chairman of a Tribunal is an attorney at Law of not less than ten years in that capacity, who is required to possess experience in Public Administration and be over 50 years of age. The members are required to possess experience in Public Administration and also be over the age of 50.

On assumption of duties the Co-Chairman and members are briefed by the Legal Adviser and members are made aware of relevant documents such as regulations, Acts of Parliament that would guide in the performance of their duties. The Co-Chairman who is legally trained is also expected to provide guidance to the members of the Tribunal.

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.

Response:

This recommendation is certainly a way forward given the financial constraints facing the Department. There are several initiatives that are being executed as follows:

- The implementation of an Electronic Document Management and Retrieval System under the PSIP will move the Department further to a paperless environment, process reengineering and greater efficiency in Records management. This system is expected to be executed within this fiscal year.
- Vacancy Reduction Teams have been established to expedite filling of vacancies.
- The increased use of Regulation 13(5) for Ministries and Departments to conduct the Recruitment and Selection for Offices specific to their organization.
- Use of an Electronic Establishment that was developed in house
- Improved Customer Service by expediting matters for officers and the way we interact with them.
- Increased communication with public officers via SCD's outreach sessions.
- Working with PMCD to activate Institutional Realignment
- Professionalization of the SCD with the soon to be filled offices of Human Resource Advisers I, II and III.

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.

Response:

The review of the Public Service Commission Regulations in the context of the future state of the Commission can be considered a major reform initiative. Due consideration will be given by the Commission in engaging key authoritative stakeholders.

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.

Response:

The PSC is in agreement with this recommendation that Commissioners should serve full time. This is being addressed by the current job evaluation exercise being undertaken by the Personnel Department.

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.

Response:

As stated at xix above, the PSC agrees in principle that the Commissioners should operate on a full time basis; however, the Commission is not in a position at this time to outline the legislative and administrative adjustments necessary for the implementation of this recommendation in view of the job evaluation exercise being undertaken.

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.

Response:

In ensuring fairness and transparency in the appointment and promotion of public officers, advertisements on behalf of the Public Service Commission invite all suitably qualified persons to submit applications for advertised positions. This does not exclude differently abled persons. Once applicants meet the minimum requirements of the office they are assessed to determine their suitability for the office utilizing a competency based assessment. The Commission's regulations do not allow it to single out any particular category of citizens to be specifically employed.

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.

Response:

This can occur providing the Central agencies are not as fragmented as they are now. The single framework would require discussions with the CPO, DPA and PS, Ministry of Public Administration and Communications. The Minister of Public Administration and Communications normally chairs a committee called the Strategic Human Resource Management Council (SHRM) where all the central HR agencies come together under one umbrella to, in essence, develop a single framework.

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.

Response:

Performance management system does not fall under the purview of the Public Service Commission but the Chief Personnel Officer. However, the tool used contains a section for the identification of strengths and weaknesses of employees. There is also a quarterly report system which is designed to record performance over a period of time and to provide continuous feedback to employees.

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.

Response:

This does not fall under the purview of the PSC but the Ministry of Public Administration and Communications.

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.

Response:

Given the fragmented HR function in the Public Service, this does not fall under the purview of the Public Service Commission but the Ministry of Public Administration and Communications. It might be more apt for that Ministry to address this issue at the meetings of the SHRM Council.

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.*

Response:

When drafting policy the Public Service Commission (PSC) draws on support from the Policy and Research Unit (PRU) of the Service Commissions Department (SCD). The PRU engages in rigorous research and data analysis, as necessary, and provides position papers for the consideration of the PSC. In preparing the position papers, the PRU reviews and assesses the scholarly literature available on the policy issue under consideration, to determine best practices, and consults with other key government Human Resource agencies, where appropriate.

The recommendation to partner with academic and research institutions is one that can be explored with a view to determining proper protocols and cost implications of any such arrangement .

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.*

Response:

A proposal has been put forward for the use of LinkedIn and Twitter in addition to the re-engineering of the SCD's website which will facilitate better interaction and display of information. The new website template should be completed within the next quarter. The proposal for implementation of LinkedIn and Twitter has been approved by the DPA and consented to go forward to the various Commissions for their consideration.