



Government of the Republic of Trinidad and Tobago

PUBLIC SERVICE COMMISSION

Annual Report
2019

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FOREWORD



Ms. Maureen Manchouck, Chairman

The privilege of helping to shape the development of the Public Service is one of the noblest tasks that can be afforded to any citizen. It is also one of the most arduous. We are fortunate to live in an era, where knowledge of best practices is easily accessible. What is not as easy, is translating best practice into best fit where historical, cultural and institutional dynamics are significantly divergent. It is against this context that the performance of the Public Service Commission in 2019 must be assessed.

The indicators tell a mixed story. There has been a reduction in the filling of vacancies in the face of increased recruitment related activities. There is increasing reliance on technology and innovation despite the delays in the implementation of the electronic document management system. The roll out of the institutional strengthening and the transition to the desired future state has not proceeded with the anticipated momentum. However, the increased professionalization of the Service Commission Department (SCD) is on track and has already begun to bear fruit with respect to the improving compliance levels of Ministries and Departments in relation to the delegated functions.

It bears emphasising, that the powers of the Commission as laid out in Section 121 (1) of the Constitution are limited to the appointment of persons to hold or act in offices to which this Section applies, including 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. In exercising its powers, the Commission is required to act in accordance with the principles of fairness and reasonableness. I am pleased to report that the Commission has been steadfastly mindful of its remit and committed to the practice of the above stated principles. This Report provides the opportunity for the public to examine in fuller detail the work undertaken by the Commission and the results of that work.

Foreword (continued)

I take the opportunity to extend my heartfelt gratitude to my fellow Commissioners, the Director of Personnel Administration, the staff of the Service Commissions Department and all other stakeholders who have contributed to the advances achieved in 2019.

Undoubtedly, there is much more work to be done as we strive to fashion a better Public Service. Undeterred, we press on, with boundless faith in our destiny.

A handwritten signature in blue ink, reading "Maureen Manchouck", is written over a horizontal line.

Maureen Manchouck
Chairman

EXECUTIVE SUMMARY

The 2019 Annual Report outlines the major accomplishments of the Public Service Commission in respect of its constitutional mandate. Some of the major achievements for the year 2019 are as follows:

- Deliberated on one thousand, three hundred and twenty-five (1,325) matters under the remit of the Public Service Commission. – **Section 3.0**
- Filled one thousand, seven hundred and one (1,701) vacancies and approved thirteen thousand, four hundred and ninety (13,490) temporary appointments. – **Sections 6.0 - 6.2**
- Empowered Permanent Secretaries and Heads of Departments to conduct the recruitment and selection process on behalf of the Public Service Commission in accordance with the Public Service Commission Regulation 13 (5) and (6). – **Section 4.7.2**
- Continued efforts to implement an Electronic Document Management System – **Section 4.5**
- Continued staff training in order to enhance human resource capability to achieve strategic priorities. – **Section 4.6**
- Approved two thousand, five hundred and seventy-three (2,573) arrangements as a result of the realignment of Ministerial portfolios. – **Section 4.9 and Appendix V**

In accordance with the Strategic Outlook identified in **Section 7.0**, the Public Service Commission will continue to work with and support the Service Commissions Department in strengthening their areas of strategic focus and operational efficiency in 2020.

1.0 INTRODUCTION

This Report of the Public Service Commission (PSC) for the year 2019, is submitted 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 which requires the Commission 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.

1.1 Role and Function of the Public Service Commission

The Commission is an independent body established under Sections 120, 121 and 129 (1) of the Constitution of the Republic of Trinidad and Tobago. Section 120 allows for the composition of, and the appointment of members to the Public Service Commission by the President of the Republic of Trinidad and Tobago.

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

Section 129 (1) of the Constitution, gives the Commission the power to regulate its own procedures by regulation or otherwise with the consent of the Prime Minister. In 2006, the Commission further delegated some of its functions to Permanent Secretaries/ Heads of Departments, the Chief Fire Officer, the Commissioner of Prisons, the Chief Administrator, Tobago House of Assembly, and to other senior

The Commission retains all the functions of its constitutional mandate which it has not specifically delegated.

officials in the Public Service as stipulated in Legal Notice No. 105 of 2006 – see **Appendix I**. The Commission retains all the functions of its constitutional mandate which it has not specifically delegated.

1.2 Role of the Director of Personnel Administration

The Service Commissions Department (SCD) was established to provide Secretariat and supporting services to enable the Public Service Commission to discharge its constitutional responsibilities. The SCD is headed by the Director of Personnel Administration (DPA). The DPA is the principal adviser and Chief Executive Officer to the Public Service Commission.

As administrative head of the SCD, the DPA is responsible for the efficient conduct and work of the entire Department. To this end, the DPA has to ensure that the requisite capabilities exist within the SCD to support the Commission in the successful realization of its goals and objectives, namely, that:

- the best possible candidates are recruited for appointment to entry level offices in keeping with the principles, procedures and policies laid down by the Public Service Commission;
- the Human Resource needs at the higher levels of the Public Service falling under the constitutional responsibilities of the Commission are attended to;
- the legitimate career goals and expectations of officers are satisfied, monitored and managed;
- representations and complaints from public officers and/or their representatives are received and transmitted to the Commission;
- the Commission is represented in Court with respect to all Judicial Review matters; and
- matters of misconduct and indiscipline are speedily attended to, in order to maintain the good reputation of the Public Service and where necessary, to safeguard the public's interest.

The DPA also performs similar duties for the other three (3) Service Commissions.

2.0 MEMBERSHIP

The Commission comprises a Chairman, a Deputy Chairman and not less than two (2) and not more than four (4) members appointed by the President of the Republic of Trinidad and Tobago after consultation with the Prime Minister and the Leader of the Opposition.

PUBLIC SERVICE COMMISSION MEMBERS



From left to right:

Ms. Kay Charles, Mr. Martin Franklin, Mrs. Parvatee Anmolsingh-Mahabir,
Ms. Prabhawatie Maraj, Director of Personnel Administration (01.11.18 – up to 19.12.18)
Ms. Angela Jack, Mr. Courtenay Braemar Williams, Mrs. Maureen Manchouck and
Mrs. Caminee Baboolal, Secretary (01.09.19 – 30.09.19)

Inset: from left to right:

Mrs. Debra Parkinson, Director of Personnel Administration [Ag.] (from 20.12.18)
Ms. Gwendoline Mc Laren, Ms. Jennifer Sampson-Farrell,
Ms. Millie Daylal, Secretary (01.10.19 – 31.12.19)

Commission Members (continued)

During the year 2019, the membership of the Commission comprised:

- ❖ **Mrs. Maureen Manchouck** - Chairman (up to 19/12/19). Mrs. Manchouck is a former President of NIHERST and public administrator for more than thirty years.
- ❖ **Mrs. Parvatee Anmolsingh-Mahabir** - Deputy Chairman. Mrs. Anmolsingh-Mahabir is a former Independent Senator (2002-2007). She has a long and distinguished career in education.
- ❖ **Mr. Martin Franklin** – Member. Mr. Franklin is a retired Senior Lecturer and Head of Department at the University of the West Indies.
- ❖ **Ms. Kay Charles** - Member (up to 24/07/19). Ms. Charles is a former senior administrator and has a long and distinguished career in the Public Service.
- ❖ **Mr. Courtenay Braemar Williams** - Member (with effect from 29/06/18). Mr. Williams is an Attorney-at-Law and a Certified Mediator. He currently lectures at the Hugh Wooding Law School and serves as Deputy Chairman of First Citizens Bank Limited.
- ❖ **Ms. Angela Jack** - Member (up to 13/09/19). Ms Jack is a retired Permanent Secretary and she served for many years at the Personnel Department.
- ❖ **Ms. Gwendoline Mc Laren** - Member (with effect from 04/10/19). Ms. Mc Laren made a career in Human Resource for 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 (with effect from 04/10/19). Ms. Sampson-Farrell is a former Permanent Secretary whose career also included serving in the positions of Research Director and Chief Technical Officer. After her retirement from the Public Service she held the position of Senior Advisor to the President of the University of Trinidad and Tobago for a five-year period.

3.0 MEETINGS

During the year under review, the Commission held forty-four (44) statutory meetings, three (3) Special Meetings and four (4) meetings with Permanent Secretaries and Heads of Departments. Deliberations were undertaken with respect to one thousand, three hundred and twenty-five (1,325) matters as compared with one thousand, six hundred and twenty-nine (1,629) matters in 2018.

4.0 OVERVIEW OF ACCOMPLISHMENTS

4.1 Filling of vacancies

During the year 2019, the Public Service Commission filled one thousand, seven hundred and one vacancies (1,701). Seven hundred and fifty-six (756) permanent appointments were made, while nine hundred and forty-five (945) promotions were made. See details at **Figures 1 and 2** on page 24.

4.2 Selection Boards

In accordance with Regulation 16 of the Public Service Commission Regulations, Selection Boards are appointed to assist the Commission in the conduct of interviews with a view to establishing Order-of-Merit Lists from which persons are selected to fill offices under the Commission's purview.

In 2019, four hundred and thirty-five (435) persons/officers were interviewed, for vacant positions in respect of twenty-four (24) offices. This resulted in the filling of thirteen (13) vacancies. **Appendix II** gives further details. It must be noted that in 2019, there was a one hundred and fifty-nine percent (159 %) increase in the number of persons interviewed when compared to 2018. In addition, there was a seventy-one (71%) increase in the number of offices for which persons/officers were interviewed for in 2019, when compared to 2018.

4.3 Assessment Centre Exercise (ACE) for Selection to the Office of Deputy Permanent Secretary and the Office of Deputy Chief Personnel Officer

The Assessment Centre Exercise (ACE) is a human resource management tool used in the recruitment process to ensure that the most eligible candidates are selected, i.e. applicants with the requisite knowledge, skills, abilities and behaviours.

At its meeting of April 4, 2019, the Commission agreed that a Request for Proposal (RFP) be issued for the engagement of consultancy services to assist the Commission with the design, development and execution of an Assessment Centre for selection to the office of Deputy Permanent Secretary. Firms/Individuals/Consultants were invited to submit tender proposals for this engagement of services. The Notice of Tender was published on July 21, and July 24, 2019 in two (2) daily newspapers.

Following the issuance of the Request for Proposal the Commission decided in August, 2019 that the office of Deputy Permanent Secretary should be advertised in accordance with Regulations 15 of the Public Service Commission Regulations. The advertisement was published in three (3) daily newspapers on September 15, 2019, with a closing date of October 4, 2019 for the receipt of applications. The advertisement was also published on the Service Commissions Department's website. Four hundred and seventy-seven (477) applications were received in response to the advertisement.

The processes of the evaluation of consultancy firms and the screening of applications are ongoing. The process continued into 2020.

4.4 Review of the Public Service Commission Regulations

In 2018, the development of a policy framework for the Public Service Commission Regulations commenced and continued in earnest in 2019. The Commission anticipates in the year 2020, it would submit its final document accompanied by the proposed draft Regulations for the consideration of the Prime Minister.

4.5 Electronic Document Management System (EDMS)

The Project continued with the advancement of the procurement process to retain the services of a suitable consultant/vendor for the provision of design and implementation of the EDMS. The execution of this activity rests with iGovTT. As at December 28, 2019, tenders have been received, evaluated and an evaluation report forwarded with recommendation to move the process forward. It is anticipated that project implementation would commence in the second quarter of 2020. To date, the digitisation of records continues with approximately two (2) million pieces of Confidential Personal Files (CPFs)/ Correspondence/ Performance Appraisal Reports (PARs) being converted to an electronic format.

