

# Key Principles of Public Sector Reforms

Case Studies and Frameworks



The Commonwealth

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## Table of contents

Table of contents .....	1
Acknowledgements .....	3
Foreword .....	5
The Key Principles of Public Sector Reform .....	8
Principle 1. A new pragmatic and results-oriented framework .....	12
Case Study 1.1 South Africa. Measuring organisational productivity in the public service: North West Department of Health .....	12
Case Study 1.2 Tanzania. Transforming government delivery: Big Results Now! .....	25
Case Study 1.3 Samoa. Monitoring of policy implementation: Challenges and remedial actions .....	32
Principle 2. Clarification of objectives and administrative structures .....	37
Case Study 2.1 Rwanda. Effective policy design and implementation: From vision to action and impact .....	37
Framework 2.2 Fiji. Improving the quality of public service policy advisory support for the Cabinet, the prime minister and other ministers in Fiji .....	55
Principle 3. Intelligent political strategies and engagement .....	61
Framework 3.1. Developing trust between politicians and administrators in developing small states .....	61
Case Study 3.2 Trinidad and Tobago. Coalition governments .....	73
Principle 4. Goal-oriented competencies and skills development .....	100
Case Study 4.1 India. The Union Public Service Commission .....	100
Case Study 4.2 Ghana. The Ghana Public Service Commission .....	130
Composition, appointments and responsibilities .....	137
Principle 5. Experimentation and innovation .....	155
Case Study 5.1 Kenya. Huduma Kenya-implementing innovation and measuring impact: Public service delivery innovations .....	155
Case Study 5.2 Seychelles. e-Government development and implementation: Lessons for small island developing states .....	180
Principle 6. Professionalisation and improved morale .....	204
What does it mean to be a professional? .....	204
Framework 6.1 Tonga. Tonga capability framework .....	208
Case Study 6.2 Kenya. Professionalisation, motivation and morale improvement in the public service in Kenya: The role of the Public Service Commission .....	215
Case Study 6.3 Cameroon. Devolution of state human resource management .....	221
Principle 7. A code of conduct for public sector ethics .....	228
Framework 7.1. Code of conduct for public servants in St Vincent and the Grenadines	228

Principle 8. Effective and pragmatic anti-corruption strategies .....	239
Case Study 8.1. The fight against corruption in Commonwealth Africa: Overview of progress.....	239
Principle 9. Effective public financial management .....	255
Framework 9.1 Botswana. The use of CAATs to improve internal auditing in the Ministry of Finance and Development Planning.....	257
Case Study 9.2 Sierra Leone. Collaboration between the Public Accounts Committee and the Supreme Audit Institution .....	260
Framework 9.3. Commonwealth framework for public procurement and auditing during the project lifecycle .....	264

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**Dr Joan Nwasike**

**Adviser and Head**

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**Commonwealth Secretariat**

## Foreword

Public sector reforms continue to be an integral part of governments' efforts to modernise the public service, making it more citizen-centric and responsive. The Commonwealth fully supports these efforts and will continue to work with member governments and other partners towards this end.

Indeed, we will work collaboratively and in partnership with all stakeholders to ensure public services function more efficiently and effectively, not only with regard to service delivery but also in enabling countries to achieve the 2030 Agenda for Sustainable Development.

This is why the principle of putting the 'wealth' into Commonwealth, and the 'common' into 'wealth', is dear to me. It is the essence of what motivates us as a Commonwealth family and what has for more than 60 years guided us along shared pathways towards good governance, sustainable growth and inclusive social and economic development.

In order to make an identifiable Commonwealth impact, therefore, we will continue to use our collective influence and advantage to leverage local gain and increase global benefit. This can be achieved by working collaboratively to streamline delivery and minimise duplication so as to facilitate the achievement of desirable results, especially the wellbeing of our people.

This book contains a variety of case studies and frameworks based on the Key Principles of Public Sector Reform, which member countries across the Commonwealth can replicate, adapt or customise according to needs and local contexts. The case studies speak to the policy reforms, strategies and methodologies deployed to support national priorities, especially through greater policy coherence, for sustained development and growth. This spirit of sharing of what works or doesn't work is a distinct characteristic of our Commonwealth family traditions.

I hope you will all find the book a great resource in terms of providing practical information to inform your public service reform agenda, including achievement of the 2030 Agenda for Sustainable Development.

**The Rt Hon. Patricia Scotland QC**  
**Commonwealth Secretary-General**



## Introduction and background

The Commonwealth Key Principles of Public Sector Reform were recommended and endorsed by the Commonwealth Working Group on Public Administration (CWGPA), which met on 27-28 November 2014 in London.

The CWGPA was a direct outcome of the Fifth Commonwealth Ministers for Public Service Biennial Forum, held in Putrajaya, Malaysia, during the CAPAM Biennial Conference on 19-20 October 2014. The Forum recommended the establishment of a working group to identify principles of public sector reform that would guide the Commonwealth's work.

The two-day CWGPA meeting comprised 11 delegates drawn from eight Commonwealth member countries.<sup>1</sup> The meeting was facilitated by Prof. Mushtaq Khan, an Economist at the School of Oriental and African Studies, University of London, and a member of the UN Committee of Experts on Public Administration.

The main aim of the meeting was to conceptualise and develop a framework for the reform of public administration in developing Commonwealth member countries. This initiative was part of a broad set of measures aimed at securing member countries' commitment to and ownership of public sector reforms.

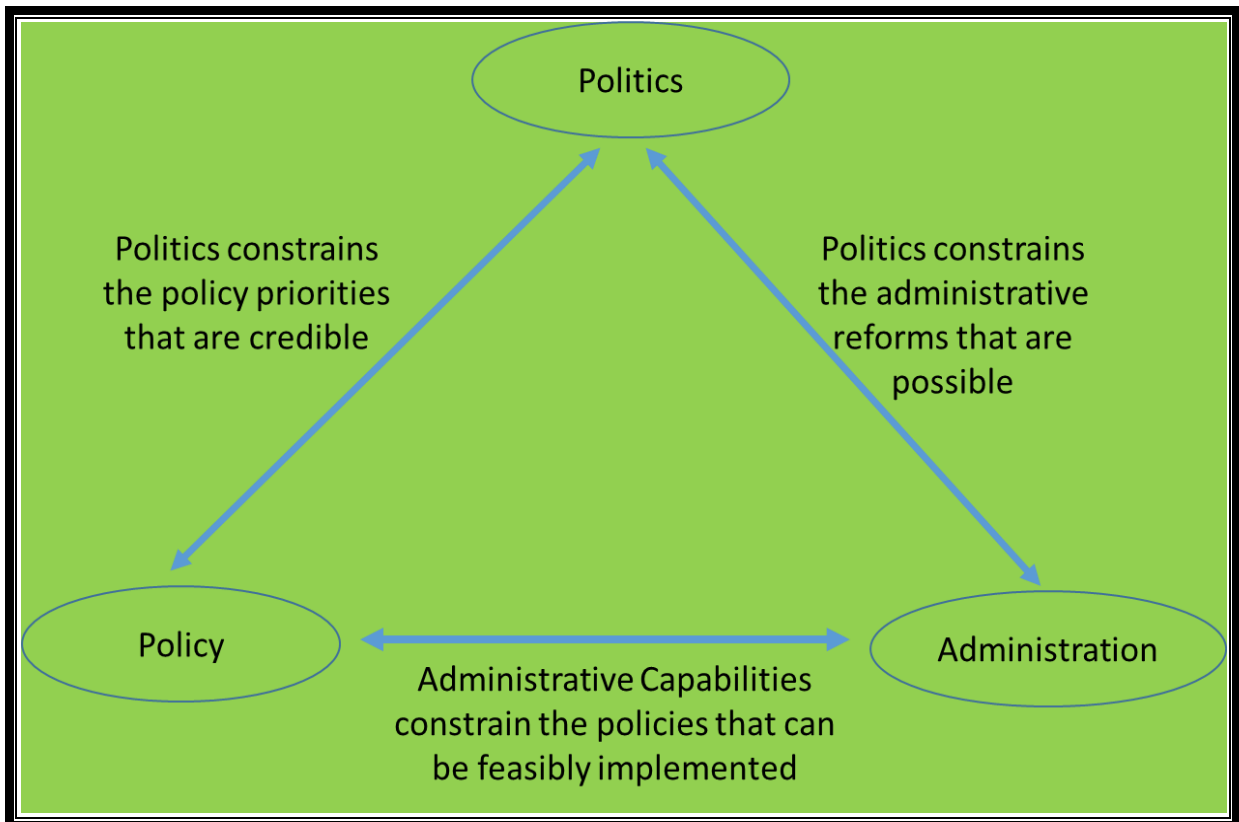
The CWGPA meeting underscored the importance of pragmatic, incremental reforms aimed at solving specific problems and achieving clear goals. It singled out as particularly crucial for the public service reforms that improve accountability and participation, reduce corruption and improve rule-following behaviour to reduce the discretion of bureaucrats, for instance in procurement and public financial management. The meeting emphasised the importance of home-grown reforms, since these take into account prevailing local political conditions and informal institutional arrangements.

The table below summarises the interdependence of policy, politics and administration. It shows that administrative reform priorities are to a large extent dependent on the policy priorities of a country, which are in turn affected by the country's stage of development, its natural resources and other endowments. Ultimately, politics determine which policies are actually feasible with regard to having sufficient support for implementation.

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<sup>1</sup> Cameroon, Ghana, Grenada, Lesotho, Nigeria, Seychelles, Swaziland and Trinidad and Tobago.

Interdependence between policy, politics and administration



# The Key Principles of Public Sector Reform

The CWGPA endorsed the following key guiding principles:

1. A new pragmatic and results-oriented framework
2. Clarification of objectives and administrative structures
3. Intelligent political strategies and engagement
4. Goal-oriented competencies and skills development
5. Experimentation and innovation
6. Professionalisation and improved morale
7. A code of conduct for public sector ethics
8. Effective and pragmatic anti-corruption strategies
9. Effective public financial management

This Book reviews these principles and articulates their importance in public administration reform. It also contains case studies from select member countries on each principle, and frameworks that can be replicated, adapted or customised as appropriate.

An overview of the principles is included below:

- 1. A new pragmatic and results-oriented framework:** As the pressure on public resources continues to rise, increased demand for better, high-quality and more responsive public services has prompted most governments to embrace results-oriented frameworks for programme planning and delivery. The aim is to facilitate better service delivery and ‘value for money’.

The focus on results helps determine national strategic priorities and objectives (outcomes/results) and translation of these into outputs. This focus also ensures a linkage between costs and outputs and outcomes, and measures how efficiently and effectively these outputs and outcomes are being achieved.

- 2. Clarification of objectives and administrative structures:** In many countries, there are significant skill gaps in the bureaucracy, given the development and administrative challenges involved in an increasingly globalised and competitive world. Capacity development remains a key priority in many countries, but this needs to be linked to a careful analysis of politically feasible development priorities and needs.

Administrative capabilities for service delivery; regulation of local and foreign businesses; and implementation of policies to develop the capabilities of domestic enterprises or regulate particular sectors, for example international trade, natural

resources, infrastructure and service delivery to citizens and vulnerable groups—all of these are important.

3. **Intelligent political strategies and engagement:** Linkages between politics (formal and informal political arrangements and power structures), policies (objectives and goals) and administrative capabilities (the public bureaucracy) should be the basis for a pragmatic incremental approach to public service reform. Reform should thus seek to craft strategic engagements between the political and administrative leaderships so as to forge mechanisms that enhance performance and public service delivery.
4. **Goal-oriented competencies and skills development:** Capacity-building must be conducted around specific needs, and training must be tailored to address this need and ensure the skills being built directly address the goals to be achieved. Capacity-building must not only focus on the ‘hard issues’, such as administrative, legal and constitutional matters; also, public service officials must be equipped with ‘soft skills’, such as in negotiation, diplomacy, leadership, public speaking and communication. This will complement their technical knowledge and enhance their performance and productivity.
5. **Experimentation and innovation:** The development of capabilities and the evolution of effective problem-solving approaches requires bureaucracy capacity to carry out experimentation and learning within carefully defined limits. The experience of successful countries shows that bureaucracies are most effective when they experiment with new and innovative ways of problem-solving. However, experimentation is difficult because it appears to go against the logic of rule-following behaviour and risk aversion and the need to enforce accountability. Successful experimentation requires significant changes in the philosophy of administrative reform in many countries, but this depends on local conditions and policy priorities.
6. **Professionalisation and improved morale:** A common experience across many countries is the gradual reduction of morale, a loss of the *esprit de corps* that has historically been important in ensuring high levels of commitment and probity in public services. Higher levels of remuneration and better social recognition of the work of public servants are important but insufficient on their own. Non-financial incentives, competitive remuneration and a citizen-based approach to service delivery are some of the ways of both improving perceptions of service delivery and incentivising public servants. Professionalisation and morale are also a direct reflection of the inclusiveness of society.

On professionalisation, a key challenge has been the politicisation of the public service and the impact this has on appointments and promotions. This often compromises

administrative efficiency and the delivery of developmental goals. In some cases, the public service is so politicised that the sustainability of democracy and trust in government represents an ongoing challenge. The administrative bureaucracy has also failed to neutrally serve different political parties professionally, inducing new governments to put 'loyalty' above professionalism.

In some countries, there is the expectation that politicians will create jobs for their constituents and reward their supporters. This is common in countries where the private sector is not well developed and government remains the main provider of goods and services.

Appropriate training and orientation for both politicians and bureaucrats, setting appropriate appointment and promotion procedures, tenures of office and other feasible incremental reforms, are essential. In this regard, ensuring that the relevant state institutions, such as public service commissions, are modernised and able to function independently, is critical to sustaining morale in the public service.

- 7. A code of conduct for public sector ethics:** The development of open and enforceable public service standards and ethics is critical to improving both the perception and the professionalism of the public service. The enforcement of such professional codes should go beyond legal enforcement to include non-judicial channels such as internal or external peer reviews and self-regulation.

The organisation of administrative reforms has to have this as a major objective in the design of training programmes, the curricula of administrative training institutes and the appointment of leaders of the administrative system. Combining these steps with the adoption and enforcement of codes of conduct that highlight the high standards of public service could help raise public respect for the public service.

- 8. Effective and pragmatic anti-corruption strategies:** Anti-corruption strategies in developing countries often do not achieve significant results because they are overly ambitious and do not target specific problems. The critical points at which corruption has the most damaging effects in a country depend on the policy priorities of the country. Given the limited policy implementation capabilities in many developing countries, focusing on technological improvements to policy implementation can have a direct positive impact on anti-corruption strategies.

The achievement of even partial success in selected areas can create the momentum to expand the remit of technological changes and job design within institutions to limit the effects of corruption. These incremental and pragmatic approaches to tackling

corruption are more likely to achieve results than ambitious approaches that attempt to reduce corruption across the board in countries where ambitious institutional changes cannot be implemented.

- 9. Effective public financial management:** Sound PFM is an essential part of the development process. PFM supports aggregate control, prioritisation, accountability and efficiency in the management of public resources and service delivery, which are critical to the achievement of national policy objectives and goals, including the Sustainable Development Goals (SDGs).

The management and operation of public finances is therefore at the heart of administrative and reform challenges in the public service. The introduction of reforms such as Financial Management Information Systems (FMIS), procurement and asset/wealth declaration laws has helped minimise loopholes for corrupt practices and misuse of public financial resources.

Nonetheless, corruption requires more proactive attention to regulatory mechanisms, such as making oversight institutions such as the supreme audit and the internal audit and public procurement more effective and making the decision-making process more transparent. In addition, enforcement of rules and reporting mechanisms is imperative.

# Principle 1. A new pragmatic and results-oriented framework

## Case Study 1.1 South Africa. Measuring organisational productivity in the public service: North West Department of Health<sup>2</sup>

### Abstract

Productivity is regarded as a key success factor for organisations in both the public and private sector. Traditionally defined as the ratio between output and input, productivity—in the context of the public service—has become an important measure of how effectively and efficiently public inputs (human labour, finances, infrastructure) are being translated into high-quality outputs (public goods and services) for the benefit of a fast-growing citizenry. Yet, despite the acknowledged importance of productivity in the public service domain, there is no standard measure of public service productivity (PSP) in South Africa.

The Department of Public Service and Administration is addressing this gap in that it has developed a generic PSP measurement instrument to assess the organisational productivity of public service entities in terms of three sub-factors: labour, operations and performance. This case study of the North West Department of Health (NWDoH) is a practical application of the generic PSP measurement instrument. It is anticipated that it will provide practical lessons for replicating the application of the PSP measurement instrument in the public health sector and the South African public sector at large.

### Introduction and background

South Africa transformed from a race-based, closed and secretive apartheid state to a fully fledged democratic state in April 1994 following the first national democratic election. Democracy in South Africa is premised on a progressive and transformative Constitution enshrining a Bill of Rights with universal adult franchise. The very process of constitution-making was consultative in the broadest possible sense, involving the participation of South Africans from every corner of the country.

The first 20 years of democratic transformation was characterised by legislative reforms and democratisation of the state, with an emphasis on increasing the capacity of the state to advance the objectives of reconstruction and holistic human development. Significant progress was made during this period, resulting in unifying and rationalising the public

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<sup>2</sup> Prepared by Ms Colette Clark, Deputy Director General, Research and Policy Analysis Branch, Department of Public Service and Administration, South Africa.

service and setting in place a framework for new structures, systems and a democratic ethos based on the constitutional values and principles governing public administration in the country.

For the period 2014-30, South Africa's focus is geared towards deepening economic transformation and implementation of Vision 2030, the country's National Development Plan (NDP). Evolving from a consultative process facilitated by the National Planning Commission, the NDP has an emphasis on South Africa's desired destination and the roles different sectors of society need to play in reaching this shared goal. In giving effect to its role in realising the NDP, the South African government's Medium-Term Strategic Framework (MTSF) for the period 2014-19 has identified 'An efficient, effective and development-orientated public service' as one of 14 key priority outcomes for improving public service delivery and accelerating economic transformation.

Although significant progress has been made in making public services more efficient and effective (e.g. revenue services and the processing of identity documents and birth certificates), a considerable number of government departments have not been as successful as would have been desired. The Department of Public Service and Administration (DPSA) is one of the departments at the centre of government that is responsible for leading the process of improving the efficiency, effectiveness and development orientation of the public service as a whole. As part of its leading role in this important transformation process, the DPSA has—through an extensive consultative process—developed a framework for measuring and managing organisational productivity in the public service.

#### [Legislative and policy framework for public service productivity measurement](#)

The public service Productivity Measurement and Management Framework (PMMF), which includes a generic measurement instrument, has its genesis in a number of laws and policies, foremost of which is the South African Constitution. This latter expressly calls on the public administration to be 'development-orientated' and 'accountable' and governed in a manner that promotes the 'efficient, economic and effective use of resources' (section 195[1]). Also, the Public Service Act of 1994 explicitly calls on the minister for public service and administration to put in place 'mechanisms for the efficient and effective delivery of public services'. With this efficiency, effectiveness and developmental orientation in mind, the government introduced a *Batho Pele* ('People First') programme in 2001, with the following specific objectives in mind:

- To operationalise a 'developmental' approach to public service delivery that puts people at the centre of service delivery planning and implementation processes;



- To improve the face of service delivery by fostering new attitudes, such as increased commitment to citizen consultation, courtesy and dedication;
- To improve the image of the public service, which is generally perceived as operating according to ‘an outdated rules-based culture that is citizen-unfriendly, inefficient, and ineffective’ (see Levine, 2004).

Despite the importance of public service productivity (PSP) as a measure of how efficiently and effectively public inputs (labour, finances, infrastructure) are being translated into high-quality outputs (public goods and services) aimed at economic growth and addressing citizens’ development needs, no overarching public service PMMF had been put in place for the South African public service.

This public policy gap was accentuated in the political space when President Jacob Zuma, in his inaugural speech, stated that, ‘We will promote productivity within the public sector and ensure much tighter accountability, with firm consequences where there is a failure to deliver services to our people.’<sup>3</sup>

In taking forward the president’s call, late Minister for Public Service and Administration, Mr Collins Chabane, made the following statement during his first week in office in May 2014: ‘The DPSA must ensure a productive public service where staff is motivated, supported, focused and working efficiently and effectively.’<sup>4</sup>

The 2014 public service PMMF thus evolved from law and political commitment at the highest level of government. Also key to development of the PMMF has been general awareness of the multiplicity of benefits that can derive from improving public service organisational productivity. These include general benefits such as growth in the economy (see Bester, 2011) and improvements in living standards (see Productivity SA, 2014), as well as specific benefits for different sections of society. These are as follows:

- **Citizens** benefit from increased PSP when goods and services are available to them in the desired quantity and quality (and at the right time and place).
- **Employees** (public officials) benefit from increased productivity through an improved and ergonomically functional working environment and increased personal and job satisfaction (i.e. employee wellness improvements).
- **Organisations** in the public service benefit from increased productivity in that public resources (inputs) are used more efficiently and effectively to achieve stated goals.

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<sup>3</sup> Union Buildings, Pretoria, 24 May 2014.

<sup>4</sup> Centurion, Pretoria, 4 June 2014.

- **Communities** benefit through improved service delivery, which leads to greater social and economic stability—that is, the creation of ‘a better life for all’.

In the South African context, the focus on public service organisational productivity is thus driven by alignment between legislative, political and administrative goals. This manifests as the optimal deployment of public resources (inputs) to address the needs of citizens through the provisioning of quality public goods and services (output) aimed at enhancing livelihoods in a sustainable manner (outcome).

#### Conceptual framework guiding public service productivity measurement in South Africa

It is well established that the choice of PSP productivity measurement ultimately depends on 1) the *purpose* of the measurement and 2) the *availability of data*. In the case of South Africa, the stated purpose of the productivity measure is to present a valid, relevant and easy-to-understand method of improving the quality and quantity of public goods and services (output) through improvements in the efficiency and effectiveness of the bundle of inputs used in the public service delivery and goods production line (see DPSA, 2014).

After testing a range of productivity measurement approaches in a public service context—including the matrix method (see Riggs, 1986); monetary measurements (see Gronos and Ojaalo, 2004); output index methods (see Rosen, 1993); and scorecards (see Kaplan and Norton, 1992)—the matrix or multi-factor approach was identified as the most relevant, appropriate and easy-to-understand approach in South Africa (Jääskeläinen, 2009; Jääskeläinen and Lönnqvist, 2011). Generic factors affecting the quality and quantity of public goods and services (output) were identified through a consultative process with 28 government departments, and these factors were clustered into three sub-factors: *labour productivity*, *operational productivity* and *performance productivity*.

Table 1.1.1 describes the three sub-factors and lists their measures (indicators), for which 2013/14 financial year *datasets* are available.

**Table 1.1.1. Sub-factors of the matrix approach to PSP**

Generic factors affecting the quality and quantity dimensions of public services	Sub-factor	Description of sub-factor	Indicators
Service demand/need  Resource availability (human and financial)  Capacity of facility/ current output quantity  Employee competence, capability and morale  Physical working environment  Operations management systems, processes and procedures  Citizen consultation  Citizen expectations (quality, quantity, reliability, care and compassion, value for money)  Objective service norms and standards	Labour (20%)	Labour is usually assumed to be the most important input for public services. Labour productivity has indicators that assess the cost of labour, labour force working days, days lost for a variety of reasons and vacancy rates.	<ul style="list-style-type: none"> <li>• Score achieved for ratio of salary cost to total budget</li> <li>• Score achieved for number of days absent for various reasons</li> <li>• Supervisor-employee ratio</li> <li>• Organisational vacancy rate</li> </ul>
	Operational (40%)	Operational productivity measures include established organisational decision-making and implementation structures, systems, processes and procedures.  They also include measures towards the optimisation of service delivery through critical path analysis ('business process mapping'), availability of standard operating procedures for job tasks, enforcement of approved service delivery standards, citizen feedback on implementation of service delivery, use of appropriate technology and behavioural change management programmes aimed at improved service delivery, like the <i>Batho Pele</i> programme.	<ul style="list-style-type: none"> <li>• Score achieved in implementing sector-specific norms and standards</li> <li>• Score achieved in implementing operations management framework building blocks: service delivery model, business process mapping, standard operating procedures, service standards and charter, service delivery improvement plans</li> <li>• Score achieved for workspace design (ergonomics)</li> <li>• Score achieved for citizen feedback on service delivery performance</li> <li>• Score achieved on citizen feedback on the implementation of the <i>Batho Pele</i> principles of courtesy, access, redress, value for money, service standards, consultation, information, openness and transparency</li> </ul>
	performance (40%)	Performance productivity refers to personnel performance in relation to set targets in a set time. It also includes measures that directly affect personnel performance, like the leadership and management environment and personnel morale.	<ul style="list-style-type: none"> <li>• Performance aggregate score for senior management (SMS), middle management (MMS) and lower-level employees</li> <li>• Number of employees who underwent counselling and support</li> <li>• Number of employees disciplined for various reasons</li> <li>• Score achieved for employee satisfaction survey</li> </ul>

In terms of the actual measurement of PSP, the following steps were followed:

First, each sub-factor was allocated its own weight based on its perceived contribution to overall organisational productivity. A higher weight allocation to a sub-factor means it is expected to contribute more towards improvements in organisational productivity. The allocation of weights was agreed to during consultations with national and provincial government departments.

Second, each sub-factor was deconstructed into a set of weighed indicators, as shown in Table 1.1.2.

Third, a score of 1 to 4 was used to determine the level achieved in fulfilling the indicator, with 1 representing the lowest possible level achieved in fulfilling the indicator and 4 the highest possible level achieved. Then, scores achieved for each productivity level ( $\alpha$ ) were calculated based on the indicator weight ( $\beta$ ) and level achieved ( $\delta$ ) in fulfilling the indicator.

$$\text{Individual productivity-level score } (\alpha) = \frac{\text{Indicator Weight} \times 10 (\beta)}{\text{Level Achieved } (\delta)}$$

**Table 1.1.2. Generic PSP measurement matrix**

Indicator	Weighting ( $\beta$ )	Total potential score for each indicator	Level achieved ( $\delta$ )	Score achieved for each productivity level ( $\alpha$ )
<b>Labour (20%)</b>				<b>(200)</b>
Ratio of salary cost to total budget	5%	50	1	50
Days absent	5%	50	1	50
Supervisor-employee ratio	5%	50	1	50
Vacancy rate	5%	50	1	50
<b>Operations (40%)</b>				<b>(400)</b>
% score in implementation of sector-specific norms and standards	8%	80	1	80
% score in implementing operations management framework	8%	80	1	80
Workplace design (ergonomics and work flow) <sup>a</sup>	8%	80	1	80
% score in citizen feedback on service delivery performance	8%	80	1	80
% score in citizen feedback on implementation of <i>Batho Pele</i> principles	8%	80	1	80
<b>Performance (40%)</b>				<b>(400)</b>
Performance aggregate for SMS, MMS and lower-level employees	20%	200	1	200
Number of employees on counselling and support	5%	50	1	50
Number of employees disciplined	5%	50	1	50
% score in employee satisfaction survey	10%	100	1	100
<b>Total</b>	<b>100%</b>	<b>1 000</b>		<b>1000</b>

<sup>a</sup> Workplace design refers to the arrangement of workspace so work can be performed in the most efficient way. Workplace design incorporates both ergonomics and workflow, which examine how work is performed in order to optimise layout.

*Fourth*, the individual productivity-level scores are added together to calculate the total productivity score of the organisation. Using a simple five-tier system, the total level of productivity achieved is defined based on the total productivity score achieved.

**Table 1.1.3. Progress in the implementation of South Africa’s PMMF**

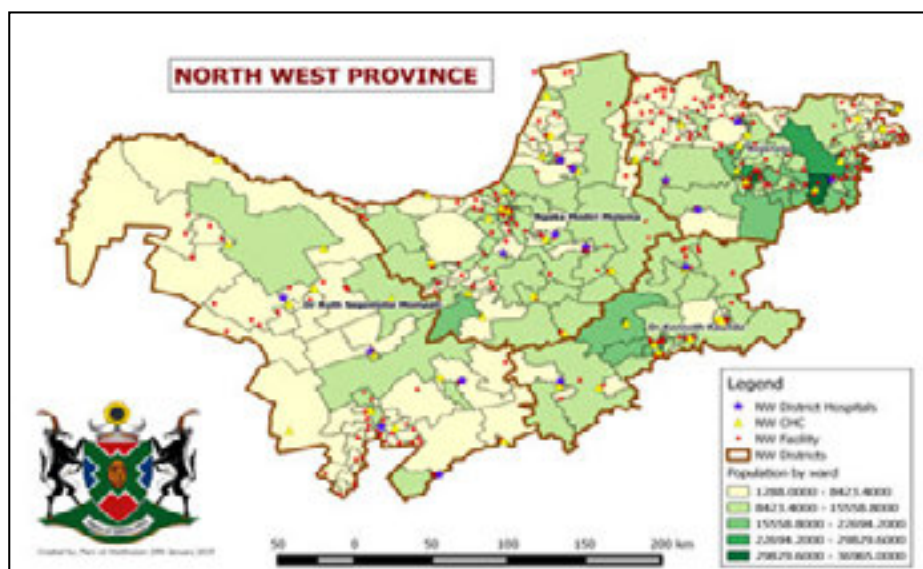
Level of organisational productivity achieved	Range of scores 1,000 POINTS	%	Levels of achievement
LEVEL 4: High productivity	801-1,000	81-100%	Exceeds standards
LEVEL 3: Moderate productivity	601-800	61-80%	Full compliance
LEVEL 2: Average productivity	401-600	41-60%	Partial compliance with standards
LEVEL 1: Low productivity	0-400	0-40%	No compliance with standards

In 2015, the DPSA piloted the PSP measurement matrix for feasibility in the public health sector. The North West Department of Health (NWDoH) was selected as the pilot site based on its progress in institutionalising a number of the measures (indicators) identified in the PMMF.

### Background to the North West Department of Health

The NWDoH is one of 10 provincial government departments situated in South Africa’s North West province. The head office of the department is located in the town of Mafikeng, which is also the seat of the provincial legislature and administration. All the health care facilities under the management of the NWDoH as shown on Map 1.1.1.

**Map 1.1.1. NWDoH facilities in relation to population by municipal ward**



The department delivers its health care services in terms of a mandate it has through the legislative and regulatory frameworks of the national Parliament and the North West provincial legislature. This legal mandate is implemented through eight programmes: Administration; District Health Services; Emergency Medical Services; Provincial Hospitals; Central and Tertiary Hospital; Health Services Training; Health Care Support Services; and Health Facilities Management. The vision of the NWDoH is to promote healthy, self-reliant communities in the province. The departmental mission is to render accessible, equitable and integrated quality health to the population while observing the following values: *Batho*

*Pele* principles, the Patients' Rights Charter, the Victims' Rights Charter, the Children's Rights Charter, the Disability Rights Charter, the Older Persons' Pledge, accountability and transparency, community participation, excellence, caring, access, human dignity and respect.

### Findings and analysis in the case of the NWDoH

Based on available datasets, the PSP measurement matrix below shows the individual productivity-level scores achieved as well as the total productivity score achieved by the NWDoH for the 2013/14 financial year.

**Table 1.1.4. Measurement matrix: scores achieved per productivity indicator and sub-factor**

Indicator <sup>a</sup>	Weighting	Total potential score for each indicator	Level achieved	Score achieved for each productivity level
<b>Labour (15%)</b>				<b>(150)</b>
Ratio of salary cost to total budget <sup>b</sup> (input indicator)	5%	50	1	50 <sup>c</sup>
Days absent <sup>d</sup> (indirect input indicator)	5%	50	1	50 <sup>e</sup>
Supervisor-employee ratio <sup>f</sup> (input indicator)	5%			
Vacancy rate <sup>g</sup> (indirect input indicator)	5%	50	3	16.7 <sup>h</sup>
<b>Operational (32%)</b>				<b>(320)</b>
% score in implementing National Core Standards for Health Establishment <sup>i</sup> (output quality indicator)	8%	80	2	40 [availability of medicines and supplies (87.3%); cleanliness (75%); patient safety and security (77.6%); positive and caring attitudes (82.9%); waiting times (75.3%); av. 79.6% or 2]
% score in implementing operations management framework <sup>j</sup> (process indicator)	8%	80	2	40 <sup>k</sup> [service standards (1), service charter (1), service delivery improvement plan (1), service delivery model (3), business process mapping (3), standard operating procedures (3); av. 60-79% or 2]
Workplace design (ergonomics and work flow) <sup>l</sup> (input indicator)	8%			
% score in citizen feedback on service delivery performance <sup>m</sup> (outcome indicator)	16%	160	1	160 <i>Proxy: service standards (1); availability of medicines and supplies (1); cleanliness (2); patient safety and security (2); positive and caring attitudes (1); waiting times (2); av. 80-100% or 1</i>

Indicator <sup>a</sup>	Weighting	Total potential score for each indicator	Level achieved	Score achieved for each productivity level
Performance (30%)				(300)
Performance aggregate for SMS, MMS and lower-level employees <sup>n</sup> (output indicator)	20%	200	2	100 [An average of 2 was allocated as MMS and SMS members were not assessed in 2013/14]
Number of employees on counselling and support <sup>o</sup> (indirect input indicator)	5%	50	2	25 [5,118 out of total number of 21,268 employees counselled and on proactive support programmes, i.e. 24% or 2]
Number of employees that were disciplined <sup>p</sup> (indirect input indicator)	5%	50	2	25 [273 out of total number of 21,268 employees disciplined, i.e. 1.3% or 2]
% score in employee satisfaction survey <sup>q</sup> (indirect input indicator)	10%			
<b>Total</b>	<b>100%</b>	<b>770*</b>		<b>506.7</b>

<sup>a</sup> It is important to understand that, from a productivity perspective, service delivery is a result of a value chain of activities. Inputs are resources required to produce outputs and they are found in the early stages of the chain; outcomes are last in the chain (and external to the service). Therefore, the indicators should be expressed as input, process, output or outcome indicators.

<sup>b</sup> This indicator is an input-oriented measure. It reflects the cost of employing government workers and is an important part of 'production costs' in the provision of public services. It suggests the provision of public services is labour-intensive and thus is key in the analysis of productivity and efficiency of public services. From a productivity perspective, note that government has to produce a selected set of services within limits of budget constraints—that is, doing more with existing resources. As a suggestion, we need to link this ratio to a relevant output measure for each programme, for example number of targets achieved during 2013/14 *vis-à-vis* 2012/13. This means that we can, for example, compare the rate at which the salary/budget ratio grew to the rate of growth of the actual targets achieved.

<sup>c</sup> In the 2013/14 financial year, the ratio was 57.9%—that is, below the 60/40 national norm.

<sup>d</sup> Absenteeism results in the loss of workdays/hours and consequently affects service delivery per month/year. Unauthorised or unscheduled absenteeism creates cost and productivity problems and puts an unfair burden on employees who turn out for work and ultimately hinders satisfaction and drains the economy. From a productivity perspective, we need to establish the impact of absenteeism on service delivery performance for each programme in order to be able to score levels of productivity.

<sup>e</sup> The average annual leave per employee was 26 days (out of 22 days). The average annual sick leave per employee was 9 days (out of 12 days in a 3-year cycle of 36 days). This translates into an estimated cost of sick leave of 0.1% of total personnel expenditure, which translates to an average score of 1.5 for days absent, which is rounded up to an average score of 1.

<sup>f</sup> This indicator provides an indication of a proportion of staff directly engaged in providing service delivery. It is desirable to prioritise frontline staff (e.g. nurses, doctors, physicians) in order to improve service delivery at grassroots level. The World Health Organization (WHO) Workload Indicator of Staffing Needs provides norms and standards to ensure an adequate and appropriate workforce for the workload. For example, it has been estimated that countries with fewer than 23 physicians, nurses and midwives per 10,000 population generally fail to achieve adequate coverage rates for selected primary health care interventions, as prioritised by the Millennium Development Goals (WHO).

<sup>g</sup> In some situations, a vacancy means that a current employee must do the work of the vacant position. This may frustrate an employee causing them to lower their productivity. Of importance is identifying areas where service delivery is compromised by a high vacancy rate.

<sup>h</sup> The vacancy rate is 9.2% but for critical occupations (as prescribed by the DPSA) the vacancy rate is 10.1%.

<sup>i</sup> Published in 2011, the main aim of the National Core Standards for Health Establishments is to develop a common definition of quality care, which should be found in all health establishments, as a guide to the public and to managers and staff at all levels; establish a benchmark against which health establishments can be assessed, gaps identified and strengths appraised; and provide for the national certification of compliance of health establishments with mandatory standards. These standards therefore describe the quality of care that should be found at health care facilities in South Africa. Quality of a service is linked to its intangible elements and is an important factor of productivity. These standards serve as a benchmark against which health care facilities can be assessed. There is a scoring methodology for the checklist, which show how far the health facility is from complying with the scores. If the overall score is 80%, this suggests the health care facility is

compliant; a score below 20% suggests the facility needs immediate attention. As a suggestion, we could link our scoring continuum to the scoring methodology used by the Health Department.

<sup>j</sup> From a productivity perspective, the design and implementation of plans, mandates, systems, processes and standard procedures are crucial in affecting the ability of public organisations to deliver services efficiently and effectively.

<sup>k</sup> In 2013/14, public service department were required to have the first three building blocks in place. However, capacity-building sessions on business process mapping and standard operating procedures for increased productivity were presented to the health sector in 2013/14. For this reason, the NWDoH is assessed against all six building blocks. In 2013/14, it partially completed a service delivery model, conducted business process mapping of three services and developed standard operating procedures for three services.

<sup>l</sup> Workplace design refers to the arrangement of workspace so that work can be performed in the most efficient way. This is an input measure that indirectly supports labour productivity.

<sup>m</sup> The citizen satisfaction survey is an outcome measure that ensures that what is measured within a department is what matters to the citizens. It is acknowledged that outcomes may be influenced by factors outside the control of governments or agencies delivering services. We grouped citizen satisfaction with service delivery together with the implementation of the *Batho Pele* principles.

<sup>n</sup> Performance information enables government to measure progress towards achieving their policy and programme goals in order to enable improved decision-making. Use of performance information improves public sector productivity and efficiency. For scoring, we can compare growth rates of two financial periods.

<sup>o</sup> This is an indirect input measure of labour. As a suggestion, we can compare the previous year's results to the current year.

<sup>p</sup> From a productivity perspective, increased disciplinary problems may point to weaknesses in workplace systems, processes and staff morale.

<sup>q</sup> Employee satisfaction surveys can help improve employee retention and productivity as the survey may point to problems related to low staff morale or underlying problems causing employee dissatisfaction that leads to reduced productivity.

An organisational productivity level of 506.7 was achieved out of a possible 770, which translate into an organisational productivity-level score of 65.8 (0.658) for the NWDoH, reflecting a '*moderate level of productivity*' for the department.

### Challenges identified in the implementation process

The key challenges and limitations of developing and implementing the PSP measurement matrix are as follows.

The indicators used in measurement matrix are proxy indicators of PSP in the context of the health sector and they do not reflect the full set of measures of services delivered by the NWDoH. The total organisational productivity level achieved by the department is thus an opinion based on these proxy indicators. In further refining the measurement matrix, more indicators will be identified and included in the matrix.

Not all the required datasets were available at the time of the study. For example, data on the supervisor-employee ratio, workplace design and employee satisfaction were not available, and this severely limited the final opinion on the total organisational productivity level of the department. The NWDoH was advised to make the relevant datasets available to ensure improved measurement of its level of organisational productivity.

### Lessons learnt from the implementation process

The following lessons emerged from the development and implementation processes of the PMMF. These should enrich the work of organisations concerned with measuring PSP:



**PSP is not an oxymoron:** There is a minority view in the literature on productivity that PSP is an oxymoron—that is, a word with contradictory meaning. The view expressed is that the public service is—by design and nature—a massive bureaucracy that moves slowly through various legislative and systemic process (‘red tape’) to ensure the best possible output is produced for the good of the public, and that it is not in the interest of the public—who deserve due process—to put too great an emphasis on the rate at which inputs are converted to public service outputs.

Through the development and application of the PMMF, we learned that PSP is not an oxymoron and that improved PSP does not necessarily occur at the expense of legislative processes, but in support thereof. The Constitution, for instance, requires that public administration in South Africa be governed by the democratic values and principles enshrined within it, including the principle that the ‘efficient, economic and effective use of resources must be promoted’.<sup>5</sup> In support of this constitutional principle, the PMMF actively promotes the efficient, economic and effective use of public resources by advocating PSP improvements that would, all other things being equal, serve the public interest.

**A rose by any other name is no longer simply a rose:** From a private sector manufacturing perspective, productivity is usually defined as the ratio of output to input. However, from a public sector service delivery perspective, the productivity definition relates to the *quality and quantity* of service outputs (from a citizen perspective) to the *quality and quantity* of service inputs (as managed by public officials). Because of this major difference, ‘a rose by any other name cannot simply be a rose’: PSP is totally different from the ‘traditional’ private sector understanding of productivity. Hence, we learnt that we have to clearly define PSP in all its dimensions to avoid confusion with prevailing understandings of productivity in the manufacturing industry.

**Do not use bathroom scales to weigh an elephant:** The public sector, inclusive of the public service, is massive in that it is the largest employer, representing a significant contribution to the economy of the country. It is, for all purposes, a big elephant. To weigh this elephant in order to determine the impact of its presence, one must use an appropriate weighing and measurement instrument or instruments. Bathroom scales will not do! Similarly, when measuring the extent to which ‘elephant-sized’ public sector organisations are productive, one has to use a measurement instrument that is appreciative of the magnitude of the task at hand. It was through trial and error, or testing and retesting, that the DPSA developed

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<sup>5</sup> Chapter 10, Article 196(1)(b).

the PMMF, which appreciates the many factors affecting the organisational productivity of public service institutions.

### Way forward and conclusion

A number of recommendations were made to the NWDoH based on the lessons learnt from implementing the PSP measurement matrix.

These recommendations included that the department:

- Continue its partnership with DPSA towards refining the PSP measurement matrix for the public health sector and improving the quality of data available.
- Address high vacancy rates and expand on its business process mapping and the development of standard operating procedures for core services.
- Participate in advocacy initiatives of the DPSA by sharing its experiences of the measurement of PSP with other stakeholders in the public health care sector, including provincial and national government departments.
- Work with the DPSA to include the following additional indicators in PSP measurement matrix:
  - **output ratio of department:** ratio of departmental outputs (annual performance and targets) to delivery of *performance in the* department (output measure)
  - **budget implementation:** ratio of total annual budget to total annual expenditure (process indicator)
  - **e-governance infrastructure:** performance in this area is important for productivity as empirical evidence has shown that proper governance of information communication technology improves cost effectiveness, increases staff productivity, supports decision-making and increases the access of the public and stakeholders to information (process indicator)

Overall, this case study demonstrates the application of the PSP measurement matrix in the NWDoH. It shows that the measurement of PSP in a health care environment presents a number of challenges, foremost of which is a dearth of appropriate and reliable data. These challenges are not, however, insurmountable and, once overcome, the PSP measurement matrix can be a useful instrument for measuring the organisational productivity of the NWDoH and other provincial health care departments.

**Table 1.1.5. Score convertor**

Scale	1 (Highest)	2	3	4 (Lowest)
Indicator				

Vacancy rate	≥4%	≥8%	≥10%	≤11
Sick leave	≥12	≥14	≥16	≤18
Annual leave	>22	23-27	28-31	≤32
Discipline	≥1%	≥ 5%	≥ 9%	≤10%
Operation management	7/7	5/7	3/7	0/7
Counselling and support	≥10%	≥25%	≥50%	≤ 50%

## Case Study 1.2 Tanzania. Transforming government delivery: Big Results Now!<sup>6</sup>

### Abstract

The Tanzanian Big Results Framework is a good example of South-South cooperation, for which the Commonwealth Secretariat is a strong advocate. Big Results Now! (BRN) was replicated from the Malaysian Big Results Fast. BRN is a strong and effective system that the government uses to oversee, monitor and evaluate the implementation of national development plans and programmes.

The methodology is applied to enforce strict prioritisation, develop detailed implementation plans with clear targets and assign accountability. BRN allows for rigorous implementation tracking, as well as addressing problems as soon as they arise so they do not become roadblocks to development.

### Context of performance management in Tanzania

Tanzania's development aspirations are outlined in the Tanzania Development Vision 2025 (TDV 2025) developed in the late 1990s to guide economic and social development efforts up to the year 2025. TDV 2025 aims at transforming Tanzania into a middle-income country by 2025, manifested in five main national attributes: high-quality livelihoods; peace, stability and unity; good governance; a well-educated and learning society; and a competitive economy capable of producing sustainable growth and shared benefits. The Vision thus aspires to transform the economy from a predominantly agricultural one to a diversified and semi-industrialised economy with a substantial industrial sector comparable with typical middle-income countries.

Reviews of TDV 2025 implementation undertaken between 2009 and 2011 underscored the need for a strong framework to facilitate systematic development planning, implementation and follow-up mechanisms. The government, through a Cabinet Retreat held in Dodoma on 22-24 October 2013, resolved to establish a strong and effective system to oversee, monitor and evaluate the implementation of its development plans and programmes. The system chosen is based on Malaysia's Big Fast Results approach. To support implementation of the approach, the government engaged the Performance Management and Delivery Unit from the Prime Minister's Department of Malaysia. This initiative has been branded the Big Results Now! (BRN), or *Matokeo Makubwa Sasa!* in Kiswahili.

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<sup>6</sup> Prepared by the Presidential Delivery Unit, Tanzania.

## National key results areas

The government kicked off the BRN initiative with six priority areas, or national key results areas (NKRAs). These NKRAs were identified based on their potential to transform the lives of the majority of the population in a relatively short period of time. The NKRAs chosen were Agriculture, Education, Energy, Transport, Resource Mobilisation and Water. Implementation of BRN started in July 2013 in the identified six priority sectors, generally referred to as Wave 1 NKRAs. Through BRN's disciplined delivery methodology, these initiatives aimed to ensure greater food security and improved quality of basic education and water and electricity infrastructure. Taken together, these efforts are catalysing socioeconomic growth in Tanzania.

In 2014, a further six NKRAs were added under the Business Environment priority cluster. These were Realigning Regulations and Institutions, Access to Land and Security of Tenure, Taxation, Labour Laws and Skill Set, Curbing Corruption and Contract Enforcement. Health Care became the most recent addition, in 2015. This therefore represents a doubling of NKRAs within the first two years of BRN.

## The Big Results Now! Methodology

BRN is a delivery methodology focused on delivering specific goals within a stipulated timeline. The methodology is based on transforming the way the government works by implementing some catalytic initiatives at critical points in a system so that it can deliver more effectively and efficiently.

The BRN foundations comprise:

- prioritisation with clear performance targets
- rigorous implementation supported by detailed monitoring of performance data by dedicated delivery staff
- transparent performance management

The methodology comprises a highly adaptable set of tools for proactive tracking, monitoring and problem-solving across the implementation structure. The focus of these efforts remains the agreed priority areas (NKRAs), but the knock-on effects from the success within the sectors is expected to be significant, as other parts of the government learn and replicate the model by which to achieve delivery. In so doing, BRN should, according to the theory of change, not only deliver results in the NKRAs but also catalyse a wider transformation of the public service. The intention is the entrenchment of the delivery culture beyond the core delivery system, starting to establish a new norm for government effectiveness in Tanzania.

## The steps methodology of BRN

BRN applies the tried and tested Big Fast Results methodology from Malaysia, adapted to the local context. The methodology is applied to enforce strict prioritisation, develop detailed implementation plans with clear targets and assign accountability. BRN allows for rigorous implementation tracking, as well as addressing problems as soon as they arise so they do not become roadblocks.

The methodology further provides a mechanism to escalate issues to ministerial and even presidential levels when such intervention is required. Through publication of the BRN targets and an annual report of progress towards achieving these, BRN also promotes transparency and enables the public to hold the government to account for delivery. Two and a half years into implementation, several countries, including Malawi, Malaysia, Mozambique and Uganda, are seeking to learn from Tanzania's experience.

The details of the eight-step methodology are provided below:

1. Strategic direction and prioritisation through selection of a limited number of NKRA: Prioritisation ensures focus, of both the vision and the resources for achieving it, which maximises the likelihood of delivery. It forces decision-makers to clarify and specify what they are aiming to achieve, and to articulate this to the public so they can hold them to account. Reflecting on his three essential lessons about how to deliver real change in government, Tony Blair has said, 'the first lesson is to prioritise ruthlessly ... if everything is a priority, then nothing gets done'.
2. Running labs: Labs are tools to achieve results swiftly through innovation and stringent deadlines. They comprise a team of experts and stakeholders that are jointly required to find solutions to a complex problem based on clear and rigorous analysis and prioritisation to develop detailed implementation plans with measurable key performance indicators (KPIs). Labs are a prerequisite for every NKRA initiated, and are a critical first step in the overall delivery process, where the system develops action plans and assigns the ownership necessary to implement.

In Tanzania, this has yielded remarkable results in overcoming the structural barriers—the silo approach, disparate agendas and competition for funding—that prevent all sections of government from working effectively and collaboratively to address a problem. Labs create a powerful link between planning and implementation: participants feel absolute ownership of the plan because they have painstakingly developed it, vigorously debated it and deeply understood it. They are also typically given positions of responsibility for implementation.

3. Target-setting: Establishing the right KPIs for each priority is critical. They must measure outcomes, not inputs. Instead of targeting an increase in technology spending or an increase in the total number of police officers or teachers, they should rather target a certain level of reduction in crime or improvement in education pass rates or other measures of quality. Where possible, performance should be measured against international benchmarks, and thus help ensure the robustness and integrity of the targets and also deal with a sceptical public.
4. Open day: At the end of the 'Lab' process, an open day is held to reveal the results of the work done in the labs and discuss them with stakeholders. This event helps build both public pressure on the government to deliver and public support to assist in this delivery.
5. Developing a clear roadmap: The culmination of the labs is a roadmap for each NKRA, setting out measurable targets, a clear delivery chain and a transparent reporting framework. It is critical that these are made public and thereby establish the basis for accountability going forward.
6. Implementation: The real transformation is in the means of tracking, monitoring and ensuring delivery and the efficacy of government delivery that arises from this. Evidence shows that performance improves when it is explicitly managed, particularly when you focus on managing the performance of people involved in the priority areas, beginning with assigning accountability for outcomes to individuals. Once accountability structures are established, performance dialogues (i.e. intensive, regular conversations between the leader of the government and the leader accountable for each outcome, informed by clearly presented, reliable and regularly updated performance management data) are essential. The success of Pakistan's Education Reform Roadmap testifies to the power of this approach.
7. International panel and audit: Independent verification of results is a critical step to ensure all stakeholders can have confidence that what is said to have been delivered has actually been achieved. In Tanzania, this has been conducted on both fronts. On the quantitative aspect, PricewaterhouseCoopers was engaged to conduct a series of 'agreed-upon procedures' and specific tests to review reported results for the KPIs.

On the qualitative aspect, the president convened an Independent Review Panel, comprising individuals with distinguished backgrounds and expertise, in Dar es Salaam on 14-16 January 2015. The prominent panellists included H.E. Festus Mogae, Dr Nkosana Moyo, Knut Kjaer, Siphon Moyo, Linah Mohohlo, Lord Peter Mandelson and James Adams. The Panel was tasked to provide an objective, external perspective on BRN's methodology, strategic direction and implementation progress for the year in report.

8. Annual report: The annual report makes publicly available the verified results of the programme, ensuring continuation of the link with the public and stakeholders who participated in previous steps in the process, from the labs and open day to ongoing implementation. The annual report not only includes achievements for the year but also records challenges and delays to provide a clear picture of the implementation progress to the public.

### Big Results Now! delivery system

The BRN eight steps are overseen by the BRN Delivery System, comprising the President Delivery Bureau (PDB) and ministerial delivery units (MDUs) dedicated to overseeing implementation of priority projects and ensuring delivery of the agreed targets.

The new delivery system works with and through existing structures to make the current government system deliver. While neither the PDB nor the MDUs are themselves the implementers of the BRN initiatives, they provide support to the ministries to adopt the BRN discipline and strengthen the president and ministries' ability to deliver on their priorities in a sustainable and flexible way.

### President's Delivery Bureau

The PDB was established as an independent unit within the Office of the President on 1 June 2013 through a Presidential Instrument, mandated to support the president in overseeing the implementation of BRN projects and initiatives. The PDB's primary functions include assisting the government in identifying NKRA and developing implementation programmes for quick and impactful results; supporting ministries in finding solutions to NKRA implementation challenges; and monitoring implementation of approved programmes and reporting on the results.

The PDB works together with the various ministries that lead implementation of the BRN priority areas. The underlying aim of the work conducted is to ensure the three-year action plan developed through a thorough consultative (lab) process is implemented within the stipulated timeframe. This is done through application of simple principles of rigorous discipline of execution, continuous problem-solving and constant monitoring of progress. Together with a highly adaptable set of tools for proactive tracking, monitoring and problem-solving, the BRN way of doing things 'business unusual' is transforming the way government works.



## **Ministerial delivery units**

MDUs are established in each NKRA ministry responsible for delivering the KPIs and report directly to the respective ministers. They support the NKRA ministry by overseeing implementation, proactively seeking resolution of potential bottlenecks and preparing implementation reports for the PDB on a weekly basis. The MDUs work closely with the project owners in implementing agencies and with the PDB in problem-solving and reporting of progress.

