

Amending Directive 7.2 – Delegation of Authority to effect Recruitment, Promotions and Industrial Relations in Public Sector Entities

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Office of the Principal Permanent Secretary

Amending Directive no. 7.2

DELEGATION OF AUTHORITY TO EFFECT RECRUITMENT, PROMOTIONS AND INDUSTRIAL RELATIONS IN PUBLIC SECTOR ENTITIES

Issued on 1 June 2018 by the Principal Permanent Secretary in terms of the Public Administration Act.

1. Applicability

1.1. This directive amends Directives no. 7 and 7.1 and applies to all government agencies and government entities as defined in article 2 of the Public Administration Act (herein referred to as “Public Sector entities”).

2. The Role of the Industrial Relations Unit (IRU) redefined

2.1 The IRU is to be informed, at the very initial stages, of any negotiation processes to be undertaken with employees’ representatives, through the respective Permanent Secretary. Heads of Entities may decide to engage the IRU in negotiations undertaken with employees’ representatives through their respective Permanent Secretary and after consulting the latter. The Head of Entity and IRU will then agree on an official position and the IRU will help the Head of Entity throughout the negotiating process. The responsibility of the outcome will hence still remain that of the Head of Entity through the respective Permanent Secretary.

2.2 In cases where the Head of Entity decides otherwise, the responsibility of the outcome of the negotiations rests with the respective Head of Entity. Where the IRU is not to be involved, the respective Head of Entity after consulting the Permanent Secretary is to propose and seek approval from the IRU on a negotiation position. The IRU is to inform the respective Head of Entity and the Permanent Secretary on whether in its opinion the intended negotiating position conforms with central policies adopted across the Public Administration and informs the Ministry for Finance accordingly. The respective Permanent Secretary is obliged to monitor that the process is conducted and concluded within the parameters established by the IRU.

2.3 On completion of the negotiating process and in the absence of IRU’s direct involvement in the negotiating process, the Head of Entity concerned, through its respective Permanent Secretary needs to report the outcome of the negotiating process back to IRU. The IRU shall then confirm its position and will inform the Ministry for Finance accordingly.

2.4 IRU sanctioning is invariably binding, even in cases where IRU are directly involved in negotiations by the Head of Entity after consulting the respective Permanent Secretary. The Ministry for Finance will be informed of any position taken by IRU. The responsibility to ensure availability of funds rests with the respective Head of Entity.

3. Due submission of HR Plans

3.1 The Coordinating Committee on strategic HR planning is empowered to scrutinise and approve HR Plans in respect of Public Entities. Hence, Public Entities are, by April of every year, to submit, with the authority of the Permanent Secretary, HR Plans in respect of the following three-year period to, and for the consideration of, the Coordinating Committee.

3.2 Upon confirmation of the headcount allocation, Public Entities are to submit by end November, through the Permanent Secretary, to the Coordinating Committee updated HR Plans accordingly.

3.3 In both instances, HR Plans are to be submitted to the Director responsible for people management within the line Ministry for onward transmission to the Coordinating Committee in respect of all Public Entities within the remit of the Ministry.

3.4 HR Plans should strictly reflect the approved headcount allocation, the IRU-approved Grading and Salary Structure and applicable standing parameters stipulated in the **attached** appropriately re-entitled *Manual for Public Sector Entities: Delegation of Authority to effect Recruitment, Promotions and Industrial Relations*.

3.5 The direction of the Coordinating Committee is binding and is scrupulously to be adhered to. No departures can be made therefrom and any requested updates necessitate the prior sanctioning of the Coordinating Committee before implementation.

3.6 In the event that these instructions are departed from, a serious view will be taken which may lead to the withdrawal of the delegation of authority, with the endorsement of the Principal Permanent Secretary, in respect of the offending Public Entity.

4. Implementation

4.1 The People & Standards Division shall retain its assigned regulatory, monitoring and auditing role with a view to ensure strict compliance with the provisions of the attached Manual which is to be abided with and supersedes entirely earlier versions.

4.2 Unless superseded by virtue of this amending directive, the contents of Directives 7/7.1 remain otherwise in force.

4.3 This directive shall come into force on 1 June 2018 and is indefinitely applicable unless otherwise withdrawn.

attached

Manual for Public Sector Entities: Delegation of authority to effect Recruitment, Promotions and Industrial Relations (Version 7.1)

Mario Cutajar
Principal Permanent Secretary