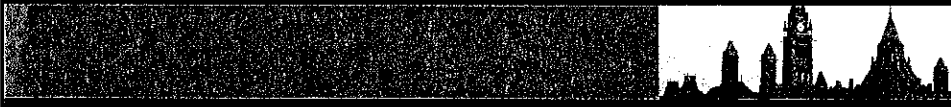


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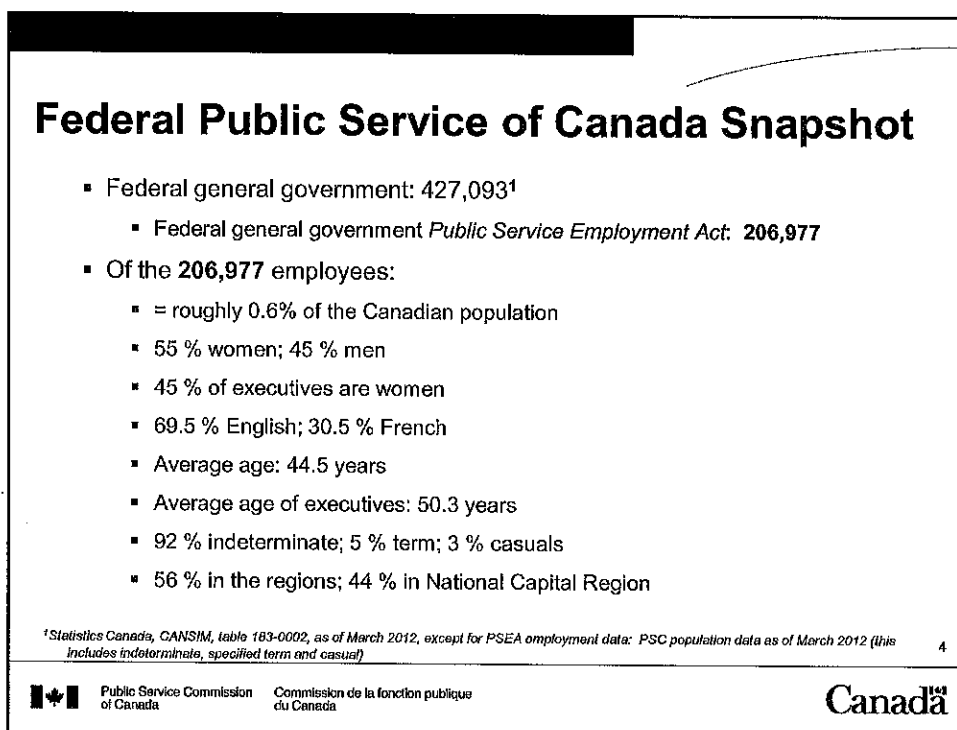
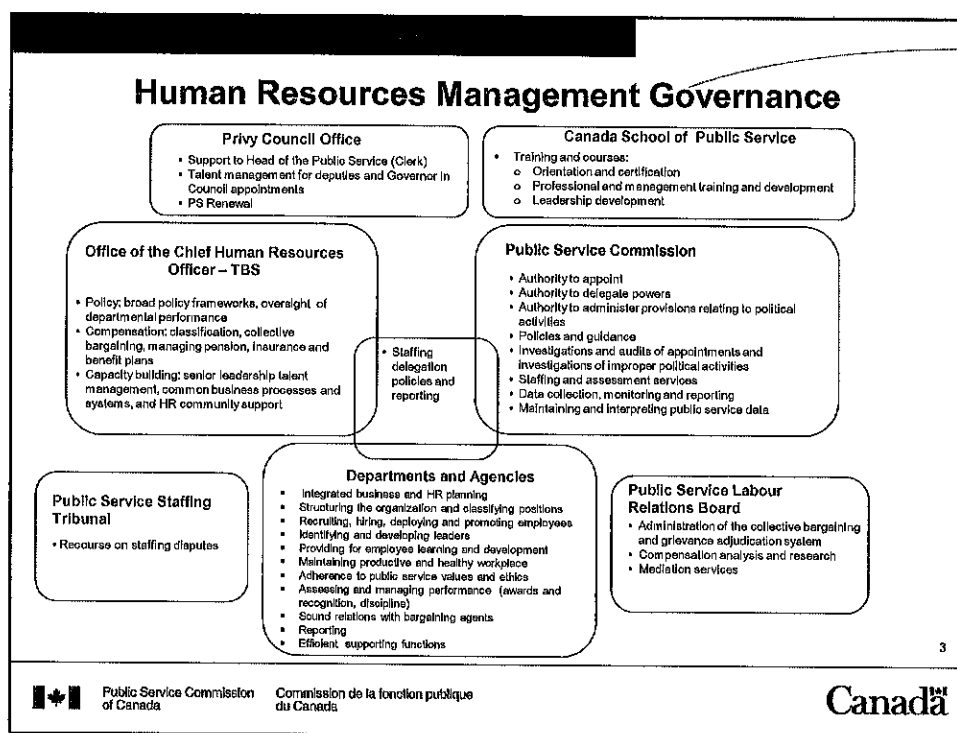
 Public Service Commission of Canada Commission de la fonction publique du Canada Updated October 2013 RDIMS # 917557 

