

Supervisory function of public service commission essay sample



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1. 0 Introduction

This chapter introduces the study by providing a brief background on the problem, statement of the problem, study objectives, hypotheses, significance, limitations, scope of the study and conceptual framework.

1 Background of the study

PSRP journal, (2006) revealed that there is a public outcry of public service employees that they are not timely and fairly promoted. Employees from different institutions like Ministry of Agriculture and Ministry of Education lamented that they have been stuck in one level of their career for quite long time without being promoted. On the other hand employees from ministry of home affairs commented that their fellow employees which were previously together in the same status have been promoted but themselves are left (PSC, 2007). In their opinion this is unfair treatment. Experience also shows that there are a number of public servants who are not aware of the policies guiding promotion in the public service. Taking reference from teaching staff where the researcher works in their service department, majority of them complains without knowing what are the prerequisites of being promoted. For instance there are some teachers who have reached bar grades but claim promotion in their service. Public servants such as these it is that they are not aware of the policies which limit employees for further promotion until they advance in education. This is to say that there are cases where public servants just lamenting in vain which resulted from ignorance of policies guiding promotion.

In a long term, cases mentioned above cause deterioration of work performance. Historical grievances like these among many others were what made the government of Tanzania to form a body which can oversee and regulate the actions of appointing authorities/employers in the public service who are vested with the responsibility of promoting employees within their jurisdiction. Also among other things the body has a task of providing education of policies guiding the public service in human resource management to both appointing authorities and employees. This is revealed in Public Service Management and Employment Policy of 1999 and that regulating body is known as Public Service Commission.

The Public Service Commission was established by section 9(1) of Public Service Act no. 8 of 2002. This was the result of the implementation of Public Service Management and Employment Policy which was launched in 1999 by the government of United Republic of Tanzania in efforts of supervising the public service in effectively managing human resources. Public Service Commission became operational on 7th January, 2004, after the President of United Republic of Tanzania appointed the Chairman, Commissioners and Secretary of the Commission (Mbegu, 2008). The Public Service Commission replaced previous three service commissions, namely: the teachers' service commission, the civil service commission and the local government commission.

Before Public Service Act no 8 of 2002 which guides the public service, there were several Acts including Civil Service Act no. 16 of 1989, local government service commission Act of 1982 and Teachers Service

Commission Act of 1989. The provision of these laws guided categorical
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employees as per their names. Hence matters relating to human resources management like recruitment, disciplinary, promotions and transfers were stipulated in these laws. The civil service commission was guided by the civil service Act, 1989, which its main function was to supervise the civil service institutions to make sure that they complied with rules and regulations guiding the civil service of that time. These three Acts were later on repealed in 2002 and a single Act was put in place which is Public Service Act no 8, 2002.

Presently the Public Service Commission consists of the following departments: Civil service department, Local government department, Teachers' service department and health services department. According to section 9 of Public Service Act no. 8 of 2002, core functions of the commission are to advise the president on matters relating to public service including filling positions which are presidential appointments, to issue guidance and monitoring on how to conduct merit based recruitment and promotion in the public service. The commission also has the function of receiving and acting on appeals from the decisions of disciplinary authorities, facilitating, monitoring and evaluating performance by officials in the service to secure results oriented management and to call upon all executives in the service to account for their performance should the commission be tipped with evidence or complaints indicating mismanagement or non performance of mission. On the other hand these functions can be summed up to one main function of providing efficient and effective Human Resource Management service to its stakeholders. The Public Service Commission would be fulfilling its regulatory functions by executing regular compliance

inspections against appointing authorities or employers. After compliance inspections PSC is obligated to identify abnormalities and take necessary corrective steps so to smoothen things out as required by the law which commissioned it (PSC annual report, 2004).

The Public Service Commission has vision and mission for its operation. The vision statement of Public Service Commission is “ To be a model in the world in promoting good governance and quality service delivery in the Public service in Tanzania”. The mission statement of Public service Commission is “ To regulate and ensure that Public Service employers, appointing and disciplinary authorities comply with rules and regulations on human resource management and to timely act on appeals”. These two phenomena reflect the aspiration, functions and reasons for existence of Public Service Commission as explained above. The vision of PSC mandated its function or service delivery to be an exemplary in the public service. Hence the modus operandi of PSC should be high effective that other institutions in Tanzania have to emulate it. The mission of PSC implicates that in regulating actions of employers/appointing authorities, regular compliance inspections and necessary corrective steps need to be taken so to bring meaningful standards of operation. But in order to bring sensible supervision PSC is obligated to provide education on rules and regulations guiding human resource management to public service employers/appointing authorities so that they know what is required or expected from them.

1. 2 Statement of the problem

The reason for the existence of the Public Service Commission was the government effort to make sure that public service employers comply with the rules and regulations guiding human resource management in the public service like timely and fairly promotion of their servants through right procedures. PSC in implementing its supervisory function and for the sake of facilitating its duty has an obligation of educating the public service about laws, policies, regulations and its procedures in guiding human resources management. Section 9 of Public Service Act no. 8 of 2002 highlighted this function. To achieve results one of PSC policy states that compliance inspections are to be done regularly and after establishing outcome of inspections necessary corrective steps need to be taken so to regulate any abnormal actions of employers/appointing authorities (PSC annual report, 2004). Hence modus operandi of PSC is literally education on policies, compliance inspection and taking necessary corrective steps basing on the outcome of inspection. Despite this government effort of forming a body which would oversee and supervise public service employers/appointing authorities upon complying with rules and regulations, and yet protecting rights of employees as far as human resource management is concerned, there still have been complaints and outcry from the public servants that they are not promoted timely and fairly.