4.6 Staff Training

In 2019, the Commission welcomed the fact that members of staff, at all levels of the SCD were exposed to a range of training courses and workshops. The Commission notes that this is a continuous exercise to upgrade the skill and competency levels in the Secretariat to ably support the Commission's work. The training programme was managed with the intent of ensuring alignment between the training activities and the strategic priorities of the organisation. In-house training activities were conducted in the areas detailed: -

- | | |
|---|---|
| ✚ Orientation for Human Resource Advisers I; | ✚ Safety; |
| ✚ Project Management; | ✚ Conduct of One-Man Tribunals; and |
| ✚ Note Writing for Human Resource Advisers; | ✚ Strategic Leadership Development Programme. |
| ✚ Determining equivalent combination of Experience and Training requirements; | |

Staff Training (continued)

The SCD was also able to access relevant training at the Public Service Academy, Ministry of Public Administration, Ministry of Finance, Project IhRIS Office and the Office of the Procurement Regulation. The training programs accessed from these institutions are detailed below:

Public Service Academy, Ministry of Public Administration

- | | |
|---|---|
| 1. Communications for Effective Customer Service; | 15. Leading for Results from the Middle; |
| 2. Human Resource Management in the Public Service of Trinidad and Tobago: A Training Needs Analysis; | 16. Introduction to Ethics and Values; |
| 3. Ministerial Performance Management Framework; | 17. Inventory Control and Management; |
| 4. Electronic Data Processing for Senior Public Officers; | 18. Emotional Intelligence; |
| 5. Strategic Approach to Procurement; | 19. Supervisory Management; |
| 6. Improving Workplace Productivity; | 20. Fundamentals of the Internal Audit and Function; |
| 7. Introduction to Public Service Accounting procedures; | 21. Creativity and Innovation for Leadership; |
| 8. Administration of Government Contracts; | 22. Modernisation and Standardisation of Human Resource Management: Workforce Planning; |
| 9. Ethics, Accountability & Good Governance; | 23. Responding to Parliamentary Committee Queries; |
| 10. Succession Planning in the Public Service; | 24. Conflict Resolution; |
| 11. Coaching and Mentoring Skills for Managers; | 25. Presentation skills for Senior Managers; |
| 12. Preparation of Pension and Leave Records; | 26. Strategic Communication for Engaging Citizens; |
| 13. Ethical Issues in the Public Service; | 27. Human Resource for Non-Human Resource Professionals; |
| 14. Financial Management for Non-Accounting Officers; | 28. Freedom of Information; |
| | 29. Risk-Based Auditing; and |
| | 30. IGP/IhRIS Upgrade Oracle Workshop. |

Staff Training (continued)

Comptroller of Accounts - Finance

Decentralization of the payment of contract gratuity

Project IhRIS

1. Basic Public Service Human Resource Concepts, Regulations & Procedures;
2. Business Process Redesign.

Office of the Procurement Regulation

Procurement, Retention and Disposal of Public Property

STAFF TRAINING AT THE SCD IN 2019

Strategic Leadership
Development Programme

Presentation skills for
Senior Managers



4.7 Human Resource Management Initiatives

4.7.1 Institutional Strengthening

In 2017, following the close of the institutional strengthening project, the Service Commissions Department's transition team assumed full responsibility for the roll out of the institutional strengthening plans. The Department's strategic plan identified the priority areas listed below:

- ✚ Customer Service Improvement
- ✚ Policy and Regulation
- ✚ Human Resource Management
- ✚ Information System
- ✚ Vacancy Reduction
- ✚ Training and Mentoring
- ✚ Organizational Realignment
- ✚ Process Improvement
- ✚ Communication and Change Management

However, human resource challenges which include both staffing and skills and programme re-profiling considerations prevented the allocation of dedicated resources to progress the above listed projects. As a result, a decision was made to focus on the following areas in 2019:

- ✚ *Training and Mentoring;*
- ✚ *Process Improvement;*
- ✚ *Communication and Change Management.*

4.7.1.1 Training and Mentoring

Training continued in 2019, to ensure that staff members are equipped with the necessary knowledge and skills to enable them to effectively perform their duties within the Department. Some of the notable courses offered in 2019, geared towards senior managers included the Strategic Leadership Development Programme, Note Writing for Human Resource Advisers and Coaching and Mentoring Skills for Managers. **Section 4.6** highlights the training courses conducted for the staff of the Service Commissions Department in 2019.

Institutional Strengthening (continued)

4.7.1.2 Process Improvement

The Information Communication Technology (ICT) Unit commenced the assigned task of developing/ reviewing process maps in January 2019. The development/review of the process maps is to facilitate the Electronic Database Management System ((EDMS) project and is scheduled for 2020.

Activities undertaken by the ICT team were:

- Develop/review existing processes with the Business Units.
- Update the existing process maps based on discussions with the Business Units.
- Create new process maps based on information received from the Business Units on new processes.
- Documentation of challenges.
- Documentation of suggestions/recommendations that can be used for business improvement.

At the end of 2019, the analysis of process maps for ten (10) Business Units were completed, that is, developed or reviewed and updated.

Amidst the many challenges faced, the ICT Unit will continue to work diligently to complete the process in 2020.

4.7.1.3 Communication and Change Management

In keeping with the vision, mission and values of the Service Commissions Department, the e-bulletin board was custom designed in-house to increase communication and collaboration while integrating technology across the Department by posting links, photos and other digital content. In order to maintain continued improvement in communication, the ICT Unit sought to further develop the e-bulletin board through a second iteration (MySCDIntranet), which is expected to be completed and rolled out within the next fiscal period 2020-2021.

4.7.2 Empowerment of Permanent Secretaries and Heads of Departments in Recruitment and Selection

In keeping with its strategic objectives, the Commission granted the required consent to allow Permanent Secretaries and Heads of Departments more extensive authority over specific offices; and did so in accordance with Public Service Commission Regulation 13(5) and (6) which state: -

(5) Notwithstanding sub regulation (4), a Permanent Secretary or Head of Department may with the consent of the Public Service Commission and in consultation with the Director of Personnel Administration by-

(a) circular memorandum; and

(b) publication in the Gazette,

give notice of vacancies which exist in offices specific to the particular Ministry or Department to which any eligible officer may apply.

(6) an application to fill a vacancy as advertised pursuant to sub regulation (5) shall be made directly to the Permanent Secretary or Head of Department.

...Permanent Secretaries/Heads of Department in accordance with Regulation 15 could advertise offices specific to their Ministry/ Department...

The Commission in February 2017, approved the “Guidelines for the Recruitment and Selection Process for Offices Specific to Ministries and Departments” and further decided that Permanent Secretaries/Heads of Department, in accordance with Regulation 15 could advertise offices **specific** to their Ministry/Department in and out of the Public Service through advertisement in the daily newspapers. Specific offices occur only in one Ministry/ Department.

The Guidelines for the recruitment and selection process for Offices Specific to Ministries and Departments Manual, which is a requirement at Regulation 16(5) included:

- the guidelines to be followed for the Recruitment and Selection process; and
- samples of the required documentations needed in the execution and reporting of the process to the Commission.

Appendix III depicts the status of those offices advertised in 2019.

4.8 Electronic Establishment Book

Subsequent to the major upgrade of the Integrated Human Resource Information System (IhRIS), the IhRIS Project Office is in the process of testing the generation of Establishment Reports to ensure that the reports align with the requirements of the SCD on appointments, promotions, acting appointments, vacancies and particulars of service. In-house, the Electronic Establishment Book (Database) has been amended with enhanced functionalities, accompanied with ongoing training of new users to populate the database. Data entry is ongoing at the Client Services and Human Resources Units.

4.9 Approval of Arrangements Consequent on the Realignment of Ministries in the Public Service

Cabinet, by Minute No. 59 dated 1st October, 2015, and with effect from 1st October, 2015:

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.

Approval of Arrangements (continued)

It should be noted that the Ministry of Health was the only Ministry wherein there were no changes. Further, Cabinet by Minute No 452 of 17th December, 2015 agreed to further adjustments to the structure of the Public Service. **Appendix IV** provides details of the realignment of Portfolios in 2015 to 2019 and other related details.

The Comptroller of Accounts by Circular No FM:3/1/102, informed Permanent Secretaries that:

“Where positions have been transferred from one Ministry to another, the surrendering Ministry must carry out the following:

(a) Establishment Positions

Identify the persons attached to the relevant positions and forward a recommendation to the Director of Personnel Administration (DPA) for the transfer of the officers to the new/restructured Ministries with effect from 1st October, 2015”.

The adjustment to the staff establishments in the Public Service, resulted in the transfer of permanent officers, the re-appointment of temporary officers and officers to act in the re-aligned Ministries. The Public Service Commission based on the recommendations from the respective Permanent Secretaries and as a result of the re-aligned Ministries, approved the following: -

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

In 2019, the Ministerial portfolio of the Ministry of Public Administration and Communication was re-aligned to form the Ministry of Public Administration and the Ministry of Communication. Also, recommendations as a result of changes to Ministerial portfolios continue to be submitted to the Commission in 2019.

Appendix V gives a breakdown of the number of matters which were approved by the Public Service Commission in 2019 in the different functional areas due to the realignment of Ministerial portfolios.

5.0 OVERVIEW OF CHALLENGES

5.1 Outstanding Performance Appraisal Reports

One of the criteria for an officer to be appointed/promoted to an office is that such an officer should have an up-to-date satisfactory Performance Appraisal Report (PAR). In 2019, the Commission could not effect two hundred and twenty-nine (229) promotions/appointments in a timely manner due to outstanding up-to-date satisfactory Performance Appraisal Reports (PARs). The failure of Ministries/Departments to submit up-to-date Performance Appraisals Reports, in a timely manner, remains a concern for the Commission, since delayed fillings may result in the inability of Ministries/Departments to efficiently carry out certain functions.

One of the short-term strategies employed by the Commission is to promote officers who do not have up-to-date Performance Appraisal Report subject to the receipt of satisfactory PARs and Permanent Secretaries/Heads of Departments are directed to submit the officers' PARs with seven (7) days of receipt of its request.

5.2 Amendments and Cancellations

In 2019, the Public Service Commission cancelled/amended a total of two hundred and sixty-eight (268) appointments/promotions/acting appointments/temporary appointments and transfers. Two hundred and four (204) were cancellations, while, sixty-four (64) were amendments. The main reason for cancellations and amendments for 2019 was administrative error. Overall, there was a thirty-nine percent (39%) decrease for cancellations/amendments made by the Commission when compared to 2018.

Overview of Challenges (continued)

5.3 Confirmations

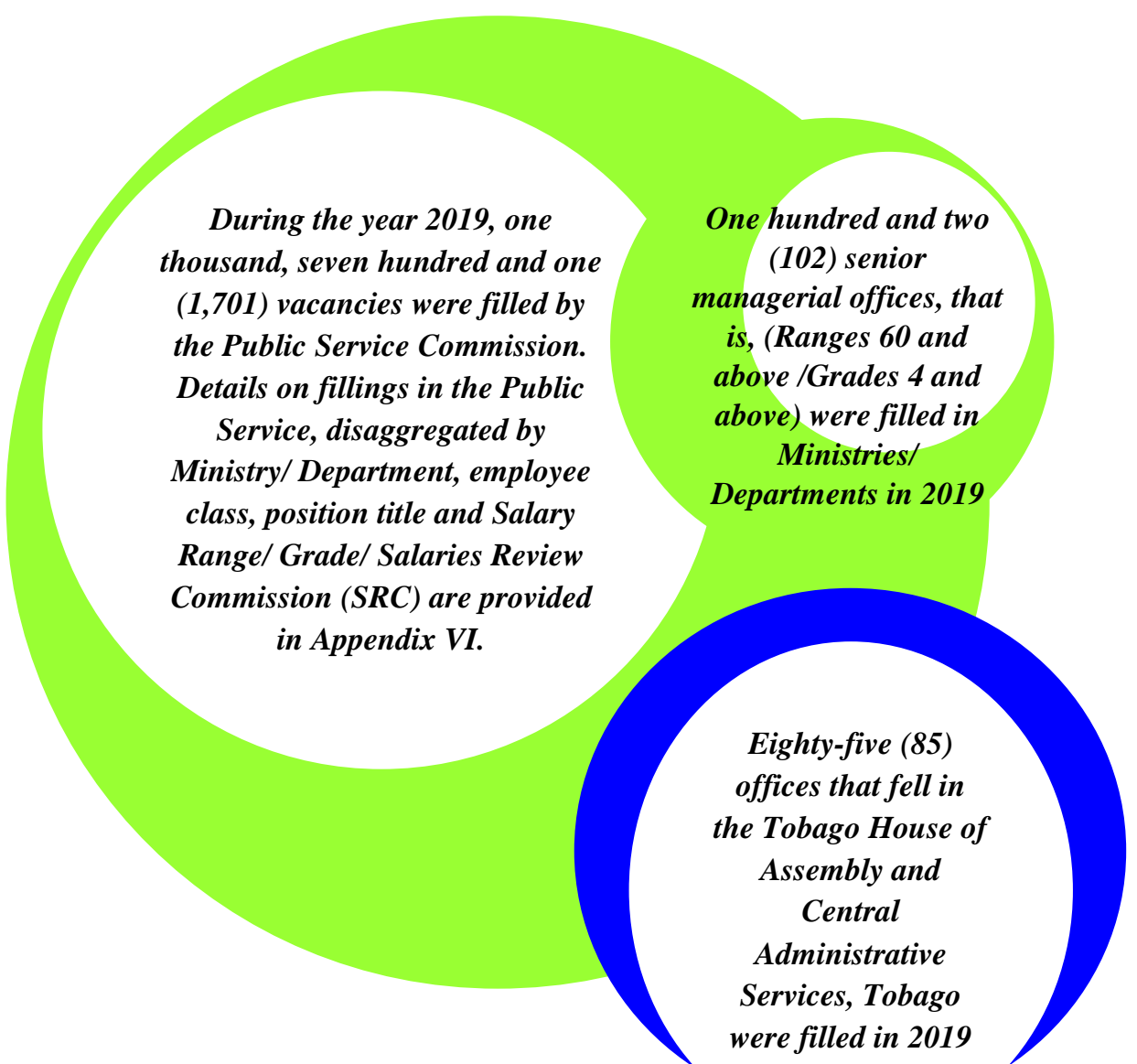
Permanent Secretaries and Heads of Departments have the responsibility to confirm appointments (up to and including Salary Range 68) by the Delegated Order of May 24, 2006. Confirmation of appointments/promotions are made after one year/two years once officers have been medically examined and are fit for service and have successfully served their probationary period.

