

Statutory Authorities Service Commission's
Responses to

Eighth 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
Statutory Authority Service Commission (SASC)

The Statutory Authorities Service Commission is pleased to be a part of the discussions in respect of the 'Efficiency and Effectiveness of the Statutory Authorities Service Commission (SASC).

Composition of the Commission

The term of office of the Commission which met with the Joint Select Committee of Parliament (JSC) in March 2017 ended on May 2017. A new Commission was appointed to serve for a period of two (2) years from May 19, 2017 comprising of the following members:-

Mr. Christopher Thomas	-	Chairman
Mr. Kenneth Parker	-	Deputy Chairman
Ms. Irma Burkett	-	Member
Mrs. Dulcie Ojar-Maharaj	-	Member
Ms. Catherine Dookie	-	Member

The Commission appreciates the recommendations proposed by the JSC in respect of short term (3 – 6 months) and the medium term (7 – 12 months). The Commission wishes to advise that it has already commenced action on some of those recommendations. The Commission also observed that certain recommendations require it to have consultations with other entities. As such, to respond to those recommendations in this reply would be preempting any discussions the Commission would have with the named agencies. In light of the foregoing, the Commission, while cognizant of the timeframes placed by the JSC for treating with the recommendations, would be responding to the recommendations in two (2) parts as follows:-

- I. recommendations on which action has been taken by the Commission
- II. recommendations that require consultation with other agencies.

In this regard, with respect to the first set of recommendations, the Commission would outline the measures that were taken, the current status and further actions to be taken if any and with respect to the recommendations where discussions are to be held with other stakeholders the

Commission would report of any consultations which have been held and its proposal for holding further discussions, an update of which would be provided to you subsequently.

I. Recommendations on which action has been taken by the Commission

i. Monthly Reports from the Children's Homes

Recommendation

With immediate effect, the Commission must seek to obtain monthly reports from the managers of Children's/Adolescent Homes under its purview in order to remain informed of the activities in these institutions.

SASC's Response

The Commission accepts the recommendation of the Committee. Within the short term a Note would be submitted to the Commission outlining the specifics of this new policy consistent with the SASC's mandate. The Commission is expected to roll out this policy by August 2018.

ii. Performance Appraisal

Recommendation

To further expedite the transmission of performance appraisal/ staff reports, the Committee strongly recommends that the various bodies under the remit of the SASC be mandated to scan and email copies of performance appraisal/staff reports, pending receipt of hard copies.

SASC's Response

The response from most of the entities based on the performance appraisal training initiative of the Commission has borne fruit. There has been a substantial increase in receipt of PARs. This can be seen by the significant increase in the approvals of acting arrangements for the year 2016-2017.

That notwithstanding, the Commission acknowledges the benefits that can be derived from this added initiative being recommended. However, before the Commission can implement this policy some infrastructural systems have to be put in place to accommodate it. For example, establishing an official email address for the SASC.

The Statutory Authorities Service Commission Department's (SASCD's) contracted IT personnel assumed office on July 9, 2018. The first task would be to assess the current system and make recommendations based on the needs of the organization one of which would be an official email address for the SASC.

The Commission expects that by the end of September 2018 this initiative could be implemented.

iii. Training

Recommendations

Given prevailing financial constraints, strategic thinking and innovation is imperative for state entities. It is recommended that the Executive Officer seek to capitalize on free training opportunities available via free online courses. The Commission may also seek to collaborate with other Service Commissions to share training and the associated costs.

SASC's Response

Online Training

Online training has not been fully explored by the SASCD due to the limited hardware capabilities and lack of the necessary learning platform to effectively deliver, monitor learners' activities and program management. However, during the last fiscal year the SASCD's IT service provider was able to access free E Learning programs hosted by iGOVTT for employees who made requests for such training. Employees' official emails were used

as a learning platform to support this course delivery. A total of four employees are currently pursuing Microsoft Office Suite online.