For example, (PSC, 2007) annual report revealed that twenty seven employees which is equal to 9% of qualified employees from immigration department had merits for promotion yet were not promoted. The report further revealed that one hundred and seventy four employees which is equal to 3% of unqualified employees from same department did not have

merits for promotion, yet they were promoted. The report indicated that three servants which is equal to 0.5% of unqualified employees from the ministry of health did not have merits but were promoted, at the same time eleven employees which is equal to 5% of qualified employees from same ministry had merits for promotion and permit was given from president's office public service management, yet they were not promoted. As it was explained previously in the background of the study in other cases it is that public servants are not aware of the policies and procedures guiding promotion in the public service which results to baseless complaints.

This is the experience of the researcher in the teachers' service department. In researcher's opinion if these servants were educated on policies and procedures these complaints weren't there. Likewise when employers/appointing authorities are well educated about policies and procedures guiding promotion likely the above experience would be different. Accordingly, it is assumed that PSC which is entrusted with the duty of supervising public service when conducting compliance inspections has to know the depth of the problems or deviations and its causes, thereafter taking corrective actions which as a result these cases would be minimal or non-existent. It is clear that public service employers act irresponsibly in promoting their staff, while there is a body which is responsible on regulating employers' actions in promotion of their staff which is the Public Service Commission.

The aim of this study is to examine the supervisory function of Public Service Commission in promotion of public servants in Tanzania.

1. 3 Objectives of the study

1. 3. 1 Main Objective of the study

The main objective of the study is to examine the supervisory function of Public Service Commission in promotion of public servants in Tanzania.

1. 3. 2 Specific objectives of the study

I. To find out whether or not PSC communicates promotional policies and procedures to public service institutions. II. To determine methods PSC use in compliance inspections towards employers in staff promotion practices. III. To find out what corrective actions PSC takes against employers in case of non-compliance to staff promotional policies.

1. 4 Research Questions

I. Does PSC communicate promotional policies and procedures to the public service institutions? II. What methods does PSC use in compliance inspections towards employers in staff promotion practices? III. What corrective actions does PSC take against employers in case of non-compliance to staff promotional policies?

1. 5 Significance of the study

In due time when this study is completed it is going to bring to light the following: To the Public Service Commission: This study will help the Commission to assess its supervisory function as an institution and make improvement where necessary. To the Government: After completion, the

study will help the government to know what factors lead to staff promotion malpractices. Also the government will be aware of the weaknesses and strengths of PSC in its supervisory duty and formulate policies which will minimize weaknesses. To Mzumbe University: The research report once accepted and approved, it will add to knowledge bank of the University and thus give opportunity for current and future students to consult it for references and further research to be made thereafter.

1. 6 Limitation of the study

The researcher is likely to be confronted by a number of challenges while conducting research which will retard data collection and affect findings. The following are some possible limitations: Data collection methods. Due to its sensitivity, this study may not get required data from the authorities, both for primary and secondary data, by use of questionnaire and interview. Sampling technique. Due to nature of the population of the Public Service Commission and other institutions type of sample design to be used will be non-probability sampling or purposive sampling. Since this provides discretion for a researcher to select what to include into a sample, there will likely be elements of bias.

1. 7 Scope of the study

The scope of this study shall be limited to the supervisory function of the Public Service Commission in promotion of public servants in Tanzania. The focus of the study is going to be on single department of PSC the civil service, which concerns only central government employees. Hence the

institution involved shall be a ministry. The study may also not benefit on data from promotional practices in non governmental institutions.

1. 8 Conceptual framework

In determining the supervision of Public Service Commission in promotion of public servants, the researcher has identified some independent and dependent variables. The independent variable is public service commission. Dependent variables are communication of Policies and procedures, inspection on compliance, corrective actions, employers/appointing authorities and promotion of public servants.

Figure 1. Conceptual framework

[pic]

Source: Researcher's Construct

1. 9 Definition of key terms

All of the following definitions are according to the Public Service Scheme, (2003): Appointing authority – means a body or organ or a person empowered by the Act to make appointments of Public servants in the Service. Employer – means a person or organization, in the public service, with whom a public servant entered into a contract of service and who is responsible for the payment of salaries of such public servant. Promotion – means the appointment of a public servant to a higher grade with an immediate or potential increase in salary. Public service – means the system or organization entrusted with the responsibility or overseeing the provision or directly providing the general public with what they need directly from

their government or any other institution on behalf of the government as permissible by laws. Public servant – means a person holding or acting in the public service office.

1. 10 Organization of the proposal

The chapter one of this proposal includes introduction, background of the problem, statement of the problem and the general objective. It also includes objectives of the study, study hypotheses, significance of the study, limitations, scope of the study and finally conceptual framework of the study.

The second chapter includes theoretical literature review and its synthesis, it also includes empirical literature review, its synthesis and finally identified gaps.

The third chapter consists of research methodology, research design, research area, population of the study, sampling and sampling techniques. It also includes the selection of sample size, data collection methods and finally data processing and analysis. After the end of third chapter there are references and appendices.

CHAPTER TWO

LITERATURE REVIEW

2. 0 Introduction

This chapter is going to cover theoretical and empirical literature review by exploring the books, reports, researches and government policies and come

up with the broad picture on this study. The chapter will end up by synthesizing the concepts and identifying the study gap.

