

Public Service Commission

Annual Report 2020

The Public Service Commission- Government
of the Republic of Trinidad and Tobago

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MESSAGE FROM THE CHAIRMAN



Mr. Winston Rudder

The 2020 Annual Report of the Public Service Commission (PSC) of Trinidad and Tobago is an opportunity for reflection.

The year under review required significant adjustments on the part of the PSC and its Secretariat, the Service Commissions Department (SCD), necessitated by the COVID-19 pandemic. The unfolding impacts will continue to profoundly influence how we work in the foreseeable future. The overarching issue for the Commission and the public service is acceptance of the fact that there is no returning to the *status quo ante* and we are now operating in completely new and uncertain times.

The PSC, like other institutions and agencies, has had to adapt quickly and be creative and nimble in discharging its mandate. For example, thirty-four (34) of our forty (40) statutory meetings were held virtually. What

seemed a relatively minor adjustment was more complex than envisaged! This crisis will continue to test our policies, challenging us to modify our rules and redesign our approaches. We will need to be more flexible, innovative and responsive; continually observing and listening to those operating on the ground.

The PSC's mandate is a critical aspect of the Human Resource tenets of the public service. We operate in a context in which an effective, efficient, productive public service is accepted as fundamental for sustainable national development. More profoundly, it is said that: "*The Public Service reflects the state of the nation and no nation has been able to advance beyond its Public Service*".

This is what accelerates the need for modernizing the human resource functions and strengthening the institutional capacity of the public service to more effectively contribute to the realization of national objectives and better provide for improved and quality service delivery to citizens. This imperative existed before COVID-19, but assumes greater significance as Government and country grapple to understand and adjust to the vicissitudes of the pandemic. The PSC accepts its role in this endeavour.

In collaboration with the SCD, the Commission continues to work on improving the operational functioning of both PSC and SCD in order to enhance service delivery to its stakeholders - the public and public servants. Emphasis is on revolutionizing work processes and service

delivery systems, through wider application of technology. Thanks to digitalization, there now exist an e-recruitment module, with online application for jobs advertised in the public service and a platform for the conduct of virtual Disciplinary Tribunals to expedite disciplinary matters. While clear benefits accrue from these initiatives, they are but a mere snippet of what is possible.

Looking ahead, we must strive to more fully explore and utilize the extensive potential of the applicable digital options and technological advances to improve our ability to access talent, reduce hiring time and effectively and efficiently manage our affairs for the benefit of those dependent on our services; transforming away from the manual processes currently utilized. A critical intervention is to optimise the use of the existing, and currently underutilised, **Integrated Human Resources Information System (IhRIS)** to assist in transforming Human Resource Management practices across the public service. With this in mind, it is highly recommended that a cost-benefit analysis of **IhRIS** be undertaken as a matter of priority.

The effectiveness of the public service can also be considerably enhanced by meaningful coordination of the disparate key institutions constituting the public sector human resource management architecture. This matter has been extensively ventilated. Purposeful action is now required.

2020 was a year in transition, during which the PSC and SCD initiated a process to clarify and strengthen their functional relationships. This is a work in progress,

more of which will be elaborated in the 2021 Annual Report. The transition also extended to significant changes of personnel in both the PSC and SCD.

The PSC recognizes the selfless service of its longstanding member Ms. Parvatee Anmolsingh-Mahabir who retired as Member and Deputy Chairman on 23rd May 2020. We take the opportunity to welcome Dr. Sterling Frost, Member and Deputy Chairman who joined on 27th May 2020. We also extend best wishes for good health and a fulfilling, enjoyable retirement to Mrs. Debra Parkinson, acting Director of Personnel Administration who demitted office on 17th December 2020. Finally, welcome to Mr. Corey Harrison who replaced Mrs. Parkinson as acting DPA.

The committed engagement and support of Fellow Commissioners were critical to a successful year for the PSC, please accept profound gratitude for indulging my quirks! To the acting Director of Personnel Administration and Staff of the SCD, your contribution to enhancing the decision-making capacity of the Commission is deeply appreciated. Sincere thanks to all other stakeholders who have contributed to our progress in 2020.

As always, ours is a never ending journey along the road of continuous learning and improvement! Let us enjoy the scenery while travelling!



Winston R. Rudder
Chairman

EXECUTIVE SUMMARY

The 2020 Annual Report of the Public Service Commission (PSC) documents its performance with respect to "...its administration, the manner of the exercise of its powers, its method of functioning and when applicable, any criteria adopted by it in the exercise of its powers and functions..."

Sections 1 and 2 of the Report detail the responsibilities and functions of the Commission in accordance with Sections 120, 121, 126 and 129 of the Constitution of Trinidad and Tobago and references Legal Notice No. 105 of 2006 wherein it delegated some of its functions to Permanent Secretaries/Heads of Departments, and other senior officials of the Public Service.

Section 2 highlights that forty (40) statutory meetings were held by the Commission and that 1,238 matters were considered. Meetings were also held with key stakeholders such as the Chairs of the other Independent Service Commissions, the Permanent Secretary to Prime Minister, Permanent Secretaries, Heads of Departments, and the Executive Team of the Service Commissions Department (SCD), to advance the work of the Public Service.

It identifies the composition of the PSC and notes outgoing members as well as introduces the new Chairman, Mr. Winston R. Rudder and Deputy Chairman, Dr. Sterling Frost in 2020. The Section also highlights the role of the SCD and Director of Personnel Administration as the Commission's Secretariat and Principal Adviser.

Section 3 examines the role of Public Institutions, such as the Public Service Commission and the other Independent

Service Commissions, as key partners in this country's Transformation Agenda as articulated in the National Development Strategy-VISION 2030 and the Road Map for Trinidad and Tobago Post Covid-19 Pandemic. It acknowledges the critical role of public officers, including Permanent Secretaries and Heads of Departments in transforming the public service as it pertains to efficiency, professionalism and quality service delivery. It reinforces the responsibilities of Permanent Secretaries and Head of Departments to resource their respective Ministries and Departments with the requisite staff in accordance with delegated functions.

Section 4 emphasizes the role of the Public Service Commission as an agent of change towards "Delivering Good Governance and Service Excellence". It identifies partnering with strategic allies in public service human resource management and development as a necessary step in achieving reform of the public service.

Section 5 focuses on the outputs of the Commission in carrying out its functions such as:

- Filling vacancies via permanent appointments and promotions
- Approving: Temporary and acting appointments; requests for Secondment of Officers and Transfers
- Confirming Appointments
- Deliberating over disciplinary matters and making referrals to Disciplinary Tribunals
- Overseeing and informing the conduct of examinations and assessments for offices in the Public Service and

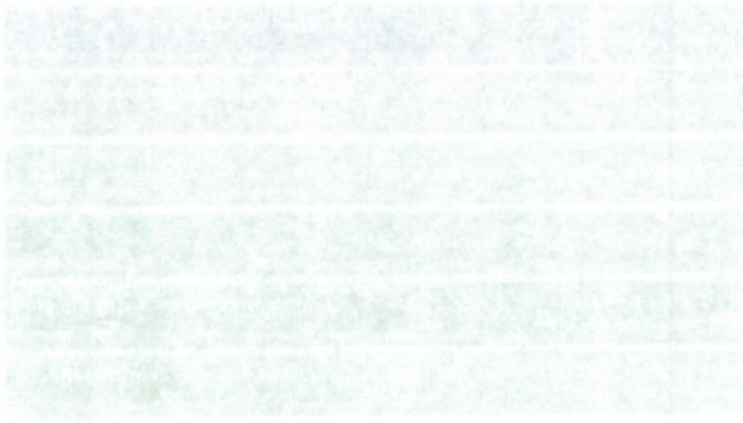
- Monitoring the exercise of Delegated Functions and making recommendations as necessary

This Section also highlights expenditure of the PSC, its financing arrangements and associated challenges.

Section 6 focuses on the Strategic Remit of the PSC and outlines imperatives for efficient functioning of the Public Service. It alludes to future plans of the Commission and a Roadmap for Human Resource Management in the Public Service.

Section 7 provides an Outlook for 2021, as well as, the PSC's strategic focus over the next six (6) years, based on the following five pillars:

- I. Data driven and Transparent
- II. A Roadmap for influencing Institutional reform
- III. A Competency Model to ensure Effectiveness and Meritocracy
- IV. An Operational Excellence programme to ensure Efficiency of functions
- V. A Communication and Public Relations strategy.



1.0. INTRODUCTION

Pursuant to Section 66B of the Constitution of the Republic of Trinidad and Tobago, Chapter 1:01 of the Revised Laws of Trinidad and Tobago, the Public Service Commission is required "... to report each year on its administration, the manner of the exercise of its powers, its method of functioning and any criteria adopted by it in the exercise of its powers and functions...". This Annual Report covers the period January 1st to December 31st, 2020.

2.0. WHO WE ARE

2.1. THE PUBLIC SERVICE COMMISSION (PSC): RESPONSIBILITIES AND FUNCTIONS

The Public Service Commission is an independent body established under Section 120 of the Constitution of the Republic of Trinidad and Tobago.

Section 121 gives the Commission the power "to appoint persons to hold or act in offices ..., including the power to make appointments on promotion and transfer and to confirm appointments, and to remove and exercise disciplinary control over persons holding or acting in such offices and to enforce standards of conduct on such officers ..."

- Permanent Appointments
- Promotions
- Temporary Appointments
- Acting Appointments
- Confirmations
- Secondments
- Transfers
- Exercise Disciplinary Control
- Delegated Authority

Figure 1: The PSC's Responsibilities

Section 126 indicates the qualifications for and tenure of office.

Section 129 empowers the Commission, by regulation or otherwise, with the consent of the Prime Minister, to regulate its own procedure. In this regard, by Legal Notice No. 105 of 2006, the Commission delegated some of its functions to Permanent Secretaries/Heads of Department, the Chief Fire Officer, the Commissioner of Prisons, the Chief Administrator, Tobago House of Assembly, and other senior officials of the Public Service. See **Appendix I**. The Commission retains all the functions of its constitutional mandate which it has not specifically delegated. The core responsibilities and functions of the PSC are reflected in **Figures 1 and 2** respectively.

- i. To fill the manpower needs of Ministries and Departments in order to ensure the discharge of various services;
- ii. To assure the public of public service neutrality by exercising their constitutional authority in respect of the control of careers in the service;
- iii. To protect public officers against acts of discrimination by politicians;
- iv. To protect public officers from other public officers;
- v. To prevent nepotism by ensuring fairness and transparency in the appointment and promotion of public officers; and
- vi. To ensure the good conduct and efficiency of public officers by exercising their constitutional authority in respect of discipline in the Public Service.

Figure 2: Functions of the Public Service Commission

The Commission conducts business mainly through its weekly statutory meetings at which it deliberates and takes decisions on matters laid before it in the form of Notes.

The records of these meetings are maintained by the Secretary to the Commission. Apart from the Commissioners, the Director of Personnel Administration (DPA), the two Deputy Directors, the Legal Adviser and an Executive Director are in attendance.

At these meetings, as required, Heads of Sections/Business Units are invited to make presentations on specific topics/projects of importance to the work and effective functioning of the Commission and/or Department. Additionally, Permanent Secretaries/Heads of Departments are requested to appear before the Commission to discuss matters pertinent to both their respective Ministry/Department and the Commission.

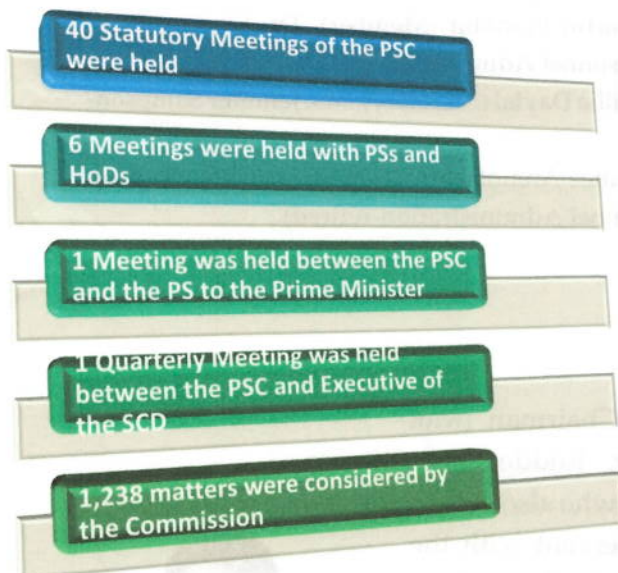


Figure 3: Meetings of the Commission

The Acting DPA manages the affairs of the SCD through an Executive Management Team (EMT), comprising two (2) Deputy Directors, four (4) Executive Directors, the Director of Corporate Services, the Legal

Adviser, the Internal Auditor and the Procurement Supervisor.

As of October 2020, the Commission initiated a regime of quarterly meetings with the EMT of the SCD. The intent is to bridge the divide and enhance the relationship between the PSC and SCD.

The arrival of the COVID-19 Pandemic in the first quarter of 2020, with its related restrictions, significantly impacted the operational functioning of the PSC and SCD, in terms of how we work, work flow delivery and levels of output. On occasion, the work of the Commission/Department was interrupted because of staff being infected by the virus. Since March 2020, the Commission's statutory meetings are being conducted via a virtual platform using Microsoft Teams. Indications are that this will continue well into 2021. Figure 3 provides a summary of meetings and number of matters dealt with by the Commission.

2.2. THE COMMISSIONERS

The current Commission comprises a Chairman, a Deputy Chairman and four (4) members appointed by the President of the Republic after consultation with the Prime Minister and Leader of the Opposition.

In the course of the year, its long standing Member, eventually Deputy Chairman, Ms. Parvatee Anmolsingh-Mahabir, retired and was replaced by Dr. Sterling Frost.



Back row (L-R): Mr. Winston Rudder (Chairman), Mr. Martin Franklin (Member), Dr. Sterling Frost (Deputy Chairman), Mr. Corey Harrison (Ag. Director of Personnel Administration).
Front row (L-R): Ms. Gwendoline Mc Laren (Member), Ms. Millie Daylal (Secretary), Ms. Jennifer Sampson-Farrell (Member).
Inset: Mr. Courtenay Braemar Williams (Member), Mrs. Parvatee Anmolsingh-Mahabir (Deputy Chair-up to 23/05/2020), Mrs. Debra Parkinson (Ag. Director of Personnel Administration-retired).

Commissioners who served over the period were:



Mr. Winston R. Rudder - Chairman (with effect from 03/02/2020). Mr. Rudder is a retired Permanent Secretary, who also served as an International Public Servant with the United Nations Food and Agriculture Organisation (FAO).



Mrs. Parvatee Anmolsingh-Mahabir - Deputy Chairman (up to 23/5/2020). Mrs. Anmolsingh-

Mahabir is a former Independent Senator (2002-2007). She also had a long distinguished career in education.



Dr. Sterling Frost - Deputy Chairman (with effect from 27/5/2020). Dr. Frost is an international management executive who has held senior positions in the financial services sector in North America, Latin America and the Caribbean region. He is currently the Group Deputy Chief Executive Officer Operations and Administration at First Citizens Bank Limited.



Mr. Martin Franklin - Member. Mr. Franklin is a retired Senior Lecturer and Head of Department at the University of the West Indies.



Mr. Courtenay Braemar Williams - Member. Mr. Williams is an Attorney-at-Law and a Certified Mediator. He is in private practice and also currently lectures at the Hugh Wooding Law School and serves as a Deputy Chairman of First Citizens Bank Limited.

Ms. Gwendoline Mc Laren - Member. Ms. Mc Laren's career in Human Resource Management spans over twenty five (25) years. She has worked in the Insurance and Retail Industries where she gained extensive experience in talent acquisition and development, culture transformation, industrial relations and other key areas of Human Resource Management.





Ms. Jennifer Sampson-Farrell - Member. Ms. Sampson-Farrell is a former Permanent Secretary whose career also included serving in positions of Research Director and Chief Technical Officer. After retirement from the Public Service, she held the position of Senior Adviser to the President of the University of Trinidad and Tobago for a six-year period.

Public Officers of the SCD who served over the period were:

Mrs. Debra Parkinson, Acting Director of Personnel Administration, Service Commissions Department (Retirement on 17/12/2020).



Mr. Corey Harrison, Acting Director of Personnel Administration, Service Commissions Department (with effect from 17/09/2020).

Ms. Millie Daylal, Secretary, Public Service Commission.



2.3. THE SECRETARIAT - SERVICE COMMISSIONS DEPARTMENT

It is noted that the only official recognition of any linkage between the Public Service Commission and the Service Commissions Department is the implication to be drawn from Section 7 (1) of the Public Service Regulations which states that:

“The Director shall ensure that Minutes of all meetings of the Commission and of all decisions arrived at under regulation 6, shall be duly recorded and kept and that the same be presented for confirmation by the Commission as soon as practicable at a subsequent meeting or by individual members on circulation thereof.”

The Director referred therein is the Director of Personnel Administration (DPA), who heads the Service Commissions Department, established to provide Secretariat and supporting services to enable the PSC and the three (3) other Independent Service Commissions to discharge their constitutional responsibilities.