Collaborating with other Commissions

There are agencies within the Public Service Commission which provide training designed specifically for public officers as follows:-

- Public Service Academy - Ministry of Public Administration & Communication (MPAC)
- Service Commission Department
- Treasury Department - Ministry of Finance
- Personnel Department - Office of the Chief Personnel Officer

The training provided by these agencies are free to Ministries and Departments. The SASCD has been capitalising on these opportunities.

Sharing Costs

Sharing costs for training with other agencies is an avenue that has not been explored by the SASCD largely because training allocations have been extremely limited.

The SASCD's HR Consultant (service provider) has been providing group training as well as individual training for staff. The Table below outlined the training that the staff of the SASCD attended over the period 2017-2018.

Training Activity	Participant	Provider	Total Cost \$
Conducting Effective Performance Appraisals	Administrative Officer II (2)	Ministry of Public Administration	Nil

<i>Training Activity</i>	<i>Participant</i>	<i>Provider</i>	<i>Total Cost</i> <i>\$</i>
<i>Freedom of Information Workshop</i>	<i>All members of staff</i>	<i>Ministry of Public Administration</i>	<i>Nil</i>
<i>One man Tribunal-Discipline in the Public Sector</i>	<i>Administrative Officer II- (2)</i> <i>Administrative Assistants (3)</i>	<i>Ministry of Public Administration</i>	<i>Nil</i>
<i>Public Procurement</i>	<i>Administrative Officer II (1)</i> <i>Administrative Assistant (1)</i>	<i>Ministry of Public Administration</i>	<i>Nil</i>
<i>Preparation of Pension and Leave Records</i>	<i>Administrative Assistant (2)</i>	<i>Ministry of Public Administration</i>	<i>Nil</i>
<i>Workshop on the Cash Basis International Accounting</i>	<i>Administrative Assistant (1)</i> <i>Accounting Assistant (1)</i>	<i>Ministry of Finance</i>	<i>Nil</i>
<i>Inventory Management</i>	<i>Records Manager (1)</i>	<i>Ministry of Public Administration</i>	<i>Nil</i>
<i>Fleet Card System Workshop</i>	<i>Office Manager (1)</i>	<i>Ministry of Public Administration</i>	<i>Nil</i>
<i>Accounting Procedures for Sub Accounting Units</i>	<i>Accounting Assistant (1)</i>	<i>Ministry of Finance</i>	<i>Nil</i>

<i>Training Activity</i>	<i>Participant</i>	<i>Provider</i>	<i>Total Cost</i> <i>\$</i>
	<i>Clerk III (2)</i> <i>Clerk II (1)</i>		
<i>IHRIS Salary Administration</i>	<i>Accounting Assistant (1)</i> <i>Clerk II (1)</i>	<i>Ministry of Public Administration</i>	<i>Nil</i>
<i>Registry Procedures</i>	<i>Clerk III (1)</i> <i>Clerk I (1)</i>	<i>Ministry of Public Administration</i>	<i>Nil</i>
<i>Etiquette for Administrative Support</i>	<i>Messenger (1)</i>	<i>Ministry of Public Administration</i>	<i>Nil</i>
<i>Commission Note Writing</i>	<i>Administrative Assistant (1)</i> <i>Office Manager (1)</i> <i>Clerk III (3)</i> <i>Clerk II (1)</i>	<i>Service Provider</i>	<i>Nil</i>
<i>Online Training</i>	<i>State Counsel II</i> <i>Clerk</i> <i>Clerk Typist</i>	<i>Microsoft Office Suite - host iGOVTT</i>	<i>Nil</i>

The SASCD continues to utilize the training offered by these agencies in an effort to economically bolster its capacity.

iv. Remuneration of the Executive Officer

Recommendation

Given that the remuneration associated with the Office of Executive Director-Commission (SASC) SASC appears to be comparatively unattractive, it is recommended that the Chairman of the SASC make the necessary representations to the Ministry of Public Administration and Communications and to the Chief Personnel Officer with a view to enhancing the terms and conditions of this office.