2. 1 Theoretical literature review

2. 1. 1 Theories guiding Public service

According to the code of ethics and conduct for the public service in Tanzania (1999), in order for the public service to be efficient and respected, public servants must behave and conduct themselves in a manner as follows: first respect of human rights and be courteous. This means that he/she has a right to be any member of political party, belong to any religious sect, being non-discriminatory on grounds of sex, tribe, religion, nationality, ethnicity etc. Second it is discipline and diligence. For efficient performance public servant will perform his/her duties diligently and with a high degree of discipline which means use of the time, skills and expertise one has so as to attain the expected goals. On part of discipline he/she is bound to obey the law and effect lawful directives. Also the public servant shall not disclose confidential or official information which has been communicated or availed while discharging official duties without permission. Third, is the code of ethics and conduct in pursuing of excellence in services. Here the public servant should strive to achieve the highest standards of performance.

Fourth is transparency and accountability. A public servant will adhere to and practice meritocratic principles in appointments, promotions while delivering any service. He/she will be accountable both for actions and inactions through normal tiers of authority. Fifth, is to discharge duties with integrity. <https://assignbuster.com/supervisory-function-of-public-service-commission-essay-sample/>

A public servant shall not fear to abide by laws, regulations and procedures when discharging his/her duties. He/she shall not solicit, force or accept bribes from a person whom he/she is serving either by doing so in person or by using another person. Sixth and lastly the public servant is required to observe political neutrality. Here the servant shall not conduct or engage oneself with political activities during official hours or at work premises. These all together are the fundamental ethics and conduct which must be shown by a public servant so that he/she can sustain in his/her career and become potential in career advancement.

According to the Commonwealth Secretariat (2002), in public service there should be setting of the overall framework. One among significant things is developing of merit culture. Effective public administration needs the continuity and stability provided by a professional and trustworthy body of efficient public servants, concerned with due process, but responsive to politically defined priorities. The recognition of merit is a fundamental prerequisite of such administration. Competent public servants are selected, retained and promoted on the basis of qualification, experience and the ability to achieve the organizational objectives of government within a legal and ethical framework. They are not selected, retained or promoted on the basis of creed, color, caste, family connections, gender or physical ability (unless the later is directly related to the nature of the tasks to be performed).

Recognizing merit within systems for managing staff recruitment, development, retention and exit requires the application of two principles: to emphasize capability and achievement, and to deter patronage. Another <https://assignbuster.com/supervisory-function-of-public-service-commission-essay-sample/>

important thing in the public service is introducing/improving performance management. Performance management is the means by which public service goals are linked to individual target-setting, appraisal and development. It provides a strategy for delivering a higher quality service, and increasing efficiency by enhancing accountability and individual motivation, and improving communication to assist organizational change. Performance management is built on two major themes in public service improvement programmes. First, is identifying the mission of an organization within the public service by defining its broad objectives and intentions, and encourages a climate in which achievements are measured. Second is by appraising the performance of individuals and provides them with feedback and encouragement.

Commonwealth document (Ibid) continues mentioning another significant matter in public service in developing a public service code of conduct. This provides guidance on required behavior within the service and prescribes required standards of integrity and professional conduct. Such codes relate directly to conditions of employment and legally enforceable regulations. These codes of conduct should be dynamic and not static, reflecting the changing environment and circumstances in which public services work; and they should focus on the positive as well as the more negative aspects of conduct, on values and ideals of service which public officers can aspire to, as well as the bottom line of acceptable conduct, and on discipline and penalties for transgression.

Furi, (2008) points out how a responsive and loyal public service should be.

According to him: “ part of the concept of public service loyalty is being
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responsive to the needs of the government of the day". As the code instructs, public servants must implement ministerial decisions lawfully taken. This concept means that public servants execute decisions and implement programmes, regardless of the philosophy of the party in power and regardless of their own personal beliefs. Although public servants are required to implement ministerial decisions, they are not to implement decisions that are illegal or unethical. The principles of impartiality and loyalty are important instruments for protecting the democratic process. Public servants are to be responsive to the needs and directions of their political masters who have been democratically elected. On the surface, however the duty of loyalty can appear to contradict a public servant's obligation to act impartially.

Public servants are supposed to be impartially loyal to a body staffed by elected officials. This can be emphatically stated that public servants' loyalty is to the government and not to the party in power. Public service must have a staffing system free from political influences and in which recruitment, hiring, promotions and terminations are based on merit (or in the case of termination a lack thereof). Public servants must perform and be perceived to perform their duties in an impartial manner. A non-partisan public service can be maintained only if the staffing system is protected from political influences, the merit system has been firmly implanted and the professional commitment to impartiality is widespread.

PSRP, (2000-2011) emphasized about meritocracy by stating that the Public Service as an institution aspires to promote quality public service for

sustainability of shared economic growth. PSRP journal, (2003) by the way <https://assignbuster.com/supervisory-function-of-public-service-commission-essay-sample/>

mentioned that the aim of this public service reform programme is to increase Government's public service capacity to deliver services through continued intervention. The major thrust is to improve public service delivery so as to assist growth in other areas especially economic sector. This will be achieved through accountability to client and commitment to service excellency and efficiency offered by a pool of well equipped, qualified and motivated staff with unquestionable integrity and professionalism, recruited, appointed and/or promoted through meritocratic principles. Since meritocracy is the kingpin for improved Public Service delivery, one of the areas it was decided to be re-introduced was promotions of public service employees. The Reform Programme stated that merit will be the basis of all promotions. Promotion will be through open competition for vacant posts and will be both internal and external candidates. Criteria for selection will be the applicant's suitability for the job in question as demonstrated by qualifications, skills, experience and personal qualities.