As Principal Adviser to the Commission, the DPA is expected to ensure that the SCD is adequately resourced and has the capacity and capability to support the Commission in the successful realization of its goals and objectives, enabling it to:

- i. Recruit the best possible candidates for timely appointment ;
- ii. Efficiently and effectively attend to the full requirements of its mandate in respect of appointments, promotions, transfers and discipline;

- iii. Access in a timely manner all relevant data sets and information required for informed decision-making;
- iv. Monitor, and where applicable satisfy, the legitimate career goals and expectations of public officers;
- v. Receive and address all complaints and representations from public officers sent to the Commission with due dispatch;
- vi. Have adequate representation in the Courts and at the Public Service Appeal Board in respect of all matters before the said bodies;
- vii. Address with requisite speed matters of misconduct and indiscipline in order to maintain the good reputation of the Public Service and where possible, safeguard the public interest.

There are no official guidelines governing the relationship between the PSC and SCD. The nature of the arrangements is reduced to a matter of precedent and personality, inevitably leading to some dissonance in the past. This is an issue that the PSC Chairman and DPA are determined to rectify.

The incumbent Acting DPA, Mr. Corey Harrison, has been serving in this capacity since 17th September 2020 when his predecessor, Ms. Debra Parkinson, then acting DPA, proceeded on extended sick leave followed by vacation leave, prior to voluntary retirement on 17th December 2020.

3.0. THE TRANSFORMATION AGENDA

The Transformation Agenda of the Government of Trinidad and Tobago is outlined in Vision 2030 – The National Development Strategy. It highlights the suite of policies, programmes and measures to be implemented for economic recovery, prosperity and social stability. Elements of the Agenda were adjusted in The Road Map for Trinidad and Tobago Post Covid-19 Pandemic, specifically in terms of accelerating timelines, to address and mitigate the hardship inflicted by COVID-19; restart the economy and create a platform for sustained economic recovery of the country. These two national documents establish the context and framework for the functions and operations of public administration in the country.

Successful implementation of the national development thrust critically depends on a professional and efficient public service with “... competent, motivated and impartial civil servants working in a system dedicated to serving the public interest”. Not surprisingly therefore, a key aspect of the Agenda of direct relevance to the work of the Public Service Commission is the focus on institutional transformation. Evidence adduced indicates low levels of citizen satisfaction with service delivery and quality, underscoring the need for improved performance of public institutions. The imperative is to build trust and confidence and achieve meaningful results in the shortest possible time. According to Vision 2030, this demands focus “... on improving institutional oversight while modernising and incentivising good performance in public sector institutions”.

The Agenda envisages the Independent Service Commissions as essential partners in developing a suitably structured and well-staffed public service able to respond to the imperatives of national development. However, it considerably understates the significant role that Permanent Secretaries already have in the selection and appointment of public officers in their establishment. Section 2.1 of this Report referred to Public Service Commission (Delegation of Powers) Order 105 of 2006 in which, with the approval of the Prime Minister, the Commission further delegated significant powers to Permanent Secretaries to undertake acting and temporary appointments, transfers, confirmation of appointments and discipline. Generally, the performance of Permanent Secretaries has not been stellar in this sphere. This is in addition to the fact that PSC Regulations 13 (1) – (6); 16 (3); 20 (2); 24 (1); 25 (1) – (4); 27; and 28 had previously given Permanent Secretaries considerable latitude to initiate action in respect of appointments.

The need for a comprehensive review of the Public Service Human Resource Management functions and institutions, as identified, cannot be denied. However, it must be observed that matters raised in respect of the Service Commissions Department were substantively addressed in the Institutional Strengthening of the Service Commissions Department (SCD) Final Report (ISR), November 24, 2015. That Report envisioned a Future State entailing:

- **“the Commissions focusing primarily on the oversight and monitoring of delegated staffing and discipline transactions and creation of policies to ensure the merit principle, non-partisanship, staffing integrity and political impartiality**
- **SCD being primarily responsible for providing support to Ministries, Departments and Agencies (MDAs) for recruitment, staffing, and discipline and providing for support to Commissions in their oversight role of MDAs**
- **The MDAs, under the leadership of their respective Permanent Secretaries and Heads, assuming responsibility for most recruitment, staffing and discipline”**

The ISR also provided a slew of recommendations embracing: governance; policy, legislation and regulation; organization development and knowledge transfer; human resource management and development; process improvement and technology adoption. The PSC after in-depth review and analysis and discussions with the SCD recommends that the SCD prepare an updated progress report for Cabinet’s consideration and approval. In the interim, the PSC has been collaborating with the SCD in devising a strategic way forward.

Specific proposals in respect of more effective coordination across the Central Public Sector Human Resource institutions are outlined in Section 6.0 of this Report.

4.0. THE PUBLIC SERVICE COMMISSION AS AN AGENT OF CHANGE

“Delivering Good Governance and Service Excellence” is one of five (5) overarching development themes of Vision 2030. It speaks to an imperative which aligns with the mandate of the PSC. More specifically the following goals are quite relevant:

- i. **Short-Term (2016-2020):**
 - a. Modern, effective and efficient public management systems
 - b. Customer-focused service delivery
- ii. **Medium-Term (2016-2025):**
 - a. High Performing Public Institutions
- iii. **Long-Term (2016-2030)**
 - a. Strong, independent democratic institutions employing good governance principles
 - b. High quality, modern public services

The Commission accepts that good governance and service excellence are crucial to sustainable development and facilitating the achievement of a high quality of life for citizens and economic prosperity for the country. It is important that citizens have trust in the public institutions established to provide these services. They must feel confident that professionals and other public officers who run them are trustworthy. Those in leadership, by their example, must inculcate a culture in which citizens learn to respect authority and have confidence in public institutions and in economic expansion. Citizens need to be assured that institutions operate on the principles of transparency, value for money, accountability, equity, morality and integrity

as these are all imperatives for achieving social stability and economic progress.

It is acknowledged that the Public Service is fraught with many human resource management-related issues and challenges, including:

- Absence of the critical mass of personnel with the required knowledge, skills and competencies;
- Dearth of suitably talented, skilled officers to groom for senior management and leadership positions in the Public Service;
- A dysfunctional Performance Appraisal System coupled with a significant backlog of outstanding Performance Appraisal Reports;
- Outdated technology infrastructure, capacities and capabilities across the Public Service;
- Outdated Job Descriptions and Job Functions.

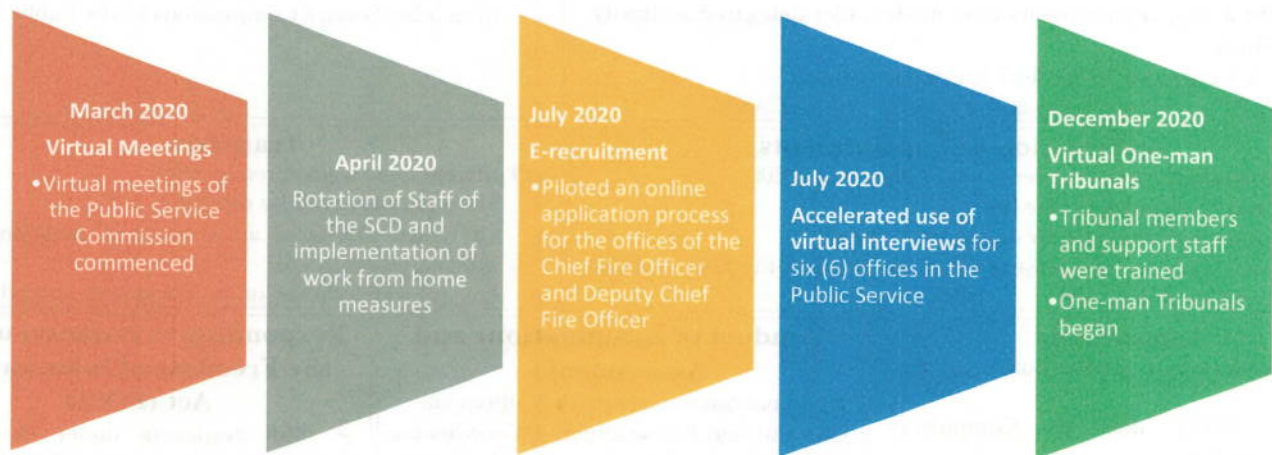
Given its mandate, the PSC, in partnership with other key strategic allies operating in the area of public service human resource management and development, is uniquely placed to be an agent of change in the public sector reform initiatives essential to improving governance, public management systems and processes, and modernizing infrastructure and operating environments.

Our suggestions with respect to effecting greater coordination among agencies in addressing these issues are highlighted in Section 6.0.

5.0. ACHIEVING OUR MANDATE

The Covid-19 Pandemic challenged the Commission to adopt measures ensuring continued service delivery to the wider public service. In addition to convening virtual meetings of the Commission, the Secretariat to the PSC, the Service Commissions Department, piloted e-recruitment and accelerated use of virtual interviews¹. *Making the necessary adjustments* allowed the Commission and the Service Commissions Department to function, albeit with limitations that existed pre pandemic.

In addition to fulfilling its functions via statutory meetings, the PSC is required to monitor its powers delegated to Permanent Secretaries and Heads of Departments, through quarterly reports submitted by the Director of Personnel Administration. Table 5.I provides a summary of the core business functions of the Public Service Commission in 2020 and takes into account the exercise of delegated authority by those entrusted with same. The sections which follow, provide further insight with respect to the Commission's outputs.



¹ Virtual interviews were held for the offices of: Photographer I, Audit Senior, Investigator, Public

Relations Officer, Assistant Secretary to the President and Medical Officer I

Table 5.I: Summary of Core Business Functions of the Public Service Commission in 2020		
<p style="text-align: center;">Filling vacancies</p> <p>1,430 vacancies were filled in 2020 as follows:</p> <ul style="list-style-type: none"> ➤ 707 via Permanent Appointments of which: <ul style="list-style-type: none"> • 18 appointments were in Tobago; • 237 were made under delegated authority by the T&T Prison Service; • 130 permanent appointments were made from interviews held during the period. ➤ 723 via Promotions of which: <ul style="list-style-type: none"> • 33 were filled in Tobago; • 41 promotions were made via interviews. 	<p style="text-align: center;">Temporary appointments</p> <p>A total of 12,001 temporary appointments were made in 2020.</p> <ul style="list-style-type: none"> ➤ 452 were approved by the PSC comprising: <ul style="list-style-type: none"> • 177 as a result of realignments in Ministries; and • 69 which were approved by way of Minutes by the Deputy Chairman. ➤ 11,549 were made under delegated authority comprising: <ul style="list-style-type: none"> • 1,550 in Tobago: 1,296 in the THA and 254 in CAST, Tobago. 	
<p style="text-align: center;">Acting appointments</p> <p>20,477 acting appointments were made in 2020.</p> <ul style="list-style-type: none"> ➤ 2,686 were approved by the PSC; ➤ 259 of which were made due to the realignment of Ministerial portfolios. ➤ 17,791 acting appointments were made under delegated authority, of which: <ul style="list-style-type: none"> • 56 were made by the T&T Prison Service and • 1,777 in Tobago: 1,316 in the THA and 461 in CAST. 	<p style="text-align: center;">Secondment</p> <ul style="list-style-type: none"> ➤ The PSC released six (6) officers for appointment on Secondment to other Service Commissions and Agencies; and ➤ The PSC appointed three (3) officers on Secondment from other Service Commissions to the Public Service. 	
<p style="text-align: center;">Confirmation of Appointments</p> <p>624 confirmation of appointments were effected in 2020:</p> <ul style="list-style-type: none"> ➤ 223 were confirmed by the PSC and ➤ 401 were confirmed under delegated authority: <ul style="list-style-type: none"> • 11 were made in Tobago: seven (7) were made by the THA and four (4) were made by CAST. 	<p style="text-align: center;">Transfers</p> <p>419 officers were transferred in 2020:</p> <ul style="list-style-type: none"> ➤ 414 were approved by the PSC: <ul style="list-style-type: none"> • Of which 379 were as a result of realignment of Ministerial portfolios. ➤ Five (5) were effected under delegated authority. 	
<p style="text-align: center;">Separations</p> <p>630 officers were separated from the Public Service:</p> <ul style="list-style-type: none"> ➤ 495 (79%) due to Compulsory Retirement ➤ 35 (6%) resigned from the Service and ➤ 22 (4%) were Voluntary Retirements. 	<p style="text-align: center;">Conduct of Examinations and Assessments</p> <p>Examinations were held for 3 offices viz Customs and Excise Officer I, Coordinator Best Village Programme and Survey Interviewer I.</p> <p>31% of candidates were deemed successful.</p>	<p style="text-align: center;">Responding to requests under the Freedom of Information Act (FOIA)</p> <ul style="list-style-type: none"> ➤ 596 requests under the FOIA were received during 2020. ➤ 397 were finalized during the period.
<p style="text-align: center;">Discipline</p> <ul style="list-style-type: none"> ➤ Disciplinary charges were preferred against 31 officers, ➤ 30 orders of interdiction issued ➤ 16 orders of suspension issued ➤ 13 officers were declared to have resigned (Abandonments). 	<p style="text-align: center;">Disciplinary Tribunals</p> <ul style="list-style-type: none"> ➤ 17 Disciplinary tribunals were appointed ➤ 17 matters were referred to three-man tribunals ➤ 12 Disciplinary tribunals completed. 	<p style="text-align: center;">High Court Action/ Court of Appeal Matters:</p> <ul style="list-style-type: none"> ➤ 17 High Court Action matters involving the PSC were filed during the period <ul style="list-style-type: none"> • 5 matters were concluded • 53 pre-action protocol matters were received.
<p style="text-align: center;">Representations from Public Officers</p> <ul style="list-style-type: none"> ➤ 43 new complaints were received, including (1) from the THA, ➤ 38 matters completed by the end of the year: <ul style="list-style-type: none"> • 29 were completed without being submitted for consideration of the PSC and • 9 submitted to the PSC: 2 completed were in favour of the applicant. 	<p style="text-align: center;">Representations from the PSA</p> <ul style="list-style-type: none"> ➤ 11 representations received ➤ 5 matters were completed: <ul style="list-style-type: none"> • 2 of these matters were received during the year and 3 from previous matters. 	<p style="text-align: center;">Interventions made by Attorneys-at-Law:</p> <ul style="list-style-type: none"> ➤ 3 matters were received ➤ 2 were concluded. <p style="text-align: center;">Interventions made by the Office of the Ombudsman:</p> <ul style="list-style-type: none"> ➤ 4 matters were received ➤ 3 matters were concluded.

5.1. CORE BUSINESS FUNCTIONS

5.1.1 Filling vacancies

In 2020, a total of 1,430 vacancies were filled in the Public Service as compared with 1,700 in 2019. **Table 5.II** and **Figures 4** and **5** provide a breakdown of vacancies filled by way of permanent appointments and promotions in the Public Service over the period 2016-2020.

	2016	2017	2018	2019	2020
Permanent Appointments (PSC)	965	240	797	276	470
Permanent Appointments (Delegated)	183	113	0	480	237
Total	1148	353	797	756	707
Promotions (PSC)	2068	1027	1091	932	723
Promotions (Delegated)	67	0	0	12	0
Total	2135	1027	1091	944	723
Total Vacancies filled	3283	1380	1888	1700	1430

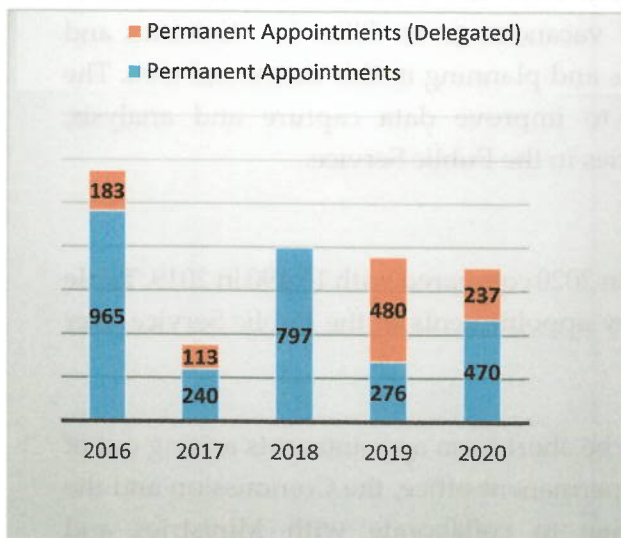


Figure 4: Permanent Appointments 2016-2020

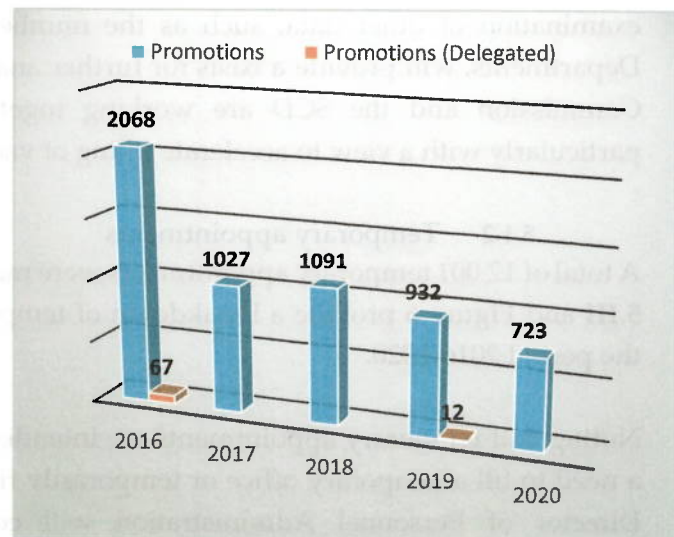


Figure 5: Promotion 2016-2020

Seven hundred and seven (707) **permanent appointments** were made across 32 Ministries and Departments: the Prison Service made the largest number of appointments under delegated authority (237), followed by 126 appointments in the Ministry of Rural Development and Local Government.

