

PUBLIC SERVICE PERSONNEL MANAGEMENT

THE KEY PLAYERS

The main actors in public service personnel management can be placed in three broad categories: Service Commissions, the central personnel office, and line ministries or departments.

Service Commissions usually have broad responsibility for staffing and discipline. They are autonomous from government. A Commission usually consists of a small number of commissioners backed by a permanent organisation staffed by public servants.

Precise arrangements vary from one country to another. Some countries, including Australia, Britain, Canada, Malta and New Zealand, have a single Commission covering the entire public service. The Australia and New Zealand Commissions consist of a single commissioner rather than a board.

Other countries, such as Mauritius, Singapore and Trinidad and Tobago, have a number of Commissions working in parallel with the Public Service Commission and covering specific areas of government. These are the police (all three countries), law and the judiciary (Mauritius, Trinidad and Tobago), and education (Singapore, Trinidad and Tobago). Mauritius also has a Local Government Service Commission. In each of these countries there is a degree of cross-membership among Commissions. Parallel Commissions may be serviced by a common secretariat such as Trinidad and Tobago's Service Commissions Department.

South Africa has yet another arrangement in which there are no parallel commissions, but the federal Public Service Commission sets rules and standards to which its provincial counterparts are subject.

The extent to which Commissions actually undertake staffing and discipline, as opposed to overseeing or monitoring these functions, varies widely. Britain and New Zealand are the most decentralised in the Commonwealth.

Despite the broad similarity of their responsibilities, Service Commissions vary considerably in terms of the methods by which they operate. An indication of this can be found by comparing the staff resources at their disposal.

The central personnel office is distinct from the Service Commission. It is part of the executive and fully accountable to the government, usually falling within the portfolio of the prime minister or minister responsible for public service affairs (where there is a separate minister for this area). It is usually responsible for those aspects of personnel management that do not fall within the Service Commission's jurisdiction.

Staffing the Public Service Commissions*

At the lowest end of the scale, the Public Service Commission of Malta has 12 staff. Its counterpart in Mauritius falls in the middle of the range with 118. At the opposite end, the federal Public Service Commission in Canada has 1,950 employees across the country.

**Data on staff numbers are derived from questionnaire responses provided by the Public Service Commissions of Malta (Edwin J Borg Constanzi), Mauritius (Vishvaneden Sooben), and Canada (Michelle L. Veilleux).*

The basis for the existence of a separate central personnel office is the doctrine – common to many countries – that aspects of public service personnel management are the prerogative of the government as employer and should remain outside the Service Commission's jurisdiction. These aspects usually include position creation and classification, staff training and development, and determination of terms and conditions of employment, including the formulation of disciplinary codes of conduct, salaries and benefits.¹²

The central personnel office manages most of these areas, usually also acting as the government's agent in collective bargaining with unions. Of necessity, too, the central personnel office works closely with Service Commissions on matters such as selection criteria and procedures. The central personnel office may, with the Commission's approval, issue administrative guidelines that elaborate on the Commission's rules and procedures in these areas.

Not all Commonwealth countries make the distinction between the roles of Service Commissions and the central personnel office. In Canada, the Public Service Commission provides staff training to departments on behalf of the Treasury Board (the central personnel office). In Australia and New Zealand, both roles are performed by the Service Commission: there is no separate central personnel office.

¹² This doctrine is most clearly stated in the judgement emerging from a 1982 constitutional court case in Trinidad and Tobago (*Endell Thomas v. Attorney General*), [1982] A.C. 113 (P.C.).

Line ministries and departments are the third set of players in public service personnel management. Their precise role depends on the degree of centralisation or decentralisation within the system. At the very least, they will initiate selection processes, make requests for complement increases, and so on. It should also be noted that, even in a highly centralised system, ministries or departments may have a substantial degree of *de facto* power over selection, classification and the creation of career paths where specialist grades are concerned.