2. 1. 2 Promotion Practices

Promotion refers to advancement of an employee to a higher post carrying greater responsibilities, higher status and better salary (Gupta, 2006). It is the upward movement of an employee in the organization's hierarchy, to another job commanding greater authority, higher status and better working conditions. Armstrong, (2005) commented that the aim of promotion procedures of a company should be, first to enable management to obtain the best talent available within the company to fill more senior posts and second to provide employees with the opportunities to advance their carriers within the company in accordance with the opportunities available (taking <https://assignbuster.com/supervisory-function-of-public-service-commission-essay-sample/>

into account equal opportunity policies) and their own abilities. It is advisable and necessary to have a promotional policy and procedure which is known to both management and employees and this procedure should take full account of equal opportunity policies so as to avoid employees to be frustrated and restless.

This also should be the case in Tanzanian public service whereby promotional policies and procedures are to be known both to employers/appointing authorities and public servants. Gupta (ibid) continues saying that there is criteria or bases for promotion among which include seniority, merit or both of them. Seniority as a basis of promotion implies relative length of service in the same organization. Seniority is suggested as the criteria for promotion on the plea that there is a positive correlation between length of service and talent. This system is based on the tradition of respect for older people. A second criterion is merit as basis of promotion. Merit implies the knowledge, skills and performance record of employee. The third criterion is called seniority-cum-merit. This means the promotion is based on combination of both seniority and merit.

2. 1. 3 Promotional Policies and Procedures

The Tanzanian government Scheme of Service no. 9 of 2002 has pointed out modalities of advancing in career. The Scheme states that there are pre-requisites for a public servant to advance in his or her career. On the part of civil service department the pre-requisites are that: firstly one need to have a record of good work performance. Secondly, the servants need to have not less than three years working experience in present grade. Thirdly, the

public servant is supposed to pass a professional examination which is also known as qualifying examination which he/she should do it while in service.

Standing Orders for Public Service, (2009) section D. 48 mentioned something about seniority on promotion. It states that “ when a confirmed public servant is promoted to a higher grade or transferred to a different grade, he or she will take seniority immediately below the last confirmed officer in that grade”. The standing orders further states that “ it should be noted that in selecting candidates for promotion, the appointing authority shall have regard primarily to the efficiency of the service. Candidates having the same degree of preference, qualifications and experience, proved merit and suitability for the posts in question shall be accorded greater weight than seniority”. This is to say that seniority does not matter or being considered when the higher post requires specific qualification and experience. On the part of date of promotion the standing orders says that “ the effective date of promotion of a public servant shall be determined by the appropriate appointing authority/employer which shall not appoint a date of promotion which is earlier than the latest of the following dates: a) The date upon which the vacancy occurred.

b) The date upon which the officer became qualified for promotion, or c) The date upon which the officer assumed the duties of the new post. Notwithstanding the foregoing, the appointing authority may, in exceptional circumstances appoint a date of promotion which is earlier than the date mentioned in (c) but no such date shall be appointed which is earlier than the latest of the date mentioned in sub paragraphs (a) and (b) of this

standing orders. As when a promotion takes effects, a public servant shall for <https://assignbuster.com/supervisory-function-of-public-service-commission-essay-sample/>

the period of six months (exclusive of any period of leave) be deemed to be on probation”.

Public Service Employment and Management Policy, (2008) has highlighted promotional policies guiding the public service as follows: Firstly, it has pointed out that promotion to the vacant posts in the public service shall be based on a good work performance and result-oriented performance of a public servant. This good and result-oriented performance shall be measured or evaluated according to the criteria mentioned in the Open Performance Review Appraisal System (OPRAS). At point where there is no qualified servant within the institution to fill the post, then consideration should shift to the public servant outside the institution but within the public service. Also where there is no qualified servant within the public service to fill the post, then the concerned post should be advertised so that merited servants outside the public service can apply through competitive methods of recruitment.

Secondly, promotion in the public service should be based on good work performance, experience and seniority. This method shall be applied to all public servants with exception to where there is demand of specific qualifications and criteria, example on staff category like doctors and engineers. Thirdly, the policy continues saying that if it happens there is a vacant post due to reasons of retirement, death, resign or termination then the post shall be advertised through competitive methods according to set criteria. Fourthly and lastly the employment and management policy says that promotion has to base among other things on career development, succession plan and scheme of service. Furthermore it is mentioned in this <https://assignbuster.com/supervisory-function-of-public-service-commission-essay-sample/>

policy that PSC shall be the highest authority to supervise the implementation of it, but the responsibility of managing public servants will remain to appointing authorities or employers.

The last expression of the employment and management policy has fundamentally supported the law which is section 6(A) (3) of public service Act no. 18, 2007 (amendments), stipulates that promotion in the public service shall be made by considering the following three things: first, it is performance and efficiency to perform and execute the duties by an employee. Second, it is career development and succession plan. Third, it is seniority amongst the employees and the scheme of service. The scheme of service shows the hierarchical order in public service on how the employee will be advancing in his/her career and criteria for that advancement. All these mentioned policies and procedures of promotion in the public service are supposed to be well known by employers/appointing authorities and employees. The statutory duty of providing education about these policies and procedures lies upon PSC.

2. 1. 4 Compliance Inspections

Public Service Report, (2004) defined compliance inspections as independent, unbiased assessments as to whether legal and administrative procedures are being followed. The report further stated that the foundation of the inspection is the concept of supporting “ evidence”, which is used to verify compliance. Evidence typically consists of records and documents, though in some cases it may extend to physical verification. When undertaking compliance inspections, a lack of evidence is equated with a

failure to comply. As with accounting audits, the burden of proof is upon the inspected party. Compliance inspections provide an indirect measure of policy relevance and execution. Low compliance may indicate that policies or rules are deemed non-implementable by day to day users.

