Manual for
Public Sector Entities:
Delegation of Authority to effect
Recruitment and Promotions

The first version of this manual was developed by
the Management Efficiency Unit (MEU) in January 2014.
Further updates shall be carried out by the People & Standards Division.

Should you have any comments or queries kindly contact People & Standards Division.
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### Definitions and Acronyms

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<tr>
<td>CEO</td>
<td>Chief Executive Officer</td>
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<tr>
<td>EIRA</td>
<td>Employment and Industrial Relations Act</td>
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<td>ERL</td>
<td>Engineering Resources Limited</td>
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<td>ETS</td>
<td>Employment and Training Services</td>
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<tr>
<td>FDRS</td>
<td>Financial Data Reporting System</td>
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<td>HoE</td>
<td>Head of Entity</td>
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<td>HR</td>
<td>Human Resources</td>
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<td>HRM</td>
<td>Human Resources Management</td>
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<td>Manual</td>
<td>Manual for Public Sector Entities: Delegation of Authority to effect Recruitment and Promotions</td>
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<tr>
<td>MFIN</td>
<td>Ministry for Finance</td>
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<td>OECD</td>
<td>Organisation for Economic Co-operation and Development Countries</td>
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<td>OPM</td>
<td>Office of the Prime Minister</td>
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<td>PS</td>
<td>Permanent Secretary</td>
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<td>PSC</td>
<td>Public Service Commission</td>
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**Public Sector entity**
For the purpose of the Manual, a Public Sector entity refers to an organisation, whereby the recruitment and promotions are carried out in terms of article 110 (6) of the Constitution and the Employment and Training Services Act (CAP 343).

**Remuneration Package**
Remuneration package includes the entire financial package paid to an employee, including the salary, allowances and fringe benefits.

**Top Management**
For the purpose of this Manual, top management refers to Head of Entity (such as the Executive Chairperson or Chief Executive Officer) and the next level within the Organisation Structure.
1. Introduction

Human resources (HR) are critical resources for any organisation, and the public administration is no exception to this. The way HR is managed (HRM) determines the performance of the public administration and thus its effectiveness. Moreover, the public administration workforce constitutes a significant percentage of Malta's total workforce. Recruitment is thus an inevitable HR function.

Public Sector entities, together with the Public Service, are key organisations in the administration of Government and are entrusted with important functions including the provision of essential services and acting as regulators.

Chairpersons, Chief Executive Officers (CEOs) and members of Boards are expected to maintain good governance in running these entities in the most effective and efficient manner whilst giving good value for money for the public funds.

It is in this spirit that Office of the Prime Minister through Directive 07 delegates certain powers of recruitment to Public Sector entities and their Permanent Secretaries. Transferring resources and competencies nearer to the points of service delivery, and consequently HR decentralisation, is a major trend in public administration modernisation.
2. Scope of the Manual

The scope of this Manual is to guide Public Sector entities, when they are recruiting under the delegation given to them by virtue of Directive 07.

It is not the intention of the Manual to give detailed information on the whole recruitment procedure and on all types of recruitments, but solely on the processes that are impacted by the delegation. This is explained further in Section 03 of the Manual which describes in detail which entities fall under the scope of the Manual and thus will follow the revised procedures under the devolved scenarios as presented in Section 06.

It is neither the intention of the Manual to override the employment laws and regulations in force in Malta or the laws and regulations by which certain public entities are regulated. An overview of such laws and regulations is provided in Section 04 of the Manual.

Although the Manual is mainly intended for the Public Sector entities specified in Section 03, in Section 05 the role of the key entities involved in the recruitment procedure is elaborated further. Thus, Section 05 may be useful to both the Public Sector entities and the other key players.
3. Use of the Manual

3.1 To which entities is the Manual applicable?

1. All Public Sector Entities set up by Government, with the exception of 3.1.2 below;
2. Entities which have all designations and relative salaries and/or benefits/allowances regulated by a Collective Agreement and/or Grading and Salary Structure approved by the Industrial Relations Unit; and
3. Entities that have annual/financial payroll budget approved for the proposed recruitment.

IMPORTANT
Under the above circumstances, and subject to the required approval from the respective Permanent Secretaries, this delegation is applicable even in cases where this would result in an increase in headcount of the entity.

3.1.1 This Manual is applicable to the Public Sector entities where all the members of staff are regulated by a Collective Agreement and/or Grading and Salary Structure approved by the Industrial Relations Unit (including top management) which include provision on the whole remuneration package i.e. salary, allowances and fringe benefits.

IMPORTANT
In all cases, entities should fill vacancies, in accordance with the approved HR Plan and the Collective Agreement and/or the Grading and Salary Structure approved by the Industrial Relations Unit. Moreover, financial packages, including allowances and/or other benefits not stipulated in the collective agreement and/or in the Grading and Salary Structure approved by the Industrial Relations Unit cannot be offered unless prior special permission is granted from Industrial Relations Unit.