In 2019, seven hundred and fifty-five (755) appointments were confirmed; however, this figure does not coincide with the number of appointments and promotions effected in 2017 and 2018, which is, three thousand, two hundred and sixty-eight (3,268).

Delays in the confirmation of appointment of officers may be due to the absence of up-to-date Performance Appraisal Reports, or in the case of a first appointment, there may be the absence of the medical reports. To address this issue, the Monitoring, Auditing and Oversight Unit proposes to conduct an Audit to determine the number of outstanding confirmation of appointments in the Public Service.

6.0 DETAILED REPORT ON PERFORMANCE IN 2019

6.1 Details on the Fillings of Vacancies in the Public Service



During the year 2019, one thousand, seven hundred and one (1,701) vacancies were filled by the Public Service Commission. Details on fillings in the Public Service, disaggregated by Ministry/ Department, employee class, position title and Salary Range/ Grade/ Salaries Review Commission (SRC) are provided in Appendix VI.

One hundred and two (102) senior managerial offices, that is, (Ranges 60 and above /Grades 4 and above) were filled in Ministries/ Departments in 2019

Eighty-five (85) offices that fell in the Tobago House of Assembly and Central Administrative Services, Tobago were filled in 2019

6.1.1 Permanent Appointments

The Public Service Commission approved seven hundred and fifty-six (756) permanent appointments in 2019. From this total, the Chief Fire Officer made four hundred and forty-one (441) permanent appointments while the Commissioner of Prisons made thirty-nine (39) permanent appointments under delegated authority for 2019.

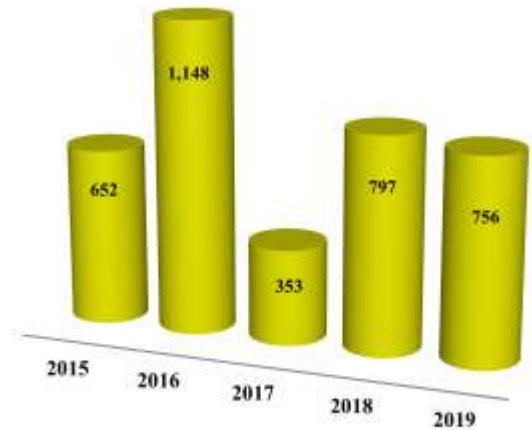


Figure 1 - Permanent Appointments 2015 -2019

Figure 1 gives comparative numbers of permanent appointments over the period 2015-2019.

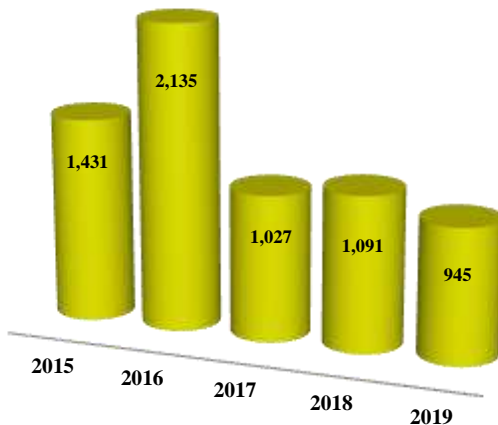


Figure 2 - Promotions 2015 - 2019

6.1.2 Promotions

The Public Service Commission approved nine hundred and forty-five (945) promotions in 2019. From this total, the Commissioner of Prisons made thirteen (13) promotions under delegated authority. The Chief Fire Officer did not make any promotions under delegated authority for 2019. See **Figure 2** for comparative numbers of promotions over the period 2015-2019.

6.1.3 Positions Filled in Tobago

Of the one thousand, seven hundred and one (1,701) vacancies filled in the public service, eighty-five (85) were filled in Tobago. One (1) first appointment and one (1) promotion were made in the Central Administrative Services, Tobago (CAST). In addition, eighty-three (83) fillings were effected in the Tobago House of Assembly (THA) and this comprised ten (10) first appointments and seventy-three (73) promotions.

6.2 Temporary Appointments

In 2019, the Commission approved one thousand, two hundred and thirty-nine (1,239) temporary appointments. From that total, six hundred and eighteen (618) appointments were approved by the Deputy Chairman under delegated authority, and three hundred and sixty-nine (369) were made as a result of the realignment of Ministries.

Permanent Secretaries and Heads of Departments effected a further twelve thousand, two hundred and fifty-one (12,251) temporary appointments under delegated authority. Of the twelve thousand, two hundred and fifty-one (12,251) temporary appointments made, a total of one thousand, six hundred and thirty-one (1,631) were effected in Tobago. This consisted of one thousand, four hundred and forty-four (1,444) by the THA and one hundred and eighty-seven (187) by CAST.

Altogether, a total of thirteen thousand, four hundred and ninety (13,490) temporary appointments were made to resource the Public Service in 2019. **Figure 3** gives comparative numbers of temporary appointments over the period 2015-2019.

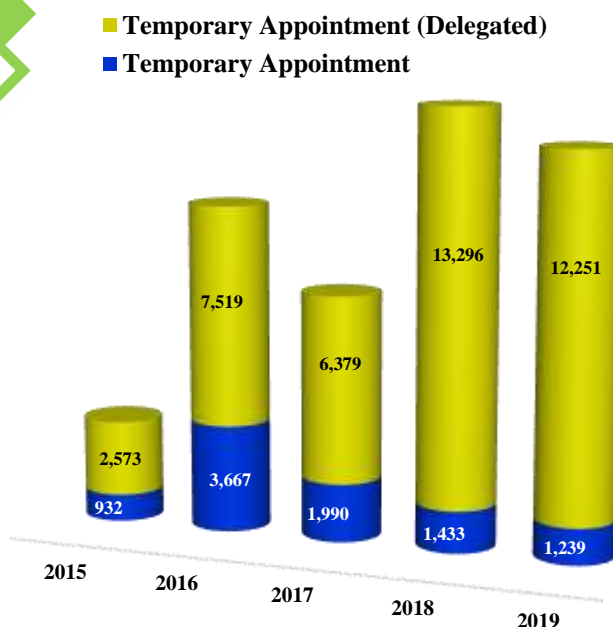


Figure 3 - Temporary Appointments 2015-2019

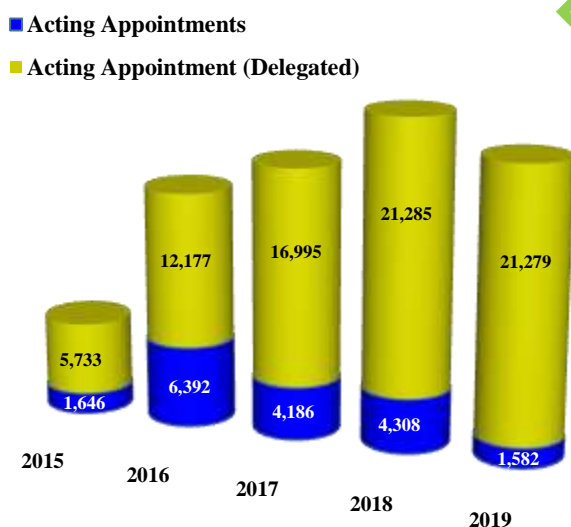


Figure 4 - Acting Appointments 2015 - 2019

6.3 Acting Appointment

The Commission approved one thousand, five hundred and eighty-two (1,582) acting appointments. A disaggregation of this total has revealed that two hundred and seventy-nine (279) acting appointments were due to the re-alignment of Ministerial portfolios.

Permanent Secretaries and Heads of Departments effected a further twenty-one thousand, two hundred and seventy-nine (21,279) acting appointments under delegated authority. Of the twenty-one thousand, two hundred and seventy-nine (21,279), one thousand, nine hundred and

seven (1,907) were made in Tobago. A disaggregation of figures from Tobago, revealed that one thousand, six hundred and forty-nine (1,649) were made by the Chief Administrator, THA and two hundred and fifty-eight (258) by the Permanent Secretary, CAST. The Chief Fire Officer approved four hundred and seven (407) acting appointments. Also, the Commissioner of Prisons effected one hundred and nineteen (119) acting appointments under delegated authority.

A total of twenty-two thousand, eight hundred and sixty-one (22,861) acting appointments were made in 2019. **Figure 4** gives comparative numbers of acting appointments over the period 2015-2019.

6.4 Secondments

“Secondment” as defined in the Civil Service Regulations Chapter 2. (1), refers to 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 such Service.

In 2019, the Commission released seven (7) officers for appointment on secondment to other Service Commissions and Agencies such as, the Teaching Service Commission, Statutory Authorities Service Commissions and the Regional Health Authority and appointed on Secondment from other Service Commissions/Services eight (8) officers. **Figure 5** outlines comparative numbers of officers released from and seconded to a Service over the last five (5) years.

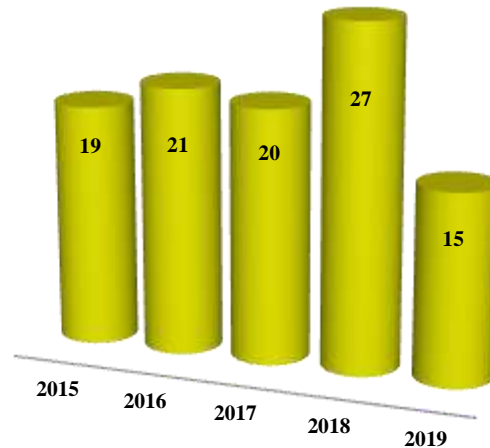


Figure 5 - Secondment 2015 - 2019

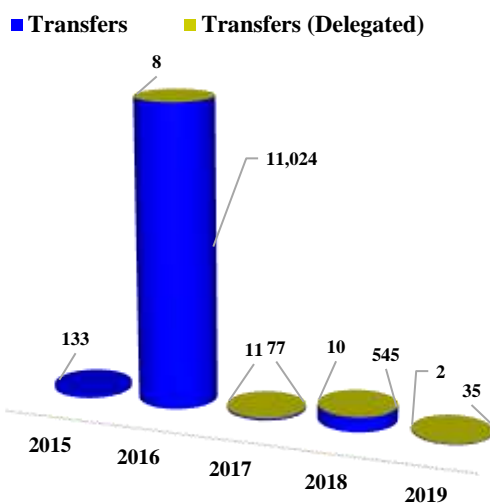


Figure 6 - Transfers 2015- 2019

6.5 Transfers

During the year 2019, the Commission transferred thirty-five (35) officers, seven (7) were as a result of the re-alignment of Ministerial portfolios. Under delegated authority, two (2) transfers were effected, one (1) in Trinidad and one (1) in Tobago.

A comparison of the years 2015 to 2019 is shown in **Figure 6**.

6.6 Confirmations

The responsibility to confirm appointments (up to and including Salary Range 68) was given to Permanent Secretaries and Heads of Departments by Delegation Order of May 24, 2006. During 2019, a total of one thousand and eighteen (1,018) appointments were confirmed. The Commission confirmed two hundred and sixty-three (263) appointments, while Permanent Secretaries and Heads of Departments effected a further seven hundred and fifty-five (755) confirmations under delegated authority. Of the seven hundred and fifty-five (755) confirmations made under delegated authority, sixty (60) were made in Tobago. Out of the sixty (60) appointments that were confirmed, fifty-eight (58) were confirmed by the Chief Administrator, THA and two (2) by the Permanent Secretary, CAST.

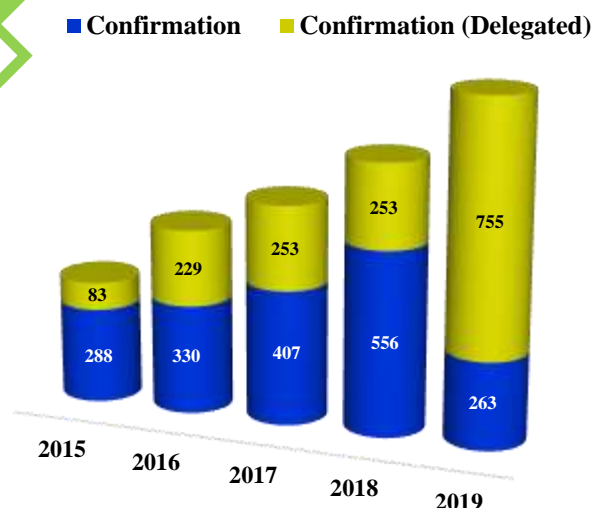


Figure 7 - Confirmations 2015 - 2019

A comparison of the years 2015 to 2019 is shown in **Figure 7**.

Table 1

Type of Separation	Total
Resignations	106
Compulsory Retirement	813
Voluntary Retirement	102
Permission to Retire	37
Retirement on Grounds of Marriage	1
Retirement in the Public Interest	1
Medical Board	5
Declared to have resigned	7
Deaths	40
Termination	4
TOTAL	1,116

6.7 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. The data also includes statistics from the Prison and Fire Services. **Table 1** indicates the number of officers who have separated from the Public Service during 2019.