Ministries and departments themselves may be structured in various ways. In some countries, such as Britain and Canada, the terms “ministry” and “department” are synonymous. In other settings, departments are separate units subordinate to ministries – that is, ministerial offices. In those situations, however, ministries and subordinate departments can be unrelated to each other for administrative purposes, each organisation dealing separately with the central personnel office regarding its own staff.

This pattern is now changing as attempts are made to develop a line personnel management function. In many situations, human resource management units have been or are being created at ministry level to cater for the needs of both the ministry and its departments.

THE THREE PLAYERS

The roles of these three main actors are shaped both by principle and by pragmatism. The principle enshrined within the Commonwealth public service tradition is that some fundamental values, particularly those of merit and integrity, must be monitored by a body immune to short-term political pressures. The Service Commissions are the institutional expression of this concern.

The Commonwealth tradition is also pragmatic. Politicians have a duty to account to their electorate and, increasingly, an unavoidable requirement to report to the major financial institutions on the numbers, costs and structures within the public service. They will, and must, find methods to exercise control in these areas. If their ability to exercise that control is too severely circumscribed then official, or in the worst case, unofficial methods for exercising political control will emerge. The central personnel office and the personnel management units within line ministries reflect this pragmatic need for managerial authority to connect with political realities.

In the real world of public service, principles and pragmatism are necessary counterweights. It is the alignment between Service Commissions and the personnel management functions at the centre and in the line which can provide the necessary balance.

Extract from The Report of the Public Service Review Commission of Zimbabwe, May 1989

There are two broad clusters of responsibilities relating to the human resources of government, i.e. the public service. These are:

- ensuring the operation of the merit system in appointments, promotions, discipline and maintaining uniformity of standards throughout the service; and
- managing and developing the public service as a major instrument for economic and social development and for improving the quality of life of the citizens of the country.

These two clusters of responsibilities must aim to provide government with its most important resource: the people who make it work. They can be performed in a single structure. They can also be performed under two structures, for example:

- (a) a body, usually called a Public Service Commission, with responsibility for merit, standards and uniformity in the public service; and
- (b) a central personnel agency of government in the form of a Ministry or a Department of Personnel Management which has executive responsibility for managing and developing the service.

CURRENT ALLOCATION OF PERSONNEL MANAGEMENT FUNCTIONS

The precise distribution of staffing and disciplinary functions between the three sets of actors varies from one jurisdiction to another. In most former colonies, however, where there has not been significant public service reforms there is a common pattern which is outlined below.¹³

Where **staffing** is concerned,

- *Service Commissions* regulate the selection process, choose (or approve) selection criteria for specific grades or positions, conduct or oversee selections, and, for junior and middle-level staff, make final selection decisions;

¹³ This section looks at who carries out the functions rather than who has legal responsibility for them. In Malta, for instance, the Prime Minister is formally responsible for staffing and discipline while the Public Service Commission provides binding advice. In other countries the Commission has direct responsibility. In practice, however, this makes surprisingly little difference in the way staffing and discipline are carried out.

- the *central personnel office* manages the classification structure, creates grades and career paths within that structure, pegs positions to grades or pay levels, and approves the creation of positions;
- *line departments* initiate selections, make requests for the creation of positions or the alteration of specialist career paths, (sometimes) carry out selections under the Commission's supervision, recommend candidates for selection to the Commission, and conduct their own selections for positions below the line of delegation (where this exists).

Where **discipline** is concerned,

- *Service Commissions* regulate disciplinary procedures, determine penalties for misconduct, decide cases (usually following reports by sub-committees set up to investigate the cases), and hear appeals (although not in the case of Commonwealth Caribbean countries);
- the *central personnel office* draws up the code of conduct which defines correct or incorrect behaviour (but does not determine penalties);
- *line departments* initiate disciplinary cases and hear and decide minor cases under delegated authority.

Appendix A summarises the actual distribution of functions between Service Commissions, the central personnel office, and line ministries and departments in selected countries.