

10. RECRUITMENT AND PROMOTION

- 11.1 Recruitment, as a human resource management function, refers to the overall process of hiring, selecting and appointing the suitable and best qualified candidates with the ideal mix of competencies for a job vacancy. It is the cornerstone of the whole personnel structure. It is all important so as to fill in the vacancies and also to have the appropriate number of officers in an organisation to enable the latter to deliver on its mandate efficiently and effectively.
- 11.2 It is apparent that recruitment is a key mechanism, underpinning good government and embracing good management practice, which requires a highly competent people to work for the benefits of the nation in an increasingly competitive global community and in the context of a fast changing society with ever increasing demands. In other words, a country cannot be of high standards and competitiveness regardless of an efficient and effective recruitment.

Legal Framework

- 11.3 With reference to recruitment and selection, the Public Service Commission (PSC), a Constitutional Body, is vested with, under Section 89 of the Constitution, *inter alia*, power to appoint persons to hold or act in any offices in the public service (including power to confirm appointments). Appointment/Promotion is a constitutional prerogative of the PSC. Likewise, other bodies vested to carry out appointment/promotion in the public sector are:
- (i) the Disciplined Forces Service Commission for offers in the disciplined forces;
 - (ii) the Judicial and Legal Service Commission for judicial and legal offices;
 - (iii) the Local Government Service Commission for posts in the Local Government Service; and
 - (iv) Boards of Parastatal and other Statutory Bodies for posts in parastatal organisations.
- 11.4 The objectives of the Commissions are to:
- (i) identify and appoint qualified persons with the drive, skills and attitude for efficient performance;
 - (ii) safeguard the impartiality and integrity of appointments and promotions in the Civil Service and to ensure that these are based on merit; and
 - (iii) take disciplinary action with a view to maintaining ethical standards and to safeguarding public confidence in the public service.

Delegation of Power of Appointment

- 11.5 Section 89 (2) (a) of the constitution empowers the Commission to delegate, subject to such conditions as it deems fit, any of its powers under this section by directions in writing to any Commissioner of the Commission or to any public officer.
- 11.6 The PSC has been delegating its powers of recruitment to Responsible Officer in respect of many grades, especially in the Workmen's Group and also for recruitment of temporary personnel outside the permanent and pensionable establishment, for examples Project Managers, Resource Persons, Employment on sessional basis or on special schemes and recently the appointment of Medical Officers at the Ministry of Health and Quality of Life. Though the Commission delegates powers of recruitment to Ministries and Departments it, however, remains accountable for such recruitment exercises and has the responsibility to ensure that these are carried out according to the directions and conditions it has set. In case the directions and conditions are not observed, the power delegated to the Responsible Officers may be withdrawn by the Commission.
- 11.7 Broadly, there are two major routes for recruitment to the public service (a) interviews (b) written examination or in certain cases a combination of both. Whatever be the methods, the recruitment system is based on the merit principle and while the potential candidates with the best profiles are called for the selection exercise and the most suitable and meritorious ones are retained and offered appointments in all cases, as mandated by the regulations in force. **First appointment, to pensionable office on permanent basis is on one year probation.**
- 11.8 The recruitment system combines two principles required by the Constitution of our country – the right of every citizen to employment in the Civil Service provided he meets the specific requirements of the vacant position and the recruitment of the best available candidate with the skills and personality required for the Civil Service (the merit principle).
- 11.9 Along this line we recommended in the 2013 Report that the Ministry of Civil Service and Administrative Reforms should devise a civil service Competency Framework which should focus as much on behaviour as on skills so as to ensure consistent high standards which could be used for recruitment purposes. We are maintaining this recommendation.

Recommendation 1

- 11.10 **We recommend that the Ministry of Civil Service and Administrative Reforms should devise a civil service Competency Framework which**

should focus as much on behaviour as on skills so as to ensure consistent high standards which could be used for recruitment purposes.

Organisation and Recruitment Policy

11.11 Public Sector organisations should make recruitment policy a part of their strategy. It should be well planned and organisations should not just respond as needs arise. A planned and long term approach is mandatory to ensure that organisations meet their long term aims and objectives. Organisations should have a framework for identifying what skills and abilities they need to improve performance and plan what skills they will require in one, two or five years' time to ensure the attainment of their goals. They must have a clear picture of the number of people and the type of skills and abilities they need now and in the future. To that end, a Human Resource Planning (HRP) exercise is important.

Human Resource Planning (HRP)

11.12 HRP is the process that links the human resource needs of an organisation to its strategic plan to ensure that staffing is sufficient, qualified and competent enough to achieve the organisations' objectives. It is the most important managerial function which ensures the right type of people, in the right number, at the right time and place who are motivated to do the right kind of work which results in both the organisation and the individual receiving the maximum long range benefits. In a nutshell, HRP is to ensure the best fit between employees and job.

11.13 Against this backdrop the Bureau is of the view that a HRP exercise should mandatorily be carried out in all organisations. An HR forecast should look ahead at the people implications of organisational strategy. It ensures that supply of people in terms of numbers, knowledge, skills, attitudes and values is matched with demand. In this way it allows organisations to align and integrate people strategies with their strategies.

Recommendation 2

11.14 We recommend that all organisations should mandatorily carry out a HRP exercise so that they can have the right number, qualified and competent people to deliver successfully on their mandate.

11.15 We further recommend that it should be made mandatory for all HR cadre in all public sector organisations to carry out HRP for the rightsizing of their respective staff for better accountability, effectiveness and efficiency.

Promotion

11.16 Promotion is a rise in the status of a civil servant to a position of higher grade which carries greater responsibilities. According to the Public Service

Commission (PSC) Regulations, promotion means conferment upon a person in the public service of a public office to which is attached a higher salary or salary scale than that attached to the public office to which the officer was last substantively appointed or promoted.

