

DISCIPLINE IN THE PUBLIC SERVICE THE INVESTIGATING OFFICER

The Disciplinary Process

The Public Service Commission has jurisdiction to exercise disciplinary control over public officers in the Civil Service, the Prison Service and the Fire Service by virtue of section 121 of the Constitution. The procedure for exercising such disciplinary control is set out in Chapter VIII of the Public Service Commission Regulations.

That procedure is normally initiated when a Permanent Secretary or Head of Department receives a report or allegation of misconduct or indiscipline and he/she reports the matter to the Director of Personnel Administration for the information of the Commission and concurrently warns the officer in writing of the allegation.

The Permanent Secretary then appoints an Investigating Officer who would obtain statements from all parties concerned and submit a report to the Commission. The Commission would then lay disciplinary charges if appropriate and would appoint a Disciplinary Tribunal to hear the evidence and find the facts. The tribunal prepares a report which is submitted for the consideration of the Commission which then determines the matter and imposes such penalty as it considers fit.

Accordingly, the Investigating Officer has an important role in the disciplinary process.

Procedure for Investigating Officer

The procedure for the Investigating Officer is outlined in Regulation 90 (3) – (5) of the Public Service Commission Regulations; Chapter 1:01.

The process begins when the Investigating Officer receives his letter of appointment from the Permanent Secretary or Head of Department. The steps to be followed are outlined hereunder: -

1. The Investigating Officer should immediately enquire of the Permanent Secretary the names of persons who may have direct knowledge of the alleged indiscipline or misconduct.
2. The Investigating Officer should then prepare letters to the officer against whom the allegation has been made and the persons who may have direct knowledge requesting written statements within seven (7) consecutive days with respect to the alleged infraction. One copy of the letter should be prepared for acknowledgement by the person as having received it.