6.8 Examinations

The Examination Board exists in accordance with Section 17(1) of the Public Service Commission Regulations.

In relation to the examinations conducted by the Public Service Examinations Board; the Civil Service Regulations, the Public Service Commission Regulations (Prisons Service and Fire Service) and the Fire Service (Terms and Conditions) Regulations all provide for the holding of Examinations in the respective Services

Section 12 (1) of the Public Service Commission Regulations states that: -

Candidates for permanent appointment to public offices in the clerical and secretarial classes as prescribed by the Civil Service Regulations and to such other classes in the public service as the Commission may from time to time specify, shall be selected on the basis of written examinations and interviews.

Examinations are also held as follows: -

Recruitment/Shortlisting Examinations: These examinations are utilised to create recruitment lists from which persons may be recruited as leave reliefs for certain offices and also as a means of shortlisting a large number of applicants. As such, examinations are written by officers within the Public Service and persons from the wider public.

Competency Based Examinations: These examinations are as a result of specific decisions of the Commission and generally used in offices for the professional or technical classes.

The Commission also has a policy in place for shortlisting large numbers of applications for a single office via an Examination.

In 2019, examinations/supplemental examinations were held for a total of seven (7) offices. However, at the end of 2019, examinations for four (4) offices remained to be corrected and processed. The percentage rates of success/failure for candidates by office and a breakdown of the number of candidates who were scheduled to sit the examinations/supplemental examinations and those who sat the examinations and were successful are shown below in **Tables 2** and **3**.

Table 2**Examinations Held for Offices in the Public Service in 2019**

Office for which Examination was held/ Type of Examination	No. of Candidates Listed to attend Examinations	No. of Candidates attending Examinations	No. of Successful Candidates
Probation Officer (Main/Supplemental)	82	66	32
Cabinet Affairs Officer (Main)	4	2	0
Cabinet Affairs Officer (Supplemental)	33	26	Still Processing as at 31.12.19
Investigator I (Main/Supplemental)	256	170	30
Electronic Data Processing Programmer I (Main)	60	38	9
Systems Analyst (Main/Supplemental)	107	67	Still Processing as at 31.12.19
Survey Interviewer I (Main)	90	34	Still Processing as at 31.12.19
Fire Sub Officer (Trinidad - Main)	154	130	Still Processing as at 31.12.19

Table 3**Success/Failure Rate for Examinations Held for Offices
in the Public Service in 2019**

Office Success Rate (%)	Success Rate %	Failure Rate %
Probation Officer (Main/Supplemental)	48	52
Cabinet Affairs Officer (Main)	0	100
Investigator I (Main/Supplemental)	18	82
Electronic Data Processing Programmer I (Main)	24	76

6.9 Delegation

In order to ensure that the functions delegated to Permanent Secretaries/Heads of Departments and other senior public officers are properly exercised, the Public Service Commission established in 2006, a Monitoring, Auditing and Oversight Unit.

As part of its core functions, this Unit continues to provide training and consultancy services to the officers in the Human Resource Management Units of line Ministries/ Departments in the proper use of the delegation instruments.

6.9.1 Review of the Performance of Ministries and Departments Under Delegated Authority

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.

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.

A review of the performance of Permanent Secretaries and Heads of Departments under delegated authority for 2019, by the Monitoring, Auditing and Oversight Unit indicates that a total of thirty-four thousand, two hundred and eighty-seven (34,287) matters were dealt with by Permanent Secretaries and Heads of Departments under delegated authority. Of this total, twenty-four thousand, seven hundred and sixty-nine (24,769) matters were in compliance while nine thousand, five hundred and eighteen (9,518) matters were not in compliance. There was an improvement in the overall compliance level from sixty-four percent (64%) in 2018 to seventy-two percent (72%) in 2019. This improvement in compliance levels can be attributed to the increased frequency of training of Human Resource personnel in the use of delegation instruments in 2019.

While there was an overall improvement in compliance levels in 2019, nineteen (19) Ministries/Departments fell below the acceptable compliance level of eighty percent (80%). The Ministry of National Security, Integrity Commission and the Judiciary had the lowest compliance levels, that is, below forty percent (40%).

In its drive towards ensuring Ministries and Departments achieve one hundred percent (100%) compliance in all functional areas, the Monitoring, Auditing and Oversight Unit will continue its efforts with respect to the oversight and auditing of Ministries and Departments and the frequency of training of Human Resource personnel in the use of the delegation instruments in Ministries/Departments with the highest levels of non-compliance. **Figures 8 and 9** provide details.

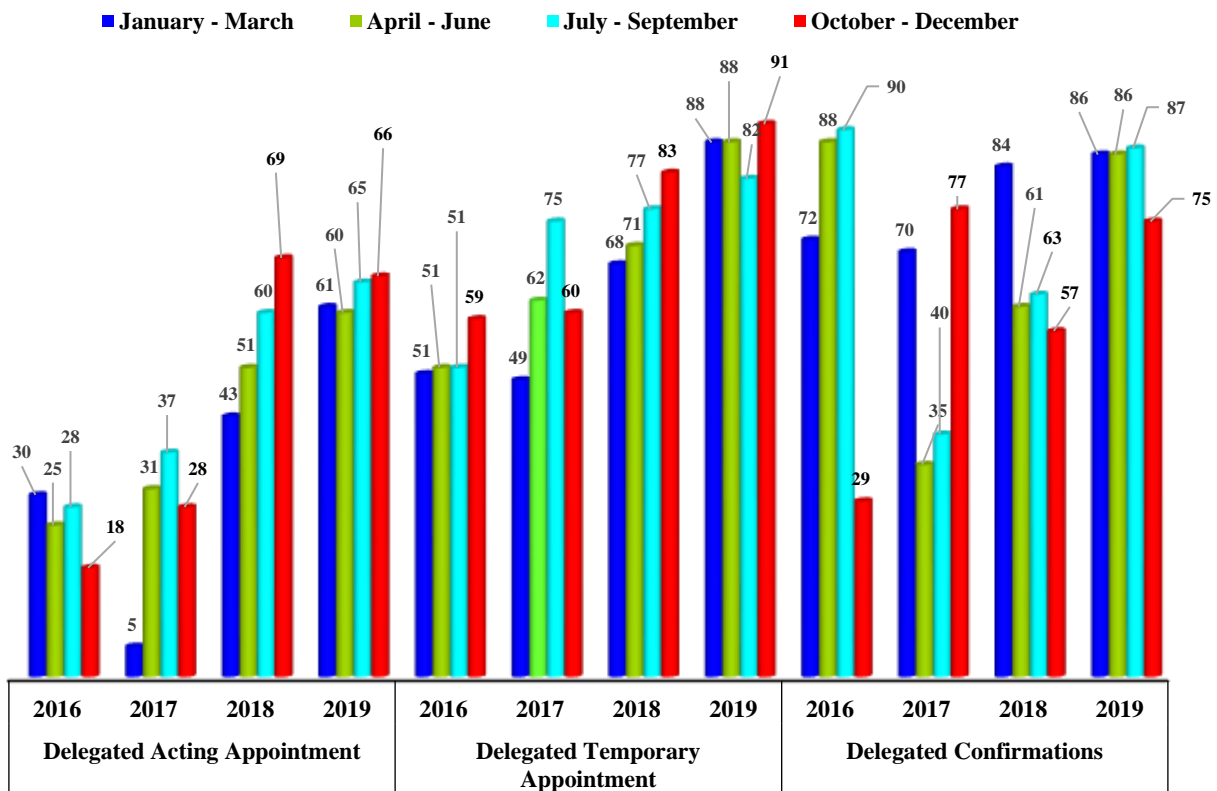


Figure 8 - Quarterly % of Compliance with Delegated Functions 2016 - 2019

Review of Performance (continued)

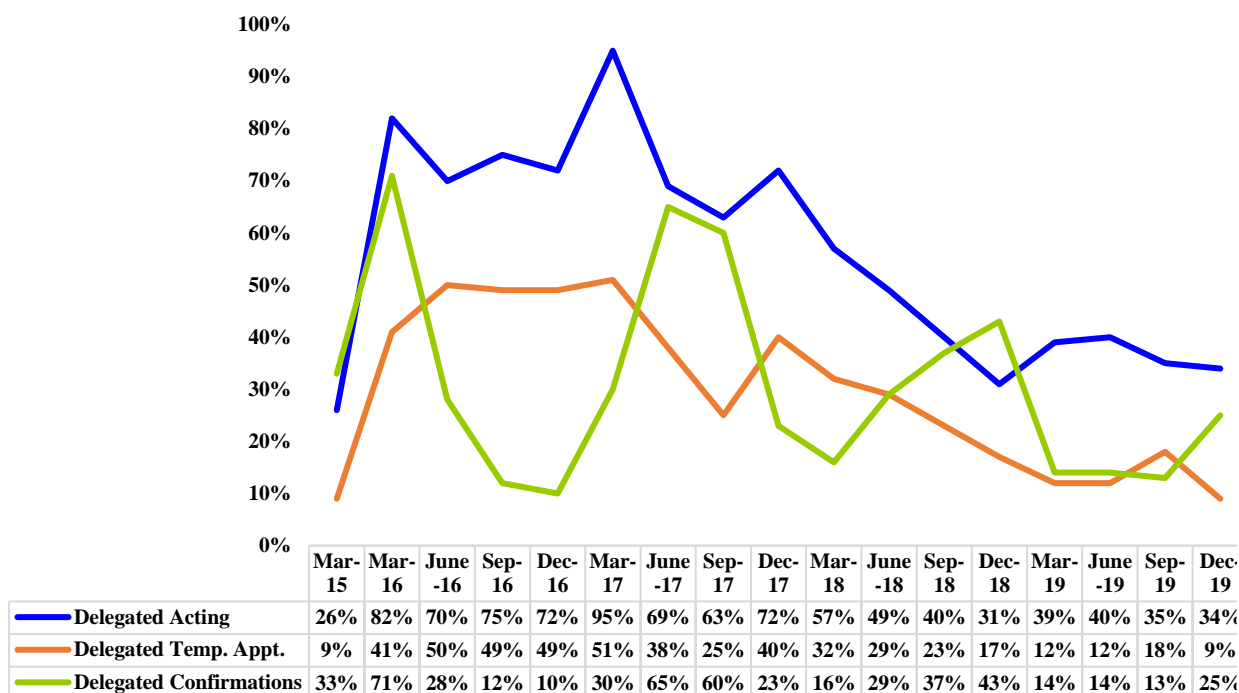


Figure 9 - Quarterly % of Non-Compliance Delegated Functions 2016 - 2019

In 2019, the Monitoring, Auditing and Oversight Unit continued its drive to conduct training of line Ministry's personnel in the management of delegated functions. As such, two hundred and six (206) Human Resource professionals in eleven (11) Ministries and Departments were afforded training in 2019.

The agencies which benefited from this training initiative are itemized below: -

- ✚ Ministry of National Security;
- ✚ Ministry of Works and Transport;
- ✚ Office of the Parliament;
- ✚ Office of the Prime Minister;
- ✚ Ministry of Social Development and Family Services;
- ✚ Ministry of Attorney General and Legal Affairs;
- ✚ Ministry of Health;
- ✚ Central Administrative Services, Tobago, (CAST), Office of the Prime Minister, Tobago Affairs;
- ✚ Ministry of Community Development, Culture and the Arts;
- ✚ Ministry of Housing and Urban Development; and
- ✚ Auditor General's Department.

6.10 Discipline

One of the important powers vested in the Commission under the Constitution at Section 121 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 4 hereunder gives a statistical representation of disciplinary proceedings against public officers in 2019:

Table 4

Disciplinary Proceedings against Public Officers

Disciplinary Matters	Civil	Fire	Prison	Total
No. of court matters which have been dismissed as a result of the non-appearance in court by Police Officers	2	0	3	5
No. of Court matters dismissed	0	0	3	3
No. of Court matters discharged	3	0	1	4
No. of Orders of Interdiction	19	0	19	38
No. of Orders of Suspension	16	0	2	18
No. of Lifting of Order of Suspension	10	1	2	13
No. of Officers who had allegations of misconduct made against them	12	0	2	14
No. of allegations of misconduct	13	0	1	14
No. of Preferment of disciplinary charges	39	0	15	54
No. of persons disciplinary charges were preferred against	19	0	9	28
No. of outstanding Court matters at the end of 2019	40	10	32	82
No. of matters discontinued/no further action	8	0	0	8
No. of investigating officers' reports received	15	0	11	26
No. of Abandonments (declared to have resigned)	5	0	2	7

6.10.1 Disciplinary Tribunals

The Public Service Commission Regulation 95 (1) states:

Where the Commission under regulation 90(6) charges an officer with an alleged act of indiscipline or misconduct and the provisions of regulation 93 apply, the Commission may appoint a disciplinary tribunal to hear and find the facts.

The Commission appointed forty-eight (48), disciplinary tribunals to hear and find the facts on thirty-three (33) matters referred to them in 2019. **Table 5** below gives further details on Disciplinary Tribunal matters.