11.17 Generally there are two types of promotion i.e. “class to class promotion” and “grade-to-grade promotion”. The Human Resource Management Manual (HRMM) defines the two types of promotion as follows:

- (i) “class-to-class promotion” means promotion to a rank which entails greater responsibilities of a **different nature** to those previously undertaken and performed; and
- (ii) “grade-to-grade promotion” means promotion to a higher grade in the same hierarchy which entails greater responsibilities of the **same nature** to those previously undertaken and performed.

11.18 Currently, a “class-to-class promotion” is effected invariably through a selection exercise while a “grade-to-grade promotion” is determined on a case-to-case basis with the mode of promotion clearly stated in the relevant schemes of service. We are, in this Report, maintaining the present provision.

Recommendation 3

11.19 **We recommend that:**

- (a) **“class-to-class promotion” should continue to be invariably made on the basis of selection; and**
- (b) **“grade-to-grade promotion” should continue to be determined on a case-to-case basis with the mode of promotion explicitly stated in the relevant schemes of service.**

11.20 **We also recommend the following promotion framework as guidelines for determining promotion procedures:**

- (a) **for grades at lower levels, where physical and technical skills can be developed through long practice and for grades with duties of same nature requiring mainly increased experience for the performance of the job, promotion could be made in the normal course on the recommendation of the Supervising Officer;**
- (b) **for jobs at the middle level, where some decision-making ability, leadership qualities and skills on the job are required, seniority alone should not be depended upon but that, along with seniority, merit must be given due weight and attention;**
- (c) **for jobs at higher levels, such as first in command or second in command, appointment should be made by selection from suitable**

and qualified candidates at the appropriate levels from the same cadre or from another cadre that has branched out from the main cadre;

- (d) the selection exercise, both for middle and higher levels, should not necessarily be a competitive examination but could consist of an assessment of training received and experience; length of service; an oral examination; a performance test; a factor based on recorded service ratings; a factor based on formal in-service training courses successfully completed; a written objective test; or any combination thereof;
- (e) where a selection exercise has been made for one of the levels of a cadre, appointment to the next grade could be made on the basis of recommendation by the Supervising Officer, i.e. in a cadre of four levels or more, selection could be made for the first and third levels or for the second and fourth levels, e.g. if an Assistant has been chosen through selection, the Deputy could be appointed on the basis of seniority and merit. This should not preclude selection at two successive levels where the need is felt;
- (f) where the duties to be performed at the next higher level are of a different nature requiring additional competencies (e.g. managerial or leadership skills) or additional qualifications, the Supervising Officer may resort to selection to fill the vacancies at successive levels irrespective of whether the previous level was filled by promotion or selection; and
- (g) where the duties performed at the next higher level require additional ability and competencies and such ability and competencies are not sufficiently available in the cadre or the service, the Supervising Officer may proceed to amend the scheme of service to enable recruitment/selection also from outside the cadre or the service.

Reporting System for Promotion

11.21 Since January 2013, the “Report on fitness for Promotion” has replaced the annual Confidential Report and is being used solely as a basis for promotion prospect.

Recommendation 4

11.22 We recommend that the “Report on fitness for Promotion” should continue to be the sole basis used for promotion purposes.

Effective date of Grade-to-Grade Promotion

- 11.23 The effective date of grade-to-grade promotion, at present, takes effect from either: (i) the date of assumption of duty; or (ii) the date the actingship/ assignment of duties starts; or (iii) the date of vacancy whichever is the latest, provided in case of (iii) there has been no gap between the actingship/ assignment of duties and the date of offer of appointment.
- 11.24 It has been reported by both the Public Service Commission (PSC) and the Ministry of Civil Service and Administrative Reforms (MCSAR) that the present system of grade-to-grade promotion poses practical problems and hence the Commission is facing difficulties in the implementation of this recommendation, particularly its effect on seniority placing and its bearing on career prospects of officers. It has also been pointed out that this situation has even given rise to various representations/appeals before the Public Bodies Appeal Tribunal (PBAT) in cases as mentioned below:
- (i) officers on sponsored study leave with full pay abroad who are not available at the time of assignment of duties;
 - (ii) officers on interdiction and subsequently reinstated;
 - (iii) officers not assigned duties for one reason or another; and
 - (iv) officers refusing assignment of duties.
- 11.25 We have examined the problems that the Commission had to face and in a bid to overcoming these difficulties and avoiding such cases being referred to the PBAT, the Bureau is making the following recommendations.

Recommendation 5

- 11.26 **We recommend that the effective date of grade-to-grade promotion should be the date of assumption of duty.**
- 11.27 **We further recommend that the effective date of promotion in respect of cases mentioned below should be the date of vacancy or the date on which officers in their respective batches have been promoted for seniority purposes and for pay purposes it should be the date of assumption of duty:**
- (i) **officers under interdiction and subsequently reinstated on being cleared of charges against them;**
 - (ii) **officers who are under report (involved in Police cases) and for whom vacancies have been reserved pending finalisation of their cases and cases against them have been dismissed;**
 - (iii) **(a) officers on scholarship abroad with the approval of the Commission; and**

- (b) officers selected for open scholarship and who are subsequently granted leave with full pay to follow the course;
- (iv) officers on leave without pay subject to provisions of PSC circular No 4 of 1977.

Age Limit for Entry

11.28 At present, the age limit for entry to the Public Service is 40 years. The age limit as regards employees who join the Workmen's Group is 48 years. **We are maintaining the present position.**

Recommendation 6

11.29 **We also recommend that the minimum age for entry to the public service should continue to be 18 years except where otherwise stated by a provision in the scheme of service.**