Promotions totalled 723 across 36 Ministries: with the Ministry of Finance receiving the largest number of promotions (156), followed by the Ministries of National Security (74), Education (53) and Works and Transport (50).

Sixteen (16) offices falling under the **Salary Review Commission** were filled in 2020, two (2) by way of first appointments and 14 promotions. Details on the vacancies filled in the Public Service, disaggregated by Ministry/Department, employee class, position title and Salary Range/Grade/Salaries Review Commission (SRC) for 2020, are provided in **Appendix II**.

Due to the pandemic, there was a 26.6% decline in the number of persons/officers who were interviewed and a 41.6% decline in the number of offices for which interviews were held when compared to 2019. **Appendix III** gives details.

Overall, a decline in the number of vacancies filled over the period is observed. Closer examination of other data, such as the number of vacancies to be filled in Ministries and Departments, will provide a basis for further analysis and planning in this functional area. The Commission and the SCD are working together to improve data capture and analysis, particularly with a view to accelerate filling of vacancies in the Public Service.

5.1.2 Temporary appointments

A total of 12,001 temporary appointments were made in 2020 compared with 13,490 in 2019. **Table 5.III** and **Figure 6** provide a breakdown of temporary appointments in the Public Service over the period 2016-2020.

Noting that temporary appointments are intended to be short-term appointments arising out of a need to fill a temporary office or temporarily fill a permanent office, the Commission and the Director of Personnel Administration will continue to collaborate with Ministries and Departments to determine instances where permanent appointments or promotions may be more appropriate than temporary appointments. This will require robust monitoring of data on temporary appointments (disaggregated according to the needs for temporary and for permanent offices), as well as, examination of the estimated duration of these arrangements.

	2016	2017	2018	2019	2020
Temporary Appointment (PSC)	3667	1990	1433	1239	452
Temporary Appointment (Delegated)	7519	6379	13296	12251	11549
Total Temporary Appointments	11186	8369	14729	13490	12001

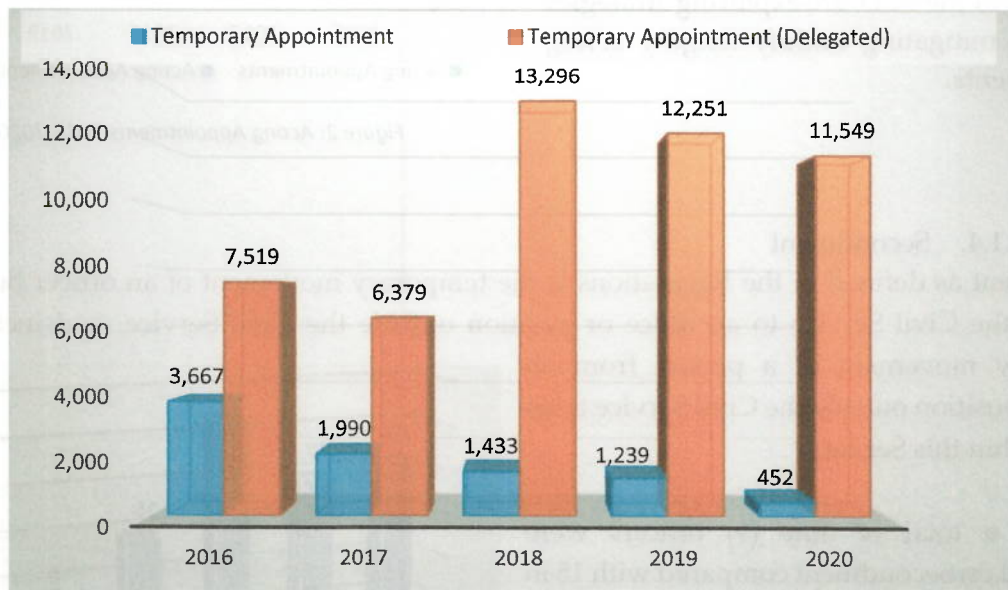


Figure 1: Temporary Appointments 2016-2020

5.1.3 Acting appointments

Acting appointments in 2020 amounted to 20,477 compared with 22,861 in 2019. **Table 5.IV** and **Figure 7** point to the number of acting appointments over the period 2016 – 2020.

	2016	2017	2018	2019	2020
Acting Appointments (PSC)	6392	4186	4308	1582	2686
Acting Appointments (Delegated)	12177	16,995	21285	21279	17791
Total Acting Appointments	18569	21181	25593	22861	20477

Acting arrangements are voluminous in nature and the Commission is aware that, whilst meant to serve as short-term measures, continue for protracted periods in some instances. On the basis that prolonged acting arrangements can impact the Public Service negatively and at times prove disadvantageous to officers in the wider public service, the Commission and the Executive of the SCD, are exploring strategies aimed at mitigating unduly lengthy acting arrangements.

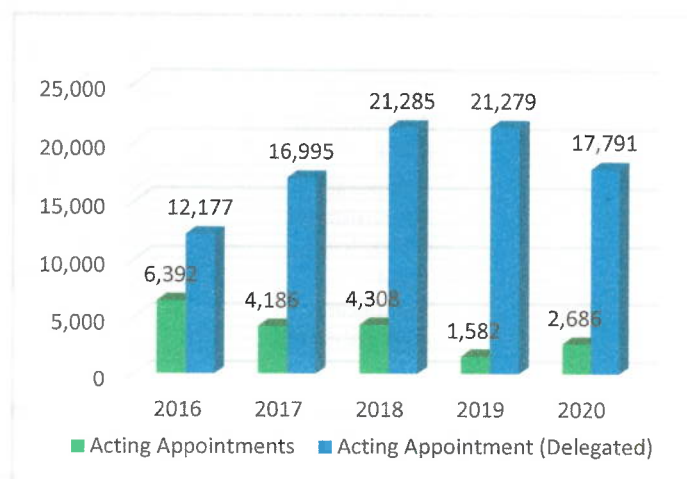


Figure 2: Acting Appointments 2016-2020

5.1.4 Secondment

Secondment as defined in the Regulations is the temporary movement of an officer holding an office in the Civil Service to an office or position outside the Civil Service, and includes the temporary movement of a person from an office or position outside the Civil Service to an office within this Service.

In 2020, a total of nine (9) officers were appointed on Secondment compared with 15 in 2019. **Figure 8** provides a comparative analysis of Secondment cases handled in the Public Service over the last five (5) years.

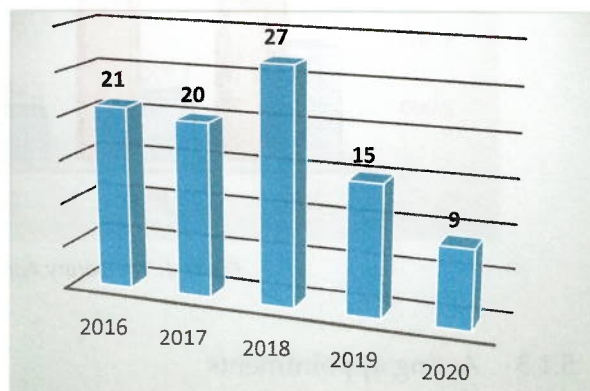


Figure 3: Secondments 2016-2020

5.1.5 Transfers

Transfers are intended to facilitate the lateral movement of officers between Ministries and Departments within the Public Service and are usually considered via a written request made by an officer or as directed by a Permanent Secretary/Head of Department. Realignment of

Ministerial Portfolios results in an adjustment to the Staff Establishment in the Public Service, transfers being one such adjustment.

Realignment of Ministerial portfolios usually accounts for the most significant numbers of transfers. This was observed in 2020, when a total of 419 transfers were effected, compared with 37 in 2019.

A comparison among the years 2016 to 2020 is shown in **Figure 9**.

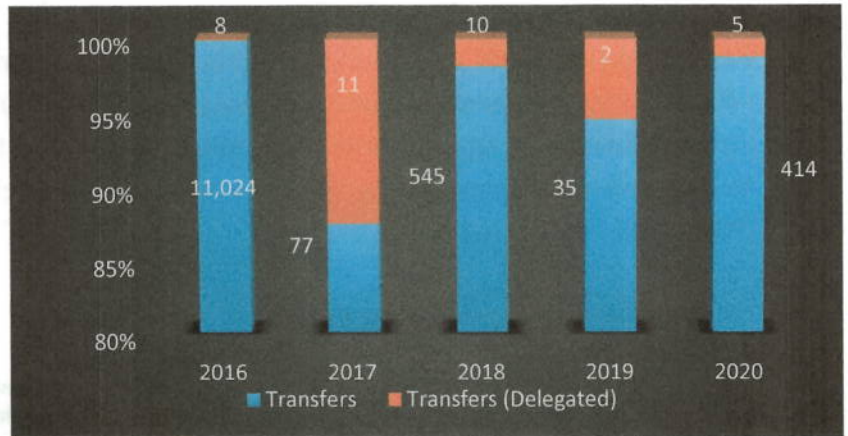


Figure 4: Transfers 2016-2020

5.1.6 Confirmation of appointments

A confirmation gives permanence to an appointment after the holder satisfies all requirements of such appointments. The responsibility to confirm appointments (up to and including Salary Range 68) was devolved to Permanent Secretaries and Heads of Departments by Legal Notice No. 105 of 24th May 2006. Appointments requiring consultation with the Prime Minister have not been delegated. All other appointments requiring confirmations are submitted to the PSC for consideration. During 2020, 624 confirmations of appointments were effected as compared with 1,018 in 2019. **Table 5.V** and **Figure 10** provide details.

Table 5.V: Confirmations 2016-2020

	2016	2017	2018	2019	2020
Confirmations (PSC)	330	407	556	263	223
Confirmations (Delegated)	229	253	253	755	401
Total Confirmations	559	660	809	1018	624



Figure 5: Confirmations 2016-2020

5.1.7 Separations

Regulations 48-51, 54 and 58 of the Public Service Commission Regulations provide for public officers to be separated or removed from offices in the Public Service by resignation, retirement and termination of appointment. Separations amounted to 630 for 2020, 79% of which was due to compulsory retirements. Table 5.VI and Figure 11 refer. The data includes statistics from the Prison and Fire Services.

Type of Separation	Total
Resignations	35
Compulsory Retirements	495
Voluntary Retirements	22
Permission to Retire	14
Deaths	38
Declared to have Resigned	13
Medical Board	9
Terminations	2
Dismissals	2
Total Separations	630

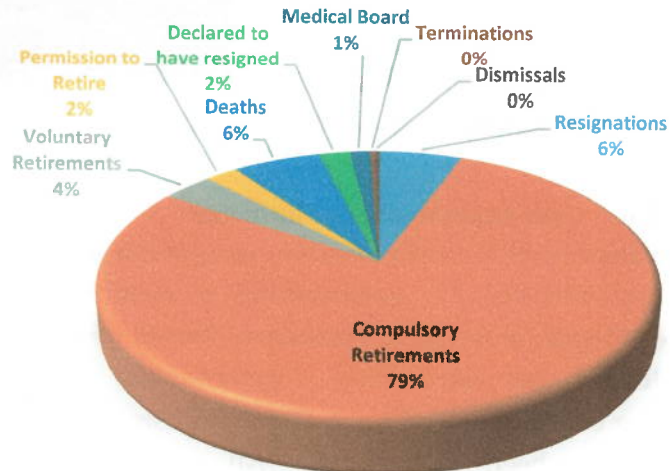


Figure 6: Separations 2016-2020

5.1.8 Discipline

One of the powers vested in the Commission under Section 121 of the Constitution, is the power to remove and exercise disciplinary control over persons holding or acting in such offices to which the Section applies, and to enforce standards of conduct on such officers. Table 5.VII outlines disciplinary actions taken against officers in 2020.

A. Orders of Interdiction and Suspension	Civil	Fire	Prison	Total
Orders of Interdiction	18	3	9	30
Orders of Suspension	9	5	2	16
Orders of Suspension lifted	4	1	1	6
B. Allegations of Misconduct and Preferment of Disciplinary Charges				
Officers who had allegations of misconduct made against them	13	1	12	26
No. of Allegations of Misconduct	25	7	21	53
No. of Disciplinary Charges Preferred	31	2	18	51
No. of Persons Disciplinary Charges were preferred against	15	1	15	31
C. Court Matters				
No. of Court Matters at the Beginning of 2020	34	22	62	118
No. of matters concluded at the end of 2020	0	12	30	42
No. of Outstanding Court Matters at the end of 2020	34	10	32	76
No. of matters discontinued/no further action	8	1	5	14
No. of Abandonments (Declared to have Resigned)	3	3	7	13

- **Disciplinary Tribunals**

In keeping with Regulation 95(1) of the Public Service Regulations, the Commission appointed seventeen (17) disciplinary tribunals to hear and find the facts on matters in 2020. Seventeen (17) matters were referred to the Disciplinary Tribunals and twelve (12) matters were completed. **Table 5.VIII** gives further details on Disciplinary Tribunal matters.

Table 5.VIII: Disciplinary Tribunal Matters for 2020				
Particulars	Civil	Fire	Prison	Total
No. of Disciplinary Tribunals appointed by the PSC to hear matters.	8	0	9	17
*No. of matters referred to Disciplinary Tribunals in 2020 ² (broken down further below)	7	0	10	17
No. of matters concluded by Disciplinary Tribunals completed during 2020	2	0	10	12
*No. of matters referred to Disciplinary Tribunals in 2020				
	Civil	Fire	Prison	Total
Three (3)-man Tribunal	6	0	9	15
One (1)-man Tribunal	1	0	1	2
TOTAL	7	0	10	17

5.1.9 Representations

This section outlines representations as follows:

1. Representations from Public Officers;
2. Representations from the Public Services Association;
3. Interventions made from Attorneys-at-law on behalf of Public Officers and
4. Interventions made by the Office of the Ombudsman.

- Representations from Public Officers

In 2020, forty-three (43) new complaints were received. During this period, thirty-eight (38) matters were completed. This represented a 25.5% decrease as compared to 2019 and was attributed to challenges faced due to Covid-19. Table 5.IX outlines the nature of the 38 matters completed in 2020.

²When the Commission prefers a disciplinary charge against an officer, a Disciplinary Tribunal is appointed simultaneously by the Commission. Before the Disciplinary Tribunal is informed of their appointment, the Public Service Commission Regulations provide that the officer charged be informed of the charge preferred and invited to state whether they admit or deny the charge. Should the officer admit to the charge, the matter is dealt with by the Commission and the appointment of the Disciplinary Tribunal is cancelled. Should the officer deny the charge, the matter is then referred to the Disciplinary Tribunal to hear the evidence and find the facts.

Table 5.IX: Nature of the Complaints/Representations Completed in 2020	
Nature of Matters Completed	No. of Matters
Non selection as a candidate for the 2020 Examination (Main) for the office of Customs and Excise Officer	7
Passed over for promotion	3
Overlooked for acting appointment	3
Request for promotion	3
Backdating of promotion	2
Requesting backdated promotion/appointment	2
Was not informed by mail or telephone of the Supplemental Examination for the office of System Analyst I	1
Victimization	1
Clarification of seniority	1
Clarification of date of appointment	1
Eligibility for acting appointment as Case Management Officer III	1
Request for payment of acting allowance as Accounting Assistant	1
Complaint against County Medical Officer	1
Allegations of misconduct	1
Objection to re-assignment	1
Outstanding acting allowance and increments	1
Wrongful termination	1
Queried the non-acceptance of application for the office of Executive Officer, Office of the Ombudsman	1
Unfair treatment at the Service Commissions Department	1
Request for acting appointment	1
Claims of being disadvantaged by the Commission and the Service Commissions Department	1
Enquiry whether the equivalency clause was applied in the screening of application	1
Status of placement of persons as Clerk I and Examiner I.	1
Queries as to why interviews have not been held for offices	1
TOTAL	38

- **Representations from the Public Service Association**

During 2020, eleven (11) representations were received from the Public Services Association (PSA). The particulars on the matters received are disaggregated in Table 5.X.