Table 5

Disciplinary Tribunal Matters for 2019

Particulars		Civil	Fire	Prison	Total
1.	No. of Disciplinary Tribunals appointed by the Public Service Commission to hear matters.	31	0	17	48
2.	No. of matters referred to three-man tribunals in 2019.	14	0	19	33
3.	No. of Disciplinary Tribunals completed during the year of review 2019.	2	3	9	14
4.	No. of matters pending before Disciplinary Tribunals at the end of 2019.	23	1	14	38
5.	No. of matters concluded in 2019.	5	1	7	13

6.11 Public Service Appeal Board

Appeals to the Public Service Appeal Board (PSAB) may be filed after the Commission has imposed penalties on an officer at the conclusion of a disciplinary matter. The PSAB regulates its own procedure. In 2019, thirteen (13) officers from the Public Service filed appeals before the Public Service Appeal Board (PSAB). Six (6) matters came from the Civil Service, five (5) matters were from the Prison Service and two (2) matters came from the Fire Service. Of the thirteen (13) matters that were filed, three (3) matters were concluded while ten (10) matters were pending at the end of December 2019.

6.12 High Court/Court of Appeal Matters

In 2019, four (4) High Court matters were filed involving the Public Service Commission. Out of four (4) concluded matters, two (2) matters were concluded in favour of the claimant, while two (2) matters were concluded in favour of the Public Service Commission. Further, two (2) High Court Action matters were withdrawn in 2019. Further details are at **Appendix VII**, **Appendix VIII** and **Appendix IX**.

6.13 Complaints/Representations

In 2019, a total of forty-eight (48) new complaints were received. No new complaints were received from Tobago. **Figure 10** disaggregates the nature and number of complaints/representations received over the period 2015 to 2019.

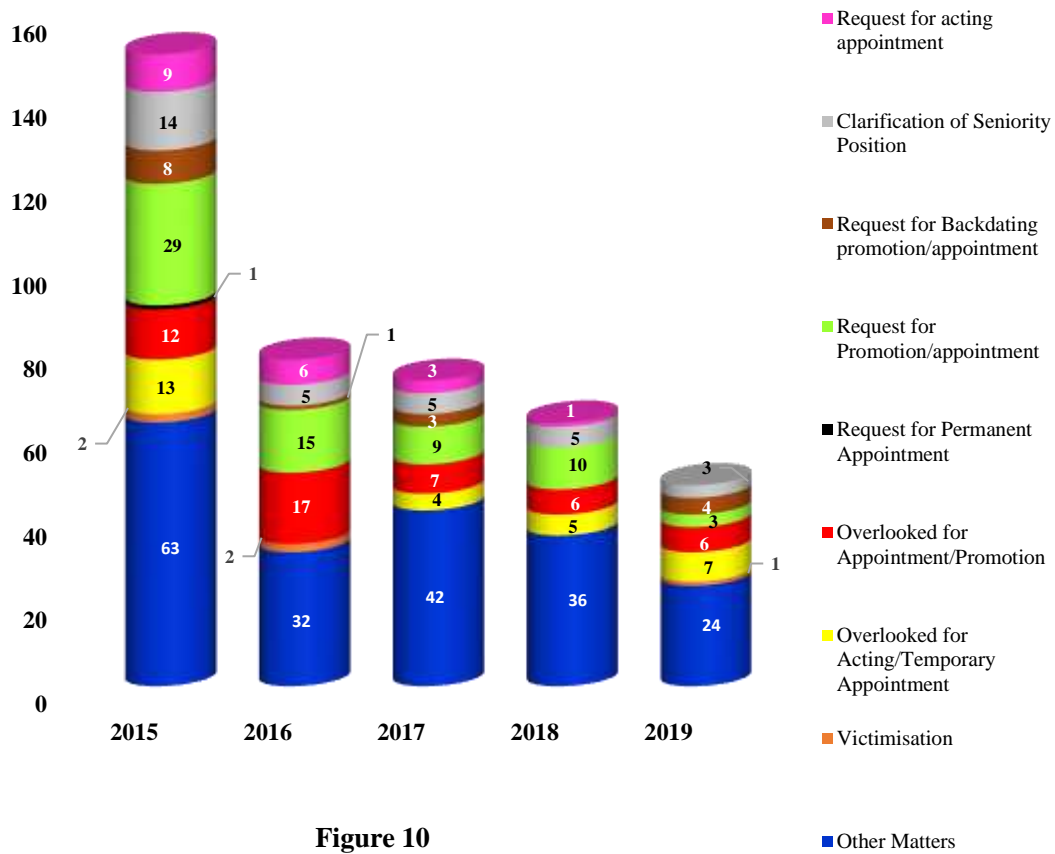


Figure 10
Representation/Complaints 2015-2019

6.13.1 Representations from the Public Services Association

Table 6

Representation from the Public Services Association

Nature of Matters Received	No. of Matters Received	No. of matters concluded
Bypassed for acting appointment	3	1
Request for document	2	1
Request for intervention	2	1
Request for update on appointment	1	1
Allegation of Job abandonment	1	1
Bypassed for promotion/acting appointment	1	1
Request for re-assignment due to injury	1	1
Non-payment of overtime	1	1
Clarification of examination results	1	1
Clarification of seniority	1	-
Request for placement	1	1
TOTAL	15	10

During 2019, fifteen (15) representations were received from the Public Services Association (PSA). The particulars on the matters received are disaggregated in **Table 6**.

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

Table 7

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

In 2019, interventions were made by Attorneys-at-law on behalf of public officers/non-public officers. **Table 7** gives details on the nature of the matters.

Nature of Matters Received	No. of Matters Received	No. of Matters Concluded
Request for interview status	1	1
Clarification of seniority	1	1
Request for approval to act	1	1
TOTAL	3	3

6.13.3 Information Requests (Freedom of Information)

Table 8
Summary of FOI Received by Service

Service	Received	Finalized
Civil Service	501	407
Fire Service	6	4
Prison Service	20	13
Total	527	424

The Freedom of Information Act, Chapter 22:02 of the Revised Laws of Trinidad and Tobago gives officers and members of the public the right of access to official documents and information held by public authorities (with exceptions). In 2019, five hundred and twenty-seven (527) new Freedom of Information (FOI)

requests were received from officers in the Public Service. From this number, thirteen (13) requests were received from the Tobago House of Assembly, Tobago. **Table 8** summarises the number of FOI requests received and finalized for the Civil, Fire and Prison Services.

Table 9 below gives a breakdown of the nature of Freedom of Information (FOI) requests received from the Civil Service.

Table 9
FOI Requests by the Civil Service, Trinidad and Tobago

Nature of the FOI Request	Trinidad		Tobago	
	No. of Request	% of Request	No. of Request	% of Request
Request for information	292	59.9	5	38
Position on Seniority List/Order of Merit List	115	23.6	3	23
Information/Copy of Documents	49	10	3	23
Results of Examinations/Practical	6	1	-	-
Scores from Interviews	6	1	-	-
Date of appointment of officers	5	1	-	-
Confirmation Letter	4	1	-	-
Employment	4	1	1	8
Promotion	2	0.5	-	-
Acting	1	0.2	-	-
Fire Assessment Matters	1	0.2	-	-
Permanent Appointment	1	0.2	-	-
Results from Examinations/Practical	1	0.2	1	8
View Confidential File	1	0.2	-	-
TOTAL	488	100	13	100

Information Requests [FOI] (continued)

Table 10 and **Table 11** below give a breakdown of the nature of Freedom of Information (FOI) requests received from the Fire and Prison Services respectively during 2019:

Table 10
FOI Requests by Fire Service, Trinidad

Nature of the FOI Request	No. of Request	% of Request
Request for information	4	66
Information/Copy of documents	1	17
Scores from Interviews	1	17
TOTAL	6	100

Table 11
FOI Requests by Prisons Service, Trinidad

Nature of the FOI Request	No. of Request	% of Request
Request for information	17	85
Information/Copy of documents	3	15
TOTAL	20	100

6.13.4 Equal Opportunity Representations

The Equal Opportunity Act Chapter 22:03 of the Revised Laws of Trinidad and Tobago, Section 8, prohibits certain kinds of discrimination and promotes equality of opportunity between persons of different status. The Act also provides for the establishment of an Equal Opportunity Commission and an Equal Opportunity Tribunal and for matters connected herewith.

Section 8, of the Equal Opportunity Act states:

8. *An employer or a prospective employer shall not discriminate against a person: -*

- (a) *in the arrangements he makes for the purpose of determining who should be offered employment;*
- (b) *in the terms and conditions on which employment is offered; or*
- (c) *by refusing or deliberately omitting to offer employment*

The Public Service Commission is not the employer of public officers, however, the Commission is still subject to the jurisdiction of both the Equal Opportunity Commission and the Tribunal. A summary of matters referred to the Commission during the period under review is provided in **Table 12**.

Table 12

Summary of Matters Referred to the Public Service Commission

No. of Matters Received	No. of Matters Finalized
1	1

6.13.5 Ombudsman

The Constitution of Trinidad and Tobago provides for an Ombudsman for Trinidad and Tobago. The principal function of the Ombudsman is outlined at Section 93 of the Constitution. Section 93 states, inter alia, that:

- (1) ...the principal function of the Ombudsman shall be to investigate any decision or recommendation made, ...or any act done or omitted by any department of Government or any other authority to which this section applies, or by officers or members of such a department or authority, being action taken in exercise of the administrative functions of that department or authority.
- (2) The Ombudsman may investigate any such matter in any of the following circumstances-
 - a) where a complaint is duly made to the Ombudsman by any person alleging that the complainant has sustained an injustice as a result of a fault in administration;
 - (b) where a member of the House of Representatives requests the Ombudsman to investigate the matter on the ground that a person or body of persons specified in the request has or may have sustained such injustice;
 - (c) in any other circumstances in which the Ombudsman considers that he ought to investigate the matter on the ground that some person or body of persons has or may have sustained such injustice.

...the principal function of the Ombudsman shall be to investigate any decision or recommendation made,....or any act done or omitted....

Ombudsman (continued)

The number and nature of the interventions made by the Ombudsman on behalf of Public Officers during the period under review is provided in **Table 13**.

Table 13

**The Number and Nature of the Interventions Made by the Ombudsman
on behalf of Public Officers**

Nature of the Matters	No. of Matters	No. of Matters Concluded
Delay in processing recommendation for acting appointment	2	1
Inquiry into an officer being by-passed for promotion	1	1
Delay in receiving response to query	1	1
Delay in officer's appointment and confirmation	1	-
TOTAL	5	3

7.0 STRATEGIC OUTLOOK

Numerous and widely agreed challenges continue to plague the Public Service. These include operational inefficiency, lack of transparency, need to institutionalize meritocracy, unsatisfactory service levels and an organisational culture not aligned to the vision of Trinidad and Tobago being a First World nation. To address these issues, a holistic approach through sound strategic planning and execution is required. Several seminal reports, including the Vision 2030 – The National Development Strategy of Trinidad and Tobago 2030 and an Institutional Strengthening Report on the Service Commissions Department (SCD), the secretariat of the Service Commissions, both documents exhibit remarkable coherence of the issues and the recommendations proffered.

The SCD has a strategic plan: however, it needs modification to more fully incorporate the concerns of other stakeholders as well. The Public Service Commission (PSC) aims to initiate discussions with the three other Commissions, the Ministry of Public Administration and other key stakeholders to reinvigorate a national coordinating mechanism as a fulcrum for holistic transformation of the following critical areas:

1. **Strategy:** The SCD's strategy cannot be done in isolation and should take into consideration the overall Human Resource Management Strategy for the Public Service, given the interdependencies amongst Ministries, Departments and Agencies (MDA) in the practice of Human Resource Management.
2. **Centralization and Alignment:** There is no centralized Human Resource Management Strategy aligned to Vision 2030 National Development Strategy 2016-2030.
3. **Accountability:** There is an absence of a coherent and streamlined system of accountability for the transformation of the Public Service. The various Human Resource Management entities report to different MDAs. The responsibilities, duties and accountabilities of the Service Commissions derive from their constitutional mandates. No single entity takes lead in the overall transformation.
4. **Technology:** No unified Human Resource Information System (IhRIS) to handle the end to end life cycle of the Public servant.

Strategic Outlook (continued)

The Public Service Commission will continue to work with and support the Service Commissions Department in strengthening their areas of strategic focus and operational efficiency as follows:

1. **Strategic Focus**

- a. Dovetailing the recommendations of the following reports into a master work plan for the SCD with Specific, Measurable, Attainable, Realistic and Time bound goals, including a monitoring and reporting system:
 - i. National Development Strategy of Trinidad and Tobago Vision 2030.
 - ii. Institutional Strengthening of the Service Commissions Department Final Report (Deloitte 2015).
 - iii. Joint Select Committee 7th Report on the Efficiency and Effectiveness of the Public Service Commission (2018).

2. **Operational Efficiency**

- a. Process - reengineering of critical business processes - establishment of an Assessment Centre Unit; further delegation and enhanced monitoring.
- b. People - employees with the right experience, qualifications and attitude.
- c. Technology - deploying innovative technological solutions – IhRIS, e-Recruitment.