## **BRN delivery structure**

Implementation of BRN priority projects is aided by a delivery structure consisting of strong institutions at the NKRA ministry and central government levels. The structure comprises the following:

### **Transformation and Delivery Council**

The Transformation and Delivery Council (TDC) provides strategic direction to the BRN programme and ensures the contribution of all relevant institutions and individuals for achieving the developmental objectives of the BRN initiatives. Chaired by the president, the TDC approves NKRA implementation plans, KPIs and budgets, and is the ultimate source of problem-solving action for the programme as a whole.

### **Steering committees**

Each NKRA has a steering committee comprising key stakeholders for delivering the NKRA's KPIs, chaired by the respective minister. The main role of these steering committees is the facilitation of problem-solving within the NKRA's. It also includes a reflection on the progress of KPIs to identify any critical interventions required to ensure targets are met by year-end. Any issues that cannot be resolved at the committee's once-a-month meetings are escalated to the TDC.

This monthly checkpoint allows for regular inter-agency and inter-ministerial engagement to forge better implementation collaboration and leverage towards meeting a common target. The teams also rigorously pursue timely disbursement of funds required for the implementation of initiatives and projects in order to maintain the momentum of execution.

### **Weekly problem-solving meetings**

This is critical to the delivery system in that it allows for focus and attention on step-by-step delivery to ensure accountability. Through effective performance management using weekly reports, regular check-ups and updates to top leadership, the delivery system sets

a tempo and environment in which results 'must' be achieved, translating the 'three-feet' plans designed in the lab process into action.

In the process of executing the action plan, the discipline of continuous monitoring will ensure any barriers to successful implementation of initiatives are immediately identified. Solutions can then be applied in a timely manner to ensure progress is on track. This is a recursive exercise done across all initiatives. Stakeholder engagement between ministries and other parties involved in implementation often takes place.

## Case Study 1.3 Samoa. Monitoring of policy implementation: Challenges and remedial actions<sup>7</sup>

### Overview

As in most cases facing least developed and developing countries, the issue of effective monitoring of policy implementation remains a real challenge in a dynamic environment of change, as countries undergo economic programmes for enhanced development and sustainable growth, with capacity stretched to the limit to implement policies successfully.

Samoa was the first Pacific country to implement a public sector reform programme. It did this in the early 1990s with the introduction of a two-year Statement of Economic Strategy (SES) from 1995 to 1997. It was also among the first nations in the world to implement a performance-/output-based budgeting system in 1996 and to introduce human resource reforms in 1998. These reforms included institutional strengthening of most ministries and devolution of human resources functions.

Samoa also initiated state-owned enterprise (SOE) reforms in 1998, which included privatisation of a number of them as a result of their continued strain on the national budget. It estimated that at least 20% of the government budget was expended on subsidies to SOEs alone.

These reforms, along with continuing improved macroeconomic management, deregulation of the financial sector, a stable government and strengthened institutions, have had a strong impact on growth and created a conducive environment for private sector development.

The political leadership and strong commitment from the start to these reforms were not evenly matched by capacities of institutions across the board. However, the leading institution at the time, as the driver for change, the Ministry of Finance, recognised this and was the first to undertake an institutional strengthening programme while simultaneously implementing the first constructs of the reform programme—namely, a shift from line budgeting to performance-/output-based budgeting in 1996, followed by reform of the financial management system to support this change.

This led to the timely issuance of national accounts and economic data for policy analysis to ensure sound economic and financial advice to the government. This was immediately followed in 1998 by reforms targeting SOEs for improved financial performance and governance, given that most were dependent on the domestic resources of the government

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<sup>7</sup> Prepared by Hinauri Petana, Former Permanent Secretary, Ministry of Finance, Samoa. Paper presented at Fourth Commonwealth Pacific Forum of Central Agencies, 12-14 May 2015.

budget. Later on the same year, human resources reforms were introduced as an intrinsic part of the public sector reform programme. By then, a number of ministries were undergoing institutional-strengthening, as it was clearly recognised that the middle levels of management needed to be strengthened quickly to manage and implement many of the changes coming through from these policy changes to support the government's overall reform programme.

The principal challenges have been in ensuring everyone understood the changes, and that the ministries and agencies of government were clearly able to implement the changes required in a timely manner.

Overall, these changes were considered to have been successful. Most had an immediate impact on the economic performance of the country in the late 1990s, with the economy achieving growth rates of 3-4%, never before attained. However, on reflection, there could have been improvements in the development of some of the policies or in fine-tuning them with input from other ministries, and perhaps a slower pace of implementation to match capacities, giving ministries a sense of ownership at the start of implementation of these policies.

Considering the different institutional capacities at the time, with much experienced advisory inputs concentrated in the Ministry of Finance, it was inevitable that this ministry would lead policies for the reform of the economy. A strong motivating factor in the implementation of these reforms was the strong political commitment and leadership in place, and the fact that time was of the essence once the opportunity had presented itself for a wholesale approach to reforms, including those to be implemented by the Public Service Commission. The Ministry of the Prime Minister and Cabinet had no substantive role to play in these reforms at the time.

In hindsight, it was inevitable that such a comprehensive reform programme were driven by all three key agencies (the Ministry of Finance, the Public Service Commission and the Office of the Prime Minister). These type of reforms, which require clearly articulated policies and well-coordinated activities in their implementation, had to be conducted through a whole-of-government approach, where all three agencies collaborate, with the Office of the Prime Minister and Cabinet leading in policy analysis, feedback and monitoring implementation, and, given its strategic role, providing the government with advice on the progress of these reforms, as well as an independent view on their impact.

The latest suite of reforms to improve resource allocation, through integration of budget and sector plans for targeted sectors in pursuit of the government's vision, has seen the

transition to outcomes-based budgeting in 2012 and implementation of a medium-term expenditure framework. This latter enables enhanced predictability of resource requirements and allocation in the implementation of prioritised activities within sector plans. Clearly, work is still in progress in some of these new initiatives. Full implementation is yet to be realised because of issues related to absorptive capacity in some ministries. The shift to benchmarking and developing performance indicators has yet to be effectively implemented, as has the shift to outcomes-based budgeting.

Work is also being undertaken under a public finance management plan to encapsulate all of the reforms that have occurred over the past two decades to strengthen governance in economic and financial management. Overall, implementation of these policy initiatives continues to be led by the Ministry of Finance which functions as the central resource management and allocation of financial resources, as well as in strategic planning. Hence the cross sectional impact of policies generated need to be given a wider audience amongst all stakeholders.

Despite these major policy initiatives being implemented with limited capacity at a quick pace, one of the major undertakings was to develop institutional capacity as implementation progressed. For a time, there was a lack of connectedness, because of a lag in the understanding of some ministries and agencies as to why these changes were necessary. In addition, they were grappling with the technical requirements of the necessary changes, with upskilling in new technology and applications essential. Nevertheless, teams developed within the Ministry of Finance quickly addressed these issues, working with line ministries and agencies to bring them up to speed on the reforms, especially on budget, SOE reform and sector planning.

### Challenges

In the Samoan experience, challenges facing policy implementation can be summarised as relating to the following:

- institutional capacity, meaning insufficient skills or inadequate numbers of people to help with implementation
- lack of clarity on institutional roles, especially between those implementing and those monitoring and evaluating implementation
- lack of communication during the development of policy across the whole of government to ensure robust engagement of all stakeholders, meaning inadequate information available or not enough people getting the right information to be able to contribute more effectively

- an unrealistic timeline for implementation of some policies
- competition for resources to implement policies effectively, especially human resources and infrastructure, with massive investment in systems essential in some cases
- failure to manage risks, with impacts on delivery time and cost, as with the introduction and establishment of a new Financial Management Information System (FMIS)
- lack of skills or experience to develop a monitoring and evaluation (M&E) system that will effectively track implementation of policy initiatives
- inadequate information for stakeholders to ensure they are updated on the progress of implementation

### Remedial actions

With the implementation of any policy in government, whether in support of a comprehensive reform programme or other government policy work, the establishment of a central policy coordination entity is a must to ensure rigorous analysis, effective communication, coordination, resourcing and implementation is conducted on a holistic basis.

The challenges to policy implementation as identified above can then be gauged by all and appropriate action taken. An M&E matrix should be developed to track progress and provide regular reporting to the government, a function that should rest with the Office of the Prime Minister and Cabinet.

Some additional remedial actions could lie in the following areas:

- capacity and pooling of resources for implementation of prioritised policies
- backstopping support, by ensuring more than one or two staff are trained or work with senior staff designated as leading in policy development/implementation
- rotating and/or seconding staff to ensure exposure and skilling across ministries leading policy development, analysis and implementation
- requiring senior staff specialised in policy development/implementation techniques to train staff across the ministry, and including other key ministries that may need similar support
- ensuring constitutional roles are defined and understood upfront prior to implementation, especially on the M&E function
- communication being the key to successful implementation, development of a culture/strategy for effective communication across government
- a properly costed and time-bound plan, to help determine the timeline for implementation and any likely impact on cost should there be any delays or variations

- a phased approach where necessary, or reprioritisation and/or reallocation of resources, to deal with competition for resources
- on risk management, starting out with an assessment of risks; should anything occur during and/or after implementation, adjustment of the implementation plan where possible
- development of an effective M&E plan that entails the work of experienced staff; ensure the development of such a plan is easily understood and implementable
- use of the cultural/strategic approach to communication suggested above to keep stakeholders informed just as much as to keep the government updated on progress

## Principle 2. Clarification of objectives and administrative structures

### Case Study 2.1 Rwanda. Effective policy design and implementation: From vision to action and impact<sup>8</sup>

#### Abstract

Rwanda's governance model, arising out of the challenges of the 1994 genocide, has proved successful in restoring political and economic stability, and has led to socioeconomic gains that have transformed the lives of millions of Rwandans. Political will from the top to the lowest level of governance, a clear and feasible policy framework and appropriate institutional arrangements are among the key drivers of effective policy implementation in Rwanda.

Furthermore, Rwanda's successful implementation is attributed to 'good fit' approaches built on traditional values. The governance model has been instrumental in supporting home-grown solutions based on traditional values that promote public participation and ownership of the development agenda. Effective policy implementation is sustained by joint and collaborative mechanisms at both national and decentralised levels. This has improved coordination and transparency, which has encouraged development partners to supplement government efforts and resources in support of socioeconomic development in the country.

The overall objective of this case study is to share the Rwandan experience on how policies and development strategies have been effectively translated into actions that have moved the country from a failed state to the verge of becoming a middle-income country.

#### Introduction

In the aftermath of the 1994 genocide, Rwanda embarked on nation-rebuilding, to lay the foundations for the process of poverty reduction and economic growth. The country introduced a number of policies and programmes aimed at addressing the immediate challenges inherited from the past in favour of long-term orientation towards poverty reduction and improvement of people's livelihoods. Important changes have been observed in all sectors—economic, social, governance and justice. Each generation of intervention has addressed the prevailing development challenges, which in turn has informed public policy and implementation, thus leading to the desired development outcomes.

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<sup>8</sup> Prepared by the Ministry of Labour and Public Service, Rwanda.



The development pathway of Rwanda can be traced back through two major phases: the period after the 1994 genocide up to year 2000; and the period from 2000 onwards. The first period saw innovative and uninterrupted crafting of the country's policies and development strategies, focused on rebuilding the nation following the destruction arising from the genocide. During this period, the country was in turmoil, and the economy was hit hard. The economy experienced an unprecedented negative gross domestic product (GDP) trend of -11.4%, coupled with a huge public debt of over US\$1.5 billion, 75% of which was owed to the World Bank and other multilateral lenders.

There was an urgent need to establish functioning government structures and institutions and to restore peace and security to pave the way for economic reconstruction and development. The immediate priority, however, was to allow humanity and patriotism to prevail over grief and loss, setting down the fundamental choices of staying together as a nation, being accountable and thinking big in terms of national development goals to guide Rwanda, as emphasised by President Paul Kagame at the 20th commemoration of the 1994 genocide.

From 2000, Rwanda embraced a paradigm shift—from emergency to mid- and long-term development planning. The state endorsed a set of policies and strategies with the aim of transforming Rwanda from a subsistence economy to a knowledge-based economy. This long-term development path for Rwanda was identified through consultative processes initiated by the Office of the President during 1998/99, which led to the development of Vision 2020. This was effectively translated into policies and concrete actions, resulting in a positive impact in all sectors of the economy. It became the development blueprint for the government and all stakeholders, including development partners, the private sector and civil society.

Some of the overarching goals under Vision 2020 are to transform Rwanda into a middle-income country, with a per capita GDP of US\$900 (later revised to US\$1,240 as a result of rapid economic growth), improve people's livelihoods and reduce the number of people living below the poverty line by at least 20%.

#### [National development policy framework](#)

Vision 2020 has been cascaded into mid-term implementation strategies—the Poverty Reduction Strategic Paper (PRSP) and the first and second Economic Development and Poverty Reduction Strategies (EDPRS 1 and 2)—which serve as the basis for programme planning and implementation in all sectors. The EDPRS sets targets for each sector, on which specific sector interventions and resource allocation are based. The EDPRS is, in turn,

translated into five-year mid-term goals through sector and institutional strategic plans at central government level; similar timeframe goals are reflected through district development plans at local government level.

The sector, institutional and district plans are formulated based on a number of thematic areas that reflect emerging development priorities that must be addressed to attain the national economic growth and poverty reduction targets set in Vision 2020. For instance, the EDPRS 2 thematic areas include Economic Transformation; Rural Development Productivity and Youth Employment; Accountable Governance; and Foundational and Cross-Cutting Issues (macroeconomic stability, regional integration, gender, disability and social inclusion, disaster management, environment and climate change, HIV/AIDS and non-communicable diseases and capacity-building).

At the national level, the first steps are multidimensional consultations geared towards agreement on the national development priorities as expressed in the EDPRS. The consultations identify targets for budget agencies to achieve during the fiscal year. Experience over the years indicates that the process gives other parties, such as Parliament, time to debate plans and corresponding costs in terms of budgets before the responsible government agencies and local governments implement them. At district level, district councils approve and monitor plans and budgets to ensure a good match with local needs and priorities. For both national and local level with regard to grants from central government, the approval of plans by Parliament is subject to the previous fiscal year's performance, which sets a strong ground for implementation.

#### Key sector policies and major achievements

Rwanda has been widely acknowledged for the social and economic progress it has made in the past 15 years, as evidenced by the significant socioeconomic transformation the country has achieved through the implementation of the PRSP and the EDPRS 1 and 2 in the effort to achieve the goals of Vision 2020. Rwanda owes this progress to the effective implementation of key sector policies, including governance, health and education policies, as well as a clear vision for growth through private investment and public sector reforms. The aim has been to uphold and sustain a sense of purpose and commitment by the country's leadership to attain development aspirations that will transform communities and improve their lives: As stated by the President of Rwanda, Paul Kagame 'Annual plans and budgets never have all we need but there should never be a moment where we lack the will to serve Rwandans in the best way we can.'

Policies related to governance include the decentralisation policy, which defines roles between levels of government to ensure a focus on service delivery and, importantly, to empower local communities through citizen participation.

From after the 1994 genocide, Rwanda has opted to make security and stability a priority and a strong basis for its sustainable development. Reflecting the significant impact of the country's choice, Gallup's Global Report for 2015 ranked Rwanda the safest place to walk at night in Africa and the fifth safest country in the world. This has had a huge impact on tourism and other sectors of the economy.

In the area of gender equity and women's empowerment, enormous strides have been made, resulting in policies and legislative reforms to promote gender equality, the abolition of laws discriminating against women and an active fight against gender-based violence (GBV)—such as *Isange* One Stop Centre, established to provide comprehensive response, care and support services to girls and boys, women and men victims of GBV— among others.

Indeed, the government initiated a nationwide programme to mainstream gender in all national development programmes and activities immediately after the emergency period that followed the genocide. Rwanda's aspirations to promote and empower women were manifested in the new Constitution (2003), which stipulated that women should take up 30% of all leadership positions in the country. Currently, women take up 64% of Rwanda's seats in Parliament—the biggest proportion taken by women in the world. Women's economic empowerment programmes have also emerged, such as the Business Development Fund, which has initiated a women's entrepreneurship programme in order to unleash the economic potential of Rwandan women and enable them to contribute to the country's economy.

The will among the country's leadership to sustain these achievements and ensure further strides in the area led to the creation of institutional mechanisms to enhance gender accountability, including a gender machinery. In this respect, the Ministry of Gender and Family Promotion, the Gender Monitoring Office and the National Women Council have been put in place. The effectiveness of these mechanisms led to Global Competitiveness Report 2015 to rank Rwanda the 'Best Place to be a Woman in Africa' and sixth globally.

Improvements in governance are increasingly being reflected in citizens' satisfaction with service delivery, which is currently estimated at 71%, with 80% anticipated for 2020.

Rwanda has made significant strides in the area of economic growth as well, as a result of its clear vision and policy for growth through private investment, as illustrated by President Kagame: *'In Africa today, we recognize that Trade and Investment, and not Aid are pillars*

*of Development*'. Putting in place a business-friendly environment and building up anti-corruption measures have been at the centre of Rwanda's 'doing business' reforms since 2007, with the aim of attracting foreign direct investment and strengthen the private sector to become the engine of national economic growth.

As a result, over the past 15 years, Rwanda has seen steady economic growth, with a current GDP per capita of close to US\$800, up from US\$190 (1994), and sustained economic growth of between 7% and 8% over the past 10 years. In line with this, the recently published World Economic Forum 2015/16 Global Competitiveness Report ranked Rwanda the third most competitive economy in Africa (after Mauritius and South Africa) and first in East Africa. This was echoed by the World Bank Doing Business Report 2016, which ranked Rwanda the second easiest place to do business in Africa (after Mauritius). Rwanda owes this to its effort to build strong institutions and policies aimed at improving the level of productivity of the national economy.

Another notable and positive externality of Rwanda's growing economy is in poverty reduction. Sustained economic growth has had a significant impact in terms of reducing poverty in the country. Data from the four rounds of integrated household living conditions surveys conducted in the past 15 years (2000-14) show that 20% of Rwandans have been lifted out of poverty, with 30% moved out of extreme poverty during the same period.

In the social sectors, tremendous achievements have also been recorded, particularly in health and education. In the health sector, substantial reforms have been carried out: institutionalising Community-Based Health Insurance (CBHI) and easing access to health services by ordinary citizens; decentralisation of health services; community health workers working on a voluntary basis for their respective communities; and the Community Health Information System to improve reporting, including Phone for Health (rapid SMS) in for a rapid intervention in emergencies. These initiatives and many others have enabled Rwanda to reduce its infant mortality rate to 32 deaths per 1,000 births and the maternal mortality rate to 210 deaths per 100,000 live births, from 107 and 1,071, respectively.

Education sector reforms have also seen enormous transformational achievements. Fee-free education for the first nine years of schooling, with six of those years being primary schooling years, has now been extended to cover twelve years of basic schooling, thereby including the entire secondary school cycle. The net enrolment rate in primary education is at 96.9%, allowing hope of achieving the country's 2017/18 target of 100%.

The above socioeconomic achievements, coupled with improved access to health services, sanitation and nutrition, have had significant impacts on the life expectancy of Rwandans.

This has increased from an average of 49 years to 64 years: Rwanda has already gone beyond the Vision 2020 target of 55 years. In the same vein, the UN Development Programme Human Development Report 2015 recognises Rwanda as the most improved country in human development globally since 1990.

### Major drivers of effective policy implementation in Rwanda

Four key drivers stand out in Rwanda's successful implementation of policies: good governance; home-grown initiatives that fit into the local context; institutional development; and effective coordination mechanism.

#### **Good governance**

Rwanda success owes mainly to its visionary leadership and good governance. The country's vision, combined with a performance-based system, has proven to be a working governance model. Rwanda adopted transformational leadership as a key component in upholding its governance tenets, which had been destroyed in the 1994 genocide. The government's main strategy to achieve good governance and sustainable economic development was to decentralise decision-making to bring the development process closer to the people. The post-genocide Government of National Unity initiated the process of decentralisation, leading to adoption of the National Decentralisation Policy in May 2000 and the first local government elections in 2001.

The policy drew on lessons from before the 1994 genocide—a period of poor governance characterised by highly centralised authority and a lack of citizen participation in leadership and development. One of the policy's prospects has been, and is still, to enhance and sustain citizens' participation in initiating, making, implementing, monitoring and evaluating decisions and plans that affect them, by transferring power, authority and resources from central government to lower levels, and ensuring that all levels have adequate capacities and motivations to promote genuine participation.

Decentralisation has contributed in a number of areas towards effective policy implementation and development. The first area of development is in peace and security. Decentralised structures have been effective in mobilising, sensitising and working with citizens (through community policing) to keep their areas peaceful and secure. To date, Rwanda is peaceful and secure, and this owes partly to the country's good civic-military relations: citizens and local authorities partner with security agencies to maintain order and peace in their respective localities. Peace and security, in the context of Rwanda, have been and remain an important building block for lasting development. Other examples of areas to which decentralisation has contributed include resettlement and the promotion of

village settlements—empowering citizens to work together and hence strengthening the essence of a society; mobilisation of resources for access to education (through addressing the issue of dropouts); health services (community health schemes and the promotion of basic health care); and collective action on soil, forest and water conservation in many areas through community work and other initiatives in decentralised units.

Echoing wider observations on the role of decentralisation and transformative leadership in Rwanda's broader developmental success, several authors have noted that strong political leadership, from the president down to village level, has been a critical impetus for service delivery in the post-genocide period. The decentralisation process has enabled efficiency and efficacy in service delivery (especially through improved access and reduced transaction costs for citizens for certain public services); promoted self-reliance and productivity through different home-grown initiatives at community level (*Ubudehe, Umuganda*); and created a supportive political and institutional framework for local economic transformation, as further discussed below. Through decentralisation, the government of Rwanda reiterates its commitment to ensuring accountability, transparency and efficiency in deploying resources, ensuring equity and quality service provision and delivery.

Another aspect of governance Rwanda's successful implementation is its transparency and accountability. Rwanda recognises transparency in governance as a precondition for citizens to be able to hold their leaders accountable; ensure sustainable development with sound economic policies and solid transparent institutions responsive to the needs of the people; and fight corruption. Rwanda has set up mechanisms to ensure transparency and accountability in public institutions, such as Income and Asset Disclosure, the Parliament Public Accounts Committee (PAC) and Auditor General (AG). Income and Asset Disclosure systems require that public officials declare their income, assets and financial interests. They intend to prevent and help detect the use of public office for private gain, and help build a climate of integrity in public administration.

Similarly, the PAC aims to ensure that every public fund spent goes on the right cause. Every fiscal year, the government publishes its *Citizen Guide to the National Budget*. This is designed to give the public a walking tour of the budget, and is written in easy and simple language so that every interested citizen can understand. It improves transparency and accountability in Rwanda's public financial management and helps members of the public and civil society to understand and actively participate in the budget process. It also promotes citizens' voice in public expenditure management and independent oversight of service delivery.

The data reflected by the Rwanda Governance Scorecard 2014 indicate that control of corruption stands at 78.76%, whereas transparency and accountability is at 82.37%. Clearly, there is a strong relationship between effective policy implementation, control of corruption, transparency and accountability. These important soft institutions have made Rwanda effective in its policy implementation. They enable the country to have an uncorrupted public sector, leading to equity in service delivery and adequate allocation of public resources.

Furthermore, successful implementation of policies has owed to the implementation of pro-poor programmes built on traditional values. These pro-poor programmes are closely linked to good governance and are therefore discussed below. They include Vision 2020 *Umurenge* Programme (VUP), *Girinka* and *Ubudehe*.

The VUP is a flagship programme of the EDPRS, and is enshrined in Vision 2020. It targets poverty reduction in the poorest families across the country through both direct support and cash transfers, to accelerate social and economic development for the poor. The VUP commenced in 2008 and comprises three components: direct support for people who are unable to participate in any employment; public works, which offers job opportunities; and some loans through special funding opportunities to facilitate start-up for small businesses with the potential to grow and to lift the beneficiary out of vulnerability. This initiative goes hand in hand with an ongoing sensitisation process by the government to educate citizens to save and to reduce debts through the creation of savings and credit cooperatives (SACCOs) at sector (*umurenge*) level.

The *Girinka*—One Cow per Poor Family—programme is another innovative initiative. This national programme aims to provide poor families with cows, with the community deciding on the recipients, to ensure transparency and objectivity. Recipients are also required, as per the social contract, to give the first calf to another needy recipient, so as to make the programme sustainable.

This programme was initiated in 2000 by the president as way to address a number of development challenges, such as the high rate of child malnutrition; to accelerate poverty reduction; to integrate livestock and crop farming; to give farmers access to manure for increased agricultural output; and to increase people's income through the selling of subsequent dairy products. The chaining of recipients is known as the 'Pass on a Cow' principle, or *Koroza* in Kinyarwanda, and has helped rebuild social relationships destroyed during the 1994 genocide and enhanced solidarity and social cohesion.

*Ubudehe* is another pro-poor programme established by the government of Rwanda. Traditionally, *ubudehe* referred to the tradition of collective action, at community level, in relation to community development, which has been re-established to enhance the planning and implementation of anti-poverty measures. The programme was initiated towards the end of 2001 and entails community work at village or community level in order to alleviate poverty. It is considered a pillar of the ongoing political and financial decentralisation process.

*Ubudehe* is also one of the mechanisms put in place to restore and improve trust through participation, accountability and performance. The goal of reintroducing the programme was not just collective action; rather, the aim was community work promoting community participation in addressing poverty, as well as fostering a culture of mutual support.

Under this programme, each village, through a participatory process at the community level, selects two of the poorest families. The village then develops strategies with the larger community in support of two trained volunteers to help the families out of poverty.

The programme also enables communities across the country to undertake priority projects. Besides carrying out community work to support poor and vulnerable households, *Ubudehe* programme aims to reunite and reconcile Rwandans after the 1994 genocide. The overall purpose is to build trust among Rwandans, through a process of healing and working together, to enhance social capital and inclusion, to reduce citizen apathy towards government and among themselves and to strengthen each citizen's power to act. *Ubudehe* also facilitates the community assessment of development needs, which represents a participatory means of classifying poor village households and community needs to ensure the most vulnerable can be identified for assistance.

All this implies that the state has to be responsible not just for regulation and policy but also for managing the strategies required to implement policies that enable all citizens to exercise their individual and collective human and economic rights.

### **Home-grown initiatives**

Home-grown initiatives are drawn from Rwandan tradition and are understood as key ingredients in the promotion of good governance and decentralisation. Such programmes and practices have made an indispensable contribution to the rebuilding of Rwandan society. While decentralisation and transparent and accountable governance have been critical in implementing policies, home-grown solutions that fit into the Rwandan context have been instrumental in the country's achievements. Rwanda has been described as an example of how supervision, inspection, evaluation and feedback mechanisms can be successfully



deployed alongside more traditional, culturally embedded means of enforcing contracts (through incentives and sanctions), accountability and obligations. These locally grown solutions include *Imihigo*, *Umuganda*, *Urugerero*, *Gacaca*, *Abunzi*, *Umushyikirano* and *Umwiherero*.

### ***Imihigo***

On the request of and with guidance from President Kagame in 2016, Rwanda took reference to its culture and adapted *Imihigo*, a system that encourages a competitive spirit but also ensures monitoring and evaluation (M&E) of performance. *Imihigo*'s modernisation and use in setting objectives represents one of Rwanda's innovative home-grown approaches to development planning and evaluation that are changing the face of Rwanda as an invaluable tool for the effective implementation of policies.

*Imihigo* is used to design performance management contracts to be signed at all levels of the public administration, including in ministries, embassies and districts, with the president of the republic. The public engagement is recorded publicly in a written contract that presents a set of development targets backed by specific performance indicators over a period of one year. The commitment is mutual: district mayors engage communities to realise development objectives; the president commits the central government to provide the required support.

At the end of every fiscal year, independent evaluators conduct an evaluation to assess the performance achieved against targets and to identify gaps so as to inform potential improvements in *Imihigo* planning and implementation processes. The overall goal of this evaluation is to inform the government and development partners on the extent of achievement of *Imihigo* targets by the central and local government against planned targets and whether these are producing transformative outcomes and expected impacts, as stated in national development frameworks such as the district development plans, the EDPRS, the Seven-Year Government Programme and Vision 2020.

The planning and evaluation of *Imihigo* are conducted on an annual basis, which helps in tracking if designed policies are effective or are leading to the intended outcomes. Therefore, all *Imihigo* targets have been transformative, and they have all been translated into tangible benefits, services and outputs that address the needs of citizens. Further, the results reflect levels of engagement by the private sector, civil society and citizens in the implementation of *Imihigo*.

### ***Umuganda***

*Umuganda* (Community Work) entails collective action to help alleviate poverty and respond to people's needs. Collective actions are well coordinated at community level and help fill some of the gaps in terms of public investments that the country finds it difficult to finance, such as in the maintenance of roads within the community and small bridges linking one location to another.

*Umuganda* also helps with social cohesion, as it brings together members of the community to hold dialogue over problems of common interest and devises means to solve them. Activities under this framework include the building of schools, medical centres and hydroelectric plants, rehabilitating wetlands and creating highly productive agricultural plots. The value of activities under *Umuganda* for fiscal year 2014/15 was estimated at US\$17,642,381. *Umuganda* also serves as an important channel for public information exchange and feedback on public policies, as well as creating awareness on community development activities.

### ***Urugerero***

In order to enhance the culture of volunteerism targeting different categories of the population in a structured manner, the government of Rwanda established *Itorero*. This inspires positive values among Rwandans and strengthens volunteerism among youth. Traditionally, *Itorero* was a cultural school where Rwandans would learn language, patriotism, social relations, sports, dancing, songs and defence. This system was created to help young people grow with an understanding of their culture.

Through *Itorero* and similar initiatives, the government has introduced a culture of serving the country for no financial reward, encouraging patriotism, positive values, responsibility and selfless service (*urugerero*) attributes that contribute to accelerating progress and promote social cohesion, peace and reconciliation and democratic governance. The use of youth in national service (*Urugerero*) has enabled the country to at least partially overcome critical financial and human resource bottlenecks. Young volunteers also play a critical role in supplementing the overstretched capacity of local government officials (districts and sectors) in service delivery in many instances.

### ***Gacaca***

The Gacaca tribunals helped relieve the pressure on the ordinary courts, which were overloaded with cases of genocide suspects. They also had the advantage of functioning within a system of participatory justice. A new form of justice, one that would allow communities to participate actively and within a restorative and preventive framework, was also needed, particularly in the aftermath of the 1994 genocide. In the Rwandan context,

the problem of justice was not a simple one of texts and courts; it required finding an intermediary way between classical justice, reconstitution of the social fabric and prevention of the continuation of the genocide.

Reconciliation and restorative justice were enshrined as *Gacaca*'s key objectives. As *Gacaca* Law states, *Gacaca* was established to achieve justice and reconciliation in Rwanda and was designed not only to provide punishment but also to rebuild Rwandan society, which had been destroyed by bad leaders. Rwanda's system of reconciliatory justice is opposed to Western punitive forms of justice, which instead provoke and perpetuate hostility. The approach draws on home-grown traditions that were needed to replace imported, divisive practices.

### ***Abunzi***

The government of Rwanda reinstated the traditional process of *Abunzi* in 2004. Literally translated, the word means 'those who reconcile'; it comes from the Kinyarwanda word *kwunga*, meaning to reconcile or to restore. In Rwandan culture, this has entailed persons renowned for their unwavering values who are elected at community level to manage minor social conflicts and reconcile people, thereby reducing tensions in the community.

*Abunzi* are local mediators mandated by the state to take a reconciliatory approach to resolve disputes, ensuring mutually acceptable solutions. Community reconcilers are elected by the population on the basis of their integrity and are a good foundation for a legal aid system. They provide a uniquely Rwandan method of dispute resolution, which both empowers people to resolve their own disputes at community level and is extremely economical to maintain. The system is designed to decentralise justice, making it affordable (it is free) and accessible.

*Abunzi* tries minor civil and criminal cases, especially property-related cases with a value up to about US\$5,000. The resuscitation of the system, designed to make justice and governance available to all citizens, illustrates the synergies between the state and local processes of conflict resolution. *Abunzi*'s contribution to both the justice system and social cohesion at community level is remarkable and remains indispensable.

### ***Umushyikirano***

The National Dialogue Council (*Inama y'Igihugu y'umushyikirano w'Abanyarwanda* or, simply put, *Umushyikirano*) is another example of participatory and inclusive governance. *Umushyikirano* exemplifies for Rwandans a forum whereby the president of the republic meets with all citizens down to the grassroots level to exchange ideas and discuss and

debate issues relating to the state of the nation, the state of local government and national unity in order to find solutions.

This is an opportunity for all Rwandans to share ideas on the country's development process: even those not present in the meeting are given the floor through technology platforms and channels (radio, TV and social media). The national dialogue brings together Rwandans from different walks of life to discuss their problems towards a common understanding of the issues the country is facing and how to address them. Each year, *Umushyikirano* has specific objectives and themes for discussion, with unity and reconciliation at the core. Through this forum, crucial decisions are made towards sustainable development, as envisioned in Vision 2020 and the EDPRS.

### ***Umwihherero***

The *Umwihherero* Leadership Retreat is a strategic planning and evaluation exercise assessing the status of the country's performance and how services are delivered. It brings together the government's senior leadership to take a retrospective view on the ending year and to set priorities for the year ahead *vis-à-vis* the country's progress towards achieving Vision 2020. Chaired by the president of the republic, *Umwihherero* is attended by the heads of the Senate and the Chamber of Deputies; senior members of the judiciary and the army; the prime minister; Cabinet ministers; permanent secretaries; public agency heads; ambassadors; governors; the mayor of Kigali; and district mayors.

*Umwihherero* has been and remains a relevant mechanism that provides leaders with a favourable platform for reflection and self-evaluation and accountability with regard to issues pertaining notably to the measures necessary for policy implementation. Experience has shown that this annual forum, now going into its 14th round, has been a strong tool with regard to redressing areas of low performance.

### **Institutional development**

As mentioned earlier, after the 1994 genocide, the country was a stateless nation in desperate need of rebuilding capacity at all levels from scratch. To enable Rwanda to achieve its Vision 2020 goals, successive public service reforms have been put in place. These have aimed to improve institutional and individual capacity for increased efficiency and effectiveness, so as to lead to effective implementation of policies and resulting in consistently improved service delivery. From this goal have stemmed two main components of public service reform: capacity-building and institutional reviews.

It merits reiterating that the aim of undertaking public service reform was to streamline government efficiency, ensure transparency and eliminate bureaucracy to serve people and

businesses better and faster. Public service reform implementation tools include new policies, processes and systems geared towards improving human resource management and motivation, power delegation, public funds management, accountability, results-oriented practices and administrative procedure simplification , among others.

The government of Rwanda also recognises the imperative of developing the country's workforce and creating strong, accountable and performing organisations in order to realise its development ambitions. Reforms have played a paramount role in ensuring effective implementation and timely and quality service delivery in the public service. The outcomes of public sector reform include decentralisation of services to the community to improve access to and timeliness and quality of services. This has included the empowerment of decentralised entities to deliver services previously not channelled through the level of the smaller administrative entities.

The results of the public reforms that the government has implemented include:

- reinforced public agency service delivery, by means of merging agencies and departments with similar agenda to enhance coordination and synergy of service delivery across the public sector
- institutionalisation and continuous improvement of the performance management system

The country has also invested heavily in the capacity-building of human resources. Rwanda understood that capacity-building was an essential ingredient in delivering on the national development agenda. However, in the past, capacity-building efforts in Rwanda had been characterised by standalone, overlapping and duplicative interventions, leading to inefficiency and wastage of resources. It was identified that challenges in capacity-building were impeding implementation and thus compromising the achievement of national development targets.

Rwanda's response to this was the establishment of the National Capacity-Building Secretariat (NCBS) to coordinate capacity-building priorities and the pulling together of resources from different institutions and development partners to constitute a common fund for all capacity-building interventions.

Aware that capacity development could not be concerned solely with capacity creation but needed also to consider capacity utilisation and retention, the government of Rwanda adopted 'pay and retention', now being gradually implemented, with success, to curb the mobility of the public service's created capacity towards better-paid sectors.

The government took another strategic option—that of talent identification. Highly talented individuals are the beneficiaries of this programme: they are sourced for jobs or sent to world-class universities in order to bridge the critical skills gap in high-potential and specialised areas of study. Meanwhile, in the innovative Strategic Capacity-Building Initiative, the government hires highly specialised foreign expertise to team up with local potential high flyers to enable the transfer of knowledge and expertise through coaching and mentoring over a long period of time.

### **Coordination mechanism**

Rwanda's success in policy implementation has been reflected also in its consistent and coherent way of managing, coordinating and harmonising interventions of all actors, including development partners, the private sector, civil society and international and local non-governmental organisations (NGOs), mutually reinforcing policy reforms and implementation strategies.

This has been possible through clear guidelines and implementation plans, multi-sectoral stakeholder involvement, effective feedback and monitoring systems, a cluster mechanism, different coordination platforms and technical committees to ensure effective policy design and implementation at both central and local government levels. These include sector working groups, the sector-wide approach, technical sub-groups and task forces, the Integrated Development Programme Steering Committee, the Development Partners Coordination Group, the Development Partners Meeting, the Joint Sector Review and the Joint Action Development Forum (National) and the Joint Action Development Forum (Local). It is worth mentioning that these mechanisms have been devised to ensure the active involvement of all stakeholders, including the private sector, throughout the whole delivery chain, from planning to implementation. This significantly increases the level of ownership, which is key to effective implementation.

These fora facilitate the coordination of inter-sectoral activities and improve transparency between government and development partners in leveraging resources and implementing and monitoring progress. They have also ensured the proper coordination of development partners' interventions, hence significantly reducing duplication in public service delivery. This has been possible through a division of labour strategy whereby development partners are given and approve areas for their intervention depending on where they have more interest and expertise compared with others. Another enabling factor is a clear development planning process that links all levels of programme planning and implementation.

The two most important policies designed to contribute to coordination and harmonisation mechanisms are the National Decentralisation Policy and the Community Development Policy. The former policy ensures that various stakeholders are brought together (coordination) from the national level to the local level (district level) and work together based on jointly established priorities for the welfare of the poor, through the effective implementation of the latter policy.

Rwanda's success in policy implementation is also attributed to the roles of donors and NGOs, which have agreed to adopt 'best fit' or 'good fit' approaches. This means they work with existing institutions in a way that is sensitive to Rwanda's and specific sectors' realities rather than trying to import best practice institutions that may not fit the context. This capacity to draw up coordination mechanisms that effectively engage development partners is indicative of Rwanda's reputation of being able to pursue its own agenda, acting as a true partner and encouraging the co-ordination of aid at central and local levels.

### Challenges

In spite of the record achievements and success stories Rwanda has consistently attained, the country is well aware that there are challenges ahead on its development path. Yet these effectively create room for further opportunities and developmental breakthroughs. The country looks forward to taking greater strides in the social sector, where more efforts are required. There are still untapped opportunities in many areas that have the great potential to further boost development: resources constraints are still an impediment to the country's development pace and capacity in the public service is not yet at its full potential, to mention just two. However, much as there remain challenges, lessons learnt from the journey travelled are a strong springboard for maintaining Rwanda's development momentum.

### Lessons

Following on from the 1994 genocide, Rwanda's experience shows that progress is possible even in very difficult circumstances. Four key elements stand out from Rwanda's experience that other countries can adapt and implement to improve the lives of their citizens:

1. *'Going with the grain' or 'best fit' rather than 'best practice'*: Drawing on traditional practices that are participatory to develop and formalise administrative frameworks has been a particularly successful strategy in implementing policies in Rwanda. While developing policies and national commitment to improve the lives of citizens has been critical to progress, the process of translating these national targets and policies into action on the ground has been Rwanda's biggest success.

Rwanda has made productive use of traditional practices and pro-poor programmes such as *Umuganda*, *Ubudehe*, the VUP, *Umurenge* SACCOs and *Imihigo* to deal with development issues. Harnessing *Imihigo*, a tradition that Rwanda has institutionalised as a means to enhance local government reform and strengthen ownership and accountability, for example, has made it easier for the government to implement national policies and strategies into decentralised networks that reach right down to the smallest administrative unit in each village. Similarly, the *Ubudehe* programme, based on the tradition of mutual assistance, has put in place a successful network that has helped the government target and support poor households.

These traditional practices and programmes not only build on and enforce the idea of collective action, cooperation, mutual assistance, self-reliance and reduced dependency but also foster a spirit of competitiveness and are crucial institutional vehicles for communication between residents and government.

2. *Entrenching good governance at all levels of decentralisation*: Translating national policies and strategies into results on the ground is critical to effective policy implementation. However, these gains are possible only if good governance exist. In Rwanda, this support comes from the very top, where the government has identified decentralisation as a key approach to reducing poverty under national poverty reduction strategies, community development policy and decentralisation policy. This level of support was unprecedented and has been critical in implementing policies at local level. While devolution may begin at the centre, it must find equally willing expression at all levels if it is to cascade down to the local level.
3. *Forging a results-based spirit*: Rwanda's success has proven to be dependent on the country leadership's will to create and sustain a culture of results. Echoing wider observations about the role of strong and results-based leadership in Rwanda's broader developmental success, it is worth noting that strong political leadership, from the president down to village level, has been a critical impetus for healthy reforms in the post-genocide period. The capacity to cooperatively engage donors is indicative of Rwanda's reputation of being able to pursue its own agenda, acting as a true partner and encouraging the co-ordination of aid at central and local levels.
4. *Coordinating activities and harmonising interventions*: Rwanda's successful implementation of policies has also been reflected in consistent national and local-level objectives, and mutually reinforcing policy reforms and implementation strategies. A significant factor supporting policy coherence is that the government has successfully managed and coordinated all activities and harmonised all interventions of all actors (formal and informal communities, the private sector, civil society, international and



local NGOs, etc.) at national and local levels. This has been possible through sector working groups at the central level and the Joint Action Development Forum at local level. This has ensured that donor-driven duplication has been largely reduced in service delivery.

### Recommendations

- Visionary and effective leadership is key/central to any country's development.
- Much as good and inclusive policies are key, laws and practical strategies to translate them into reality are indispensable.
- It is necessary to build a culture of a demanding citizenry at the same time as inducing them to effective participation and greater ownership and ensuring service delivery meets their real and not their perceived priorities.
- It is vital to encourage citizens to use local knowledge to stir home-grown solutions that bring about a more effective remedy to delivery challenges and ensure sustainability.
- Above all, accountability has to be institutionalised to ensure results.

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## Framework 2.2 Fiji. Improving the quality of public service policy advisory support for the Cabinet, the prime minister and other ministers in Fiji<sup>9</sup>

### Abstract

This framework addresses the question of how to improve the quality of Cabinet papers and policy briefs for the prime minister and the Cabinet as a whole. This is meant to ensure the following:

- Submissions to Cabinet for policy decision or for information are made in a regular, timely and consistent manner and coverage and perspectives are not confined to individual portfolio interests but include where appropriate consistency with government's national and sector plan priorities and whole-of-society concerns as conveyed to ministers.
- Decision-making in Cabinet and individually by the prime minister and other ministers is well informed, and decisions can be justified and defended in Parliament and in public.
- Decisions taken are within the law, within the approved budget, with clear schedule of implementation and with no violation of human rights and procedural justice.
- Cabinet decisions are implemented without delay and government support services are delivered to the people honestly, fairly and effectively.
- Ministers in Cabinet are kept regularly briefed on the implementation of their major policy and development decisions.

The focus is, therefore, on the whole process of the preparation of Cabinet memoranda, policy briefs, speaking notes, monitoring and feedback reports to Cabinet, second reading explanation of Bills in Parliament and public policy statements. In discussing this process, we concentrate on the three key focal points of policy advice preparation and coordination:

- The individual ministry and the supervisory and coordinating role of the ministry CEO or permanent secretary.
- The Office or Ministry of the Prime Minister and the Cabinet Office and their gatekeeping and final clearing role.
- The four main central agencies for policy coordination and clearance: the Prime Minister's Office, the Public Service Commission, the Ministry of Finance and the Solicitor-General (Attorney-General).

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<sup>9</sup> Prepared by Dr Jioji Kotobalavu, Former Cabinet Secretary, Fiji. Paper presented at the Fourth Commonwealth Pacific Forum of Central Agencies, 12-14 May 2015.

## Background

In a parliamentary system, the Cabinet is the central decision-making authority of the elected political government. It is chaired by the prime minister as Head of Government and with the other ministers as members. The Cabinet meets either weekly or every fortnight in its regular schedule. The prime minister may also call special meetings of the Cabinet.

In accordance with its procedures, the Cabinet makes decisions only on the basis of written submissions by individual ministers on behalf of their ministries and affiliated public bodies and statutory authorities.

This effectively means that the quality of the policy submission by a minister to the Cabinet depends directly on the support a minister receives from his or her CEO/permanent secretary and other senior ministry executives. It also depends on advice and assistance from the Cabinet Office and on necessary consultation and clearance with all or the relevant central agencies.

The role of the public service and other state agencies, such as statutory authorities and state-owned enterprises, is clear. They are to provide high-quality practical advice, and always from an independent and objective perspective, without political bias or partisanship.

## General guidelines

The Cabinet Handbook is the main guide to ministers and their ministries in the preparation of Cabinet submissions. However, the following are some helpful guidelines always to remember:

- 1. The culture of decision-making by consultation and consensus:** As Pacific Islanders, ministers are guided and motivated by their communal cultural values of mutual recognition, respect and accommodation, and are happier making decisions by consensus, and not engaging in open and confrontational debate in Cabinet. By contrast, Palagi ministers expect to engage in candid and reasoned debate on the policy options and will accept decision by majority vote when there is no consensus. This confers an extra responsibility on the ministry, the central agencies and the Cabinet Office to ensure that the submission to Cabinet is based on a consensus recommendation, that all necessary consultations with relevant stakeholders have been made and that checks on legality, budget and public service procedural clearance, and on consistency with sector priorities, have all been done.

2. **The culture of respect for authority:** Pacific Island ministers have great respect for the prime minister. Within a ministry, senior officials have the same deep respect for their minister. Three consequences can flow from this. First, ministers can misinterpret a simple request from the prime minister as an order or directive and feels a deep obligation to comply. Public service policy clearance requirements must be rigorously followed to protect the minister and the prime minister from any irregular or unlawful action and potential censure by the Auditor-General or from the general public. Second, the ministry CEO/permanent secretary may be reluctant to be open and candid in providing advice to the minister. It is the duty of every CEO/permanent secretary to ensure the minister acts within his or her statutory powers and within the government's policy priorities and guidelines. Third, the minister him or her self, eager to please, may choose to take a paper directly to the Cabinet without consulting his or her CEO/permanent secretary. Here, the onus falls on the Cabinet Office to check with the Ministry CEO/permanent secretary and the relevant central agency.
3. **Human rights and judicial review:** With modern constitutionalism and the rule of law, ministers and public officers alike are bound by the Constitution to respect the human rights of every individual citizen and also rights to natural justice when making administrative decisions. This underlines the crucial importance of consulting all relevant stakeholders and taking account of their views and concerns before a submission is made to the Cabinet.
4. **Decentralisation of the public service:** Recent reforms in some jurisdictions have led to decentralisation and devolution of powers in the public service to individual ministries/departments and, while powers are vested in the CEO/permanent secretary, there is also inevitably and irresistibly a greater direct say and role for the minister. The risk and danger now is of an increasingly politicised public service. This may have the flow-on effect of compromising and undermining the independence and impartiality of advice to the minister and the Cabinet. The central agencies therefore have an increased overview role to ensure any adverse impact of this on the integrity of the public service and the maintenance within it of common standards is minimised.
5. **Bills prepared by outside experts and increased oversight role by sector committees in Parliament.** The imperative that arises here is to ensure that all local stakeholders have been consulted, that requirements for clearance by the Auditor-General are followed and that the minister responsible is thoroughly prepared both for the Cabinet and for Parliament.
6. **Maintaining high standards in policy formulation, implementation and monitoring:** Needless to say, the traditional linear approach of dealing with an issue in isolation, or

taking actions only in response to particular problems or external events and circumstances, is clearly no longer adequate to effectively address development challenges. More and more, the ideal approach now is longer-term strategic and sector-wide policies and strategies with wide support and participation, both within and beyond government, in order to ensure the success and sustainability of solutions.

7. **Speaking notes:** Always remember this golden rule! Make your minister look good, whether in Cabinet, in Parliament or in public. Equip him or her with speaking or briefing notes. When you hear other ministers, Members of Parliament or members of the public complimenting your minister, you know you are doing your job!

### Elements of good policy

Curtain (2000) identifies the following as key elements of good policy (pp. 35-36):

1. 'Goal setting in public policy needs to be long-term in perspective. This means starting with a comprehensive understanding of the current environment and defining what society's needs are in a way that an appropriate policy response can address.'
2. 'Good public policy also involves attention to process. This includes giving the end users ample opportunity to participate in a variety of ways. It also involves ensuring, for example, that the "silo" effect of departments operating independently of each other is minimised. The opposite of good policy making is an ad hoc or short-term policy response to an immediate problem.'
3. It is important 'to ensure that the policy has a strategic focus in terms of becoming more forward-and outward-looking. Such focus requires policy makers to look beyond current activities and programmes; to improve and extend the capacity for contingency planning, and to learn lessons from other countries by integrating an international dimension into the policy making process.'
4. 'Good policy also needs to be outcome-focussed by identifying carefully how the policy will deliver desired changes in the real world. Policy makers also need to ensure that they are inclusive by putting in place policies that take full account of the needs and experience of all those likely to be affected by them, whether they be individuals or groups, families, businesses or community organisations.'
5. 'Good policy also requires involving those outside government in policy making. This includes consulting with those who are the target of the policy, outside experts, and those who are to implement the policy.'
6. 'Finally, good public policy is based on learning from experience. Policy making needs to be a continuous, learning process, not as a series of one-off, isolated initiatives.'

### Improving quality in a ministry

- supervisory and coordinating role of the CEO/permanent secretary
- relationship with the minister
- coordination with CEO of statutory bodies and state-owned enterprises
- consultations with the Cabinet Office, central agencies and stakeholders in community at large
- speaking notes for Cabinet and Parliament

### Role of the Cabinet Office

- gatekeeping role in conjunction with ministries and central agencies
- preparing the prime minister as Head of State and chair of the Cabinet
- preparation and submission of Cabinet papers
- despatch of decisions
- coordination of six-monthly feedback reports on implementation
- managing Cabinet documents and records and protecting their security

### Role of the Central Agencies Policy Coordination Committee

This is to ensure:

- full and consistent compliance by all ministries, statutory authorities and public bodies with procedural requirements in the Cabinet Handbook
- that, when submitting policy proposals, ministries carry out thorough issues analysis, which takes account of portfolio, sector and whole-of-government priorities, and that policy recommendations are practical and workable and past civil service experience and insights in policy and service delivery are recognised and harnessed
- that all ministries carry out necessary consultations with key stakeholders in both the public and private sectors, and with the community on community development proposals, and consensus resulting from this is integrated into the policy submission and recommendations
- coordination of the government's legislative programme for the parliamentary year and that the ministry preparing a draft Bill complies with the Office of the Auditor-General and the Cabinet Handbook procedural requirements
- that Cabinet decisions are implemented 'on time, within budget and to Cabinet's expectations' and all ministries, public bodies and statutory authorities submit six-monthly progress reports on major decisions, and annual reports at the end of the financial year

Members of the committee are the CEO/permanent secretaries of the Office/Ministry of the Prime Minister and the Cabinet, the Public Service Commission, the Ministry of Finance and the Secretary-General (or Auditor-General) Secretariat: Cabinet Office.

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## Principle 3. Intelligent political strategies and engagement

### Framework 3.1. Developing trust between politicians and administrators in developing small states<sup>10</sup>

#### Abstract

A framework for developing trust between the political and administrative bureaucracies in small states along with guidelines for its implementation is recommended. The framework discusses the meaning of trust in the context of the political and administrative bureaucracies in small states with reference to the Caribbean, using St Vincent and the Grenadines, Grenada and St Lucia as case studies. The author believes trust is central to the functional relationship between the minister and permanent secretary since their job roles are intertwined. It is also claimed that untrustworthiness is used as the default position of both the minister and the permanent secretary, particularly during transition governments, as both the politician and the administrator (permanent secretary) continuously search for evidence to justify their trust in each other.

The framework commences with a background on why trust is important for the functional relationship between the political and administrative bureaucracies, followed by the characteristics of small states with reference to the Caribbean region. The relevant forms of trust are then discussed and applied to the development of the framework of trust and guidelines for its implementation.

#### Background

The political-administrative interface is the term used to describe the functional relationship between politicians (ministers) and administrators (permanent secretaries) and is considered one of the most important aspects of the machinery of government. Max Weber (1980, in Fry and Raadschelders, 2008), in his theory of bureaucracy, outlined its significance and conceptual foundations. Weber argued there should be clear terms of roles and responsibilities for politicians and administrators for an effective relationship. He further argued that bureaucrats (administrators) were technical people who were supposed to be politically neutral, give non-partisan advice to politicians and execute the decisions

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<sup>10</sup> Prepared by Joan Nwasike, Adviser and Head, Public Sector Governance, Commonwealth Secretariat, London.



of politicians to the best professional standard. Weber completed his argument by stating that, in terms of hierarchy, the administrator is subordinate to the politician.