In all the above cases, the annual manpower planning and hence capacity building exercise (if required) and the budget which is to be allocated for human resources requirements is to form part of the holistic process of preparing the budget for the approval of the Permanent Secretary and, if this is forthcoming, MFIN’s, within the three-year rolling Business and Financial Planning process established by the Fiscal Responsibility Act (CAP.534), as described further in process 01 found in Section 06. In the event that a public sector entity does not follow this process, such entity would need to seek ad hoc financial approval.
3.1.2 This Manual is not applicable to the entities of which the recruitment process is already decentralised which are listed below:

- Central Bank of Malta;
- Malta Stock Exchange;
- University of Malta [academics and non-academics];
- MCAST [academic staff only];
- Institute of Tourism Studies [academic staff only];
- Office of the Ombudsman;
- Office of the Commissioner for Data Protection;
- Broadcasting Authority;
- National Audit Office; and
- Local Councils.

3.2 Recruitment from outside a Public Entity

Recruitment is to be affected by Public Sector entities (mentioned under sub-article 3.1.1), through an external call, for:

1. an EXISTING* position to replace someone in the same position and with the same conditions (i.e. there is no increase in headcount and expenditure);

2. an EXISTING* position (not a replacement) regulated entirely by a collective agreement and/or by the Grading and Salary Structure approved by the Industrial Relations Unit, even if this constitutes an increase in headcount; or

3. an EXISTING* position (not a replacement) not entirely regulated by a collective agreement and/or by the Grading and Salary Structure approved by the Industrial Relations Unit but for which \textit{ad hoc} approval has already been obtained from Industrial Relations Unit for the financial package attached to such position, even if this constitutes an increase in headcount.

*Existing to mean positions included in the Collective Agreement and/or in the Grading and Salary Structure approved by the Industrial Relations Unit.

In the above cases, approval of the Permanent Secretary is required as per \textbf{process 03}.

In the case of \textbf{EU funded positions} it is important to note that although these have now also been delegated, and thus do not require approval from People & Standards Division, the entity is to directly seek the endorsement of the Ministry responsible for EU Affairs by forwarding the relative vacancy form, duly endorsed by the Permanent Secretary responsible for the entity, together with any relative documentation.
3.2.1 This Manual is not applicable in the following circumstances:

1. When the entity has not budgeted correctly or not at all for the recruitment and thereby additional funds have to be approved by the Permanent Secretary and, if this is forthcoming, by MFIN. In such cases, the Public Sector entity is to primarily seek financial approval for the required funds, and proceed by following Process 03 within this Manual.

2. When the vacancy in question has attached to it the payment of *ad hoc* allowances not covered by the Collective Agreement and/or by the Grading and Salary Structure approved by the Industrial Relations Unit. In such instances, the Public Sector entity is to seek Industrial Relations Unit’s approval for the required *ad hoc* allowances, and if approval is granted the Entities are to proceed by following Process 03 within this Manual.

3. Where a position is being filled externally, in anticipation of, and/or in replacement to a vacated position arising as a consequence of the secondment of a Public Sector employee with the Public Service; unless otherwise sanctioned by OPM. In this case, the centralised procedure will remain applicable, such that the approval of the People & Standards Division is sought for a replacement through external recruitment.

4. Where a position is being filled externally, in anticipation of, and/or in replacement to a vacated position arising as a consequence of the revocation of detailing/deployment of a public officer with a Public Sector entity; unless otherwise sanctioned by OPM. In this case, the centralised procedure will remain applicable, such that the approval of the People & Standards Division is sought for a replacement through external recruitment.

5. Where a position is being filled externally, in anticipation of, and/or in replacement to a vacated position arising as a consequence of the redeployment of a Public Sector employee in terms of Article 15A of the Employment and Training Services Act (when an employee moves from a Public Sector entity to another); unless otherwise sanctioned by OPM. In this case, the centralised procedure will remain applicable, such that the approval of the People & Standards Division is sought for a replacement through external recruitment.


Sections 1.5.1 - 1.5.5 of the Manual on Resourcing Policies and Procedures provide information on deployment and detailing, Section 1.5.9 of the Manual for Resourcing Policies and Procedures concerns the redeployment in terms of Article 15A and Section 1.5.11 concerns secondment.
3.3 Internal Restructuring and Promotions

Internal restructuring and promotions, subject to 3.1 above, are hereby being totally decentralised and left completely at the discretion of the top management of the Public Sector entity as long as the overall parameters included in the Collective Agreement and/or within the Grading and Salary Structure approved by the Industrial Relations Unit for the particular position are followed and the budget is available.

This implies that the Public Sector entity in case of internal restructuring and promotions which consist of existent positions, and that therefore are already included in the Collective Agreement and/or within the Grading and Salary Structure approved by the Industrial Relations Unit (and which will not result in an increase in headcount), does not need to obtain approval from the Permanent Secretary. However, in such cases, the Permanent Secretary is to be informed immediately at the outset of promotion exercises.