SASC's Response

This matter is being pursued. Cabinet's approval was sought through the Minister of Finance for the position of Executive Officer (SASC) to be placed under the purview of the Salaries Review Commission. Cabinet has agreed to the Minister's recommendations. In this regard, the following activities are to be completed before this can take effect:-

- (a) the Second Schedule to the Constitution (Prescribed Matters) Act, Chap. 1:02, be amended in order to bring the office of Executive Officer, Statutory Authorities Service Commission, within the purview of the Salaries Review Commission;*
- (b) in accordance with the provisions of section 141(1) of the Constitution of the Republic of Trinidad and Tobago, the approval of the President be granted for the Salaries Review Commission to review the salary and conditions of service of the office of Executive Officer, Statutory Authorities Service Commission;*
- (c) the Attorney General and Minister of Legal Affairs cause to be prepared the necessary Order to give effect to (a) above.*

Currently, the legal Notice is being drafted for approval and then to be published. Once that is completed Cabinet Secretariat would send the recommendation to the President of the Republic of Trinidad and Tobago who would in turn forward to the Office of the Chief Personnel Officer for the consideration of the Salaries Review Commission.

The Commission would not be in a position to indicate a timeframe the completion of this exercise since the activities are now in the hands of external agencies.

v. Performance Appraisal Policy

Recommendation

The SASC should give priority to preparing a policy document on Performance Management and Performance Assessment to guide the entities under its purview. This policy should include inter alia, standards and timeframes for the preparation and submission of Performance Appraisals/Staff Reports.

SASC's Response

The non-submission of performance appraisal reports (PARs)/staff reports by Heads of Authorities has significantly improved since the Commission's training intervention as stated previously. A separate policy document is not necessarily needed to address the issue of timely submission of PARs since the SASC's Regulations details the steps that are to be taken in respect of PARs. The Regulations also sets out the consequences for failure to do one's duty which is it can result in misconduct. The Commission reminded the Authorities of these Regulations which also contributed to the improvement in receiving PARs in a timely manner.

The Commission will continue to provide guidance and training to ensure that the high standard of compliance that has been achieved is maintained.

vi. Disciplinary Action

Recommendation

The Committee recommends that the Commission initiate disciplinary action for Heads of Departments that are defaulting on their submission of PARs and staff reports.

Disciplinary action in respect of an officer's failure to perform his/her duty is outlined in the SASC's Regulations. As stated previously, the Commission has written to the Heads of Authorities pointing to the SASC's Regulations s65 which states as follows:-

65. An officer who wilfully refuses to perform his duties, or who wilfully omits to perform his duties, shall be guilty of misconduct.

This strategy has assisted the Commission in enforcing compliance with the Regulations. The Commission would continue work with the Heads of Authorities in maintaining the standards achieved.

II. Recommendations that require consultation with other agencies

i. Municipal Police

Recommendations

The Committee strongly recommends that the SASC pursue discussions with the Ministry of Rural Development and Local Government, the relevant Municipal Corporations and the Public Service Commission with a view to addressing any concerns and or inconsistencies associated with the policy adhered to for the recruitment and training of Municipal Police Officers.

SASC's Response

The Commission wishes to advise that it has in fact held and continue to hold discussions with all stakeholders in this matter. The Commission's efforts are outlined below.

Since coming into office this Commission took the first few months to conduct a preliminary assessment of the functions and operations of the Department and the Statutory Authorities. This initial evaluation pointed to several challenges such as suitable accommodation, IT, filling of vacancies including Municipal Police, Children's Home, the Zoological Society of Trinidad and Tobago as well as issues of discipline. In light of the

foregoing, the Commission wrote to the Minister of Finance (Line Minister) to apprise him of the several challenges.

Subsequently, the Commission met with the Minister of Finance to discuss some of the challenges with a view to finding solutions.