NOTES

NOTES



Appendices



Appendix I

Legal Supplement Part B—Vol. 45, No. 87—24th May, 2006

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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 CONSTITUTION

THE 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 LN.60. of
amended by revoking the First and Second Schedules and substituting 1999 First
the following: 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

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	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.
Chap. 23:01	
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 Application 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.

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

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

PART IV

DIRECTORS, HUMAN RESOURCES

1. The powers delegated to Directors, Human Resources are as follows: Powers delegated
 - (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 Acting which power delegated the Directors, Human Resources shall apply the appointment principles of selection prescribed in regulations 18 and 26 and the provisions of regulation 25 of the Regulations;
 - (b) to appoint persons temporarily to offices up to and including Salary Range 34 Further in the Public Service for periods not exceeding six months at a time where temporary such persons have already been appointed temporarily by the Public Service appointment Commission for a fixed period;
 - (c) to confirm the appointment of a public officer to a public office up to and Confirmation 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.
2. The powers delegated in this Part are in respect of public officers in the Ministry Application 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.
3. The powers hereby delegated do not apply to offices the appointment or promotion Application to which is subject to consultation with the Prime Minister.
4. A Director, Human Resource shall submit to the Commission once in every quarter Report to 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 Powers persons temporarily to the offices of Clinical Instructor and Nursing Instructor. delegated
2. The Permanent Secretary, Ministry of Health, shall submit to the Commission Report to once in every quarter, a report of the exercise of the powers delegated to him under this Commission Part.

PART VI

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

- Powers delegated 1. (1) The powers delegated to the Director of Statistics, Central Statistical Office, Ministry of Planning and Development are as follows:
- (a) to appoint persons to the temporary posts of—
- (i) Field Interviewer;
- (ii) Clerical Assistant;
- (iii) Statistical Assistant;
- in the Central Statistical Office.
- (b) to remove and exercise disciplinary control over any person appointed under and in exercise of the power of appointment delegated under paragraph (a).
- (2) All appointments made under this Part shall be on a temporary basis.
- Report to Commission (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.

PART VII

THE COMMISSIONER OF PRISONS

- Powers delegated 1. The powers delegated to the Commissioner of Prisons are as follows:
- (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;
- (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;
- Acting appointment (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;
- Transfers (d) the power to transfer prison officers from one Prison to another;
- Suspension (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;
- Resignation (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.
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.
- Report to Commission 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.

*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:
 - (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;
 - (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 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;
 - (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;
 - (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.
2. The Chief Fire Officer shall submit to the Commission, once in every quarter, a Report to report of the exercise of any of the powers delegated to the Chief Fire Officer and to any Commission other fire officer.

PART IX

CHIEF ADMINISTRATOR, TOBAGO HOUSE OF ASSEMBLY, TOBAGO

1. The powers delegated to the Chief Administrator, Tobago House of Assembly, Appointments Tobago are as follows:
 - (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 26(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 Acting House of Assembly, for periods up to six months whether such acting 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;

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 (e) 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

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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PART XI

THE PERMANENT SECRETARY, CENTRAL ADMINISTRATIVE SERVICES, TOBAGO

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

- (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 Chap: 23:01 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 Transfers 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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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.

Chap: 23:01 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.

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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)

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SECOND SCHEDULE—CONTINUED

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
<i>Description of Misconduct</i>	CIVIL SERVICE <i>Reference to Regulation of Civil Service Regulations</i>	FIRE SERVICE <i>Reference to Regulation of Fire Service (Terms and Conditions of Employment) Regulations, 1998</i>	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;	Regulation 149(1)(b)		
(b) Fire Service (Terms and Conditions of Employment) Regulations, 1998 and other written law;	Regulation 149(1)(c)	Regulation 119(1)(b)	
(c) Prison Service (Code of Conduct) Regulations, 1990.		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)(l)

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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)
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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.

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Appendix II

No. of Fillings in 2019 From Interviews held by the Selection Board

Office for which Interviews were Held	Ministry/Department	Fillings	
		No. of Appointments	No. of Promotions
Physical Education and Sport Officer I (Range 46)	Sport and Youth Affairs	1	-
Secretary General UNESCO (Range 60)	Education	-	1
Examiner I (Range 45)	Registration, Recognition and Certification Board	1	-
Co-ordinator National Alcohol and Drug Abuse Prevention Programme (Range 65)	Health	-	1
Assistant Government Printer (Range 54C)	Communications	-	1
Principal Medical Officer (Environmental) (Range 68)	Health	-	1
Executive Officer (Group 3A)	Office of the Ombudsman	-	1 (subject to consultation with Prime Minister)
Manager, Domestic Violence (Range 54E)	Office of the Prime Minister	-	1
Director, Operational Analysis (Range 68)	Finance	1	-
Principal Medical Officer (Epidemiology) (Range 68)	Health	-	1
Director, Economic Research and Planning (Range 67)	Public Utilities	-	1
Director, Corporate Services (Range 68)	Public Service	-	2
TOTAL		3	10

Appendix III

Status of Offices Scheduled to be Advertised in 2019 in Accordance with Regulation 13(5) of the Public Service Commissions Regulations

No.	Ministry	Name of Office/Range	Date of Commission's Decision to Advertise/ Notice of Vacancy	Remarks/Status
1.	Works and Transport	i. Chief Architect (Range 62)	26.03.19	A Notice of Vacancy/ Advertisement was issued for the office in 2019. A Screening Report was received and submitted to Recruitment Unit. The Unit is awaiting the Commission's decision to proceed with the Shorting Phase.
		ii. Deputy Director, Maritime Services (Range 63)	04.04.17	A Notice of Vacancy/ Advertisement was issued for the office in 2018. The Screening Report was received and submitted to Recruitment on 30.01.19. The Ministry submitted a Shortlisting Report.
		iii. Plumbing and Sanitation Foreman (Range 28)	29.10.19	The matter is on hold until a decision with respect to advertising is finalised.
2.	Rural Development and Local Government	i. Public Health Inspector II (Range 40F)	12.02.19	A Notice of Vacancy/ Advertisement was issued for the office in 2019. A Screening Report was received from Ministry and submitted to the Recruitment Unit. The Unit is awaiting the Commission's approval to proceed with the Shorting Phase.

Appendix III (continued)

No.	Ministry	Name of Office/Range	Date of Commission's Decision to Advertise/ Notice of Vacancy	Remarks/Status
	Rural Dev. Cont'd	ii. Road Officer (Range 30)	26.03.19	Awaiting a Screening Report from the Ministry.
3.	Planning and Development	Town Planning Assistant I (Range 21)	10.04.18 24.07.18	The matter was carried forward to 2020.
4.	Health	i. Microbiologist (Range 56)	09.07.19	The matter was carried forward to 2020.
		ii. Nutritionist (Range 56)	21.05.19	The matter was carried forward to 2020.
		iii. Food Demonstrator (Range 21)	18.06.19	The matter was carried forward to 2020.
		iv. Health Education Officer (Range 46)	06.08.19	The matter was carried forward to 2020.
		v. Veterinary Public Health Assistant I (Range 34)	02.10.18	The matter was carried forward to 2020.
		vi. Chemist (Range 46)	11.09.18	The matter was carried forward to 2020.
		vii. Pesticide and Toxic Chemical Inspector I (Range 46)	10.07.18	The matter was carried forward to 2020.

Appendix III (continued)

No.	Ministry	Name of Office/ Range	Date of Commission's Decision to Advertise/ Notice of Vacancy	Remarks/Status
5.	Tobago House of Assembly (THA)	i. Administrator (Group 4B)	29.10.19	The matter was placed on hold due to the relocation exercise of the THA in 2019. Advertisement/ Notice of Vacancy of the office was carried forward to 2020.
		ii. Reef Patrolman (Range 17/20C)	19.08.19	The matter was placed on hold due to the relocation exercise of the THA in 2019. Advertisement/ Notice of Vacancy of the office was carried forward to 2020.
6.	National Security	i. Cadet Force Officer (Range 45)	18.06.19	A Notice of Vacancy/ Advertisement of the office was not circulated/published in 2019.
		ii. Regimental Sergeant Major (Range 31)	18.06.19	A Notice of Vacancy/ Advertisement of the office was not circulated/published in 2019.
7.	Ministry of Education	i. Chief Examiner, National Examinations Council (Range 62)	22.11.16	A Notice of Vacancy was not issued in 2019.
		ii. Occupational Analyst (Range 49)	20.11.18	The office was advertised in 2019. A Screening Report was submitted to Recruitment Unit. The Unit is awaiting the Commission's approval to proceed with the Shortlisting phase.

Appendix III (continued)

No.	Ministry	Name of Office/ Range	Date of Commission's Decision to Advertise/ Notice of Vacancy	Remarks/Status
8.	Ministry of Agriculture, Land and Fisheries	i. Microbiologist (Range 56)	09.07.19	A Notice of Vacancy/ Advertisement was issued for the office in 2019.
		ii. Topographer (Range 35)	09.05.17	A Notice of Vacancy/ Advertisement was issued for the office in 2019.
		iii. Deputy Commissioner of State Lands (Range 65)	06.06.17	A Notice of Vacancy/ Advertisement was issued for the office in 2019.
9.	Finance	i. Tax Officer I (Range 34)	21.03.17	A Notice of Vacancy/ advertisement was issued for the office in 2018, but was carried over into 2019. A Shortlisting Report received from Ministry.
		ii. Intelligence Research Analyst (Range 60)	17.04.18	A Notice of Vacancy/ Advertisement was issued for the office in 2018, but was carried over into 2019. A Shortlisting Report received from Ministry.
		iii. Operational Analyst (Range 54D)	17.04.18	A Notice of Vacancy/advertisement was issued for the office in 2018, but was carried over into 2019. A Shortlisting Report received from Ministry.

Appendix III (continued)

No.	Ministry	Name of Office/ Range	Date of Commission's Decision to Advertise/ Notice of Vacancy	Remarks/Status
10.	Sport and Youth Affairs	Assistant Swimming Instructor (Range 20)	16.10.18	The office was advertised within and outside the Public Service on 11 th July, 2019 with a closing date of 9 th August, 2019. A Screening Report submitted to Recruitment in October, 2019.
11.	Energy and Energy Industries	i. Petroleum Chemist (Range 53)	25.04.17	A Notice of Vacancy/ advertisement was issued for the office in 2017, but was carried over into 2019. In 2019, the Commission granted approval to the Ministry to proceed to the Shortlisting phase.
		ii. Chemical Engineer I/II (Range 53/59)	25.04.17	A Notice of Vacancy/ advertisement was issued for the office in 2017, but was carried over into 2019. In 2019, the Commission granted approval to the Ministry to proceed to the Shortlisting phase.
		iii. Geophysicist I/II (Range 53/59)	25.04.17	A Notice of Vacancy/ advertisement was issued for the office in 2017, but was carried over into 2019. In 2019, the Commission granted approval to the Ministry to proceed to the Shortlisting phase.
		iv. Geologist I/II (Range 53/59)	25.04.17	By memo dated 10 th June, 2019 PSC granted approval to the Ministry to proceed to the Shortlisting phase.

Appendix III (continued)

No.	Ministry	Name of Office/ Range	Date of Commission's Decision to Advertise/ Notice of Vacancy	Remarks/Status
	Energy cont'd	v. Geologist Assistant (Range 29)	25.04.17	Screening Report submitted to Recruitment Awaiting approval from PSC for Ministry to proceed with Shortlisting phase
		vi. Petroleum Engineer I/II (Range 53/59)	25.04.17	A Notice of Vacancy was issued for the office in 2017 and an Advertisement was issued in 2005. By memo dated 10 th June, 2019, the Commission granted approval to the Ministry to proceed to the Shortlisting phase.
		vii. Petroleum Engineering Assistant (Range 23)	25.04.17	A Notice of Vacancy was issued for the office in 2017 and an Advertisement was issued in 2005. By memo dated 10 th June, 2019, the Commission granted approval to the Ministry to proceed to the Shortlisting phase.
		viii. Petroleum Inspector (Range 40)	25.04.17	A Notice of Vacancy was issued for the office in 2017 and an Advertisement was issued in 2005. A Screening Report was submitted to the Recruitment Unit. The Ministry is awaiting approval to proceed to the Shortlisting phase.

Appendix III (continued)

No.	Ministry	Name of Office/ Range	Date of Commission's Decision to Advertise/ Notice of Vacancy	Remarks/Status
12.	Office of the Prime Minister	i. Director, Gender Affairs (Range 60)	08.08.17	A Notice of Vacancy was issued for the office in 2018. A report on the interview process was submitted to the Recruitment Unit on 29.03.19.
		ii. Manager, Domestic Violence Unit (Range 54E)	25.04.17	A Notice of Vacancy was issued for the office 2018. A report on the interview process was submitted to the Recruitment Unit on 29.03.19.
13.	Ministry of Community Development, Culture and the Arts	i. Curator, National Museum and Art Gallery (Range 61)	16.05.17	The matter was carried forward to 2020.
		ii. Co-ordinator, Best Village Programme (Range 40E)	23.01.18	A Notice of Vacancy/ advertisement was issued for the office in 2018. A Screening report was submitted to the Recruitment Unit.
		iii. Supervisor II, Handicraft Center (Range 21)	31.01.17	A Notice of Vacancy/ advertisement was issued for the office 2019. A Screening Report was submitted to the Recruitment Unit. The Ministry is awaiting approval to proceed with the Shortlisting phase.
		iv. Supervisor I, Handicraft Center (Range 17)	01.02.17	A Notice of Vacancy/ advertisement was issued for the office 2019. A Screening Report was submitted to the Recruitment Unit. The Ministry is awaiting approval to proceed with the Shortlisting phase.