On the other hand, in case of internal restructuring and promotions which consist of new positions-designation, which therefore are not included in the Collective Agreement and/or within the Grading and Salary Structure approved by the Industrial Relations Unit, the Public Sector entity is to obtain approval from the Permanent Secretary and the Industrial Relations Unit before proceeding as indicated in the above paragraph.

3.4 Creation of Position-Designations Subject to the Industrial Relations Unit Approval

In respect of recruitment (as per Section 3.2) and internal restructuring and promotions (as per Section 3.3), in no case are public sector entities to create position-designations which are not covered by the Collective Agreement and/or by the Grading and Salary Structure approved by the Industrial Relations Unit with the prior approval of the Permanent Secretary.

3.5 Concurrent Issue of Internal and External Calls

Concurrent internal and external calls are possible, as per current situation.

Concurrent initiation of external (as per Process 03 on pg 16) and internal (as per Section 3.3 above) selection processes is possible subject:

(i) To no breach of any pertinent Collective Agreement; and
(ii) If recourse to issue public notice is eventually taken, following Jobsplus procedure as per ETS Act, mention is made that available vacancies are filled on the basis of the internal call result and, when exhausted, from the public call result.
4. Legislation

4.1 Horizontal Legislation

Recruitment with public entities is regulated by the following provisions:

a. The Constitution of Malta Article 110 (6):

“Recruitment for employment with any body established by the Constitution or by or under any other law, or with any partnership or other body in which the Government of Malta, or any such body as aforesaid, have a controlling interest or over which they have effective control, shall, unless such recruitment is made after a public examination duly advertised, be made through an employment service as provided in sub-article (2) of this article”.

b. The Employment and Training Services (ETS) Act (CAP 343) Article 15 (1):

“All employees required by the Government of Malta from outside its service or by any body corporate or company referred to in subsection (6) of section 110 of the Constitution whether these are, in each case, employed on a contract for a specified time or for an indefinite period, shall, save as prescribed in the Constitution and in subsections (2) and (3) of this section, be recruited through the employment service provided by the [Employment and Training] Corporation”.

c. In case of recruitment of foreigners, ETS Act Article 15 (2) applies:

“Where the recruitment of employees by the Government or any other employer to which subsection (1) of this section refers is in connection with the employment of ... persons engaged from outside Malta ... the Corporation may cause or authorise recruitment, whether through referral by it or otherwise, under such conditions or in such manner as the Corporation may deem appropriate”.

d. The Employment and Industrial Relations Act (EIRA) (CAP 452):

As a general rule, employees in both the Private and Public Sector are covered by the provisions of the EIRA (CAP 452). Moreover, national standard orders and sectoral regulations orders, as issued by government are applicable to all employees both in the private and public organisations.
4.2 Other Legislation

In most cases recruitment by entities is regulated by the Act setting them up which also determines the functions and powers of the entity. For example the Malta Enterprise Act (CAP 463) Article 18 (1) stipulates that:

“The Corporation may employ, on such terms and conditions as the Board may determine, such number of persons to be members of staff of the Corporation, as it may consider necessary for the proper performance of its functions...”

Similarly, the Water Services Corporation Act (CAP 355) Article 36 states that:

“The Corporation shall appoint and employ... such officers and other employees as may from time to time be necessary for the due and efficient discharge of its functions...”

The Authority for Transport in Malta Act (CAP 499) Article 7 (1) stipulates that:

“Subject to the provisions of the Constitution, any other enactment applicable thereto, and without prejudice to the other provisions of this Act, the employment and appointment of officials and other employees of the Authority shall be made by the Authority and the terms and conditions of their employment and appointment shall be established by the Authority with the concurrence of the Minister.”

4.3 Manual on Resourcing Policies and Procedures

The regulations concerning the employment of Public Service employees are governed by the Manual on Resourcing Policies and Procedures. Notwithstanding, there are certain provisions which are also applicable to Public Sector entities such as Section 1.5 entitled Public Sector Resourcing, which has been referred to earlier on in this Manual and Section 1.1.13.7 related to Extension of Service Beyond Retirement Age. The Manual on Resourcing Policies and Procedures may be accessed through the following link:

5. The Recruitment Procedure

Many OECD countries are now moving towards a model of HRM whereby major decisions regarding HR are delegated from a central HRM body to line Ministries and departments, although due to financial pressures, the general management of the overall pay systems remains centralised in the majority of countries. As HRM authority is delegated, the role of the central HRM authority, is also changing to one of setting minimum standards and formulating HRM policies and strategies rather than implementing them. The revised procedure presented in Section 06 follows this model. Below, the role of the main players under this devolved scenario is explained further.

5.1 The Role of the Permanent Secretary

Since Permanent Secretaries are charged with the day to day running of a Ministry and are responsible for the overall coordination of the activities of the respective line departments, agencies and entities that fall within their portfolio, they play an instrumental part in this holistic exercise; first by evaluating and prioritising the requests received from the core Public Service departments and units, as well as the Public Sector entities that fall within their remit. Their approval for employment has therefore to be sought by Public Sector entities prior to engaging in the external recruitment process.