Nature of Matters Received	No. of Matters received	No. of Matters concluded
Request for confirmation	1	1
Overlooked/denial for/of acting appointment	2	1
Request to be re-interviewed	1	0
Request for appointment	3	0
Request for transfer	2	0
Unfair lateral transfer	1	0
Clarification of examination results	1	0
Overlooked for appointment	0	1
Request for appointment dates of other persons	0	1
Request for seniority list	0	1
TOTAL	11	5

- Interventions made by Attorneys-at-Law on Behalf of Public Officers/Non-Public Officers

In 2020, interventions were made by Attorneys-at-law on behalf of public officers/non-public officers. Table 5.XI gives details on the nature of the matters.

Nature of the Matters Received	No. of Matters	No. of Matters Concluded
Request for acting appointment	1	0
Request for criteria used for promotion	2	2
TOTAL	3	2

- Interventions made by the Office of the Ombudsman

The number and nature of the interventions made by the Ombudsman on behalf of Public Officers and the number of matters concluded during the period are provided in Table 5.XII.

Table 5.XII: The Number and Nature of the Interventions made by the Ombudsman on Behalf of Public Officers in 2020

Interventions made by the Ombudsman on behalf of Public Officers	No. of Matters	No. of Matters Concluded
Delay in officer's appointment	2	2
Delay in receiving request for information regarding dismissal	1	-
Request for status of temporary appointment	1	1
TOTAL	4	3

5.1.10 High Court Action/Court of Appeal Matters

In 2020, seventeen (17) High Court Action matters were filed involving the Public Service Commission. From five (5) concluded matters, one (1) matter was concluded in favour of the claimant, two (2) matters were concluded in favour of the Public Service Commission and two (2) matters were withdrawn by the Claimant.

Details on the concluded High Court Action matters and the Court of Appeal matters are attached at **Appendices IV, V and VI**. **Table 5.XIII** below summarises the number of matters either ongoing or concluded, for High Court Action matters and Court of Appeal matters for 2020.

Table 5.XIII - High Court Action /Court of Appeal Matters for 2020	
Particulars	No. of Cases
No. of High Court Action matters filed in 2020	17
No. of High Court Action matters ongoing from 2020	16
Number of High Court Action /Court of Appeal matters completed in 2020:	
<ul style="list-style-type: none"> • No. of High Court Action matters completed from those filed in 2020 • No. of High Court Action/Court of Appeal matters completed from those filed prior to 2020 	<p>1</p> <p>4</p>
Total No. of High Court Action /Court of Appeal matters completed in 2020	5

5.1.11 Responding to requests under the Freedom of Information Act

A total of five hundred and ninety-six (596) Freedom of Information (FOI) requests were received in the Department and a total of three hundred and seventy-six (376) requests were finalized by December 31, 2020. **Table 5.XIV** below provides details on the number of FOI requests received and finalized for 2020.

Table 5.XIV: Summary of FOI Requests Received in 2020

Service	Received	Finalized
Civil Service	470	310
Fire Service	30	22
Prison Service	96	44
TOTAL	596	376

5.1.12 Conduct of Examinations and Assessments

In 2020, examinations/supplemental examinations were held for a total of three (3) offices: Customs and Excise Officer I, Coordinator Best Village Programme and Survey Interviewer I. 1,672 public officers were listed to sit the various examinations. The percentage rates of successful candidates by office are detailed in **Table 5.XV**.

In 2020, eight hundred and eight (808) or 69% of the candidates failed examinations.

One candidate requested a remark of his examination script. As a result of high failure rates by persons/Public Officers, the Public Service Examinations Board will schedule

meetings with several external stakeholders in 2021 to review existing syllabi.

Table 5.XV: Offices for which Examinations were Held

Type of Examination	No. of Candidates Listed to attend Examinations	No. of Candidates Attending Examinations	No. of Successful Candidates	% of Successful Candidates
Customs and Excise Officer I - Main	1594	1123	346	30.8%
Coordinator Best Village Programme	7	6	4	66.6%
Customs and Excise Officer I - Supplemental	70	43	14	32.5%
Survey Interviewer I - Supplemental	1	1	1	100%
TOTAL	1,672	1173	365	

5.1.13. Approval of arrangements consequent to the Realignment of Ministries in the Public Service

Cabinet, by Minute No. 289 (2nd Session) dated 8th October, 2020, and with effect from 1st October, 2020:

1. Created new Ministries
2. Dis-established Ministries
3. Changed the names of Ministries
4. Changed the portfolios of Ministries; and
5. Changed the name and portfolio of Ministries.

As a result, three (3) Ministries were dis-established and twenty-one (21) Ministries were affected by the realignment. **Appendix VII** provides details.

Adjustment to the Staff Establishment in the Public Service, resulted in the transfer of permanent officers, the re-appointment of temporary officers and other officers to act in re-aligned Ministries. The Public Service Commission based on the recommendations from the respective Permanent Secretaries approved **1,503 matters** based on the following re-alignments:

- a. The transfer of permanent officers from one Ministry to the other
- b. The acting and temporary appointment of officers in the new Ministries

Appendix VIII gives a breakdown of the number of matters which were approved by the Public Service Commission in 2020 in the different functional areas due to the realignments.

5.2. MONITORING ITS POWERS DELEGATED TO MINISTRIES AND DEPARTMENTS

The Public Service Commission (Delegation of Powers) (Amendment) Order, 2006 outlines the powers delegated to Permanent Secretaries and Heads of Departments in the areas of acting appointments, transfers, further temporary appointments, confirmations and exercising disciplinary control over public officers under the One-Man Disciplinary Tribunal. Any failure to adhere to the requirements as set out in the Legal Notice No. 105 dated May 24, 2006, is regarded as non-compliance. The following sections report on the exercise of delegated functions, as follows:

- Returns received and % Compliance disaggregated by Type of Function;
- Returns received and % Compliance disaggregated by Delegates; and
- Returns received and % Compliance disaggregated by Ministry.

A. Returns received and % Compliance disaggregated by Type of Function

Of the 29,782 returns received in 2020, 25,255 matters (85%) were in compliance with the Commission's guidelines in respect of each function. 59% of returns received were for Acting Appointments with a compliance rate of 81%. Although Confirmations only accounted for 1.2% of all returns received, compliance in this functional area was 94%. Perhaps even more critically, it is observed that not only is the compliance rate for Discipline low, but so is the number of disciplinary matters identified for treatment. The implication is that Discipline is not an issue of concern in Ministries and Departments. This matter will be taken up with Permanent Secretaries and Heads of Department. **Table 5.XVI** refers.

	Temporary Appointment	Acting	Confirmation	Transfer	Discipline	Total
<i>Total matters</i>	11603	17734	406	5	34	29782
<i>In compliance</i>	10528	14345	381	1	0	25255
<i>% in compliance</i>	91%	81%	94%	20%	0%	85%

Overall compliance over the period 2017-2020 improved, ranging from 43% in 2017 to 85% in 2020. Table 5.XVII and Figure 12 refer.

Table 5.XVII: Total Returns Received and % Compliance Across Functions over the Period 2017-2020

	Total number of matters received per year	Total number of compliant matters received per year	% compliance of total matters
2017	28821	12594	43%
2018	35323	21291	60%
2019	34749	24968	72%
2020	29782	25255	85%

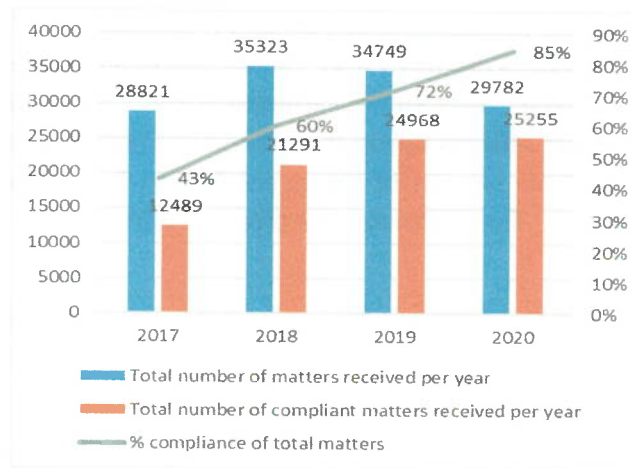


Figure 7: Returns Received and % Compliance 2017-2020

B. Returns received and % Compliance disaggregated by Delegates

Returns by the Director of Human Resources represented 58.5% of the 29,782 returns received in 2020 with a compliance rate of 84%, and while returns by the Deputy Permanent Secretary accounted for only 5.6% of overall returns received, compliance was 88.9%. Table 5.XVIII refers.

Table 5.XVIII: Total Returns Received Disaggregated by Delegates over 2020

Delegated Functions	Permanent Secretary/Head			Deputy Permanent Secretary			Director of Human Resource			Total	
	Total Returns	Compliant Returns	% Compliant	Total Returns	Compliant Returns	% Compliant	Total Returns	Compliant Returns	% Compliant	Total Returns received	Total Returns Compliant
Temporary	2361	2113	89	551	517	94	8691	7898	91	11603	10528
Acting	8087	6851	85	1126	973	86	8521	6521	77	17734	14345
Confirmation	207	189	91	0	0	-	199	192	96	406	381
Transfer	5	1	20	-	-	-	-	-	-	5	1
Discipline	34	0	0	-	-	-	-	-	-	34	0
	10694	9154		1677	1490		17411	14611		29782	25255
Compliance %	85.6%			88.9%			84%			85%	

The average compliance rate of delegates over the four-year span shows that Delegates have not exercised the Commission's delegated functions satisfactorily, as average compliance for each function was less than 80% in most cases, with the exception of Director of Human Resources in the functional area- Temporary Appointments (80%). Table 5.XIX refers.

Table 5.XIX: Average Compliance by Delegates Across Functions over the Period 2017-2020

Delegates	Temporary Appointment	Acting Appointment	Confirmation	Transfer	Discipline
Permanent Secretary	70%	56%	76%	17%	0%
Deputy Permanent Secretary	74%	61%	52%	-	-
Director of Human Resource	80%	61%	78%	-	-

C. Returns received and % Compliance disaggregated by Ministry

The average compliance across Ministries and Departments was 83% in 2020, compared with 72% in 2019. Out of 37 Ministries and Departments, the following 12 (32%) Ministries and Departments achieved less than the average compliance level of 83% in 2020:

- Judiciary- 0%
- National Security- 49%
- The Environmental Commission- 50%
- Parliament- 56%
- Registration, Recognition & Certification Board- 68%
- Social Development and Family Services- 72%
- Office of Ombudsman- 75%
- Tobago House of Assembly- 76%
- Labour and Small Enterprise Development- 79%
- Rural Development and Local Government- 79%
- Trade and Industry- 81%
- Foreign Affairs and CARICOM Affairs- 82%

Table 5.XX outlines compliance levels of Ministries over the period 2016-2020.

Table 5.XX: Overall Compliance of Ministries over the Period 2016 - 2020				
Ministry/Department	Overall Compliance Level for 4 years (%)			
	2017	2018	2019	2020
1. Agriculture, Land and Fisheries	8%	34%	47%	94%
2. Attorney General and Legal Affairs	67%	77%	68%	83%
3. Auditor General	58%	79%	88%	97%
4. Community Development, Culture and the Arts	68%	74%	84%	96%
5. Communication			70%	87%
6. Education	54%	67%	68%	87%
7. Elections and Boundaries Commission	31%	28%	84%	90%
8. Energy and Energy Industries	63%	70%	83%	93%
9. Environmental Commission	68%	13%	87%	50%
10. Finance	12%	63%	86%	92%
11. Foreign Affairs and CARICOM Affairs	40%	80%	95%	82%
12. Health	60%	80%	86%	95%
13. Housing and Urban Development	62%	79%	74%	94%
14. Industrial Court	40%	29%	67%	84%
15. Integrity Commission	15%	58%	33%	86%
16. Judiciary	17%	21%	6%	0%
17. Labour and Small Enterprise Development	18%	41%	41%	79%
18. National Security	37%	39%	30%	49%
19. Office of Ombudsman	42%	33%	72%	75%
20. Office of the Prime Minister	45%	77%	79%	93%
21. Office of the Prime Minister (Tobago Affairs/CAST)	15%	71%	75%	91%
22. Parliament	28%	58%	87%	56%
23. Personnel Department	52%	64%	65%	79%
24. Planning and Development	70%	88%	89%	92%
25. Public Administration	72%	79%	87%	90%
26. Public Utilities	33%	56%	89%	88%
27. Registration, Recognition & Certification Board	16%	78%	74%	68%
28. Rural Development and Local Government	80%	78%	90%	79%
29. Service Commissions Department	27%	79%	89%	98%
30. Social Development and Family Services	19%	15%	45%	72%
31. Sport and Youth Affairs	33%	60%	80%	100%
32. Statutory Authorities' Service Commission	49%	65%	54%	93%
33. Tax Appeal Board	20%	29%	71%	100%
34. Tobago House of Assembly	23%	68%	67%	76%
35. Tourism	40%	60%	81%	94%
36. Trade and Industry	94%	97%	94%	81%
37. Works and Transport	33%	82%	85%	93%
Average Compliance	42%	60%	72%	83%

While it is observed that compliance levels are increasing, it is important to note barriers to achieving 100% compliance. The PSC will continue to work with the Executive Management of the SCD towards optimizing utilisation and compliance of powers delegated to Permanent Secretaries and Heads of Departments. In this regard, Permanent Secretaries and Heads of Departments are being mandated to achieve an overall 90% compliance level in 2021.

It is expected that future reports will point to specific indicators of compliance that are considered most problematic and highlight efforts undertaken to address same. The 2020 Report on the Exercise of Delegated Functions points to the following recommendations to be undertaken:

1. All Delegates to be informed in writing of their performance during the period 1st January, 2020 to 31st December, 2020; and
2. Those Permanent Secretaries/Heads of Departments of the Ministries and Departments whose Delegates received a compliance rating of less than 80% be invited to discuss the performance of the respective Ministry/Department with the Commission.

5.3. FINANCING THE PSC

The operations of the PSC are funded through allocations in the annual budget of the SCD, with the DPA as the Accounting Officer. The overall SCD allocation accommodates expenditure for staffing, equipment and goods and services to enable the Department to discharge its function as Secretariat to the four Service Commissions. In addition, the PSC (as do the other Commissions) receives specific allocations to cover legal fees, payments to Commissioners et al.

As indicated in **Table 5.XXI**, the 2020 allocation to the Public Service Commission was \$1,878,000, of which \$1,240,265.13 were disbursed, only for legal fees and contracted services. This represented approximately 2% of the Service Commission Department's overall expenditure and is consistent with the expenditure pattern over the last five (5) years, ranging between 1-2%. **Tables 5.XXI, 5.XXII and 5.XXIII** and **Figure 13** refer.

Item	Sub-Item	Estimates 2020	Actual Expenses	Particulars	
003 Public Service Commission	23	Fees	1,140,000	884,155.34	Legal Fees to Senior Counsel
	28	Other Contracted Services	693,000	356,109.79	Assessment Centre Exercise to fill thirteen (13) offices of Deputy Permanent Secretary.
	62	Promotions, Publicity and Printing	35,000	0.00	Advertisements and printing of annual reports and publication of notices.
	66	Hosting of Conferences, Seminars and other Functions	10,000	0.00	-
	TOTAL	1,878,000	1,240,265.13	-	

	Actual Expenditure 2016	Actual Expenditure 2017	Actual Expenditure 2018	Actual Expenditure 2019 ³	Actual Expenditure 2020 ⁴
	(\$)	(\$)	(\$)	(\$)	(\$)
Head 06-Service Commissions Department	77,628,016	70,074,458	78,066,497	74,050,999	79,517,166
Sub-Head 003-Public Service Commission	1,087,433.42	964,241.22	1,516,375.42	720,374.79	1,240,265.13

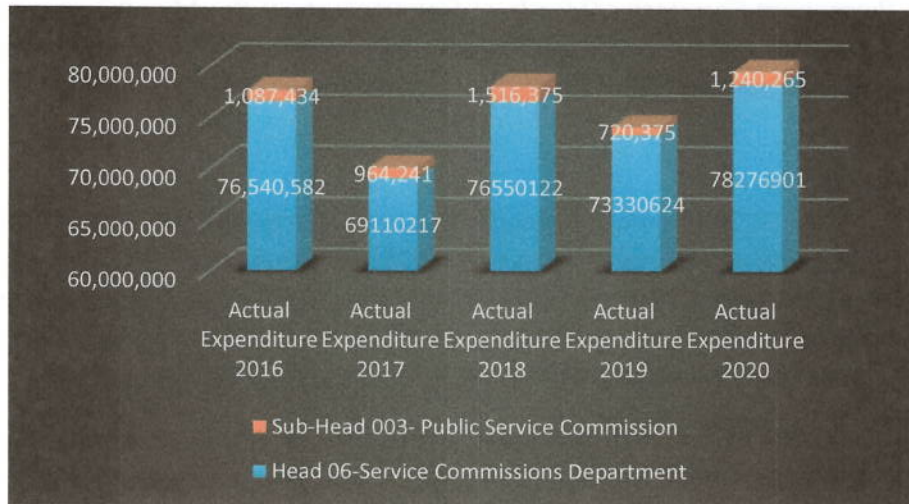


Figure 8: PSC Expenditure over the Period

Item	Sub-Item	Actual Expenditure 2016 (\$)	Actual Expenditure 2017 (\$)	Actual Expenditure 2018 (\$)	Actual Expenditure 2019 (\$)	Actual Expenditure 2020 (\$)
003 Public Service Commission	23 Fees	438,025	125,780	642,155	542,750	884,155.34
	28 Other Contracted Services	498,764.65	801,501.77	837,027.90	175,665.04	356,109.79
	62 Promotions, Publicity and Printing	63,447.16	36,959.45	37,192.52	1,959.75	0
	66 Hosting of Conferences, Seminars and other Functions	87,196.61	0	0	0	0
	TOTAL EXPENDITURE		1,087,433.42	964,241.22	1,516,375.42	720,374.79

³ Actual Expenditure 2016-2019 obtained from the Estimates of Recurrent Expenditure- Ministry of Finance

⁴ Actual Expenditure for 2020 was provided by the Accounts Department, SCD.

