

2017

MINISTRY, DEPARTMENT,
EXECUTIVE AGENCY



DELEGATION OF FUNCTIONS UNDER THE PUBLIC
SERVICE REGULATIONS, 1961 ACCOUNTABILITY
AGREEMENT

ACCOUNTABILITY AGREEMENT

AGREEMENT made this (date..... 2017) between the Public Service Commission and the PERMANENT SECRETARY, CHIEF EXECUTIVE OFFICER or HEAD OF DEPARTMENT IN MDEA in relation to the Delegation of Functions (Public Service) (Specified Ministry) Order, 2016 for MDEA, effective the (date.....):

1. **MANDATE**

This Accountability Agreement is pursuant to the Delegation of Functions (Public Service) (Specified Ministry, Department, Executive Agency) Order, 2016 and subject to Guidelines established by the Public Service Commission.

2. **FUNCTIONS DELEGATED**

Under this Agreement, the Permanent Secretary, Chief Executive or Head of Department in the MDEA is delegated functions under the Public Service Regulations, 1961, as under:

2.1 **Appointments**

All appointment activities, including;

- ii) recruitment*
- iii) first appointment*
- iv) promotion*
- v) transfer*
- vi) assignments*
 - acting*
 - deployment*
 - secondment*

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2.2 Separation

Removal and/or departure of persons from office under any of the following circumstances;

- i) for cause (misconduct, poor performance, criminal offence, etc.)*
- ii) abolition of position*
- iii) reorganization*
- iv) voluntary departure (resignation, abandonment of post, etc)*
- v) mandatory departure (upon reaching age of mandatory retirement)*

2.3 Discipline

The conduct of disciplinary procedures and the imposition of appropriate penalties for any and all infractions, including those which could lead to dismissal from public office for all public officers within the Ministry, Department, or Executive Agency.

2.4 Training

The selection of persons for training and development activities which are:

- i. conducted by the MDEA for its personnel; or*
- ii. related directly to the mandate and/or needs of the MDEA; or*
- iii. available only to public officers within the MDEA.*

The selection of persons for all other types of training will continue to be done by the Public Service Commission.

3. ACCOUNTABILITY

The Permanent Secretary, Chief Executive Officer, or Head of Department is accountable to the Governor-General, through the Public Service Commission, for the exercise of these delegated functions. The assessment of the Commission will form part of the overall Accountability of the Permanent Secretary, Chief Executive Officer or Head of Department.

The Permanent Secretary, Chief Executive Officer, or Head of Department undertakes to establish appropriate accountability mechanisms, including a Human Resource Executive Committee and a Management-employee Consultative Committee at the highest level.

3.1 Establishment of Guidelines

The Public Service Commission shall establish Guidelines consistent with the Public Service Regulations, 1961, for the Permanent Secretary, Chief Executive Officer or Head of Department (see Appendix 1); ensure that adequate training is provided to designated Ministry, Department or Executive Agency personnel; and act as a source of consultation and advice.

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3.2 Application of Guidelines

In the exercise of these delegated functions, the Permanent Secretary, Chief Executive Officer or Head of Department shall apply the Guidelines (see Appendix 1) established by the Public Service Commission.

3.3 Performance Standard

*The standard of Performance by the Permanent Secretary, Chief Executive Officer or Head of Department in specific relation to these delegated functions shall be based on the **KEY VALUES** and **BEHAVIOUR EXPECTATIONS**, and shall be assessed using the **Performance Indicators** outlined in Appendix 2 to this Agreement.*

3.4 Reporting Requirement

The Permanent Secretary, Chief Executive Officer or Head of Department shall submit to the Public Service Commission, quarterly reports against the performance indicators.

4. RECOURSE AND REDRESS

4.1 General Provision

The Permanent Secretary, Chief Executive Officer or Head of Department undertakes to ensure that all employees are aware of, and have access to, appropriate recourse and redress measures and mechanisms, as provided for in the Guidelines (Appendix 1), in relation to decisions made and actions taken with respect to these delegated functions.

4.2 Specific Provision

Employees may appeal to the Public Service Commission and ultimately, will continue to enjoy the right of appeal to the Privy Council.

5. MONITORING

5.1 General Oversight

The Public Service Commission has the responsibility for general oversight and for monitoring the performance of the Permanent Secretary, Chief Executive Officer or Head of Department in respect of these delegated functions.

5.2 Auditing & Monitoring

The Commission reserves the right to conduct periodic audits and/or undertake reviews of the activities of the Ministry, Department, or Executive Agency under these delegated functions, as under:

- i) an audit will be initiated by the Commission at the end of the first year of delegation;*
- ii) subsequent audits will be conducted at two-year intervals;*
- iii) notwithstanding the foregoing, an audit/review may be initiated at any time by the Commission, if it has reason to believe such action is warranted.*

5.3 Surveys

The Commission may initiate opinion surveys within the Ministry, Department, or Executive Agency to gauge perceptions about the exercise of the delegated functions.

COMPLIANCE

Failure to comply with the provisions of the Accountability Agreement will result in appropriate sanctions by the Public Service Commission up to and including revocation of the delegated functions either from designated personnel within the Ministry, Department, or Executive Agency or, ultimately from the Permanent Secretary, Chief Executive Officer or Head of Department.

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Chairman
Public Service Commission

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PS, CEO, HoD
Ministry, Department, Executive
Agency