Public Sector entities, through their Permanent Secretary, should before deciding whether to seek a new position with the Permanent Secretary and the Industrial Relations Unit’s approval or replace employees who retire, resign, or avail themselves of family friendly measures, consider all the options.

External recruitment may at times be avoided by implementing re-structuring / re-organisation of work or by re-engineering work processes, or internally by giving underutilised existing human resources re-training / re-skilling programmes to maximise their potential.

The national target of maximising the human resources at the disposal of Ministries is achievable so long as one critically evaluates the current resource allocation, ensures further synergy of processes, eliminates duplication, shares logistical support, intra- as well as inter-Ministry, furthers consolidation of back-office work in Gozo, monitors sick leave, improves discipline, together with a myriad of other small steps that, when taken as a whole, can make a substantial difference.

1 Government at a Glance 2011 – OECD
Thus, as indicated in **Process 03**, after that the Public Sector entity ascertains that the filling of the vacancy through internal recruitment; redeployment of staff from RSSL/ERL; and recruitment from other sectors of the Ministry and through a sector wide call for an Expression of Interest (which issue requires the prior approval of the People & Standards Division) would or proved futile, it is to send the duly filled in Vacancy Form I together with the Job Description to the Permanent Secretary for consideration. Upon receiving the request from the Public Sector entity, the Permanent Secretary decides on whether to grant approval to the Public Sector Entity to go for a Public Call through Jobsplus. If in the affirmative, the Permanent Secretary will endorse and send the Vacancy Form I to the Public Sector entity, copying in the People & Standards Division, so that it may proceed with contacting Jobsplus as described in Step 5 of Process 03.

At the end of the process, when a vacancy is filled, the Permanent Secretary is copied in the email whereby the Public Sector entity informs People & Standards Division accordingly. At this stage, the Permanent Secretary is to make sure that the HoE has recruited within the approved parameters.

### 5.2 The Role of People & Standards Division

In line with the model presented earlier on in this section and with the Public Administration Act (PAA), whereby it is stated that People & Standards Division’s function is “to provide a framework that enables ministries and departments to manage their human resources in the most effective manner”, under the devolved scenario People & Standards Division will assume a role of a more strategic nature. Moreover, in light of OPM Circular 20/2015, the People & Standards Division’s operational responsibility includes the monitoring and auditing of the delegated resourcing functions under Directive 7. **For the purpose of such monitoring and auditing, public sector entities falling within the scope of this manual are bound to provide the following information:**

1. **On a bi-annual basis,** each Public Sector entity is to issue a compiled HRS2 form entitled Employment Movements Information Sheet to the Research and Personnel Systems within the People & Standards Division at employment-returns.opm@gov.mt, copying the Public Sector Office – People and Resourcing Compliance Directorate, People & Standards Division at publicsector.opm@gov.mt. The HRS2 form may be obtained by sending an email to employment-returns.opm@gov.mt.

2. **On a yearly basis,** by January of the respective year, each Public Sector entity is to submit its approved HR Plan which should be strictly contained within the approved budgetary allocation stipulated in the latest financial estimates using the template at Appendix 2. The HR Plan is to be submitted by each entity to the respective Ministry. Each Ministry will forward the consolidated feedback (which shall include the approved HR Plans of all entities under its
remit) to the Public Sector Office within the People and Resourcing Compliance Directorate, People & Standards Division at publicsector.opm@gov.mt.

Public Sector entities should include within the yearly HR Plan only existent nomenclatures found within their Collective Agreement and/or within the Grading and Salary Structure approved by the Industrial Relations Unit. When preparing the yearly HR Plan, Public Sector entities should keep in view that the information issued under ‘Positions’ (first column within Appendix 2) should include the entire staff complement. The entire staff complement consists of the staff already in place, proposed recruitments, promotions, progressions, envisaged renewal of contracts, top management positions and persons of trust. Irrespective of the time of the year when expenditure is going to take effect, in the yearly HR Plan, Public Sector entities are always to allot the amount of projected spend that would cover the whole financial year, that is from 1 January until 31 December.

Entities are to strictly abide by the approved yearly HR Plan.

At the end of the process, when a vacancy is filled the HoE informs People & Standards Division accordingly. If the People & Standards Division observes an irregularity, the immediate attention of the Permanent Secretary is to be drawn.

Any Public Sector entity, to which this Directive applies, which fails to abide with the recruitment procedure outlined in the Manual may have the delegated authority withdrawn in its regard.

5.3 The Role of Industrial Relations Unit

Although the recruitment process is delegated to Public Sector entities, collective bargaining will remain centralised and the current role of Industrial Relations Unit will remain unchanged.

Unless otherwise included in an existing Collective Agreement and/or in the Grading and Salary Structure approved by the Industrial Relations Unit (including top management posts, i.e. Head of Entity [such as Executive Chairperson or CEO] and the level below), the approval of positions should be invariably referred to Industrial Relations Unit for prior approval.