The constrained financial situation in recent years severely limits the scope and opportunity for the Commission undertaking retreats or any similar development activities. Additionally, the disbursement methodology is a source of uncertainty.

In order to fulfill its mandate, the PSC should have access to an appropriate level of funding and be invested with an appropriate level of control over these resources.

In the current context, the PSC, like the other Service Commissions, is somewhat removed from the budget finalization process. Budget allocation decisions are usually finalised without being discussed with the Commissions or aligned with the Commission's Strategic plans or priorities.

Consideration should be given to funding the PSC via a direct draw upon the Consolidated Fund of the amount agreed as appropriate for financing its needs. This would reduce the potential for undue influence by the Executive arm of the state, as well as the perception of such influence. It would also reinforce the constitutional imperative to ensure that independent institutions can function effectively as bulwarks of our democracy.

6.0. OUR STRATEGIC REMIT

6.1. ACCOUNTABILITY FOR INNOVATION

Section 2.1 outlines the constitutional role and responsibilities of the Public Service Commission (PSC), i.e., it speaks to WHAT HR functions are carried out by the Commission, but does not provide for the HOW in terms of people, process and technology; and what this operating model looks like futuristically. In other words, we have a constitutionally derived Mission but not a Vision for (Human Resource Management) HRM in the public service. This HOW or operating model must continuously be held under scrutiny to ensure optimal value for citizens.

This HOW, however, is inextricably coupled with the Service Commission Department (SCD), which provides the PSC as well as other Commissions with the necessary administrative and advisory services enabling them to effectively carry out their constitutional functions. As such, any strategic framing has to be done from the perspective of the SCD as they represent a centralized operating model for how the service commissions interact with all Ministries, Departments and Agencies (MDAs) in delivering HRM to the public sector. This challenge of lacking an integrated approach to HR in the Public Service compounds the existing issues for the public service outlined in the National Development Strategy (NDS) - Vision 2030; and more recently the imperative of post-COVID recovery.

There is no clear accountability for such an integrated approach, as such this sense of

accountability must be fostered by example and design. In this vein, the PSC has proposed mechanisms for an integrated and strategic approach for transforming HRM. The proposed innovations will continue to be ventilated amongst the various MDAs and wider civil society for refinement before presenting to Cabinet.

6.2. CHALLENGES

• External Analysis

Vision 2030 summarizes our main national challenges as follows:

- | | |
|---|---|
| 1. Rapid Advances in Technology | 6. Culture of Dependency and sense of Entitlement |
| 2. Food Security and Sustainability | 7. Managing a Diverse Society |
| 3. Dependence on the Energy Sector | 8. Crime and Criminality |
| 4. Weak Institutions | 9. Low productivity and Poor Work Ethic |
| 5. Climate Change and Natural Resource Management | 10. Ageing Population and Migration |

Many of the issues that plague the public service are a microcosm of, or systemically connected to the above national issues. These ten (10) issues are interlinked. These linkages embody how Public Service culture and national culture inform each other. Through the lenses of Vision 2030 the Public Service presents a leverage point for alleviating issues with the national culture and vice versa. Starting with weak institutions, the NDS speaks of unacceptable outcomes in the delivery of public services; and the need to ensure effective and efficient public service delivery; implementation of development interventions and measurement of results. This goes in tandem

with the major culture shift required to counteract 'low productivity and a poor work ethic' in the Public Service.

Dependence on the Energy Sector has also historically contributed to a national culture of dependency and a possible sense of entitlement. This has directly affected the competitiveness of manufacturing and agriculture, driving workers to rely on government jobs. While energy windfalls in the past have sustained a largely inefficient public sector, this is now becoming a major barrier to national development from three (3) perspectives:

1. The lack of quality, accessibility, responsiveness and effectiveness in public services retards national development, as these services touch all citizens and industries.
2. Good governance and strong institutions or lack thereof. According to the NDS it is crucial to build public trust and inculcate a culture in which citizens respect authority and rule of law.
3. The Public Sector is the largest employer in the country, and with public sector operations running into deficit and financial loss, this renders an overall poor national output per employee outside of the energy sector.

Moreover, we are in the midst of the Fourth Industrial Revolution (4IR) which promises unprecedented global disruption with respect to the merging of technology with social and biological systems. The socioeconomic implications are deep, broad and unpredictable. At the least we can expect an overhaul of industry and the business models, along with competencies

that comprise them. As such, a 4th perspective – Competency, is another major issue that needs to be examined across the board.

- **Internal Analysis**

1. **The PSC cannot develop a Strategic Plan that speaks only to the PSC as:**
 - a. the PSC relies on the SCD and other administrative arms to execute the HR function in the Public Sector; and
 - b. Any solutions re: capabilities of the SCD will also impact the effectiveness of the other Service Commissions.
2. **There is no centralized HR strategy aligned to Vision 2030 / Culture Transformation e.g. to:**
 - a. Nurture citizens who are more creative, innovative and entrepreneurial, beginning with investment in education;
 - b. Instill positive work ethos such as hard work and productivity;
 - c. Strengthen the oversight, accountability and the autonomy of the independent institutions;
 - d. Improve public sector institutions through performance management, modernized structures and strengthened coordination, capacity building and devolution of certain powers.
3. **There is a need to address the historical cultural aspect / divide between the Commission and the SCD / "Them vs Us".**
4. **There is no centralized and streamlined accountability for the transformation of public service.** All the various HR entities report to different MDAs.
5. **The Constitution separates duties and accountabilities,** so no one entity can lead in the overall transformation.

6. **There is No unified information system to handle the end to end life cycle of Public Servants:**

- a. To manage the life cycle of all Public Servants
- b. Harmonize all the HR functions in the Public Service
- c. Align the Commissions and MDAs involved to a single HRM vision.

6.3. STRATEGIC HRM MECHANISM

Historically, numerous proposals for reform by MDAs as well as, external consultants, have been promulgated for Public Sector reform and strengthening of the HRM architecture. However, to date most of these appear to have not been implemented and/or have been partially implemented without achieving the desired level of efficiency and effectiveness. Some attempt and progress was made to address these issues, with the National Tripartite Advisory Council (NTAC) implemented in 2016.

NTAC intended to address sustainability, innovation, culture transformation, social issues and industrial relations but did not speak to specific strategies and a roadmap for Public Sector transformation. Moreover, with the Public Sector being the largest employer in Trinidad and Tobago, these issues are inextricably linked to our national human capital problem where culture and global competitiveness are concerned. As such, national competitiveness via our labour force cannot be decoupled from Public Sector reform. Based on this current understanding, the Public Service Commission proposes the establishment of a national coordinating mechanism - the

National Strategic HRM Council (NSHRMC) as a fulcrum to transformation.

• **The National Strategic HRM Council**

A National Strategic Human Resource Management (NSHRM) Council has the potential to address the issues of **stabilization**, **harmonization** and **institutionalization** of a national human capital vision. **Stabilization** speaks to the continuity of initiatives and transformation plans over successive administrations. **Harmonization** refers to the removal of silos amongst the various institutions (private and public) which play a part in the transformation process. **Institutionalization** refers to the embedding of these mechanisms in our systems of governance across all sectors. These changes may require some level of constitutional adjustment and a considerable amount of work and time to do so. Notwithstanding, working towards the latter can occur in tandem with the immediate steps for post COVID-19 recovery.

Purpose

1. to achieve cohesion and alignment for HRM across the Public Sector;
2. to provide the strategic and policy direction for a more coordinated and effective HRM function;
3. to guide the national Human Capital strategy by prioritising and appropriately sequencing initiatives, projects and activities as guided by a defined roadmap;
4. to monitor the HRM function and strategy to ensure desired results;
5. to provide accountability and transparency of the HRM function and strategy through timely and frequent reporting; and

6. to contribute to improving T&T's competitive position as it relates to its national workforce

Governance

The key to governance is finding the optimal combination of different modes of governance. Governance should involve civil society and must balance Hierarchical (bureaucratic and centralized) and Network modes of governance. Network governance involves a complex ecosystem of interrelated parts as illustrated in Figure 14, with several nodes including but not limited to a central government, public administration, NGOs, international bodies, companies, social organizations and citizens.

6.4. SUPPORTING NATIONAL COVID-19 ROAD TO RECOVERY

The need for institutional improvement existed before COVID-19, but assumes greater significance as Government and country strive to understand and adjust to the impact of the pandemic. A brief was developed by the four Independent Service Commissions (PSC, JLSC, TSC, PoISC) and the Service Commissions Department (SCD). It was fully endorsed by the Heads of Commissions at a meeting held on Thursday May 21, 2020 to offer proposals which may be incorporated in the Road Map being formulated to direct a structured approach to the national adjustments required post COVID-19. The Heads noted three (3) areas within the scope of the Government-appointed Road Map to Recovery Committee where the Commissions and the SCD can together contribute to the realization of the intended objectives:

1. Make recommendations aimed to removing/minimizing Government bureaucracy, enhancing efficiencies in the execution of policies, projects and delivering better service;
2. Identify the elements of the enabling environment that will be required to facilitate the execution of the Road Map and determine the institutional framework that needs to be created to facilitate the country's long term survival;
3. Make recommendations for enhancing the productivity and efficiency of the public sector through the greater use of technology.

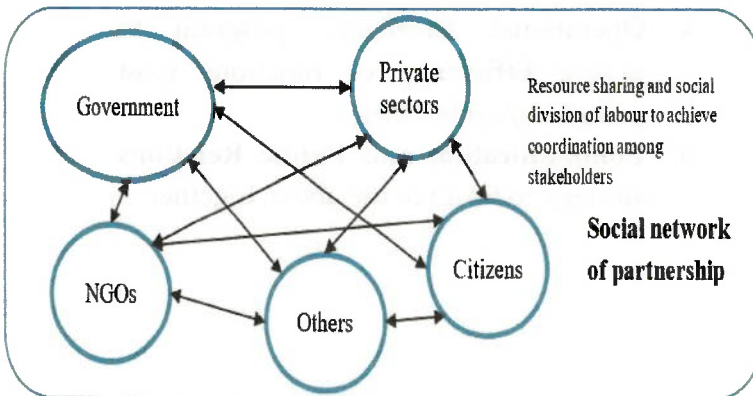


Figure 9 - Network Governance (Peng & Lan, 2018)

If done right, this mode of governance can create a synergy amongst, as well as, leverage different competences and expertise of civil society in solving complex and longitudinal problems; policy formulation; and the fostering of accountability through public monitoring and reporting. The advocacy of the latter is also articulated in Vision 2030 NDS 2016-2030 *Modernising Governance Structures*.

The proposal highlights some key initiatives identified by the Commissions and SCD which emerge to be pursued in the aftermath of COVID-19. In essence, they entail:

- i. Exploring the scope for further delegation to MDAs for staffing and discipline matters;
- ii. Improving the regulatory framework to inculcate a positive work ethic and enhance performance by instituting a merit-based system of appointments and promotions;
- iii. Strengthening monitoring and support of MDAs;
- iv. Initiating the job evaluation exercise in the public service;
- v. Wider and more judicious utilization of technology in all functions and processes of public administration.

6.5. STRATEGIC FOCUS

In balancing the long-term imperatives of a NSHRM Council and the immediate needs of the post COVID-19 Roadmap to Recovery, the PSC has implemented the Strategy Framework and Roadmap

as illustrated in Figures 15 and 16 and Table 6.I.

Five Main Strategies / Pillars (DIMEC)

1. **Data driven** and Transparent: Set up of Portals and Dash boards (would need someone to design surveys, KPIs, Dashboards, and web content);
2. Roadmap for influencing **Institutional reform** (build our philosophy and narrative around which institutions need strengthening and how to go about influencing Cabinet in a way that is transparent and takes into account Civil society);
3. Competency Model to ensure effectiveness and **Meritocracy**;
4. Operational Excellence program to ensure **Efficiency** of functions (cost reduction/cycle times);
5. **Communication and Public Relations** strategy to tie all of the above together.

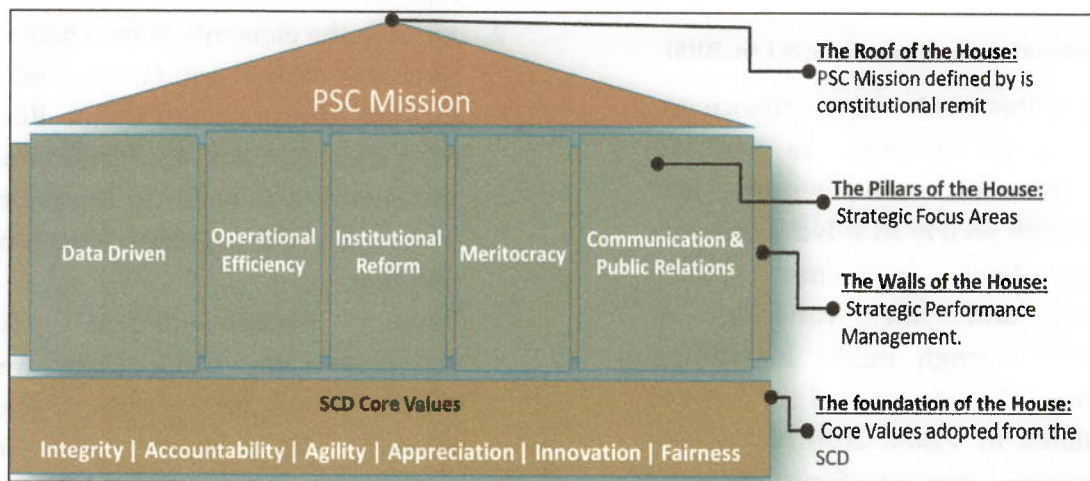


Figure 10: PSC Strategic Framework

Table 6.I: Strategic Considerations of the PSC

Strategic considerations	Pillar Alignment
<ol style="list-style-type: none"> 1. Establish measures of efficiency (how quickly are positions filled, what is the cost?) 2. Establish measures of effectiveness (are the selected employees proven to be suitable? How many get past probation? How many are deemed high performers?) 3. KPIs to be published on public dashboard 4. Operational efficiency initiatives for reducing cost and increasing cycle times Competency model to ensure effectiveness 	<p>Data Driven; Operational Efficiency;</p> <p>Communications & Public Relations</p>
<ol style="list-style-type: none"> 5. Set up a satisfaction survey for the general public to score the PSC; overall KPI to be published as well as sub KPIs for transparency, independence and efficiency; KPIs to be published on public dashboard 6. Set up a portal that disseminates info about the process, so that the public can be assured of neutrality 7. All appointments can be accessed by the public 8. Information about the process and criteria provided for all jobs 	<p>Data Driven; Operational Efficiency;</p> <p>Communications & Public Relations</p>
<ol style="list-style-type: none"> 9. Set up a voice of the employee survey that addresses discrimination, abuse, meritocracy, working conditions and employee engagement. These KPIs should be published annually with overall score as well as broken down by MDA and sub categories. 10. Set up whistle blowing and other institutions that allow workers a safe space to address concerns of interference. 11. Encourage cabinet to strengthen regulations, penalties and institutions 12. Emphasize the independence of the PSC to the public by including the feedback of civil society and keeping the public in the loop of all proposals being put forth to cabinet. This will ensure that the public does not perceive the PSC as being influenced by cabinet. 	<p>Data Driven; Operational Efficiency;</p> <p>Communications & Public Relations; Institutional Reform</p>
<ol style="list-style-type: none"> 13. Develop a competency model. This should be done by experts outside of the public service to ensure independence. 14. All candidates being recruited, promoted, transferred or separated will be done so based on competency or lack thereof 15. The framework will include behavioral, technical and leadership competencies and mechanisms and tools to verify / test employees for level of competencies. 16. Preference shouldn't be given to someone with more tenure or experience, if this tenure or experience doesn't translate to competency 	<p>Data Driven; Meritocracy</p>
<ol style="list-style-type: none"> 17. Design, ventilate and propose a Strategic HRM council and mechanisms to align to Vision 2030 18. Contribute to the national Post COVID-19 recovery roadmap 	<p>Institutional Reform; Operational Efficiency</p>