While mainstream analysis of the political-administrative interface is informed by the prognoses of the Weberian model of public administration, the importance of trust is still deemed fundamental to an effective relationship between politician and administrator. Careful scrutiny of the experiences in many countries, including the UK and Canada, where variants of the Weberian model are practised, questions about trust and/or expectations between the politician and senior public servants do still arise (Agere, 1999). These questions are even more pronounced in small island developing countries in the Caribbean, given their 'smallness', contiguous interpersonal relations and serious developmental challenges.

First and foremost, in the Weberian model, the argument of subordination of the administrator to the politician is fraught with conflicts if the relationship is not managed appropriately. In addition, the Weberian model suggests the political-administrative interface is based on mutual dependability because the administrators are considered subordinate but at the same time are the advisers to the politician (minister), based on their institutional knowledge, technical experience and years of on-the-job experience.

On the other hand, politicians are generally not exposed in greater detail to administrative bureaucracy and mostly rely on these administrators for advice and guidance. So their functions are intrinsically linked and therefore a functional relationship is imperative. Research has shown that the best results are achieved when these two parties in the relationship work together cooperatively (Ben Gera, 2009). Despite the critical importance of the question of trust, it has not attracted much attention in the mainstream literature on political-administrative relations. There is no doubt that roles and hierarchical arrangement cannot be overemphasised in the literature, but it is equally important to scrutinise how political-administrative interactions shape policy outcomes.

With a specific focus on Caribbean small island developing states, this study attempts to fill this gap by looking at the form(s) of trust that would be appropriate to sustain an effective political-administrative interface.

The claim is that trust is central to the functional relationship between the minister and permanent secretary since their job roles are intertwined: the minister has direct control of the ministry and initiates policy whereas the permanent secretary is responsible for development and implementation of policy as well as overall management of the resources of the ministry.

It is also claimed that untrustworthiness is used as the default position of both minister and permanent secretary and, therefore, they are both always in constant search for evidence to support justifying their trust in each other.

### Justification

The issue of the political-administrative interface has long been associated with the inception of democratic governments (Peters, 2005). Yet this problem has been approached most of the time from the legal (constitution), institutional (policy frameworks) and roles and responsibilities perspectives. The literature in this field is abundant with technical and sociological solutions on how to balance this relationship, particularly in transitional governments. This study therefore applies a philosophical approach that could unearth the nuanced underpinnings of the political-administrative relations that are particularly difficult to track solely using legal, institutional and sociological approaches.

A positive political and administrative interface is required for effective governance, growth and development of the state. How these two actors work together is therefore of critical importance. Peters (2005) likens the relationship to a 'transmission belt' within the public sector. According to him, the 'upward transmission is for advice, information and loyalty to the mission rather than the person but it depends on the permanence, experience and knowledge of the permanent secretary'. The 'downward transmission deals with legitimacy of government, policy direction and accountability'. Peters' illustration emphasises the mutual dependence of the actors - the politician and the permanent secretary; some form of trust is required for the sustainability of the relationship. Agere (1999) echoes this point, that, without the trust of the minister, the permanent secretary would find it very difficult to manage the ministry effectively and vice versa. This study therefore argues that trust is central to the functional relationship between the minister and the permanent secretary.

### Characteristics of Caribbean small states

The countries used in this study are Grenada, St Lucia and St Vincent and the Grenadines, which share similar characteristics in terms of small population size and constitutional frameworks. The duties of the ministers, as set out in the constitutional provisions of, for example, Grenada read:

Where any Minister has been charged with responsibility for any department of government, he shall exercise general direction and control over that department; and, subject to such direction and control, every department of government shall be under the supervision of a public officer whose office is referred to in this Constitution as the office of a permanent secretary (Section 67).

Similar provisions are made in the respective constitutions of St Lucia (Section 69) and St Vincent and the Grenadines (Section 60) with regard to the duties of the minister and the permanent secretary. The minister’s role of having ‘general direction and control over (the) department and the permanent secretary’s role of supervision of the department are subject to the direct control of the minister. These two roles are therefore intertwined and cooperation is necessary for a functional relationship.

**Table 3.1.1. Characteristics of states**

Name of country	Number of ministers	Number of permanent secretaries	Population
Grenada	13	21	108,000
St Lucia	13	20	168,178
St Vincent and the Grenadines	10	12	104,000

*Source: Data collected for this study.*

Table 3.1.1 shows number of ministers, permanent secretaries and populations in the three respective states. It also shows more permanent secretaries than ministers and this is because 1) the prime ministers hold several ministerial portfolios, therefore two or more additional permanent secretaries are assigned to the Prime Minister’s Office; 2) more than one permanent secretary is attached to a minister who has several portfolios; and 3) permanent secretaries are also assigned to other portfolios, for example administration of an island government agency. Governments are elected to a five-year term of office and can be re-elected for another term of five years. There are usually only two political parties in each country and the power distance ratio between the governed and those who govern is very low owing to the size of the populations (Nwasike, 2011).

Certain characteristics of these states generally influence how government works, which in turn shape the political culture and behaviour of the citizens (Sutton, 2007). More so, these small states are facing enormous challenges owing to their vulnerability in terms of size, climate change, high debt, trade imbalances and other constraints. The contagion of the global financial crises added to the above challenges saw the decline of the major industries of tourism and construction, which led to increased unemployment and increased demands by citizens.

On the other hand, the permanent secretary is likely to be an experienced administrator, is appointed and is not time-bound, but wants to ensure the rules and procedures are met subject to transparency and accountability measures. The presence of appointed political advisers and the perception often made by civil servants that the political are not ‘technically qualified’ increases the complexity (Agere, 1999). Another characteristic of small island states is that government is the major employer, and the seated prime minister’s vision influences growth and development. As in other countries, government

determines who gets what, where, when and how, and therefore it is important for the permanent secretary to work with the minister to deliver on government's priorities.

While the permanent secretary does not have to agree with the policies of the minister the permanent secretary is required to implement these in an unbiased way and in the public interest. When this does not happen rapidly, owing to other infrastructural challenges, the politically motivated public servants or other stakeholders then place significant pressure on the minister to have the permanent secretary removed from office.

The permanent secretary may then be transferred to an obscure position within the public service, in spite of the shortage of professionals. So it is not uncommon to find public servants promoted based on perceived loyalty to the political administration and not necessarily on merit. Hurley (2011) argues that this may make the 'minister feel more comfortable, tend to like the permanent secretary more and may gain their reciprocity which will build trust' (pp. 121-23).

Baier (1991) supports preference to loyalty rather than merit claiming that it may be 'easier to remedy incompetence than ill will' (p. 116). This is precisely the particular argument made by politicians themselves where they argue that public servants can always be trained to do the job as long as they have the interest of the government at heart. Hardin (2002) would refer to this 'interest at heart' as the 'encapsulated interest' based on trust (p. 37).

This study therefore seeks to find what form(s) of trust is/are appropriate for the functional relationship between the minister and the permanent secretary in small island states of the Caribbean with small island states of the Grenada, St Vincent and the Grenadines and St. Lucia.

### Forms of trust

Trust is very important in all facets of political and socioeconomic processes. It is central to human life and existence. More specifically, it is very difficult to live without trusting others, institutions or the societal environment. Although there is relative agreement by philosophers on the value and nature of trust, in practice trust is used in a variety of ways with different interpretations.

Trust is often stated in the form of 'A trusts B for X', which means that one trusts another to perform a certain task within a certain domain. Trust can also be stated in the form of 'A trusts B', which means A trusts B with everything and the scope is unspecified or unrestricted. However, this form of trust is not commonly used among adults; according to Baier (1986) it is a form of trust usually used by infants whose trust in their parents is 'inarticulate and uncritical and blind', or for trust in God, which would be total trust.

An analysis was based on critical evaluation of the views on trust by the various philosophers in order to determine which of the views of trust is most appropriate to the relationship between the political and administrative directorates in small island states of the Caribbean. This exposed the complex nature of the interaction between the minister and the permanent secretary. Elements from each philosopher were found to be relevant and these were discussed within the character and limitation of the small island states. McLeod's (2011) emphasis on trustworthiness and its relevance as a foundation for building trust was given an additional dimension by Harding, (2002) who believes parties must first be introspective in earning that trustworthiness, since encapsulated interests will be a key driver for trust.

The familial relationships, high power/distance ratio between the governor and the governed and other defining features of small states politics relate well to the need for an optimistic perception of goodwill in building trust, as argued by Jones (1996). Baier's (1986) argument for trust based on the goodwill of the trusted and a willingness to be vulnerable as a key truster could be a valuable learning point for new ministers entering public office. New ministers must now balance preconceived notions of the trustworthiness of the permanent secretaries with the benefits to be gained from capturing goodwill. The next section discusses the theoretical framework utilising these views of trust.

#### [A framework for developing trust](#)

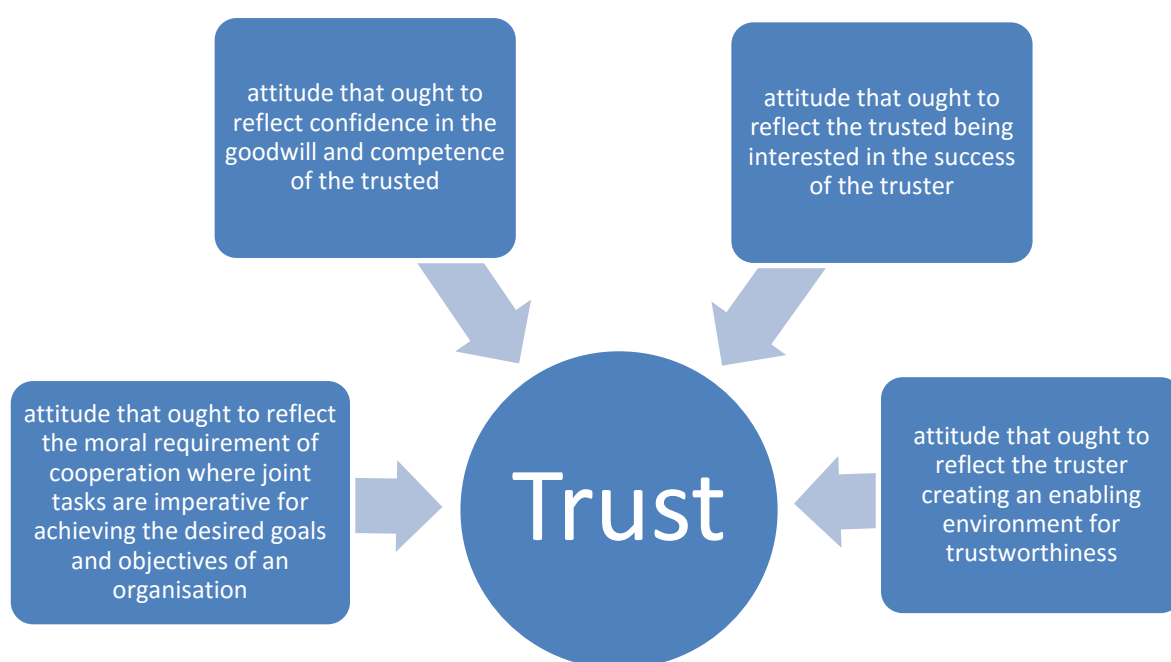
Development of the Trust Framework is based on analysis of the relevant literature on trust and the provision of data from High-Level Retreats conducted by the Commonwealth Secretariat in small states within the Caribbean for Cabinet ministers and permanent secretaries. The theoretical basis is given below, where the **trusted** is the permanent secretary and the **truster** is the Cabinet minister.

Trust is an attitude that ought to reflect that:

1. There is a moral requirement for cooperation between two or more parties and where joint tasks are imperative for achieving the desired goals and objectives of the ministry and the national government as a whole.
2. Trust requires that the permanent secretary (the trusted) is competent, confident in his or her ability to be the chief operating officer of the ministry and shares goodwill towards his/her minister (the truster) so the minister can succeed in the discharge of responsibility.
3. The permanent secretary must be interested in the success of the minister at all times and demonstrate this by being proactive and innovative.

4. The Cabinet minister is initially responsible for creating an enabling environment for trustworthiness to flourish and should demonstrate this by adopting the default position of trustworthiness when assuming office until there is evidence of untrustworthiness.

Figure 3.1.1. Framework for developing trust between political and administrative directorates



The published work on High-Level Retreats conducted by the Commonwealth Secretariat in Grenada, St Lucia and St Vincent and the Grenadines showed there were commonalities in what was believed by ministers and permanent secretaries as criteria for trust (Nwasike, 2012). These were as follows: integrity; commitment; loyalty; equity; excellence; accountability; and efficiency.

The above criteria for trust will be discussed in the context of the model developed for trust between the minister and the permanent secretary.

1. **The moral requirement of cooperation where joint tasks are imperative for achieving the desired goals and objectives of an organisation:** In the domain of the civil service, the minister (politician) has direct control of the ministry, which means he/she ought to maintain the integrity of the systems of the machinery of government (a constitutional requirement). In defining the policies that have to be developed and implemented by the permanent secretary, the minister needs to work closely with the permanent secretary, who has knowledge, technical expertise and long tenure within the civil

service. Matheson et al. (2007) refer to this arrangement as ‘information asymmetry’, where the agent can hide or make important information unavailable to the principal thereby ‘thwarting the principal’s efforts’ to control and direct the agent or to achieve the desired goals in a timely fashion. Dasgupta (1988) also made reference to the role of ‘hidden action’ by the agent in his definition of trust. Therefore, cooperation is necessary for the functional relationship between the minister and the permanent secretary.

Both minister and permanent secretary have roles and responsibilities as provided by the constitution of the various states and so have a duty to fulfil them. Fulfilling roles and responsibilities is also a matter of integrity - ‘standing by one’s fundamental ethical commitments’ - to parties in the relationship. Mendus (2009) argues that, for the minister, integrity may be challenging, as the nature of politics itself undermines or threatens integrity. Commitment also ensures that there is fairness of treatment of all civil servants and that the behaviours of both the minister and permanent secretary reflect impartiality. Commitment would also require that the behaviours and interactions of the minister and permanent secretary be exemplary in complying with moral norms and expectations (Kohen, 2005). Because of the nature of cooperation needed between the minister and permanent secretary, trust then becomes a moral (impartial) requirement for the relationship.

2. **Confidence in the goodwill and competence of the trusted:** Everyone makes a decision to trust in a particular domain on a daily basis, and the minister is expected to be open and take the default position of neutrality as a newcomer to the organisation. Openness will allow the minister to receive more information through listening. After processing this information, the minister will be able to update the trustworthiness of the permanent secretary either ‘upwards or downwards’ (O’Neill, 2002). In so doing the minister is extending goodwill in the form of ‘moral competence’ (Jones, 1996) and at the same time demonstrating confidence in the competence of the permanent secretary. Trust is reciprocal, and the minister’s show of goodwill towards the permanent secretary in the initial meeting will also demonstrate the integrity and commitment that may encourage the permanent secretary to consider reciprocating in a like manner or to show ‘moral competence’: loyalty, kindness and generosity.
3. **The trusted being interested in the success of the truster:** The permanent secretary is functionally the trusted junior partner in the relationship. This means the minister as the senior partner must communicate clearly the vision of the ministry and what is needed to accomplish that vision. The minister should let the permanent secretary know upfront what is required of the ministry and that there will be challenges, which will

require a rapid response from the minister. And, should such a challenging situation occur, the minister would expect the permanent secretary to recognise it as a 'hot button' and redouble efforts to have the situation resolved. The minister should also ensure that the permanent secretary has a clear understanding that, as much as possible, policy decisions taken be based on the advice of the permanent secretary; where decisions taken by the minister are contrary to the permanent secretary's advice, there will be political implications for which the minister will be accountable, but which the minister expects to be implemented by the permanent secretary. These discussions need to take place with the permanent secretary at the beginning of the tenure of the minister to avoid misinterpretations and conflicts. This not only builds goodwill but also allows the permanent secretary to understand the interests and expectations of the minister and be a part of these. If the minister does not have confidence in the competence of the permanent secretary to positively support his/her interest, according to Hardin (2002) the minister will not 'empower or take the advice' of the permanent secretary (p. 37). In other words, the permanent secretary will not be able to act on the minister's behalf or use discretionary power as and when necessary. Therefore, there is a clear need for the permanent secretary to understand the interests of the minister (assuming all are legal) and play a positive role in the acquisition of those interests. However, the level of commitment required by the permanent secretary for positively supporting the minister's interest will depend to some extent on the incentive structures (ibid.).

4. **The truster creating an enabling environment for trustworthiness:** The enabling environment of trustworthiness ought to be created by the minister in the first instance, as he/she has the constitutional responsibility of being in charge of the ministry and has the power to punish betrayal. The minister as a part of Cabinet is also responsible for ensuring there is integrity in the systems and structures of government. The minister can support the integrity of the government's institutional structures by upholding standards generally, and in particular standards of performance. Measuring standards of performance is very important for the development and maintenance of a climate of trustworthiness. It demonstrates excellence, accountability and efficiency. Where there are no standards and important decisions are made arbitrarily or without transparency, there will be accusations of favouritism, nepotism and even outright bribery.

Permanent secretaries (and in fact the entire civil service) should be governed by Codes of Conduct, and when the permanent secretary breaches any of the Codes or acts in an unprofessional way, for example not giving the best professional advice to the minister, the permanent secretary ought to be disciplined appropriately. Failing to take this approach raises questions about the integrity of the institutional structures, the



commitment to accountability and efficiency and generally the government's standards on performance. Ministers are accountable to the legislature and permanent secretaries to the minister and to Parliament. This is exactly the point made by Hardin (2002) about having institutional support structures for standards of performance that would assist in securing trustworthiness and in turn will support individual trust. When these institutional structures are absent, according to Hardin, individuals will use their 'personal devices of internal motivation' (pp. 30-31).

### Guidelines for implementing the trust model in small island states

The model for trust between the political and administrative bureaucracies of small states and in particular small states in the Caribbean may be applied in practice using the following steps:

1. Create a deeper understanding of the meaning of trust. This may be done during retreats for ministers and permanent secretaries.
2. Demonstrate why trust ought to be a moral requirement in the relationship between the permanent secretary and the minister.
3. Explain how trust is linked to strong institutional structures, for example the public service commission, performance management systems and Parliament and its oversight sub-committees.
4. Demonstrate that government is responsible for creating a trusting environment using case studies.
5. Demonstrate how trust is developed through accountability and maintaining standards of behaviour and performance, for example the implementation of the Codes of Conduct.
6. Demonstrate how personal values of integrity, loyalty and commitment are all linked to trust.

### Conclusion

Small states and small island states in particular cannot afford the loss, if the experienced incumbent permanent secretaries exit when a new administration takes office, on the grounds that they are politically biased and will therefore frustrate the incoming government's priority agenda. Continuing efforts must therefore be placed on the study and analysis of trust and its related factors, as they play a key role in the sustainable use of human and other resources in small states.

This framework is developed for small island states in the Caribbean and is premised on the centrality of trust to the functional relationship between the political and administrative directorates. The framework however, is adaptable and can be used in other

Commonwealth countries. The framework sought to identify the form(s) of trust that is/are appropriate for sustaining a functional relationship between the minister and the permanent secretary utilising the framework.

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## Case Study 3.2 Trinidad and Tobago. Coalition governments<sup>11</sup>

### Abstract

Coalition governments have become the object of intense debate globally as a result of their increasing presence in the international political environment. Around the world, they have increasingly emerged as alternative sources of executive and parliamentary power and have thus given rise to discussions and analysis on their effectiveness and sustainability. In 2010, Trinidad and Tobago joined the growing number of countries with elected coalition governments when the People's Partnership (PP), comprising five political parties—the United National Congress (UNC), the Congress of the People (COP), the Tobago Organisation of the People (TOP), the Movement for Social Justice (MSJ) and the National Joint Action Committee (NJAC)—campaigns and won the 2010 general elections. This was the first time a coalition had been formed before and had won the general elections in Trinidad and Tobago.

### Context and definition of coalition governments

A coalition government can be defined as a political system where two or more political parties combine their efforts by means of a formal agreement or a coalition, in order to govern together (Makarenko, 2007). Another definition indicates that coalition governments consist of two or more parties that compromise on principles and share a mandate, usually in order to gain control of a parliament or cabinet (Finley, 2012). Coalition governments generally refer to different political parties collaborating to form a temporary alliance large enough to enjoy the confidence of parliament, allowing them to form a government. In the context of the parliament, Riker (1962) asserts that a group of legislators who collaborate to vote on a specific issue or sets of issues constitutes a coalition. He contextualises coalitions within stable, formal institutions and thus places emphasis on established systems of rules regarding legitimate power and authority within a democratic state. However, as Arora (2011) contends, a coalition may also be created in a period of national crisis such as in times of war and civil unrest.

Within the context of general elections, a coalition government may also refer to the manifestation of a particular situation in which no political party achieves a clear majority vote. In this regard, political parties collaborate to provide a majority at the floor of the parliament. Nonetheless, it is important to note that coalitions can be formed prior to elections and are thus not necessarily an outcome of a general election. In this regard, coalitions may be electoral, parliamentary and/or governmental. Coalition cabinets are

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prominent in countries in which a parliament is elected by proportional representation and represented with several organised parties. Further, the concept of a coalition is also embedded in wider discourses on organising theory and game theory, as discussed below (Arora, 2011; Riker, 1962).

According to Daghie (2014), the concept of coalitions is historically rooted in organising theory. Essentially, an organisation refers to a group of people working together to achieve objectives. In earlier debates on conflict, organising or organisational theory emerged to facilitate collaboration among individuals and sub-groups with common goals. In this regard, coalitions refer to groups and/or sub-groups joining together to achieve a commonly shared goal with the intention that their individual interests and objectives be simultaneously achieved. However, according to Cyert and March (1992), the effectiveness of coalitions is impeded depending on the range of competing interests among sub-groups, especially if these are not clearly specified beforehand. In this way, dominant coalitions are effectively constrained by their environments and thus place greater emphasis on consensus-building and negotiations (Loader, 2012).

In contrast, game theorists view coalitions in terms of a constant-sum game. Riker (1962), in his publication, *Theory of Political Coalitions*, conceptualises political coalitions as ‘a constant sum game played for the fixed prize of holding office’. In this regard, he postulates the size principle, where ‘coalitions are engaged in a zero-sum competition with other coalitions over a limited resource (such as trying to win votes), and where coalition leaders can offer bribes, money, promises, or other things of value to induce outsiders to join them’, the latter referring to ‘side-payments’. Under the size principle, rational coalition leaders attempt to attract the smallest number of potential members into their coalition that is required to succeed in elections. The size principle is also consistent with the strategic principle. The strategic principle argues that, in the final stages of coalition formation, leaders intend to gain a minimum winning size. In this context, sub-groups within the decision-making machinery of coalitions with greater bargaining power generally aim to exploit such an advantage for their own personal gain. Further, coalitions tend to offer ambiguous stances on essential issues and policies in an effort to win votes from differing electorate preferences.

Essentially, coalition politics also refers to the collaboration of different sub-groups and political parties to develop one unified political party. Organising and game theories are useful in highlighting key elements of coalition politics. The former illuminates the scope for consensus-building and collaboration. In contrast, game theory emphasises the rational

interests of individual sub-groups and how this can potentially shape dynamics within a coalition party.

In general terms, it has been argued that the main advantage of a coalition, as advocated by consociational theory, is the broader representation in the adoption of laws and policies in support of minority groups. Single party majority systems are more prone, albeit relatively, to less debate and exchange of ideas in the development of policies in comparison with coalition political groups. In contrast, individual ministers within coalition governments inevitably represent a wider category of electorates and thus a wider range of issues and viewpoints. Such a situation increases the chances for greater debate and wider representation in policy formation. According to consociational theory, coalition governments are useful mechanisms for managing conflict in highly differentiated societies as they allow for the representation of numerous groups, including minorities.

However, while this may occur in some societies, the exchange of multiple ideas may also generate conflict. Critics of coalition governments argue that they are also more prone to controversy and conflict owing to the wider divergence of views among members. In this regard, coalitions tend to be more fractious, which can contribute to the undermining of effective and legitimate development of policies. In culturally and socially diverse societies, coalition governments may be constituent of sub-groups with conflicting ideological principles and therefore weaken effective decision-making. Further, in situations where one party is more dominant and powerful, the benefits of consensus-building and representation are deferred, as policies developed may align more closely with the interests of powerful party officials. These officials may also have access to more resources for collusion during decision-making processes.

Coalition parties are sometimes characterised as a 'double edged sword', with the very benefits of its constitution being some of its key weaknesses. In this regard, the wider exchange of ideas among sub-groups, while beneficial for representation, may also increase the potential for conflict. Also, power dynamics within a coalition can significantly shape the effectiveness of representation. As a result of this phenomenon, dominant political parties within a coalition may stifle the viewpoints of smaller, less powerful members. Similarly, the benefits of coalition politics are highly contingent on power dynamics and the overarching political, social, cultural and economic environment that shapes the context in which they operate.

In this regard, Trinidad and Tobago is a useful case study for illuminating the complexities of coalition politics. Coalition governments are prominent across the globe, with the Caribbean standing as no exception. The United Kingdom, France, Germany, India,

Indonesia, the Nordic countries, Pakistan and Switzerland are some international examples with a recent prominence of coalition governments. Within the Caribbean region, Guyana, and St Kitts and Nevis are also important examples of coalition governments established in recent times. In the case of St Kitts and Nevis, in 2015 Team Unity, a coalition of the People's Labour Party, the People's Action Movement and the Concerned Citizen's Movement won the general elections. In May 2015 in Guyana, a coalition government comprising A Partnership for National Unity and the Alliance for Change was elected.

#### Background to the coalition experience in Trinidad and Tobago and public sector reform

Trinidad and Tobago, a former British colony, is the southernmost island of the Caribbean island archipelago, and is located between the Caribbean Sea and the North Atlantic Ocean and to the north-east of the South American mainland country of Venezuela (LAPOP, 2010). The island of Trinidad was discovered by Christopher Columbus and claimed for Spain on his final voyage on 31 July 1492. Great Britain won the island from Spain in 1797; it remained a colony of Great Britain until its independence in 1962. In contrast, the island of Tobago was a colony of the Great Britain from 1803 and it was only in 1889 that it joined Trinidad to form the single colony of Trinidad and Tobago. In January 1899, Tobago formally became a ward of the colony, and British rule was maintained.

In 1962, Trinidad and Tobago became independent and, following its former colonial masters, it adopted the Westminster model of government. This still exists today. This Westminster model provided for free and fair elections, held at regular intervals with universal adult suffrage, as well as a system of parliamentary democracy. In 1976, Trinidad and Tobago became a republic and formally established the post of president as the head of state, to replace the post of governor general that existed before.

According to the census, Trinidad and Tobago has a multi-racial and multi-ethnic population of approximately 1.3 million citizens. Afro and Indo Trinidadians comprise the majority of the population (accounting for just over 70%); other ethnic groups comprise Mixed, Chinese, Whites, Amerindians and Syrian-Lebanese racial groupings. This plural society is also home to a wide range of religious groups, including Hindus, Muslims, Roman Catholics, Pentecostals, Baptist Faiths, Anglicans, Seventh Day Adventists and others.

As a result of its geographical location and its natural resource endowments of oil, natural gas and asphalt, Trinidad and Tobago has developed an economy based predominantly on the energy sector (primarily oil and natural gas). As a major component of its productive sector, Trinidad and Tobago's economy relies significantly on the production and export of oil and natural gas combined with related industrial activities, including oil refining, gas

processing and production of urea, ammonia, iron, methanol and steel. The economy of Trinidad and Tobago and the various productive sectors have significantly influenced the formation of the political party system, as a convergence of political interests was perceived as critical to the achievement of common developmental goals. Indeed, historically, the political parties emerged from labour unions, one representing the sugar workers and the other workers in the energy sector.

Politically, after independence, the twin-island republic of Trinidad and Tobago came to operate under a multi-party system. At that time, it was mainly two parties that emerged to contest the national elections, with the People's National Movement (PNM) consistently being one of the two. While the PNM, founded by Dr Eric Williams in 1956, is the oldest political party in Trinidad and Tobago, several other parties have formed within the political system in more recent times. Basdeo Panday, who later became prime minister of Trinidad and Tobago, established the UNC in 1988. The only other party to gain political power through elections has been the National Alliance for Reconstruction (NAR), under the stewardship of Arthur Robinson, which was voted into office dramatically in 1986 with a landslide victory over the ruling PNM by 33 to 3 seats. The NAR served only one term, has not been in power since and has been dissolved. The COP, formed in 2006, failed to capture a single seat in its primary contestation in the general elections in 2007 (LAPOP, 2010), and became a member of the PP coalition that won the general elections in 2010.

Historically, the PNM and the UNC have been the major political parties in the country and their policies have traditionally shaped the workings of the public service. An overview of the history of the public service in Trinidad and Tobago reveals that the public sector since independence has provided basic governmental services across the country. Currently, the public sector constitutes a diverse labour force of roughly 60,000 monthly paid employees. However, it is increasingly also made up of a large number of daily rated and contract employees. In an effort to improve the efficiency of the public sector, a series of reform initiatives have taken place since 1964.

These efforts have been deemed necessary as the provision of the services offered by the government are critical for the development of the economy and the welfare of the populace. The Trinidad and Tobago government, as is the case with many small developing states, constitutes one of the largest employers in the economy, and as such needs to be constantly upgrading the levels of its service to the public.

These programmes generally seek to outline the key goals for improving public sector reform. These are outlined in Table 3.2.1.



**Table 3.2.1. Public sector reform 1964-2020**

Period	Reform description
1964	Reform programmes focused on terms and conditions for public servants
1970	Reform initiatives emphasised the improvement of institutional architecture and the restructuring of public service practices and procedures. Stakeholders expressed apprehension concerning over-centralisation and inefficient disciplinary systems and performance appraisal systems
1973 - 1975	Implementation of the Administrative Improvement Programme This initiative illuminated flaws in performance appraisals in addition to the need to provide better training opportunities for employees
1981	Effort to improve of efficiency in the public service Reform called for assignment in financial and personnel matters Main focus on job assessment, career development and training
1984-1986	Dumas Report - Review of Public Service Task Force Assessment identified a need to improve the appraisal system across the public service
1989	Administrative Reform Programme This programme reinforced the need for institutional strengthening Key elements: formation of mission statements and development of strategic plans; improvement of organisational structures and processes; improve financial management system
1992	Draper Report: Transform and improve the human relations management function in the public service
2007-2020	Vision 2020: National Readiness Assessment Study An integrated and holistic approach to national development initiatives

Source: Based on research conducted by Beresford and Nunes (2004).

Baptiste (2012) further identifies critical aspects of reform initiatives over the past 15 years. He demonstrates that key aspects of these effects have been geared towards improving personnel management with a particular emphasis on reducing the over-dominance of central agencies. The main agencies responsible for personnel management are the service commissions (the Public, Police, Teaching, Judicial and Legal Service Commissions). These play a key role in managing the public service and their key purpose as established under the constitution of Trinidad and Tobago is to recruit, transfer and promote public servants. In addition, they serve to negotiate terms and conditions of employment and the efficient administration of public sector officials.

A key concern in the administration of the service commissions and the public service at large has been the issue of decentralisation and politicisation. In the early 1990s, in an effort to promote decentralisation, the government established human resources management units for individual ministries and departments. However, some key issues still remain prominent.

First, Baptiste (2012) focuses on the need to improve the administrative system for rewards and compensation for public servants, which was also a major challenge for the PP government between 2010 and 2015. Further, another key issue that also affected the PP government pertained to the continuing wide gap in salaries between the private sector and public service employees who undertook similar job functions. While this continued to deter skilled labour from entering the public service in some cases, it was noted that this factor also translated to sub-optimal levels of efficiency and innovation during the PP government.

The first coalition government came into office in 1986. The government, the NAR consisted of the Organisation for National Reconstruction (ONR), the United Labour Front (ULF), the Democratic Actions Congress (DAC) and the Tapia House Movement. It is interesting to note that this coalition was formed after the general elections were held: each party had contested the elections as individual political entities.

Since then, unlike the NAR coalition government in 1986, which was formed under a post-election agreement, the UNC led by Kamla Persad-Bissessar, the COP under the leadership of Winston Dookeran, the TOP, with Ashwoth Jack as its leader, the MSJ, led by Errol McLeod and the NJAC under the leadership of Makandal Daaga established a coalition party. This PP campaigned as a single unit and won the country's 2010 general elections. The PP subsequently lost political power to the PNM under the leadership of Dr Keith Rowley in the general elections held in 2015.

In general terms, the system of governance in Trinidad and Tobago consists of three main pillars, the legislative, the executive and the judiciary. Legislative power lies with the House of Representatives, with 41 elected members, and the Senate, with 31 members appointed by the president on the advice of the prime minister and leader of the opposition, with nine of these members serving as independent members. Executive power lies with the prime minister and the Cabinet, which is appointed from MPs. The judiciary is independent of the government, as guaranteed by the Constitution.

General elections in Trinidad and Tobago are held every five years and this form of government allows the general population (electorate) to elect their representatives, who in turn represent their opinion in Parliament. The elected candidates under this system become MPs, and their relative numbers of seats determine which political party holds the majority in Parliament and ultimately forms the government. When no one political party holds the majority in Parliament, this can lead to the formation of a coalition government.

#### [Formation of coalition and coalition agreements](#)

This study now focuses on the most recent coalition government of Trinidad and Tobago, the PP, which assumed office in 2010. It is significant to note that the coalition was formed prior to the general elections in 2010, and it defeated the PNM by securing 29 out of a total of 41 seats and controlled the executive and legislative branches of the political system. The political leader, Kamla Persad-Bissessar, was sworn into office as prime minister on 26 May 2010. The PP coalition subsequently lost the 2015 elections by securing only 18 of the 41 parliamentary seats in the general elections and is now the main opposition party in Trinidad and Tobago.

It is important to observe that, prior to the general elections in 2010, the five parties that formed the PP established a set of guiding principles, in the Fyzabad Declaration of April 2010. In this Declaration, the parties expressed their commitment to social justice, and transparency. Members agreed to:

... respect the principles of social justice and therefore believe that the operation of the economic system should result in the material resources of the community being so distributed as to subserve the common good, that there should be adequate means of livelihood for all, that labour should not be exploited or forced by economic necessity to operate in inhumane conditions but that there should be opportunity for advancement on the basis of recognition of merit, ability and integrity.

The Fyzabad Declaration also affirmed that the parties in the PP would:

... adopt Principles and Codes of Conduct whereby the interest of our beloved Country is and shall be put before party and individual self-interest and as a Government comprising the Partners they will implement a Public Policy Program to improve the quality of life of the People of Trinidad and Tobago based on shared principles of National Development and national unity. Together these constitute the foundation for sustainable government.

As part of the accord, the parties in the PP also agreed 'not to tolerate any form of corruption' or 'politicize the civil service, commissions or state enterprises'. It is also of significance that the parties in the PP also agreed as part of the Fyzabad Declaration to 'make choices based on merit in carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits'. These agreed principles demonstrated that all the parties in the coalition were committed to an efficient and effective public service in order to ensure the development of the country could be sustained.

There is also the view that coalition governments are more likely to demonstrate and sustain democratic practices since such governments represent a wide range of public opinion. Further decisions are usually made in the interest of a significant majority of the population. It is also posited that, prior to implementation, public policy in coalition governments tends to be widely discussed and debated within the government and in the wider community, and this thus presents a more democratic and participatory approach to governance. It is instructive to note, however, that the majority of interviewees indicated that debate and discussion on public policy between public servants and ministers of the coalition government were insignificant in Trinidad and Tobago.

Research has indicated that there are also disadvantages of coalition governments. Primarily, there is the view that, when two or more parties join to form a government, there is a wider range of competing interests under this arrangement. Further, competition among various interest groups within the coalition can emerge, as well as the struggle to maintain separate identities among the political parties represented in the coalition. In the case of Trinidad and Tobago, by 2012, one of the partners of the PP, the MSJ, had withdrawn from the partnership. In a statement by the National Executive and Activist Council of the MSJ in June 2012, one of the primary reasons for joining the coalition had been to effect progressive changes in the country's governance. As a reason for its withdrawal, the MSJ noted that the objective:

... seems to be thwarted notwithstanding our best efforts by powerful elements in the partnership who quite frankly are very happy with the existing system once they are in charge. For them it is not about changing the system of governance but rather changing faces because it is 'we time now', we do not see this approach to politics and governance being altered in the near future.

It is also argued that coalitions can also be less democratic than one-party governments since the group with the largest number of seats tends to dominate the decision-making processes. As the MSJ noted in its statement of withdrawal from the PP government, the decisions were made predominately by the prime minister: 'this is really a reinforcement of the old system of governance where the Prime Minister decides. It flies in the face of the decision of the political leaders of the PP' and 'the leaders recognize the importance of this forum for the discussion and resolution of national policy issues'.

Further, there is the view that smaller parties perceive their existence in power as a part of the coalition to be dependent on their allegiance to the dominant party. In the case of Trinidad and Tobago, it has been noted that the smaller MSJ withdrew from the PP and declared that, 'if we want to change the system of governance we also have to start addressing the culture of dependence'. The MSJ went further to suggest that, even as a small party, it can engage further with citizenry and influence political action through this process as well collaborate with the public to take actions in their best interest.

In the manifesto of the PP, entitled Prosperity for All, 2010, the partnership committed to 'establish an Economic Development Board which will consult with stakeholders and play an advisory role in policy formulation', as well as 'a Ways and Means Committee to formulate a project plan on a phased basis to make all government public services more accessible to residents'. The manifesto also committed the PP to transparent and accountable governance

where all plans and policies ‘will be aligned to a national framework for sustainable development’.

### Negotiations, compromise and concessions

Analysts and commentators have argued that coalition governments are theoretically more representative than majority governments as they are by definition representative of a much larger percentage of the general population. This naturally increases the need for compromise among the elected members of Parliament, and this creates the environment for negotiation and conciliation. With respect to Trinidad and Tobago, interviewees noted that the environment for negotiation was not established during the period of a majority PP government. It was also observed that there was a notable limitation to the areas of compromise among members of the government. For public servants, this environment of inflexibility led to higher levels of frustration, which, according to interviewees, also led to incidences of demotivation.

Traditionally, many commentators have suggested that coalition governments can gain from more consensus-based politics, as a result of all parties having to compromise to allow policies and measures to be passed in Parliament. While this requires high levels of skill and capacity from the political leadership, there is also the issue of public perception and confidence in this type of government, especially when it is not well entrenched in the political culture of a nation, as is the case with Trinidad and Tobago.

Further, there is more pressure to represent the interests of the majority of parties in the nation state, rather than a few or only the elite in society, as in the accusation made against majority governments. It has been noted that the interviewees highlighted the fact that, in the absence of a spirit of compromise among members of the Cabinet, there were several changes in the ministers of government, and during the period 2010-15 21 ministers left the Cabinet for varying reasons.<sup>12</sup> This change of ministers created a situation in which policy changes were frequent. Table 3.2.2 highlights the ministers of government who were replaced, dismissed or resigned during the PP administration.

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<sup>12</sup> <http://www.guardian.co.tt/news/2014-08-02/full-list-tt-peoples-partnership-ministers-who-quit-or-were-fired>

Table 3.1.2. Ministers of government replaced or dismissed or who resigned during the PP administration

Political affiliation	Parliamentary status	Last portfolio	Start date	End date	Term (days)	Termination
COP	Government Senator	Attorney General	26/05/2010	02/02/2015	1713	Resigned
UNC	Government Senator	Minister of Justice	28/05/2010	02/02/2015	1711	Replaced
UNC	MP Toco/Sangre Grande	Minister of Sport	28/05/2010	02/02/2015	1711	Replaced
NJAC	Government Senator	Minister in the Ministry of National Security	28/05/2010	02/02/2015	1711	Replaced
COP	Government Senator	Minister of National Security	06/09/2013	02/02/2015	514	Fired
COP	MP D'Abadie/O'meara	Minister of Sport	27/07/2010	31/07/2014	1465	Resigned
UNC	MP Fyzabad	Minister of Tourism	28/05/2010	31/03/2014	1403	Resigned
UNC	MP Caroni Central	Minister of the People and Social Development	28/05/2010	25/3/2014	1397	Fired
COP	Government Senator	Minister of Communication	25/06/2012	05/09/2013	437	Replaced
TOP	Government Senator	Minister of Justice	26/09/2012	05/09/2013	344	Replaced
UNC	MP Chaguanas West	Minister of National Security	28/05/2010	26/04/2013	1064	Resigned
Independent	MP St Joseph	Minister of Justice	28/05/2010	20/09/2012	846	Fired
UNC	MP Toco/Manzanilla	Minister of National Security	27/06/2011	27/08/2012	427	Fired
UNC	Government Senator	Minister of National Security	28/05/2010	24/06/2012	758	Replaced
UNC	Government Senator	Minister of Gender Affairs	27/06/2011	24/06/2012	363	Replaced
COP	Government Senator	Minister of Communication	27/06/2011	24/06/2012	363	Replaced
UNC	Government Senator	Minister of Health	28/05/2010	26/06/2011	394	Replaced
UNC	Government Senator	Minister of Public Administration	28/05/2010	26/06/2011	394	Replaced
UNC	Government Senator, Senate Leader	Minister in the Ministry of National Security	17/06/2010	26/06/2011	374	Replaced
COP	Government Senator	Minister in the Ministry of Finance	18/06/2010	26/06/2011	373	Replaced
COP	Government Senator	Minister of Planning, Restructuring and Gender Affairs	28/05/2010	10/05/ 2011	347	Fired

Interviewees noted, however, that they (public servants) continued to implement policies and procedures that were 'tried and tested over time' and had proven efficient, even in the rapid changes in executive and ministerial personnel experienced during the PP government. They suggested that, at times, there was serious conflict with policymakers, which negatively affected the efficiency of the public service and the administration of its programmes.

The view has been advanced that generally coalitions opt to utilise the parts of their individual manifestos that are compatible and as such may be able to be easily operationalised in the areas of health, education, fiscal and economic policies, and other important aspects of government. Similarly, it has been suggested that coalitions tend to attract a larger voter turnout, as well as being more inclusive in relation to women's and indigenous peoples' representation and the formulation and articulation of more all-inclusive government policies. In the case of Trinidad and Tobago, in 2002 voter turnout was 609,571, in 2007 653,882, in 2010 722,322 and in 2015 734,792. Thus we can see voter turnout is higher than usual when coalitions contest elections, whether as challengers or incumbents.

Research has indicated both advantages and disadvantages to coalition governments. In the first place, coalitions make it possible to take a wider array of public opinions into consideration when formulating policy. In addition, under a majority government there is greater probability of laws being steamrolled through Parliament, whereas with coalition governments there is a tendency for greater debate and more attention to detail when bills are taken to the national Parliament. Further, coalition government decisions benefit a wider range of citizens; majority governments typically look after the interests of the political and economic elites who make up their constituencies.

Levels of economic growth tend to rise more easily in countries being governed by coalition governments. This has been the case in developing countries like India, where the strengthening of the economy has been correlated with the weakening of the single party government: under a coalition government there has been increasing political space, which allows for inputs, opinions and ideas in the decision-making process. However, under the PP government in Trinidad and Tobago, economic growth rates slowed from 1.6% in 2010 to -2.1% in 2015 (Central Bank of Trinidad and Tobago, 2016).

### Challenges to the public sector

While there were significant challenges in the administration of the coalition government, the PP government introduced important initiatives between 2010 and 2015. In 2011, the PP

government introduced a Medium Term Policy Framework (MTPF) under the theme ‘Innovation for Lasting Prosperity’. This framework identified items for action within the period and was anchored on seven interconnected pillars for sustainable development: people-centred development, poverty eradication and social justice, national and personal security, information and communication technologies, a diversified knowledge-intensive economy, good governance and foreign policy.

The main thrusts of this MTPF were:

- to diversify and deepen the production base to ensure that, in a context of depleting energy resources, the economy will continue to grow and sustain a high standard of living
- to move the economy up the value chain, improve competitiveness and expand investment both local and foreign
- to have a secure and safe nation and to strengthen the framework, institutions and infrastructure to support human security
- to expand the capacity of citizens for knowledge accumulation and use, innovation, creativity and entrepreneurial activity
- to reduce socioeconomic and regional inequalities within the borders, move people out of poverty and promote social inclusion through more meaningful economic participation

Further, this initiative by the PP government was the first effort by any government in Trinidad and Tobago to integrate and articulate its approach to development in the interest of multiple parties. It also sought to promote greater collaboration and stronger functional cooperation among ministries and state agencies in order to facilitate greater coherence and effectiveness in the implementation of development policies. While in the earlier stages of its delivery this initiative demonstrated promise, interviewees indicated that these practices were not sustained, which led to a reduction in public confidence in the state bureaucracy.

Another important initiative of the PP government was the introduction of the National Performance Framework (2012-15). As Prime Minister Persad-Bissessar observed, ‘the framework places emphasis on monitoring performance on projects and programs and more importantly, on evaluating the impacts of such initiatives in the lives of citizens’. This framework was established to facilitate a culture of reporting in the public sector and more particularly to identify the actual impact of government interventions on the lives of the citizens of Trinidad and Tobago. Figures 3.2.1 and 3.2.2 show the priorities and measurable



performance indicators established in the National Performance Framework. This can be considered as one of the positive features of the coalition government.

Figure 3.2.1: Medium-term priorities of the National Performance Framework

### **GOVERNMENT’S VISION: ‘INNOVATION FOR LASTING PROSPERITY’**

<b>MEDIUM-TERM PRIORITIES</b>	<b>KEY RESULT AREAS</b>	<b>NATIONAL OUTCOMES</b>
Crime and Law & Order	A Safe and Secure Society	<ul style="list-style-type: none"> <li>• More Effective Law Enforcement</li> <li>• Reduction in Crime Against Property and Person</li> <li>• Efficient and Effective Judicial System</li> </ul>
Agriculture & Food Security	A Food-Secure Nation	<ul style="list-style-type: none"> <li>• Adequate and Affordable Food</li> <li>• Agriculture will be a Viable Sector of the Economy</li> </ul>
Healthcare Services and Hospitals	First Class Healthcare A Fit and Healthy Nation	<ul style="list-style-type: none"> <li>• Universal Access to Healthcare Facilities across T&amp;T</li> <li>• Efficient and Quality Healthcare System</li> <li>• Greater Participation in Sport and Recreational Activities Towards Healthy Lifestyles</li> <li>• Reduced Prevalence of Diseases</li> <li>• Healthier Choices in Diet and Nutrition</li> </ul>
Economic Growth, Job Creation, Competitiveness & Innovation	A Resilient, Competitive, Stable and Sustainable Economy	<ul style="list-style-type: none"> <li>• Economic Growth and Job Creation</li> <li>• Innovation, Entrepreneurship and Partnership</li> <li>• A Diversified Economy</li> </ul>
Poverty Reduction and Human Capital Development	A Society Free from Poverty  A Quality Education System that Caters to the Diverse Needs of 21st Century Learners  A Knowledge-Driven and Skilled Population	<ul style="list-style-type: none"> <li>• Access to Adequate and Affordable Housing</li> <li>• Self-Reliant and Sustainable Communities</li> <li>• An Efficient and Effective Social System for the Poor and Vulnerable</li> <li>• Improved Learning Environment</li> <li>• Improved Students’ Overall Performance</li> <li>• Improved Alignment of Students to their Prospective Best-Fit Jobs and Promote Career Establishment</li> <li>• Improved Institutional Strength and Capacity of the Ministry</li> <li>• Quality Graduates in Tertiary Education and Technical Vocational Programmes in Sufficient Numbers and Capabilities to Drive a Knowledge Intensive Economy</li> <li>• Synchronisation of Labour Market Requirements with Skills and Tertiary Education</li> <li>• Improved System of Entrepreneurship, Apprenticeship and Internship for Young Persons</li> </ul>

Figure 3.3.2. Performance indicators of the medium-term priorities

Crime and Law & Order	Agriculture & Food Security	Healthcare Services and Hospitals	Growth, Job Creation, Competitiveness & Innovation	Poverty Reduction and Human Capital Development
<ul style="list-style-type: none"> <li>• Crime Rate</li> <li>• Recidivism Rate</li> <li>• Crime Solvency Rate</li> <li>• Homicide Detection Rate</li> <li>• Time taken for Cases from Start to Determination</li> <li>• No. of Backlog Cases</li> </ul>	<ul style="list-style-type: none"> <li>• Food Inflation Rate</li> <li>• % Contribution of Agriculture to Non-Energy GDP</li> <li>• % Employment in Agriculture</li> <li>• Food Import Bill</li> </ul>	<ul style="list-style-type: none"> <li>• % Population with Chronic Illnesses</li> <li>• Cancer Mortality Rate</li> <li>• Tuberculosis Mortality Rate</li> <li>• Non-Communicable Disease Mortality Rate</li> <li>• No. of New Infectious Disease Cases</li> <li>• Registered Patients at St. Ann's Psychiatric Hospital</li> <li>• Adult HIV Prevalence</li> <li>• Diabetes Mortality Rate</li> <li>• Obesity Rate</li> <li>• No. of Persons Participating in Sport</li> <li>• Physician Professionals per 10,000 persons</li> <li>• Nursing Professionals per 10,000 persons</li> <li>• Client Satisfaction Rate</li> <li>• % of Population Living within 1 Hour Travelling Time to a Health Facility</li> </ul>	<ul style="list-style-type: none"> <li>• Gross Domestic Product (TTS million)</li> <li>• Sector Contribution to GDP (%)</li> <li>• Export Expansion</li> <li>• Foreign Direct Investment</li> <li>• Unemployment Rate</li> <li>• Global Competitiveness Index</li> <li>• Global Innovation Index</li> <li>• New Business Creation</li> </ul>	<ul style="list-style-type: none"> <li>• % Families Owning Homes</li> <li>• % Small Business Start-ups</li> <li>• % Population Living in Poverty</li> <li>• % Socially Displaced Persons</li> <li>• Differently-abled Unemployment Rate</li> <li>• % Students Attaining 5 or more Subjects at CXC</li> <li>• % Students Passing SEA</li> <li>• Employment Rates in the 15-24 Age Group</li> <li>• Tertiary Institutions <ul style="list-style-type: none"> <li>- Enrolment Rate</li> <li>- Participation Rate</li> <li>- Graduation Rate</li> </ul> </li> <li>• Response Time-Centre to Districts</li> <li>• % Enrolment Technical Vocational Institutions</li> <li>• % of Programmes listed on the National Development List offered by Tertiary Level Institutions</li> <li>• % Persons Graduating from Apprenticeship Programmes</li> </ul>

There is also the view that coalitions require greater levels of political discipline than single-party governments, and issues such as transparency and accountability are frequently complex in their articulation. Interviewees indicated that within the public sector actions frequently occurred that brought into question the issues of transparency. These included the hiring of staff outside of normal procedures, the awarding of contracts under abnormal circumstances and the rapid promotion of individuals without the requisite experience or qualifications.

The view has also been advanced that, with the accession to power of coalition governments, the state bureaucracy has a tendency to become bloated, as there are demands for allocations of resources to satisfy a larger pool of constituents. In the case of Trinidad and Tobago, in 2013, there were 3,450 contract employees in the public sector; in 2014, this number had increased to 5,946. There was a significant increase in both categories of contracted workers as well as regular public service employees, and the figures rose from 55,000 persons in 2014 to 75,000 persons in 2015 (Office of the Auditor General, 2016).

Further, there has been the contention that coalitions are ‘promises to the people’ and are unpredictable, and may leave the country in a worse position than if there were a single-party government. In the case of the PP government in Trinidad and Tobago, interviewees indicated that indiscipline among the higher echelons of the public sector, including ministers of government, was responsible for a reduction of confidence in the public sector. They cited cases such as the accusations of financial malpractice against two incumbent ministers at the time. It has also been argued that indiscipline, non-performance owing to discontentment and cabal-forming are all factors that detract from the strength and productivity of a coalition.

Coalition governments, while not being novel in Trinidad and Tobago, are currently being seen by some citizens as the most important option for the future governance of the state. On the other hand, the view has been advanced that the PP coalition has devalued the argument in favour of coalition governments, since the level of interference in government institutions, poor governance and decision-making and lack of transparency and accountability within the public sector during its tenure reduced the public’s confidence in this approach.

Brown (2009) has argued that high-performing public institutions and good governance are critical to social and economic development. Public institutions including ministries, departments and state-owned corporations make and implement economic and social policy, deliver services to the public and ensure accountability for the use of public resources and public regulatory authority (ibid.). The view has been advanced that, in Trinidad and Tobago, similar to other small island developing states, small size lends itself to ‘a kind to intimacy that facilitates good governance, and provides an environment that is conducive to institutional development’ (ibid.). The vast majority of interviewees engaged in this study indicated that an environment for the sustained development of public sector institutions was absent and, even with small size, the concentration of power by a few in the coalition did not lend itself to cooperation and inclusion of public servants in decision-making processes.

It has also been posited that the multi-party nature of the PP ought to have created the conditions for greater cohesion in the public sector and the emergence of a collective identity among public servants, thereby leading to a more efficient institutional environment. However, a large majority of the interviewees indicated that, during the PP administration, there was an absence of cohesion, which led to fragmentation among public servants, which also contributed to the lack of common identity in the public service.