The Industrial Relations Unit’s approval should be sought by the Head of Entity, through the respective Permanent Secretary, in respect of the organisational and salary structures including the full remuneration package (salaries, allowances and fringe benefits). Industrial Relations Unit’s approval, which is valid for the period as specified in the respective approval, will be communicated to the Head of Entity, through the respective Permanent Secretary.
5.4 The Role of MFIN

For this delegation to be a success, it is very important the Public Sector entities take the three-year rolling Business and Financial Planning process seriously without any departures made unless exceptional circumstances (such as new initiatives or expanding services) prevail.

Keeping the present budget in mind, a fresh HR budget should be prepared subject to budgetary allocations. Adjustments can be upwards or downwards with respect to each item included in the budget on the basis of their HR Strategies.

As indicated in Process 01 which is presented in Section 06, the Heads of the Public Sector entities are to have their HR capacity requirements for a three-year period approved by the Permanent Secretary and MFIN. Response will be issued to the line Ministries within the parameters of the approved budget. Entities are to be guided by the relevant annual budget circular issued by MFIN.

5.5 The Role of RSSL and ERL

A main function regulating the setting up and the role of RSSL and ERL as companies is to absorb workers made redundant following the closure of such organisations as Malta Shipbuilding, Malta Shipyards, Malta Drydocks, MDC, Sea Malta, IPSE, METCO Kalaxlokk Co. Ltd and Enemalta Ltd. Therefore on a quarterly basis RSSL and ERL will distribute an expression of interest to all RSSL and ERL staff respectively, to check whether anyone is interested in any vacancies arising with other entities within the Public Administration. RSSL and ERL will inform Permanent Secretaries accordingly.
6. The Revised Procedure

Prior to 2005 Public Sector entities had complete authority on the recruitment processes. However, in 2005, new procedures were introduced, the aim of which was curtailing and reducing the size of the Public Sector through the better rationalisation of available resources and more control on the number of persons being employed in the Public Sector and the pay packages that they were being offered. Research has indicated that this aim was fulfilled and therefore it was decided that Public Sector entities be delegated authority to recruit and effect promotions exercises subject to set parameters.

However, Government’s aim to curtail Public Sector employment still prevails and therefore certain conditions such as engaging staff on RSSL/ERL’s books and endeavouring to redeploy persons that might be underutilised elsewhere in the Ministry (or elsewhere in the Public Sector) will still prevail.

The new modus operandi in this devolved scenario is further developed in this section of the Manual.
Step 1: The Head of Entity (HoE) responds to the annual MFIN circular on Business and Financial Plan and proposes a three-year plan which should include HR requirements for the said period.

Note: The email is to be sent to MFIN, with the approval of the PS.

Step 2: MFIN reviews the request for approval.

Step 3: MFIN communicates the decision to the Permanent Secretary (PS) of the Ministry of the Public Sector entity, who is to inform the HoE accordingly.

Note: The approval remains valid for the entire year covered by the request.

Step 4: Throughout the year the HoE is to operate within the HR financial budget approved by the PS and MFIN.

General Note: This process is to be followed annually by all Public Sector entities falling under the remit of the devolved process highlighted in Section 3 of this Manual. The annual manpower planning and hence capacity building exercise (if required) and the budget which is to be allocated for human resources requirements is to form part of the holistic process of preparing the budget for approval of the PS and MFIN.
Step 1: The Head of Entity (HoE) with the prior approval of the Permanent Secretary (PS) responsible for the Public Sector Entity, submits by email a request for the approval of the Grading and Salary Structure.

Note: The email is to be addressed to Head Industrial Relations Unit, copying in the PS. The HoE is to attach all the required documentation including an organisation chart and job descriptions.

Step 2: Industrial Relations Unit (IRU) reviews the request for approval.

Step 3: IRU communicates its decision to HoE, through the PS, with respect to the Grading and Salary Structure. Any changes therefrom warrant fresh IRU approval.

Note: The approval is valid for the period as specified in the respective approval unless there is a change in the Grading and Salary Structure.

Step 4: Once the HoE, through the PS, receives the approval for the Grading and Salary Structure, the Entity is to seek budgetary approval from the Ministry for Finance for its three-year HR Plan.

General Note: This process is to be followed by Public Sector entities:
1) that have a signed collective agreement in place but such agreement does not cover all the positions within the said entity. In this case, positions not covered by the collective agreement should be endorsed by the Industrial Relations Unit (IRU); or
2) that do not have a signed collective agreement in place but have an approved Grading and Salary Structure (including top management positions) approved by the IRU and other approval issued by IRU, together with a structured salary package, approved by the IRU.
Step 1: The Head of Entity (HoE) should ensure if there is any suitable candidate to fill the vacancy from RSSL/ERL. In the event that redeployment is required, the normal process through People & Standards Division (P&SD) is to be followed.

Step 2: If no suitable candidate is found from RSSL/ERL, HoE is to liaise with the Director responsible for the HR of the Ministry, to check if the vacancy could be filled from within the Ministry or through an Expression of Interest across the Public Administration (Public Service & Public Sector) which issue requires the prior approval of the P&SD. In the event that detailing, deployment or redeployment is required the normal process through P&SD is to be followed.