Roadmap

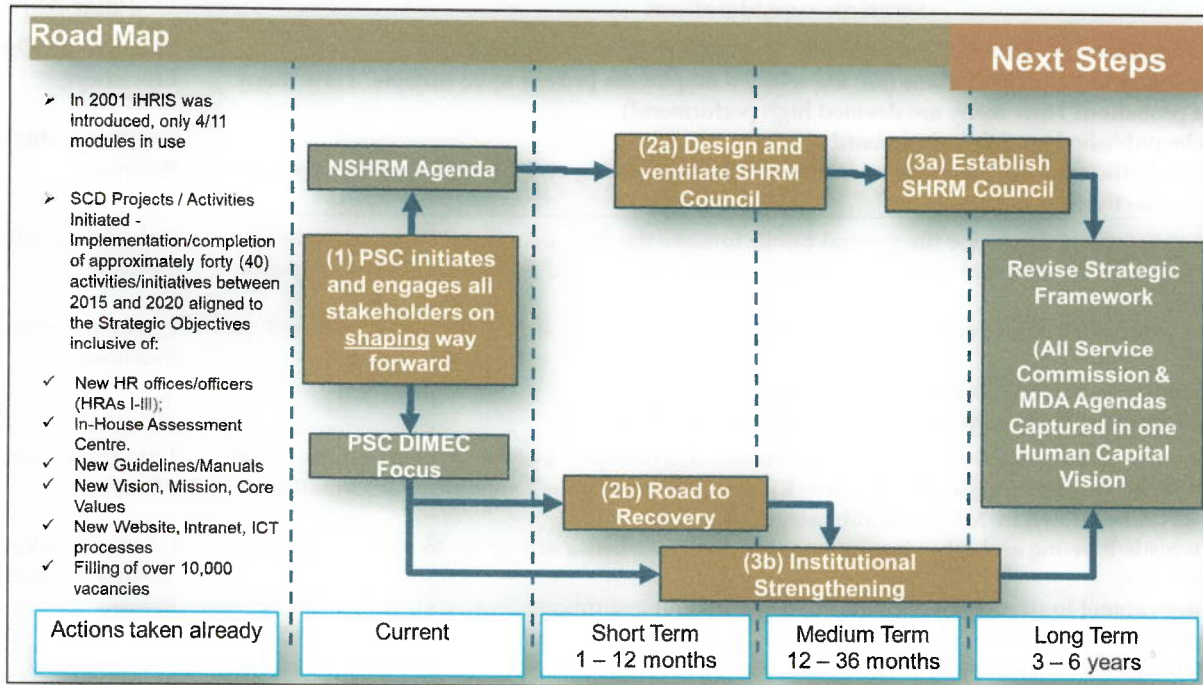


Figure 11: PSC Roadmap

7.0. OUTLOOK FOR 2021

The Road Map highlighted in Figure 16 defines the Strategic Focus of the PSC over the next six (6) years. In tandem with the SCD, the Commission will intensify efforts in 2021 to identify, prioritize and continue working on the agreed activities under the five (5) main pillars of its Strategic Focus:

1. **Data driven** and Transparent: Set up of Portals and Dash boards (would need someone to design surveys, KPIs, Dashboards, and web content);
2. Roadmap for influencing **Institutional reform** (build our philosophy and narrative around which institutions need strengthening and how to go about influencing Cabinet in a way that is

transparent and takes into account Civil society);

3. Competency Model to ensure **Effectiveness and Meritocracy**;
4. Operational Excellence program to ensure **Efficiency** of functions (cost reduction / cycle times);
5. **Communication and Public Relations** strategy to tie all of the above together.

Additionally, it is committed to strengthen alliances with partner institutions in the public sector human resource management arena to promote establishment of a coordinating mechanism, the proposed SHRM Council.

APPENDICES

APPENDIX I: Legal Notice No. 105 of 2006

APPENDIX II: Vacancies filled by the Public Service Commission in 2020

APPENDIX III: Vacancies filled in 2020 from Interviews held by the Selection Board

APPENDIX IV: High Court Action/ Court of Appeal Matters Completed against the Public Service Commission in 2020

APPENDIX V: High Court Actions Completed in favour of the Public Service Commission in 2020

APPENDIX VI: High Court Actions withdrawn by the Claimant in 2020

APPENDIX VII: Realignment of Ministries as a result of changes in portfolio

APPENDIX VIII: Matters approved by the Public Service Commission in 2020 due to realignments disaggregated by functional areas

APPENDIX I

APPENDIX I

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LEGAL NOTICE No. 105

REPUBLIC OF TRINIDAD AND TOBAGO

THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD
AND TOBAGO, CHAP. 1:01

ORDER

MADE BY THE PUBLIC SERVICE COMMISSION WITH THE APPROVAL OF
THE PRIME MINISTER PURSUANT TO SECTION 127 OF THE CONSTITUTIONTHE PUBLIC SERVICE COMMISSION (DELEGATION OF
POWERS) (AMENDMENT) ORDER, 2006

1. This Order may be cited as the Public Service Commission Citation
(Delegation of Powers) (Amendment) Order, 2006.

2. In this Order, "a reference to" "the Regulations" means, the Interpretation
Public Service Commission Regulations. G.N.132 of
1966

3. Subject to the provisions set out in the Schedule, the Public Delegation
Service Commission (hereinafter called "the Commission"), with the
approval of the Prime Minister, hereby delegates to the authorities in
the First and Second Schedules the powers specified therein in relation Schedule
to the said authorities, respectively.

4. The Public Service Commission (Delegation of Powers) Order is L.N.60, of
amended by revoking the First and Second Schedules and substituting
the following: 1999 First
and Second
Schedules
Chap. 1:01
232/1990
27/1991
103/1994

*FIRST SCHEDULE

PART I

CHAIRMAN AND DEPUTY CHAIRMAN, PUBLIC SERVICE COMMISSION

1. The Chairman and the Deputy Chairman of the Commission are hereby delegated Powers
the power to appoint persons on recruitment from outside the particular Service in the delegated
public service on a temporary basis in any public office other than the public offices, the
appointment to which is subject to consultation with the Prime Minister. Acting
appointments

2. The power delegated under paragraph 1. is in respect of the public offices specified Chap. 23:01
in the Classification of Offices set out in the First Schedule to the Civil Service Act, 1965 Chap. 35:50
the Third Schedule to the Fire Service Act, the First Schedule to the Prison Service Act. Chap. 13:02
Chap. 39:01
158/1966

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*Public Service Commission (Delegation of Powers) (Amendment)
Order, 2006*

PART II

PERMANENT SECRETARIES AND HEADS OF DEPARTMENTS

Powers delegated	1. The powers delegated to Permanent Secretaries and Heads of Department are as follows:
Acting appointments	(a) to appoint a public officer to act in the public office in the Civil Service up to and including Salary Range 68 for periods up to six months in exercise of which power, the Permanent Secretary shall apply the principles of selection prescribed in regulations 18 and 26 and the provisions of regulation 25 of the Regulations;
Transfers	(b) to transfer a public officer from an office in a grade in the Ministry or Department to which such an officer is assigned to a similar office in that grade in the same Ministry with no alteration in remuneration up to and including Salary Range 68 and this power shall be exercised subject to the provisions of regulation 29 of the Regulations which requires notice to be given to such officer and to the right of such officer and to make representations to the Commission;
Further temporary appointment	(c) to appoint persons temporarily to offices in the public service for periods not exceeding six months at a time where such persons have already been appointed temporarily by the Public Service Commission for a fixed period;
Confirmation	(d) to confirm the appointment of a public officer to a public office after consideration of all performance appraisal reports and medical reports on the officer, where applicable during the probationary period if satisfied that the service of the officer on probation has been satisfactory.
Application Chap. 21-01	2. The powers delegated in this Part are in respect of public officers in the Ministry under his supervision who hold the public offices specified in Salary Ranges Nos. 1 to 68 of the Classification of Offices set out in the First Schedule to the Civil Service Act, except that the power to confirm appointments to public offices applies to all offices within the Ministry or Department.
Application	3. The powers delegated in this Part do not apply to offices, the appointment or promotion to which is subject to consultation with the Prime Minister.
Report to Commission	4. A Permanent Secretary or Head of Department shall submit to the Commission once in every quarter a report of the exercise of the powers delegated to him.

PART III

DEPUTY PERMANENT SECRETARIES

Powers delegated	1. The powers delegated to Deputy Permanent Secretaries are as follows:
Acting appointments	(a) to appoint a public officer to act in a public office in the Civil Service in Salary Ranges up to and including Salary Range 45 for periods up to six months, in the exercise of which power the Deputy Permanent Secretary shall apply the principles of selection prescribed in regulations 18 and 26 and the provisions of regulation 25 of the Regulations;
Further temporary appointment	(b) to appoint persons temporarily to offices in Salary Ranges up to and including Salary Range 45 in the Public Service for periods not exceeding six months at a time where such persons have already been appointed temporarily by the Public Service Commission for a fixed period;
Confirmation	(c) to confirm the appointment of a public officer to a public office in Salary Ranges up to and including Salary Range 45 after consideration of all performance appraisal reports and medical reports on the officer where applicable during the probationary period if satisfied that the service of the officer on probation has been satisfactory.

*Public Service Commission (Delegation of Powers) (Amendment)
Order, 2006*

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2. The powers hereby delegated are in respect of public officers in the Ministry under the supervision of the Deputy Permanent Secretary who hold the public offices specified in Salary Ranges up to and including Salary Range 45 of the Classification of Offices set out in the First Schedule to the Civil Service Act. Application

3. The powers hereby delegated do not apply to offices the appointment or promotion of which is subject to consultation with the Prime Minister. Application

4. A Deputy Permanent Secretary shall submit to the Commission once in every quarter through the Permanent Secretary a report on the exercise of the power delegated to him. Commission

PART IV

DIRECTORS, HUMAN RESOURCES

1. The powers delegated to Directors, Human Resources are as follows:

- (a) to appoint a public officer to act in a public office in the Civil Service up to and including Salary Range 34 for periods up to six months, in the exercise of which power delegated the Directors, Human Resources shall apply the principles of selection prescribed in regulations 18 and 26 and the provisions of regulation 25 of the Regulations; Powers delegated
- (b) to appoint persons temporarily to offices up to and including Salary Range 34 in the Public Service for periods not exceeding six months at a time where such persons have already been appointed temporarily by the Public Service Commission for a fixed period; appointment
- (c) to confirm the appointment of a public officer to a public office up to and including Salary Range 34 after consideration of all performance appraisal reports and medical reports on the officer where applicable during the probationary period if satisfied that the service of the officer on probation has been satisfactory. Confirmation

2. The powers delegated in this Part are in respect of public officers in the Ministry under the supervision of the Director, Human Resources, who hold the public offices specified in Salary Ranges Nos. 1 to 34 of the Classification of Offices set out in the First Schedule to the Civil Service Act. Application

3. The powers hereby delegated do not apply to offices the appointment or promotion of which is subject to consultation with the Prime Minister. Application

4. A Director, Human Resource shall submit to the Commission once in every quarter through the Permanent Secretary a report on the exercise of its powers delegated to him. Commission

PART V

PERMANENT SECRETARY, MINISTRY OF HEALTH

1. The Permanent Secretary, Ministry of Health is delegated the powers to appoint persons temporarily to the offices of Clinical Instructor and Nursing Instructor. Powers delegated

2. The Permanent Secretary, Ministry of Health, shall submit to the Commission once in every quarter, a report of the exercise of the powers delegated to him under this Part. Commission

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Order, 2006*

PART VI

THE DIRECTOR OF STATISTICS, CENTRAL STATISTICAL OFFICE,
MINISTRY OF PLANNING AND DEVELOPMENT

Powers delegated	<p>1. (1) The powers delegated to the Director of Statistics, Central Statistical Office, Ministry of Planning and Development are as follows:</p> <p style="padding-left: 20px;">(a) to appoint persons to the temporary posts of—</p> <p style="padding-left: 40px;">(i) Field Interviewer;</p> <p style="padding-left: 40px;">(ii) Clerical Assistant;</p> <p style="padding-left: 40px;">(iii) Statistical Assistant;</p> <p>in the Central Statistical Office.</p> <p style="padding-left: 20px;">(b) to remove and exercise disciplinary control over any person appointed under and in exercise of the power of appointment delegated under paragraph (a).</p> <p>(2) All appointments made under this Part shall be on a temporary basis.</p>
Report to Commission	<p>(3) The Director of Statistics shall submit to the Commission once in every quarter, a report of the exercise of any of the powers delegated under this Part.</p>

PART VII

THE COMMISSIONER OF PRISONS

Powers delegated	<p>1. The powers delegated to the Commissioner of Prisons are as follows:</p> <p style="padding-left: 20px;">(a) the power to appoint persons and prison officers on promotion to offices in the Prison Service below the rank of Prison Supervisor and to confirm the appointment of Prison Officers to such offices in accordance with the regulations, but the power hereby delegated shall not include the power to terminate an appointment on probation or extend a period of probation under regulation 44 of the Regulations;</p> <p style="padding-left: 20px;">(b) in the case of a person recruited for training to serve as a prison officer below the rank of Prison Supervisor, the power to terminate the appointment at any time on the ground of unsuitability arising from any cause;</p>
Appointment	<p style="padding-left: 20px;">(c) the power to appoint prison officers to act in offices in the Prison Service below the office of Prison Supervisor and in the exercise of this power the Commissioner shall apply the principles of selection prescribed in regulation 172 of the Regulations;</p>
Acting appointment	<p style="padding-left: 20px;">(d) the power to transfer prison officers from one Prison to another;</p>
Transfers	<p style="padding-left: 20px;">(e) the power to direct a prison officer to cease to report for duty in accordance with regulation 88 of the Regulations and the Commissioner shall report the exercise of this power forthwith to the Commission;</p>
Suspension	<p style="padding-left: 20px;">(f) the functions of the Commission under regulation 48 of the Regulations in respect of a prison officer in an office in the Prison Service below the office of Prison Supervisor.</p>
Resignation	<p>2. In the exercise of the powers delegated under paragraph 1 of this Part to the Commissioner of Prisons to appoint persons and prison officers to offices specified therein, the reference to the Director in regulation 166 shall be construed as reference to the Commissioner.</p>
Report to Commission	<p>3. The Commissioner shall submit to the Commission, once in every quarter, a report of the exercise of any of the powers delegated to the Commissioner and to any other prison officer.</p>

*Public Service Commission (Delegation of Powers) (Amendment)
Order, 2006*

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PART VIII

THE CHIEF FIRE OFFICER

1. The powers delegated to the Chief Fire Officer are as follows: Powers
delegated
- (a) the power to appoint persons and fire officers on promotion to offices in the Second Division of the Fire Service below the office of Fire Station Officer and to confirm the appointment of Fire Officers to such offices in accordance with the Regulations, but the power hereby delegated shall not include power to terminate an appointment on probation or extend a period of probation under regulation 44 of the Regulations; Appointment
 - (b) in the case of a person recruited for training to serve as a fire officer below the office of Fire Station Officer, the power to terminate the appointment at any time on the ground of unsuitability arising from the cause;
 - (c) the power to appoint fire officers to act in offices in the Second Division of the Fire Service below the office of Fire Station Officer and in the exercise of this appointment power the Chief Fire Officer shall apply the principles of selection prescribed in regulations 154, 157 and 158, and the provisions of regulations 154 and 155 of the Regulations;
 - (d) the power to transfer Fire Officers from one Division or District or Branch in the Fire Service to another such Division or District or Branch; Transfers
 - (e) the power to direct a fire officer to cease to report for duty in accordance with Regulation 88 of the Regulations and the Chief Fire Officer shall report the exercise of this power forthwith to the Commission; Suspension
 - (f) The functions of the Commission under regulation 164 of the Regulations in respect of a fire officer in an office in the Second Division of the Fire Service below the office of Fire Station Officer. Resignation
2. The Chief Fire Officer shall submit to the Commission, once in every quarter, a report of the exercise of any of the powers delegated to the Chief Fire Officer and to any other fire officer.