There is also the view that small size, as in the case of Trinidad and Tobago, allows for easier access to key decision-makers and enhances the consultative process within the public sector. In Trinidad and Tobago, it was also felt that, with multiple partners in government, public sector officials would have had easier access to the major policy-makers. However, a majority of respondents/interviewees indicated that this was not the case, and the view was advanced that, because of the influence of the major partner in the PP coalition (the UNC), there was a tendency to dictate policy without significant levels of consultation with public servants and the other minority parties in the coalition.

The view has also been presented that personal considerations and party loyalties to the major partner in the People's Partnership (UNC) were prevalent in the 2010-15 period, and entry and promotion were not based on merit or performance evaluations. It must be noted, however, that most respondents/interviewees presented the view that this was not different from periods in Trinidad and Tobago when a single party governed the country.

According to Kalberg (1980), Max Weber has posited that the division of labour between the politician and the bureaucrat is sanctimonious, and should remain separate if the state is to be run effectively. To Weber, the bureaucrat must serve the politician as a technical guru, making possible the execution of all the policy directives once they are in line with national interests and do not conflict with these policy objectives.

Another danger is that bureaucrats by definition may be political in orientation. The public service and bureaucrats are the creation of the politicians, and as such their actions are not apolitical in nature (Christensen and Laegreid, 2005). Under the PP, a tendency was observed to increase the public service with political appointees or 'ministerial assistants', who invariably acted with significant authority. This practice, according to the public servants interviewed, served to undermine the role of public service officials and led to significant levels of demotivation and mistrust among these officials.

There is also the view that the ability of the state to attract and retain skilled personnel in the public sector is critical to the implementation of development plans and programmes. This suggests that human resource development and training should be a priority. Interviewees have suggested that, between 2010 and 2015, however, the PP did not place emphasis on skills training and the upgrading of public sector capacity.

In the case of the PP government, the smaller parties (COP, MSJ, NJAC, TOP) expressed the view that the parties were side-lined, and in some cases public policy was made that compromised the parties' positions. Interviewees expressed the view that the UNC as the major partner in the coalition was able to implement policies without consensus and this frustrated public sector employees as well as the parties' constituencies, resulting in an overall reduction of public confidence in the government.

Analysts have argued that coalition governments are more likely to demonstrate and sustain democratic practices, since such governments represent a wide range of public opinions. There is the view that decisions are usually made in the interest of a significant majority of the population. In the case of the PP government, however, a significant majority of interviewees indicated that the major partner (the UNC) did not demonstrate this practice. Interviewees cited the practice of employment without adequate qualification and promotions without requisite evaluations, and this brought further dissatisfaction and perceptions of a reduction in the democratic process.

Further, the view was advanced that, in the case of the PP, it was expected that prior to its implementation, public policy would be discussed and debated within the government and among the major party leaders in the coalition. Respondents indicated that this was not the case and public servants said there were significant levels of inputs from party leaders, which at times led to negative policy outcomes. However, there was also the view that having five parties in the government meant a wider range of competing interests, which did not always allow for consensus on issues regarding the public sector.

The PP has been identified as a complex political coalition in Trinidad and Tobago, since it had several interests, ideologies and positions, and there is the view that a culture of coalition-making did not resultantly emerge. It has also been noted that, especially with respect to public policy, there was an absence of a sense of accommodation, as there was a seeming inability to accommodate each party's interests. This absence of a culture of coalition-making extended into the public sector and did not conform to the view that coalition governments emerge based

on a mutually agreed and common programme and are sustained through consensus decision-making.

It is generally observed that, traditionally, leadership of the coalition government lies with the single largest constituent of the coalition alliance. This was indeed the case of the PP, as the UNC controlled the leadership. Interviewees also indicated that there were insignificant levels of consultation with the smaller parties, which led to levels of indifference, fragmentation and lack of cohesion that carried over into the public service.

Ministers in the PP government were drawn from different parties and represented varying and at times conflicting and contradictory positions, ideologies and approaches to governance. This in itself created inconsistent policy interpretation and led to the non-uniform application of policies within the public sector.

This national performance framework was also established based on the recognition that, in the absence of quantifiable measures to monitor and evaluate the impact of government programmes and projects on the citizens of Trinidad and Tobago, there would be limited determination of the improvement in the socioeconomic conditions within the country.

#### [Lessons learnt from Trinidad and Tobago](#)

**Quality of policy decisions matters:** The Organisation for Economic Co-operation and Development (OECD) Report ‘Better Policies for Better Lives’ asserted that ‘a priority for governments should be to build a policy making process conducive to trust’. In the case of the PP government, public servants interviewed indicated that the policy-making process was neither open nor inclusive, and lacked the input of the majority of stakeholders. As a result, they suggested, the quality of policy decisions was constantly poor, which led to the deterioration of levels of trust between policy-makers and the public servants. In order to remedy this situation, there should be an inclusive policy-making process that guarantees the engagement of the public servants and can lead to a predictable public service environment as well as public trust in the institutions of government.

**Agreeing on how to resolve issues in advance:** Nwasike (2011) has argued that the political-administration interface, which is ‘the functional relationship between the politicians (ministers) and administrators (permanent secretaries) is considered one of the most important aspects of the machinery of government’. Further, Nwasike contends that the importance of

trust 'is still deemed fundamental to an effective relationship between the politician and administration'.

In the case of the coalition government in Trinidad and Tobago between 2010 and 2015, public servants interviewed indicated that the political-administrative interface was significantly stymied, which resulted in unclear roles and responsibilities for public servants, which in turn led to low levels of trust between the administration and politicians. A majority of the public servants interviewed indicated that their institutional knowledge and experience were frequently bypassed. This also led to a reduction of trust between the politicians and the administrators.

There was little communication between the ministers and senior public servants at the beginning of the PP government's term regarding the functions and implementations plans of some ministries and public enterprises. This led to situations of uncertainty, conflict and ambiguity, which also resulted in a reduction in levels of trust between the administrators and the politicians. Consistent communication and the building of trust were absent in some cases, which resulted in reduced levels of commitment by administrators. It is therefore critical that in coalition governments communication between politicians and administrators be clear and unambiguous for the purpose of policy delivery.

As Nwasike (2011) suggests, discussions on policy agendas should take place 'at the beginning of the tenure of the minister to avoid misinterpretations and conflicts'. One can therefore support the contention that 'an enabling environment of trustworthiness ought to be created by the minister in the first instance, as he/she has the constitutional responsibility of being in charge of the ministry' (ibid.).

The Constitution of Trinidad and Tobago, Act 4 of 1976, Section 85(1) enshrines, 'Where any Minister has been assigned responsibility for any department of Government, he shall exercise general direction and control over that department; and, subject to such direction and control, the department shall be under the supervision of a Permanent Secretary whose office shall be a public office'. During the tenure of the PP government, however, such general direction on the part of the minister to the public sector was lacking. This further led to increased levels of mistrust, reduction in confidence in the government and conflict at the political-administrative interface.

**Building trusting relationships:** Issues of trust within the political-administrative interface can occur on the side of both the politicians and the administrators. Draper (2001) has argued that

ministers can form an immediate mistrust of senior public officers upon the assumption of their portfolios owing to the perception that these senior public officers would have worked closely (and appeared to have familiar relations) with the previous government. Conversely, levels of mistrust in the public sector can also occur when governments change or within the same government when ministers change (ibid.). For future coalition governments, especially in small states like Trinidad and Tobago, there must be a clear understanding that public servants should operate independent of any government in office.

The OECD stresses the importance of integrity for the practice of good governance. While integrity is characterised by some analysts as an elusive concept, the notion of integrity is generally used as a measurement of public conduct (Rauls, 1973). According to the OECD (Public Sector Integrity Review), integrity refers to ‘the application of values, principles and notions in the daily operations of public sector organisations’. Further analysts contend that integrity is the ‘cornerstone of good governance’ and that fostering integrity in the public sector is essential for maintaining trust in government. According to the OECD, to foster integrity ‘is to prevent corruption in the public office, support a level playing field for businesses, and maintain public trust in governments’. Achievement of such requires coherent efforts to update standards, provide guidance and monitor and enforce them in daily practice.

**Professionalism in the public service:** According to Armstrong (2005), the concept of integrity has been identified as part of the founding principles of public administration. Armstrong contends that integrity refers to ‘honesty or trustworthiness in the discharge of official duties, serving as an antithesis to corruption or the abuse of office’. Additionally, the UN defines integrity ‘to include but not limited to probity, impartiality, fairness, honesty and truthfulness’ (UN Staff Regulations 1.2 (b)).

Since the 21st century, Trinidad and Tobago has sought to place integrity as a key element in the conduct of government business. In 2000, the Integrity in Public Life Act was introduced to form part of the country’s legislative framework to regulate the conduct of public officials. As the Act states, it is intended ‘to provide for the establishment of the Integrity Commission; to make new provisions for the prevention of corruption of persons in public life by providing for public disclosure; to regulate the conduct of persons exercising public functions; to preserve and promote the integrity of public officials and institutions, and for matters incidental thereto’.



Further, the Integrity in Public Life Act 2000 is the basis for the establishment of the Integrity Commission, and its mandate includes examination of the practices of those in public office. The roles and functions of the Integrity Commission include the four key areas of prevention, investigation, enforcement and education, as well as enlistment of public support. In addition, the Commission seeks to promote integrity, particularly among those in public life, from the level of ministers of government and MPs, to permanent secretaries, chief technical officers and members of the Boards of statutory bodies and state enterprises. Further, the Commission is required 'to regulate the conduct of persons exercising public functions through the receipt of declaration of incomes, assets and liabilities, and by monitoring compliance with the Code of Conduct presented in Part IV of the Integrity in Public Life Act 2000'. Additionally, the Commission is responsible for examining the practices of public bodies in order to facilitate the discovery of corrupt practices (Integrity Commission, 2016).

In discussing integrity within the PP government, the general view was that, in any political directorate, elected representatives, public servants and other holders of public office must discharge their responsibilities in a professional and ethical manner. The PP Manifesto of 2010 indicated as part of its Declaration of Values that, in order to ensure the maintenance of integrity, representatives 'should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties'. It was observed, however, that, during the PP administration, there were several accusations of improper conduct, corruption and the irresponsible use of power, which at times led to resignations and dismissals of ministers.

It is therefore critical, especially in the context of the presence and role of the Integrity Commission, that there be stronger commitment to the responsible use of power and the commitment to honesty and transparency for future coalition governments to establish and maintain public confidence.

**Effective leadership:** It is the view that effective leadership in government is another critical factor in the successful administration of public services. It is also the view that, from the early stages of a new government, the political leadership of ministries must build trust and positive relations at all levels in order to secure 'buy-in' and promote effective and efficient governance. Indeed, strong forces of globalisation have influenced a transformation in several critical areas, including the public sector, from an inflexible hierarchical structure towards an environment of collaboration, with creative and innovative leadership guiding the process.

For this transformation to succeed, public servants must feel a sense of direction and confidence. Further, leaders of government, as the interviewees suggested, must demonstrate the ability to engage in the process of participative management and also a flexible problem-solving behaviour. Additionally, interviewees indicated that leadership especially in coalition governments in Trinidad and Tobago must be able to perform under constant public scrutiny from a range of stakeholders, including social media, the broadcast and print media and the citizenry. The interviewees indicated that, since there was not a strong synergistic relationship between the political leadership and administrative hierarchy, responses to public inquiry were often varied and ambiguous. In these cases, public scrutiny led to controversy and mistrust, which undermined the leadership process.

The view has also been advanced that leaders in government must be able to develop a participative leadership style, especially in small societies. Van Velsor et al. (2016) presented the view that 'participative leadership implies greater emphasis on involving others in decision making and getting more input before taking action'. The majority of interviewees indicated that leaders within the PP government did not embrace the establishment of participative management, which created a gap in the administrative interface between the politicians and public servants. It is therefore important that, from this experience, future leaders in government follow the recommendations espoused by Van Velsor et al. that leaders 'create an environment of shared collaboration that will provide the structure necessary to clarify ambiguity, lower volatility, reduce uncertainty, and make the complex more possible'.

Effective leadership requires a mechanism that provides effective innovation strategies. Dedicated and effective leadership is also critical to the effective execution of government policy at all levels. The role of public sector leadership is important in order to translate dedication into effective innovative strategies. In the case of the PP coalition in Trinidad and Tobago, this commitment and dedication was lost in a proverbial sea of issues relating to political clientelism, repaying loyal party members and associates and the like.

**Access to information:** While a commonly accepted definition of the concept of transparency is still under debate, it is recognised that, as a principle, governments have a duty and obligation to their citizens to act visibly and predictively and to provide timely and accurate access to information by citizens. According to Transparency International, transparency is a characteristic of governments that are open in the clear disclosure of information, rules, plans, processes and actions. Transparency is also seen as a basis of accountability and public

confidence, and as a check against mismanagement and corruption in government. In recent times, it has been recognised that a transparent government is an essential component of a free and democratic society.

In the case of Trinidad and Tobago, during the PP government, there were efforts to develop transparent policies and practices. The Public Procurement and Disposal of Public Property Act 2015 was promulgated ‘to provide for public procurement, and for the retention and disposal of public property, in accordance with the principles of good governance namely accountability, transparency, integrity and value for money’. This legislation has as its major objective ensuring the efficient and transparent use of money in the procurement cycle. The underlying assumption suggests that the use of public funds necessarily requires a significant level of public transparency and accountability. The promulgation of the Public Procurement and Disposal of Public Property Act 2015 can be considered a positive example of the PP government’s establishment of frameworks for transparency and accountability of public life in Trinidad and Tobago.

The National Performance Framework (2012-15) was highlighted by the PP government as another mechanism for the transparent management of government programmes and projects. According to Prime Minister Kamla Persad-Bissessar, ‘the National Performance Framework is a tangible example of the commitment of the People’s Partnership Government to encourage greater transparency and accountability in governance and to ensure efficient and effective use of resources towards attaining national goals’ (Ministry of Planning and Sustainable Development, 2012). This framework can also be considered as another positive feature of the PP government since it provided a publically transmitted approach to the measurement of performance of the public sector.

## Conclusion

The study shows that for the PP government in Trinidad and Tobago administration of the public sector under a coalition government was more complex than under the single-party government. In fact, the two coalition governments in Trinidad and Tobago have failed to be re-elected after their first term in office. The study has also indicated that, especially under coalition governments, strong and sustained collaboration between ministers and public servants is critical, and that this collaboration must remain in place for the entire term of the government. The study has also highlighted that public perceptions of institutions that govern them are important for sustained public confidence. This also requires clear alignment between

the roles and responsibilities of ministers and public servants in order for the public to see high levels of cohesiveness between the two drivers of public policy.

The constant changes in the executive and administrative leadership that were experienced during the PP government had a negative impact on the performance of the public service, since leadership changes brought with them new approaches and strategies that were on several occasions ambiguous and inconsistent. It is also observed that there were times of confusion, when policy changes led to the demonstrable uncertainty of administrators regarding the execution of public policy.

In conclusion, for public servants, there is always the need to create and maintain a balance between ensuring the will of the people through its elected representatives is carried out and defending the universality of public institutions and the public interest. As Talbot (2010) suggests, 'representative democracy is always a balance between the need to implement the policy ideas of the winning party or coalition and maintain a sense of universal consent, including consent of the losing parties'.

In Trinidad and Tobago, while the PP government experienced times of instability and demonstrated levels of ambiguity in their approach to governance, it was clear that public servants during this era made significant attempts to ensure management of state institutions and the continuity of public service activities remained a top priority.

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## Principle 4. Goal-oriented competencies and skills development

### Case Study 4.1 India. The Union Public Service Commission<sup>13</sup>

#### Abstract

The basic reason for the setting up of public service commissions (PSCs) has been to ensure political neutrality, accountability and integrity of the public services, and to enhance the capability of institutions to carry out the public sectors' development-related state policies.

India's Union Public Service Commission (UPSC) has often been credited with the promotion of a professional, apolitical civil service in the country. This case study examines the origin and history of UPSC and its structure and functions as specified in the Constitution of India.

In many countries where decentralisation is taking place, human resource management has become a major issue for the central government. How will the government ensure uniformity in human resource policies at national and state level?

This study compares and contrasts the structure and functions of UPSC with those of the state-level PSCs and also discusses the relationships between UPSC and the state-level PSCs. The PSCs at the centre and in the states are creations of the Constitution of India and as such derive their right and privilege from this.

According to the study, the only difference in terms of appointment of members is that for UPSC it is the president who is responsible for this and in the PSCs it is governors. All serve for a period of six years from the date they are appointed or until they reach the age 65 in the case of UPSC or 62 in the case of the PSCs, whichever is earlier.

It is clear from the study that the Constitution of India has made PSCs advisory institutions required to give advice on the subject sent by the president in the case of UPSC and state governors in the case of PSCs. To accept or refuse is at the discretion of the respective government.

However, it should be noted, authorities should not neglect the advice given: they have to explain the reasons for non-acceptance to Parliament. The government can make appointments

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<sup>13</sup> Prepared by Prof. Prajapati Trivedi, Senior Fellow (Governance), Bharti Institute of Public Policy, Adjunct Professor for Public Policy.

without PSC approval but only temporarily. Beyond this, PSC recommendation is needed. This ensures consistent application of recruitment rules and requirements and minimises attempts by outside forces to influence the recruitment process. PSCs are also responsible for handling disciplinary cases to ensure impartial assessment of evidence presented by both parties.

The case study also compares and contrasts the structure and functions of UPSC with those of other South Asian Association for Regional Cooperation (SAARC) countries, followed by recommendations based on the comparative study of PSCs in SAARC countries. The study also cites examples from Singapore, Australia, Malaysia and the UK to strengthen the functioning of PSCs.

India's UPSC is considered a success story by many informed observers. This is derived from the stellar reputation of the highly regarded Indian Administrative Service (IAS), which has famously been described as India's steel frame (Sengupta, 1995) and is often credited with the success of India's democracy.<sup>14</sup>

While the above description captures the broad foundations of the reputation of UPSC, the story of UPSC and the success of Indian democracy is a bit more complex than this implies. UPSC, as we shall see, does much more than just recruit IAS officers, and Indian democracy has benefited from many other strong traditions besides a professional, apolitical civil service.

### Origin and history of UPSC

India gained independence from Great Britain on 15 August 1947. The origin of the PSC in India, however, predates India's independence. The first Despatch of the Government of India on the Indian Constitutional Reforms on the 5 March 1919 referred to the need to set up some permanent office charged with the regulation of service matters. A relevant extract from it is given below:

In most of the Dominions where responsible Government has been established, the need has been felt of protecting the Public Services from political influence by the establishment of some permanent offices, primarily charged with the regulation of service matters. We are not prepared at present to develop the case fully for the establishment in India of a Public Service Commission, but we feel that the prospect that the services

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<sup>14</sup> The term 'Steel Frame' was first used in this context by India's first Home Minister, Sardar Patel.



may come more and more under ministerial control affords strong ground for instituting such a body.

This concept of a body, intended to be charged primarily with the regulation of service matters, found a somewhat more practical shape in the Government of India Act 1919. Section 96C provided for the establishment in India of a PSC that should 'discharge, in regard to recruitment and control of the Public Services in India, such functions as may be assigned thereto by rules made by the Secretary of State in Council'.

#### **Box 5.1.1. Government of India Act 1919**

The Government of India Act 1919 was an Act of the Parliament of the UK. It was passed to expand participation of Indians in the government of India. The Act embodied the reforms recommended in the report of the Secretary of State for India, Edwin Montagu, and the Viceroy, Lord Chelmsford. The Act covered 10 years, from 1919 to 1929. This Act represented the end of benevolent despotism and was the genesis of responsible government in India.

The Act received royal assent on 23 December 1919. On the same day, the king-emperor issued a proclamation that reviewed the course of parliamentary legislation for India and the intent of the act:

The Acts of 1773 and 1784 were designed to establish a regular system of administration and justice under the Honourable East India Company. The Act of 1833 opened the door for Indians to public office and employment. The Act of 1858 transferred the administration from the Company to the Crown and laid the foundations of public life which exist in India to-day. The Act of 1861 sowed the seed of representative institutions, and the seed was quickened into life by the Act of 1909. The Act which has now become law entrusts the elected representative of the people with a definite share in the Government and points the way to full responsible Government hereafter.

The Act provided a dual form of government (a 'diarchy') for the major provinces. In each such province, control of some areas of government, the 'transferred list', was given to a government of ministers answerable to the provincial council. The transferred list included agriculture, supervision of local government, health and education. The provincial councils were enlarged.

At the same time, all other areas of government (the 'reserved list') remained under the control of the viceroy. The reserved list included defence (the military), foreign affairs and communications.

The Imperial Legislative Council was enlarged and reformed. It became a bicameral legislature for all India. The lower house was the Legislative Assembly of 144 members, of whom 104 were elected and 40 were nominated, with tenure of three years. The upper house was the Council of States consisting of 34 elected and 26 nominated members and tenure of five years.

After the passing of the Government of India Act 1919 (Box 4.1.1), prolonged correspondence took place between the then-secretary of state of the government of India and local governments regarding the functions and machinery of the body to be set up. This continued for over four years. No decision was arrived at, and the subject was referred to the Royal Commission on the Superior Civil Services in India (Lee Commission). In its report dated 27 March 1924, the Lee Commission recommended that the statutory PSC contemplated by the

Government of India Act 1919 be established without delay. In this report, the Lee Commission made the following observations in 1924:

Wherever democratic institutions exist, experience has shown that to secure an efficient Civil Service it is essential to protect it, so far as possible, from political or personal influences and to give it that position of stability and security which is vital to its successful working as the impartial and efficient instrument by which Governments, of whatever political complexion, may give effect to their policies. In countries where this principle has been neglected, and where the "spoils system" has taken its place, an inefficient and disorganised Civil Service has been the inevitable result and corruption has been rampant. In America, a Civil Service Commission has been constituted to control recruitment of services, but, for purpose of India, it is from the Dominions of the British Empire that more relevant and useful lessons can perhaps be drawn. Canada, Australia and South Africa now possess Public or Civil Service Acts regulating the position and control of the Public Services and a common feature of them all is the constitution of a Public Service Commission, to which the duty of administering the Acts is entrusted. It was this need which the framers of the Government of India Act had in mind when they made provision in Section 96(c) for the establishment of a Public Service Commission to discharge " in regard to recruitment and control of the Public Services in India such functions as may be assigned thereto by rules made by the Secretary of State in Council (Lee Commission Report, para. 24).

In spite of the provisions of the Section 96(C) of the Government of India Act 1919 and the strong recommendations made by the Lee Commission in 1924 for the early establishment of a PSC, it was not until October 1926 that the PSC was set up in India for the first time.

The first PSC was established on 1 October 1926. It consisted of four members in addition to the chair, appointed by the secretary of state in council. Sir Ross Barker was the first chair, and he and his successors built up the PSC on the model and in accordance with the traditions of the British Civil Service Commission.

The functions of the PSC were not laid down in the Government of India Act 1919, but were regulated by the Public Service Commission (Functions) Rules 1926 framed under Sub-section (2) of Section 96 (C) of the Government of India Act 1919. These rules provided for consultation with the PSC on questions connected with recruitment to All-India Services and to the Central Services Class I and Class II, on questions of drawing up of syllabi for examinations and of

qualifications for recruitment by selection, on promotions to these services, on disciplinary cases and on questions connected with pay and allowances, pension, provident or family pension funds, leave rules and conditions of service.

The secretary of state in council for India in subsequently made a rule authorising the Madras Legislature to make laws for the establishment of a commission to regulate the public services of the Presidency of Madras (now called Tamil Nadu). The Madras Services Commission Act 1929 set up such a commission for the province of Madras. Punjab also passed similar legislation, but no commission was set up there because of lack of finance.

The Simon Commission recommended the setting up of service commissions in all the provinces in order to relieve ministers from the technical work of recruitment and to prevent them from being exposed to the charge (however ill-founded) of using their positions to promote family or communal interest at the expense of efficiency or just administration of the services. This recommendation was eventually accepted by the British government and was included in the White Paper of December 1931, containing proposals for Indian constitutional reforms. The White Paper also included a blue print of the PSCs for the proposed federation and the provinces. The report of the Joint Committee on Indian Constitutional Reforms (1934) was the next step in this direction.

The proposals contained in the White Paper with regard to the PSCs, as further elaborated in the report of the Joint Committee on Constitutional Reforms (1934), were given concrete form in Sections 264 to 268 of the Government of India Act 1935. The Act envisaged a PSC for the federation and a provincial PSC for each province or group of provinces. Provision was also made whereby the same provincial commission would be able to serve the needs of two or more provinces jointly; alternatively, the PSC for the federation, if requested so to do by the governor of a province, might, with the approval of the governor-general, agree to serve all or any of the needs of a province.

The sections of the Government of India Act 1935 relating to the PSCs were brought into force on 1 April 1937, and the then-PSC at the centre became the Federal PSC. The Constituent Assembly saw the need to give a secure and autonomous status to PSCs at both federal and provincial levels to ensure unbiased recruitment to civil services and also for protection of service interests. After independence, with the promulgation of the new Constitution for independent India on 26 January 1950, the Federal PSC was accorded a constitutional status

and was renamed UPSC. The chair and members of the Federal PSC became the chair and members of UPSC by virtue of Clause (1) of Article 378 of the Constitution (Box 4.1.2).

**Box 2: Article 378 of the Constitution**

**378. Provisions as to Public Service Commissions**

(1) The members of the Public Service Commission for the Dominion of India holding office immediately before the commencement of this Constitution shall, unless they have elected otherwise, become on such commencement the members of the Public Service Commission for the Union and shall, notwithstanding anything in clauses ( 1 ) and ( 2 ) of Article 316 but subject to the proviso to clause ( 2 ) of that article, continue to hold office until the expiration of their term of office as determined under the rules which were applicable immediately before such commencement to such members.

(2) The members of a Public Service Commission of a Province or of a Public Service Commission serving the needs of a group of Provinces holding office immediately before the commencement of this Constitution shall, unless they have elected otherwise, become on such commencement the members of the Public Service Commission for the corresponding State or the members of the Joint State Public Service Commission serving the needs of the corresponding States, as the case may be, and shall, notwithstanding anything in clauses ( 1 ) and ( 2 ) of Article 316 but subject to the proviso to clause ( 2 ) of that article, continue to hold office until the expiration of their term of office as determined under the rules which were applicable immediately before such commencement to such members.

**Structure and functions of PSCs**

The PSCs at the centre and in the states are creations of the Constitution of India. As constitutional authorities, they derive their right and privilege from the Constitution of India. The legislature and the executive cannot change the structure and functions of these PSCs. To appreciate the beauty and strength of the constitutional design requires faithful reproduction of the constitutional provisions. Any change in words can be misinterpreted. Hence, in this section we reproduce the relevant articles of the Constitution (Articles 315 through 323).

**Article 315: Public Service Commissions for the Union and for the States**

1. Subject to the provisions of this article, there shall be a Public Service Commission for the Union and a Public Service Commission for each State.
2. Two or more States may agree that there shall be one Public Service Commission for that group of States, and if a resolution to that effect is passed by the House or, where there are two Houses, by each House of the Legislature of each of those States, Parliament may by law provide for the appointment of a Joint State Public Service Commission (referred to in this Chapter as Joint Commission) to serve the need of those States.

3. Any such law as aforesaid may contain such incidental and consequential provisions as may be necessary or desirable for giving effect to the purposes of the law.
4. The Public Service Commission for the Union, if requested so to do by the Governor of a State, may, with the approval of the President, agree to serve all or any of the needs of the State.
5. References in this Constitution to the Union Public Service Commission or a State Public Service Commission shall, unless the context otherwise requires; be construed as references to the Commission serving the needs of the Union or, as the case may be State as respect the particular matter in question.

**Article 316: Appointment and term of office of members.**

1. The Chairman and other members of a Public Service Commission shall be appointed, in the case of the Union Commission or a Joint Commission, by the President, and in the case of a State Commission, by the Governor of the State:

Provided that as nearly as may be one half of the members of every Public Service Commission shall be persons who at the date of their respective appointments have held office for at least ten years either under the Government of India or under the Government of the State, and in computing the said period of ten years any period before the commencement of this constitution during which a person has held office under the Crown in India or under the Government of an Indian State shall be included.

(I-A) If the office of the Chairman of the Commission becomes vacant or if any such Chairman is by reason of absence or for any other reason unable to perform the duties of his office, those duties shall, until some person appointed under clause (I) to the vacant office has entered on the duties, thereof, as the case may be until the Chairman has resumed his duties be performed by such one of the other members of the Commission as the President in the case of the Union Commission or a Joint Commission and the Governor of the State in the case of the State Commission may appoint for the purpose.

2. A member of a Public Service Commission shall hold office for a term of six years from the date on which he enters upon his office or until he attains, in the case of the Union Commission, the age of sixty-five years and in the case of a State Commission, or a Joint Commission the age of sixty-two years, whichever is earlier:

Provided that -

- (a) a member of a Public Service Commission may, by writing under his hand addressed, in the case of the Union Commission or a Joint Commission, to the President, and in the case of a State Commission, to the Governor of the State, resign his office;
  - (b) a member of a Public Service Commission may be removed from his office in the manner provided in Clause (1) or Clause (3) of Article 317.
3. A person who holds office as a member of a Public Service Commission shall, on the expiration of his term of office, be ineligible for re-appointment to that office.

**Article 317: Removal and suspension of a member of a Public Services Commission**

1. Subject to the provisions of Clause (3), the Chairman or any other member of a Public Service Commission shall only be removed from his office by order of the President on the ground of misbehaviour after the Supreme Court, on reference being made to it by the President has on inquiry held in accordance with the procedure prescribed in that behalf under article 145, reported that the Chairman or such other member, as the case may be, ought on any such ground to be removed.
2. The President, in the case of the Union Commission or a Joint Commission, and the Governor, in the case of a State Commission, may suspend from office the Chairman or any other member of the Commission in respect of whom a reference has been made to the Supreme Court under Clause (1) until the President has passed orders on receipt of the report of the Supreme Court on such reference.
3. Notwithstanding anything in clause (1), the President may by order remove from office the Chairman or any other member of a Public Service Commission if the Chairman or such other member, as the case may be -
  - (a) is adjudged as insolvent; or
  - (b) engages during his term of office in any paid employment outside the duties of his office; or
  - (c) is, in the opinion of the President, unfit to continue in office by reason of infirmity of mind or body.
4. If the Chairman or any other member of a Public Service Commission is or becomes in any way concerned or interested in any contract or agreement made by or on behalf of the Government of India or the Government of a State or participates in any way in the profit thereof or in any benefit or emolument arising there from otherwise than as a member and in common with the other members of an incorporated company, he shall, for the purposes of Clause (1), be deemed to be guilty of misbehaviours.

**Article 318: Power to make regulations as to conditions of Service Condition of members and Staff of the Commission**

In the case of the Union Commission or a Joint Commission, the President and, in the case of a State Commission, the Governor of the State may by regulations -

- (a) determine the number of members of the Commission and their conditions of service; and
- (b) make provision with respect to the number of members of the staff of the Commission and their conditions of service: Provided that the conditions of service of a member of a Public Service Commission shall not be varied to his disadvantage after his appointment.

**Article 319: Prohibition as to the holding of offices by members of Commission on ceasing to be such members**

On ceasing to hold office:

- (a) the Chairman of the Union Public Service Commission shall be ineligible for further employment either under the Government of India or under the Government of a State;
- (b) the Chairman of a State Public Service Commission shall be eligible for appointment as the Chairman as the Chairman or any other member of the Union Public Service Commission or as the Chairman of any other State Public Commission, but not for any other employment either under the Government of India or under the Government of a State;
- (c) a member other than the Chairman of the Union Public Service Commission shall be eligible for appointment as the Chairman of a State Public Service Commission, but not for any other employment either under the Government of India or under the Government of a State;
- (d) a member other than the Chairman of a State Public Service Commission shall be eligible for appointment as the Chairman or any other member of the Union Public Service Commission or as the Chairman of that or any other State Public Service Commission, but not for any other employment either under the Government of India or under the Government of a State;

## Article 320: Functions of Public Service Commissions

1. It shall be the duty of the Union and the State Public Service Commission to conduct examinations for appointments to the Services of the Union and the Services of the State respectively.
2. It shall also be the duty of the Union Public Service Commission, if requested by any two or more States so to do to assist those States in framing and operating schemes of joint recruitment for any services for which candidates possessing special qualifications are required.
3. The Union Public Service Commission or the State Public Service Commission, as the case may be, shall be consulted -
  - (a) on all matters relating to methods of recruitment to Civil Services and for civil posts;
  - (b) on the principles to be followed in making appointments to Civil Services and posts and in making promotions and transfers from one service to another and on the suitability of candidates for such appointments, promotions or transfers;
  - (c) on all disciplinary matters affecting a person serving under the Government of India or the Government of a State in a Civil capacity, including memorials or petitions relating to such matters;
  - (d) on any claim by or in respect of a person who is serving or has served under the Government of India or the Government of a State or under the Crown in India or under the Government of an Indian State, in a civil capacity that any costs incurred by him in defending legal proceedings instituted against him in respect of acts done or purporting to be done in the execution of his duty should be paid out of the Consolidated Fund of the State;
  - (e) on any claim for the award of a pension in respect of injuries sustained by a person while serving under the Government of India or the Government of a State, in a Civil capacity, and any question as to the amount of any such award, and it shall be the duty of a Public Service Commission to advise on any matter so referred to them and on any other matter which the President, or, as the case may be, the Governor of the State, may refer to them:

Provided that the President as respects the all-India services and also as respects other services and posts in connection with the affairs of the Union, and the Governor as respects other services and posts in connection with the affairs of a State, may make regulations specifying the matters in which either generally, or in any particular class



of case or in any particular circumstances, it shall not be necessary for a Public Service Commission to be consulted.

4. Nothing in Clause (3) shall require a Public Service Commission to be consulted as respects the manner in which any provision referred to in Clause (4) of Article 15 may be made or as respects the manner in which effect may be given to the provisions of article 335.
5. All regulations made under the proviso to Clause (3) by the President or the Governor of a State shall be laid for not less than fourteen days before each House of Parliament of the House or each House of the Legislature of the State, as the case may be, as soon as possible after they are made, and shall be subject to such modifications, whether by way of repeal or amendment, as both Houses of Parliament or the Houses or both Houses of the Legislature of the State may make during the session in which they are so laid.

#### **Article 321: Power to extend functions of Public Service Commission**

An act made by Parliament or, as the case may be, the Legislature of a State may provide for the exercise of additional functions by the Union Public Service Commission or the State Public Service Commission as respects the services of the Union or the State and also as respects the services of any local authority or other body corporate constituted by law or of any Public Institution.

#### **Article 322: Expenses of Public Service Commission**

The expenses of the Union or a State Public Service Commission, including any salaries, allowances and pensions payable to or in respect of the members of staff of the Commission, shall be charged on the consolidated Fund of India or, as the case may be, the Consolidated Fund of the State.

#### **Article 323: Reports of Public Service Commission**

1. It shall be the duty of the Union Commission to present annually to the President a report as to the work done by the Commission and on receipt of such report the President shall cause a copy thereof together with a memorandum explaining, as respects the cases, if any, where the advice of the Commission was not accepted, the reasons for such non-acceptance to be laid before each House of Parliament.
2. It shall be the duty of a State Commission to present annually to the Governor of the State a report as to the work done by the Commission, and it shall be the duty of a Joint Commission to present annually to the Governor of each of the States the needs of which

are served by the Joint Commission a report as to the work done by the Commission in relation to that States, and in either case the Governor, shall, on receipt of such report, cause a copy thereof together with a memorandum explaining, as respects the cases, if any, where the advice of the Commission was not accepted, the reasons for such non-acceptance to be laid before the Legislature of the State.

## Conclusion

It is clear from the above reading of the Constitution that the powers of UPSC are confined within its advisory activities only. In the famous case of *D. Silva vs. the Government of India (1962)*, the Supreme Court of India has also upheld this view. It is interesting to note that nowhere in the whole Constitution of India is anything said that gives USPC advice a binding effect on the government at the centre.

The Constitution of India has made the PSC a mere advisory institution, required to give advice on the subject sent to it by the president of India or by state governors. Accepting or refusing their advice is at the absolute discretion of the respective governments. This is because India has adopted a form of responsible democratic government whereby the Council of Ministers cannot delegate its responsibilities to employees of any other organisation but at the same time cannot neglect the advice given by a commission consisting of experienced and expert persons. Since the Council of Ministers is responsible to the legislature, ministers themselves, rather than any commission, should shoulder responsibility for the task of keeping up the standard of the images and activities of civil servants before the people.

In order to prevent ministers from taking any undue advantages or using UPSC for their own personal and party interests, the Constitution has taken two precautionary measures.

1. The government must consult UPSC regarding the appointment of its employees and other matters relating to its interest.
2. If the recommendation or advice of UPSC is not accepted, the government is to explain the reason for such non-acceptance to Parliament.

The government of India can appoint an employee without the recommendation of UPSC but such an employee cannot be appointed for more than a year. If such an employee is to be appointed for more than a year, the approval of UPSC is needed. Moreover, if the government does not take the recommendations or advice of the UPSC or refuses or neglects it, the reasons for this are to be reported to Parliament.

## Functioning and performance of UPSC

As mentioned in above, the functions of UPSC are prescribed in Article 320 of the Constitution. These include:

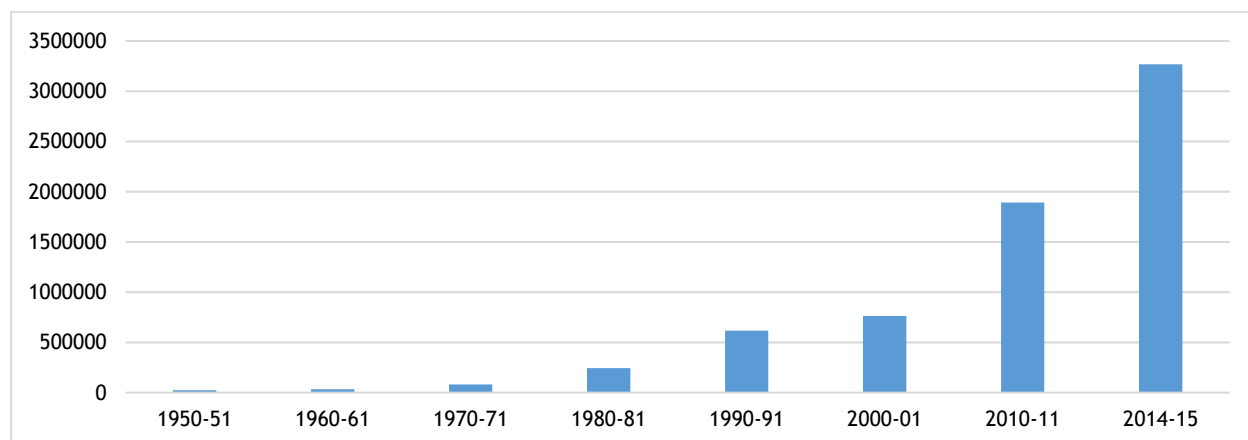
1. Conduct of examinations for appointment to the Services of the Union.
2. Direct recruitment by selection through interviews.
3. The Commission shall also be consulted on:
  - (a) Appointment of officers on promotion/deputation/absorption.
  - (b) Framing and amendment of Recruitment Rules for various Services and posts under the Government of India and Union Territories.
  - (c) Disciplinary cases relating to different Civil Services.
  - (d) On any matter referred by the President of India.

### Performance of UPSC over the years against its functions

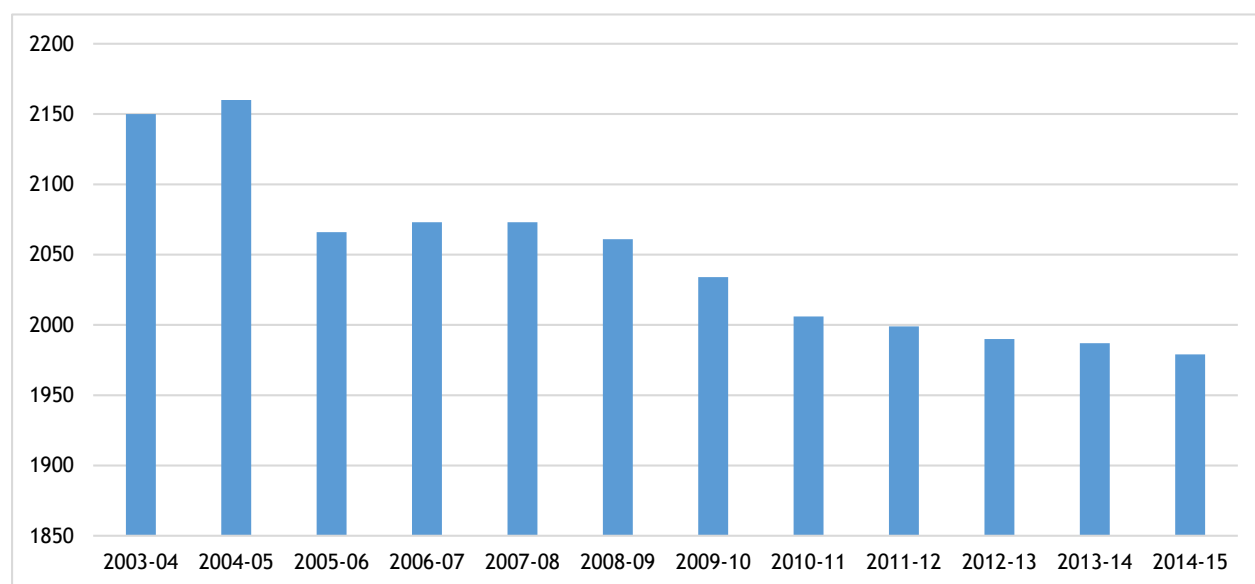
**Table 4.1.1. Applications received, candidates interviewed/service records evaluated and candidates recommended over the years**

Year	No. of applications received			Candidates interviewed/service records evaluated			No. of candidates recommended		None found suitable (N.F.S.)	Total
	Exam	Recruited	Total	Exam	Recruited	Total	Exam	Recruited		
1950-51	24,680	18,047	4,2727	3,383	6484	9,867	2,780	883	120	3,783
1960-61	34,349	36,833	71,182	4,862	9078	13,940	3,298	1,727	249	5,274
1970-71	81,539	65,197	146,736	3,473	13706	17,179	4,187	2,059	190	6,436
1980-81	243,374	58,748	302,122	9,256	14090	23,346	4,093	2,591	361	7,045
1990-91	615,850	72,079	687,929	13,838	16788	30,626	4,609	2,341	655	7,605
2000-01	762,501	48,019	810,520	3,351	5662	9,013	4,177	1,050	179	5,406
2010-11	1,893,030	106,083	1,999,113	5,342	4083	9,425	4,896	1,117	155	6,168
2014-15	3,267,794	121,420	3,389,214	9,792	5480	15,272	5,969	2,303	241	8,513

**Figure 4.1.1. Applications received**



**Figure 4.1.2. Total staff strength**



It is clear UPSC has done a good job of making use of limited resources to deliver an ever-increasing volume of work. An increase in applications for various positions is a good proxy for an increase in all other related areas of work. When more people apply, more people are hired. With an increase in the number of civil servants, we have larger number of grievances and issues to handle. We describe some of the parameters below.

**Table 4.1.2. Disciplinary cases**

Year	Number of disciplinary cases disposed off during the year	Number of disciplinary cases in which advice tendered	Deficient proposals returned
1950-51*	53	53	-
1960-61	101	64	37
1970-71	161	102	59
1980-81	381	260	121
1990-91	489	195	294
2000-01	815	566	249
2010-11	826	417	409
2014-15	567	463	104

**Table 4.1.3. Recruitment rules cases (1950-2015)**

Year	Recruitment rules cases received	Recruitment rules cases advised on
1950-51	--	--
1960-61	332	299
1970-71	934	907
1980-81	1241	1359
1990-91	1660	1659
2000-01	1209	1233
2010-11	1386	1372
2011-12	1306	1335
(Note: The Single Window System was introduced with effect from 1 September 2011. Therefore, the analysis has been done in two stages, i.e. prior to the introduction of Single Window System [i.e. up to FY 2011-12] and post-introduction of Single Window System [i.e. from FY 2012-13 to FY 2014-15].)		
2012-13	696	726
2013-14	642	648
2014-15	604	601

**Table 4.1.4. Induction into All India Services**

Year	No. of records examined for induction into All India Services (officers recommended)
1950-51	-
1960-61	2,054
1970-71	1,617
1980-81	2,010 (499 officers)
1990-91	1,488 (543 officers)
2000-01	840 (268 officers)
2010-11	1,105 (418 officers)
2014-15	1,149 (394 officers)

**Table 4.1.5. Deputation/absorption cases**

Year	No. of records examined for promotion/deputation/absorption cases (officers recommended)
1950-51	-
1960-61	5,200
1970-71	12,924
1980-81	20,711
1990-91	35,645 (4,100 officers)
2000-01	32,726 (6,221 officers)
2010-11	17,574(3,978 officers)
2014-15	12,064 (7,055 officers)

### Single Window System

1. The Single Window System was first adopted in the PSC in the year 2011 and has been extended in a phased manner to cover the various functions. It is intended to expedite the processing of promotion/deputation cases, selection committee meetings, disciplinary cases, recruitment rules proposals and direct recruitment cases.
2. Ministries/departments/state governments are required to bring their proposals in person to the PSC. A designated official of the rank of under-secretary in the respective branch of the PSC scrutinises the proposal.

Table 4.1.6. Reduction in proposal processing time in PSC after adoption of Single Window System

Year	Direct recruitment	DPC	Deputation	Disciplinary cases	Recruitment rules
2007-08	397 days	133 days	180 days	180 days	33 days
2014-15	261 days	62 days	79 days	114 days	20 days
Effective reduction in time (%)	36.5%	53.4%	56.1%	36.6%	39.4%

### Review of existing literature

This study fills an important gap in the literature. It represents the first comprehensive description and analysis of UPSC in India. The available literature on this topic can be classified into three broad categories: studies that focus directly on the Indian PSC itself; papers that focus on the civil service and tangentially with PSCs; and official documents on PSCs.

The first-category studies are essentially descriptive in nature and generally deal with historical developments leading up to the setting up of PSCs in India (Ali, 2001; Pradhan, 2005; Tangirala, 2009); descriptions of the Civil Service Examination in India and its relevance in the current settings (Ligairi et al., 1971); the significance of vernacular languages in the Civil Service Examination; and the qualification of PSC members at personal and professional level (Tyagi et al., 1959).

Studies exploring historical developments give insights on the underlying spirit/objectives behind PSC advocacy in the pre- and post-independence eras. In the pre-independence period, the prime objective was Indianisation of the civil services to make inroads into the administrative decision-making machinery (Pradhan et al., 2005). However, during post-independence period, the objectives were changed to securing independence of the civil service from the executive; custodian of merit in the civil services; and a balanced membership of the commission (Tyagi, 1959). Bhalerao (1958) agrees to these objectives and observes that one of the key objectives of establishing a PSC was to ensure a position of stability and security for the civil service, qualities that are fundamental to its successful working as a neutral, impartial and efficient instrument of the government in implementing public policies.

Tangirala (2009) explores the sociological dimension associated with the PSC and analyses the intervention of UPSC in reintroducing the knowledge of vernacular in 1979 in keeping with the recommendations of the Kothari Committee. He concludes that the preferences of candidates taking this exam in vernacular reflect a new confidence in the linguistic landscape of India, and that this shift has helped people realise their right to equal opportunity *vis-à-vis* taking the examination and has made the examination more inclusive. Moreover, he also highlights one of

the key determinants of the prevailing social stratification system in India—that entry into the civil service allows one to scale the higher echelons of the social class system. The growing trend in the number of candidates validates this claim (Davis and Moore, 1945).

Studies falling under the second category—the Indian civil service—comprise the larger part of the available literature. Here, the literature does not directly describe performance management and impacts of the PSC. These studies focus on the role and rationale of All India Services (Sinha et al., 1959; Smith et al., 2005); civil/public service reforms (Pradhan, 2005); and the merit system in the civil service (Jain, 1972). Although these studies give an account of the Indian civil service's elevated status, which is arguably an outcome of the PSC's efforts, no serious attempt has been observed that explicitly establishes correlation/a causal relation between the PSC's efforts and the status of the services in India. Rather, most studies explore the interface of public services and the PSC. For instance, merit, a key principle adopted by the PSC in India in the recruitment of the civil servants, is explored and given various interpretations in different studies. It has been considered achievement-based selection and performance-based progress (Stahl, 1962); an orderly recruitment/promotion of public servants based on ability (Lomax, 1950); and equality of opportunity and the doctrine of competition (Roy, 1941).

However, a few studies on the operation of the merit system in India highlight the limitation of the PSCs *vis-à-vis* the reservation of seats for certain communities in the civil service; the constitutional provision of exemption from consultation with the PSC; and the temporary appointments that flout the merit principle, which comes under the protection of the Constitution of India (Jain, 1972).

The third-category literature comprises annual reports and various reports on the PSC at state, national and international level. UPSC annual reports validate the fact endorsed by most of the earlier mentioned studies that the Indian PSC at the federal level has been successful in conducting examinations regularly, on a merit basis and in a time-bound manner. This disciplined carrying-out of its key function in a fair manner has earned UPSC a fair amount of respect and trust in India as well as abroad (UPSC, 2015).

A comparative study of the PSCs of SAARC member nations (2014) reveals a key fact about the Indian PSC: unlike some of the other PSCs in the world, it does not have direct executive powers to control or regulate the Indian civil service. Rather, most of its powers are advisory in nature,

and have been largely ignored by the government of late. This dilutes the position of the commission as a guardian of the civil service.

### Comparison of UPSC with state-level PSCs

The following paragraph from Assam state conveys this comparison eloquently:

The Assam Public Service Commission has to discharge the duties and functions specified in Article 320 of the Constitutions. The Commission apart from conducting examinations for appointments to the services of the state, is required to advise Government on all matters relating to framing of Recruitment Rules, Principle to be followed in making appointments, promotions and in respect of disciplinary matters affecting Civil Servants. Hence it is required to consult the Commission in the matters of recruitment, promotions; Disciplinary matters, framing of Recruitment Rules and other Service matters of the Assam State Services (Namely ACS, APS, AFS, AESS, Ranger course in Forestry, B.D.O. etc.). One of the major functions of the Commission is to conduct its Combined Competitive Examination regarded as the most prestigious examination, for selection to Assam Civil Services & Other allied categories. The Commission could also be consulted in respect of appointment to certain categories of posts of a local authority statutory corporation, or a public institution under the provisions of Article 321 of the Constitutions.

It is clear that state-level PSCs in India derive their structure and functions from the same articles of the India Constitution. Hence, they are replicas of UPSC. The main difference is in their functioning. UPSC enjoys relative autonomy, as it is under the national spotlight and the executive knows not to interfere with it. The story in the states is quite different. State PSCs are prone to greater political interference. Their functioning depends on the quality of the leadership. If they get a competent chair, they can work well for some time.

The Constitution endows these commissions with a purely advisory role. However, over the years, a convention has developed that the state and central governments accept their recommendations. The PSCs in their mandatory annual report to the president or the governor, as the case may be (Article 323) are expected to highlight cases in which governments do not accept their advice. Reports on this are then laid on the table of the Parliament/state legislature. There are, however, instances of delays in acceptance of commission recommendations. This is particularly true for state-level PSCs.



In short, the system of recruitment at both centre and state levels is more or less the same. The state governments have followed the central government, *mutatis mutandis*, in all respects.

### Comparison of UPSC with other SAARC PSCs

SAARC came into being when its Charter was formally adopted on 8 December 1985 by the Heads of Government of seven countries: Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. Afghanistan was added to the regional group in April 2007. SAARC is a manifestation of the determination of the peoples of South Asia to work together towards finding solutions to their common problems in a spirit of friendship, trust and understanding and to create an order based on mutual respect, equity and shared benefits. The main goal is to accelerate the process of economic and social development in member states, through joint action in the agreed areas of cooperation.

### Public/civil service commissions in SAARC

A public/civil service commission is a government agency, established under the provision of Constitution or law or executive order. The commissions are important pillars of the national integrity system and have a very significant role in promoting excellence in the public administration by selecting the most competent persons to render public services. The commissions attempt to attract the best talent by upholding the principles of merit, professionalism, equality and fair play. This is a challenging task and demands the availability of adequate institutional and human capacities in the region.

The areas of cooperation of the public/civil service commissions of the SAARC member states include sharing of experiences and expertise in civil service matters, such as recruitment and selection, exchange of resource persons and development of professional skills of officers and staff through attachment and training programmes. In the first Meeting of Chiefs of the Public/Civil Service Commission of SAARC Member States, held in New Delhi on 20-22 November 2010, delegates from all SAARC PSCs participated and delivered presentations on the role and functions of their commission. The meeting decided the SAARC Secretariat should carry out a detailed study of SAARC commissions to identify similarities and dissimilarities, including their operational status and challenges faced, so as to arrive at possible best practices.<sup>15</sup> Attracting the best talent, upholding the principles of merit, professionalism,

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<sup>15</sup> This section is based primarily on the findings of this study.

equality and fair play, is a challenging task: good practices adopted by the PSCs of the SAARC region need to be shared for benefit of other commissions.

In any governance system, the quality of public servants is critical; in this context, recruitment of suitable persons is of great importance. Those aspiring to be civil servants must have not only the required skills and knowledge but also the right values: integrity, commitment to public service; and, above all, dedication to the ideas and philosophy embodied in the Constitution. Therefore, the recruitment process, apart from being transparent, objective, fair and equitable, should also ensure the right type of person joins the civil services.