Step 3: If all the above possibilities have been explored to no avail, the HoE submits the request by filling in 'Vacancy Form I – Public Call', which must be conformant with the Collective Agreement and/or Grading and Salary Structure approved by Industrial Relations Unit and the approved applicable HR Plan, and sends it by email together with the Job Description to the Permanent Secretary (PS), copying in the P&SD (publicsector.ospm@gov.mt).

Step 4: The PS replies to the HoE’s email and considers whether to grant approval to the HoE to go for a public call through Jobsplus.

Step 5: Subject to PS’s approval, the HoE sends an email to Jobsplus with the necessary details on the vacancy including the Job Description and the PS approval.

Step 6: If no one suitable is found from Parts 1, 2 or 3, Jobsplus issues a permit number and the HoE can proceed to issue a public call.

Step 7: Once the vacancy is filled, the HoE informs P&SD accordingly keeping the PS in copy.

Note: The HoE is to include the following information in the email: scanned copy of Vacancy Form I endorsed by PS, Job Description, name of employee, position, qualifications and experience, remuneration package and method of recruitment.

General Note: This process is to be followed when recruitment is going to take place for an EXISTING position irrespective whether it is a replacement or not. The entity is to make sure that the required budget is available and has already obtained the necessary approvals from the Permanent Secretary/Industrial Relations Unit/MFIN as per processes 01 and 02.
7. Conclusion

Although we appreciate that all the parties involved have very busy schedules, the importance of timeliness cannot be stressed enough.

Time is of the essence in the recruitment and selection process. Tardiness and delay causes additional work for staff covering the vacancy which might lead to de-motivation and other HR problems. It also creates a poor image of the public sector.

It is to this effect that the approval of recruitment and promotions was delegated to the Permanent Secretaries and Heads of Entity respectively and thus devolved from the central authority to line Ministries in accordance with the principle of subsidiarity.
## Appendix 1 – Form to be utilised when the Entity is resorting to External Recruitment

**VACANCY FORM I**

This Vacancy Form is to be submitted to the Permanent Secretary subject that the request is conformant with the Collective Agreement and/or Grading and Salary Structure approved by the Industrial Relations Unit and the applicable HR Plan.

Please attach a copy of the Job Description with this Vacancy Form.

Please fill in all points (1-17), ensure that all information submitted is accurate and precise. (Tick where applicable)

### 1. Date

### 2. Entity

### 2a. Entity Reference

### 3. Post/Position

### 4. No. of Posts/Positions

### 5. Scope

- [ ] Replacement
- [ ] New Vacancy

### 6. Reason

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<td>[ ] Retired</td>
<td>[ ] Terminated</td>
<td>[ ] Resigned</td>
<td>[ ] Increase in Demand/Output</td>
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<td>[ ] New Function</td>
<td>[ ] As a Consequence of a Promotion</td>
<td>[ ] Other (Insert comments in Section 16)</td>
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### 7. Contract

- [ ] Indefinite
- [ ] Definite

If Definite, indicate if contract includes the objective reason clause in line with S.L.452.81:

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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>[ ] Yes</td>
<td>[ ] No</td>
</tr>
</tbody>
</table>

If Definite, state period:

### 8. Employment Type

- [ ] Full Time
- [ ] Part Time/Reduced
- [ ] Back-to-Back

### 9. Hours per Week

### 10. Salary Information

<table>
<thead>
<tr>
<th></th>
<th>Comments</th>
<th>Amount in Euro (€)</th>
</tr>
</thead>
<tbody>
<tr>
<td>S1 Basic Salary:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increments (if any):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Salary:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
10a. Benefits/Allowances (if any)

<table>
<thead>
<tr>
<th>Performance</th>
<th>Comments</th>
<th>Amount in Euro (€)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle Related:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Telephone/Mobile:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Internet Related:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health Related:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Others:</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>B1 Total Benefits</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Current Year Recurrent Expenditure (add S1 and B1)

11. Qualifications & Experience Required:

<table>
<thead>
<tr>
<th>MQF Level (1 to 8)</th>
</tr>
</thead>
</table>

Indicate the Qualification Level as set by the National Qualifications Framework. For assistance enter the following link: [https://ncfhe.gov.mt/en/Pages/MQF.aspx](https://ncfhe.gov.mt/en/Pages/MQF.aspx)

12. Competencies:

Insert competencies' codes within this field. To access the Occupational Competencies 2016 Manual, kindly enter the following link: [https://jobsplus.gov.mt/resources/fileprovider.aspx?fileId=1761](https://jobsplus.gov.mt/resources/fileprovider.aspx?fileId=1761)

13. Conditions bound by a Collective Agreement/Approved by Industrial Relations Unit:

Public Service Scales are to be viewed on the Ministry of Finance’s website: [http://mfin.gov.mt/en/Pages/default.aspx](http://mfin.gov.mt/en/Pages/default.aspx), through the following stages: click on Library/click on The Budget 20XX/click on Financial Estimates 20XX/Open downloaded Zip folder/open Appendices folder/open Schedule Grades file