Appendix III (continued)

No.	Ministry	Name of Office/ Range	Date of Commission's Decision to Advertise/ Notice of Vacancy	Remarks/Status
	Community Development cont'd	v. Handicraft Development Officer I (Range 17)	02.02.17	A Notice of Vacancy/ advertisement was issued for the office 2019. A Screening Report was submitted to the Recruitment Unit. The Ministry is awaiting approval to proceed with the Shortlisting phase.
14.	Ministry of Labour and Small Enterprise Development	i. Director of Labour Administration (Range 68)	21.03.17	The matter was placed on hold.
		ii. Senior Labour Relations Officer (Range 58E)	21.03.17	The matter was placed on hold.
		iii. Labour Relations Officer II (Range 54D)	21.03.17	The matter was placed on hold.
		iv. Labour Relations Officer I (Range 45)	21.03.17	The matter was placed on hold.

Appendix IV

SUMMARY OF PORTFOLIO REALIGNMENT

Particulars	No. of Ministries
Ministries with no changes	1
Ministries with name changes only	3
Ministries with portfolio changes only	7
Ministries with name and portfolio changes	4
New Ministries	9
Total	24
Dis-established Ministries	20

MINISTRY WITH NO NAME CHANGE

1 Ministry
Ministry of Health

MINISTRIES WITH NAME CHANGES ONLY

3 Ministries
Ministry of Finance
Ministry of Foreign and CARICOM Affairs
Ministry of Energy and Energy Industry

Appendix IV (continued)

**MINISTRIES WITH PORTFOLIO
CHANGES ONLY**

7 Ministries
Ministry of Public Administration
Ministry of Tourism
Ministry of Education
Ministry of National Security
Ministry of Public Utilities
Ministry of Public Administration and Communication
Office of the Prime Minister

**MINISTRIES WITH NAME AND
PORTFOLIO CHANGES**

4 Ministries
Ministry of Housing and Urban Development
Ministry of Labour and Small Enterprise Development
Ministry of Planning and Development
Ministry of Trade and Development

NEW MINISTRIES

9 Ministries
Ministry of Agriculture, Land and Fisheries
Ministry of the Attorney General and Legal Affairs
Ministry of Communications (2015 and 2018)
Ministry of Community Development, Culture and the Arts
Ministry of Rural Development and Local Government
Ministry of Social Development and Family Services
Ministry of Sports and Youth Affairs
Ministry of Works and Transport
Ministry of Public Administration and Communications

Appendix IV (continued)

DIS-ESTABLISHED MINISTRIES

20 Ministries
Ministry of the Attorney General
Ministry of the Arts and Multiculturalism
Ministry of Community Development
Ministry of Environment and Water Resources
Ministry of Food Production
Ministry of Gender, Youth and Child Development
Ministry of Justice
Ministry of Land and Marine Resources
Ministry of Legal Affairs
Ministry of Local Government
Ministry of National Diversity and Social Integration
Ministry of the People and Social Development
Ministry of Science and Technology
Ministry of Sport
Ministry of Tertiary Education and Skills Training
Ministry of Tobago Development
Ministry of Transport
Ministry of Works and Infrastructure
Ministry of Communications
Ministry of Public Administration and Communications

Appendix V

No. of Matters Approved by the Public Service Commission in 2019 in Functional Areas Due to Realignments

Requesting Ministry	Total Number of Arrangements per Category per Ministry		
	Transfers	Temporary appointments	Acting appointments
Agriculture, Lands and Fisheries	0	52	193
Agriculture, Land and Marines Resources	0	4	3
Agriculture, Land and Marine Affairs	0	24	0
Communications	0	9	12
Environment and Water Resources	0	0	4
Finance	0	798	155
Finance and the Economy	0	401	255
Food Production	0	174	221
Food Production, Land & Marine Resources	0	64	19
Public Administration	0	13	22
Public Administration and Communications	0	37	54
Transport	0	0	27
The Attorney General and Legal Affairs	0	0	6
Works and Transport	0	0	26
SUB TOTAL	0	1,576	997
TOTAL	2,573		

Appendix VI

No. of Fillings Effected by the Public Service Commission in Ministries/Departments in 2019

OFFICES FILLED IN THE PUBLIC SERVICE BY MINISTRY/DEPARTMENT

No.	Ministry/ Department	First Appointments	Promotions	Total Filled
1.	Agriculture, Land and Fisheries	9	20	29
2.	Attorney General and Legal Affairs	10	47	57
3.	Auditor General's Department	3	23	26
4.	Communications	1	13	14
5.	Community Development, Culture and the Arts	1	9	10
6.	Education	29	69	98
7.	Elections and Boundaries Commission	2	2	4
8.	Energy and Energy Industries	0	19	19
9.	Environmental Commission	2	0	2
10.	Finance	18	90	108
11.	Foreign and CARICOM Affairs	0	42	42
12.	Health	7	41	48
13.	Housing and Urban Development	0	12	12
14.	Industrial Court	1	6	7
15.	Judiciary	3	10	13
16.	Labour and Small Enterprise Development	3	18	21
17.	National Security	17	124	141
i.	Fire Service Division, National Security	441	0	441
ii.	Prison Service Division, National Security	39	13	52

Offices Filled in the Public Service (continued)

No.	Ministry/ Department	First Appointments	Promotions	Total Filled
18.	Office of the Equal Opportunities Tribunal	0	1	1
19.	Office of the Ombudsman	2	3	5
20.	Office of the Parliament	1	4	5
21.	Office of the President	0	1	1
22.	Office of the Prime Minister	3	12	15
23.	Office of the Prime Minister, Central Administrative Services Tobago (CAST)	1	1	2
24.	Personnel Department	0	15	15
25.	Planning and Development	8	26	34
26.	Public Administration	2	13	15
27.	Public Service Appeal Board	0	1	1
28.	Public Utilities	6	8	14
29.	Registration Recognition and Certification Board	1	0	1
30.	Rural Development and Local Government	108	99	207
31.	Service Commissions Department	6	15	21
32.	Social Development and Family Services	1	31	32
33.	Sport and Youth Affairs	2	12	14
34.	Tobago House of Assembly	10	65	75
35.	Tourism	3	2	5
36.	Trade and Industry	2	13	15
37.	Works and Transport	14	65	79
TOTAL		756	945	1,701

Appendix VI (continued)

OFFICES FILLED BY CLASS IN MINISTRIES/DEPARTMENTS IN 2019

No.	Class	First Appointments	Promotions	Total Vacant Offices Filled
1	Administrative	0	36	36
2	Professional and Scientific	33	240	273
3	Technical	20	335	355
4	Clerical	29	109	138
5	Secretarial	22	38	60
6	Manipulative	171	101	272
7	Undetermined	481	86	567
TOTAL		756	945	1,701

OFFICES FILLED IN THE SALARIES REVIEW COMMISSION (SRC) IN 2019

Service	Office	Range	First Appointments	Promotions	Total vacancies Filled
Civil Service	Deputy Auditor General	Group 2B	0	3	3
	Deputy Comptroller of Accounts	Group 2B	0	1	1
	Commissioner of Inland Revenue	Group 2B	0	4	4
	Chief Immigration Officer	Group 2B	0	1	1
	Executive Officer	Group 3B	0	2	2
	Administrator	Group 4B	0	1	1
Prison Service	Commissioner of Prisons	Group 2	0	1	1
	Deputy Commissioner of Prisons	Group 2	0	1	1
TOTAL			0	14	14

Appendix VI (continued)

**OFFICES FILLED BY GRADES IN THE
FIRE SERVICE AND THE PRISON SERVICE IN 2019**

Service	Office	Grade	First Appointments (under Delegated Authority)	Promotions	Total Vacancies Filled
Fire Service	Firefighter	Grade 1	441	0	441
Prison Service	Prisons Officer I	Grade I	39	0	39
	Prisons Officer II	Grade II	0	20	20
TOTAL			480	20	500

Appendix VII

High Court Action Completed Against the Public Service Commission in 2019

No. 1 - Mr. Kevon Le Vende vs Public Service Commission

H.C.A. # / Date Filed: CV 2018– 0174415th May, 2018

Relief sought:

1. A declaration that the decision of the First Respondent/Intended Defendant declaring that the Claimant had resigned from the office in the Fire Service pursuant to section 49 of the Public Service Commission Regulation, Chap 1:01 (hereafter the “PSCR”) was ultra vires, illegal and therefore null and void and of no effect;
2. A declaration that the First Respondent/Intended Defendant failed to satisfy or observe the procedures required by the Fire Service (Terms and Conditions of Employment) Regulations of the Fire Service Act, Chap. 35:50 (hereinafter the “FSR”) to effect the purported termination of the Claimant’s position in the Fire Service.
3. A declaration that the decision of the Second Respondent/Intended Defendant to recommend that action be taken against him in accordance with Regulation 45 (2) (c) of the FSR was unreasonable and/or irrational and/or unlawful;
4. A declaration that the procedure adopted by the First Respondent/Intended Defendant in reaching its decision to declare that the Applicant/Intended Claimant had abandoned/resigned his office did not fulfil its natural justice obligations to the Applicant/Intended Claimant in the circumstances presented by this case;
5. An order of discovery of all relevant documents in the possession, custody or power of the First and Second Respondent/Intended Defendants, their servants or agents;
6. An order of Certiorari quashing the declaration of the First Respondent/Intended Defendant; and/or the decisions of the First Respondent/Intended Defendant and/or the Second Respondent/Intended Defendant;

Appendix VII (continued)

No. 1 - Mr. Kevon Le Vende vs Public Service Commission (continued)

H.C.A. # / Date Filed: CV 2018– 0174415th May, 2018

7. In the alternative; an order setting aside the decision of the First Respondent/Intended Defendant declaring that the Applicant/Intended Claimant abandoned/resigned his office in the Fire Service; and/or
8. An Order directing that the declaration that the Applicant/Intended Claimant has abandoned/resigned his office in the Fire Service be remitted to the Public Service Commission to be given urgent attention and that a decision be reached within 30 days of the date of the final order herein; and/or
9. An order of mandamus compelling the First Respondent/Intended Defendant and/or the Second Respondent/Intended Defendant to re-open its inquiry into whether the Applicant/Intended Claimant abandoned and/or resigned from this office in the Fire Service;
10. An Order of mandamus compelling the First Respondent/Intended Defendant and/or the Second Respondent/Intended Defendant to reconsider and/or investigate the representations of the Claimant in the letter from his then Attorney-at-Law dated 24th November, 2016; and/or
11. That leave is hereby granted to the Applicant/Intended Claimant to rely on his affidavit filed in support of the application herein;
12. That leave be hereby granted for the Applicant/Intended Claimant to apply for Judicial Review to seek the relief sought herein conditional upon the Applicant/Intended Claimant filing the application within 14 days from the date hereof;
13. Damages:
14. Costs; and

Appendix VII (continued)

No. 1 - Mr. Kevon Le Vende vs Public Service Commission (continued)

H.C.A. # / Date Filed: CV 2018– 0174415th May, 2018

15. Such further or other reliefs as this Honourable Court may deem fit in the circumstances of the case.

Date of Outcome: 23rd January 2019

Order/Judgment

1. The decision of the Public Service Commission, declaring that the Claimant abandoned/resigned his office in the Fire Service is set aside.
2. The Defendant is to pay the Claimant's costs to be assessed by a Registrar in default of agreement.