### **Similarities and dissimilarities between UPSC and other SAARC PSCs**

In order to understand the similarities and dissimilarities prevailing in the functioning and establishment of the public/civil service commissions of the region, a questionnaire was designed to gather the required information from all the commissions. Some important findings are summarised below:

#### ***Establishment, terms and conditions of the commission***

- UPSC as it is known today was rechristened after India's independence and accorded constitutional status in January 1950. Among the SAARC commissions, that of Maldives, established in 2007, is the youngest among the SAARC member states.
- Bangladesh's PSC is the largest, with 14 members. The Civil Service Commission of Maldives is the smallest, with three members.
- The president/king of the respective country appoints the chair and members in all commissions.
- The tenure of chairs and members varies from three to six years or up to the maximum age of 65 years. In Afghanistan, Pakistan and Sri Lanka, tenure is three years. In Bangladesh, Bhutan and Maldives, it is five years. In India and Nepal, it is six years. Sri Lanka has not imposed a maximum age limit.
- The appointment period of the chair and members is protected under the law, and an oath is mandatory for the chair and members on taking office in all commissions, except in Afghanistan.
- After completing the tenure of chair/member, re-employment in any other service is permissible in Afghanistan, Bangladesh, Maldives, Nepal and Sri Lanka; it is not permissible in Bhutan, India and Pakistan.

- As per the perks and privileges in terms of salary and allowances payable to chair and member, Pakistan PSC ranks the highest, followed by Afghanistan and India. Maldives is the lowest and Sri Lanka is second lowest.
- In Afghanistan, India and Pakistan, the country president is the competent authority to formulate terms and conditions for the commission. In Bangladesh, Bhutan, Maldives and Nepal, authority rests with the Parliament. In Sri Lanka, the commission itself is the authority.
- In making terms and conditions for commission staff, authority in Bangladesh, India and Pakistan rests with the president. In Nepal, it is with the Parliament. In Afghanistan, Bhutan, Maldives and Sri Lanka, the respective commissions enjoy this authority.
- To formulate Business Rules, in Afghanistan and Bangladesh the President is the competent authority. The commissions in Bhutan, India, Maldives and Nepal have the same authority, but in Pakistan approval of the federal government is required.
- The Indian PSC has the highest numbers of officers and staff, followed by the commissions in Pakistan and Bangladesh. The commissions of Maldives and Bhutan have the lowest strength of employees.
- In India, Pakistan and Sri Lanka, there are PSCs at the state/provincial level as well. Such commissions do not exist in other SAARC countries.

#### ***Functions of civil/public service commission***

- The main functions of the PSCs of Bangladesh and Pakistan are limited and similar in nature. They are restricted to recruitment and selection, besides an advisory role on certain matters. Functions assigned to the Indian UPSC are also extended to disciplinary matters.
- The functions of the Royal Civil Service Commission of Bhutan as the central personal agency of the government include recruitment, appointment, training, transfer and promotion of civil servants. The PSCs of Nepal and Sri Lanka play the role of appointment, promotion, transfer and disciplinary action against civil servants. The tasks of the Afghanistan commission are advisory and also entail policy formulation on civil service matters, as well as training and capacity-building. The Maldivian Civil Service Commission functions include appointment, dismissal from service and determination of salary and other financial benefits for civil servants.
- Almost all the commissions of SAARC member states have provision under the law to design syllabi for the examinations/tests conducted by the respective commission.

- The commissions in Afghanistan, Bhutan, Maldives and Pakistan have the provision by law to conduct post-training examinations. However, in Bangladesh, India, Nepal and Sri Lanka there is no provision.
- For the promotion of civil employees to higher posts, the commissions of Bangladesh, Bhutan, India, Nepal and Pakistan conduct promotional examinations. In the commissions of Afghanistan, Maldives and Sri Lanka there is no such provision by law.
- In Afghanistan, Bhutan and Maldives, the commissions have a provision to design training courses for personnel recruited through the respective commission. There is no such provision in the commissions of Bangladesh, India, Nepal, Pakistan and Sri Lanka.
- For nomination of personnel for training, the commissions of Afghanistan, Bhutan and Maldives have the provision to make suggestions; in the rest of the commissions there is no provision to interfere in the process of nomination.
- All the commissions in the region have the provision under law to play a role in disciplinary cases initiated by the government against civil servants recruited through the commission, except in Pakistan.
- Review of the advice tendered by the commissions in any matter under their purview is mandatory in Afghanistan, Maldives, Pakistan and Sri Lanka. It is advisory in Bangladesh and Nepal. India's UPSC is a recommendatory body and in Bhutan the commission takes decisions on its own on all civil service matters except those specified in the Constitution.
- In relation to recruitment rules for civil servants, the commissions of Afghanistan, Bangladesh, Bhutan, India, Maldives, Pakistan and Sri Lanka have a mandatory role in framing and finalising these. In Nepal, the commission has an advisory role.
- In Afghanistan, Bhutan, India and Maldives, the commissions are competent to recruit officers/staff of institutions, and this is established under the law. In Bangladesh, Nepal, Pakistan and Sri Lanka, the commissions do not have this authority.
- All the commissions have an obligation to submit an annual report on functions performed either to the president or to Parliament, as required under the law.
- In the case of the Nepal PSC and the Maldives Civil Service Commission, the chair is an *ex-officio* member of the Judicial Service Commission, as provided for under the Constitution. In Pakistan the chair is the head of the Central Selection Board for Promotion of Civil Officers to BS-20 and BS-21, under provision of the Civil Servant Act 1973. No other commission has such provision under the respective country's law.

- There is no provision that members of the commissions become *ex-officio* members of the selection boards of other institution except in Bhutan, Maldives, Nepal and Pakistan.

### ***Methods of recruitment***

- The methods of recruitment adopted by the commissions of the SAARC countries include written examinations and interviews according to the job requirements. There is no dissimilarity on such procedures in any of the commission.
- In Afghanistan, Bhutan, India, Maldives and Sri Lanka, the government can make *ad hoc* appointments without prior approval of the commission. In Bangladesh, Nepal and Pakistan, there is provision by law to make *ad hoc* appointments with prior approval of the commission. Contract appointments can be made by the governments in all SAARC countries without prior approval of the commission, except in Maldives.
- Shortlisting of candidates in larger recruitment cases in the commissions of Bangladesh, Nepal and Pakistan is carried out through written tests only. In Afghanistan, Bhutan, India and Sri Lanka, the academic record of candidates is also taken into account. In Maldives, shortlisting of candidates is carried out only on the basis of academic record.
- All commissions have assigned weightage to the academic record of the candidates in their selection criteria, except in Bangladesh, Nepal and Pakistan.
- In the selection process, weightage assigned to interviews varies, from 10 to 20 per cent, or higher for a certain level of posts. The Pakistan commission has assigned the highest weightage to interviews in the selection process. It is worth mentioning that, during the selection of BS-20 and above posts, Pakistan assigns 100 per cent weightage.
- The average time taken to complete the recruitment process in Bhutan and Maldives is a minimum of one month for selection by interview and six months for selection through examination + interview; this is the lowest time span among the SAARC countries. Bangladesh and Pakistan see the highest time span, ranging from eight to ten months or even more in certain recruitment cases.
- The annual receipt and processing of applications for various jobs is highest in terms of number in Bangladesh, followed by India and Pakistan. The number of applications is lowest in Bhutan.
- In India, applications for jobs are received online. Both online and paper-based applications are received in all other commissions.

- In Bangladesh, India and Pakistan, facilities for centralised data processing of applications are available, with databases in place for the past four to fifteen years. Such a facility is not present in other commissions of the region.
- Withdrawal of requisition for recruitment is admissible in all the commissions of SAARC countries but at different stages. In Afghanistan, Bhutan, Maldives and Nepal, requisitions can be withdrawn by the concerned ministry/organisation before advertisement of the post. In other commissions they can be withdrawn before conducting tests or interviews.

### ***Conduct of tests and examinations***

- For shortlisting of candidates, objective type tests are used by the commissions in Bangladesh, Bhutan, India, Nepal and Pakistan. Maldives and Sri Lanka use a combination of both objective and subjective tests. In Afghanistan, only descriptive tests are in practice.
- Shortlisting of candidates is done by the commissions in Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal and Pakistan. Sri Lanka's commission seeks assistance from the administrative authorities or other agencies in shortlisting candidates.
- In all the commissions, staff administer tests and examinations, except in Sri Lanka, where other organisations are hired to conduct the tests/examinations.
- The Nepalese commission conducted the highest number of tests and examinations during the years 2010 and 2011. The Commissions in Bhutan and India conducted the lowest number of tests/examinations during this period.
- To conduct tests and examinations, all commission follow a paper-based system. However, some commissions, like India, Pakistan and Sri Lanka, are planning to undertake computer-based testing for certain jobs, with an objective test (MCQ) administered for shortlisting and selection of candidates.
- The commissions in Afghanistan, Bhutan, India, Nepal and Sri Lanka maintain a data bank of questions for tests and examinations; in Bangladesh, Maldives and Pakistan no such data bank exists.
- In Bhutan and Maldives, the commissions are the appointing authorities of officers/officials. In other countries, appointing authorities are specified under the civil service laws/rules of the respective country.

### ***Conduct of interviews***

- Commissions in India and Sri Lanka have a larger board/committee for interviews as compared with other countries.

- In Afghanistan, Bhutan and Pakistan, interviews for certain posts are conducted by one and the same committee. However, in Bangladesh, India, Maldives and Nepal, there can be more committees if candidates to be interviewed for certain jobs are larger in number. In Sri Lanka, the administrative authority and not the commission conducts the interview.
- In all the commissions, members award marks separately to the candidate during interviews, except in Bangladesh, India and Pakistan, where the interviewing committee/board collectively awards marks.
- In Bangladesh, India and Maldives, the interview committees write a report on the strengths and weaknesses of the candidates observed during the interview. This system does not prevail in any other commission.
- There is uniformity in all the commissions that interviews are conducted on the physical appearance of candidates before the committee/board.
- All the commissions are in practice able to invite subject specialists/departmental representatives to assist in conducting interviews.
- The commissions of Bangladesh and Sri Lanka have allocated some weightage in terms of marks to be awarded on the recommendations of departmental representatives or subject specialists. In all other commissions, no weightage is given to them in term of marks.

#### ***Provision of quotas in recruitment***

- In Bangladesh, Nepal and Pakistan, the quota for various provinces/regions of the country is prescribed under the law to ensure their participation in the civil services of the country. However, there is no such provision in Afghanistan, Bhutan, Maldives and Sri Lanka. In India, reservation is prescribed for Scheduled Castes, Scheduled Tribes, Other Backward Classes and Physically Handicapped persons for participation in the services.
- In Afghanistan and Bhutan, there is no quota system and recruitment is made on open merit. In Bangladesh and Pakistan, the quota system in the services is based on the population ratio of various regions of the countries. In India, Nepal and Sri Lanka, some representation in services is given on other grounds, as specified in the service requirements.

#### ***Provision of age relaxation in recruitment***

- The commissions of Afghanistan, Bhutan and Maldives do not provide any age relaxation. In Bangladesh, age relaxation is given to freedom fighters and their children, doctors and tribals. In India and Sri Lanka, there is provision of age relaxation to government servants. Age relaxation is given to minorities, women, widows and disabled persons in Nepal and

Pakistan. In Bangladesh and Sri Lanka, age relaxation is not considered for women, widows and disabled persons. In India, while age relaxation is not considered for women and widows, the same is provided to disabled persons.

- In Afghanistan, Bangladesh and Pakistan, the president of the country is competent to grant age relaxation to applicants. In Bhutan and India, the commission allows age relaxation following the relevant rules. In Nepal and Maldives, age relaxation is not applicable for recruitment purpose.

### ***Psychological tests***

Psychological testing is not carried out for all posts recruited through the commissions. In Afghanistan, Bangladesh, India and Maldives, there is no system of psychological testing of candidates. In Nepal and Pakistan, different types of tests (verbal and non-verbal, problem-solving, personality tests, pictorial reasoning and ability tests) are used.

### ***Representations and appeals against decisions of the commissions***

- In Bangladesh and Nepal, there is no quasi-judicial function; the rest of the commissions have been assigned this function to redress the grievances of candidates.
- Candidates have the right of representation against any decision of the commission in the entire SAARC region, except in Bangladesh and Sri Lanka.
- The number of court cases filed by aggrieved candidates against the decisions of the commissions during the years 2010 and 2011 was highest in India, followed by Pakistan. Such cases were lowest in number in Nepal, followed by Bangladesh.

### ***Communication with applicants***

- The different commissions follow different modes of communication with candidates. Afghanistan and Bhutan communicate through telephone and e-mail. Bangladesh, Maldives and Pakistan use the postal service, SMS, the website, telephone and e-mail. In India communication is through e-mail and the website. Sri Lanka communicates through the post and courier services.
- The commissions in Bangladesh, Bhutan, India, Nepal and Pakistan have a helpline/call centre for candidates, providing the required information and enabling the submission of applications. This facility is not available in Afghanistan, Maldives and Sri Lanka.

### ***Challenges to commissions***



Challenges faced by commissions in performing their duties are numerous. The commissions address these according to their local requirements. The main constraints include lack of adequate infrastructure, non-availability of a question data bank, lack of information, communication and technology (ICT) facilities (except in India and Pakistan), manual marking of answer scripts, which is a time-consuming activity, insufficient opportunities for training and development of commission staff, etc.

### **Recommendations based on the comparative study of PSCs in SAARC**

After detailed study of the functioning and structure of all public/civil service commissions of the SAARC member states, the following findings were derived, along with practical recommendations on each finding for improvements in their functioning and recruitment system:

- The tenure of office of the chair and members ranges from three years to six years; this could be uniform and increased up to a maximum period of five years.
- There should be no provision for any further extension or re-employment after completing the tenure of five years or attaining the maximum age of 65 years, whichever is earlier.
- There is wide-ranging variation in perks and privileges offered to chairs and members of the commissions in the region. This gap needs to be minimised, keeping in view the economic and social conditions of the respective country.
- The functions assigned to all the commissions also vary widely in terms of recruitment, promotion, transfer, training, disciplinary actions and decisions on pension benefits. The functions need to be uniform, through amendments in the prevalent constitutions and laws, etc.
- The different commissions administer different types of tests and examinations. There is a need for consistency in types of test/examinations and methods of recruitments adopted by commissions across the region.
- The test and examination systems of the commissions of Bangladesh, India and Pakistan are well organized and should be followed by the commissions of the other countries.
- There are gross dissimilarities in the formulation of interview boards. To select the most suitable candidates and to uphold merit, fairness and transparency, a minimum of three commission members should constitute the board in commissions.
- Wide dissimilarities are observed in commission selection processes. All commissions should assign weightage to academic record, shortlisting/screening tests and interviews.

- For maximum use of ICT, an online system of recruitment (receipt of applications, conduction of MCQ tests, communication with candidates through e-mails/SMS, etc.) may be adopted step by step and encouraged. There is a priority need to strengthen ICT facilities in the commissions that are lacking such services.
- The commissions provide for right of representation and appeals for aggrieved candidates to all candidates. Representations should rest with the commission and appeals to the higher courts of law.
- The establishment of commissions in the SAARC region needs to be strengthened, keeping in view the functions assigned and the workload of each commission. This will automatically discourage outsourcing of the work of the commissions.
- To share the experiences of officers dealing with recruitment, ICT, research and development, all member state commission can arrange workshops and conferences on a rotating basis. This will be beneficial to redress the challenges facing the commissions and staff members. In this context, India, Pakistan and Bangladesh need to play leading roles.
- According to Bangladesh's Recruitment in Non-Cadre Posts (Special) Rules 2010, examinees who pass the BCS Examination but are not recommended finally in any cadre owing to the limited number of available posts will be given opportunities for recruitment in Class I non-cadre posts of the same level according to their qualifications and willingness. The Royal Civil Service Commission of Bhutan has a similar practice. Other commissions should follow this good practice adopted by Bangladesh and Bhutan.
- In India, all female candidates have been exempted from payment of fees for commission examinations. This is a good incentive to promote female participation in the civil service. There is a need to replicate this practice in other commissions as well.
- With the launch of the Interactive Voice Response (IVR) system by UPSC, India, candidates have access to information on the telephone relating to the schedule of the examinations, the status of the application, the venue and the result of the examination. The IVR system can gradually be introduced into other commissions in the region.
- No serving officer can become chair/member of Pakistan's commissions. There is a need to explore the advantages and disadvantages of this aspect before adopting it.
- Disabled candidates in the categories of the physically impaired, the hearing/speech impaired (deaf and dumb) and the visually impaired (blind) are allowed to compete in the Competitive Examination in Pakistan against four occupational groups/services: the

Commerce and Trade Group; the Pakistan Audit and Accounts Service; the Information Group; and the Postal Group. Other commissions can follow the good practice.

- The Sri Lanka PSC remained non-functional for two years (2009-11), and the Cabinet of Ministers performed its functions. In such circumstances, the functioning of the commission is hampered and it takes time to resettle. There is a need to discourage such practice in future.
- In the UK Commission, audit recruitment policies and practices within the service establish whether the appointing authority is observing the recruitment code. Bhutan has also a system, as per Section (9) of the Civil Service Act, to conduct periodic human resources auditing across all agencies to ensure not only recruitment but also appointment, staffing, training, transfers and promotions of civil servants are as per the prescribed codes (particularly the Civil Service Act and the BCSR) and, if not, to revoke (Section 28b of the Act) any human resources actions taken by implementing agencies. All commissions of the region should adopt this practice.
- In UK, for in-service candidates, there is no age or educational qualification restriction for those appearing in the Competitive Examination through the Fast Stream Assessment System. Two years of service is a mandatory requirement. Commissions in SAARC could review this practice for adoption.
- The Singapore Civil Service is one of the most efficient and least corrupt in the world, with the highest-paid civil servants. This system needs in-depth study so that commissions in SAARC can follow its good practices.
- In Australia, there is no maximum age limit for all posts, as the country does not discriminate on the basis of age. All commissions could consider this age relaxation.
- In Malaysia, candidates can register their applications at any time of the year without waiting for posts to be advertised. Final year students in private and public institutions of higher learning are interviewed, to fill vacancies in advance, so as to save time in recruitment. Commissions in SAARC need to look into this good practice.
- Commissions can consider the Fast Stream Assessment System in the UK for implementation to streamline recruitment for the career-based system.
- In Singapore, recruitment is based on open competition: individuals are inducted through psychometric tests rather than narrative written examinations. This practice may be given due consideration for adoption by all commissions in SAARC.

- Singapore implements different scholarships/awards, such as the President Scholarship, the Singapore Armed Forces Scholarship, the Singapore Police Scholarship, local/overseas merit scholarships (open/tied) and scholarships for general recruitment, depending on the job requirement. SAARC commissions could consider this exercise for replication so as to create competition and help uplifting merit among youth.

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## Case Study 4.2 Ghana. The Ghana Public Service Commission<sup>16</sup>

### Abstract

The Ghana Public Service Commission is one of the most independent service commissions in Commonwealth Africa. Its independence is derived directly from the Constitution and this has been instrumental in insulating it from any political interference in its work. The commissioners enjoy exemplary security of tenure, which enables them to carry out their work without fear or favour.

Terms and conditions of service for the chair and vice chair are set as equivalent to those of justice of the Court of Appeal and those of a justice of a High Court, respectively. Compulsory retirement age is set at 70 for the Chairman and 65 for the vice-chair, as with the chief justice and the justice of the High Court, respectively.

### Introduction

This study offers a detailed case study of Ghana's Public Service Commission. The Commission is considered the central management agency responsible for providing supervisory, regulatory and consultative functions pertaining to human resources within the country's public services.<sup>17</sup> Its emphasis on leadership stability, as outlined in the 1992 Constitution of the Republic of Ghana and the Public Services Commission Act (1994), is extolled as a case for best practice, particularly in setting strategic policy direction for effective human resource development in the public service. The study draws on various documents, archival research and field-based interviews with members and staff of the Public Service Commission conducted in June 2016, to explore the effects of the Commission's independence and leadership stability on the management of human resources in Ghana.

The next section traces the evolution of the Commission—which was specifically designated as Public Service Commission—from the period of British Colonial rule through various regimes after independence. This is followed by an account of the current structure and composition of the Commission, with an emphasis on its mandate, mode of appointments and engagements

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<sup>16</sup> This case study was commissioned by the Commonwealth Secretariat and written by Dr. Nelson Oppong of Oxford University, UK.

<sup>17</sup> The public services in Ghana comprise the Civil Service, the Judicial Service, the Audit Service, the Education Service, the Prisons Service, the Parliamentary Service, the Health Service, the Statistical Service, the National Fire Service, the Customs, Excise and Preventive Service, the Internal Revenue Service, the Police Service, the Immigration Service and the Legal Service. It also includes public corporations, other than those set up as commercial ventures, and other public services established by the Constitution or others that Parliament may prescribe (Article 190 of the 1992 Constitution).

since 1992. The last section reflects on some of the challenges the Commission faces in steering the management and development of human resources within the public services.

## Historical background

### The British colonial period

The structures, strengths and challenges of Ghana's Public Service Commission are largely rooted in a long history, dating back to the colonial period. This history can be traced to various reforms in the public services undertaken in the wake of World War II across several African countries, which began with the establishment of various commissions in the structure and remuneration arrangements across various colonies<sup>18</sup> In British West Africa, **the Commission on the Civil Services of British West Africa (1945-1946)** was established to enquire into the structure, remuneration and superannuation arrangements of the civil service (The National Archives, 1945-1948). This Commission, led by Sir Walter Harragin, recommended the creation of a public service commission as an advisory body to the governor to consolidate the services and to secure confidence, fairness and impartiality of the public service, in general, and government appointees (Murray and Ashton, 1992: 1xxiv). Subsequently, within the Gold Coast (as Ghana was then called), an Interim Public Service Commission, comprising two Europeans and an African, was established in 1948. This received constitutional backing in the 1950 Gold Coast (Constitution) Order-in-Council. Its broader mandate was set out under Article 68 of the 1950 Constitution:

The Governor, acting in his discretion, may refer to the Commission for their advice any question relating to the appointment (including promotion and transfer) or to the dismissal or other disciplinary control of public officers or of any public officer, or to any other matter which, in his opinion, affects the public service.

The 1950 Constitution also set out the Commission's mandate, in purely nominal forms, with no binding effects on the governor. In addition, the terms and conditions for members of the Commission, including appointments, dismissals and sanctions, were entrusted to the governor (Articles 67, 69).

The advisory nature of the Commission's mandate and its nominal form did not escape criticism. Most significantly, the Coussey Committee, established after investigations into the 1948 riots

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<sup>18</sup> Three main commissions established primarily to enquire into the structure, remuneration and superannuation arrangements of the civil services in various British colonies in Africa were the Fitzgerald Commission, covering Northern Rhodesia and Nyasaland, the Holmes Commission, for the territories in East Africa and the Harragin Commission (West Africa) (The National Archives 1945-1948).

in the Gold Coast, called for more specified roles for the Commission in the appointment of chief commissioners and regional administrators (Paras 339, 433).<sup>19</sup> Another Commission on the Civil Service of the Gold Coast (1950-1951), led by Sir David Lidbury, recommended a more enhanced 'judicial authority' for the Public Service Commission. This was considered a safeguard against the 'evils of political interference', while promoting meritocracy and inspiring confidence in the services. Specifically, the Commission's report observed:

Nothing can be more damaging to a successful administration than a service whose moral is undermined by political intrigue and interference, or even the suspicion that success or failure depend less on work and ability than on political influence. The evils of political interference do not only affect the public servant; they can be a source of serious embarrassment to the politician. In a country like the Gold Coast where patronage is still something of a tradition, unless Members of the Legislative Assembly are in a position to state clearly that individuals in the Public Service are none of their concern, and that they are in fact powerless to influence individual prospects, their lives may well be made a burden to them by an ever-increasing flow of applications, interviews, prayers and petitions directed to securing their good offices in the matter of the advancement of quite minor officials.

Some notable revisions to the Commission's mandate were made under the Gold Coast Constitution in 1954, which included provisions for the governor to act on the recommendations of the Public Service Commission concerning his/her mandate to the public services. With regard to the position of permanent secretaries and heads of department, appointments were conferred on the governor, acting on the recommendations of the prime minister—a position created under the 1954 Constitution—in consultation with the Public Service Commission. The governor also appointed members of the Commission, after consultation with the prime minister. Nonetheless, in effect, prospects for the emergence of a Public Service Commission unfettered by political control and 'undue influence from any quarter', as suggested by the Lidbury Commission, remained generally weak under the colonial regime.

For the most part, the colonial administrators and the emerging domestic political elites rarely relinquished control over the public services. As revealed by a memo from the Colonial Office

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<sup>19</sup> Following widespread looting and riots in the Gold Coast in 1948, the colonial government established the Watson Commission of Enquiry into Disturbances in the Gold Coast (Col 231, 1948). The Commission, among others, recommended constitutional reform and a graduation process of self-government in the Gold Coast.

in March 1955, ministers were generally unhappy about the lack of control over staff who worked in their ministries (Vile, 1955, in Rathbone, 1992: 114). The colonial government also maintained that the drive towards self-rule required a functioning public service, which could be built only with significant input from the government, acting in concert with domestic political leaders. As vehemently asserted by Sir Charles Arden-Clark, on the colonial government's stance on the independence constitution, the public service must be under political control, with the Public Service Commission charged with advising the governor in his responsibility for the appointment, promotion, transfer, dismissal and disciplinary control of various public servants (Rathbone, 1992: 51).

Among its challenges, as hinted above, the nascent colonial Public Service Commission faced a potential overlap of responsibilities related to the human resource administration in the public services with various ministers and other governmental agencies. The colonial government largely addressed these issues by confining the Commission into advisory and consulting roles, while marking out its mandate to those issues related to higher clerical, executive and higher grades of the public services. A position of chief establishment officer was subsequently created to provide technical assistance to the Commission on establishment matters, and routine management on what was regarded as the establishment services.

One of the areas where the colonial Public Service Commission assumed much prominence related to the 'Africanisation' of the public services. This issue took on greater political significance in the late 1940s, when various head counts revealed a disproportionate rise in the number of expatriates against a handful of Africans within the senior ranks of the public services. Notably, an official **Statement on the Programme of Africanisation** in 1954 revealed that, whereas the number of Africans had increased proportionally, there were only 13 Africans among the ranks of the 298 most senior officials by 1950 (see Gold Coast, 1954).

As African politicians took on the issue of Africanisation, the Interim Public Service Commission was tasked to implement a policy of Africanisation to ensure that all suitable and qualified African candidates received preference over expatriates in the recruitment of senior positions (ibid.). Consequently, a full-time commissioner for Africanisation, who acted as an executive officer of the Public Service Commission, was appointed (ibid.). This position later morphed into the director of recruitment and training in the Establishment Secretariat of the Civil Service (Wereko, 2009: 14). Some notable initiatives, such as public advertisement of vacant senior positions, preferential treatment for Africans over expatriates, inputs into the development of



the curricula for secondary, technical and tertiary education and the provision of scholarships for entry of qualified Africans, added great impetus to the Commission's presence in the Gold Coast in the run up to independence (Gold Coast, 1954).

### **The post-Independence period**

Many of the challenges associated with the colonial Public Service Commission, particularly the reluctance of political leaders to relinquish control, traversed the independence period. Ghana attained independence on 6 March 1957 with a Constitution that set up the governmental machinery along the Westminster model, with a prime minister, as leader of government, and a governor-general, who represented the British Crown on a largely ceremonial basis, sharing executive authority. Under the 1957 Constitution, the Public Service Commission was maintained as a fully independent body not subject to control by the executive. Similar to the 1954 Constitution, the governor-general was to act on the advice of the Commission on matters related to appointments, transfers and disciplinary control of public servants and schemes of recruitment and service, as well as vacancies and supervised examinations (see Gabah, undated). Furthermore, in the case of 'special posts' under the 1957 Constitution proved as the Public Service Commission came under persistent attacks from the ruling Convention People's Party (CPP). Soon after independence, the CPP –permanent secretaries and heads of department–the prime minister was required to advise the Governor General in consultation with the Public Service Commission (ibid.)

The guarantees of independence under the 1957 Constitution proved as the Public Service Commission came under persistent attacks from the ruling Convention People's Party (CPP). Soon after independence, the CPP government published a **New Charter for the Civil Service** in April 1960, which, among other things, called for the president to be vested with control of the civil service (Paras 2, 3) (in Gabah, undated). This move, according to the New Charter, was needed to remove the 'last vestiges of the Colonial Civil Service', and, in its place, institute an Africanised service fully loyal to the Ghanaian state and put into effect the new nation's developmental agenda (Wereko, 2009: 15). The Civil Service Act 1960, the Civil Service Interim Regulations (1960) and the 1960 Republican Constitution reinforced the New Charter (ibid.).

The new Constitution abolished the Commission. In its place, the Civil Service Act in 1960, created a Civil Service Commission (CSM) with a mandate confined to appointments, promotions and discipline with respect to lower ranks of the service (also known as Category C posts). Under the changes, ministers were directly entrusted with responsibilities for appointing and

disciplining civil servants in Category B positions. With respect to other high-grade officials, the CSM was required to make recommendations to the president, who made appointments and had absolute power to make appointments to the principal secretary grades, without consulting the Commission (Constitution Review Commission, 2011, Para. 607). Various changes under the Civil Service (Amendment) Act (1965) abolished the CSM and its functions were transferred to the Establishment Secretariat.

The dissolution of the Public Service Commission, and the weakened CSM that replaced it, was part of a broader trend towards centralisation of state institutions, which were firmed up by the declaration of the one-party state under Ghana's First Republic. Under the CPP government, mainstream institutions of the bureaucracy came under attack for being 'anti-CPP', 'technocratic', 'selfish' and 'money-minded' (Marshall, 1976; Nkrumah, 1970). The CPP government's expressed preference was an alternative stream of institutional structures that were amenable to the political directorate to drive its socialist development programme (Bennett, 1973; Biney, 2008; Hutchful, 2002). These politically responsive institutions included central planning units, such as the Planning Commission, and other industrial holding entities for various state engagements like the State Hotels Corporation (see Frimpong-Ansah, 1991; Killick, 1978). The effects of this drive for centralised agencies placed mostly at the Office of the President largely accounted for contestations to gain control over the human resource framework, especially between the Establishment Secretariat and the Public Service Commission, when it was subsequently restored.<sup>20</sup>

When the National Liberation Council (NLC) toppled the CPP government on 24 February 1966, the new regime took immediate steps to restore the Public Service Commission. A year after the coup, the NLC established the **Commission on the Structure and Remuneration of the Public Service**, principally to examine the civil service and make recommendations that could enhance its efficiency and effectiveness for national development (Mills-Odoi, 1967, in Ohemeng and Anebo, 2012). The Commission, led by Justice Mills-Odoi, made a number of proposals, including for a realignment of ministries to focus on sector planning, coordination and monitoring and the empowerment of decentralised units for policy implementation (Ayee, 2001). Most importantly, the Mills-Odoi Commission recommended the establishment of a Public Service Commission with 'executive responsibility' for recruitment in respect of all senior

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<sup>20</sup> Following the calls by another Commission for the Public Service in 1976, the Establishment Secretariat, together with the Management Services Division and the Establishment Unit of the Office of the President, were merged into the Office of the Head of the Civil Service (Ayee, 2001: 5).

positions and a variety of other posts, like teachers and nurses, for which pre-entry training is required (Mills-Odoi, 1967, Para. 100). Regarding appointments of junior staff to management, the Commission also recommended that the Public Service Commission delegate its recruitment responsibility to another body, based on its selection methods and procedures. Another recommendation from the Mills-Odoi Commission was that the Public Service Commission become the ‘final disciplining authority for all public servants’ (Mills-Odoi, 1967, Para. 101).

Following from the Mills-Odoi Commission, a Public Service Commission Decree created an Executive Public Service Commission (Para. 98), which was later enshrined in the 1969 Second Republican Constitution. The new Constitution vested the power to appoint persons to hold or act in any office in the public services in the president, acting in accordance with the advice of the Public Service Commission.<sup>21</sup> It also empowered the president to delegate this power to the Public Service Commission or to a committee of that Commission or to any of its members. Moreover, the 1969 Constitution gave public officers tenured office by providing that no member of the Public Services be victimised or discriminated against for having discharged his/her duties faithfully, in accordance with the Constitution without regard to party considerations, dismissed or reduced in rank or otherwise punished without just cause (Constitution Review Commission, 2011, Para. 11).

The provisions of the 1979 Constitution, as well as the 1992 Constitution, invariably reflected the provisions for the Public Service Commission, as stated in the 1969 Constitution (Constitution Review Commission, 2011: 270).

Whereas the CPP period dramatised the adverse repercussions of partisan intrusion into the public services in the absence of a functioning Public Service Commission, subsequent decades pointed to the importance of constitutional and legislative interventions. The lessons learnt from the experience of the CPP in many ways accounted for the endurance of the Commission over the decades after independence. Nonetheless, beyond setting the institutional landscape under which the Public Service Commission could thrive, the post-independence period in Ghana also demonstrated the limits of constitutional interventions, especially when they conflict with the interests of incumbent political actors. As demonstrated by the infamous Apollo 568 under the Second Republic (see Goldsworthy, 1973),<sup>22</sup> and subsequent policy

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<sup>21</sup> The Second Republican Constitution reverted to the Westminster model, with a prime minister as leader of government and a president, who took on largely ceremonial duties.

<sup>22</sup> The Apollo 568 saga began in 1970, when the government, citing transitional provisions in the 1969 Constitution, carried out a purge of the civil service and dismissed 568 employees without recourse to

interventions that sought to side-step the Commission on critical areas of human resource management, particularly around public sector reforms since the 1980s, political actors and donors agencies have managed to carve out and compromised different aspects of the Commission's mandate. Consequently, any realistic account of the current structure and role of the Commission in Ghana needs to interrogate both the realm of formal constitutional/legal provisions and the actual operations of the Commission in order to ascertain its true value for the human resources of the public services.

### Current framework of the Public Service Commission in Ghana

In 1992, after almost a decade-long military rule under the Provisional National Defence Council (PNDC), Ghana returned to constitutional rule and multi-party democracy. In many ways, this transition was anchored in the twin tracks of political and economic liberalisation, with an impressive history of democratic growth, witnessing six successful elections and alternation of political power in 2000 and 2008 (Gyimah-Boadi, 2009, 2015; Smith, 2002; USAID-Ghana, 2011). At the political level, the 1992 Republican Constitution set up a host of institutional arrangements that espoused key democratic norms, such as checks and balances, free press and open debate, openness and accountability in public affairs, judicial independence and fundamental human rights (Ninsin, 2007). These norms were followed by the creation of independent state institutions such as the Electoral Commission and the Commission of Human Rights and Administrative.

### Composition, appointments and responsibilities

The Public Services Commission fits into the broader scheme of independent constitutional bodies, guaranteed under the 1992 Constitution. It is charged primarily with offering consultative, regulatory and supervisory services in matters relating to human resource management and development in the public services of Ghana (Public Service Commission, 2014: 6). As with previous commissions, the overarching framework of the current Public Service Commission is set by the 1992 Fourth Republican Constitution. In line with Chapter 14 of the Constitution, there is also a Public Services Commission Act 1994, which further consolidates the mandate, structure and operations of the Commission.

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the Commission. The main reason for the purge, according to the government, was that it was part of drive against overstaffing and inefficiency. One of the victims, E.K. Sallah, appealed to, and received judgement from, the courts against his dismissal. However, the prime minister refused to reinstate him, accusing the judiciary of overstepping its jurisdiction (see Goldsworthy, 1973).

Article 94 of the 1992 Constitution establishes the Public Service Commission as comprising a ‘chair’, a ‘vice-chair’, three other members, who shall be full-time members of the Commission,<sup>23</sup> and other members as Parliament, subject to Article 70, by law prescribes.<sup>24</sup> Under the same Article, only persons who are qualified to be elected as MPs and hold public office can be appointed onto the Commission. The president , acting in consultation with the Council of State, appoints the chair and other members of the Commission.<sup>25</sup>

Once appointed, the terms and conditions of service, including retirement and removal, for the chair and vice-chair are set as equivalent to those of justice of the Court of Appeal and those of a justice of a High Court, respectively. Under the Constitution, a justice of the Superior Courts of Ghana—the Supreme Court, Court of Appeal, High Court and Regional Tribunals—can be removed from office only on the basis of ‘stated misbehaviour or incompetence or on ground of inability to perform the functions of his office arising from infirmity of body or mind’. Moreover, the compulsory retirement age is set at 70, for a justice of the Court of Appeal, and 65, for a justice of the High Court.

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<sup>23</sup> The Public Commission Act 1994 makes provision for ‘part-time’ members. However, a Constitutional Review Commission, formed in 2010, advised that all commissioners serve on full-time basis. Following this, the practice of appointing ‘part-time’ commissioners was stopped and current commissioners serve on full-time basis.

<sup>24</sup> Article 70 speaks to the president’s power of appointments, in consultation with the Council of State, in the appointment of independent constitutional bodies including the Electoral Commission, the Public Service Commission and the Lands Commission.

<sup>25</sup> The Council of State is created under Chapter 9(89) of the 1992 Constitution of Ghana, primarily to ‘counsel the President in the performance of his functions’.

#### Box 4.2.1. Article 127 of the Constitution

1. In the exercise of the judicial power of Ghana, the Judiciary, in both its judicial and administrative functions, including financial administration, is subject only to this Constitution and shall not be subject to the control or direction of any person or authority.
2. Neither the President nor Parliament nor any person acting under the authority of the President or Parliament nor any other person whatsoever shall interfere with Judges or judicial officers or other persons exercising judicial power, in the exercise of their judicial functions; and all organs and agencies of the State shall accord to the courts such assistance as the courts may reasonably require to protect the independence, dignity and effectiveness of the courts, subject to this Constitution.
3. A Justice of a Superior Court, or any person exercising judicial power, shall not be liable to any action or suit for any act or omission by him in the exercise of the judicial power.
4. The administrative expenses of the judiciary, including all salaries, allowances, gratuities and pensions payable to or in respect of, persons serving in the judiciary, shall be charged on the Consolidated Fund.
5. The salary, allowances, privileges and rights in respect of leave of absence, gratuity, pension and other conditions of service of a Justice of the superior court or any judicial officer or other person exercising judicial power, shall not be varied to his disadvantage.
6. Funds voted by parliament, or charged on the Consolidated Fund by this Constitution for the Judiciary, shall be released to the Judiciary, in quarterly instalments.
7. For the purposes of clause (1) of this article, 'financial administration' includes the operation of banking facilities by the Judiciary without the interference of any person or authority, other than for the purposes of audit by the Auditor-General, of the funds voted by Parliament or charged on the Consolidated Fund by this Constitution or any other law, for the purposes of defraying the expenses of the Judiciary in respect of which the funds were voted or charged.

The salaries, allowances, facilities and privileges payable and available to members of the Commission, other than chair and vice-chair, are to be determined by the president in accordance with Article 71 of the Constitution, which marks them as expenditure charged on the Consolidated Fund (See Section 3(2) of PSC Act, 1994).

The mandate of the Commission is set out under Article 196 of the Constitution as follows:

The Public Service Commission shall have such powers and exercise such supervisory, regulatory and consultative functions as Parliament shall, by law, prescribe, including as may be applicable, the supervision and regulation of, entrance and promotion examinations, recruitment and appointment into or promotions within, the public services, and the establishment of standards and guidelines on the terms and conditions of employment in the public services.

This mandate, as specified by Article 4 of the Public Service Act, comprises the following functions:

1. advise government on the criteria for appointment to public offices as well as persons to hold positions in public offices
2. promote efficiency, accountability and integrity in the public services
3. prescribe appropriate systems and procedures for the management of personnel records within the public services
4. identify, explore and promote the recruitment of suitable personnel into the public services acting in collaboration with educational authorities
5. undertake planning of the manpower requirements of the public services, using data from the educational institutions and other sources
6. improve recruitment policies and techniques for introducing modern methods of judging suitability of officers
7. conduct examinations and interview for appointments to posts and for promotion in the public services or within public corporations to ensure uniformity of standards of selection and qualifications
8. provide a standard framework for evaluating and classifying jobs in the public services
9. review the organisation, structure and manpower requirements of agencies and bodies in the public services and advise government on such manpower rationalisation as may be necessary for maximum utilisation of human resources in the public services
10. oversee the human resources development activities of the public services organisations to ensure career planning and career development in the public services
11. advise government on the principles and procedures for determining salaries and other conditions of service within the public services
12. prescribe a standard framework for the provision of incentive schemes to promote higher productivity
13. conduct in collaboration with training institutions, personnel research into human resources management in the public services in order to improve personnel practices and their utilisation in the public services
14. perform any other duties assigned to it under the Constitution or any other enactment.

In discharging these functions, the Constitution, under Article 198, instructs that, 'Except as otherwise provided in this Constitution, or any other law not inconsistent with this Constitution, the Public Service Commission shall not be subject to the control or direction of any person or authority in the performance of its functions.' To give meaning to its independence, both the Constitution and the Public Services Commission Act have given the Commission a range of

instruments, including powers of entry and inspection, as well as the power to set regulations, request information and compel witnesses and appearances.

### **Structure and capacity**

The operations of the Public Service Commission cover about 200 entities that fall under the classification of ‘public services’ in Ghana. As spelt out in Article 90 of the 1992 Constitution, the public services comprise the Civil Service, the Judicial Service, the Audit Service, the Education Service, the Prisons Service, the Parliamentary Service, the Health Service, the Statistical Service, the National Fire Service, the Customs, Excise and Preventive Service, the Internal Revenue Service, the Police Service, the Immigration Service and the Legal Service.<sup>26</sup> It also includes public corporations, other than those set up as commercial ventures, and other public services established by the Constitution or others that Parliament may prescribe.

The apex of the structure of the Public Service Commission, as outlined in the Constitution and its Act, is the chair, his/her deputy and three other commissioners. Decisions by the five-member Commission are taken through ‘plenary’ meetings (joint meetings to discuss broad issues) or ‘working’ meetings (convened for normal transactions of the business of the Commission, attended only by the commissioners). The Commission requires a quorum made up of the chair or vice-chair and two members for its meetings. They are presided over the chair, and, in his/her absence, the vice-chair, and, in the absence of both, a member elected from among the members (Public Services Commission Act, 1994, Section 65). Decisions of the Commission are taken by a majority of members present and voting, with a casting vote for the chair, or the person presiding over a meeting, in the case of equality of votes.

The Commission is supported by a Secretariat, headed by the secretary. The secretary, who is appointed by the president, acting in accordance with the advice of the Commission, is responsible for ‘the day-to-day administration of the secretariat of the Commission’ and is in charge of keeping records of the meetings of the Commission (Public Services Commission Act, 1994, Article 9(1)). His/her responsibilities entail providing technical and administrative support to the Commission to enable it to make informed and fair decisions relating to human resource management practices in the public service (Public Service Commission, 2014: 10).

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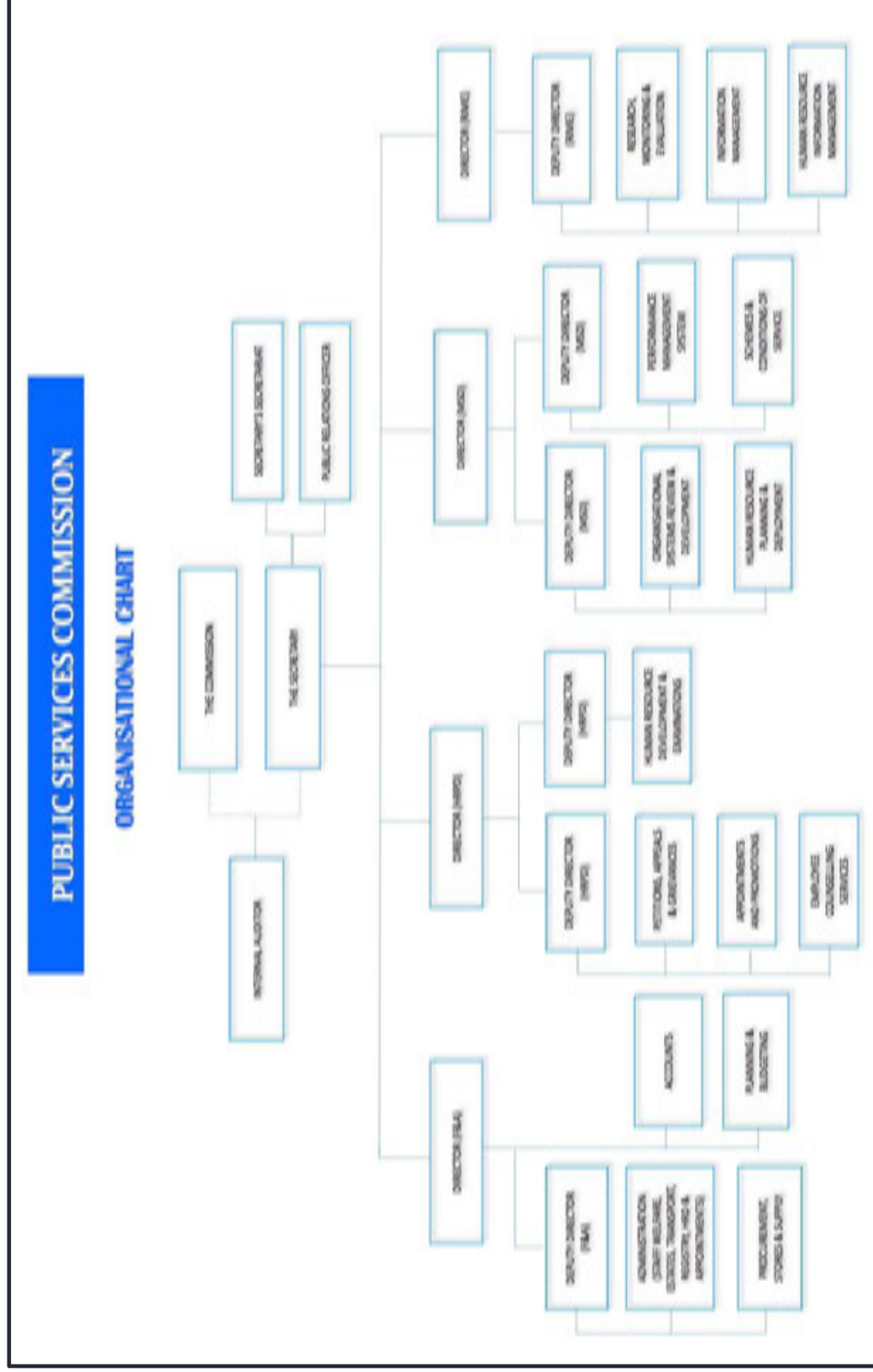
<sup>26</sup> In 2009, the Excise and Preventive Service and the Internal Revenue Service, together with the Value Added Tax Service and the Revenue Agencies Governing Board Secretariat, merged into the Ghana Revenue Authority through Act 791. This led to calls by the Constitutional Review Commission in 2010 to recommend the definition of ‘public services’ along various thematic areas, other than the specific list as outlined in the Constitution (Constitutional Review Commission Report, 2011, Para. 23).



Members of the Secretariat are designated as ‘public servants’ and cannot be transferred or seconded without the consent of the Commission. The number of personnel at the Commission, excluding the five commissioners, was given at about 67 (interviews, 2016). The Secretariat is structured along four main divisions: Finance & Administration; Human Resources Policy; Management Services; and Research, Information, Monitoring and Evaluation. A director, assisted by a deputy director, heads each division. Some proposed changes to the organisational structure of the Commission, if effected, would see the appointment of two deputy secretaries, to assist the secretary in overseeing different directorates of the Secretariat.

During an interaction with the Secretariat, it was reported that only three positions—those of the deputy directors in charge of Finance & Administration, Management Services and Research, Information, Monitoring and Evaluation—were yet to be filled. Members of the Commission expressed much confidence in the knowledge, expertise and commitment of the Secretariat’s staff. Nonetheless, in addition to the shortfall in the management staff, outlined earlier, they indicated that there was a need to expose more of them to best practices across the world through participation in international conferences and workshops.

Figure 4.1.1. Structure of the Public Service Commission



Source: Public Service Commission (2016).

## **The Public Service Commission in action: Driving innovation and performance**

The main activities of the Public Service Commission under Ghana's Fourth Republic have evolved through the prism of the 'consultative', 'regulatory' and 'supervisory' dimensions of its mandate, as spelt out by the 1992 Constitution and the Public Service Act 1994.

For the most part, the Commission's activities align with conventional responsibilities, especially in terms of recruitments, appointments and promotions within the public services. Specifically, the Commission appoints all Category A and B officers in the public services—chief directors, chief executives, deputy chief executives and directors of various public organisations. As outlined in Article 195 of the Constitution, whereas the president is the final authority on these appointments, he/she is required to act on the advice of the governing council of the service concerned in consultation with the Public Service Commission. Field interviews revealed that there were disagreements between the President's Office and the Commission as to how and when these consultations should be conducted. Nonetheless, in effect, the Commission advertises, shortlists, interviews and makes recommendations for such appointments, including those to 'acting' positions. The Commission's role in appointments and promotions below senior management levels takes the form of representations on selection, assessment and interview panels generally to ensure due process and the 'best human resource practices' are followed.

Another interesting aspect of the Commission's work concerning appointments relates to inputs that it offers, upon request, to recruitment processes in areas that fall outside its marked mandate. As some commissioners interviewed indicated, different public sector organisations, such as universities, private sector agencies like commercial banks and various regional organisations, including the African Union, have often engaged the services of the Commission on various recruitments processes. These requests are often based on what is considered the integrity and independence that the Commission often brings to bear on recruitment processes.

Other traditional dimensions of the Commission's engagements could be presented in terms of giving meaning to the provisions of the Constitution, as spelt out under Article 191, to protect the public servant from victimisation or discrimination, unjust dismissal or removal from office and reduction in rank or punishment, in the discharge of his/her duties. In this sense, as noted by Commissioner Kofi Gabah, during an interview, people expect the Commission not only to be the 'leader' of the public service but also to 'defend' civil servants from 'outsiders'.

These ‘outsiders’ include politicians, commercial interests and even ‘insiders’ whose actions do not match the ethics and ethos of the public service. In this regard, a significant component of the Commission’s work involves receiving and acting on petitions, appeals, grievances and requests from individual public servants and organisations. In 2013, for instance, the Commission received 84 such petitions (16) and requests (68), of which 67 were sorted (Public Service Commission, 2014: 3).

In the past decades, there have been mounting questions about the traditional role of the public services, largely because of emerging complexities associated with globalisation, democratisation, technology and expanding calls for accountable, responsive and innovative delivery of services (see Flynn, 2014; Jooste, 2008; Klijn and Koppenjan, 2000; Pollitt and Bouckaert, 1999; Salamon, 2002; Stoker, 1998; World Bank-IEG, 2008). As the policy pendulum continues to swing between ‘responsiveness’ and ‘independence’ of the public sector, questions have been mounted against the traditional roles played by public service commissions, with a vigorous debate as to whether they are capable of engineering innovation and reform (see Francesco, 2013; Jahan and Shahan, 2008).

In Ghana, similar questions have been asked, especially since the 1980s, when market reforms under Structural Adjustment Programmes were pursued alongside efforts to reposition the public sector for the effective delivery of services. The widely held view among key reformers was that given that the Public Service Commission is often locked in a traditional public service ethos of permanence and bureaucratic rigidities that often serve as obstacles to, rather than precursors of, reform. Consequently, most donor-funded public sector reform efforts have been overseen and coordinated by *ad hoc* bodies, like the Oversight Committee of Civil Service Reform for the **Civil Service Reform Programme (1987-1993)**, the National Overview Committee of **the National Institutional Renewal Programme (1994-2003)** and the Ministry of Public Sector Reform in 2003, without a frontal role by the Public Service Commission (Ohemeng and Ayee, 2016; Wereko, 2009).<sup>27</sup>

One of the ways the Public Service Commission has reinvented itself in recent times, as disclosed by its chair, Mrs Bridget Katsriku, is by moving beyond the traditional roles that confine it only to recruitments and appointments (interview, 6 June 2016). The Commission has succeeded in this endeavour largely by taking advantage of its broader mandate in setting and enforcing standards to offer leadership and direction for the management of human resources in the public service. Beyond reliance on the ‘hard core’ institutional

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<sup>27</sup> Indeed, during interviews for this study, the general complaint was that external donors often involve the Office of the Head of Civil Service, partly because they misunderstand the distinctions between ‘public service’ and ‘civil service’, which does not apply in the Ghanaian context.

guarantees of independence, the Commission has also undertaken various initiatives that have sought to build on the 'soft elements' of institutional performance: trust, comradeship and professionalism. We discuss some of these initiatives below:

**Performance management:** Prior to the 1990s, organisational and individual performance assessments in the public services in Ghana were undertaken through annual reports and financial audits by the Auditor-General's Department (Ohemeng, 2011: 473). The main challenge of this system of appraisal was that it was fraught with abuses and questionable standards of credibility (Ayee, 2001; Ohemeng, 2011). The post-1990 period has witnessed the introduction of a series of programmes for performance management.