Adherence to process or procedures may not necessarily lead to efficient outcomes. For example, the selection of a contractor to construct a road may have followed all procurement regulations, yet the road may have been built poorly or may have been better constructed by a different contractor.

Results (or outcomes) may diverge from process for a number of reasons, including human error, unforeseen circumstances, irrelevant procedures, or the manipulation of process. At times the letter of the law, but not its spirit may be obeyed. The inspections themselves involved converting rules and regulations into a series of key steps and then devising evidence based tests as to whether each step was being adhered to. For example, a key step in the recruitment process is the advertisement of a vacancy. The evidence for this step would be a copy of a newspaper advert, found in the files of the employer. Likewise the key step in promotion is to oversee if the demands of the policies mentioned previous have been fulfilled by passing through relevant documents. One of the evident documents in promotion would be letter of promotion. All these facts about compliance inspections are to be observed and taken care of by PSC while in its duty of doing inspections on public service institutions.

2. 1. 5 Public Service Commission's corrective actions

PSC (2009), annual report pointed out that after compliance inspection PSC

has to give back the feedback of inspection to the appointing

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authority/employer with the intention to make him aware of the areas done good and those done badly. This feedback usually goes along with the instructions to correct those areas which anomalies have been experienced within a reasonable given time. The obligation of the appointing authority/employer after being ordered to correct his actions is to write back a report to PSC stating and proving that their directives have been implemented. Another corrective action taken by PSC is to summon the employer if it finds evidently that his/her institution has generally performed poorly. This is done through secretariat which involves chairman, secretary and members of the commission. The employer/appointing authority will account the reasons for poor performance to the secretariat and the secretariat will issue directives of what is deemed fit to be done and later on get a report from particular employer. In case the institution in dispute continues to perform poorly and an employer shows no efforts of improvement PSC is mandated to inform employer's disciplinary authority for disciplinary actions.

2. 1. 6 Public Service Commission of Tanzania

Public Service Report, (ibid) revealed that as part of modernizing HR management, the government passed the Human Resources Management and Employment Policy in 1999 and in 2002 it passed a new Public Service Act. The Policy, the Act, and its subsidiary regulations are intended to reinstate meritocracy in the management of human resources in the public service, which had deteriorated over the last two decades. Just as the Controller and Auditor General investigates adherence to accounting norms, just as PO-RALG assesses adherence to Local Government regulations, and <https://assignbuster.com/supervisory-function-of-public-service-commission-essay-sample/>

just as the newly constituted Procurement Authority gauges adherence to procurement procedures, the Public Service Commission will measure compliance to HR management principles (such as fair promotion). Instituting compliance inspection and reporting to Parliament and the President is intended to improve the overall management of Human Resources within Government.

The Public Service Commission (PSC) was established in accordance with the Public Service Act No. 8 of 2002 and became operational on 7th January 2004. It is noted that the creation of the PSC is one of the efforts to implement the Public Service Management and Employment Policy endorsed by Government in 1999[1]. The aim is to bring about fundamental shift in the management of the Tanzania Public- Service, especially in the management of employees as Human Resource Management (HRM) replaces the existing “ personnel administration concept”. The Public Service Management and Employment Policy (1999) established the PSC with the aim to focus on the following challenges which faced the government in relations to its workforce: first it is to enhance productivity and improve quality of outputs. Second it is to ensure strict adherence by public service providers to laws, regulations, ethics and procedures.

Third it is to improve supervision of workers. Fourth it is to ensure transparency, openness and fairness in the Public Service. The fifth reason was to ensure promotions and recruitments are based on merit. Sixth and last was to put in place output oriented evaluation procedure. This is to say that the PSC is the government body which supervise and control public service institutions in making sure that they provide quality service and

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adhere to rules, laws and regulations guiding human resources management. Hence, basing on the fifth function of ensuring promotion based on merit, PSC is also the body which public servants can submit their grievances in case employers do not do them justice in promotion.

According to amendments made to the public service Act no 8, 2002 in public service Act no 18, 2007 the functions of recruitment done by public service employers were shifted to the public service recruitment secretariat as per section 29 (6). This section stipulated that the functions of this secretariat shall be: first to register graduates and professional for purposes of ease of references and filling vacant posts. Second is to advertise vacant posts occurring in the public service and engage appropriate experts for purpose of conducting interviews. Hence, the function of PSC in regulating recruitment process is largely done against the secretariat and partly against employer.

The strategic plan of PSC issued in 2005, stated that vision and mission will be achieved in identified six key results areas (KRA) namely; first plan is for public servants to make use of an appeals system which is timely, impartial, cost effective, accessible, transparent and creates the right results. Second plan is for public employers and employees comply with HR rules and regulations and individual public servants meet established performance standards. Third plan is in appointments, confirmations and promotions undertaken meritocratically in the public service. Fourth plan is on capacity of public service commission to perform its roles and functions. Fifth plan is for PSC employees to be highly skilled, motivated, knowledgeable and confident. Sixth plan of PSC is for finances to be managed soundly with <https://assignbuster.com/supervisory-function-of-public-service-commission-essay-sample/>

accountability. At this juncture, let's look at experiences from other countries on public services commissions.

2. 1. 7 Public Service Commission of South Africa

The South African PSC performs the following functions as per Section 196(4) of their Constitution[2]: first, is to promote the constitutionally prescribed values and principles governing public administration in the public service. Second, is to investigate, monitor and evaluate the organization and administration, and the personnel practices, of the public service. Third, is to propose measures to ensure effective and efficient performance within the public service. Fourth, is to give directions aimed at ensuring that personnel procedures relating to recruitment, transfers, promotions and dismissals comply with the constitutionally prescribed values and principles. Fifth function is to report to the national assembly in respect of its activities and the performance of its functions, including any finding it may make and directions and advice it may give, and to provide an evaluation of the extent to which the constitutionally prescribed values and principles are complied with. Sixth, is to deal with any complaint it receives by investigating and evaluating the application of personnel and public administration practices, and report to the relevant executive authority and legislature.

