

PSC CIRCULAR

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Government Buildings, Suva. Telephone 3-314-588

PSC Circular No. 27/2005

To: Chief Executive Officers
& Heads of Departments **File:** 29/588

Subject: MONITORING OF THE EXERCISE
OF DELEGATED POWERS **Date:** 30 June 2005

- 1.0 The Public Service Commission is required under Section 16 Subsections 16 (1) to (13) of Public Service Act 1999 to monitor the exercise of those functions that the Commission delegated to Chief Executive Officers under Legal Notice No. 92/2002.
- 2.0 One of the primary objectives of the delegation of powers is to empower the Chief Executive Officers to make their own decisions in regards to human resource management issues such as appointments, promotions, transfers and discipline. However, the exercises of the delegated powers were to be done in a transparent, fair and timely way.
- 3.0 A mechanism has been developed to facilitate this monitoring role comprising of checklists and questionnaires. The CEOs are required to complete the questionnaires whilst the Commission will use the checklists to monitor both the processes and the issue of compliance with the Regulations and procedures by Ministries and Departments. These are attached as **Appendices I – V** of this Circular.
- 4.0 **Appendix I** is the **Checklist** with the steps or actions that are to be monitored in the *Appointment and Promotion Process*. **Appendix II** is the **Checklist** on the *Disciplinary Process*. **Appendix III** is the **Checklist** on *Appeals against Appointments, Promotions, Transfers and Discipline*. **Appendix IV** is the Questionnaire on the *Recruitment and Selection Process*. **Appendix V** is the Questionnaire on the *Disciplinary Process*.
- 5.0 It is imperative therefore, that all those officers directly involved in the processing of appointments, promotions, transfers, discipline and appeals to be thoroughly acquainted with the Monitoring checklists and survey questionnaires.

- 6.0** Once the survey questionnaires are received from the CEOs, the Commission will then analyse and assess the documents and submit quarterly reports to the Commission. These reports will also form part of the annual assessment of the performance of Chief Executive Officers.
- 7.0** A Monitoring Unit has been established within the Human Resource Management Division at the Public Service Commission to conduct random checks using the checklists to verify the information submitted through the questionnaires. The outcome may form the basis of any likely interventionist actions, particularly against serious breaches of regulations.
- 8.0** The process of monitoring and reporting on the exercise of delegated powers is a collaborative effort of both the Commission and the Delegates in order to improve accountability and adherence to statutory requirements.
- 9.0** Admittedly, it may be impracticable to begin the monitoring process in its totality, bearing in mind that Ministries and Departments will need to absorb this additional responsibility within their existing capacity. Therefore, the Commission has decided to take a phased approach commencing from 1st July 2005. The monitoring of delegated powers will only cover **appointments, promotions, transfers, appeals and discipline.**
- 10.0** The Commission will later incorporate other areas of delegated powers when it has developed corresponding monitoring and reporting mechanisms.
- 11.0** The Commission firmly believes that a strong monitoring and feedback mechanism is the best method for gauging the levels and standards of operational efficiency and effectiveness in the Public Service.
- 12.0** All enquiries are to be referred to Mrs. Maca Tulakepa on telephone 3314588, extension 206 - email: mtulakepa@psc.gov.fj or Mr. Salimoni Karusi on extension 307 or email: skarusi@psc.gov.fj



[A. Jale]

Chief Executive Officer-Public Service

APPENDIX I

Fiji Public Service Recruitment & Appointment Checklist

This checklist is to be used by the Monitoring Unit of the Public Service Commission to monitor the exercise of delegated powers by the Chief Executive Officers when appointing person/persons to fill vacant positions in the respective Ministries and Departments. The compilation and collation of information from this exercise and the final report derived from it will be part and parcel of the overall performance assessment and evaluation of the CEOs at the end of the year. Therefore, it is very important that one should enter correct information when filling the checklist form. A declaration is at the bottom of the last page which should be endorsed by the officer to certify that all the information herein is correct.