One of the major challenges that the Commission recognized was the inconsistencies in respect of the recruiting policies used by the SASC and the Public Service Commission (PSC) for the recruitment of Municipal Police. The SASC's recruitment process for Municipal Police which was started in 2015 was placed on hold, pending the recruitment of the Assistant Commissioner of Municipal Police (ACMP) whose role the Commission considered pivotal in the recruitment process of the Municipal Police.

The Commission then held discussions with ACMP and a decision was taken to meet with all stakeholders involved with Municipal Police with a view to determining a way forward in light of the existing Regulations and to ensure commonality between the SASC and the Public Service Commission. The meeting was held in August, 2017 with the following stakeholders attending.

- ❖ Deputy Permanent Secretary, Ministry of Rural Development and Local Government (MRDLG)*
- ❖ Director of Human Resource, MRDLG,*
- ❖ Director and Deputy Director, Office of Law Enforcement Policy (OLEP)*
- ❖ Ministry of National Security,*
- ❖ Assistant Commissioner Municipal Police*

Based on those discussions, it was decided to appoint a Sub-Committee with a view to finding solutions on a way forward for the recruitment and promotion of Municipal Police as well as funding for the filling of those vacancies. The sub-committee, which was chaired

by the Deputy Chairman SASC, comprised representatives from the following Ministries and Departments:-

- ❖ Ministry of Rural Development and Local Government (MRDLG)*
- ❖ Public Service Commission (PSC)*
- ❖ Personnel Department (Office of the Chief Personnel Officer) (CPO)*
- ❖ Ministry of National Security - Office of Law Enforcement Policy (OLEP)*
- ❖ Assistant Commissioner Municipal Police (ACMP)*
- ❖ Municipal Police Representatives*
- ❖ Statutory Authority Service Commission (SASC)*

The sub-committee was unable to make decisions in respect of a common recruiting policy since the recruitment criteria of The PSC and the SASC are different since it has been said that they are governed by different Regulations. As such, each recruited using different Regulations notwithstanding there are Regulations for Municipal Police. However, the sub-committee made recommendations for amendments to Legal Notice 300 of 2014 (Municipal Police Regulations 2014). The sub-committee was temporarily suspended.

In summary, the major issues stem from the formalization of the Municipal Police Regulations 2014. The SASC has to recruit in keeping with the terms and conditions outlined in the Municipal Police Regulations. The PSC on the other hand has stated that the Municipal Police Regulations 2014 do not apply to Municipal Police being recruited or recruited by that Commission. The PSC has indicated that its authority lies in the Constitution and therefore it is guided by the Regulations as outlined in Chapter 1:01 of those Regulations. As a result, Municipal Police are treated strictly as public officers by the PSC. The SASC understands that there is one Municipal Police Service and notwithstanding which agency is doing the recruitment, the criteria and process used by both Commissions should be common.

The Table below outlines the recruitment process used by each of the Commission.

SASC	PSC (process gleaned from the meetings)
• Advertisement for the position of Municipal Police Officers • 5 GCE/CXC passes including English Language	• Advertisement for the position of Municipal Police Officers • 3GCE/CXC passes including English Language
• Screening of applicants conducted at each of the 4 Municipal Corporations this process included screening of screening applications, verifying certificates, checking all the physical requirements, driver's permit. • Shortlisting based on screening of applicants	• Submit applications to the PSC • Applications are screened not applicants • Shortlisting of applications
• Examination • Shortlisting	• Examination
• Interview • Shortlisting	• Interview
• Background Investigations • Short listing • Medicals & Dangerous Drugs Tests • Psychological Test • Agility Test • Polygraph Test • Shortlisting	• Temporary appointment Municipal Police
• Appointment pending successful Training	• Background Investigations • Medicals & Dangerous Drugs Tests • Psychological Test • Training

In light of the above, the Commission felt it necessary to meet with the Minister of Rural Development and Local Government and staff to discuss its concerns. A meeting was scheduled and the SASC met with the Minister MRDLG and staff. The Commission updated its progress in the recruiting of Municipal Police for the four (4) Corporations under its purview. The SASC highlighted the inconsistencies of the recruiting practices of the two

(2) Commissions and the major issue of the difference in the requirements for the same job attracting the same pay in different Corporations. That meeting ended with no resolution in respect of unifying the recruiting process.