Seventh, is to investigate grievances of employees in the public service concerning official acts or omissions and recommend appropriate remedies. Eighth, is to monitor and investigate adherence to applicable procedures in the public service. Ninth, is to advise national and provisional organs of state regarding personnel practices in the public service, including those relating

to the recruitment, appointment, transfer, and other aspects of the careers of employees in the public service. The South African constitution under same section states that the PSC will always retain its independent and impartial status though it reports to the National Assembly and various Provincial Legislatures. The structure of South African PSC is that it consists of fourteen members of which five of them are nominated by the national assembly and the rest by the legislature of their provinces. It also includes the managing director of the PSC who is an accounting officer.

2. 1. 8 Public service Commission of Australia

According to chapter 3, part 2 of Public Service Act 2008 of Australia; the PSC performs the following main functions: first, is to enhance the public service's human resource management and capability. Second, is to promote the management and employment principles in the public service. Third, is to enhance and promote an ethical culture and ethical decision-making across the public service. Fourth, is to enhance the service's leadership and management capabilities in relation to disciplinary matters. Fifth function is to develop and implement public service-wide workforce management strategies. Sixth, is that PSC together with the departments responsible for public sector industrial relations and public sector financial policy, consider improvements in the performance of departments through remuneration and conditions of employment. Lastly it is to promote a culture of continuous improvement and organizational performance management and workforce practices. The structure of the commission consists of the chairman, other three commissioners appointed by the governor in council and the chief

executive officer. The commission reports its activities to the minister responsible for public service.

2. 1. 9 Public Service Commission of Rwanda

Rwanda Public Service Commission performs the following main functions[3]: first of its activities among others is resolution of conflicts and disputes arising between employees and employers and which disputes were brought before the Commission. Second function is to provide advisory services to employees or employers on basis of the existing legislation, outsourcing and recruitment of staff for Central Administration and for State institutions. The third function is to act as a final appeal body for public servants having a legitimate grievance against an unfair, unreasonable or illegal management action or decision where the parent institution has failed to investigate or resolve the appeal properly; or the appellant has been granted special leave to appeal directly to the Commission for a valid reason. However, this function would not negate public servants' rights to appeal through the courts, but should help to ensure that such action is rarely necessary. The fourth function of PSC is to report annually in writing to parliament on the volume, nature and scope of its activities in: overseeing civil service recruitment, hearing appeals, promoting merit-based and good management. It has to report also on the extent to which civil service institutions are complying with the spirit of the law in relation to recruitment and to HR management generally. Finally it has to give report of recommendations on what remedial action is required to improve compliance.

2. 1. 10 Public Service Commission of Zimbabwe

The Public Service commission of Zimbabwe main functions are as follows[4]: first, is to appoint qualified and competent persons to hold posts or grades in the Public Service. Second, is to fix and regulate conditions of service of members of the Public Service. Third function is to exercise control and disciplinary powers over members of the Public Service. Fourth, is to investigate grievances of members of the public service concerning official acts or omissions, and to recommend appropriate remedies. Fifth, is to ensure the general well-being and administration of the Public Service and its maintenance in a high state of efficiency. Sixth, is to ensure that members of the Public Service carry out their duties impartially without discrimination. Seventh and last function is to exercise any other function that is conferred or imposed on the Commission by the Constitution or an Act of Parliament. The structure of PSC of Zimbabwe consists of the chairman, other six commissioners and the permanent secretary.

2. 1. 11 Synthesis on Theoretical literature review

The exploring of the literature has started on what causes the public service to be efficient and effective. One of the significant reasons seen is that the public servants are supposed to conduct themselves ethically. This is achieved by observing all the ethics mentioned in the code of ethics and conduct for the public service in Tanzania (1999). The other thing that seems to be important in public service is development of merit culture. This means that processes of recruitment and promotions should be merit-based. The other crucial thing for efficient and effective public service is performance

management. In this there has to be strategies to improve quality of service and enhancing accountability. Another feature of efficient public service seen is that of being loyal and responsive to the government of the day. This means it has to be responsive to the needs and directions of their political masters who have been democratically elected. The review of the literature also explores on the concept of promotion and got a definition that it is the advancement of an employee into a higher post carrying greater responsibility, higher status and better salary. In order to have fair play on this concept of promotion there should be equal opportunity policies which are known to both management and employees so to avoid frustrations and restless to employees. These policies among many things should include seniority and merits.

The literature also reviewed on different policies of promotion guiding the Tanzanian public service which include scheme of service, standing orders and management and employment policy. All of these policies have mentioned among many things that promotion should primarily base on merits which include skills, knowledge and good performance record of an employee. This good record performance should be result-oriented and measured through OPRAS. Other things mentioned in policies are seniority and experience in the service. In Tanzania the body entrusted to educate on these policies is PSC. The literature also touches on compliance inspection which is defined as an independent and unbiased assessment to prove whether legal and administrative procedures have been followed. This also includes policies and procedures adherence. On this compliance inspections there must be provision of evidences which are relevant documents and

records. Absence of evidence is regarded as non-compliance to rules and regulations. It is the duty of PSC to conduct compliance inspection in order to realize the reality of the situation. The reviews either based on theoretical part of PSC corrective actions where by several steps have been seen reflecting its regulatory duty.