Checklist of Steps in the Recruitment & Appointment Process			
No	Action to be taken	Timeline	Remarks
1	Management identifies vacancy		
2	Vacancy filled by sideways transfer		
3	Date Vacancy advertised		
4	Applications receipt date endorsed		
5	Applications closing date		
6	Applications acknowledged individually		
7	Short listing applicants against minimum qualification requirement		
8	Inform non short listed applicants		
9	Other selection test before interview is conducted where applicable		
10	Interview panel composition		
11	Interview question – six(6) to be job specific questions		
12	Interview Date		
13	Selection documentation prepared		
14	Selection documentation submitted to Staff Board - date		
15	Staff Board meeting date		
16	Staff Board recommendation		

17	CEO's endorsement		
18	Promulgation of provisional appointment		
19	Gazette of provisional appointment – 3 months from Step 3		
20	Inform unsuccessful candidates		
21	Rebuttal of Appeal		
22	Appeal Board Decision received & actioned		
23	Confirm Appointment/ Promotion/readvertise as per PSAB decision		
24	Copy of appointment to PSC for Gazette/Salary section		
25	Open personal file for new appointment		
26	Close Vacancy Folder		

I ----- of the PSC Monitoring Unit hereby certify that all entries made above are correct and that I have checked and sighted all the documents concerned to verify the information therein and found them to be so.

Signature -----

Date-----

APPENDIX II

Fiji Public Service Disciplinary Process Check list

This checklist is to be used by the Monitoring Unit of the Public Service Commission to monitor the exercise of delegated powers by the Chief Executive Officers when instituting disciplinary action against person/persons in the respective Ministries and Departments. The compilation and collation of information from this exercise and the final report derived from it will be part and parcel of the overall performance assessment and evaluation of the CEOs at the end of the year. Therefore, it is very important that one should enter correct information when filling the checklist form. A declaration is at the bottom of the last page which should be endorsed by the officer to certify that all the information herein is correct.

Checklist of Steps in the Disciplinary Process			
No	Action to be taken	Timeline	Remarks
1	Management confirms breaches of PSC code of Conduct has occurred		
2	Brief facts presented to CEO for directive/ Open discipline file		
3	CEO either decides to investigate or otherwise.		
4	Investigate case – Suspend without salary or not to suspend officer concerned		
5	Prepare investigation report		
6	Investigation Report to the Staff Board		
7	Staff Board meeting date		
8	Staff Board Recommendation to CEO		
9	CEO's endorsement		
10	Draft disciplinary charges		
11	Charges vetted by SG's Office		
12	SG's Office returns Charge		
13	Charges served on officers with 14 days to respond		
14	Analysis/Assessment of charges and response of disciplined officer		
15	CEO's endorsement		
16	Commission Submission		
17	Commission inform Ministry of Hearing date		

18	Inform disciplined officer and provide disclosures		
19	CEO and Disciplined Officer present his case to the Commission		
20	Commission Decision – declared guilty/ not guilty		
21	Mitigation		
22	Commission decision – penalty/case quashed- 3 months from Step 4		
23	Promulgation of decision & 21days to appeal notice		
24	Appeal by Officer received		
25	Prepare rebuttal to appeal		
26	Presentation PSAB		
27	Decision of PSAB		
28	Implement decision & case closed		

I ----- of the PSC Monitoring Unit hereby certify that all entries made above are correct and that I have checked and sighted all the documents concerned to verify the information therein and found them to be so.

Signature -----

Date-----

APPENDIX III

APPEAL AGAINST THE APPOINTMENT, PROMOTION, TRANFER & DISCIPLINE

Ministry/Department						
Promotion	Appellant	Date appeal received	Date appeal heard	Date Appeal allowed	Date Appeal dis-allowed	reason
Transfer	Appellant	Date appeal received	Date appeal heard	Date Appeal allowed	Date Appeal dis-allowed	reason
Discipline	Appellant	Date appeal received	Date appeal heard	Date Appeal allowed	Date Appeal dis-allowed	reason

APPENDIX IV

FIJI PUBLIC SERVICE RECRUITMENT AND SELECTION PROCESS - QUESTIONNAIRE

Ministry/Department:

1. Is there a substantive vacancy in your establishment?

Yes

No

2. If yes, what action have been taken to fill the vacancy?

Advertise

Side transfer

Acting

3. If Acting, how long before the post will be advertised?

1 month

3 months

6 months

> 6 months

4. Why? Explain for whatever reasons in support of your choice at 3 above.

5. Draft advertisement sent to the Public Service Commission with Certification of availability of funds, from the Ministry of Finance

Yes

No

6. If No, please explain.

7. If Yes, what FPSOC No. _____

8. Date of advertisement _____

9. Closing date of advertisement: _____

10. Vacancy No: _____

11. No. of Applicants: _____

12. Applicants acknowledged

Yes No

13. If No, please explain.

14. Did you have a biodata for the applicants and comparative analysis prepared?

Yes No

15. If No, please explain.

16. How were the received applications processed?

a. Interview all
interview

b. Shortlist applicants for

17. Did all the candidates short listed for interview meet the MQR
for the post?

Yes

No

18. If No, please explain.

19. Interview panel comprises of Chairman and Members from outside Ministries and Departments with not more than one from your Ministry or Department.

Yes

No

20. If no, then explain.

21. There were 6 interview questions which were actually job [position] related and 4 general questions.

Yes

No

22. If no, then explain

23. Selection was based on the report presented to the Staff Board with all supporting details to assist in arriving at that decision.

Yes

No

24. If No, please explain the process used for selecting the most meritorious candidate.

25. Staff Board Submission prepared and submitted to the CEO for endorsement

Yes

No

26. If No please explain the reasons for the delay

27. Provisional appointment:

Date: _____

28. Gazette date of provisional promotion/appointment

29. Unsuccessful candidates informed and notified of the 21 days appeal period.

Date: _____

30. Appeal Notice on provisional promotion received.

Yes

No

Date _____

31. If Yes, then please indicate whether a rebuttal submission has been prepared.

Yes

No

Date _____

32. If No, then explain the delay.

33. Please state the Appeal Boards Decision

Date: _____

34. If the appeal has been disallowed, has a confirmation of appointment

letter been issued with copy to PSC for Gazette

Date: _____

35. If No, then explain the delay.

36. Gazette Notice

Date: _____

37. If the appeal has been allowed, has the appellant assumed duties yet?

Yes No

Date_____

38. If No, then explain the delay.

39. The appointment gazetted.

Date: _____

40. Open Personal File and letter of appointment to Salary Section

Date: _____

Prepared by &
Designation

Signature

Date

Certified by &
Designation

Signature

Date

APPENDIX V

FIJI PUBLIC SERVICE DISCIPLINE PROCESS - QUESTIONNAIRE

Ministry/Department.....

1. Discovery of Breach of Code of Conduct

Date.....

2. Investigation Report Completed

Date.....

No.....

Discipline File

3. Officers suspended without salary

Yes

No

4. If No, please

explain.....

.....

.....

5. Preparation of Disciplinary Charge(s)

Yes

No

6. Charges vetted by SG's Office

Yes

No

7. Charges served on officer

Yes

No

8. Response received from officer within 14 days

Yes

No

Date.....

9. If No, please
explain.....
.....
.....

10. Analysis/Assessment of charges completed

Date.....

11. CEO endorsement/submission to PSC Yes No

12. If No, please
explain.....
.....
.....

13. Report Submission sent to PSC

Date.....

14. Hearing

Date.....

15. Disclosure served on charged officer

Date.....

16. Secured all supportive evidence Yes No

17. If No, please
explain.....
.....

18. Case presented at PSC Hearing

Date.....

19. Guilty Not Guilty

20. Guilty - Mitigation

Date.....

21. If Not Guilty - Commission

Decision.....

.....

.....

22. Guilty - Commission Decision Received

Date.....

23. Commission

Decision.....

.....

24. Officer Informed

Date.....

25. Appeal Notice received Yes No

26. If Yes

Date.....

27. Rebuttal to Appeal Submitted

Date.....