Notably, as part of the **Civil Service Reform Programme (1987-1993)**, a Performance Evaluation System was introduced in 1992. In 1997, a Performance Agreement System was introduced to provide an objective means of assessing the performance of senior managers and chief directors in the ministries and regional coordinating councils (Allotey, 2014). Nonetheless, these efforts suffered weaknesses fuelled by the absence of a clearly defined implementation framework, poor executive buy-in, weak understanding of the role of governing councils in the appraisal system, absence of rigour and objectivity, non-linkages with enforceable rewards and sanctions mechanism and lack of understanding by public servants (ibid.).

Recently, the Public Service Commission has led in efforts towards the development and management of a new performance management in Ghana. Based on technical inputs from the Australian Public Service Commission, and through consultations with various stakeholders, directly or indirectly linked to the public services, including universities and management development institutions, it developed a **Performance Management Policy for the Public Services of Ghana**, which commenced in January 2012. The new framework seeks to offer a more integrative, sustained and objective instrument that combines rewards and sanctions at both individual and organisational levels for performance management and monitoring. As part of the new framework, performance agreements and contracts have been introduced for senior managers. Besides, the Commission has been conducting promotion examinations to evaluate the competence and general disposition of specified categories of public servants to enable them to assume higher responsibilities and undertake more assignments in the services (Public Service Commission, 2014: 3).

**Standards of good human resource management:** The Commission has developed a range of policy documents and manuals to guide human resource management and development in the public services. Formerly, these were contained in circulars to different agencies under the services, but there have been attempts to systematise them into comprehensive

policy statements and guidelines. These include the **Corporate Governance Manual for Governing Boards/Councils of the Ghana Public Services (2015)** and the **Human Resource Management Policy Framework and Manual for the Ghana Public Services (2015)**, as well as a **Revised Policy Framework on Leave Entitlements and Management for the Public Services of Ghana**.

Among others, these policy documents have contributed towards standardising the rules and guidelines that pertain to the public services. While it may be too early to assess the effects of these guidelines on the service, the signals so far are positive. An assessment in November 2015, for instance, revealed widespread awareness and usefulness of the Human Resource Policy Framework and Manual among public servants: 82% indicated they were aware, and 67% considered it ‘very relevant’ to their work (Public Service Commission, 2015a: 36-7).

These policy guidelines are complemented by the Commission’s engagements in training programmes. These include various refresher courses along topics such as financial management, procurement, auditing, leadership and governance. Many of the commissioners, who were interviewed, maintained that the courses were tailored to fill real capacity gaps, since they are organised in response to questionnaires, sent to various officials across the public services.

**Building openness and integrity:** The Commission has undertaken various initiatives meant to promote credibility, transparency and accountability within the public services. Recently, the Commission, in collaboration with Ministry of Finance and the Controller and Accountant-General’s Department, rolled out a Human Resource Audit of the Public Service as part of an ongoing sub-project on **Human Resource Management Information System** under the **Government Integrated Financial Management Information System (GIFMIS)**.<sup>28</sup> The audit is envisaged to go beyond a general headcount to ascertain general workload, various competencies and gaps among the services. As explained by Mrs Bridget Katsriku, the three-pronged objective of the audit is:

1. to obtain more accurate and scientific data on human resources in the public services for decision-making and planning purposes
2. to determine the optimum number of positions and the right human resource establishment levels/ceilings for each ministry, department and agency and

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<sup>28</sup> GIFMIS was launched in September 2009, as part of public financial management reforms. It seeks among other things to promote efficiency, transparency and accountability in public financial management through rationalisation and modernisation of budgeting and public expenditure management; promote the timely dissemination of information for financial management; rationalise the financial Administrative Decree and Regulations; improve the efficiency and effectiveness of revenue collection; and maximise payment and commitment control.

metropolitan/municipal district and assembly in order to facilitate effective position management around entry, progression and exit in the public service and

3. to identify excess labour force for development to other relevant organisations in deficit (see Public Service Commission, 2015c)

Most recently, the Commission published its first **2014 State of the Public Service Report of Ghana** in 2015. This report forms part of the broader efforts by the Commission to fill information and knowledge gaps by providing yearly data on competencies, practices, organisational culture, attitude, behaviour and ethics in the public service (Public Services Commission, 2015a: xvi).

**Building trust and comradeship:** Another dimension of the Commission's engagement has been to foster dialogue and interactions that engender learning, trust and comradeship across different segments of the public services. Since 1994, the Commission undertakes periodic visits to various ministries, departments and agencies to hold discussions with ministers and senior officials on matters relating to human resources in the public services. Moreover, there is an **Annual CEOs Conference**, where chief directors, chief executives and chairs of governing boards/councils exchange ideas and make recommendations for improvements in the delivery of services in the public service (Public Services Commission, 2015d). In 2015, the Commission also launched a **Human Resource Management Practitioners Network**, to provide a platform for human resource managers to share ideas and engage one another (Public Service Commission, 2015b).

### Critical reflection

The presentation in this study inspires a reasonable measure of optimism in the effects of leadership stability and independence, as enshrined in the institutional arrangements that underpin the Public Service Commission. During various interactions with the commissioners and other officials from the Commission as part of this study, there was a strong sense that they felt emboldened to take on matters relating to human resources management and development, largely because of the provisions of the 1992 Constitution and the Public Services Commission Act 1994.

A strong sense of mandate could be sensed from interacting with the commissioners, which has proven pivotal in asserting key principles of best practice in the public services that are unfettered by undue partisan intrusions. A case in point relates to how members of the Commission asserted its independence related to attempts by various sector ministers to engage in appointments of officers within their respective sectors of control, although the 1992 Constitution does not assign them such roles. A commissioner also noted that, from

the perspective of individual public servants, the Commission's independence has led to a general expectation that they could rely on it to 'fight for them' (interview, 3 June 2016).

Beyond the optimism, a number of challenges remain:

**Reality and perception of political interference:** Foremost there is a widespread perception in Ghana that the public service in Ghana is highly 'politicised', with difficulty in drawing a distinction between professionalism and partisan activity (Gyimah-Boadi and Brobbey, 2012; Ohemeng and Anebo, 2012; USAID-Ghana, 2011). Indeed, this widespread perception is backed by a reasonable measure of reality. As a seasoned public servant poignantly observed:

In Ghana, politicians have sought to directly manage resources - human, financial and material in the civil service. They are not simply content to lay the ground rules regarding recruitment, promotions and placement. They are eager to determine who gets recruited, who gets promoted or how placements are done, and who gets trained and where (Quartey, 2007: 22).

In spite of the institutional and legislative guarantees for independence and leadership stability, it appears unlikely that the Commission could substantively alter this perception. As observed earlier, Ghana's executive president wields enormous power as the final authority for all appointments within the public services. As in its historical roots, the Commission's mandate in recruitments and appointments, as outlined in Article 195 of the Constitution, is still framed in advisory terms to the president, who is not necessarily obliged to comply. Members of the Commission, who were interviewed, maintained that this arrangement had not undermined their relationship with the President's Office.

They pointed out that, under their stewardship, apart from disagreements about administrative processes, none of the Commission's recommendations has been challenged or rescinded (various interviews, 2016). However, whereas this may be true on outcomes, processes of recruitment are still laced with openings for political interventions. Notably, apart from the powers wielded by the president in appointments, the Commission is required to make recommendations for appointments in consultation with governing councils/boards of various public service organisations. The main challenge is that, while the Commission is structured to be politically neutral, the same cannot be said of these governing councils and boards.

Indeed, as Gyimah-Boadi and Brobbey (2012) observe, over the past decades successive governments have loaded the management and boards of state organisations, such as the National Health Insurance Scheme, the Ghana Youth Employment and Entrepreneurial



Agency and the Ghana Education Trust Fund, with political appointees without serious consideration to technical competencies. This trend has rendered governing councils outlets for increased political patronage, which have adversely influenced the development of critical competencies within the service (Ohemeng, 2011; Ohemeng and Anebo, 2012).

**Competing leadership on public sector reform:** Another area where the Commission's mandate has come under severe scrutiny relates to its role in various public sector reform programmes, which have received much attention, especially since the 1980s. For the most part, these reforms have been dependent largely on donor support and 'consultant-driven' (Quartey, 2007: 42; Wereko, 2009: 27), thereby depriving domestic agencies, particularly the Public Service Commission, of significant leadership.

As noted earlier, over the past decades, a number of *ad hoc* bodies, such as the erstwhile Ministry of Public Sector Reform set up in 2005, have been created to oversee such reforms. While the relationship between the Commission and these bodies has been poorly defined, there is a general sense of competition among so-called central management agencies over reform processes. One of these agencies, whose tense relationship has deep historical roots, is the Office of the Head of the Civil Service. Whereas, under Article 190(1) of the 1992 Constitution, the 'civil service' is one of those that come under the supervisory jurisdiction of the Commission, it prides itself as having a long history and extensive coverage within the services. Consequently, various donors have often placed it at the forefront of civil service reform initiatives.<sup>29</sup> There was no indication during the study that this had created much friction. However, implications for effective coordination, especially among the central management agencies around public sector reforms, have been well documented (see Wereko, 2009: 40-1).

**Salary administration and human resource management:** Other central government policy interventions have led to the emergence of other new agencies that have created overlap and potential conflict with the Commission's mandate in human resource management in the public service.

An area where this issue has taken on a more contentious dimension is the decision of the central government to cede salary administration to the Fair Wages and Salaries Commission

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<sup>29</sup> Officials of the Commission interviewed for this study indicated that many of the reasons for donors' selection of the Office of the Head of the Civil Service for reforms were down to weak appreciation of the Ghanaian context. In many countries, such as Nigeria and Canada, the two terms are used interchangeably, with the Head of the Civil Service in charge of the entire government machinery. However, in Ghana, the civil service is considered a component of a larger public service. This confines the civil service to only central ministries, departments and agencies. In 2003, Act 656, which created the Local Government Service, hived off local government agencies from the civil service (Quartey, 2007: 6-7; Wereko, 2009: 4-5).

(FWSC) in 2007, as part of measures to implement a new public service pay and salary policy known as the Single Spine Pay Policy (SSPP). As various members of the Public Service Commission indicated, the Commission played a lead role in kick-starting the Ghana Universal Salary Structure the mid-1990s as way of resolving inequalities and discrepancies in pay across the public service in a more systematic manner (various interviews, 2016). As attempts to place all public servants under the Ghana Universal Salary Structure failed, concerns were raised about the absence of legal backing and inadequate resources for its implementation.

The creation of the FWSC, through an Act of Parliament in 2007, and the adoption of the SSPP were considered a more effective and sustainable way to address these problems. In effect, however, both the FWSC and the Commission's roles appear poorly demarcated. Whereas various members of the Commission acknowledged this overlap, they maintained that there appeared to be a mutually evolved understanding that the FWSC's mandate fell within salary-related conditions of the human resources in the public services, while the Public Services Commission addresses 'general human resource issues that are non-monetary' (interview, Allotey, 3 June 2016).

As these mutual roles continue to evolve, they could present an opportunity for both commissions to complement each other for the effective human resource management and development of the public services. Nonetheless, passionate supporters of the Public Service Commission would hope that the FWSC is going to be the last intervention from Ghanaian policy-makers that could undercut critical components of its mandate.

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## Principle 5. Experimentation and innovation

### Case Study 5.1 Kenya. Huduma Kenya-implementing innovation and measuring impact: Public service delivery innovations<sup>30</sup>

#### Abstract

This study reviews the origins of public sector reforms and transformation in Kenya and the momentum for innovation-driven transformation in service delivery. It looks at the theoretical and conceptual framework for public sector innovations. The central analytical premise is predicated on the diffusion theory of innovation as it relates to the supply- and demand-side adoption of innovations in the delivery of converged public services. The focus is on the Huduma Kenya programme, as a major public service innovation.

There is also a specific focus on the programme impacts on both the supply and the demand sides, as well as the structural and systemic challenges facing the programme. Also presented are the strategic options for leveraging the Kenyan experience to scale impacts on public service delivery both locally and regionally. The Huduma Kenya trajectory suggests sector-wide innovations can be capital-intensive. As a result, such large-scale projects require direct top-level government support and political goodwill and the accompanying budget prioritisation.

In addition, the Huduma Kenya case indicates that, for governments to reap the maximum long-term benefits of innovations in service delivery, they must accept present trade-offs and overlook the current initial costs in order to realise the national development goals and vision.

#### Introduction

Public sector reforms in Kenya date back to the preparation of Sessional Paper 10 of 1965 on African socialism. Results of the government's efforts in the implementation of the provisions of this sessional paper were seen in significant overall economic growth and development (Oyugi, 2006). Hope (2012) also observes that, as a result of the policies arising from Sessional Paper 10, the immediate post-independence period was, beyond the success with the economy, characterised by some forms of public sector transformation. Depending on the factors considered, different writers on public sector reforms and transformation in Kenya characterise the country's reform journey into four phases. Oyugi (2006), for example, observes that, although the first attempts at the reform and transformation of the public sector in Kenya began in 1965, it was not until the early 1990s that serious efforts

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<sup>30</sup> Prepared by Prof. Margaret Kobia and Daniel Oliech (Public Service Commission, Kenya).

were made towards the reform and transformation of the country's public sector management. Other works (Nzioka, 1998; OPM/PST, 2010; Sawe, 1997) have generally characterised reform and transformation in Kenya into phases that more or less mirror the presidency regimes. In this classification, the first transformation phase spanned the 1963-1978 period, for the first presidency. The second phase coincided with the second presidency, of 1977-2002. Reforms under the third phase spanned 2003-2012. The fourth phase, the current, commenced in 2013.

In line with the aspirations of Kenya Vision 2030, the new government, which came to office in 2013, prioritised the provision of quality public services to citizens. The Huduma<sup>31</sup> Kenya programme—the public sector innovation of focus in this study—is a critical part of this effort. This programme aims at transforming public service delivery by providing citizens with access to various public services and information from one-stop-shop citizen service centres (CSCs) called Huduma Centres and through integrated technology platforms. The decision by the current government to invest limited public resources in the programme was informed by the belief that improved service delivery would lead to realisation of the vision. The programme was thus incorporated into the system of planning, budget, disbursement, procurement, accountability for results and value for money.

To ensure quality and access to public services, Huduma Kenya aimed specifically at transforming the public service to be people-centred, professional, efficient, transparent and accountable so as to meet global standards and best practices. To this end, the presidency through the Ministry of Devolution and Planning spearheaded Huduma Kenya as a flagship project under the Kenya Vision 2030.

#### Innovation and public sector service delivery

Innovation in the public sector refers to significant improvements to public administration and/or services. Drawing on definitions adopted for the business sector and their adaptation in public innovation measurement, public sector innovation can be defined as the implementation by a public sector organisation of new or significantly improved operations or products (OECD, 2012). In their Guidelines for Collecting and Interpreting Innovation Data, the Organisation for Economic Co-operation and Development (OECD) and Eurostat (2005) define innovation as the implementation of a new or significantly improved product (goods or service), process, marketing method or organisational method in business practices, workplace organisation or external relations. Early definitions of innovation, like Schumpeter's (1934), restricted themselves to novel products and processes finding a

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<sup>31</sup> *Huduma* is the Swahili word for 'service'. Huduma Kenya loosely translates to 'Service for Kenya'.

commercial application in the private sector. Later definitions have broadened their scope, to include social innovations, innovations in services and innovations in the public sector as well (Halvorsen et al., 2005).

Today, increasingly sophisticated public demand and new challenges as a result of fiscal pressures require innovative public sector approaches. However, knowledge about public sector innovation, and its results, costs and enabling environment, is fragmented. Public sector innovation is rarely institutionalised in government budgets, roles and processes, and there is limited knowledge and awareness of the full range of tools available to policy-makers for accelerating innovation (OECD, 2012).

Governments around the world are looking for innovative solutions that enhance the design and delivery of public services. They are reaching out to the private sector and citizens, to become partners in solving key social challenges (UNDP, 2016). Recognising this new push for co-design and co-production, the UN Development Programme (UNDP) Global Centre for Public Service Excellence partnered with Social Innovation Camp Asia to explore social innovation as an approach to improve the reach, access and quality of public services. This could be in the form of a mobile phone application, a social enterprise or a platform for co-creation of public policy. Innovations could address demand-side issues (tools for citizens), support supply (tools for public servants) or even bridge the gap between the two and allow each to leverage their full potential (ibid.).

### [Theoretical and conceptual frameworks for public sector innovations](#)

#### **Theoretical framework: Diffusion theory of innovation**

One theoretical framework for understanding the adoption or uptake of innovations in the public sector is the diffusion theory of innovations. In principle, the diffusion theory is considered a meta-theory based on the fact that, as pointed out by Rogers (1995), it combines several theoretical perspectives that relate to the overall concept of diffusion. Within the theory are four major supporting sub-theories: innovation decision process theory, individual innovativeness theory, the theory of rate of adoption and the theory of perceived attributes.

The diffusion theory of innovation is applicable to the adoption and uptake of Huduma Kenya and its services, since it addresses both the supply and the demand sides. The innovation diffusion process on the supply side of the public service is seen in the increase of adoption of the programme service delivery platforms by the various government department and agencies. On the other hand, demand-side diffusion is seen in the uptake of Huduma services



across segments of the citizenry. This study focuses on two dimensions of diffusion theory: innovation decision process theory and the theory of rate of adoption.

**Innovation decision process theory:** Within the public service, innovation decision process theory can be based on time and five distinct stages (Nutley et al., 2002). The first stage is knowledge. Here, government departments and agencies, as potential adopters, must first learn about the innovation. Second, the potential adopters must be persuaded as to the merits of the innovation. Third, they must decide to adopt the innovation. Fourth, they must implement it. Fifth, they must confirm that their decision to adopt was the appropriate decision. Confirmation of the appropriateness of adoption decisions would take the form of monitoring and evaluation of the impacts of the innovations. Diffusion results once these stages are achieved (Rogers, 1995).

**Theory of rate of adoption:** The theory of rate of adoption suggests that the adoption of innovations is best represented by an s-curve on a graph (Nutley et al., 2002). In the case of the public sector, this theory holds that adoption of an innovation among government departments and agencies may grow slowly and gradually in the beginning. The adoption will then have a period of rapid growth that will taper off and become stable and eventually decline (Rogers, 1995). The Bass model, however, suggests other representations (Robert-Ribes and Wing, 2004).

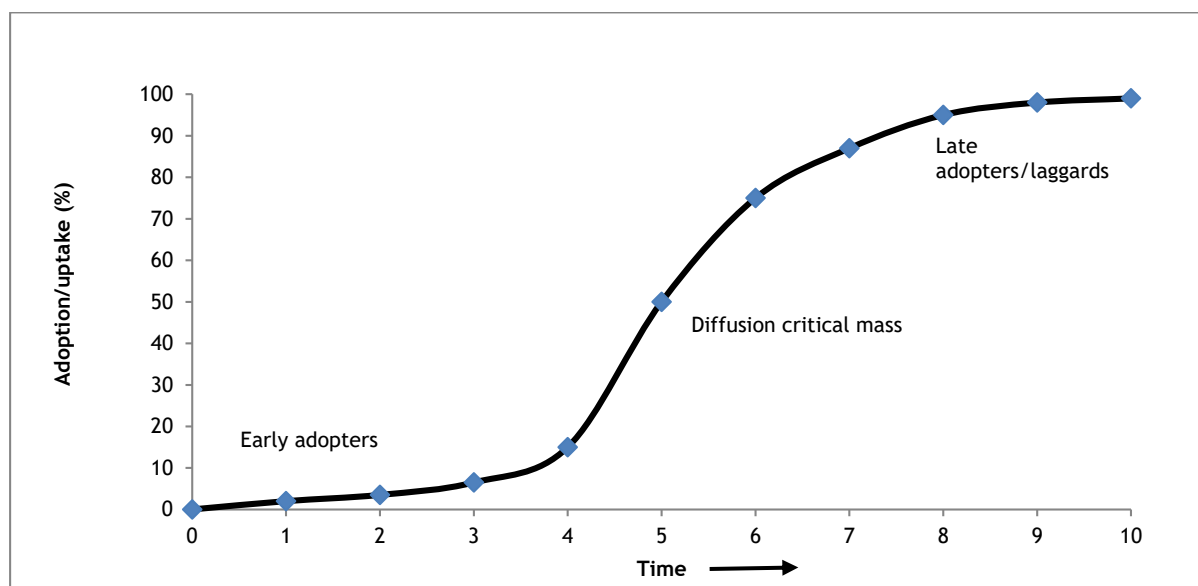
Another aspect of importance is time. This is because innovations are seen to be communicated across space and through time. Time has been identified as being significant in the diffusion of innovations in three main ways (Rogers and Scott, 1997). First, the adoption or uptake of an innovation is viewed as a psychological process that evolves over time, starting with initial awareness and knowledge about an innovation that evolves into an attitude towards that innovation. This influences the decision as to whether to adopt or reject the innovation.

Second, in a voluntary adoption environment, the rate of adoption among individual government departments and agencies differs throughout the public sector. It starts off slowly, with only a minority of departments and agencies adopting the innovation. The rate increases over time; eventually, enough organisations have adopted the innovation, making the rate of adoption self-sustaining.

Third, time is involved in the relative speed at which public sector organisations on the supply side adopt innovations. Closely related to this is the demand side: citizens are expected to take up the new modes of service delivery. Ordinarily, where there are no

supply-side constraints across geographical regions, again an s-curve is expected to represent the innovation uptake rate among citizens (Figure 5.1.1).

**Figure 5.1.1. Innovation diffusion model for adoption and uptake**



Source: Author, based on models in Dearing and Permanente (2012), Ekobom (2012) and Rogers (1995).

### Implications of the innovation diffusion theory for adoption and uptake of Huduma service systems

The public service and its agencies in Kenya provide hundreds of service streams. Whereas the exact count of individual streams remains unknown, in the absence of government process mapping, the Huduma Kenya programme, which is in its nascent stages, has selected some 45 streams to be delivered in its service centres. Viewed through the prism of diffusion theory, the first 26 public agencies and departments that have started offering their services within the service centres qualify as early adopters of the innovation. These agencies and departments are those that have been easy to reach with information from the Huduma Kenya Secretariat on the operational merits and economic and efficiency benefits of relocating their services to the Huduma Centres.

Although information on the supply side of the Huduma Kenya programme has been centrally ‘disseminated’ from the Cabinet Summit and the Huduma Kenya Technical Committee, comprising accounting officers, principal secretaries and CEOs of agencies and departments, the growth in its service diversity can still be likened to the conventional innovation diffusion process. This is characterised by early adopters, majority early adopters, majority late adopters and laggards or late adopters.

In general, the rate of innovation adoption under the Huduma Kenya programme can be classified into two parts: the supply and the demand diffusion sides. On the supply side, the diffusion of the public service innovation under service integration in the CSCs implies that government agencies and departments receive communication or some form of signalling from the 'centre' so as to adopt the option of providing their services within one-stop-shops. Application of the diffusion theory on the demand side of public services is located in the fact that the citizens, who are the service seekers, also receive information on the CSCs and, after evaluating the merits, opt to adopt this service stream or continue with the diversely located traditional points of service.

With increased consolidation of more public services and migration to online platforms, the 'central signalling' of adoption of Huduma Kenya Programme services, especially on the supply side, tends to distort the expected bell-shaped distribution in rates of adoption. The resulting distribution is thus expected to be a right-skewed distribution curve, with more public agencies and departments bringing their services in the early adoption phase. The last few laggard supply-side adopters would therefore represent those departments and agencies offering complex services, whose integration requires more time, technological adjustments and significant capital outlay. The diffusion rate on the service demand side, supposed to drive uptake of services on Huduma platforms, may, however, depend on a great many more diverse factors, such as population distribution between urban and rural areas, proximity of citizens to service centres, level of information symmetry and the expansion rate of the programme.

### [Conceptual frameworks: Public sector innovation and citizen service centres](#)

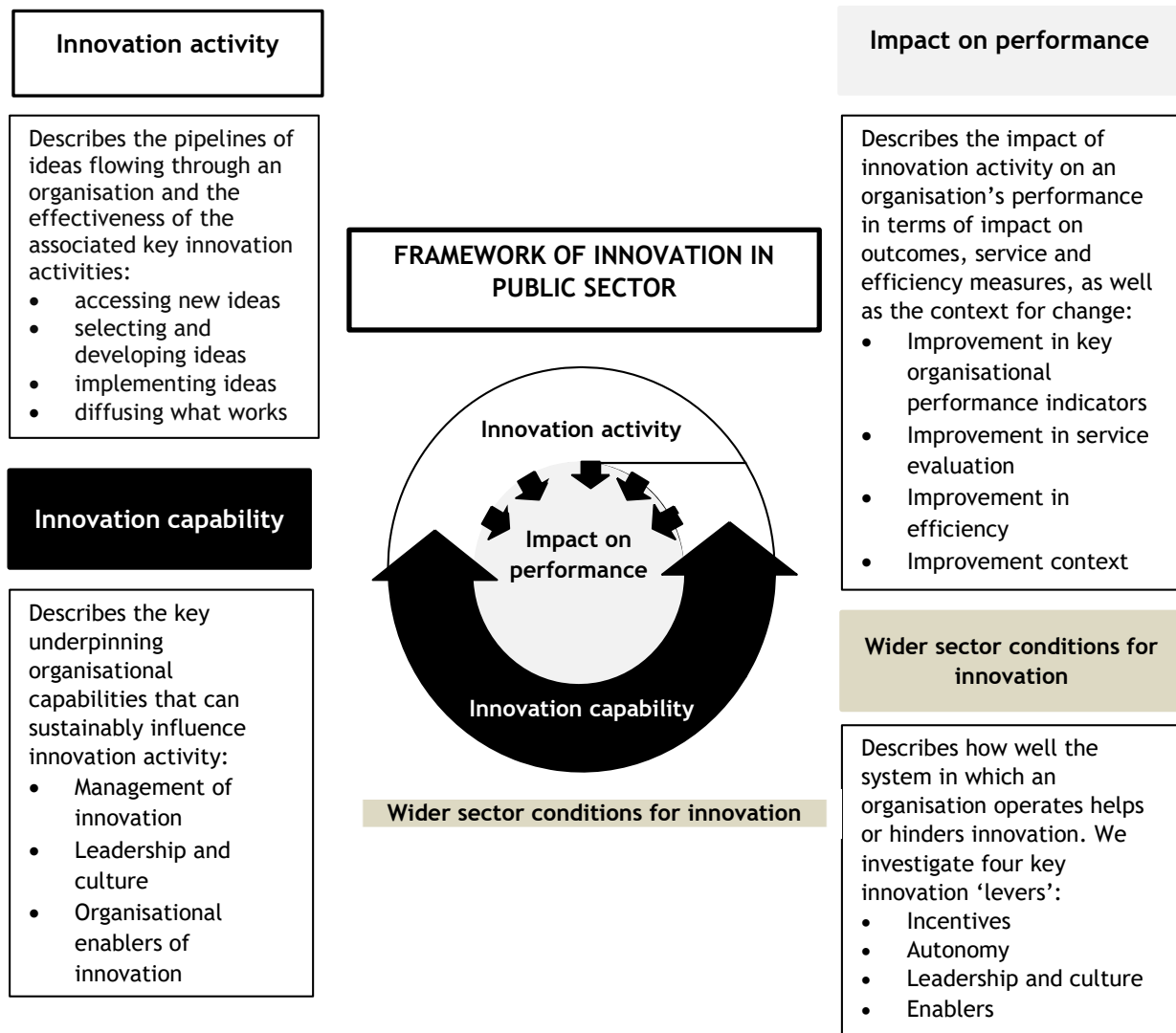
#### **Framework for public sector innovation**

A public sector innovation framework proposed by Hughes et al. (2011), shown in Figure 5.1.2, reflects innovations that are important in the public sector, while remaining consistent with an international standard definition of innovation. The Hughes et al. framework reflects that public sector organisations operate in a range of different systems and assesses the impact of the system conditions on innovation in organisations.

The coloured areas within the circle represent those aspects that are within the control of a public sector organisation: these are 'innovation capability', which underpins public sector 'innovation activity', which in turn 'impacts on performance'. The area outside, 'wider sector conditions for innovation', represents those aspects that are outside of the control of the organisation but within the control of policy-makers or other public sector bodies of strategic influence. These conditions describe how the system in which a public sector

organisation operates helps or hinders innovation—that is, the impacts a system has on an organisation’s innovation activity and capability.

Figure 5.1.2. Framework for innovation in public sector organisations



Source: Adapted from Hughes et al. (2011).

### Framework for citizen service centres: Types of one-stop-shop models

The one-stop-shop concept is based on the provision of public services to citizens in one place; facilities are provide by grouping representatives of the government’s department/departments under one roof, to ensure ease and speed of service delivery, and therefore reduce costs as well as providing better services (USAID, 2011). In its brief on the methodology to implement one-stop shops in the public sector, the US Agency for International Development (USAID) (2011) identifies two foremost models.

The first, the *single door model*, is a type of one-stop shop where representatives of different government agencies are brought together in one place, with each representative handling the procedures of his/her agency. This approach does not require changes in legislation or institutional authorities; it requires only cooperation between the parties involved in the provision of services. The second, *the single window model*, is a type of one-stop shop where only one employee deals with service recipients. The employee receives the required documents and forms and then distributes them to the organisations' representatives in the same site, who then implement the required processes. On completion, the application is handed to the service recipient through the window. This model requires that the single window attendant be aware of the sequence of processes between organisations and of the required documents.

#### [Citizen service centre models: The Huduma Kenya programme](#)

While all CSCs aim to integrate multiple services into a single location, CSC systems can be differentiated along four primary dimensions, that need to be considered during the design stage: channels, levels of service, financing and types and number of participating departments and organisations. The decisions made regarding these design issues determine the final form CSC initiatives may take (World Bank, 2011).

#### **CSC channel types: Merits and demerits**

A channel refers to the delivery model a CSC uses to provide services. Whereas some initiatives use primarily one CSC channel, others integrate multiple channels into their CSC programmes. Choices about which channel, or combination of channels, to adopt should be based on available resources and the characteristics and geographic distribution of beneficiaries. Table 5.1.1 presents a typology of CSC channels and their respective merits and demerits.

**Table 5.1.1. Merits and demerits of CSC channels**

CSC channel	Merits	Demerits
<b>Call centre:</b> Citizens can call a central phone bank to access government services.	<ul style="list-style-type: none"> <li>• Easily accessible to citizens with phones.</li> <li>• Good for providing citizens with information about public services.</li> </ul>	<ul style="list-style-type: none"> <li>• May not be appropriate for delivering some types of services.</li> </ul>
<b>Stationary CSC with multiple windows:</b> A central location houses multiple service providers with different desks (e.g. utility companies, government departments).	<ul style="list-style-type: none"> <li>• People do not have to go to multiple offices for services.</li> <li>• May be easier to incorporate both public and private sector (e.g. utilities) service providers.</li> <li>• All back-office functions are under one roof.</li> </ul>	<ul style="list-style-type: none"> <li>• Transaction time at each window can be long.</li> <li>• Usually confined to urban areas.</li> </ul>
<b>Stationary CSC with one window:</b> All front- and back-office functions are in one location; clients have to visit only one window for all of their needs.	<ul style="list-style-type: none"> <li>• Less costly to run than model with multiple windows.</li> <li>• Users have to visit only one window.</li> <li>• Easier for government to monitor activities and reduce corruption.</li> <li>• All back-office functions are under one roof.</li> </ul>	<ul style="list-style-type: none"> <li>• Can require high set-up costs.</li> <li>• May need to coordinate activities and responsibilities across multiple organisations and sectors.</li> <li>• Usually confined to urban areas.</li> </ul>
<b>Mobile CSC:</b> The government brings the services to the people through agents or by using specially outfitted trucks and buses.	<ul style="list-style-type: none"> <li>• Useful to serve populations in isolated or peripheral areas.</li> <li>• Allows poor and vulnerable groups easier access to services.</li> </ul>	<ul style="list-style-type: none"> <li>• Needs advanced technological infrastructure.</li> <li>• Higher operating cost per beneficiary than stationary models.</li> </ul>
<b>Internet portal:</b> This is a web-based delivery model that allows citizens to access a variety of services.	<ul style="list-style-type: none"> <li>• Low day-to-day costs.</li> <li>• Convenient for users with Internet access.</li> <li>• Can establish partnerships with private sector operators.</li> </ul>	<ul style="list-style-type: none"> <li>• Needs advanced technological infrastructure.</li> <li>• Many people in developing countries do not have internet access.</li> </ul>
<b>Kiosk:</b> Services are provided through integrated Internet kiosks.	<ul style="list-style-type: none"> <li>• Good for rural or difficult-to-reach areas where stationary CSCs might not be cost-effective.</li> <li>• Private sector can potentially roll out and operate kiosks.</li> <li>• Good for services that do not require agent assistance.</li> </ul>	<ul style="list-style-type: none"> <li>• More technologically advanced.</li> <li>• High upfront costs.</li> </ul>

Source: World Bank (2011).

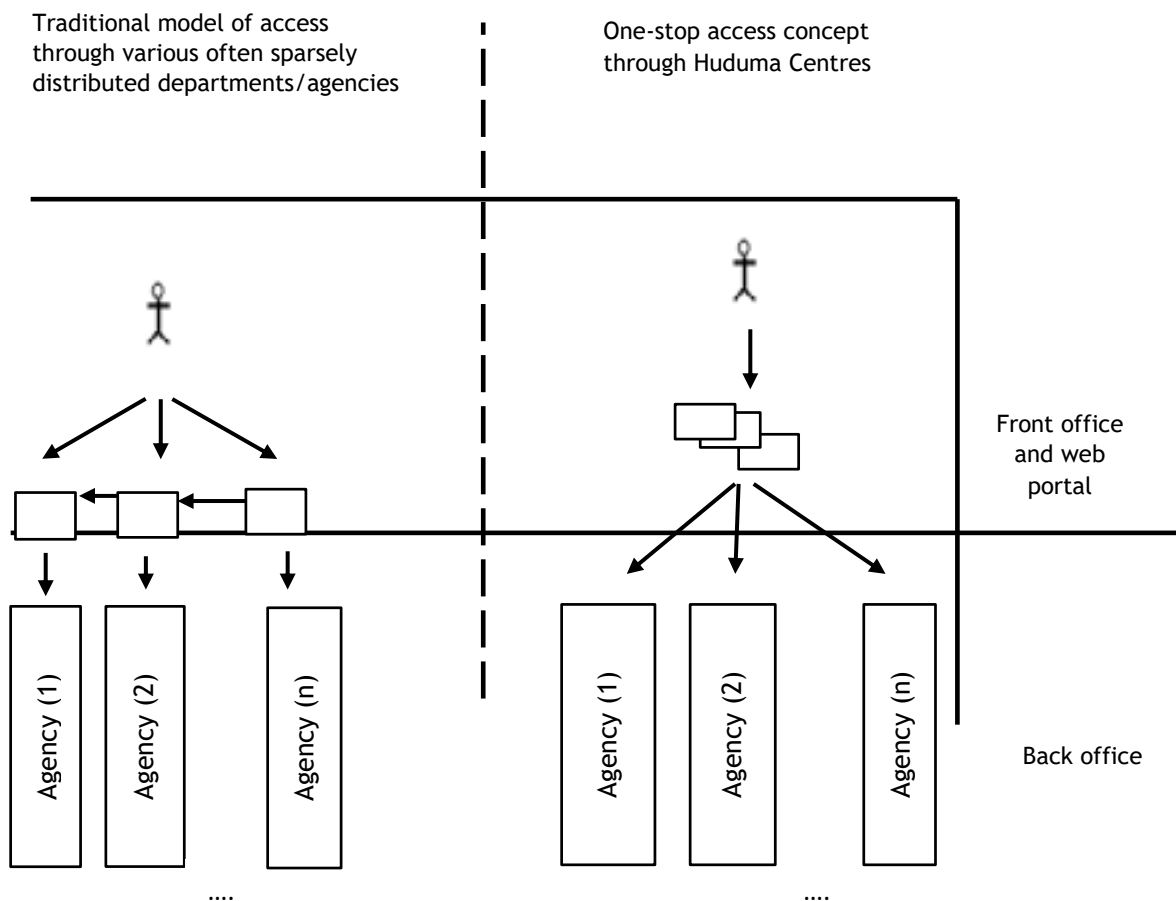
### The Huduma model and delivery channels

The Huduma Kenya programme currently combines the stationary CSC with multiple windows and internet portal delivery channels. To actualise the programme, a strategic implementation model that involved integrating the delivery of all transactional and citizen facing public services from one-stop shops was formulated.

This one-stop-shop approach enables citizens and customers to access various public services and information from a single location and integrated service platforms, with an emphasis on high customer service standards and customer dignity. The programme has so

far established five one-stop-shop channels as platforms for integrated service delivery: Huduma Centres, the Huduma Web Portal, the Huduma Mobile Platform, the Huduma Call/Contact Centre and the Huduma Payment Gateway (Figure 5.1.3).

Figure 5.1.3. One-stop government: single front office structure in Huduma Centres



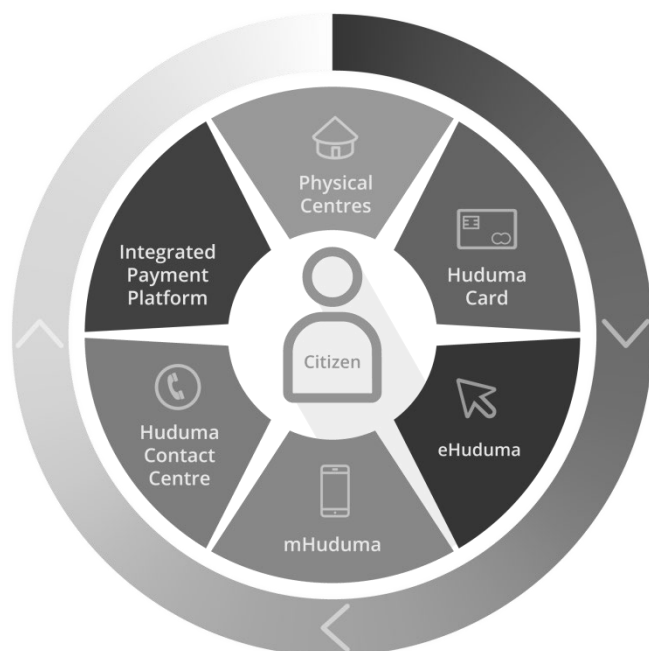
Source: Author.

Of the five channels, the first two are already operational. *Huduma Centres* are physical facilities that provide several transactional public services of different ministries, departments and agencies. The *Huduma Web Portal* is an online portal that enables customers to transact public services electronically.

One of the three planned channels is the *Huduma Mobile Platform*, which will offer m-government services to citizens from their mobile phones. The second delivery channel currently in the pipeline is the *Huduma Call/Contact Centre*, which is intended to be a toll-free way to provide services, with a single dialling prefix that citizens can use to enquire about services offered by different government agencies. To handle future transactions, a third channel, a unified and integrated multi-channel Payment Gateway, the *Huduma*

*Payment Gateway*, will facilitate ease of payment for government services through debit cards, m-pesa and PayPal, among others (Figure 5.1.4).

**Figure 5.1.4: Huduma delivery channels**



Source: Huduma Kenya (2016).

The Huduma Kenya programme initially offered 20 services at the first Huduma Centre located in Nairobi’s Central Business District, opened in November 2013. Subsequently, an additional 20 Huduma Centres have been set up, bringing the total number to 21 by mid-2014. By the end of the first quarter of 2016, 33 centres were fully operational in 26 counties out of 47 counties.

The service menu in each Huduma Centre comprises between 25 and 45 national and county government services on an end-to-end basis (Table 5.1.2). The initial services were carefully identified based on specific criteria: relevant services; services commonly sought after; high-impact services; services for common citizens and not specialised clientele; transactional services; and services whose processes have some level of automation.

**Table 5.1.2. Huduma Kenya adoption by public sector organisation and services offered**

Department/agency	Services
1. National Registration Bureau	1. Issuance of initial National Identification
	2. Card Issuance of Duplicate Identity Card
2. Civil Registration Directorate	3. Issuance of Birth Certificates
3. Ministry of Housing, Land and Urban Development	4. Assessment of Stamp Duty
	5. Franking of Stamp Duty Documents
4. Treasury	6. Access to Government Procurement Opportunities
5. Public Procurement Oversight Authority	7. Receiving Complaints on Procurement
6. Ministry of Labour	8. Registration of Self-Help Groups



Department/agency	Services
7. Attorney-General	9. Registration of Welfare Societies
	10. Registration of Business Name
8. Inspector-General	11. Issuance of Police Abstract
9. National Transport and Safety Authority/Postal Corporation of Kenya	12. Renewal of Driver's Licence
10. National Social Security Fund	13. NSSF Registration
	14. NSSF Statements
11. Criminal Investigations Department	15. Police Clearance Certificate
12. Department of Pensions	16. Status of Pension Claims
13. National Health Insurance Fund	17. NHIF Registration
	18. NHIF Statements
14. Kenya Law Reporting Council	19. Provision of Constitution and Other Legislation
15. County Services	20. Seasonal Parking Tickets
	21. Issuance of Single Business Permit
	22. Payment of Rent
	23. Payment of Rates
	24. Adult Education Services
16. National Cohesion and Integration Commission	25. Receive and Investigate Complaints on Discrimination Based on Tribe and Religion
17. Immigration Services	26. Issuance of Temporary Pass
	27. Issuance of Pupil Pass
	28. Issuance of Passports
18. Higher Education Loans Board	29. Application for Loan
	30. Student Loan Repayment
	31. Student Loan Clearance Certificate
19. Kenya Film Classification Board	32. Issuance of Film Regulatory Licences
	33. Issuance of Film Classification Labels
	34. Collecting Films for Examination and Classification
	35. Receiving Feedback on Film and Broadcast Content
20. Independent Electoral and Boundaries Commission	36. Registration of Voters
21. Ombudsman	37. Reporting Complaints on Public Service
22. Ethics and Anti-Corruption Commission	38. Reporting Corruption and Clearance Certificate
23. Ministry of Foreign Affairs	39. Protocol Services
	40. Authentication of Documents
24. Ministry of Health	41. Body Mass Index and Health Promotion Messages
	42. Blood Pressure
	43. Blood Sugar
25. Kenya Power	44. Electricity Services
26. Kenya Revenue Authority	45. i-Tax Services: PIN, Tax Compliance Certificate

Source: Huduma Kenya Secretariat (2016).

### Implementation of the innovation: The Huduma approach

Implementation of the Huduma Kenya programme has been undertaken in three phases. The first involved piloting the concept in two pioneer service centres within the capital, Nairobi. The other two phases were made to run concurrently. In the second, the government has rolled out the one-stop shops in the counties. In the third, government services are being moved from analogue to digital platforms. This effort is supported through various support structures, initiatives and strategies, including a formal governing structure; piloting of the programme; post-pilot scaling; whole of government; leveraging existing infrastructure; use of broad band connectivity/back-end support; decentralisation/aligning scaling to government structures; integration of information and communication technology (ICT)/digital solutions; and incremental service scope.

**A formal governing structure:** The governing structure of the Huduma Kenya programme was formalised through a gazette notice in April 2014. At the top of the structure is the Service Delivery Summit, comprising the entire Cabinet led by the president. Under the Summit is the Huduma Kenya Technical Committee, comprising accounting officers, principal secretaries and CEOs of agencies and departments represented at the Service Delivery Summit. The Committee defines the strategic actions undertaken in the rollout of the programme and oversees overall implementation. The Cabinet secretary in the Ministry of Devolution and Planning chairs the committee.

**Piloting:** In the absence of a feasibility study, implementation of the programme used two pilot centres. Piloting was used to ascertain the viability of the concept and the feasibility of the proposed model.

**Post-pilot scaling:** Once feasibility and viability were determined in the pilot centres, appropriate budgets were allocated for the scaling of programme to cover more centres within the capital city and other counties.

**Whole-of-government approach:** Implementation of the Huduma Kenya programme was premised on a whole-of-government approach that has since attracted service providers from across the public service.

**Leveraging existing infrastructure:** In the rollout phase, the Huduma Kenya Technical Committee identified existing government post offices whose utility was otherwise sub-optimal to be the sites for Huduma Centres. In essence, the conversion of these offices into one-stop-shop service centres greatly reduced the initial costs that could have gone into the construction or renting of office space for the centres.

**Broadband connectivity and back-end support:** With few personnel on the front desk at the Huduma Centres, the system relies on reliable broadband connectivity to back-end systems in the respective public sector organisations whose services are provided.

**Decentralisation/aligning scaling to government structures:** Scaling on coverage has been aligned with Kenya's new governance model characterised by devolution. The initial coverage plan is to establish at least one Huduma Centre in each county.

**Integration of ICT/digital solutions:** The set-up of the Huduma Kenya model greatly leverages ICT as a key component in the successful delivery of services in centres.

**Incremental service scope:** One strategic approach in the rollout was to start with fewer, less complex, service systems in the pilot phases, following this with integration of more

complex forms of public services with advanced infrastructure, technology and interconnectivity requirements.

#### **Huduma Kenya model results: Impacts, outputs, outcomes and achievements**

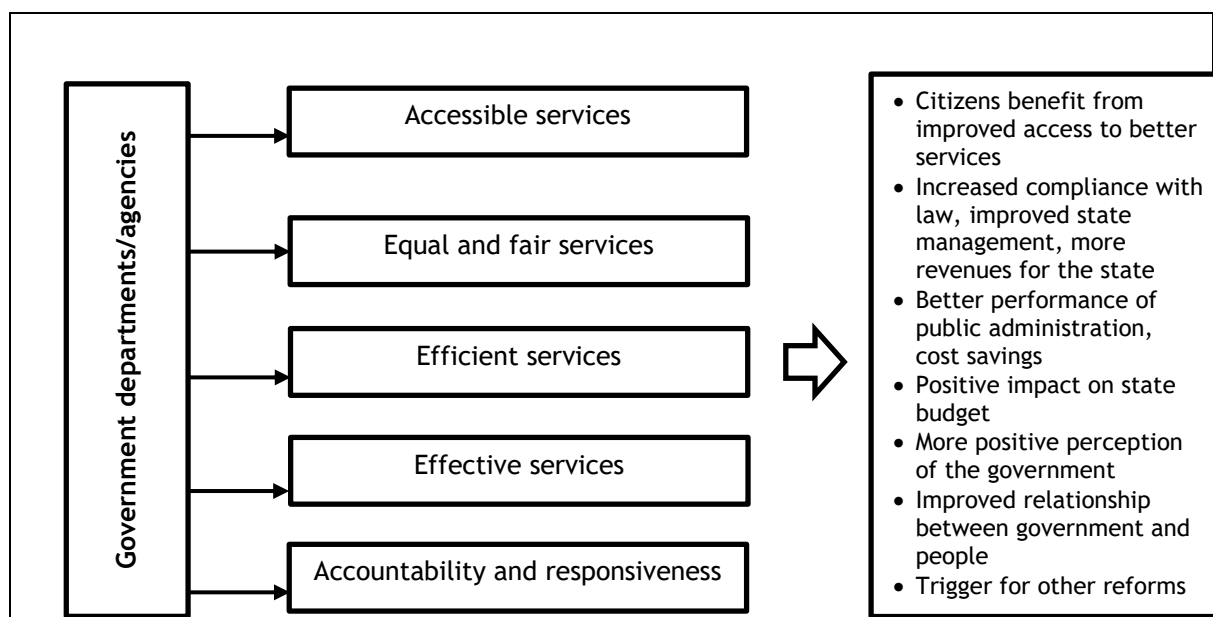
Presently, an assessment of the impacts of the Huduma Kenya programme on public service can be based only on the available observable, documentary or anecdotal evidence. Given that only two budget cycles have been completed, with no impact evaluation undertaken yet, very little solid or hard data evidence exist on impacts. For the present purposes, therefore, an assessment of the impact of the initiative relies largely on anecdotal evidence, stakeholder observations and self-reported facts from the Programme Secretariat.

#### **Supply- and demand-side impacts of Huduma Kenya**

Although the Huduma Kenya programme was established almost exclusively as a service delivery improvement initiative for Kenya's public service, it has since registered significant impacts that spread way beyond the initial goals. The present anecdotal and observable impacts of the programme are consistent with those found in similar programmes in other jurisdictions. Broadly, over the short period since its inception, the legacy impacts of the programme can be classified into three dimensions: governance, economic and social (Annenberg, 2005; Fredriksson, 2015; SDC, 2010).

Similar to the public service reform impacts cited in Fredriksson (2015) on Poupatempo, a similar initiative in Brazil, the Huduma Kenya programme has registered major service efficiency gains. Examples of specific demand- and supply-side impacts of the Huduma programme include regional momentum for public service improvement seen in benchmarking visits from African countries; seamless services; decongestion of government offices; improved efficiency and speed of services; customer care and comfort; complementarity; improving compliance; bridging the gap between citizens and government; cost-effective service provision; changing people's perception of government; improving transparency; the pull effect for service convergence; and breaking broker cartels. Figure 5.1.5 summarises the impacts of the Huduma Centres.

Figure 5.1.5. Summary of supply- and demand-side impacts of Huduma Kenya



Source: Adapted from SDC (2010).

**Regional momentum for public service improvement:** As a result of the awards and the rising global profile of the Huduma Centres, as models for public service excellence, delegations from 16 African countries have since visited Kenya to benchmark with Huduma Kenya. These visits are the first steps towards possible uptake and replication of the Huduma concept and model for service delivery across other countries in the region.

**Seamless services:** By clustering 25-45 different service points under one roof, the Huduma Centres effectively help provide connected government services by placing linked services in close proximity. For example, since issuance of a voter card is dependent on being a holder of a national identity card, having the two service points under one roof increases the chances that new ID holders will also take up voter cards.

**Decongestion of government offices:** Given that most government offices, which have historically doubled as service points, were not designed to host large groups of service seekers, the Huduma Centre innovation has been effective in reducing the number of citizens who visit government offices. Moreover, as originally designed, most government offices do not have the open office plan that characterises most Huduma Centres.

**Improved efficiency and speed of services:** By integrating ICT solutions to service provision, the Huduma Centre service points have significantly improved the efficiency and speed with which public services are provided. For example, acquisition of documents that previously took days or weeks in paper-based processing now takes only a few hours, most of which are spent in the queue, given high demand for such services.

**Customer care and comfort:** Huduma Kenya has profoundly revolutionised the way government services are provided, going from a monopoly of largely substandard services to focus on the principles of citizen-centred services that focus on customer care and comfort.

**Complementarity:** Under Huduma Kenya, all related services are provided under one roof. This makes it possible to acquire all services with the utmost convenience without the need to move from one point to another.

**Improving compliance:** One explanation for low levels of compliance by citizens with their public obligations, such as payment of taxes or renewal of permits and licences, is the inconvenience of service segregation. By placing many interconnected services under one roof, the Huduma Kenya programme has succeeded in improving overall compliance.

**Bridging the gap between citizens and government:** Government monopoly of service provision has historically resulted in citizen disillusionment with service quality. As a result, citizens often lose faith in the government's ability to provide services of acceptable standards. By ensuring a quality service, the Huduma Kenya programme has effectively restored citizens' faith in government.

**Cost-effective service provision:** Compared with the previously largely disparate and silo model of service delivery, the Huduma model has achieved expected service results, quality and standards at much lower cost.

**Economic cost savings:** Resulting from the overall cost-effectiveness associated with the integration of ICT in the provision of Huduma Kenya services, various departments and the whole of government, generally, benefit from cost savings in a way that frees public resources for other equally high-return public investments.

**Changing people's perception of government:** The overall improvement in service quality, promptness, cost-effectiveness and reliability under the Huduma model has played a major role in changing the perceptions of the citizenry with regard to the government's capability and willingness to offer services that meet the minimum standards. Because the model works, citizens who have experienced the Huduma service system get to believe that the government can indeed invest in systems and processes that work for its people.

**Improving transparency:** Provided in an open office space plan, government services within Huduma Centres have greatly improved transparency in the supply of and demand for public services. The open plan in service provision is a major disincentive for bribery or rent-seeking behaviour, which characterises closed spaces.

**The pull effect for service convergence:** Given its publicly known and recognised successes, the Huduma Kenya programme has led to a convergence of public services, with erstwhile isolated public agencies like independent commissions also setting up service desks at the centres. Examples here include the Higher Education Loans Board and the Ethics and Anti-Corruption Commission.

**Breaking broker cartels:** By significantly reducing the amount of waiting time for services, the programme has helped eliminate rent-seeking middlemen and brokers who thrived on citizens who would rather pay a little money for broker services than incur the huge opportunity cost associated with the to-and-fro travels in search of scattered government services.

### **Outputs**

Notwithstanding the absence of an objective programme-wide evaluation for the Huduma Kenya programme, available Secretariat data point to phenomenal growth on a number of key progress indicators.

**Increased number of centres:** From only two pilot centres within the city of Nairobi, the number of Huduma Centres had increased to 33 spread across 26 counties by the first quarter of 2016.

**Increased number of services:** At the start, the pilot Huduma Centres offered just about 10 services. This has since increased to an average of 45 services.

**Exponential growth in customer numbers:** From only a handful of clients on Day 1 of the programme, the initiative has undergone an exponential growth, to serve more than 30,000 customers per day in the 33 operational Huduma Centres. Cumulatively, more than 4 million people had been by the first quarter of 2016. This is also a pointer to the improved productivity of the centres as government service points.

**Growth in revenues:** By June 2015, total revenue collected from services that require payments amounted to over KSH 6 billion (US\$60 million).