Also it has been seen in the literature the reasons for the establishment of the PSC in Tanzania as per section 9(1) of Public service Act, 2002. The reason for its establishment has been seen along with its functions but mainly was to oversee meritocracy in the public service. In its strategic plan launched in 2005, among other things meritocratic promotion is one of key result area. The review also explained on the structure and functions of PSC of different countries in the world like South Africa, Zimbabwe, Australia and Rwanda.

2. 2 Literature review from earlier studies.

This section reviews the number of studies conducted by different researchers concerning the performance of Public Service Commission.

Mbegu, (2008) conducted a study on the assessment of service delivery of Tanzania Public Service Commission. In his study he was assessing the performance of PSC in delivering services to its stakeholders. The findings on this study demonstrated that most of the PSC stakeholders are satisfied with the service provided by the PSC. The heads of personnel and administration in ministries, independent departments and local government authorities together with the public servants in both institutions were highly satisfied on how PSC plays its role on handling of appeals, the way PSC conducts human

resource compliance inspection on appointing and disciplinary authorities, preparations and distributions of guidelines on appointments, discipline and appeals procedures to employers, appointing and disciplinary authorities.

The study further revealed that public servants in LGAs, public institutions in both schools and hospitals were less satisfied with PSC since they were not involved as important service user of the PSC services in the process of guidelines preparations and distributions.

The public servants from public institutions specifically schools were of negative feelings towards PSC's staff attitude and behaviors. They cited staff insensitivity to customers' feelings, low motivation and lack of friendliness as the cause of this negativity. The study further revealed that PSC does not timely deliver inspection reports or feed back to the inspected authority. This makes the inspected authority not to respond to the low compliance areas and take necessary steps to correct the problems timely. The PSC inspectors were also found by this study to be incompetent in area of data collection, analysis and report writing. Along with this modern IT facilities were found to be insufficient in the PSC which caused inefficiency in report writing. It is also revealed that the PSC service delivery does not meet standards of client service charter which is the agreement between PSC and its stakeholders on the standards and quality of service to be delivered. Delaying in acknowledging receipt of appeals by PSC as per client service charter is another shortcoming revealed by the study. The client service charter provides standard time of five working days in acknowledging receipt of appeals.

In this study while the guidelines on appointments, disciplinary and appeals were available to heads of personnel and administration in public institutions, it was revealed that these guidelines were not easily available to the public servants of the same institutions. Another thing which was revealed by this study is that there was no fair and timely promotion for PSC employees. This seems to be lowering the morale of employees. Motivation to PSC staff was another problem revealed by the study. There was no sound and clear reward scheme in PSC which among other things would set different category of rewards e. g. in terms of money, certificates of recognitions or promotions, which would be offered to employees with outstanding performance or any other positive contribution to the PSC.

Shangali, (2004) conducted study on the nature of appeals in the public service, a case study of Public Service Commission in Tanzania. Dealing with appeals regarding decisions made by disciplinary authorities in the public service is one of the functions of PSC. The findings from this study revealed that the nature of appeals has a root cause in the non-adherence in implementation of regulations, and laws governing disciplinary action by disciplinary authorities within the public service. The study further revealed that the circumstances prompting emergence of appeals cases in the public service were unfair dismissal of civil servants without formal charges, disciplinary action taken without cross-examination of accused or judgment being predetermined, inquiry committee not formed and dismissal by wrong disciplinary authorities.

2. 2. 1 Synthesis of literature review on earlier studies

The researcher reviewed the studies done by other researchers on the performance of Public Service Commission in Tanzania. The first study revealed that the service provided by PSC was generally satisfying managerial public servants which means the heads of departments in ministries and local governments. On part of ordinary public servants, they were only satisfied on one area of how PSC was handling appeals. The study further revealed that public servants were less satisfied on how PSC was not involving them in guidelines preparations and distributions along with getting those guidelines. Public servants were also not satisfied on the PSC's staff attitude and behaviors. This is because of their insensitivity to customers' feelings and lack of friendliness. The study also revealed that there was weakness in inspection activities whereby the PSC did not give feedback of their inspection to the inspected authorities which makes them not responding to low compliance of HR rules and regulations and take necessary steps to timely correct the problems. Another revelation of the study was on the part of the promotion of employees, whereby employees were not promoted fairly and timely. This caused low morale of employees.

In second study conducted on nature of appeals in the public service, the results was that the root cause of appeals were the non-adherence in implementation of regulations and laws governing disciplinary action by disciplinary authorities within the public service.

2. 3 Identified gap

The literature revealed that for an efficient and effective public service there must be employees who are promoted fairly and timely. In the case of the

Tanzanian environment there is public outcry from certain departments like civil service that servants are not timely and fairly promoted. This is to say that our public service is not efficient and effective though there are appropriate promotional policies. It is seen in the literature the pre-requisites of being promoted which are good work performance, meritocracy and seniority. This is among the policies which need to be well known by both employers and employees in the public service, of which PSC has an obligation of making them known. The policies also require that PSC has to conduct compliance inspections so to disclose employers' actions and come up with necessary corrective actions so to accomplish its regulatory function. Despite this order, system and good policies to guide public service and functions of PSC still there are malpractices in promotion. The other researchers have done studies on general service delivery of PSC and on the function of appeals, but they did not touch on the function of supervising employers/appointing authorities in promoting public servants. Hence, this study examines the supervisory function of public service commission in promotion of public servants in Tanzania. CHAPTER THREE

RESEARCH METHODOLOGY

3. 0 Introduction

This chapter describes the methods that shall be used in carrying out this research. It is organized under the headings including research design, area of study, population of the study (units of inquiry), sampling and sampling techniques, data collection methods and data analysis.