PART IX

CHIEF ADMINISTRATOR, TOBAGO HOUSE OF ASSEMBLY, TOBAGO

1. The powers delegated to the Chief Administrator, Tobago House of Assembly, are as follows: Appointments
Tobago
- (a) to appoint persons on recruitment from outside the Civil Service in a temporary capacity to an office in the Tobago House of Assembly, subject to section 28(1) and the Sixth Schedule of the Tobago House of Assembly Act, No. 40 of 1996 which powers are in respect of the public offices specified in the classification of offices set out in the First Schedule to the Civil Service Act, 1965 and which are regarded as the basic normal entry points to the general clerical, secretarial and manipulative classes;
 - (b) to appoint a public officer to act in a public office in the Civil Service, Tobago House of Assembly, for periods up to six months whether such appointment is in a vacant office or not except that where an acting appointment is made in a vacant office the officer must be informed that such acting appointment would not give him any prior claim to eventual permanent appointment thereto and in respect of such power the Chief Administrator shall apply the principles of selection prescribed in regulations 18, 24 and 26 and the provisions of regulation 25 of the Regulations; Appointment

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*Public Service Commission (Delegation of Powers) (Amendment)
Order, 2006*

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| Transfers | <p>(c) to transfer a public officer from an office in a grade in the Tobago House of Assembly, to which such an officer is assigned to a similar office in that grade within the Tobago House of Assembly, with no alteration in his remuneration which power shall be exercised by the Chief Administrator subject to the provisions of regulation 29.</p> <p>(d) to direct a public officer assigned to an office in the Tobago House of Assembly, to cease to report for duty in accordance with regulation 88 of the Regulations and the Chief Administrator, Tobago House of Assembly, shall report the exercise of this power forthwith to the Commission;</p> <p>(e) to exercise disciplinary control in respect of any alleged act of misconduct or indiscipline described in Column 1 of the Second Schedule being a breach of a regulation in respect of the Civil Service as specified in Column 2.</p> |
| | <p>2. In the exercise of the powers delegated under paragraph 1(e), the Chief Administrator shall—</p> <p>(a) exercise the powers of the Commission under regulation 90(6) and (7);</p> <p>(b) assign a public officer of a grade higher than that of the officer charged with misconduct or indiscipline, but in no case of a grade lower than that of the Clerk IV to be a disciplinary tribunal and that officer shall hear the facts and make a report thereon to the Chief Administrator in accordance with the provisions respecting the function and duties of a Disciplinary Tribunal as prescribed in the regulations;</p> <p>(c) any fine which the Chief Administrator imposes under paragraph (c) shall not exceed an amount calculated on four days pay per month to a maximum of three months.</p> |
| Report | <p>3. The Chief Administrator shall submit to the Commission once in every quarter, a report on the exercise of powers delegated to him in this Part.</p> |
| Application | <p>4. The powers and functions delegated in this Part are in respect of public officers who hold any of the public offices specified in Salary Ranges Nos. 1 to 68 inclusive of the Classification of Offices set out in the First Schedule to the Civil Service Act, 1965, except that the powers delegated do not apply to offices the appointment or promotion to which is subject to consultation with the Prime Minister.</p> |

PART X

THE SENIOR PUBLIC OFFICER, HIGH COMMISSIONS, MISSIONS AND EMBASSIES
OF TRINIDAD AND TOBAGO

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| Powers delegated | <p>1. The powers delegated to the Senior Public Officer, High Commissions, Missions, and Embassies of Trinidad and Tobago are as follows:</p> <p>(a) the power to appoint, on a temporary basis only persons resident in the jurisdiction where the particular High Commission, Mission or Embassy is situated to the non-representational staff of the said High Commission, Mission or Embassy that is to say to any office of the grade of Clerk IV and under;</p> <p>(b) the power to remove and exercise disciplinary control over any person appointed under and in exercise of the power of appointment delegated under subparagraph (a).</p> |
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*Public Service Commission (Delegation of Powers) (Amendment)
Order, 2006*

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PART XI

THE PERMANENT SECRETARY, CENTRAL ADMINISTRATIVE SERVICES, TOBAGO

1. The powers delegated to the Permanent Secretary, Central Administrative Services, Tobago, are as follows:

- (a) to appoint persons on recruitment from outside the Civil Service in a temporary capacity to an office in a Ministry or Department or in a Division of a Ministry or Department located in Tobago (exclusive of offices in the Prison and Fire Services) which power is in respect of the public offices specified in the Classification of Offices set out in the First Schedule to the Civil Service Act, 1965 and which are regarded as the basic normal entry points to the general clerical, secretarial and manipulative classes;
 - (b) to appoint a public officer to act in a public office in the Civil Service and located in the Department of Central Administrative Services, Tobago, for periods up to six months whether such acting appointment is in a vacant post or not except that where an acting appointment is made in a vacant post, the officer must be informed that such acting appointment would not give him any prior claim to eventual permanent appointment thereto, in respect of which power the Permanent Secretary shall apply the principles of selection prescribed in regulations 18, 24 and 26 and the provisions of regulation 25 of the Regulations;
 - (c) to transfer a public officer from an office in a grade in the Department of Central Administrative Services, Tobago to which such an officer is assigned to a similar office in that grade in the same Department of Central Administrative Services, Tobago, with no alteration in his remuneration, which power shall be exercised by the Permanent Secretary subject to the provisions of regulation 29 of the Regulations, which require notice to be given to such officer and which preserves the right of such officer to make representations to the Commission;
 - (d) to direct a public officer assigned to an office in the Department of Central Administrative Services, Tobago, to cease to report for duty in accordance with Regulation 88 of the Regulations, and the Permanent Secretary, Central Administrative Services, Tobago shall report the exercise of this power forthwith to the Commission.
 - (e) to exercise disciplinary control in respect of any alleged act of misconduct or indiscipline described in column 1 of the Second Schedule being a breach of a regulation in respect of the Civil Service as specified in Column 2.
- (2) In exercise of the power delegated under paragraph 1(e) the Permanent Secretary shall—
- (a) exercise the powers of the Commission under regulation 90(6) and (7).
 - (b) assign a public officer of a grade higher than that of the officer charged with misconduct or indiscipline but in no case of a grade lower than that of a Clerk IV to be a disciplinary tribunal, and that officer shall hear the evidence, find the facts and make a report thereon to the Permanent Secretary in accordance with the provisions respecting the functions and duties of a Disciplinary Tribunal as prescribed in the Regulations;
- (3) Any fine which the Permanent Secretary imposes under paragraph 1(e) shall not exceed an amount calculated on four days pay per month to a maximum of three months.

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*Public Service Commission (Delegation of Powers) (Amendment)
Order, 2006*

3. The Permanent Secretary shall submit to the Commission, once in every quarter, a report of the exercise of any powers delegated to him.

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4. The powers and functions hereby delegated under this Part are in respect of public officers who hold any of the public offices specified in Salary Ranges Nos. 1 to 68 inclusive of the Classification of Offices set out in the First Schedule to the Civil Service Act, 1965 except where such offices require the holders to perform as Heads or Deputy Heads of Ministries/Departments/Divisions and in respect of which offices consultation with the Prime Minister is required by the Commission.

*SECOND SCHEDULE

DISCIPLINARY POWERS DELEGATED

For the purposes of regulation 85 of the Regulations, an act of misconduct or indiscipline which the Permanent Secretary or Head of Department has jurisdiction to hear and determine under that regulation is an act of misconduct or indiscipline described in Column 1 of the following Table being a breach of a regulation:

- (a) in respect of officers in the Civil Service, in Chapter XI of the Civil Service Regulations;
- (b) in respect of officers in the Fire Service, in Chapter VII of the Fire Service (Terms and Conditions of Employment) Regulations, 1998;
- (c) in respect of officers in the Prison Service, in Chapter II of the Prison Service (Code of Conduct) Regulations, 1990,

as specified in Columns 2, 3 and 4 of that Table in respect of the Civil Service, the Fire Service, and the Prison Service, respectively.

*Public Service Commission (Delegation of Powers) (Amendment)
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SECOND SCHEDULE—CONTINUED

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
<i>Description of Misconduct</i>	<i>CIVIL SERVICE Reference to Regulation of Civil Service Regulations</i>	<i>FIRE SERVICE Reference to Regulation of Fire Service (Terms and Conditions of Employment) Regulations, 1998</i>	<i>PRISON SERVICE Reference to Regulation of Fire Prison Service (Code of Conduct) Regulations, 1990</i>
Failure to attend to matters promptly within scope of office	Regulation 135(1)	Regulation 101(1)	Regulation 4(1)
Lack of courtesy to a member of the public or member of the: (a) Civil Service; (b) Fire Service; (c) Prison Service	Regulation 135(2)	Regulation 101(5)	Regulation 4(2)
Wilful failure to perform duties	Regulation 135(3)		
Absence without leave or reasonable excuse	Regulation 136(1)	Regulation 103(1)	
Failure to report absence from country	Regulation 136(2)	Regulation 103(2) and (3)	
Failure to disclose activities outside Service	Regulation 137(2)	Regulation 104(1)(b)(2)	Regulation 6(1)(d)
Breach of rules relating to broadcast	Regulation 140	Regulation 110	Regulation 12
Act of indebtedness to the extent it impairs efficiency, etc.	Regulation 141	Regulation 111	Regulation 13(1)

Public Service Commission (Delegation of Powers) (Amendment) Order, 2006

SECOND SCHEDULE—CONTINUED

COLUMN 1 <i>Description of Misconduct</i>	COLUMN 2 CIVIL SERVICE <i>Reference to Regulation of Civil Service Regulations</i>	COLUMN 3 FIRE SERVICE <i>Reference to Regulation of Fire Service (Terms and Conditions of Employment) Regulations, 1998</i>	COLUMN 4 PRISON SERVICE <i>Reference to Regulation of Prison Service (Code of Conduct) Regulations, 1990</i>
Failure to notify of bankruptcy proceedings	Regulation 142	Regulation 112	Regulation 14
Failure to perform duty in a proper manner	Regulation 149(1)(a)	Regulation 119(1)(a)	Regulation 20(1)(a)
Contravention of the: (a) Civil Service Regulations and other written law; (b) Fire Service (Terms and Conditions of Employment) Regulations, 1998 and other written law; (c) Prison Service (Code of Conduct) Regulations, 1990.	Regulation 149(1)(b) Regulation 149(1)(c)	Regulation 119(1)(b) Regulation 119(1)(c)	Regulation 20(1)(b)
Act that is prejudicial to, or discredits reputation of the Service	Regulation 149(1)(d)	Regulation 119(1)(d)	Regulation 20(1)(c) Regulation 20(1)(d)
Disobedience to orders	Regulation 149(2)(b)	Regulation 119(2)(c)	Regulation 20(2)(c)
Neglect of duty	Regulations 149(2)(d) and (f)	Regulation 119(2)(d)	Regulation 20(2)(d)
Unlawful or unnecessary exercise of duty	Regulation 149(2)(g)	Regulation 119(2)(h)	Regulation 20(2)(f)

*Public Service Commission (Delegation of Powers) (Amendment)
Order, 2006*

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SECOND SCHEDULE—CONTINUED

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
<i>Description of Misconduct</i>	<i>CIVIL SERVICE Reference to Regulation of Civil Service Regulations</i>	<i>FIRE SERVICE Reference to Regulation of Fire Service (Terms and Conditions of Employment, Regulations, 1998</i>	<i>PRISON SERVICE Reference to Regulation of Prison Service (Code of Conduct) Regulations, 1990</i>
Malingering	Regulation 149(2)(a)	Regulation 119(2)(i)	Regulation 20(2)(m)
Absence without leave or being late for duty	Regulation 149(2)(a)	Regulation 119(2)(j)	Regulation 20(2)(n)
Persistently unpunctual			
Damage of clothing supplied		Regulation 119(2)(l)	Regulation 20(2)(p)
Unfit for duty through drunkenness	Regulation 149(2)(c)	Regulation 119(2)(m)	Regulation 20(2)(q)
Drinking on duty or soliciting drink		Regulation 119(2)(n)	Regulation 20(2)(r)
Entering licensed premises		Regulation 119(2)(o)	Regulation 20(2)(s).

Dated this 19th day of April, 2006.

C. THOMAS
Chairman of the
Public Service Commission

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*Public Service Commission (Delegation of Powers) (Amendment)
Order, 2006*

A. TIM POW
*Deputy Chairman of the
Public Service Commission*

S. SEEMUNGAL
*Member of the
Public Service Commission*

N. ROLINGSON
*Member of the
Public Service Commission*

P. BENSON
*Member of the
Public Service Commission*

S. MAHARAJ
*Member of the
Public Service Commission*

Approved.

P. MANNING
Prime Minister

Dated this 30th day of April, 2006.

APPENDIX II

VACANCIES FILLED BY THE PUBLIC SERVICE COMMISSION IN 2020

- TABLE I: Vacancies filled in Ministries/ Departments in 2020
- TABLE II: Vacancies filled according to classification of offices in 2020
- TABLE III: Vacancies under the purview of the Salaries Review Commission (SRC) filled in 2020
- TABLE IV: Vacancies filled according to Grades in the Prison Service in 2020

No.	Ministry/ Department	First Appointments	Promotions	Total Filled
1	Agriculture, Land and Fisheries	32	47	79
2	Attorney General and Legal Affairs	21	33	54
3	Auditor General's Department	1	5	6
4	Central Administrative Services Tobago	1	3	4
5	Communications	24	17	41
6	Community Development, Culture and the Arts	3	11	14
7	Education	20	53	73
8	Elections and Boundaries Commission	1	5	6
9	Energy and Energy Industries	2	5	7
10	Equal Opportunity Tribunal	0	2	2
11	Finance	44	156	200
12	Foreign and CARICOM Affairs	6	5	11
13	Health	54	32	86
14	Housing and Urban Development	1	12	13
15	Industrial Court	1	4	5
16	Judiciary	9	1	10
17	Labour	5	21	26
18	National Security	24	74	98
	i. Prison Service	237	0	237
19	Office of the Ombudsman	0	2	2
20	Office of the Parliament	1	4	5
21	Office of the Prime Minister	8	16	24
22	Planning & Development	7	26	33
23	Personnel Department	9	16	25
24	Public Administration	7	29	36
25	Public Service Appeal Board	0	2	2
26	Public Utilities	4	5	9
27	Registration, Recognition and Certification Board	3	1	4
28	Rural Development and Local Government	126	7	133
29	Service Commissions Department	1	11	12
30	Social Development & Family Services	8	11	19

TABLE I: Vacancies filled by the Public Service Commission in Ministries/ Departments in 2020

No.	Ministry/ Department	First Appointments	Promotions	Total Filled
31	Sport and Youth Affairs	1	12	13
32	Statutory Authorities' Service Commission	1	4	5
33	Tax Appeal Board	0	1	1
34	Tobago House of Assembly	25	34	59
35	Tourism	0	1	1
36	Trade and Industry	1	5	6
37	Works and Transport	19	50	69
	Total	707	723	1430

TABLE II: Vacancies filled according to classification of offices in 2020

No.	Classification	First Appointments	Promotions	Total Vacant Offices Filled
1	Administrative	56	118	174
2	Professional and Scientific	85	239	324
3	Technical	157	141	298
4	Clerical	77	79	156
5	Secretarial	117	42	159
6	Manipulative	103	96	199
7	Not Applicable ⁵	112	8	120
	TOTAL	707	723	1430

⁵ 'Not Applicable' was stated for the Class, offices which fell under 'not applicable' were Prison Welfare Officer, Prison Officer I, Prison Officer II, Police Constable, Police Sergeant and Police Corporal.

TABLE III: Vacancies under the purview of the Salaries Review Commission (SRC) filled in 2020

Service	Office	Range	First Appointments	Promotions	Total vacancies Filled
Civil Service	Chief Administrator	Group 1C	-	1	1
	Permanent Secretary	Group 1C	-	4	4
	Deputy Permanent Secretary	Group 1C	2	-	2
	Secretary to the Cabinet	Group 3B	-	1	1
	Comptroller of Customs and Excise	Group 2B	-	1	1
	Deputy Comptroller of Customs and Excise	Group 3B	-	3	3
	Deputy Director of Contracts	Group 3B	-	1	1
	Deputy Secretary to Cabinet	Group 4B	-	1	1
	Transport Commissioner	Group 3B	-	1	1
Prison Service	Commissioner of Prisons	Group 2	-	1	-
TOTAL			2	14	16

TABLE IV: Vacancies filled according to Grades in the Prison Service in 2020

Service	Office	Grade	First Appointments/ First Appointments (Delegated Authority)	Promotions	Total Vacancies Filled
Prison Service	Prisons Supervisor	Grade 3	-	3	3
	Prisons Welfare Officer II	Grade 3	-	3	3
	Prisons Officer II	Grade 2	-	1	1
	Prisons Officer I	Grade 1	237 (Delegated Authority)	-	237
TOTAL			237	7	244

APPENDIX III

**VACANCIES FILLED IN 2020 FROM INTERVIEWS HELD BY
THE SELECTION BOARD**

Office for which Interviews were Held in 2020	Ministry/Department	Fillings	
		No. of Appointments	No. of Promotions
Valuation Assistant I	Valuation Division, Ministry of Finance	26	23
Public Management Consultant	Public Administration and Digital Transformation	12	5
Accounting Executive I	Industrial Court	0	1
Animal Health Assistant I	Ministry of Agriculture, Land and Fisheries, Tobago House of Assembly	7	0
Human Resource Adviser II	Personnel Department	9	5
	Education	0	2
	Public Administrations and Digital Transformation	0	4
Health Control Officer I	Health	10	0
	Tobago House of Assembly	45	0
Printing Operator I	Office of the Prime Minister-Communications	21	0
Assistant Secretary to the President	Office of the President	0	1
TOTAL		130	41

APPENDIX IV

HIGH COURT ACTION/ COURT OF APPEAL MATTERS COMPLETED AGAINST
THE PUBLIC SERVICE COMMISSION IN 2020

No. 1 - Umawatie Dipchan, Aginder Mungal Sunil Ragbir, Madan Sankar, Davanand Raghunanan
and Ricky Partap

Civil Appeal # 257 of 2015: CV No. 2761 of 2014

1. Field Auditors -v- (1) The Chairman of the Board of Inland Revenue (2) The Public Service Commission (3) The Permanent Secretary, Ministry of Finance and the Economy and (4) The Chief Personnel Officer of the Personnel Department of Trinidad and Tobago
2. Challenging the decision of the Public Service Commission not to promote the applicants to the office of Fields Auditor III with a procedure and requirements under a newly implemented policy, which treated with the appointment and promotion of field.