Appendix VII (continued)

No. 2 – Mr. Elvis Davis vs Public Service Commission

H.C.A. #/ Date Filed: CV 2018-02918 16th August, 2018

Relief Sought:

1. A declaration that the decision of the Public Service Commission whereby it has failed to consider and reach a determination on a recommendation of the Chief Fire Officer dated the 10th day of October, 2017, that the Applicant be considered for promotion to the office of Divisional Fire Officer, constituted unreasonable delay under Section 15 (1) of the Judicial Review Act 2000;
2. A declaration that the aforesaid decision was unreasonable and contravened the principles of natural justice, Section 20 of the Judicial Review Act 2000, and the Applicant's fundamental right to the protection of the law under Section 4 (b) of the Constitution of Trinidad and Tobago;
3. A declaration that having regard to the fact that the Applicant was the only officer who was recommended to fill the office of Divisional Fire Officer and that he acted in the said office for several years, he had a legitimate expectation that the Public Service Commission would consider him favourably for appointment to the said office, and the aforesaid failure constitute a frustration and contravention of the said expectation;
4. An order directed to the Public Service Commission requiring it to consider and reach a determination on the aforesaid recommendation and communicate the said determination to the Applicant without delay;
5. An order for the assessment of monetary compensation in favour of the Applicant for the contravention of his aforesaid fundamental right; and
6. Costs

Date of Outcome: 2nd January 2019

Appendix VII (continued)

No. 2 – Mr. Elvis Davis vs Public Service Commission (continued)

H.C.A. #/ Date Filed: CV 2018-02918 16th August, 2018

Order/Judgment:

1. The post of the Band Director is properly established as a post within the Fire Services Division, Ministry of National Security or equivalent rank to that of Divisional Fire Officer (First Division).
2. The failure by the Public Service Commission up until the 16th October, 2018 to consider and the delay in considering the appointment/promotion of the Claimant as Band Director/First Division Officer is unreasonable, irrational, illegal and arbitrary.
3. That the decision of the Public Service Commission to accept the reasons of the Chief Fire Officer for rescinding his recommendation for the promotion of the Claimant (Fire Fighter Grade I) as Divisional Fire Officer Grade 6 (Trinidad and Tobago Fire Service Music Band) (the Claimant having acted as Band Director from 2nd August, 2011 to 30th June, 2018) is irrational and illegal. The Court has noted with concern that the alleged reasons of the Chief Fire Officer are dated 14th September, 2018 and were only submitted after these proceedings were commenced.
4. The Public Service Commission is not entitled to rely on the failure of the Chief Personnel Officer since August 12th, 2004 to establish and approve the job specification for the Office of Band Director to justify the refusal to promote the Claimant.
5. The Claimant had a legitimate expectation that the Public Service Commission would consider him favourably for an appointment to the said post moreso following the recommendation of the Chief Fire Officer dated 10th October, 2017.
6. The Public Service Commission by its failure to act reasonably and promptly and by its unlawful actions has breached the Claimant's fundamental right to the protection under the law section 4 (b) of the Constitution.

Appendix VII (continued)

No. 2 – Mr. Elvis Davis vs Public Service Commission (continued)

H.C.A. #/ Date Filed: CV 2018-02918 16th August, 2018

7. The Claimant is entitled to damages for breach of his fundamental rights to be assessed by this court on the 11th February, 2019 at 9:30 am in Courtroom POS08.
8. The Defendant to pay the Claimant's cost of this Claim to be assessed by the Court in default of agreement.

Date of Outcome: 8th April 2019

1. Paragraph eight (8) of the order dated 2nd January, 2019 is amended to read “the Defendant to pay the claimant's cost on the prescribed scale in the sum of Ninety-Five Thousand, Seven Hundred and Fifty-Two Dollars (\$95,752.00).
2. The Defendant to pay the Claimant damages assessed in the sum of One Million, One Hundred and Eighty-Four Thousand, Six Hundred and Two Dollars and Eight Cents (\$1,184,602.08).

Appendix VIII

High Court Action Completed in Favour of the Public Service Commission in 2019

No. 1 - Keith Aaron, Statutory Authorities' Service Commissions vs Public Service Commission

H.C.A. # / Date filed: CV2016-00661 7th March, 2016

1. A declaration that the Public Service Commission, having in 2002 appointed Statutory Authorities' Service Commission (SASC) Officer, Mr. Lawrence Oliver, substantively to the office of Personnel and Industrial Relations Officer I in the Public Service, and in 2004 substantively appointed SASC Officers, Mr. Jitram Singh, Mr. Dave Brijmohan and Mrs. Patricia Springer-Carter, to the office of Police Corporal in the Public Service, contravened the Claimant's fundamental right to equality of treatment from a public authority in the exercise of a public function, as guaranteed by Section 4 (d) of the Constitution by its decision made in 2007, whereby it failed to appoint the Claimant substantively to the office of Chief Executive Officer in the Public Service on the ground that he was a SASC Officer and not a public officer;
2. An order requiring the Public Service Commission to appoint the Claimant retroactively to the office of Chief Executive Officer in the Public Service, alternatively an order requiring it to consider the question of doing so;
3. An order for monetary compensation in favour of the Claimant for the loss he suffered as a direct result of the said decision;
4. Costs; and
5. Interest.

Date of Outcome: 17th May 2019

Order/Judgment:

Claim dismissed with costs to be quantified by a Registrar in default of agreement.

Appendix VIII (continued)

**No. 2 - Lyndon Ramnanan, et al Prison Service, Ministry of National Security
vs Public Service Commission**

H.C.A. # / Date filed: CV2018-03511 2nd October, 2018

1. A declaration that the impugned decision of the Intended Defendant:-
 - i. To commence the assessment of Prison Officers for promotion to the ranks of Prisons Supervisor (Grade 3) and Prison Officer II (Grade 2) in the Second Division, Prison Service Division, National Security on the 3rd October, 2018 (in breach of its written undertaking contained in its letter dated 27th April, 2018.)
 - ii. To breach its written undertaking contained in its letter dated the 27th April, 2018 not to proceed with the assessment of the Prison Officers for promotion to the ranks of Prison Supervisor (Grade 3) and Prison Officers II (Grade 2) in the Second Division, Prison Services Division, National Security on the 3rd October, 2018 until the issues identified in the Applicant's pre-action correspondence ending with their letter dated the 25th April, 2018 are addressed to the mutual satisfaction of all parties.

are null, void and of no legal effect on the grounds that they are:-

- (a) In breach of the principles of natural justice and the principles of procedural fairness for which the Applicants are entitled to relief pursuant to Section 5 (3) (d) and 20 of the Judicial Review Act, Chapter 7:08;
- (b) Irregular and/or an improper exercise of discretion contrary to Section 5 (3) € of the Judicial Review Act, Chapter 7:08;
- (c) An abuse of power contrary to Section 5 (3) (f) of the Judicial Review Action, Chapter 7:08;
- (d) An exercise of a power that is so unreasonable that no reasonable person could have so exercised the power contrary to Section 5 (3) (o) of the Judicial Review Act, Chapter 7:08.

Appendix VIII (continued)

**No. 2 - Lyndon Ramnanan, et al Prison Service, Ministry of National Security
vs Public Service Commission (continued)**

H.C.A. # / Date filed: CV2018-03511 2nd October, 2018

2. An order of Certiorari pursuant to Section 8 (1) (a) of the Judicial Review Act, Chapter 7:08 to quash the impugned decision.
3. An interim injunction and/or stay restraining the Intended Defendant whether by its servants and/or agents and/or representatives from commencing the Assessment of Prison Officers for promotion to the ranks of Prisons Supervisor (Grade 3) and Prison Officer II (Grade 2) in the Second Division, Prison Service Division, National Security which said assessment is scheduled to commence on the 3rd October, 2018 pending the hearing and determination of these proceedings.
4. Such further or other relief as the Court may deem appropriate in the circumstances of this case.
5. Costs

Date of Outcome: 18th July 2019

Order/Judgment:

Matter dismissed and no order as to costs.

Appendix IX

High Court Action Withdrawn by the Claimant in 2019

No. 1 - Marcia Pile-O'Brady vs Public Service Commission

H.C.A. # / Date filed: CV 2017-01125 12th April 2017

1. An order of certiorari pursuant to Section 8(1)(a) of the Judicial Review Act Chap 7:08 quashing the following decisions of the 1st and 2nd Defendants which came to the Claimant's attention on or about 16th January 2017:-
 - (i) The decision of the 1st and 2nd Defendants to advertise the post of Deputy Director of Personnel Administration (Group 3A), Service Commissions Department simultaneously within and without the Public Service; and
 - (ii) the 1st and 2nd Defendant's failure and/or refusal to assess the suitability and/or eligibility of the Claimant for promotion to the vacant post of Deputy Director of Personnel Administration (Group 3A), Service Commissions Department in accordance with regulation 18 of the Regulations.

("the impugned decisions")
2. An order of mandamus directing the 1st and 2nd Defendants to consider the suitability and eligibility of the Claimant for promotion to the vacant post of Deputy Director of Personnel Administration (Group 3A), Service Commissions Department in accordance with regulation 18 of the Regulations pursuant to section 8(1)(a) of the Judicial Review Act Chap 7:08.
3. Declarations that the 1st and 2nd Defendants in making the impugned decisions:-
 - (i) acted illegally in that they acted ultra vires the law of the powers and authority conferred to them pursuant to the Regulations by advertising the vacant post of Deputy Director of Personnel Administration (Group 3A), Service Commissions Department simultaneously within and without the Public Service contrary to section 5(3)(a) of the Judicial Review Act Chap 7:08;

Appendix IX (continued)

No. 1 - Marcia Pile-O’Brady vs Public Service Commission (continued)

H.C.A. # / Date filed: CV 2017-01125 12th April 2017

- (ii) failed to satisfy and observe conditions and/or procedures as required by law contrary to section 5(3)(c) of the Judicial Review Act Chap 7:08;
 - (iii) acted unreasonably, irregularly and/or improperly exercised their discretion contrary to section 5(3)(e) of the Judicial Review Act Chap 7:08;
 - (iv) abused their powers and acted with conspicuous unfairness contrary to section 5(3)(f) of the Judicial Review Act Chap 7:08;
 - (v) took into account irrelevant considerations contrary to section 5(3)(g) of the Judicial Review Act Chap 7:08;
 - (vi) acted in conflict with the provisions of the Public Service Commission Regulations Chap 1:01 contrary to section 5(3)(i) of the Judicial Review Act Chap 7:08;
 - (vii) acted in error of law contrary to section 5(3)(j) of the Judicial Review Act Chap 7:08;
 - (viii) breached and/or failed to perform a duty contrary to section 5(3)(l) of the Judicial Review Act Chap 7:08;
 - (ix) deprived the Claimant of a legitimate expectation of a substantive benefit and/or alternatively of a procedural benefit contrary to section 5(3)(m) of the Judicial Review Act Chap 7:08;
 - (x) exercised their power in a manner so unreasonable that no reasonable person could have so exercised the power contrary to section 5(3)(o) of the Judicial Review Act Chap 7:08;
4. An order pursuant to section 8(1)(d) of the Judicial Review Act Chap 7:08 for such orders, directions or writs as the Court considers just and as the circumstances warrant;
5. Any other order that appears to the Court to be justified by the facts proved before it pursuant to Part 56.14(3) of the Civil Proceedings Rules 1998 (as amended).

Appendix IX (continued)

No. 1 - Marcia Pile-O'Brady vs Public Service Commission (continued)

H.C.A. # / Date filed: CV 2017-01125 12th April 2017

6. An order that the 1st and 2nd Defendants do pay the Claimant's costs of her application for leave to apply for judicial review, her substantive application and any other applications as ordered and directed by the Court and assessed by the Court pursuant to Part 56.14(5) of the Civil Proceedings Rules 1998 (as amended).

Date of Outcome:

Order/Judgment:

Appendix IX (continued)

No. 2 - Andrew Mohammed Private

H.C.A. # / Date filed: CV2018-04210 9th November 2018

1. An order of certiorari to quash the decision of the PUBLIC SERVICE COMMISSION dated 19th July, 2008 to refuse disclosure of the date of birth of Lachhman Ramdass, Gurlal Koonj Beharry, Edwin Burris, Aaron Alexander, Carl Clarke, Joel Gangadeen, Inshan Ali, Roopnarine Lutchman, Curtis Baynes, Kirby Sandy and Harris Poonwasie requested under the Freedom of Information Act by application dated the 5th day of July, 2018;
2. A declaration that the decision of the Respondent/Proposed Defendant to refuse and/or deny access to the requested documents without giving due consideration to the public interest override and/or the evidence of injustice to the applicant/Proposed Claimant was unreasonable and irrational;
3. Alternatively, a declaration that the Respondent/Proposed Defendant breached its Statutory Duty in **Section 16(2) of the Freedom of Information Act (FOIA)** to consider whether the requested information requested by the Applicant/Proposed Claimant's **FOIA** request dated the 5th day of July 2018 could and/or should nevertheless be provided with the necessary deletions and/or redactions so as to render the information not "personal" and is not exempt under **Section 30** of the **FOIA**.
4. An order of mandamus to compel the Respondent/Proposed Defendant to provide the requested documents to the Applicant/Proposed Claimant pursuant to his **FOIA** request within seven (7) days hereof in accordance with **Section 16(2)**;
5. A declaration that the Respondent/Proposed Defendant has been guilty of unreasonable delay in providing the requested information contrary to **Section 16 (2)** of the **FOIA**.

Appendix IX (continued)

No. 2 - Andrew Mohammed Private (continued)

H.C.A. # / Date filed: CV2018-04210 9th November 2018

6. Alternatively or additionally a declaration that the Applicant/Proposed Claimant is entitled to access the requested information pursuant to his application dated the 5th day of July, 2018 under **Section 35** of the FOIA;
7. Costs;
8. 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**.

Date of Outcome: 17th January 2019

Order/Judgment:

1. Leave is granted to withdraw the Application filed on 9th November, 2018.
2. The Defendant to pay to the Claimant costs in the sum of Three Thousand, Five Hundred dollars (\$3,500.00).



PUBLIC SERVICE COMMISSION

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