3. 1 Research design

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According to Orodho as cited in Kombo and Tromp, (2006) research design is defined as the scheme, outline or plan that is used to generate answers to research problems. In this study the research design shall be a case study which is ministry of home affairs. This study is using this design since the situation in the whole public service is similar, hence the researcher shall get an in-depth knowledge by analyzing single unit and be able to generalize the findings, though the researcher is aware of the challenge of findings generalization, much care is going to be taken in the process. This design will also save the researcher both the time and costs since they are obstacles in using other designs.

3. 2 Research area

The PSC and Ministry of home affairs are situated in Ilala district, in Dar es salaam. This study shall concentrate on the PSC which perform the supervisory duties and the ministry of home affairs which is under supervision of PSC. The organizational chart of Public Service Commission is shown in the appendix I.

3. 3 Population of the study (units of inquiry)

The population of the study refers to that aggregation of elements from which the sample is actually selected, (Babbie, 1999). The population of this study is going to be employees of Public Service Commission in civil service department and ministry of home affairs. The population of the study is 350 which is total number of workers in civil service department of PSC and the Ministry. There are approximately 330 workers from the ministry of home

affairs and 20 from PSC (Civil Service department). The following table shows the category of the population.

Source: Researcher's construct.

3. 4 Sampling and Sampling Techniques

Sampling is the act, process or technique of selecting a suitable sample, or a representative part of a population for the purpose of determining parameters or characteristics of the whole population (Kombo and Tromp, 2007).

3. 4. 1 Sampling Techniques

The researcher shall use purposive/judgmental sampling technique to select the personnel department employees in the ministry, other employees in the ministry and officers of Public Service Commission. This technique is used because personnel department employees are responsible for service affairs including promotion of all employees in the ministry. Also purposive sampling is used for PSC officers because they are the one responsible for compliance inspections and preparation of reports. This is to say that these two groups are typical or good representative of the whole population as highlighted in Kothari, (2004: 59). The technique is used for other employees due to their similar characteristics.

3. 4. 2 Sample size

Sample size refers to the number of elements/items to be selected from the population to constitute a sample. Since the technique is judgmental

sampling hence the researcher makes a sample size by including all officers in PSC civil service department (20) and personnel officers in ministry (10) which their total number is 30. On part of other employees in the ministry which their population is 320 which have excluded 10 personnel officers, the researcher decide to take 20% of the population which is 64. This is done because the nature of population shows homogeneous characteristics hence it makes good representative. Eventually, the total sample size becomes 94.

3. 5 Data Collection Methods

The data collection methods refer to the instruments that shall be used to obtain data from the population. There are mainly two sources of data namely primary data and secondary data. The primary data are those which are collected afresh and for the first time, and thus happen to be original in character. The secondary data, on the other hand are those which have been collected by someone else and which have already been passed through the statistical process (Kothari, (2004: 95). In this study primary data shall be obtained through structured questionnaires and structured interviews. Secondary data shall be gathered through documentary review.

3. 5. 1 Questionnaire

A questionnaire is a general term to include all techniques of data collection in which each person is asked to respond to the same set of questions in a predetermined order (deVaus, 2002 as cited by Saunders et al (2006: 298). In this study there shall be used structured questionnaires as one instrument of data collection. There shall be two types of questionnaires. One type of questionnaire will be administered to PSC employees and personnel
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department employees of the ministry. Second type of questionnaire will be administered to ministry's employees. The advantage of this instrument is that it is set in a way that it covers the questions that meet objectives of the study. It also gives the respondent freedom from influence of the researcher. The sample of questionnaire to be used is attached in appendices.

3. 5. 2 Interview

Cannell and Kahn (1968) as cited by Manion and Cohen (1994: 271) defines a research interview as , “ A two-person conversation initiated by the interviewer for the specific purpose of obtaining research-relevant information, and focused by him on content specified by research objectives of systematic description, prediction or explanation”. In this study the researcher is going to have personal interviews with the head of department and senior officials of civil service and heads of department from ministry. This instrument is chosen because it is flexible, provides more details to the researcher and corrects misunderstanding which might occur. The interview guideline is attached in the appendices.

3. 5. 3 Documentary review

Documentary review refers to the method that gather secondary through reading written documents such as notices, correspondence, minutes of meetings, reports to shareholders, diaries, transcripts of speeches, and administration and public records (Thornhill, Lewis, and Sauders, 2000). The researcher shall seek permission from relevant department to be allowed to get important data from relevant documents. These documents shall be those which entails about the function of PSC in supervising promotion of <https://assignbuster.com/supervisory-function-of-public-service-commission-essay-sample/>

public servants. This method shall enable a researcher to get data which might not be accessed by other methods of questionnaires and interviews.

3. 6 Data Processing and Analysis

All collected data shall be processed in order to be ready for analysis.

According to Kothari (2004: 123) “ data processing implies editing, coding, classification and tabulation of collected data so that they are amenable to analysis”. Data analysis refers to “ computation of certain measures along with searching for patterns of relationship that exist among data group”

Kothari, (Ibid: 124).

Data analysis aims to find whether the hypothesis or question raised in the study are answered or refuted by the data we have collected. Computer program such as Ms Word, Ms Excel, and SPSS package shall be used in data analysis. Finally data shall be interpreted in order to bring out information and communicate findings to users according to the objectives of the study.

3. 7 Expected Output of the study

At the end of this study the expectation will be that the supervisory function of PSC in promotion of public servants to be thoroughly examined. All of its practical duties in this will be outlined. The study is also expecting to find out what are the strengths and weaknesses of PSC in its duties regarding supervision in promotion of public servants in Tanzania.

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