If yes, indicate Collective Agreement's Expiry Date:

If no, indicate Industrial Relations Unit's approval date:

14. Distinct Legal Personality:

Indicate the chapter and article number that gives the entity the authority to recruit and enter into contracts
15. Appendices enclosed:

- Job Description
- Others:

16. Others/Comments. Here you may provide any comments relevant to the request such as the reason and nature of the request:

17. Approvals:

<table>
<thead>
<tr>
<th></th>
<th>HR Manager*</th>
<th>Financial Authorisation Officer **</th>
<th>Head of Entity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signature:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Position:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Entity:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E-mail Address:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Telephone No:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date:</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

I declare that:

* I have submitted this request after having ascertained that it is justified in all its aspects: an internal call within the entity proved/would prove futile, redeployment of existing staff from RSSL/ERL and from other sectors of the Ministry is not possible and a service wide call for an expression of interest is not possible/proved futile and that funds have been budgeted for and available through this year’s financial allocation/Business and HR Plan and that the position is approved by the Industrial Relations Unit, I approve external recruitment through the Jobsplus services in terms of the ETS Act.

** I confirm that funds are available for this recruitment.


Permanent Secretary Date
Appendix 2 – HR Plan Template

<table>
<thead>
<tr>
<th>Name of the Entity:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Positions</td>
</tr>
<tr>
<td>No.</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

Manual for Public Sector Entities: Delegation of Authority to effect Recruitment and Promotions
Appendix 3 – Eligibility Requirements

This appendix includes the eligibility criteria for the Public Service (e.g. qualifications required) issued by People & Standards Division. Although Public Sector entities are not obliged to follow these criteria, these have been included in the Manual to serve as guidelines for those entities that have not yet established their own eligibility criteria.

Internal Recruitment

<table>
<thead>
<tr>
<th>Scale</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>A recognised Master's qualification at MQF Level 7 (subject to a minimum of 60 ECTS/ECVET credits, or equivalent, with regard to programmes commencing as from October 2008) in relevant areas to be specified or a comparable professional qualification, plus three (3) years relevant work experience of which one (1) year must be in a management position comparable to Scale 8 level or higher in the Public Service. Or A recognised Bachelor’s qualification at MQF Level 6 (subject to a minimum of 180 ECTS/ECVET credits, or equivalent, with regard to programmes commencing as from October 2003) in relevant areas to be specified or a comparable professional qualification plus five years relevant work experience of which one (1) year must be in a management position comparable to Scale 8 level or higher in the Public Service. Or Public Officers in a Scale not below Scale 7 or Public Sector employees performing duties in the Public Service or RSSL employees at a comparable level of responsibility, with eight (8) years relevant work experience of which one (1) year must be in a management position comparable to Scale 8 level or higher in the Public Service.</td>
</tr>
<tr>
<td>6</td>
<td>A recognised Master's qualification at MQF Level 7 (subject to a minimum of 60 ECTS/ECVET credits, or equivalent, with regard to programmes commencing as from October 2008) in relevant areas to be specified or a comparable professional qualification, plus two (2) years relevant work experience Or A recognised Bachelor’s qualification at MQF Level 6 (subject to a minimum of 180 ECTS/ECVET credits, or equivalent, with regard to programmes commencing as from October 2003) in relevant areas to be specified or a comparable professional qualification</td>
</tr>
</tbody>
</table>

Manual for Public Sector Entities: Delegation of Authority to effect Recruitment and Promotions 22
qualification
plus four (4) years relevant work experience
Or
Public Officers in a Scale not below Scale 10 or Public Sector employees performing duties in the Public Service or RSSL employees at a comparable level of responsibility, with seven (7) years relevant work experience.

7
A recognised Master’s qualification at MQF Level 7 (subject to a minimum of 60 ECTS/ECVET credits, or equivalent, with regard to programmes commencing as from October 2008) in relevant areas to be specified or a comparable professional qualification,
plus one (1) year relevant work experience
Or
A recognised Bachelor’s qualification at MQF Level 6 (subject to a minimum of 180 ECTS/ECVET credits, or equivalent, with regard to programmes commencing as from October 2003) in relevant areas to be specified or a comparable professional qualification
plus three (3) years relevant work experience
Or
Public Officers in a Scale not below Scale 10 or Public Sector employees performing duties in the Public Service or RSSL employees at a comparable level of responsibility, with six (6) years relevant work experience.

8
A recognised Master’s qualification at MQF Level 7 (subject to a minimum of 60 ECTS/ECVET credits, or equivalent, with regard to programmes commencing as from October 2008) in relevant areas to be specified or a comparable professional qualification,
Or
A recognised Bachelor’s qualification at MQF Level 6 (subject to a minimum of 180 ECTS/ECVET credits, or equivalent, with regard to programmes commencing as from October 2003) in relevant areas to be specified or a comparable professional qualification
plus two (2) years relevant work experience
Or
Public Officers in a Scale not below Scale 12 or Public Sector employees performing duties in the Public Service or RSSL employees at a comparable level of responsibility, with five (5) years relevant work experience.