### **Outcomes**

Often, outcomes are considered medium- to long-term results of a policy or programme. Given the uniqueness of its model and the public service situation in the Kenyan context prior to its commencement, there exists some observable and anecdotal evidence that the Huduma Kenya programme has already registered some notable outcomes over its 20-month life. The following are highlights of examples of the programme outcomes.

**High customer satisfaction:** By the first quarter of 2015, customer satisfaction levels at the pioneer centre, the Teleposta Huduma Centre, stood at 93 per cent. Customers have lauded the centre's courtesy, guidance and information points.

**Convenience to customers:** The establishment of Huduma Centres has ensured customers can access a myriad of government services end-to-end at one point and in real time without being referred to other service points. Further, provision of an integrated payment gateway to facilitate ease of payment for government services in all Huduma Centres through the Posta Pay platform has enhanced convenience.

**High customer service standards:** Staff are trained on customer excellence before deployment to the Huduma Centres. Further, they are motivated in various ways in recognition of excellent work. This has led to high customer standards, which has led to visible transformation of public service delivery.

**Predictable service turnaround times:** A comprehensive Huduma Centre service charter has led to predictable government service turnaround in adherence to the charter as agreed with the ministries, departments and agencies offering services in the centres.

**A new government brand:** Implementation of Huduma Kenya has helped create a new government brand that Kenyans and customers associate with newness, freshness and high standards in delivery of public services. This new brand marks the shift in public service management, and customers have provided positive feedback about the good quality of service especially around customer service and efficiency in the Huduma Centres.

**Ease of doing business:** Service provision under Huduma Centres has contributed to an overall improvement in the Ease of Doing Business Index through the devolution of services like search and reservation of business names and predictable government service turnaround times.

**Meeting citizens' service expectations:** The Huduma model has facilitated implementation of a modern government service delivery model that meets citizens' expectations around timely access, anchored in new and emerging technologies.

### **Achievements and awards**

Over a period of only three budget cycles, the Huduma Kenya programme has shown great promise, as evidenced by the number of local and international awards it has received for public service excellence. The programme has won at least a dozen national and international awards for service excellence. Examples of the main awards include: top prize winner in Africa in the Innovative Management of Public Service Awards by the African

Association for Public Administration and Management (February 2015); top prize in the UN Public Service Awards for Improving the Delivery of Public Services (June 2015); winner in the African Public Service Awards in the Special Recognition category (June 2015); first in Customer Service Excellence in the Public Sector Awards of the Institute of Customer Service Kenya; winner in the use of ICT in the Public Service Awards by the Information Communication Technology Association of Kenya.

## Structural and systemic challenges of the Huduma Kenya programme

### Structural challenges

Like all forms of change, innovations in the public sector are bound to face all manner of challenges. This section reviews the main structural and systemic challenges that the implementation of the Huduma Kenya programme has faced over its two years of life.

**Latent demand:** Whereas client reach remains impressive in the areas where the centres have been set up, a significant proportion of the potential demand for the services still remains unmet.

**Limited infrastructure to cope with demand:** Closely related to the latent demand problem are infrastructure limitations. Huduma Centres require developed, permanent and spacious sites for the mounting of services and associated back-end infrastructure. In the absence of appropriate sites, no centres can be mounted even in the face of a concentrated demand potential for services.

**Support service constraints:** The successful mounting of Huduma Centres requires the existence of other services such as electricity, broadband connectivity and roads for the supply of materials. Hard-to-reach and economically marginalised segments of the population, such as those in remote regions, slums and informal settlements, who would otherwise be the target of the Huduma initiative, end up excluded by these support service constraints.

**High initial cost:** With the aim of establishing at least one Huduma Centre in each of the 47 counties in Kenya, the initial cost may prove inhibitive. This is especially true in erstwhile marginalised and un-serviced regions where virtually no primary infrastructure and supporting services can be found.

**Long-term sustainability concerns:** The Huduma Kenya programme currently enjoys immense political goodwill at the top. However, not much is known about the extent to which sustainability considerations have been integrated in the concept. The current model



is a skewed one, with only one player on the supply side, the Ministry of Public Service, Gender and Youth, responsible for initial structural set-up costs.

**Information asymmetry/low levels of public awareness:** The expected full-scale impact of the Huduma Kenya initiative remains limited by asymmetric information distribution across segments of the citizenry. In urban areas, for example, it is the poor who are unlikely to raise even fares to the town centres, where the Huduma Centres are located, who also lack information and access to the ICT facilities necessary for transactions and payment for services offered under Huduma.

**The last mile problem:** While provision of public services under the Huduma Kenya initiative targets the marginalised, the traditionally, poor and hard-to-reach segments of the citizenry, the spread of the centres face user proximity limitations since most centres remain concentrated mostly in urban and peri-urban areas.

#### **Systemic challenges: Public service culture impediments**

**Behavioural resistance to change:** Notwithstanding the real and well-documented positive impacts of the Huduma Kenya programme, there exists a segment of the public that remains sceptical about the lasting legacy prospects of the initiative. To this group, the initiative, like some white elephant projects of previous governments, may just be a ‘flash in the pan’.

**Systemic resistance to change:** This is exemplified by instances of passive incompetence of public sector organisations and agencies as a result of the difference between the capacity required for the new model of service delivery and the capacity available to implement the model. The unavailability of many customer-facing public services on the Huduma platform can be explained in part by this passive incompetence resulting from a lack of service delivery capacity in some government agencies.

**The public sector silo mentality:** As in most developing economies, the public sector in Kenya is still bedevilled by the silo mentality, where each public agency feels obliged to protect ‘its turf’. Such constraints result in unfavourable conditions for shared information, data, services and facilities at the level the Huduma Kenya model requires.

**Lack of a shared vision in the public sector:** Closely related to the behavioural resistance problem is that of a lack of a shared vision across the public sector. In this case, not all public officers own the reform agenda. As a result, people pull in different directions in a way that only helps defeat reform initiatives of great promise.

### What made the Huduma innovation work? The lessons

In establishing a basis for recommendations on scaling and successful uptake of similar innovations by other developing countries, this section outlines and discusses the collection of factors to which we can attribute the success of Huduma Kenya.

**Political goodwill at the top:** The public sector momentum the programme has generated is attributable, in part, to political commitment and goodwill at the highest levels of government, especially in the presidency. The programme thus serves as a compelling illustration of the strong impact of government priorities on change in the way people receive services and are governed, generally.

**Staff capacity and capability improvement:** To support the efficient and effective delivery of identified services, staff are carefully identified and are trained in the Customer Service Excellence and Huduma Service Delivery Standards before they can be deployed. This is geared towards ensuring adoption of the desired values, ethics, attitude and dedication to service; consistent customer friendliness; and according clients unparalleled customer experience. Each centre is managed by a centre manager reporting to the Huduma Kenya Secretariat.

**Public sector momentum for change:** Kenya's momentum and drive for the provision of better services has peaked at a level that provides an enabling environment for public investment in all practical, viable and economically sustainable solutions aimed at improving overall efficiency and effectiveness.

**National development blueprint:** The Kenya Vision 2030, the national development blueprint, identifies ICT, science, technology and innovation as enablers across the economic, political and social pillar goals. Public investments in the enabling infrastructure for Huduma Kenya are thus seen within the purview of broader national development priority investments under the Kenya Vision 2030 goals.

### Leveraging Kenya's Huduma programme experience for scaling impacts

A number of strategic options exist to support the scaling of Huduma Kenya for legacy impacts.

**Review of regulatory framework:** The disjointed nature of Kenya's regulatory framework for public sector service provision towards efficiency and effectiveness goals requires a review of existing policies and legislation to provide an enabling environment for enhanced, seamlessness, efficient and effective sector-wide service delivery.

**Service supply- and demand-side capacity-building:** Low ICT literacy among public servants and the citizenry, generally, can slow uptake and adoption of service delivery on e-Huduma and m-Huduma platforms. This calls for interventions by both private and public sectors to mount programmes that target user skills on both the supply and the demand sides of the Huduma model.

**Public sector ICT budget scaling:** Because it is expected that emerging technologies will drive the new frontiers of the Huduma model, systemic capacity gaps in the public sector call for increased budget allocation to high-impact ICT investments that will elevate service delivery from operational efficiency to social and economic inclusion.

**Engagement with public policy implementers:** Low government investment in ICT that would provide an enabling environment for the Huduma model is also partly attributable to lack of buy-in among those charged with implementation of government policies. Targeted awareness programmes that expose this segment of the public service to the overwhelming evidence on the benefits of ICT and e-government uptake will be instrumental in establishing a critical mass of change agents and early adopters of technology for e-Huduma and m-Huduma.

**Improving interoperability:** Towards whole-of-government planning for the integration of e-government solutions in the Huduma Kenya model, investment decisions on government ICT systems should also focus on interoperability of systems across the entire government. This would be a critical step towards breaking institutionalised public sector service silos.

**Strengthening the public-private partnership (PPP) approach for sustainability:** As an economy with competing public sector investment needs, against a backdrop of limited or even declining public revenues, the government should leverage PPPs in scaling the Huduma model across all regions of the country. This would help solve the problem of asymmetric distribution of supporting infrastructure for the Huduma Kenya programme.

**Integrating monitoring and evaluation:** Deliberate programmatic improvements should be undertaken to establish key impact indicators on both the supply and the demand sides of the Huduma Kenya programme. This will improve the ability of the Secretariat to objectively monitor and evaluate programme impacts.

**Change management:** The changes Huduma Kenya is effecting require significant shifts in the 'silo' framework of operation prevalent in the public service. Coupled with the whole-of-government approach informing reform efforts, it will be critical to intensify change management efforts to secure the appropriate institutional culture focusing on the citizen,

and collaboration across and between public agencies in the national and county governments and between the two levels of government.

## Conclusions

Compared with past initiatives, evidence from progress with the current public service transformation, under the Huduma Kenya programme, suggests that top-level government support remains a critical factor to the success of public service transformation efforts. For operational efficiency and effectiveness, staff capacity and capability development in the delivery of quality services remains central to the success of citizen-facing initiatives like Huduma Kenya. Further, centralisation of Huduma Kenya has proved effective in the implementation and management of sector-wide service integration for results.

In terms of measurements of impacts, programmatic improvements to establish key impact indicators on both the supply and the demand sides of the programme will be vital in the objective monitoring and evaluation of its impacts. The current implementation, development and result trajectory of the Huduma Kenya initiative suggest sector-wide innovations can be capital-intensive. As a result, such large-scale projects require direct top-level government support and goodwill and the accompanying budget prioritisation.

In addition, the Huduma Kenya case indicates that, for governments to reap the maximum long-term benefits of innovations in service delivery, they must accept current trade-offs and overlook the current initial costs. Overall, the Huduma Kenya programme is a self-sustaining innovation, since its long-term economic and social benefits from cost-effectiveness and cost-efficiency will by far outweigh the initial investments.

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## Case Study 5.2 Seychelles. e-Government development and implementation: Lessons for small island developing states<sup>32</sup>

### Abstract

Small island developing states can benefit significantly from e-government, which can help governments modernise processes for cost- and time-saving benefits, reach isolated communities, facilitate citizen participation in decision-making and improve the quality of institutions, with positive impacts on political stability and economic growth. However, they face a very different set of obstacles, and opportunities in terms of developing e-government, compared with large states, and very little research has been conducted in small state contexts. This study identifies key strategies and activities involved in the initiation and development of Seychelles' e-government programme, which has topped e-government indices in Africa, with an emphasis on the structures, relationships, interests and incentives that underpin such a public reform process. A practical framework drawn from the case study offers other small states in similar socioeconomic conditions a structure to plan and strategise the primary stages of e-government.

### Introduction

Public agencies worldwide are leveraging the potential of information and communication technologies (ICTs) to provide better services to their citizens and businesses, as well as to increase transparency, strengthen accountability and improve government efficiency—a process now referred to as e-government. E-government capabilities can vary from the provision of simple information via a website to enabling two-way government to citizen or business interaction, the conduct of financial transactions, the connection of government agencies and the provision of e-democracy. The extent to which these activities are undertaken mirrors the stage of maturity of e-government in a country, commonly described to progress from 'emerging' to 'interactive' to 'transactional' to 'integration' and 'participation' (Almarabeh and AbuAli, 2010).

The real added value of e-government comes from a customer-centric approach. e-Government enables user-friendly and accessible government services and information, without the limitations of time and space that office hours and municipal buildings impose (Rose and Grant, 2009) and with the potential to also increase the openness, transparency and responsiveness of government (OECD, 2005). The increased freedom, flexibility and opportunities for citizens to play complementary roles in the formulation and

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implementation of good public policy can enhance sustainable development, economic growth and well-being (UNPAN, 2012).

However, realising the benefits of ICTs demands epochal passages and implies significant efforts on the part of the government to overcome the challenges of reform. Technological complexity and incompatibility, as well as lack of appropriate, accurate and consistent information and data to make IT decisions (Brown, 2000), are not the only, or the most difficult, challenges to overcome. e-Government is a facilitator and a catalyst, and therefore e-government goals must be aligned with wider organisational goals. e-Government often requires reform, reshaping and reengineering of government structural processes for greater efficiency (Ndou, 2004), while managing other political and legal factors (Gil-Garcia and Pardo, 2005). Moreover, governments often have to balance the benefits of investing in ICT development against the need of building human resource capacity, a body of highly skilled ICT personnel and a literate public (UNPAN, 2012).

#### e-Government in small states

Despite the growth in the volume of research output on the topic of e-government, very little is focused on or is applicable to small island developing states (SIDS). The UN recognises 46 SIDS—almost a quarter of the nations in the world—nine of which are microstates with populations under 100,000. While they vary considerably in terms of population size, land size/distribution, isolation, resources and ICT development (Figure 5.2.1), small states share considerably different characteristics to those of large states.

Figure 5.2.1. Economic, social and IT statistics for very small island states

Small states	Population, 2008	Number of islands	GDP per capita, 2010 (PPP US\$)	UN e-Government Rank, 2012 (x/190)
Tuvalu	12,000	9	3,400 <sup>a</sup>	134
Nauru	14,000	1	5,000 <sup>b</sup>	141
Palau	20,000	250	8,370	113
St Kitts and Nevis	49,000	2	16,400	81
Marshall Islands	60,000	34	3,015	146
Dominica	73,000	1	13,900	73
Seychelles	87,000	115	24,100	84
Antigua and Barbuda	87,000	2	18,300	49
Kiribati	97,000	33	5,800	149
Tonga	104,000	176	7,400	111
Grenada	104,000	7	14,000	75
St Vincent and the Grenadines	109,000	32	11,700	85
Federated States of Micronesia	110,000	607	2,200 <sup>c</sup>	127
São Tomé and Príncipe	160,000	2	2,200	138
St Lucia	170,000	1	12,800	90
Samoa	179,000	1	5,900	114
Vanuatu	234,000	83	4,900	135
Barbados	255,000	1	23,700	44
Maldives	305,000	1,192	8,400	95

Sources: <sup>a</sup> CIA World Factbook, 2012 est. <sup>b</sup> CIA World Factbook, 2005 est. <sup>c</sup> CIA World Factbook, 2008 est.



High-quality services are expensive to produce in small states owing to indivisibilities in production, capacity limitations and the small size of the domestic market; small states therefore spend 3.7 percentage points more of gross domestic product (GDP) on producing public goods and services than do larger states (Favaro and Peretz, 2010). Small states are increasingly integrated into world markets, and, while Easterly and Kraay (2000) have found that small states have on average higher income and productivity levels than large states, this comes at cost.

Shocks in developed markets are felt more keenly in smaller states, and per capita GDP growth rates are more volatile because of their much greater exposure to international trade. Whereas Easterly and Kraay find that the growth disadvantages of this greater volatility are outweighed by the growth benefits of trade openness small states reap, an alternative study conducted by Winters and Martins (2004) finds that the costs associated with border crossings, small market size, transport, insularity, distance and the correspondingly expensive utilities exert cost penalties that undermine any comparative advantage that may accrue to very small and micro states. As well as cost penalties, isolation causes communication challenges both between islands and with the outside world. In addition, a modest pool of highly skilled individuals limits the institutional capacity and manpower within the public sector, resulting in restricted development and ability to compete and participate in the global arena. For instance, studies show that, the smaller the population, the more challenging it is for the government to progress towards achieving the Millennium Development Goals (Roberts and Ibitoye, 2012).

The application of ICTs in small state governments can improve public sector efficiency and effectiveness and to help overcome the barriers associated with small size and isolation. ICT solutions can modernise government processes for much-needed cost- and time-saving benefits without having to invest in a great deal of infrastructure. Moreover, improved communication between isolated government agencies and populations—as well as with the rest of the world—enhances the ability of the public sector to efficiently reach and tailor services to isolated communities and also enables widespread citizen participation in decision-making. Sealy (2003) notes the potential of Multi-Community Access Centres or information kiosks to create ‘smart communities’ to bridge the digital divide in Caribbean island states. Furthermore, flatter government structures are also an advantage in terms of rolling out e-government, enabling governments to identify national challenges and priorities and apply best-fit ICT solutions to respond to them (Chan et al., 2008; Favaro et al., 2010b). As in small states the public service is usually the largest employer, e-government can have a wide ripple effect throughout the country.

A process of global transfers dominates e-government projects in developing countries. However, mismatches between the context of technology development and that of deployment account for the failure of many e-government projects (Heeks, 2005). Scaling global best practice and adapting technology to specific social, political and economic contexts are one of the biggest challenges micro states face. Moreover, the very factors of isolation, limited resources and limited ICT capacity are themselves obstacles in the initiation and development of e-government. Small and remote markets make reducing ICT price baskets to affordable levels challenging (Sutherland, 2010) and scarce engineering, economics and legal skills in the country slow policy design and implementation (Favaro et al., 2010a).

The absence of studies highlighting success factors for e-government adaptation and contextualisation in small states points to a gap in the e-government literature. Moreover, reviews of the plethora of research on e-government have noted the absence of the human, social and political elements of e-government resulting from a lack of primary data collection (Heeks and Bailur, 2007). This article provides an in-depth examination of the strategies and practices used to build a successful e-government programme in Seychelles, an island nation in the Indian Ocean. The following sections describe the research methodology and results of the case study of e-government in Seychelles, followed by a review of the development of a practical framework and a discussion of lessons learnt and key practical strategies for SIDS in the primary stages of e-government.

## The research

### Study area

Seychelles is an archipelago of more than 100 islands, home to just 87,000 people. With its very small population, large number of islands and isolated location, it is representative of many small states. Like many SIDS, the country's main industries are tourism and fishing, though the government has been promoting diversification in the economy by supporting the development of agriculture, small-scale manufacturing and transport of petroleum; all of these industries need robust ICT infrastructure.

The country's top ranking in e-government in Africa in the UN Public Administration Network (UNPAN) 2012 e-Government Index and in the International Telecommunication Union's 2010 ICT Development Index show that the state is making great strides in ICT and e-government development. ICT access and coverage have greatly increased in recent years; mobile phone penetration is over 100 per cent and internet use, already the highest in Africa at approximately 40 per cent of the population, will be further facilitated by a recent link to

a submarine broadband fibre-optic cable. Over the past 10 years, the government has developed an online government portal, as well as dozens of e- and m-services for citizens and businesses. Seychelles' e-government experience offers valuable lessons for other SIDS that share many of the country's characteristics, including small population size, geographical isolation, lack of ICT capacity, lack of resources and lack of economies of scale.

### **Research method**

This study was conducted using a triangulation of method, capturing data from interviews with key actors in the government of Seychelles' Department for Information and Communication Technology (DICT) with direct experience relevant to the design and development of e-government, as well as from official strategic documents and statistical data.

As an individual case study, the study provides evidence on exactly why and how formal and informal processes and relationships were involved in e-government development and implementation, offering insights into factors that contributed to successful initiatives and stimulating new ways of thinking about e-government issues in small states. The method sheds light on the factors that influence institutional design for which few data are available, and documents the transition from one institutional setting to another, helping identify problems that arise during implementation of an institutional reform and strategies to manage them. The focus of the research was on deriving key strategies and activities for use to form a practical framework suitable and applicable to other SIDS.

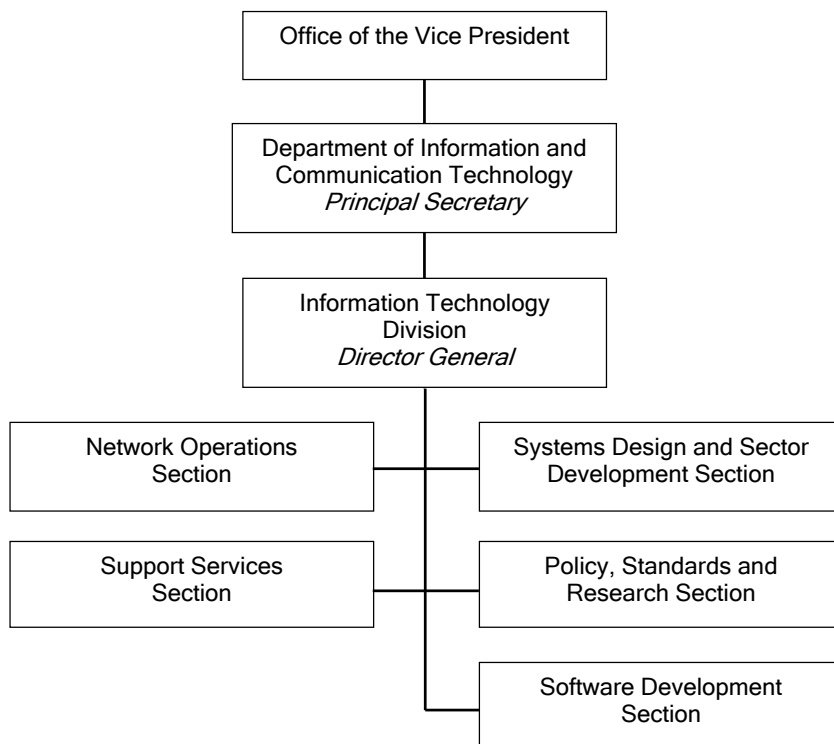
### [Seychelles' e-government programme](#)

#### **Government support for e-government**

**The impetus for change:** In the mid-1990s, the government of Seychelles began to envision an electronic government in which information technologies enabled collaboration between agencies. The resulting e-Government Project (EGP) aimed to implement automated information systems and transform the way government operated. However, the government's subsequent IT programmes were developed piece-meal by various departments without collaboration or coordination. The resulting silos impeded the synchronisation of data and services, and thus the further development of e-government. Therefore, in 2004, in recognition that IT cross-cuts government and with the vision of enhancing Seychelles' competitiveness through leveraging IT, the government decided to consolidate ICT systems under the direction of one department, DICT. IT staff who were previously working in various departments absorbed into DICT, and all subsequent e-government reforms were rolled out from these central agencies.

**Governance and leadership:** DICT falls under the responsibility of the vice-president, who acts as the e-government champion (Figure 5.2.1). This executive support for the centralised DICT proved an effective tactic in obtaining government-wide commitment and buy-in as well as in managing resistance to the change, highlighting the importance of leadership and champions of e-government among higher levels of government. DICT’s principal secretary also played a key role in managing change through communicating the e-government vision throughout the public sector and engaging in and maintaining relationships with government contacts. Developing an appropriate and efficient governance and organisational structure is essential for e-government projects that involve cross-cutting technical, managerial, policy and research elements.

**Figure 5.2.1. DICT governance structure**



### **e-Government Strategic Framework**

The country’s National ICT Policy, developed in 2006, looks to international best practice and promotes the use of ICT in all sectors, including within the government itself. Developed through a multi-stakeholder process that involved an e-readiness assessment and benchmarking of ICT goals, the ICT Policy emphasises the vision of leveraging ICT to enhance the country’s economic competitiveness and improve quality of life. Mindful of the cross-sectoral and multifaceted nature of ICT, it notes that its five areas of focus—ICT infrastructure, legal and regulatory framework, human resource development, ICT industry

and e-government—are integrated and interdependent and rely on partnership with the private sector and civil society (NICTP, 2006).

The preliminary years of the e-government programme focused on building the prerequisite requirements of e-government that would be necessary for its future growth, including infrastructure and software development, connectivity, legislation and analysis of the ICT needs of government. An implementation framework outlined a roadmap and the sequencing of activities.

In 2010, and with support from the Commonwealth Secretariat, DICT developed an e-Government Strategic Framework and Roadmap. The framework recognised the potential of e-government to both automate processes and make government service delivery faster and more efficient, accessible and user-friendly, and available 24/7. The strategic plan is very simple yet effective; it directs the division's work towards specific yet manageable and attainable goals. The plan is focused on three strategic directions: 1) connectivity between all public agencies (including government offices, hospitals, schools and police); 2) transforming and reengineering processes for efficiency gains; and 3) delivery of e- and m-services. In determining just three strategic directions, the framework operationalised a lesson learnt from previous reform efforts. In the past, e-government policies engendered large, highly detailed and multi-pronged plans that proved unwieldy and, ultimately, unimplementable. These aspirations gathered dust on office shelves, a visual reminder to the new DICT of the risk of taking on too many initiatives at once.

Seychelles' e-government programme has designed to be closely linked with the overarching goals of government. While the programme has its own strategic goals, its initiatives are synchronised with national priorities determined at the start of every year. For instance, as the current national focus is on facilitating business drive and integration with government, e-government too has been geared in this direction. From 2011 to 2012, Seychelles climbed 29 places in the World Bank ranking for Ease of Doing Business, and much of the progress is linked to facilitation of business processes through ICT. Like many small island states, Seychelles' economy is highly dependent on tourism, which the e-government programme benefits indirectly through facilitating private investment in Seychelles, increasing internet connectivity for tourists and consolidating tourist information online. Over time and as the e-government programme has grown, it has become apparent to politicians that Seychelles that public service improvement and economic growth are synonymous with e-government. As a result, while ICT has until now been reactive to government reforms, DICT will soon have a place in the High Level Committee that decides government reforms so that a better fit between policy needs and IT solutions can be found.

### First steps: Getting the house in order

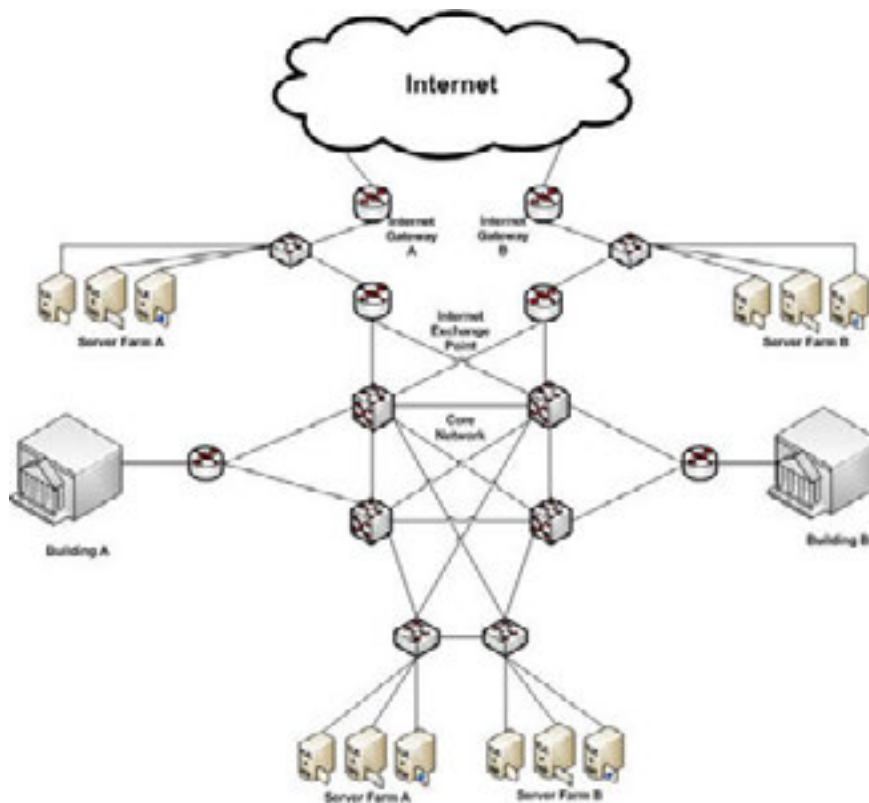
The preliminary years of e-government development were largely spent developing the internal ICT capacity and systems of the government, or, in other words 'getting the house in order'. This included:

- implementation, management and maintenance of the government ICT infrastructure
- development and maintenance of software applications to support the delivery of government services
- development and implementation of legislations, regulations and policies pertaining to telecommunication and related services
- collaboration and coordination with various government sectors/ministries to address their specific ICT needs and requirements
- establishment of the role/s of ICT in the various sectors/ministries and supporting the enactment of these

### IT architecture and system integration

The delivery of e- and m-government services depends on the design, development and implementation of underlying ICT systems. Effective e-government systems rely first and foremost on high levels of network connectivity, therefore a priority of the e-government project was to develop a high-capacity government network, connecting not only all government departments to allow for secure integration of the various IT systems of government but also all points of government service delivery around the country to the network. A plan and blueprint for ICT infrastructure, developed with the support of Microsoft, mapped a basic foundation for an e-government network on which the department could gradually build (Figure 5.2.2). The main prerequisite infrastructure costs of DICT were for the core network and the server hardware/software. Having a centralised system and a very small population means that, compared with larger countries, there are fewer data in need of processing, which keeps costs down. Rather, the infrastructure to increase bandwidth—including fibre-optic cables—has been the biggest cost to the department.

Figure 5.2.2. IT infrastructure blueprint developed by Microsoft



### Software and standards

Before the consolidation of IT systems under DICT, departmental IT systems were based on open source software. While open source was initially cheap to implement, the systems were highly technocratic; systems reflected the knowledge of the technical developer rather than the user, and their maintenance was highly dependent on the technicians who had designed them, a model that proved unsustainable in the long run. With the development of DICT, the need for a system that was keyed to users and that required fewer technical skills and less education, thus removing dependence on highly skilled technicians and facilitating the development of standards in systematically training staff, was identified. Cisco and Microsoft were deemed better suited to DICT's context and needs: the reliability, ownership, responsiveness, security, support, updates and ease of use of their products were priority features for the Seychelles e-government system.

With the introduction of more standards for hardware and software throughout government, processes became increasingly efficient and easier to run, and fewer technical staff were needed. Many systems are now built in-house, reducing the need to purchase or maintain licences; where specialist services and expertise from overseas are required, the department ensures they comply with standards and selection criteria. The department cost-shares or receives support from other organisations such as Microsoft and the

Commonwealth Secretariat to overcome cost barriers to the procurement of software or the development of new systems.

The Software Development Section focuses on developing applications, standards, templates and libraries, and procures specialised software deemed suitable for DICT's needs, based on compatibility with existing systems, cost and maintenance requirements. Well-developed back-office standards and libraries mean that systems can be reused and adapted to various contexts, rather than being redesigned for each project, saving time and resources in the long run. When it comes to developing and managing new software, in-house expertise is preferred so that systems are contextualised and cost-efficient. When in-house expertise is not available for a particular project, the Policy, Standards and Research Section carries out research to determine best-fit options or to aid staff to develop software; if neither is possible, software development is outsourced to the private sector, which has the additional advantage of boosting local industry. In this way, international best practice and new technologies and techniques relevant to the shape and scale of Seychelles' e-government programme are constantly brought to bear on the development of the initiative.

### **Identity management**

A key element in the machinery of e-government was the existing national identity number and a business registration number system that act as a key identifier 'PIN' for citizen- and business-centric information systems and e-services. The PIN ensures that all applications have consistent person- or organisation-related data based on a standard data architecture. Moreover, once a unique identity is verified, it is maintained across the entire process, which transcends organisational boundaries for the purpose of increased integration and for the elimination of duplicated or error-laden data-processing. Preliminary projects therefore included building a national population database and business registration system, used for vehicle registration, social security, taxation, civil registry and health purposes. Establishing accurate, effective and efficient national identification systems, building a database and incorporating technology that reduces fraud and identity theft represents one of the key building blocks for effective government service delivery. The system is to be further expanded in the future with the introduction of digital signatures and biometric identity cards.

### **IT service management**

DICT's Support Services Section is responsible for responding to system problems through an IT Service Management (ITSM) system—a feature implemented with support from the Commonwealth Secretariat and Collective Minds Incorporated. The ITSM is based on systems



for data management, network management, problem management, security, database management and service delivery and support. Working alongside experts facilitated by support from the Commonwealth Secretariat was key to the development of the system- and capacity-building of local experts. Moreover, automating basic procedures right from the beginning helped reduce needless system errors. A maintenance plan proved essential to keep systems up-to-date and secure. The service desk forms the basis of the customer relationship concerning e-service provision and also helps ensure e-services remain functional. The ITSM also helps DICT cope with the high and growing workload as more projects are developed and more citizens use the services.

### **Development of legislation**

The development of e-government necessitated new legal and regulatory legislature, much of which was designed with help from consultants and organisations such as the Common Market for Eastern and Southern Africa (COMESA) Secretariat. Legislation was developed early on in the e-government process, and investing in changes to the regulatory environment enabled the later adoption of emerging technologies. For instance, the Electronic Transaction Act introduced the equality of physical and digital signatures so as to enable e-service authentication. The Data Protection Act, Computer Misuse Act and Cyber Security Policy introduced the privacy and security legislation necessary with the digitisation of private and government information.

### **Building ICT capacity**

Lack of manpower owing to the limited number of IT professionals in the country, many of whom are appropriated by the private sector and businesses abroad, was a significant challenge to the development of the e-government programme, slowing its growth and limiting its scale. To attract IT graduates, standards for the DICT salary bands and staff training were developed, as was a certification system in partnership with the Qualification Authority. This enabled staff to build recognised qualifications during their work with the department. To build ICT capacity in the country more widely, the government has implemented a subsidised student laptop scheme for high school students. While it took three to four years to build the current ICT team, the ensuing relationships and teamwork have proved conducive to delivering quality e-government programmes in a cross-cutting work environment and is consistently cited as a success factor for the programme. The team's work and successes have increasingly bred more interest and support for e-government.

During 2015, the University of Seychelles now offers undergraduate degrees in the field of computing/information systems management. Previously, studies at this level required that individuals had to be sent overseas. More technical/diploma level training is also now available locally now for pre-service students. Technology-specific training and certifications (e.g. Cisco Certified Network Associate certifications) can now be undertaken locally. These developments will provide Seychelles with a pool of qualified resources to sustain the e-government programme well into the future.

### **Building interest and confidence in e-government**

Once basic ICT infrastructure, legislation and processes were in place, DICT initially implemented and managed small-scale IT projects within government departments. Once sufficient interest and confidence were developed among government employees, DICT extended e-government projects to the rest of the population.

### **Computerising government internal business processes**

Computerisation of core government processes began in the preliminary e-government project, a procedure that emphasised the benefits of ICT in making government procedures, from payroll management to census data organisation and storage, more efficient. A lengthy process of scanning and electronically categorising all official documents was initiated throughout the government departments. This process helped introduce government employees to the use and benefits of electronic systems in their back-office work.

### **The government portal**

A government portal is an important initial e-government project as it forms the government-citizen interface that provides a platform for information exchange, e-service delivery, transactions and two-way government-citizen interaction. Government portal development has been often characterised as progressing in stages through the delivery of the aforementioned processes, and this pattern has been mirrored in Seychelles. Given that citizens were already familiar with the government's department structure, the portal was similarly organised. The portal is designed to be the external face of the government, where citizens can access information; later citizens will be able to download official documents and government strategic plans, and subsequently access e-services such as applications for import/export permits and passports.

### **Quick-win projects**

To abate initial doubts concerning the consolidation and development of ICT, DICT focused on delivering 'quick-wins', or short-term projects that demonstrated progress parallel to

the development of long-term projects. As e-government is complex and built of many 'moving targets', consistently selling the vision of e-government as a whole and delivering quick-wins helped win the support of politicians who, because of the nature of their work, have short horizons. Many of the initial quick-win e-government projects were carried out with the Ministry of Finance, whose structured and systematic work is suited to e-government. Moreover, building a positive relationship with the Ministry of Finance through supporting business services and increasing government revenue was an important tactic in gaining support and funding for future e-government projects.

e-Government projects were utilised as prototypes to demonstrate e-services and processes to new government clients to build confidence in and showcase the potential of e-government. Moreover, as understanding and knowledge of e-government spread, the department took advantage of various opportunities and requests to build the portfolio of services. For instance, a request from the electoral commissioner for a voter registration verification system via mobile phones, a service that had been seen operating in Maldives, opened the doors for the development of further m-services. Considering that the country has over 100 per cent mobile penetration, mobile phones act as a key device to extend the reach and efficiency of government services, especially those that require mobility.

In very small states, decision-making structures are generally flatter than those in larger countries, a factor that enables flexibility in planning and adaptation. DICT plays an active role proposing working solutions to government department e-service requests. Flexibility and adaptation were therefore important elements in the start-up of e-government and were lauded as key to its success. In keeping the framework simple, stakeholders had a clear understanding of the overall vision, and more importantly could envisage how their own work was to fit within the new regime.

### Project management

Seychelles' political stability has greatly aided the development and sustainability of its e-government programme. The fact that many managers have remained in government for long periods of time has helped build partnerships, support, working relationships and trust between the managers of DICT and those of other departments. Less hierarchy and bureaucracy owing to a flat management system, a common characteristic in most small states, aids decision-making, consensus and project development. Direct contact and communication with management levels, as well as open door policies, facilitate the cooperative atmosphere of the department. Moreover, top-down support from managers for major projects has been an effective way of ensuring clients remain committed to projects. Staff support and encouragement, in particular through supporting opportunities to increase

qualifications, helped maintain staff motivation as well as keeping the department abreast of the constantly growing and evolving world of ICT management and planning. Moreover, awareness of the programme's weak points and proactivity in learning about possibilities for partnerships and support—as well as knowing how to best pick between them—has proved essential for e-government managers.

### **Change management**

While the initial steps of e-government development focused largely on developing preliminary ICT infrastructure and automating government processes, the e-Government Strategic Framework envisaged that ICT could improve government service delivery not only by introducing an electronic component but also by redesigning antediluvian processes. Under the framework, Business Process Reengineering (BPR) techniques are used to analyse and redesign processes to support new models of service delivery and increase efficiency in workflows. It follows that, owing to the relative complexity and newness of some technologies and changes to workflows, change management is essential to ensure the benefits of new systems are accepted and utilised to their full potential. In the change management process, success stories from Seychelles and other countries, the benefits of e-government and past project prototypes are showcased to clients to build awareness and manage potential instances of resistance and distrust. Once a new e-service has been developed and released, TV and radio advertisements in English and Creole are created to raise public awareness and understanding of the e-service.

### **Expanding the e-government programme**

As the added value and benefits of e-government were increasingly noted throughout government, through project success stories and the influence of e-government champions, buy-in and interest increased rapidly. More and more departments submitted requests for e-government projects and DICT's project scope grew.

### **Project planning**

The growing number of requests necessitated more planning and project prioritisation. At the start of each year, projects are chosen and their implementation is planned in alignment with the five-year strategic plan and with wider government policy goals. The small size of DICT, which counts just 30 staff, and the flat organisational structure greatly facilitate a rapid, participatory and cooperative decision-making and planning process, but also limit the rate at which e-government projects can be developed. From the growing number of e-government project requests, DICT prioritises projects that:

- are in line with government economic priorities, such as improving services for businesses
- are based on a line of business application so the service is easier, faster and more cost-effective to automate
- target security and connectivity, as these are prerequisite conditions for future e-government
- are cross-cutting or used by majority of government, as such projects tend to yield more positive results
- backed or requested by large or influential sectors
- have fewer risks and higher chances of success, including good client commitment
- have fewer people required for implementation
- are outside-facing and have visible results
- are financially viable, particularly if the project involves buying a system and maintaining it

### **Monitoring and evaluation**

Like the strategic plan, the system for monitoring and evaluating e-government projects is straightforward and effective, equipping DICT with sufficient information to plan future directions. At the end of each financial year, DICT review their performance in terms of the attainment of yearly project goals that align with the three strategic directions. The indicator used for connectivity is the number of government locations connected as a percentage of all locations. Transformation is measured by the number of core systems in government that have line of business systems, which are built with integration in mind. e-Service development is measured by the number of client-facing services and the number of citizens and business users. In this way, the department is able to easily assess progress in meeting goals and results can be easily communicated. As goals evolve in the future, so too can indicators be expanded.

### **Expanding access to e-services**

Citizen use of government e-services is highly dependent on the availability of channels to access them, such as internet, broadband speeds and cost and mobile phone service penetration, which are controlled by the telecommunications industry. Seychelles has a strong privatised telecommunications industry of long standing, and the government has largely focused on keeping it healthy to foster reinvestment in infrastructure. A good working partnership with the main telecommunications providers and with the telecommunications regulator has facilitated government efforts to balance the market;

increased competition brings down prices, but if prices are too low operators will cut back on reinvestment. This involves playing with a thin line. New legislation that allowed telecommunications companies to compete in every ICT sector increased competition and reduced prices, and legislation that required the government regulator to approve tariffs for the wide consumer market enables the government to control anti-competitive behaviour. While Seychelles charges operators one of the highest licensing rates in the world, at around 10 per cent of profits, competition has meant the telecommunications industry is still profitable. However, the geographically isolated position of Seychelles makes connectivity a key issue, as reliance on satellite connections is costly.

In 2012, the government, through a public-private partnership (PPP) with the two largest telecommunications operators, financed a US\$27 million project to connect Seychelles to a submarine fibre-optic broadband system in recognition of its benefits to the country and the imperative of pooling skills and resources for such a large-scale project that otherwise would be challenging for a single organisation to carry out. This has already greatly increased internet speeds and will continue to reduce costs for the end-user, especially as telecommunications operators drop costs to increase their penetration and widen their customer base. Such connectivity will not only benefit Seychellois citizens but also give a further boost to inward investment and the crucial tourist industry.

Between 2012 and 2015, broadband penetration almost doubled, from 18 per cent during 2012 to 34 per cent in 2015, and cost per gigabit has dropped by a third from £9 to £3. This has allowed more citizens and businesses to access e-services and enabled cloud-based services to become more reliable.

### **External support and collaboration**

Learning from other small states' e-government projects has proved essential in the department's development and expansion. Visits to Singapore and Malta, two small states with strong e-government, revealed that the Maltese model was more suited to Seychelles' context as it was based on one centralised body with fewer required resources. Workshops and conferences built awareness of best practice, showcased e-government programmes such as those of Singapore, Canada, South Korea and the UK and provided spaces for making connections with countries and organisations that could offer Seychelles support. For instance, as a result of such connections, Seychelles is exploring the possibility of purchasing South Korea's highly successful e-Payment Gateway. Moreover, COMESA in collaboration with the UN Conference for Trade and Development (UNCTAD) has supported development and training in the use of customs software in Seychelles. In exchange for support, the

managers of the department have offered the use of Seychelles as a case study or pilot to showcase to other COMESA countries.

Strategic partnerships that offered organisational and technical support also proved critical to the development of Seychelles' e-government initiative. Partnerships struck between DICT, the Commonwealth Secretariat and Microsoft provided the capacity, training, insight and expertise necessary to design and implement the framework. The partnership with the Commonwealth Secretariat formalised pre-existing relationships between staff members in DICT and the Commonwealth Secretariat, an advantage that enabled the Commonwealth Secretariat to provide precise interventions that were jointly determined and that, as a result, were less likely to encounter resistance or disruption during implementation. Throughout the journey towards e-government, DICT had access to a trusted cadre of technical experts contracted by the Commonwealth Secretariat, who in turn supported development of the e-Government Strategic Framework and Roadmap, advanced the capacity of local experts and assisted the department to develop an ITSM system. Technical support was also forthcoming from a partnership with Microsoft, which developed a plan for ICT infrastructure, mapping a basic foundation for an e-government network (see Figure 5.2.2).

### **E-government to e-governance**

As government departments are increasingly sensitised about ICT, an increasing number of requests for e-government projects have been received. DICT has aided government departments in digitising records and information, from payrolls to housing applications, land applications, drug prescriptions and a company database. e-Services such as applications for import/export permits and passports are delivered through the government portal's e-Service Gateway. m-Services currently available are a system for citizens to verify their voter registration location and an application for police officers to check vehicle licences and registrations on-the-go. More m-services, including apps for smart phones, are being considered for future development.

DICT is constantly improving and expanding its e-government projects. A national e-Payment Gateway enabling online payments for services and taxes, that links mobile, kiosk, cash and card payment methods, is currently being developed. Kiosks are soon to be placed in all of the 27 districts to increase user-friendly access to e-services for those without internet in their homes. The government portal is consistently being updated and improved, with plans to add an online searchable government document repository and an online directory of government officials' contact details— initiatives that have been shown to greatly improve government transparency and accountability (see Kim et al., 2008). A new fibre-optic

network is soon to replace the lease lines connecting government offices to improve broadband speeds, a project in partnership with the South African Development Community (SADC), facilitating the development of more e-education, e-health and e-security services. Meanwhile, software systems are upgraded regularly and cloud computing is being considered as a means to decrease costs as the need for data storage increases.

The e-government focus in Seychelles has been until now on service delivery, while its other potential benefits—including transparency, accountability and citizen participation—are yet to be developed. e-Solutions such as an e-procurement system that emulate and improve transparency systems and goals such as an e-procurement system are being considered for the future. While there are spaces for e-participation—such as a feedback option on the portal, a direct email service to the Office of the President and a ‘Your Say’ option on the website of the Electoral Commission—these are not yet widely used. This is mainly because, in a small island fashion, citizens have natural connections to local and national government. Email and internet are not yet in the island’s culture.

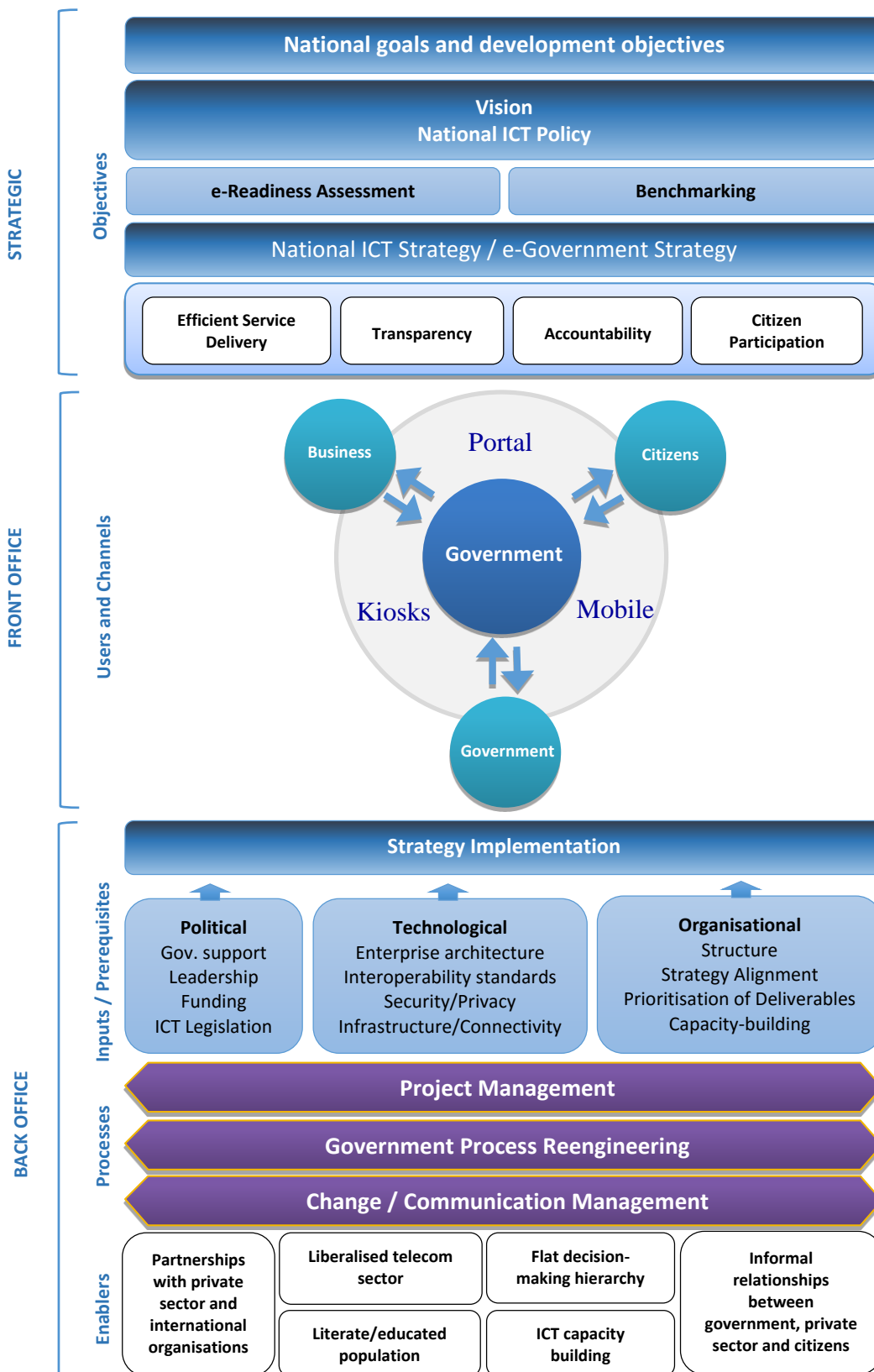
Between 2012 and 2015, additional e-services have deployed, including electronic payment solutions via a range of channels. All government documents are now in the public domain contributing to e-governance and e-participation, and open data architecture now provides access to government statistics online.

### [Success factors, lessons learnt and implications for practice](#)

This section provides an overview and discussion of findings from this study of the Seychelles’ e-government programme that are relevant for other SIDS. Figure 5.2.3 presents a framework for the initiation and development of e-government in a small state.



Figure 5.2.3: e-Government framework for small states



## **Strategic planning**

The case of e-government in Seychelles highlights the importance of linking e-government and ICT with wider national goals and development visions

## **Inputs and prerequisite conditions**

The government of Seychelles' belief that enhancing economic competitiveness and improving the quality of life of citizens is crucially dependent on its developing as an ICT hub has been an important catalyst to the development of a strong e-government programme, including for the dedication of resources and long-term support. The difference in a small state context lies in the scale of its ability to undertake projects; in Seychelles, manageable, workable and easily measureable strategic objectives made it possible to organise and achieve work plans. A clear organisational structure delineates responsibilities and workflows and an infrastructure blueprint sets a base for a good quality and homogenous information system. Developing a network and building connectivity between government agencies and other public offices has formed the backbone for future e-government projects. Appropriate software, data structures and definitions are critical to the success of IT initiatives, and especially for inter-organisational initiatives, it follows that products should be chosen based on security, support, ease of use and staff capacity. Investing in changes to the regulatory environment allows for and enables the adoption of emerging technologies, while developing appropriate government-wide IT policies, common standards and structures can provide an adequate framework for e-government initiatives to be successful. Leadership in developing change management strategies, building awareness and support for e-government, seeking partnerships and developing and managing project teams is essential.

## **Enablers and lessons learnt**

Several factors enable the development and rollout of an e-government programme that are largely outside the control of the programme itself. Basic technological infrastructure and a liberalised telecommunications industry form the base for building country-wide access to internet and mobile telephony, while the widespread use of e-government is facilitated by an informed and literate population (91.8 per cent adult literacy). In the case of Seychelles, the long-term existence of national identity numbers was a key element in the e-government databases, ensuring the interoperability of various systems.

In very small states, decision-making structures can be flatter than those in larger countries, a factor that enables flexibility in planning and adaptation; in Seychelles, the flexibility of

the e-government framework was lauded as key to its success. Small country and government size also facilitates informal and long-lasting partnerships both within government and between government, businesses and citizens, which can compensate and boost formal institutions (IDS, 2010) and in turn support the development of e-government projects. Cognisant of the culture of government and aware of the need to win support from other government departments, DICT adopted a 'hand-holding' approach during the development and implementation phase, encouraging departmental staff to respond to requests for support with informal face-to-face interactions until a minimum level of institutionalisation of the system was achieved. High-level leadership emanating from the Office of the Vice-President counterbalanced this 'softer' approach. Together, these tactics, which endeavoured to generate common ownership of the reform, purposefully safeguarded the framework from the failure experienced by the piece-meal e-government reform efforts attempted in the 1990s.

Strong technical skills and expertise in the hands of the project leader and team members are critical (see Bishop and Savoury, 2004), as is proactivity in developing innovative financial schemes and partnerships to get e-government initiatives off the ground. To achieve this, the vast array of knowledge, technical expertise and financial support available in the international arena can and should be drawn on to compensate for limited capacities in-country, and efforts should be made to ensure relationships of trust are developed. In Seychelles, the strategic external partnerships brokered between DICT, the Commonwealth Secretariat and Microsoft proved critical to the design and overall success of the e-government reforms.

When asked to synthesise the lessons learnt through their journey towards e-government, officials in DICT credited the success of the e-government initiative to their commitment to keeping the framework simple, flexible and within the understanding of the people it intended to serve. In ensuring that members of government and the public understood the initiative, by offering hands-on support for colleagues undergoing BPR, in securing pinpointed technical expertise from trusted partners and by securing high-level support from the executive arm of government, DICT ensured common ownership of the reform, and as a result ensured its success.