Notwithstanding the above, the Commission is pleased to advise that the recruitment process for Municipal Police Constables for the four Corporations under its purview is well on its way. A summary status of the recruitment activities for Municipal Police Constables by the SASC is outlined below.

-  *The position of Municipal Constable was advertised in December 2017.*
-  *A total of one thousand nine hundred and three (1,903) applicants were screened in January 2018.*
-  *One thousand two hundred and sixty-eight (1,268) candidates were successful.*
-  *Examination for the successful candidates was held simultaneously at two (2) venues one (1) in the North and one (1) in the South in March 2018.*
-  *From the 1,268 candidates who were eligible to write the exam only 1,230 made themselves available for the exam.*
-  *A total of seven hundred and sixteen (716) persons were successful.*
-  *Interviews were held during the period May/June 2018 and four hundred and ninety- three (493) were successful.*
-  *Background investigations were conducted for 140 candidates during the period June/July 2018*
-  *Medical tests and other testing commenced on July 9, 2018 and are expected to be completed within 2 weeks.*
-  *Training is due to commence on August 7, 2018 as detailed below.*

❖ **TRAINING**

The responsibility for training is shared between the OLEP and the Police Academy; the former responsible for coordination while the latter oversees the

administration of the Induction Training Programme. Having regard to the above stated function, the training for Municipal Police Constables is as follows:

❖ *Duration*

A seventeen (17) week non-residential Induction Training Programme specifically tailored for Municipal Police Constables. This programme will comprise of eight hundred and sixteen (816) contact hours

❖ *COURSE CONTENT*

The training curriculum will comprise of seven (7) courses that are divided into two (2) components. It has been designed in keeping with the role and function of the Municipal Police Constable.

<i>Component A</i>	<i>Component B</i>
<i>1) Police Procedures</i> <i>2) Municipal Laws</i> <i>3) Community Oriented Policing</i> <i>4) Criminal Law & Laws of Evidence</i> <i>5) Traffic Laws & Procedures</i> <i>6) Behavioural Sciences</i>	<i>7) Police Skills</i> <i>♣ Drill</i> <i>♣ Physical Training</i> <i>♣ Defensive Tactics</i> <i>♣ Firearms Training</i> <i>♣ Simulations</i>

❖ *APPOINTMENT*

Upon successful completion of the Induction Training Programme, trainees will be precepted as Municipal Police Constables by the Commissioner of Police and appointed by the Statutory Authorities Service Commission.

Recruitment of Municipal Police Constables, prior to the implementation of the Municipal Police Regulations (2014), was done using the same minimum criteria by both agencies. The implementation of the Municipal Police Regulations came following a Court Order. The SASC, being the named Commission in the Municipal Corporation's Act Chapter 25:04 with the responsibility for Municipal Police Regulations as outlined in s60 of that Act, was ordered by the Court to develop and formalize same. The Municipal Police Regulations having been implemented meant that the SASC had to comply with same.

ii. ICT Infrastructure

Recommendation

- a. We recommend that the Executive Officer of the Commission urgently seek the assistance of the Ministry of Public Administration and Communications to expand the ICT infrastructure of the SASC. In this regard, we further recommend that the Permanent Secretary, Ministry of Public Administration and Communications mandate the National Information and Communication Technology Company Limited (NICTCL) (iGovTT) to assist the SASC in this regard.**
- b. *The SASC must commence negotiations with the Public Management Consulting Division (PMCD) to have an appropriate Information Technology position placed on its establishment or be filled by employment contract.**

SASC's Response

The SASC wrote to the Ministry of Public Administration and Communication, Public Management Consulting Division (PMCD) to have an appropriate Information Technology

position placed on its establishment or be filled by contract employment. The PMCD conducted its investigations and recommended one IT position to service the SASCD given its size and scope. PMCD complied and made its recommendations.