Objective of the Presentation

To provide an overview of the role of the Public Service Commission of Canada (PSC) in protecting merit and non-partisanship in the federal public service

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The Role of the Public Service Commission

- The Public Service Commission (PSC) was created in 1908 in response to widespread political patronage and growing recognition of the need for Canada to have a professional, merit-based and non-partisan public service.
- The role of the PSC is to promote and safeguard merit-based appointments in the public service and, in collaboration with other stakeholders, protect the non-partisan nature of the public service.
- The PSC's **mandate** is set out in the *Public Service Employment Act* and is to:
 - Appoint, or provide for the appointment of, persons to or from within the public service in accordance with the Act;
 - Conduct investigations and audits in accordance with the Act; and,
 - Administer the provisions of the Act relating to political activities of employees and deputy heads.
- The PSC **reports** on its mandate to Parliament through its Annual Report.

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The History of the PSC and Human Resource Management

Prior to 1970s	1970s-2004	2005 - Present
<ul style="list-style-type: none"> • PSC made all appointments to and within the public service 	<ul style="list-style-type: none"> • Increased staffing delegation to federal departments • Prescriptive approach • Hands-on support by PSC in day-to-day operations and transactions 	<ul style="list-style-type: none"> • Staffing delegated to federal departments • Oversight of delegated model to ensure accountability • PSC support through policy, advice, enabling frameworks and information • Oversight of political activity • Hands-on support by PSC in day-to-day operations and transactions, upon request

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The 2005 *Public Service Employment Act* and its Impact on the PSC

- The current *Public Service Employment Act* (PSEA) came into full force in December 2005.
- Overall, the PSEA moved the HR system away from a prescriptive, rules-based approach and towards a values-based system that relies to a greater extent on the judgment of individuals, while ensuring that the federal public service remains both competent and politically non-partisan.
- Some of the other noteworthy features of the PSEA are:
 - A definition of merit
 - Establishment of a regime to govern political activities of employees
 - Provision for delegation of staffing authorities to deputy heads and for sub-delegation by deputy heads
 - Various oversight activities, including monitoring, investigations and audits
 - New approaches for dealing with staffing complaints, including informal discussion and the Public Service Staffing Tribunal (PSST)

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Merit

- All appointments to and from within the public service must be based on merit and be free of political influence.
- An appointment is made on the basis of merit when the Commission (PSEA, s. 30):
 - Is satisfied that the person to be appointed meets the essential qualifications for the work to be performed, as established by the deputy head, including official language proficiency; and,
 - Has regard to any additional assets and any current or future operational requirements or organizational needs identified by the deputy head.
- In addition, as a matter of PSC policy, appointment decisions are to take into account the values of access, fairness, transparency and representativeness.

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Non-Partisanship

- The PSEA establishes specific responsibilities for the PSC to safeguard a non-partisan federal public service.
- **Political influence in staffing:**
 - The PSEA ensures that appointments must be free of political influence.
 - Under the PSEA, the PSC has exclusive authority to conduct investigations into allegations of political influence in staffing.
- **Political activities by employees:**
 - Part 7 of the PSEA recognizes the right of employees to engage in political activity so long as it does not impair, or is not perceived as impairing, the employee's ability to perform his or her duties in a political impartial manner.
 - The PSC provides guidance to federal public servants regarding their legal rights and responsibilities related to political activities (candidacy and non candidacy activities).
 - The PSC renders decisions regarding permission and leave of absence without pay, if applicable, for candidacy in federal, provincial, territorial and municipal elections.
 - Under the PSEA, the PSC has exclusive authority to conduct investigations into allegations that employees or Deputy Heads have engaged into improper political activities.
 - Unlike the PSC's staffing authorities, the PSC's authorities related to political activities, including the authority to approve candidacy requests and to investigate allegations of improper political activity, cannot be delegated.