Order/Judgment:

7th September, 2020 the matter was determined by the Court of Appeal wherein it was ordered as follows:

“CA 257 of 2015

[52] The appeal is allowed.

[53] There will be a declaration that the appellants are qualified and eligible to be considered for promotion to the office of Field Auditor III

[54] The appellants have been successful in this appeal and should be entitled to their costs against the respondents both before this court and in the court below. Consequently, costs in the high court are to be assessed by the Registrar and paid by the respondents to the appellants certified fit for one Senior Advocate and one junior Advocate attorney. Costs before this court, also certified fit for one Senior Advocate and one junior Advocate, are to be two-thirds of the costs as assessed by the Registrar in the high court action.

[55] The interested parties have filed a counter-notice solely on the issue of costs. The cross-appeal is dismissed. The costs of this matter counter-notice are to be assessed by the Register and paid by the interested parties to the appellants certified fit for one Senior Advocate and one Junior Advocate Attorney.”

APPENDIX V

**HIGH COURT ACTION COMPLETED IN FAVOUR OF THE
PUBLIC SERVICE COMMISSION IN 2020**

- No. 1 - Mrs. Asha Sookdeo-Punwasie v Public Service Commission and Public Service Appeal Board vs Public Service Commission
- No. 2 - Mrs. Asha Sookdeo-Punwasie, Clerk I, Ministry of Finance v the Disciplinary Tribunal and the Public Service Commission vs Public Service Commission

No. 1 - Mrs. Asha Sookdeo-Punwasie v Public Service Commission and Public Service Appeal Board vs Public Service Commission
H.C.A. # / Date filed: CV 2018-02958
<p><u>Relief sought:-</u></p> <ol style="list-style-type: none"> (1) An Order of Certiorari to bring this Honourable Court and quash the decision of the of the Public Service Commission made on the 21st day of May, 2018 and communicated to the Claimant on the 24th day of May, 2018 to find her guilty of three disciplinary charges preferred against her without concurrently imposing a penalty as required pursuant to Regulation 107(2) of the Public Service Commission Regulation Chap. 1:01 of the Laws of Trinidad and Tobago; (2) An Declaration that the decision of the First Respondent being the Public Service Commission made on the 21st day of May, 2018 and communicated to the Claimant on the 24th day of May, 2018 to find the her guilty of three disciplinary charges preferred against her without concurrently imposing a penalty as required pursuant to Regulation 107(2) of the Public Service Commission Regulation Chap. 1:01 of the Laws of Trinidad and Tobago is unlawful, in that it is illegal and/or unreasonable and/or procedurally improper; (3) An Declaration that the decision of the First Respondent being the Public Service Commission made on the 21st day of May, 2018 and communicated to the Claimant on the 24th day of May, 2018 to find the her guilty of three disciplinary charges preferred against her and thereafter inviting her to submit within fourteen (14) days of her receipt of such decision any representation she may wish to make regarding the penalty to be imposed on her in respect of each disciplinary charge is unlawful, in that it is illegal and/or unreasonable and/or procedurally improper; (4) An Order of Certiorari to bring this Honourable Court and quash the decision of the of the Public Service Commission made on or about the 31st day of July, 2018 imposing penalties with respect to the three disciplinary charges preferred against Claimant after a decision was made effective from the 24th day of May, 2018 finding her guilty of the said disciplinary charges; without concurrently imposing a penalty as required pursuant to Regulation 107(2) of the Public Service Commission Regulation Chap. 1:01 of the Laws of Trinidad and Tobago; (5) An Declaration that the decision of the First Respondent being the Public Service Commission made on the 31st day of July, 2018 imposing penalties with respect to the three disciplinary charges preferred against Claimant after a decision was made effective from the 24th day of May, 2018 finding her guilty of the said disciplinary charges is unlawful, in that it is illegal and/or unreasonable and/or procedurally improper; (6) An Interim Order staying the decision of the First Respondent made on or about the 31st day of July, 2018 to impose penalties on the Claimant with respect to the three disciplinary charges preferred against her pending the hearing and determination of this action or until further order.

No. 1 - Mrs. Asha Sookdeo-Punwasie v Public Service Commission and Public Service Appeal Board vs Public Service Commission

The Claimant claim against the First and Second Respondents the following reliefs:

- i. Damages;
- ii. Costs;
- iii. Such further and other relief that this Honourable Court deems fit, just and appropriate.

Civil Appeal Number: AP S001/2021

Claim Number: CV2018-02958

IT IS HEREBY ORDERED THAT:

1. There be a stay of execution of the service by the First Respondent being the Public Service Commission of the letter of dismissal dated the 14th day of August, 2018 on the Appellant pending the hearing and determination of this Appeal or until further order.
2. There be a stay of the decision of the Honourable Mr. Justice Rampersad made on the 27th day of November, 2021 in relation to the Public Service Commission (First Respondent) whereby the Appellant's Claim against the First Respondent was struck out with no order as to costs pending the hearing and determination of this Appeal or until further order.
3. The Appellant to file and serve the Notice of Appeal and the Record of Appeal on or before the 15th day of March, 2021.
4. The Respondent to respond on or before the 31st day of March, 2021.
5. The hearing date of the 14th day of June, 2021 is hereby vacated.
6. There be no order as to costs.

Date of Outcome: 27th November, 2020

Order/Judgment:

Claim determined in favour of the Public Service Commission.

No. 2 - Mrs. Asha Sookdeo-Punwasie, Clerk I, Ministry of Finance v the Disciplinary Tribunal and the Public Service Commission vs Public Service Commission

H.C.A. # / Date filed: CV 2019-01114

Relief sought: -

Against the First Respondent (the Disciplinary Tribunal)

1. An order of certiorari to bring into this Honourable Court and quash the decision of the First Respondent being the Disciplinary Tribunal in finding the Claimant guilty of three disciplinary charges which Disciplinary Tribunal was appointed by the Public Service Commission pursuant to Regulation 95(1) of the Public Service Commission Regulations Chap. 1:01 to hear and find the facts and make a report to the Public Service Commission pursuant to Regulation 96(1) of the Public Service Commission Regulations Chap. 1:01 in relation to the said three disciplinary charges preferred against the Claimant.
2. A declaration that the decision of the First Respondent being the Disciplinary Tribunal in finding the Claimant guilty of three disciplinary charges which Disciplinary Tribunal was appointed by the Public Service Commission pursuant to Regulation 95(1) of the Public Service Commission Regulations Chap. 1:01 to hear and find the facts and make a report to the Public Service Commission pursuant to Regulation 96 (1) of the Public Service Commission Regulations Chap. 1:01 in relation to the said three disciplinary charges preferred against the Claimant is unlawful, in that it is illegal and/or ultra vires, null and void and of no effect and/or unreasonable and/or procedurally improper.

The Claimant claims against the Second Respondent (the Public Service Commission) the following reliefs:

3. An order of certiorari to bring into this Honourable Court and quash the decision of the Public Service Commission made on the 21st day of May, 2018 to find the Claimant guilty of the three disciplinary charges preferred against her which decision of guilt was made with apparent bias on the part of the Public Service Commission having relied on the report and the finding of guilt by the Disciplinary Tribunal in relation to the said three disciplinary charges.
4. A declaration the decision of the Public Service Commission made on the 21st day of May, 2018 to find the Claimant guilty of the three disciplinary charges preferred against her which decision of guilt was made with apparent bias on the part of the Public Service Commission having relied on the report and the finding of guilt by the Disciplinary Tribunal in relation to the said three disciplinary charges is unlawful, in that it is illegal, null and void and of no effect and/or procedurally improper.

The Claimant claims against the First and Second Respondents the following reliefs:

5. Damages
6. Costs
7. Such further orders, directions or writs as the Court considers just and as the circumstances warrant.

Date of Outcome: 27th November, 2020

No. 2 - Mrs. Asha Sookdeo-Punwasie, Clerk I, Ministry of Finance v the Disciplinary Tribunal and the Public Service Commission vs Public Service Commission**Order/Judgment:**

The Court dismissed the Claimant's claim against the First and Second Respondent.

Court gave the following directions:

1. Further hearing for both matters for assessment on cost Thursday 3rd December, 2020 at 11:00 a.m.;
2. Court directs attorneys for the PSC to obtain with respect to a continuation of the undertaking that service of the letter informing the Claimant of the penalty to be imposed would not be effected pending any appeal which may arise on 3rd December, 2020 when the Court delivers decision.
3. Court will forward copies of summaries of its decisions to parties via email.

In light of the directions given by the Court at item 2 of the Order, kindly ascertain as a matter of urgency, whether the Public Service Commission (PSC) would be willing to continue to maintain such an undertaking. We wish, however, to advise that the PSC is under no obligation to give such an undertaking in light of the Court's ruling. In light of the Court's directions at item 2 above through, it is still necessary for the PSC to consider same and instruct us with respect to its decision."

APPENDIX VI

HIGH COURT ACTION WITHDRAWN BY THE CLAIMANT IN 2020

- No. 1 - Sheila Seecharan, Deputy Permanent Secretary, acting Permanent Secretary, Ministry of Social Development and Family Services vs Public Service Commission
- No. 2 - Laverne Edwards vs The Public Service Commission.

**No. 1 - Sheila Seecharan, Deputy Permanent Secretary, acting Permanent Secretary
Ministry of Social Development and Family Services vs Public Service Commission**

H.C.A. No./date filed: CV 2015 - 04145

Relief sought: -

An order of certiorari to remove into the High Court of Justice and quash the said decisions;

- (i) A declaration that the said decisions are unlawful and in breach of the principles of fairness and/or natural justice;
- (ii) A declaration that the said decisions are unreasonable, and/or irregular and/or improper exercise of discretion and/or irrational;
- (iii) A declaration that the said decisions are in breach of sections 4(b) and 5 (2) (e) of the Constitution of the Republic of Trinidad and Tobago, i.e. the right of the individual to the protection of the law, and the right not to be deprived of the right to a fair hearing in accordance with the principles of fundamental justice for the determination of their rights and obligations;
- (iv) A declaration that the said decisions were a breach of section 20 of the Judicial Review Act, Chapter 7:08, that is the duty of a public authority when acting in the exercise of a public duty or function to exercise that duty or perform that function fairly.
- (v) An order of mandamus directing the Public Service Commission to disclose to the Applicant the report of the investigating officer appointed pursuant to Regulation 87 of the Public Service Commission Regulations, Chapter 1:01, to investigate allegations of misconduct against her;
- (vi) Costs; and
- (vii) Such further and/or other relief as this Honourable Court appear just.

IT IS HEREBY ORDERED AS FOLLOWS:

1. The Application filed on 2nd December, 2015, be and is hereby dismissed.
2. The Applicant to pay the Respondent's costs, to be assessed if not agreed.
3. Statement of Costs to be filed and served on or before 9th July, 2016.
4. Responses to be filed and served on or before 23rd July, 2016.
5. Assessment of Costs to be considered in Chambers.

Date of Outcome: 23rd October, 2020

Order/Judgment

Withdrawal of claim

No. 2 - Laverne Edwards vs The Public Service Commission

HCA# date Filed CV 2020-03935

Relief sought:

1. A declaration that the Respondent/Intended Defendant breached his statutory duty under Section 15 of the Freedom of Information Act ("FOIA") to take reasonable steps to enable an Applicant/Intended Claimant to be notified of the approval or refusal of his request as soon as practicable but in any case no later than 30 days after the day on which the request is duly made;
2. An order of mandamus to compel the Respondent/Intended Defendant to render a decision on the Applicant's/Intended Claimant's FOIA request within seven days hereof as to whether her application has been approved or refused in accordance with Section 15;
3. Alternatively, and/or additionally a declaration that the Applicant/Intended Claimant is entitled to access the requested information pursuant to her application dated September 21st, 2020 under the FOIA;
4. Costs;
5. Such further other orders, directions or writs as the courts considers just and as the circumstances of this case warrant pursuant to Section 8 (1) (d) of the Judicial Review Act 2000.

Ordered:

- A declaration that the Respondent/Defendant breached its Statutory Duty in Section 15 of the Freedom of Information Act ("FOIA") to take reasonable steps to enable an Applicant/Intendent Claimant to be notified of the approval or refusal as soon as practicable but in any case no later than 30 days after the day on which the request is duly made;
- Cost

APPENDIX VII

REALIGNMENT OF MINISTRIES AS A RESULT OF CHANGES IN PORTFOLIO

TABLE I: SUMMARY OF PORTFOLIO REALIGNMENT IN 2020

Particulars	No. of Ministries
Ministries with no changes	11
Ministry with name change only	1
Ministries with portfolio changes only	4
Ministries with name and portfolio changes	3
New Ministries	2
Total	21

TABLE II: PORTFOLIO REALIGNMENT DISAGGREGATED

Ministries with no changes	Ministry with a name change only	Ministries with portfolio changes only	Ministries with name and portfolio changes	New Ministries	Dis-Established Ministries
1. Ministry of Health	1. Office of the Attorney General and Legal Affairs	1. Ministry of Education	1. Ministry of Labour	1. Ministry of Sports and Community Development	1. Ministry of Communications
2. Ministry of Finance		2. Ministry of National Security	2. Ministry of Public Administration and Digital Transformation	2. Ministry of Youth Development and National Service	2. Ministry of Community Development, Culture and the Arts
3. Ministry of Planning and Development		3. Office of the Prime Minister			
4. Ministry of Housing and Urban Development		4. Ministry of Social Development and Family Services	3. Ministry of Tourism, Culture and the Arts		3. Ministry of Sports and Youth Affairs
5. Ministry of Trade and Industry					
6. Ministry of Rural Development and Local Government					
7. Ministry of Agriculture, Land and Fisheries					
8. Ministry of Energy and Energy Industries					
9. Ministry of Works and Transport					
10. Office of the Prime Minister (Tobago Affairs/CAST)					
11. Foreign and CARICOM Affairs					
11	1	4	3	2	3

APPENDIX VIII

**MATTERS APPROVED BY THE PUBLIC SERVICE COMMISSION IN 2020 DUE
TO REALIGNMENTS DISAGGREGATED BY
FUNCTIONAL AREAS**

Requesting Ministry	Total Number of Arrangements per Category per Ministry		
	Transfers	Temporary appointments	Acting appointments
Agriculture, Lands and Fisheries	-	48	23
Agriculture, Land and Marines Resources	-	25	-
Agriculture, Land and Marine Affairs	-	2	-
Communications	-	1	17
Finance	-	454	265
Finance and the Economy	-	-	51
Food Production	-	55	26
Food Production, Land & Marine Resources	-	48	6
Gender, Youth and Child Development	1	-	-
Health	1	-	-
Housing and the Environment	-	4	-
Labour	104	71	64
Public Administration	-	14	-
Public Administration and Communications	-	8	5
Public Utilities and the Environment	-	5	-
Social Development and Family Services	1	-	-
Sport and Community Development	147	-	-
Tourism, Culture and the Arts	18	-	-
Transport	-	28	-
Trade and Industry	-	-	1
Trade and Industry, Investment and Communications	-	-	1
Works and Transport	-	7	-
Youth Development and National Service	2	-	-
TOTAL	274	770	459
GRAND TOTAL		1,503	

APPENDIX VII

FUNCTIONAL AREAS
AS REPORTED BY THE PUBLIC SERVICE EMPLOYEES' ASSOCIATION

Table 1: Functional Areas as Reported by the Public Service Employees' Association

Functional Area	Description
Administrative Support	Administrative support services including clerical, secretarial, and administrative assistance.
Business Development	Business development and sales activities aimed at expanding the organization's reach and revenue.
Customer Service	Customer service and client relations, including handling inquiries, complaints, and providing support.
Finance	Financial management, including budgeting, accounting, and financial reporting.
Human Resources	Human resources management, including recruitment, training, and employee relations.
Information Technology	Information technology services, including system maintenance, software development, and data management.
Legal	Legal services and compliance, including contract review, litigation support, and regulatory compliance.
Marketing	Marketing and public relations activities, including advertising, branding, and media relations.
Operations	Operational services, including logistics, supply chain management, and facility management.
Project Management	Project management services, including planning, execution, and monitoring of projects.
Quality Assurance	Quality assurance and quality control activities to ensure the highest standards of service.
Research and Development	Research and development activities aimed at innovation and the development of new products or services.
Security	Security services, including physical security, information security, and risk management.
Training and Development	Training and development programs to enhance employee skills and knowledge.
Union Relations	Union relations and labor relations, including collective bargaining and grievance handling.
Volunteer Management	Volunteer management and coordination, including recruitment and training of volunteers.
Welfare Services	Welfare services and employee assistance programs, including health and safety, and employee support.