9
A recognised Bachelor’s qualification at MQF Level 6 (subject to a minimum of 180 ECTS/ECVET credits, or equivalent, with regard to programmes commencing as from October 2003) in relevant areas to be specified or a comparable professional qualification, plus one (1) year relevant work experience.
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Or Public Officers in a Scale not below Scale 12 or Public Sector employees performing duties in the Public Service or RSSL employees at a comparable level of responsibility, with four (4) years relevant work experience.</td>
</tr>
<tr>
<td>10</td>
<td>A recognised Bachelor’s qualification at MQF Level 6 (subject to a minimum of 180 ECTS/ECVET credits, or equivalent, with regard to programmes commencing as from October 2003) in relevant areas to be specified or a comparable professional qualification, Or Public Officers in a Scale not below Scale 12 or Public Sector employees performing duties in the Public Service or RSSL employees at a comparable level of responsibility, with three (3) years relevant work experience.</td>
</tr>
<tr>
<td>11/12</td>
<td>A recognised qualification at MQF Level 5 with a minimum of 60 ECTS/ECVETs or equivalent in relevant areas to be specified Or Public Officers in a Scale not below Scale 15/16 or Public Sector employees performing duties in the Public Service or RSSL employees at a comparable level of responsibility, with three (3) years relevant work experience.</td>
</tr>
</tbody>
</table>
### External Recruitment

<table>
<thead>
<tr>
<th>Scale</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>A recognised Master's qualification at MQF Level 7 (subject to a minimum of 60 ECTS/ECVET credits, or equivalent, with regard to programmes commencing as from October 2008) in relevant areas to be specified or a comparable professional qualification, plus three (3) years relevant work experience of which one (1) year must be in a management position comparable to Scale 8 level or higher in the Public Service. Or A recognised Bachelor's qualification at MQF Level 6 (subject to a minimum of 180 ECTS/ECVET credits, or equivalent, with regard to programmes commencing as from October 2003) in relevant areas to be specified or a comparable professional qualification. Plus five (5) years relevant work experience of which one (1) year must be in a management position comparable to Scale 8 level or higher in the Public Service.</td>
</tr>
<tr>
<td>6</td>
<td>A recognised Master's qualification at MQF Level 7 (subject to a minimum of 60 ECTS/ECVET credits, or equivalent, with regard to programmes commencing as from October 2008) in relevant areas to be specified or a comparable professional qualification, plus two (2) years relevant work experience. Or A recognised Bachelor's qualification at MQF Level 6 (subject to a minimum of 180 ECTS/ECVET credits, or equivalent, with regard to programmes commencing as from October 2003) in relevant areas to be specified or a comparable professional qualification plus four (4) years relevant work experience.</td>
</tr>
<tr>
<td>7</td>
<td>A recognised Master's qualification at MQF Level 7 (subject to a minimum of 60 ECTS/ECVET credits, or equivalent, with regard to programmes commencing as from October 2008) in relevant areas to be specified or a comparable professional qualification, plus one (1) year relevant work experience. Or A recognised Bachelor's qualification at MQF Level 6 (subject to a minimum of 180 ECTS/ECVET credits, or equivalent, with regard to programmes commencing as from October 2003) in relevant areas to be specified or a comparable professional qualification plus three (3) years relevant work experience.</td>
</tr>
<tr>
<td>8</td>
<td>A recognised Master's qualification at MQF Level 7 (subject to a minimum of 60</td>
</tr>
<tr>
<td></td>
<td>Requirements</td>
</tr>
<tr>
<td>---</td>
<td>------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>9</td>
<td>A recognised Bachelor’s qualification at MQF Level 6 (subject to a minimum of 180 ECTS/ECVET credits, or equivalent, with regard to programmes commencing as from October 2003) in relevant areas to be specified or a comparable professional qualification, plus one (1) year relevant work experience.</td>
</tr>
<tr>
<td>10</td>
<td>A recognised Bachelor’s qualification at MQF Level 6 (subject to a minimum of 180 ECTS/ECVET credits, or equivalent, with regard to programmes commencing as from October 2003) in relevant areas to be specified or a comparable professional qualification.</td>
</tr>
<tr>
<td>11/12</td>
<td>A recognised qualification at MQF Level 5 with a minimum of 60 ECTS/ECVETS or equivalent in relevant areas to be specified.</td>
</tr>
</tbody>
</table>
This manual is to be used as a helpful tool, however if you require further information kindly contact:

**Mailing Address:**

People & Standards Division,
Office of the Prime Minister,
3, Castille Place,
Valletta, VLT 1062
Malta.

**Tel:** (356) 22 001 338/ 22 001 316

**Email:** publicsector.opm@gov.mt / prc.opm@gov.mt