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A Highly Delegated Staffing System

PSC has exclusive authority to make appointments to and within the public service

- *Public Service Employment Act (PSEA)* gives the PSC exclusive authority to make appointments, based on merit, to and within the public service

PSC delegates most of its staffing authority to Deputy Heads

- Delegation is accomplished through each deputy head signing an Appointment Delegation and Accountability Instrument (ADAI) for their organization
- The PSEA encourages deputies to sub-delegate to the lowest level possible within their organizations with some exceptions

PSC monitors staffing in organizations

- ADAI requires deputy heads to establish their own staffing framework based on the Staffing Management and Accountability Framework (SMAF)
- SMAF provides PSC with the means to monitor staffing in organizations and to report to Parliament on the integrity of the staffing system

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Enabling Departments and Agencies

- The PSC provides a range of support and outreach to deputy heads, hiring managers, human resources advisors and employees to ensure understanding and proper application of delegated staffing authorities, and to increase organizational knowledge:
1. The PSC develops appointment and appointment-related policies, guidance and tools to assist deputy heads and their sub-delegated managers in making appointment decisions and setting up their staffing systems.
 2. The PSC offers integrated, professional staffing and assessment services, adapted to the needs of hiring managers and public service organizations:
 - **Staffing services** include e-resourcing tools for advertising and screening, student and graduate recruitment programs and collective staffing services
 - **Assessment tools and products** include second language evaluation, occupational tests, simulation exercises
 - **Executive services** include hiring, assessment and career counselling
 3. The Treasury Board of Canada Secretariat has overall responsibility for managing workforce adjustment (WFA), however, the PSC has two specific roles with respect to WFA:
 - 1) Providing policy guidance and support to organizations in selecting employees for retention or lay-off (SERLO);
 - 2) Managing priority entitlements.

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Oversight

- Given the highly delegated system, the PSC plays an independent oversight role to ensure accountability.
- The PSC has established an oversight framework that provides information on the integrity of the staffing system by systematically examining the different parts of that system. In addition to its regulatory authority and policy-setting function, this framework is comprised of three important feedback mechanisms: monitoring, audits and investigations.
- In cases where investigations are founded, the Commission may take whatever corrective action is deemed appropriate, which may include revoking an appointment.
- Through these mechanisms, the PSC supports organizations in improving their management practices and fulfills its accountability to Parliament.

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Transforming the Public Service for the Future

We want to be recognized as “a capable, confident, and high-performing workforce that embraces new ways of working and mobilizing the diversity of talent to serve the country’s evolving needs”. – Blueprint 2020 Guiding Principle

To realize this aspect of the Blueprint 2020 vision, the PSC needs to:

1. **Build on the maturing of the staffing system**
2. **Maintain the Non-Partisanship of the Public Service**
3. **Ensure the public service is equipped with the skills and tools to serve Canadians now and in the future**

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Looking Ahead: Building on Staffing System Maturity

- In a complex system where several players have related HR management authorities, it is essential that the players collaborate to ensure that the public interest and the integrity of the system are safeguarded.
- As the staffing system and capacity within delegated department and agencies matures, the PSC continues to refine how it undertakes oversight in terms of usefulness and support for departments.
- The PSC is assessing key lessons that can be learned from its oversight activities and other sources of information, such as decisions by the PSST and studies to:
 - Improve the staffing policy framework;
 - Clarify expectations;
 - Refine the services it offers; and,
 - Review its oversight approach.
- The PSC is committed to fostering strong and collaborative relations with all stakeholders, including Parliamentarians, departments, agencies and bargaining agents, so that Canadians will continue to benefit from a professional and non-partisan public service.

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Looking Ahead: Ensuring Non-Partisanship

- **Blueprint 2020 recognises that there are certain fundamental aspects of the public service that must remain unchanged, one being its "professional and non-partisan" character.**
- The clarity of the relationship between the public service and the political sphere is central to a non-partisan public service.
 - If roles and responsibilities are clearly delineated and understood, the relationship can help sustain and reinforce the non-partisan character of the public service.
- **Challenges include:**
 - Recent instances where questions were raised in the public domain regarding interactions between the public service and the political sphere were carefully noted by the PSC.
 - In an environment where new forms of communication, particularly social media, are becoming increasingly used both as personal and professional tools, these interactions incur new challenges.
- The PSC is committed to working in partnership with public service departments, agencies and employees at all levels to foster and safeguard the non-partisan nature of the public service.

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Looking Ahead: Skills Gaps

- **Drivers of the Skills-Competency Gap:**
 - Ageing population
 - Competition with private sector employers
 - Increasingly work will be in high-skilled occupations
- **Future Competency and Skills Requirements include:**
 - Media competency (ex. new media and data literacy)
 - Thinking style (ex. flexibility, creativity, decisiveness)
 - Logical analysis (ex. filtering abilities, science, technology, engineering)
 - Social and collaboration competency (ex. cross-cultural, social intelligence, team work)
- **PSC's contribution to transforming the Public Service:**
 - Targeted recruitment
 - Improved assessment for potential

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