In light of the above the SASCD has sought and received Cabinet's approval for the position of an IT position on Contract. The position was advertised, interviews were conducted with the assistance of the Director IT Ministry of Public Administration and Communication (MPAC). An offer was made to the preferred candidate. Background investigations have been done and the officer assumed the office on July 9, 2018.

The IT Department (MPAC) is providing technical assisting to the SASCD as it seeks to equip the SASC with a modern IT System. The SASCD has received some funding to replace some of its very old computers. MPAC has been advising on the hardware to be sourced.

The SASCD has been seeking the assistance of the iGovTT to advise and assist the Department in improving its systems. However given the JSC's recommendation the SASCD will be doing the following:-

- ❖ Our IT personnel is currently conducting an evaluation of the existing infrastructure and is also doing a needs analysis.*

This task should be completed by September 30, 2018

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- ❖ Based on that report and recommendations of the needs analysis the SASCD will be seeking a meeting with the Permanent Secretary in October 2018, to request the necessary assistance.*

In addition the SASCD is in the process of:-

- a. Purchasing 18 new computers*

Expected date of delivery July 31, 2018

b. *Recabling the office to accommodate new PBX system as well as fibre optic link.*

This is expected to be completed in August 2018

c. *The Commission is currently sourcing a host for its website which was developed by our returning IT scholar who the SASCD requested from the Ministry of Education and who is also assisting with the developing of the databases.*

It is expected that our website would be up and running by August 2018

d. *The SASC's official email is expected to be up and running by July 31, 2018*

iii. Recommendation

a. **Serious consideration be given to the efficacy of this body. Arguably, the staff and resources (as limited as they are) should be subsumed into the Public Service.**

b. ***The Committee strongly recommends that an objective internal evaluation of the SASC be conducted with the assistance of the Ministry of Public Administration and Communications, with a view to diagnosing the deficiencies within its internal systems and structures. This evaluation should also seek to determine whether the work of the Commission can be transferred indefinitely to the Public Service Commission. (Recommendations vii Short Term)**

SASC's Response

The SASC has noted the recommendations 'a.' and 'b.' and proposes to consult with the Ministry of Public Administration and Communication. The SASC will submit its view in due course.

iv. Investigations into Allegations at the Children's Homes

Recommendations

- a. **The collaboration between the SASC and CATT in respect of investigations into allegations made against employees of Children Homes under the purview of the SASC, should be formalized through the creation of a Memorandum of Understanding. The necessary amendments to the relevant laws/regulations which are required to facilitate this type of collaboration should be initiated with the assistance of the Children's Authority and the Ministry of the Attorney General and Legal Affairs.**
- b. **We recommend that the SASC develop a database comprising the names of potential investigators from respective entities to assist with expediting the process of nominating/securing an investigator.**

Response

Preliminary discussions were held with the Children's Authority of Trinidad and Tobago (CATT) looking at the possibility of using their trained investigators to conduct investigations into allegations of misconduct made against workers. During those discussions it was established that under the current legislative framework a Memorandum of Understanding cannot be pursued. Regulation 90(2) SASC Regulations has specific requirements for an investigator, legislative amendments will be needed to facilitate the use of an investigating unit. Similarly, a database comprising a list of name of investigators would not be possible under the current legislative structure.

Additionally, the Commission can hold discussions with all of the named stakeholders and make recommendations, however, an important stakeholder namely the

Union/Association would also have to be consulted in respect of recommendations 'a' and 'b' before any legislative amendments can be put to the Ministry of Attorney General and Legal Affairs.

As such, the SASC has noted the recommendations 'a.' and 'b.' and proposes to consult with the stakeholders. The SASC will submit its view in due course.