




# **On-site Examination on the Inter-American Convention Against Corruption - MESICIC**

17-19 April 2018



**Measure (a):** Adopt through the appropriate legislative or administrative procedures, a legal instrument that explicitly provides that government hiring into the Public Service is to be based on the principle of merit.

- Is there any **explicit** reference made to the principle of merit in government hiring
  - *No, there is not.*
- What criteria is taken into account in making the determination of merit for entry into the Public Service
  - *Page 8 of the document states that “The Policy on Appointments is in accordance with the Public Service Act, 1969, Part II (5). It goes on to note that applicants must meet the minimum requirements for recommended posts. These are currently being updated in conjunction with the line/affected ministries. These requirements are academic, technical and years of experience (relevant or non-relevant). In the case of contractual appointments, ministries are asked to provide justification for the post which may be the vast experience, scarcity of skills or that persons are not willing to work for Public Service salaries.*



# Hiring to the Permanent and Pensionable Establishment



## Post:

Electrician



## Post Qualifications

- Applicant must have passed the single phase Contractor's licence with two years experience in the field of electrical installation and maintenance.



# Hiring on Contract outside the Public Service

## Post

- Director of Public Works

## Post Qualifications

- Applicants must be Members of the Institution of Civil Engineers or holders of equivalent professional qualifications with a minimum of 10 years relevant experience since gaining full professional qualifications, five years of which must have been an administrative capacity in central government or a large engineering firm.



**Measure (b):** Adopt through the appropriate legislative or administrative procedures a legal instrument that provides parameters on the use of the exception of “serious inconvenience” that also include the written justification for its application


- This was explained in Page 10 in the “Out of Turn Acting Appointments Policy” which was established to fill vacancies that occurred after interviews for the public school administrators exercise.
- *For example, the PSC may have completed interviews in March, teachers and vacancies would have been identified for opening of school in August. In November or December someone resigned or opted for early retirement and someone had to be appointed to hold the post (whether the person was qualified or not) until the post was advertised and otherwise filled.*
- *There is a written policy on file to guide such cases. This policy was agreed by MPS, PSC and MOE.*



# Is the Public Service Commission Report available on line.


- *No. It was recently laid on the table of the House of Assembly this year.*





**Measure (c):** Adopt through the appropriate legislative or administrative procedures a legal instrument that provides parameters on the use of “urgent” procedural exception in the creation of new posts.


- We cannot think of any examples of this.



**Measure (c):** Adopt through the appropriate legislative or administrative procedures a legal instrument that provides parameters on the use of exception of "very exceptional circumstances" in cases where a temporary appointment is to exceed 12 months which also includes a written justification for its application.

- *The Ministry of the Public Service is actively engaged in the regularization and establishment of these persons to the Permanent and Pensionable Establishment. In the past, they were not appointed in less than 5 years, but as the Public Service grew exponentially and became the employer of choice, the appropriate recommendations for their regularization were not received in a timely manner.*






**Measure (f):** Strengthen the legal provisions regarding the Service Commissions so that these authorities have the competence to revoke or take other corrective measures when it is found that an appointment process was among other things, irregular, improper or made through a fraudulent competition.

- *If a Permanent Secretary appointed a Clerk at a salary higher than the qualifications justified, the PSC has the authority to supercede the appointment and appoint at the correct post and salary.*
- *The Public Service Commission will address further.*



**Measure (g):** Increase training programmes for those responsible for managing public service selection and staffing processes.

- *We have fortnightly meetings for the Human Resources Managers in each Agency. It is expected that they will adopt a train the trainers approach in each of their respective Ministries or Departments. These meetings began in September and continues to the present time.*
- *The presentation is then sent via Internet to all HR Managers following each training session.*



**Measure (h):** Increase training and induction programmes for those who have recently entered the Public Service so as to allow all employees to understand their duties and the functions expected of them.

- *Orientation courses are offered for graduate and non-graduate entrants separately, however, on the job training is offered when you report for duty at the respective ministry.*