## Conclusion

SIDS face significantly different challenges and hurdles in designing and developing e-government programmes than do large states, owing to their isolation, small population size, island geography and limited human and financial resources. e-Government is strongly connected to the social context in which it is deployed. While the development solutions

reported in the case study of Seychelles may not be directly applicable or effective in different circumstances, their analysis will help inform related programmes in other small states, and the framework proposed here outlines steps in initiating and expanding e-government in a small state context. The study is also useful in drawing attention to the long maturation time and effort needed for e-government development and to pitfalls to be avoided. The successful development of e-government in Seychelles demonstrates that small states can leverage ICTs to transform and improve the political, economic and social government-citizen, government-business and government-government relationships. Underscoring the human, social and political elements of e-government, the case highlights that informal relationships, teamwork and political commitment become particularly important when building momentum and support for e-government.

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## Principle 6. Professionalisation and improved morale

### What does it mean to be a professional?<sup>33</sup>

#### Abstract

Population growth as well as our needs and wants have increased tremendously over the past decade, making it imperative for scientists to find better modes and higher yields of production. Other social issues have gained attention globally, meanwhile, including increased poverty, wars, global financial crises, cybercrime, migration, climate change and natural disasters. In order to combat these and other economic and social complexities together with maintaining our sophisticated lifestyles, we need specialised knowledge and skills in every field of study. This situation has in turn given rise to the increased number of professionals within institutions.

This paper seeks to argue that it is important and necessary for the creation and maintenance of professionals and professionalism with institutions. It gives a brief historical exposition, a definition of and criteria for a being a professional.

#### Definitions of professional

Bennion (1969) gives an interesting exposition of the historical elements of professionalism, citing that up till 1841 professions were limited to the church, the law and medicine and possible claims from the army and the navy. He goes on to give an interesting perspective on the debate on which occupations are considered professions and which are not. In the modern 21st century public service, civil servants should be considered professional as their roles are distinct: they have to provide quality service to the citizens in a wide array of services. Some of the areas of service are specialist areas but all areas within the public sector demand professionalism and adherence to codes of ethics in their execution. As technology increases, there is a need for expert professionals in the public service and the call for professionalism in the public service will continue.

Various authors have differing definitions of and criteria for a profession. Bennion (1969), cites the Car-Saunders' report on Education for Commerce, where a professional is regarded as 'anybody of persons using a common technique who form an association the purpose of which is to test competence in the technique by means of examination'. Another interesting definition put forward by this author is the definition by the Royal Institute of British Architects in its submission to the Monopolies Commission: 'A professional is a person expert

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<sup>33</sup> This paper was prepared for discussion in 2015 by J. Nwasike, Adviser and Head of the Public Sector Governance Unit of the Commonwealth Secretariat.

in some field of activity who shares the responsibility for decisions and gives a service to others in that part of their affairs to which the professional expertise applies, bringing to bear in this participation wider values than those whom he is advising may necessarily themselves consider relevant.’

However, it is clear from the first definition that the concern is credentialism; the second definition clearly states that the professional is an expert, shares responsibility for decision-making and gives a service to others. According to the Free Encyclopaedia, western nations such as the US use the term ‘professional’ to describe highly educated, mostly salaried workers, who enjoy considerable work autonomy and a comfortable salary and are commonly engaged in creative and intellectual challenging work.<sup>34</sup> Friedson (1994), on the other hand, suggests that the structure of the labour market contributes to discrimination among the occupations since the labour market is classified into primary and secondary sectors, the primary being the segment with steady employment and the secondary comprising unskilled labour, the transient and the underemployed. He argues that, by using this categorisation, the upper tier of the primary market is characterised as professional because of the lifetime, relatively secure and stable work careers in particular identifiable occupations. Using Friedson’s categorisation, public servants can therefore be placed in the upper tier of the primary market and as such are professionals.

#### Criteria for being a professional

Several authors on professionals, including Freidson (1994), have also documented some criteria for being a professional. These include being credentialed, have use of discretion and autonomy in doing their work, being peer reviewed and evaluated, being intellectuals and having a capacity to control and regulate themselves. Additionally, the Free Encyclopaedia’s main criteria for professionals include being paid for what you do, expert and specialised knowledge in the field, excellent manual/practical and literary skills in relation to the profession, high quality of work, high standard of professional ethics, reasonable work moral and motivation, participating for gain or livelihood in an activity or field, appropriate treatment of relationships with colleagues and professional attire.<sup>35</sup> The inclusion of attire is interesting, as it is not known to the author to have been mentioned in any other definition or criteria of the professional.

There are several arguments for and against professionals and professional institutions, notably hostility to professional autonomy based on historical abuses of economic self-interest. Illich (1978) in his paper ‘The Need Makers’ made some scathing remarks about

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<sup>34</sup> <http://en.wikipedia.org/wiki/professional> accessed 12 January 2001.

<sup>35</sup> <http://en.wikipedia.org/wiki/professional> accessed 12 January 2001.



professions and professional institutions, referring to them as ‘disabling professions’ and specialist bodies as a ‘new kind of cartel’. He is quite blunt in his argument as to the imposition on citizens by the profession and professional bodies backed by legislation. He asserts that major institutions spend a great part of their energy in maintaining five myths to enslave the client to the experts professional. However, in our opinion in this 21st century, there is a need to encourage and maintain professionals at every level in an organisation and professional institutions as networks of professionals for the following reasons:

- As individuals, we feel we have the potential to acquire the knowledge and skills of several tasks, but know we will not have the time to be experts in all tasks since we cannot perform each task every day. Some tasks do require frequency of work for continuous development to attain a certain level of competence. Examples are in medicine, law and accounting, as well as policy analysts, web designers and computer software engineers among others.
- Technological developments have grown in geometric progression over the years and therefore an individual will have to spend several hours a day keeping up with the technological innovation. For example, in the IT industry, there are specialists in every segment of the industry who have to be certified; the same goes for the music industry which is segmented to directors, composers, writers of song and lyrics, mixers, etc. These are individuals who spend their entire life perfecting what they do and becoming creative and innovative over the years. The same argument holds for a spray painter in the commercial division of an automobile manufacturer, who has to be credentialed as an expert and can be extended to the public service.
- There has been an increase in the sophistication of national, regional and global society’s needs.
- There has been an increase in natural disasters owing to climate change.
- For professional expertise to exist as a stable and reliable activity, it must be institutionalised.
- Expertise in complex societies needs some form of credentialism, which protects the consumer and the citizen.
- In accordance with the Theory of Relativism, no rule is absolute, hence professional institutions monitor professionals for compliance at the same time as creating a shelter for the professional, and serve as a motivator for people to invest time and resources in acquiring particular kinds of expertise (e.g. the Institute of Chartered Accountants).
- Networks are being used across national, regional and international levels to encourage professionals to exchange ideas and knowledge with each other and by so doing build a

form of solidarity to enhance and strengthen their area of expertise. The Commonwealth Secretariat has been creative in creating networks of professionals.

### Conclusion

In conclusion, society has become so sophisticated that citizens rely on professional expertise and on professional institutions for advice, and to receive quality services to enhance their day-to-day lives. The dependence on the professional within the public service and other institutions has put pressure on professionals and institutions, particularly public institutions, to adhere to ethical conduct as set out in their respective National Constitutions and Codes of Conduct.

There is also a degree of professional responsibility inherent in being a professional, because professionals lay claim to maximal competence and, to adhere to a social value, they ought to be ready to assume responsibility for their actions. However, we find that some problems go unnoticed until the problem explodes. In some national and global crises, it is believed that leading up to these information was known but a government or an organisation delayed the decision. This means every citizen who is dependent on the professional will have to be responsible for their own well-being and be on their guard, as compliance with standards varies from individual to individual and from institution to institution if left unchecked.

Public servants have the power to use discretion and they can decide who should be served first and those whose service should be delayed. Therefore, without professional standards of conduct within the public service, the use of discretionary power can be abused to the detriment of the delivery of outcomes to citizens. Public servants, like all professionals, do have a personal moral responsibility to themselves and the public at large.

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## Framework 6.1 Tonga. Tonga capability framework <sup>36</sup>

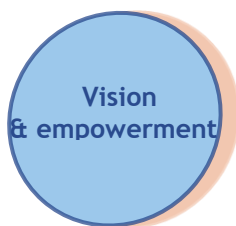
### Professionalisation



<sup>36</sup> Presented at the Commonwealth Pacific Central Agencies Meeting in Samoa, 12-14 May 2015.

### What are examples of effective behaviour?

- Actively seeks to optimise the value of diversity in the workplace.
- Is accountable for decision-making.
- Challenges and is prepared to be challenged constructively.
- Delegates authority and responsibility.
- Demonstrates a commitment to their own personal development by seeking new learning activities and opportunities, engaging in critical reflection and looking to others at all levels for feedback.
- Demonstrates honesty, integrity, probity, public service professionalism and expertise.
- Inspires a sense of purpose and direction.
- Inspires trust and respect from staff and peers.
- Intervenes effectively to tackle poor performance or inappropriate behaviour.
- Involves and empowers people
- Praises achievements and celebrates success.
- Provides appropriate mentoring and guidance to develop employees.
- Tackles difficult decisions and takes measured risks.



### Vision & empowerment

- Articulates a clear vision for the future.
- Considers the 'big picture' and longer-term imperatives.
- Empowers others to take responsibility through a deep sense of commitment and ownership.

### What are examples of effective behaviour?

### What are some key questions to ask about this capability?

Do I:

- Accept reasonable exposure to risk or uncertainty?
- Delegate interesting or challenging work?
- Embrace new management methods?
- Function as a role model, adopting an authoritative and not authoritarian approach?
- Have a flexible management style?
- Maintain an awareness of factors (both personal and work-related) impacting on my staff and respond to these in a caring manner?
- Participate in own or others learning activities?
- Seek to empower my staff?
- Share credit for ideas and successes or take responsibility for errors?
- Welcome views that oppose or challenge mine?

### What are some key questions to ask about this capability?

Do I:

- Share my own view with others about the desirable future state of the organisation?

- Builds concerns around the organisations vision and strategies.
- Ensures managers and staff are informed of long-term strategies so operational goals are aligned with divisions and individuals.
- Uses personal passion and drive to move the organisation in the desired or necessary direction.
- Empowers managers to take ownership.
- Demonstrates a dynamic, inspirational leadership style.
- Determines long-term issues, problems or opportunities.
- Evaluates the appropriateness of organisational structure to best meet long-term objectives.
- Exercises leadership and motivates managers to incorporate vision, strategic planning and elements of quality management in the full range of the organisation's activities.
- Establish systems and frameworks that enable staff to make a genuine contribution?
- Articulate a vision and inspire others to achieve it?
- Set a clear sense of direction that staff can understand?
- Lead by example?
- Value and promote diversity and use it to enrich decision-making processes?
- Ensure that staff understand and are committed to the vision and strategic objectives, and their role in delivering it?



### Strategic thinking

- Provides and articulates vision and strategic direction.
- Shapes strategic thinking, planning and partnering.
- Generates and reviews policy and gives sound advice.

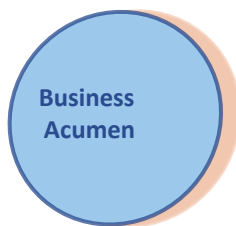
### What are examples of effective behaviour?

- Acts decisively in influencing and implementing strategies that contribute to achieving a best practice public sector.
- Clearly enunciates and demonstrates commitment to future direction, with accompanying rationale for pursuing it.
- Develops, communicates and builds commitment to achieving an inspiring, relevant and understandable organisational vision.

### What are some key questions to ask about this capability?

Do I:

- Ensures staff at all levels have an understanding of key organisational strategies and can see how their work contributes to higher-level objectives.
- Expresses ideas clearly, coherently, fluently and articulately, both orally and in writing.
- Involves people in decision-making
- Balance detail with the broader perspective?
- Balance intellectual debate and action?
- Consider wider organisation interests?
- Initiate and encourage open communication?
- Manage risks pro-actively?
- Seek and take differing views on board at the outset?



#### Business acumen

- Manages resources strategically.
- Delivers agreed results.
- Builds organisational capacity.

#### What are examples of effective behaviour?

- Is willing to accept change, think and act flexibly and adapt approaches to reflect changed circumstances.
- Demonstrates the capacity to anticipate and manage organisational change to achieve alignment between the business and the broader environment.
- Deploys the appropriate financial, physical and human resources required, and understands their capabilities and restrictions to address strategic needs.
- Directs the efforts of others towards the completion of plans and achievement of determined objectives.
- Implements corporate decisions with commitment and energy.
- Monitors and reviews progress and performance rigorously.
- Recognises the need to balance available resources against changing and competing

#### What are some key questions to ask about this capability?

Do I:

- Balance the commitment to deliver with the impact on the team or self?
- Consider the impact of change?
- Ensure staff have appropriate resources and systems?
- Set appropriate priorities having regard to available resources?

demands, within the context of corporate plans and objectives.

- Translates broad corporate direction into planning and organisation in own area of responsibility and communicates this to staff.



#### Community & customer focus

- Builds and maintains key relationships.
- Facilitates a responsive customer focus.
- Collaborates for effective outcomes.

#### What are examples of effective behaviour?

- Achieves coherent outcomes.
- Demonstrates interpersonal versatility and manages sensitive interpersonal situations with diplomacy and tact.
- Develops and sustains positive and productive working relationships with internal and external clients.
- Effectively and ethically manages and develops customer relationships and perceptions to achieve mutual goals.
- Identifies and anticipates customer needs and delivers products and services to meet or exceed customer expectations.
- Identifies customers and builds a workforce to reflect the customer base.
- Identifies opportunities to improve delivery through partnership.
- Strives to continuously improve individual and business performance and customer service.
- Supports staff to provide efficient customer service.

#### What are some key questions to ask about this capability?

Do I:

- Consider my customer base when developing services?
- Focus on key result areas to suit corporate rather than personal aims?
- Understand and communicate to others who customers are; understand the needs of a diverse stakeholder group?



### Environmental & organisational awareness

- Creates an effective workplace.
- Achieves balanced judgement in complex environments.
- Demonstrate environmental and organisational insight.
- Communicates effectively.

#### What are examples of effective behaviour?

- Explains, persuades, convinces and influences others effectively.
- Communicates on behalf of and represents the department effectively.
- Displays political sensitivity and awareness.
- Identifies or generates solutions, evaluates options and exercises judgement to determine the most appropriate course of action.
- Provides a working environment that maximises the potential of people with respect to their health and safety and the value of equity and diversity.
- Understands and works within government processes and operational frameworks.
- Understands the impact of the external environment and internal organisational decision-making.
- Understands, values and incorporates different perspectives.

#### What are some key questions to ask about this capability?

Do I:

- Behave in a manner that is approachable and inclusive?
- Demonstrate commitment to equity and diversity and engage my staff in regular discussions?
- Encourage staff to take ownership of occupational health and safety while ensuring that work?
- Use systems and practices do not compromise safety?
- Model desired behaviours?
- Understand and demonstrate the principles and practice of ethical behaviour?



### Governance & stewardship

- Provides a corporate governance structure in keeping with principles and standard set out by the public service.
- Demonstrates ethical behaviour.
- Ensures that staff activities are subject to guidelines consistent with governance structures.

#### What are examples of effective behaviour?

- Displays a high level of initiative, effort and commitment to public service.

#### What are some key questions to ask about this capability?

Do I:



- Encourages opinion and honesty in dealings with third parties.
- Ensures transparency of activities and relationships with stakeholders.
- Clarifies and publicises public service values, ensuring staff understand the intent, and is committed to their delivery.
- Ensures review processes are in place that enable delivery of services to be constantly monitored against local and regional standards and principles of corporate governance.
- Identifies problems and ensures effective plans for resolution are put in place.
- Follows up to ensure changes and agreed improvements are made.
- Establishes clearly defined delegations of authority across the organisation.
- Ensures the satisfactory arrangements are in place for auditing the organisations financial affairs.
- Establish and monitor policies directed to ensuring that the agency complies with the law and confirms with the highest standards of financial and ethical behaviour?
- Inspire better/more comprehensive performance management processes and measures with key managers?
- Actively promote a formal code of conduct, defining the standards of personal behaviour expected of all employees?
- Manage the agency's resources effectively?
- Ensure the senior executive team is provided with appropriate advice on all financial matters, including fraud and risk management?
- Ensure staff are not influenced by prejudice, bias or conflicts of interest?

## Case Study 6.2 Kenya. Professionalisation, motivation and morale improvement in the public service in Kenya: The role of the Public Service Commission<sup>37</sup>

### Abstract

This study briefly reviews the mandate and functions of the Public Service Commission (PSC) of Kenya and highlights the various approaches it has employed towards professionalising the public service and improving motivation and ultimately morale among public officers. While acknowledging that attempts at professionalising and motivating the service still remain largely implicit in the overall mandate of the PSC, the study concludes that, for enhanced results under the twin goals, the PSC and other state actors will need to better target, implement and measure interventions.

### Introduction

The mandate of the Public Service Commission (PSC) in Kenya entails competent human resources, promotion of good governance and ensuring efficiency and effectiveness in the provision of quality services in the public service as outlined in Article 232 of the Constitution, on values and principles of public service. Implicit in this mandate is the expectation that an effective execution of the statutory and legislative functions of the PSC also leads to the attainment of the twin goals of professionalising and improving the morale of the whole of the public service.

As public service is the building block of the public sector, its success depends on the collective efforts of public officers. In this context, public officers can collectively contribute to significant and meaningful transformation when they are first motivated in a way that enhances their overall morale in the work place.

### Professionalisation of the public service In Kenya

Professionalisation of the public service is an over-arching process that is critical to the performance and results of the entire service, for a number of reasons. First, it underpins the specialised knowledge and expertise of public officers. Second, it infuses work ethics, values, commitment and principles of conduct. Third, it establishes common professional culture and identification for the various professions in the public service. The fourth component has to do with professional autonomy and delegation of power to the associations (Gornitzka and Larsen, 2004). Professionalisation thus encompasses all other values that

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<sup>37</sup> Prepared by the Public Service Commission (Kenya) Secretariat.

guide the public service, such as loyalty, neutrality, transparency, diligence, punctuality, effectiveness and impartiality.

In Kenya, these values and principles are enshrined in Articles 10 and 232 of the Constitution. The Public Service Values and Principles Act 2015 has been enacted to operationalise the implementation of values and principles. These values and norms are better reinforced if there exists a system of administrative policies, management practices and oversight agents that provides incentives and penalties to encourage public servants to professionally carry out their duties and observe high standards of conduct.

The contribution of the PSC to the professionalisation of the public service in Kenya can be located in seven main areas: establishment of recruitment and selection requirements; development and dissemination of human resource policies; structured delegation of authority; promotion of values and principles of governance and public service; evaluation on compliance with values and principles of governance and public service; technical support to county governments; and specialised and targeted training and development.

**Recruitment and selection requirements:** The PSC's efforts to professionalise the public service commences at the very formative stage of onboarding. The PSC has since established a list of requirements on ethics and integrity for all applicants to advertised positions. Examples of these include a certificate of good conduct from the Criminal Investigations Department, a tax compliance certificate, Higher Education Loans Board (HELB) loan repayment clearance, Credit Reference Bureau clearance and Ethics and Anti-Corruption Commission clearance. These forms of clearances, it is believed, ensure only persons of good ethical and professional standing are able join the service or be elevated to higher-level positions in the service. In addition, new entrants in professional cadres are required to produce evidence of membership of relevant professional organisations.

**Development and dissemination of human resource policies:** As the body charged with establishing an enabling human resource management and development (HRM&D) policy environment in the public service, the PSC has continuously strived to develop new policies in this regard while reviewing existing ones in line with the new Constitution and new legislation. In addition, the PSC goes beyond the policy generation function to that of ensuring the adequate dissemination of any new or revised policies across the service.

**Structured delegation of authority:** Given the wide scope and large size of the public service, the PSC has opted to improve administrative effectiveness and efficiency through the use of structured delegation of authority to ministries, departments and agencies. Through the delegation instrument, the PSC is able to ensure the HRM&D function continues

to be handled in the most professional way by authorised officers to whom administrative dimensions of HRM&D functions in ministries, departments and agencies have been delegated.

**Promotion of values and principles of governance and public service:** In Articles 10 and 232, the new Constitution stipulates the national values and principles of governance and the values and principles of public service, respectively. In their aggregated forms, these Articles address 10 major values and principles: fair competition and merit in appointments and promotions; diversity management in the service; responsive, prompt and equitable service delivery; devolution and sharing of power; public participation in policy formulation and implementation; upholding of human rights; efficient, effective and economic use of resources; good governance, transparency and accountability; professionalism and ethics in the public service; and sustainability of development programmes. The continuous promotion of these values and principles supports the professionalisation proposition for the entire service.

**Evaluation on compliance with values and principles of governance and public service:** Beyond the promotion of these values and principles across the public service, the PSC has striven to undertake annual evaluations on the extent to which public sector organisations comply with these values and principles. Based on the findings of the evaluation, the PSC prepares a report with general and specific recommendations on areas for improvement, which it presents to the president and Parliament.

**Technical support to county governments:** The county governments, established in 2013, are only at the nascent stages of constituting themselves as effective governance and service delivery units. Towards ensuring the integration of professionalism, efficiency and effectiveness in the discharge of their functions, the PSC has continued to offer technical support to the new counties in the areas of establishment of organisational structures, HRM&D and induction and continuous training of county government officers.

**Specialised and targeted training and development:** The PSC continues to work with the Kenya School of Government, other ministries, departments and agencies and non-state actors in the design and delivery of curriculum and content to establish a professional public service through induction programmes and specialised and targeted training.

#### **Motivation and morale improvement in the public service**

Although they are closely related concepts, motivation and morale remain different in level and scope of drive on behaviour. While motivation can be located at the individual level, morale is often a group-level phenomenon (MSG, 2016). Motivation has been defined as the

ability of people, institutions and societies to perform functions, solve problems and set and achieve objectives (UNDP, 2006). An individual who is motivated is one who is energised or activated towards an end (Ryan and Deci, 2000). Re'em (2011) points out that motivating employees to do well at their jobs is vital, as it is through their efforts that the goals of organisations are achieved. Being located more on the outcome side of motivation, public sector morale in Kenya can be seen as an indirect result of the more explicit effects of interventions to motivate individual public officers.

Morale, on the other hand, relates to the psychological state of public officers as expressed in self-confidence, enthusiasm and or loyalty to the vision of the organisation. Morale flows from people's conviction about the worth of the actions and the hopes of rewards, material or otherwise, in the future (Wittermer, 2000). In the public service, employee morale refers to the overall outlook, attitudes, satisfaction and confidence that public officers feel in the work place. It also entails the behaviour of employees wanting to belong to the government ministry, department or agency that they work for (Bennett and Hess, 2001; Seriovanni and Starratt, 2003; Taylor, 2004).

Although latent in the day-to-day processes and operations of the PSC, this section focuses on the avenues through which the PSC has attempted to achieve improved motivation and morale among public service employees service-wide. These include introduction of a service excellence award scheme; review of policies; improvements in terms of service; training and development; and flexible career progression.

**Introduction of a service excellence award scheme:** The Public Servant of the Year Award (PSOYA) recognises the actions and achievements of public officers, who go above and beyond what could be reasonably expected and, in doing so, create a national momentum for quality service delivery and ideals of the highest public service standards and values. Now in its second cycle, PSOYA is expected to help address public officer motivation problem by way of recognition for outstanding and exemplary performance. Further, it is anticipated that motivated public officers can be effective public sector transformation agents in a way that contributes to overall public sector efficiency and effectiveness.

**Review of policies:** In view of the dynamic nature of the public service, the policy and legislative environment, the society that it serves and user feedback from ministries, departments and agencies, the PSC has continuously reviewed its existing policies to keep them in tandem with global best practice. The ultimate aim of these reviews is to identify policy constraints in the terms and conditions of service with a view to enhancing the motivation and generally the morale of public officers.

**Improvements in terms of service:** Working in concert with the Treasury, the ministry in charge of public service, the PSC is already in the process of improving the overall terms of service for public officers. Examples in this area are found in the rolling out a contributory pension scheme, a car loan scheme, medical schemes and a heavily subsidised housing mortgage scheme for public officers.

**Training and development:** Outside its professionalisation function in the public service, the provision of continuous training and development opportunities to public officers has been one important approach to motivating public officers to improve their morale.

**Flexible career progression:** Some segments of the public service in Kenya have traditionally been plagued by major job stagnation or delayed promotions. In its new agenda for public service transformation, the PSC has focused on fast-tracking all instances of stagnation to ensure affected officers are promoted and remunerated appropriately. It is expected that this will be one of the avenues for improving motivation and morale across the service, especially among lower and middle cadre officers.

## Conclusion

Efforts to professionalise, motivate and improve the morale of the public service in Kenya still remain clouded by more pressing and immediate public sector reform goals. At best, these efforts are only implicit. In general, while the level and extent of professionalisation can be difficult to measure, the potentially more measurable aspects of the public service, such as motivation and morale, remain without any credible or objective baseline or status data. As result, not much is known about the exact impacts of current strategies. To be able to mount systematic and better-targeted interventions, all sector players will have to work in concert and base these interventions and their monitoring and evaluation on good data for measuring progress and improving impacts and outcomes.

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## Case Study 6.3 Cameroon. Devolution of state human resource management<sup>38</sup>

### Definition of key concepts

**ANTILOPE:** A French acronym for a computer application called the **National Application for IT and Logistic Processing of State Personnel**, used in processing state personnel salaries and pension.

**AQUARIUM:** An electronic space in which the sites of SIGIPES place information (in local and/or remote mode) at the disposal of users, in search of information on their career, salaries, pension and status of evolution of their administrative files in the processing chain.

**SIGIPES:** A French acronym for Computerised System for the Integrated Management of State Personnel and the Payroll.

### Introduction

One objective of the African Charter on Values and Principles of Public Service and Administration as stipulated in Article 2(4) is to ‘Encourage citizens and users of public services to actively and effectively participate in public administration processes’. One of the principles of the Charter, Article 3(8), is ‘institutionalizing a culture of accountability and integrity and transparency in Public Service and Administration’. Reform on the ‘devolution of State Personnel and the payroll management’ falls within the global framework of valorising human resources and modernising the Cameroon administrative machinery as spelled out in the National Programme on Governance and the Fight against Corruption (NPG), adopted in June 2000 and reviewed in 2005.

The stakes of implementing this reform, just as with many others, is to create optimal conditions for the improvement of the public administration in order to make it ‘more efficient, simpler, faster and more competitive, accountable and citizen-oriented’, as recommended on several occasions by President Paul Biya. The reform aims at introducing a real human resource management approach in the Cameroon public service that perfectly combines its three components: staff management, human resource development and the forecasts of manpower.

### Reform overview

In the 1980s and 1990s, the ministry in charge of public service and that in charge of finance, respectively, managed the career and salaries of state employees. To allow these two

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<sup>38</sup> Prepared by Pierre Vincent Ngambo Fondjo, Secretary General, Ministry of Public Service and Administrative Reform, Yaoundé, Cameroon.



computer applications to properly exchange information, a SIGIPES/ANTILOPE interface was established. The two applications designed for a centralised form of management soon became obsolete; they had the following shortcomings, among others:

- management by the ministry in charge of public service of employees known only by their service number (without knowing the owner)
- cumbersome and unreliable methods of processing files
- an inadequate number of staff in the ministry
- inefficient control of the administrative situation of public employees
- a long time spent in calculating the benefits of retired workers
- lack of an accountability system
- inconsistency of the computer application for the payroll with modern needs

In light of the aforementioned difficulties, the government decided, within the framework of the NPG, to take up the reform challenge ('Devolution of State Human Resources Management'), in order to ensure better and efficient management of state employees and for better results. The reform is materialised by the transfer to each user ministry of some of the attributions or competences hitherto entrusted to the ministries in charge of public service and finance. This strategy, which lays emphasis on the accountability of ministries using the services of state personnel, is based on the following concepts:

- accountability
- efficient and satisfaction of users
- services of proximity
- reliable governance of government services
- streamlining of personnel organisation and management methods

The overall objective of the reform is to control the number of public employees and the state wage bill. These objectives resulted in a wide range of innovations that paved the way for a real change of organisational culture within the Cameroon public service.

### Objective of the case study

This case study seeks to introduce the Cameroonian model of human resources management to other Member Countries; bring out the significance of the reform; and advocate to other African public services to decentralise personnel management.

## Reform implementation

The reform is based on the principle that ‘the minister who actually uses a state employee should manage their career and pay their salary’. To give a legal framework to all the implementation stages of the reform, the following instruments were signed:

- Decree 2004/320 of 8 December 2004 to organise the government that paved the way for the reorganisation of ministries (creation of a sub-department of personnel)
- Decree 2012/079 of 9 March 2012 to lay down the regulations governing the devolution of the devolution of state personnel and payroll management
- Order 048/CAB/PM of 13 July 2000 to set up a Coordination and Follow-up Committee of the SIGIPES project
- Joint Order 9145/MINFOPRA/MINFI of 10 December 2001 to start the reform

Reform implementation took place in three major phases.

### **Experimental phase 2001-2007**

During this phase, the reform piloted in four ministries. These ministries had to start by:

- updating the state personnel database and payroll
- drawing up instruments that corresponded to the new policy of human resources management, notably by reorganising ministries, with the creation in each ministry of:
  - a department of human resources for ministries with more than 6,000 persons or a sub-department of personnel, salaries and pension in ministries with fewer than 6,000 persons as the case may be
  - a unit for the SIGIPES project
  - a social welfare service
- Production of the first document of reform orientation in 2003.

### **Execution phase 2007-2009**

The following activities were carried out:

- drawing-up of the draft charter on the devolution of state personnel and payroll management
- mutualisation of financial resources, enabling the extension of SIGIPES in 22 other ministries
- recruitment of 470 computer specialists to manage the new application
- training of professional staff

## **Extension phase 2009-2012**

- extension of SIGIPES in 10 remaining ministries
- recruitment of a number of computer specialists within the framework of the special recruitment of 25,000 young certificate holders into the public service
- production of the second document of reform orientation in 2010
- establishment of reform by Decree 2012/079 of 9 March 2012 to lay down the system of devolution of state personnel and payroll management
- popularisation of the policy document on devolution in December 2012, during a seminar organised for officials in charge of the management of human resources of the central services in ministries and 10 Ministry of Public Service and Administrative Reform (MINFOPRA) regional delegates

### **Impact of the reform**

To date, all the 36 government departments are equipped with SIGIPES that is functional. The impact of the devolution reform can be seen at the managerial, administrative and socioeconomic level.

#### **At managerial level**

- It improves the image of public administration.
- It ensures a constantly updated state personnel database.
- It ensures the transversal and extensive view of state human resource mobility.
- It ensures the forecast management of public expenditure.
- It reduces time spent and ensures celerity in the processing of files.

#### **At administrative level**

- It ensures employees' evolution in their career.
- It controls the number of employees through this management method.
- It ensures that instruments produced are kept in a secure environment.
- It ensures more accountability of public employees by keeping them in stable positions.

#### **At socioeconomic level**

- It fights corruption and poverty.
- It facilitates access to data on the career of public employees.
- It improves service delivery.
- It masters the wage bill.
- It ensures national budgetary planning management.

- It discharges the state of its internal debt.
- It masters public expenses.

Concretely,

- Human resource management procedures validated in MINFOPRA have been adapted in 29 ministries.
- Some information destined for users in search of information on their career, salaries and the status of evolution of their files in the processing chain is placed at their disposal, thanks to SIGIPES AQUARIUM, a symbol of transparency and rapidity in the procession of files related to the management of human resources in ministries.
- The updating of state personnel database and the payroll has enabled the state Treasury to replenish its coffers, to start recruiting again (25,000 young certificate holders in 2011 and 470 computer specialists) and even to substantially increase salaries (by 5 per cent in 2014).
- The reform has brought employers closer to their employees (the transfer of competences that were formerly the exclusive rights of MINFOPRA and the Ministry of Finance (MINFI)) as it has enabled every minister to henceforth sign the career instrument of their personnel; this proximity management is an opportunity to make senior managers more accountable, which results in more transparency in the management of state human resources.
- State employees are now displaying more rapidity, availability and determination in the processing of files.
- The successful holding every year of the annual seminar for secretaries general is a mark of appreciation of the reform on the devolution of state personnel and payroll management in administrative habits.

Despite the above-mentioned achievements, and given the rapid technological evolution, the reform also became unable to absorb certain dysfunctions observed, such as:

- the obsolete nature of the equipment
- problems of maintenance owing to the scarcity of skills
- the complexity of the SIGIPES/ANTILOPE interface
- incoherence between data from SIGIPES and ANTILOPE, etc.

In the face of these dysfunctions and others, the government, with the assistance of the European Union, decided to acquire a new integrated computerised system for the integrated management of state personnel and payroll. This reform to migrate towards a single database was launched on 12 March 2014. The new application will depend on the

decentralisation reform and require that career instruments from the devolved services be transmitted both automatically and systematically to the MINFOPRA national site (on careers) and to that of MINFI (on salaries).

### Challenges faced

After preliminary work some technical difficulties still persisted and needed to be improved upon:

- technical inadequacy of some materials, such as servers, or other ongoing projects, such as the process to update the state personnel and payroll database, which has adversely affected use of the modern management too
- problems maintaining the SIGIPES application: dysfunctions of the computer equipment can occur at any given moment, blocking user customers' files
- mobility of state employees after being trained for the project, an issue of high priority for negotiation now
- lack of frank collaboration between MINFOPRA and other ministries
- technical failure of the SIGIPES application
- shortage of qualified personnel
- inadequate financial resources in relation to the size of the project

### Prospects for the reform

- There is an ongoing project to set up a system of electronically processing files and registers using the dematerialisation of human resource management procedures and the digitalisation of data. This will help reduce processing files and solve the issue of lack of space and safety for these files.
- Within the framework of evolution, it is envisaged that vertical decentralisation of management of state personnel and payroll will establish the management of career and salary instruments under either heads of administrative units or competent regional delegates.
- At the moment, a reform project known as SIGIPES Second Version is ongoing. Its principles are working differently, serving differently and 'one government one service'. This reform is a demonstration of the government's constant desire to improve the quality of services provided to its citizens.

### Conclusion

Implementation of this reform, despite some difficulties, has enabled Cameroon to make major strides in modernising its public administration. It is hoped that the new computer

application will enable Cameroon to have a single personnel database that is more reliable, secure and capable.

## Principle 7. A code of conduct for public sector ethics<sup>39</sup>

### Framework 7.1. Code of conduct for public servants in St Vincent and the Grenadines

#### Abstract

Codes of conduct provide guidance on ethical conduct and regulate the behaviour of public servants and other public officials. The public service provides a critical service to the public, such as formulation and implementation of public policies. Public servants exercise authority and manage public resources, and their actions therefore directly affect the public and the confidence the public has in the government.

The public demand high standards of behaviour and ethical conduct from public servants. All public servants have a part to play in earning public respect for government and in ensuring the public maintain confidence in the institutions of government. A code of conduct helps regulate ethical behaviour. This framework is based on the St Vincent and the Grenadines code of conduct.

#### Section 1. Introduction

##### **Serving the public**

Serving the public is both a privilege and a responsibility. Public servants have the opportunity, through their work, to contribute to the development of St Vincent and the Grenadines, the flourishing of Vincentian society and the well-being of the public. Conversely, if the work of public servants falls short of acceptable standards, the impact on the country and on the public's quality of life can be severe.

The public service exists to safeguard and promote the interests of the citizens of St Vincent and the Grenadines. It is paid for by, works on behalf of and is accountable to the public. Citizens are entitled to put their trust in public servants. Such trust from the public is critical if public servants are to carry out their responsibilities effectively, and it is therefore crucial that public servants behave in ways that warrant this trust.

The primary responsibility of each public servant is to serve the public effectively and according to high ethical standards. They owe this responsibility to all members of the

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<sup>39</sup> The Commonwealth Secretariat commissioned the Inter-Disciplinary Ethics Applied, a Centre for Excellence in Teaching and Learning, University of Leeds, UK to draft this Code of Ethics for the Government of St. Vincent and the Grenadines.

public, and especially to the most vulnerable. Public servants may fulfil this duty either as individual public servants serving individual members of the public directly or as public servants working collectively to provide a service to the public.

In order to assist public servants in performing this responsibility, this code of ethics sets out the minimum standards of behaviour required of public servants in the conduct of their work. It was produced following extensive consultation with public servants and with stakeholders in their work.

### **The purposes of the code of ethics**

The code of ethics has the primary purpose of providing guidance to public servants on particular aspects of their work. All public servants should be familiar with its contents and should refer to it when faced with an ethically difficult situation.

In addition, however, the code is there to provide support for public servants who are under pressure to act unethically. By setting out objective standards to which all public servants are expected to conform, the code empowers public servants to resist this pressure. No public servant should be put under pressure to act contrary to the principles in this code, and any public servant who feels they are being put under such pressure should seek advice using the channels listed below.

Finally, the code has the purpose of advertising to the public the ethical standards they are entitled to expect from public servants, and to assist the public in holding public servants to account for achieving those standards. The code also sets out the appropriate channels through which concerns should be raised.

### **Scope**

This code of ethics applies to anyone who is paid from public funds, at any level or rank, whether full- or part-time, temporary or permanent or directly employed or employed on a contractual basis. For the purposes of the code, all such people are considered ‘public servants’. The term ‘civil servant’ is also sometimes used to refer to someone who works for a government department or agency, and who does not work in the separate services of health, education or law enforcement. All civil servants are also public servants.

### **Application**

The principles in the code apply primarily to the behaviour of public servants in the performance of their duties. However, they should also be taken to apply to their behaviour outside of work, where that behaviour is likely to affect their ability to perform their duties effectively and to high ethical standards.



The principles set out in the main section of the code apply equally to all areas of the public service, unless stated otherwise. Because they need to govern behaviour in a wide variety of work contexts, the principles are universal in their application. All public servants have a duty to familiarise themselves with the contents of the code, and must take responsibility for understanding and applying the principles in their general conduct.

## Section 2. Philosophical and contextual framework

### Legislative and regulatory background

The conduct of public servants is subject to requirements set out in both the Civil Service Orders and the Public Service Commission Regulations.

The values and principles in this code of ethics are not intended to supersede the requirements set out in either the Civil Service Orders or the Public Service Commission Regulations, or any existing legislation or regulations, nor to be in conflict with them. Instead, the ethical values and principles in the code of ethics support the legal and regulatory requirements and show why they are important. In turn, the legal and regulatory documents give the code its authority and set out those requirements whose breach may lead the public servant to be considered guilty of misconduct and to be subject to disciplinary proceedings accordingly. The possible penalties for public servants who are found guilty of misconduct are summarised below.

*All public servants must make themselves familiar with the requirements of the Civil Service Orders, the Public Service Commission Regulations, the Finance Administration Act and all other legislation and regulations that apply to their work, and must abide by them at all times.*

### The different branches of the public service

Public servants work in a number of specialised areas. Each of these has its own set of ethical requirements. This is because each area has its own challenges, and there are ethical issues that are specific to particular areas or that arise in different ways in different areas. Each public servant must therefore apply the principles in this code of ethics to the context in which he or she is working.

Because of the unique issues in different branches of the public service, the work of many public servants is also subject to requirements set out in legislative and regulatory frameworks specific to their area of work. This code of ethics is designed to complement, rather than conflict with, these other requirements. The relevant requirements for different branches of the public service are contained in the following documents:

**Teaching:** Education Act (2006)

**Health and environment:** Medical Officers Act (1956)

**Security and law enforcement:**

- Police Act (1947)
- Prisons Act (1967)
- Port Officers Act (1906)
- Customs (Control and Management) Act (1999)
- Saint Vincent and the Grenadines Port Authority Act (1987)

**Other/general:**

- Finance Administration Act (2004)
- St Vincent and the Grenadines Postal Corporation Act (2002)
- Income Tax Act (1979)
- Eastern Caribbean Supreme Court Act (1970)
- The Magistrates Act (1912)

### Section 3. Ethical principles governing the conduct of public servants

#### Principle 1: Impartiality and objectivity

*For the public service to operate effectively, the public must be served, and information and advice must be provided, in a way that is objective and unaffected by any personal or political interest that public servants may have. It is important to the success of democratic institutions that government policies are implemented and not obstructed, and also that ministers have access to unbiased expert advice, so that they can make informed decisions. Public servants are then obliged to carry out government decisions with professionalism and integrity.*

*Public servants are required to be politically neutral in the exercise of their duties. While many public servants will inevitably have their own political beliefs, these beliefs, and particularly any party-political considerations, should never affect the impartiality of their decisions.*

- Public servants should conduct themselves, in and out of office, in ways that allow them to serve the whole of society effectively. In particular, they should not allow their personal views or beliefs, political, religious or otherwise, to prevent them from performing their duties fairly and effectively.

- Civil servants in particular should act in such a way as to earn the confidence of ministers, while at the same time ensuring they will be able to establish the same relationship with those whom they may be required to serve in a future government.
- Public servants should provide information and advice that conforms to the available evidence and that accurately represents their best judgement on the matter in hand.
- Public servants must declare and resolve any conflicts of interest they may have. A conflict of interest occurs when some private interest of the public servant or of their family, friends or associates can reasonably be seen to threaten to impair their ability to exercise their duties fairly and effectively. If necessary, public servants should remove themselves from particular roles and responsibilities in order to resolve conflicts of interest.

For example, a conflict of interest can arise if 1) a public servant or a member of his or her family is the supplier or contractor to a ministry, department or agency; 2) a customs officer has declared goods for his or her firm or that of his or her family; or 3) a police officer is tasked with apprehending a suspect who is a family member or close associate. In such instances, and all other instances of conflict, public servants must declare their conflict of interest to their line manager, who will decide on the best course of action.

The rules governing the declaration of private interests are set out in the Civil Service Orders Sections 3.5-3.7.

### **Principle 2: Fairness and equity**

*Members of the public have a right to expect that they will be treated fairly by public servants, and will receive the same standard of service from any public servant with whom they may interact. Public servants must treat each other fairly too, and this extends to processes and procedures within the public service. Processes and procedures which are not carried out fairly can result in a number of problems. For example, if promotions are subject to bias, this will result in people being unfairly passed over, and in some cases in public servants not being competent to perform their function.*

- Public servants should treat the public fairly and equitably at all times. In particular, they should not discriminate based on the political persuasion, religion, race, economic or social background, gender or sexual orientation of members of the public.
- Public servants should treat each other fairly and equitably and in particular should not discriminate based on political persuasion, religion, race, economic or social background, gender or sexual orientation.

- All processes and procedures within the public service, including appointments, promotions and disciplinary procedures, should be carried out in a way that is fair and equitable. In particular, they should be free of favouritism, nepotism or political patronage.

The processes for appointments, promotions, transfers and termination of appointment are set out in Chapter 2 of the Civil Service Orders, and in Parts 2, 3 and 4 of the Public Service Commission Regulations. Disciplinary processes are set out in Part 5 of the Public Service Commission Regulations and Articles 108-21 of the Police Regulations.

### **Principle 3: Honesty and openness**

*The effectiveness of the public service depends on a free flow of accurate information between public servants, between departments and between public servants and members of the public. The public service should develop a culture which empowers its members to be open and honest, which includes raising any ethical concerns they may have. Responding to ethical concerns as they are raised will allow issues to be dealt with before they become unmanageable. If public servants conduct themselves in an open and honest way the public will be able to trust them better. The duty to be open and honest must be constrained by due respect for confidentiality.*

- Public servants must provide information promptly when asked, unless confidentiality concerns apply.
- Public servants must tell the truth at all times and must not seek to deceive other public servants or members of the public. They must own up to any mistakes they have made, and correct any material errors as soon as possible.
- Public servants should raise any ethical concerns they have, using the channels set out below.
- Leaders in the public service have a responsibility to listen to and, if warranted, act on the concerns of their subordinates.

### **Principle 4: Confidentiality and privacy**

*Confidentiality is a central ethical concern in all societies, but even more so in a small society like St Vincent and the Grenadines, in which leaked personal information about an individual is much more likely to reach someone who knows that individual personally. The effect of personal information becoming public can be devastating to individuals, for example if that information is used against them. The leaking of confidential personal information is a betrayal of the trust that individuals place in public servants when they provide that information for use for legitimate purposes. Such behaviour does not just*

*undermine trust between individuals but the wider trust of the public as a whole in the public service, trust on which public servants depend in order to carry out their roles effectively.*

- Public servants must not disclose any confidential information unless they are legally required to do so.
- Public servants must exercise diligence in ensuring that confidential information is not accidentally leaked.
- Public servants must not use information acquired in the course of their official duties to further their personal interests or those of others, or to further the interests of any political party or other interest group.
- Public servants must respect the privacy of other public servants and of members of the public.

#### **Principle 5: Responsibility and accountability**

*For the public service to be effective, public servants must act responsibly and take responsibility for their work. In addition, unethical activity will go unchecked unless public servants are willing to document concerns and report them via the appropriate channels. The primary purpose of reporting unethical behaviour is not to cast blame on individuals but to assist the public service as a whole in raising standards. The responsible use of public resources is also an important concern, because these resources are often scarce, and are the property of the whole public. Public servants should see themselves as stewards of public resources on behalf of the public.*

- Public servants should take personal responsibility for their levels of productivity and for the quality of their work.
- Public servants should take personal responsibility for the factual accuracy of any statement with which they are associated.
- Public servants should take personal responsibility for serving members of the public. If they are unable to provide a particular service to which a member of the public is entitled, they should nonetheless take personal responsibility for ensuring that the member of the public is able to access the service in the appropriate way.
- Public servants should use public resources responsibly, should not waste resources and must not misuse public resources.
- If a public servant is aware of another public servant acting illegally or unethically, they should follow the appropriate channels in order to make their concerns known. These are listed in Section 4 of this code.

- Public servants must not seek to intimidate or silence individuals who wish to raise a concern, and must not threaten or victimise individuals who have raised concerns.
- Public servants should recognise that there is a chain of command and should show respect for lines of authority at all times.

#### **Principle 6: Competence and diligence**

*Competence and diligence are ethical issues because the public is entitled to expect a high standard of service from public servants. A public service in which public servants are not reliably competent to perform their duties will be ineffective and will have a detrimental effect on Vincentian society and the ability of the public to be served effectively.*

- Public servants must perform their duties diligently and with due rigour and accuracy.
- Public servants must be competent to perform their duties, and must not act outside of the bounds of their competence, unless they are appropriately supervised.
- Public servants should maintain their level of competence in the area in which they work, and ensure they are up-to-date with developments in their field.
- Leaders have a responsibility to ensure that public servants in their team or department are properly trained to perform the duties required of them.
- Public servants must turn up to work promptly at the agreed time, and must work their full contracted hours.
- Public servants should dress appropriately for the work they perform.
- It is the responsibility of leaders to define and clearly communicate appropriate hours of work and dress codes in their teams or departments, and to hold public servants to account for fulfilling these requirements.

#### **Principle 7: Integrity and respect**

*Integrity for public servants involves being motivated by the values of public service and not by personal interests, temptations or pressures to act unethically. Both the public and other public servants have the right to be treated courteously and with respect at all times.*

- Public servants must comply with the law and with all applicable regulations.
- Public servants should perform their duties effectively and maintain high ethical standards regardless of temptations or pressure to act otherwise.
- Public servants must not accept gifts or incentives, whether monetary or otherwise, in exchange for carrying out their official duties.
- Public servants should have regard to any personal relationships they may have with other public servants or with members of the public, especially those with whom they

also have a direct professional relationship, and should ensure that these relationships do not interfere with their ability to perform their duties effectively.

- Public servants must at all times treat the public with respect and courtesy regardless of their personal feelings.
- Public servants must at all times treat other public servants with respect and courtesy. In particular, they must not bully, intimidate or harass other public servants.

#### Section 4: Enforcement

##### **Types of breach and possible penalties**

Public servants may find themselves subject to disciplinary action if they breach any provision of the Civil Service Orders, the Public Service Commission Regulations, the Finance Administration Act or any other legislation or regulations governing their work. Any such breach may be considered to be misconduct as described in Section 3.27 of the Civil Service Orders. The various types of breach are set out in Part 5 of the Public Service Commission Regulations.

Public servants who are guilty of misconduct may be liable to penalties ranging from a reprimand, through a fine or reduction in rank, to dismissal from the service. Part 5 of the Public Service Commission Regulations sets out the possible penalties in full, as well as the types of breach that may lead to each penalty being imposed, the procedure for reporting possible breaches, the procedure for referring cases of possible criminal misconduct and the procedure by which disciplinary tribunals are to be carried out. Special procedures for the discipline of police officers are set out in Articles 108-21 of the Police Regulations.

##### **Responsibility for enforcement**

Responsibility for monitoring and ensuring adherence to the Code of Ethics lies with line managers in the first instance, and ultimately with permanent secretaries and heads of department. Responsibility for instituting disciplinary action and applying penalties as appropriate lies with the following bodies:

- the Police Service Commission for police officers
- the Judicial and Legal Service Commission (based in St Lucia) for judicial and legal officers
- the Public Service Commission for all other public servants

Managers and supervisors in the public service must actively monitor and maintain standards in the performance and conduct of their subordinates. In the first instance, it is their responsibility to deal with any failure to adhere to these standards. If they have reason to

believe a public servant is persistently and materially in breach of the code of ethics, and they have exhausted all means available to them to deal with the matter, they must make a report *in writing* to the relevant permanent secretary or head of department. At the same time as doing so, they must also give a copy of the report to the public servants about whom the report has been written. Permanent secretaries and heads of department must then give the officers concerned a chance to respond to the report in writing.

In the case of non-pensionable officers, permanent secretaries and heads of department are responsible for carrying out an investigation and disciplining the person where necessary. In the case of pensionable officers, if they are satisfied that a breach has occurred, permanent secretaries and heads of department are required to make a *written* report on this matter to the chief personnel officer for onward submission to the relevant service commission, including either 1) any written response they have received from the officer concerned or 2) in the case where the officer has declined to make a written response, evidence that the officer has seen and read the report. The permanent secretary or head of department has responsibility for investigating alleged wrongdoing and for submitting the findings of their investigation to the service commission. The service commission then has the responsibility for instituting disciplinary proceedings where necessary. Disciplinary procedures are set out in detail in Part 5 of the Public Service Commission Regulations and Articles 108-21 of the Police Regulations.

### **What to do if you have concerns**

Public servants who are unsure about their responsibilities, are concerned they are being put under pressure to act contrary to the code of ethics or would like advice or guidance on any other aspect of the code should seek the advice of their manager, supervisor, head of department or relevant permanent secretary, depending on the nature of the issue.

Public servants who have reason to believe that a fellow public servant is acting unlawfully or unethically should report this to their manager, supervisor, head of department or relevant permanent secretary as appropriate.

Members of the public who have reason to believe that a public servant's behaviour is falling short of the standards set out in the code should contact the relevant head of department. Heads of department should deal with such complaints by members of the public in exactly the same way as reports from managers and supervisors as described in the section above.

In the case of issues involving police officers, members of the public should contact the Police Public Relations and Complaints Department.





## Principle 8. Effective and pragmatic anti-corruption strategies

### Case Study 8.1. The fight against corruption in Commonwealth Africa: Overview of progress<sup>40</sup>

#### Abstract

The overall aim of this case study is to analyse the state of the anti-corruption effort in the Commonwealth Africa. Anti-corruption policies in Commonwealth African countries range from a single national anti-corruption strategy to a set of measures to promote transparency and accountability. In addition to anti-corruption strategies, some countries have introduced targeted approaches against corruption through risk assessments and sectoral approaches. Most anti-corruption agencies (ACAs) in African Commonwealth countries have functions that include investigation, education and preventive activities; a few have a prosecutorial function.

With regard to preventive and transparency measures, all the 18 Commonwealth African countries have signed and ratified the UN Convention against Corruption (UNCAC). The percentage of completed investigations of ACAs is rather low; the rate of convictions resulting from these cases varies. Educational work by ACAs seems not be prioritised. The study concludes that the fight against corruption could be won if there were sufficient quality of governance, political will and implementation of legislation and policies and preventive measures. ACAs should be equipped with sufficient resources, capacity, independence and power to prevent and combat corruption. Since the principal beneficiaries of corruption in Africa are also found outside the continent, an international response is required to in order address this menace effectively.

#### Introduction

While corruption is a global threat, the problem is particularly severe in Africa. Indeed, 13 of the 18 Commonwealth countries in Africa have a score of less than 50 on Transparency International's Corruption Perceptions Index 2015. As a result, the Commonwealth Secretariat is focused on providing support to help anti-corruption agencies (ACAs) in the region to become more effective. There is no gainsaying that improvement in current levels

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<sup>40</sup> Prepared by Dr Roger Koranteng, Adviser (Governance & Anti-Corruption) Commonwealth Secretariat, London.

of corruption requires strengthening of oversight agencies. Strong regional support for strengthening oversight institutions like ACAs is a prerequisite.

Thus, in 2011, the Secretariat convened the Association of Anti-Corruption Agencies in Commonwealth Africa (AAACA). This community of practice seeks to promote collaboration and learning in the region through the sharing of experiences and good practices. Members benefit from *pro bono* inter-agency support and have been able to devise strategies to self-manage and self-sustain anti-corruption work.

Then, in 2013, the Secretariat established the Commonwealth Africa Anti-Corruption Centre (CAACC) in Gaborone, in partnership with the government of Botswana and the AAACA. The CAACC has three main objectives: 1) to improve agency capacity to combat and prevent corruption; 2) to strengthen collaboration between regional agencies; and 3) to commission research and policy papers to strengthen understanding of challenges and solutions.

This flagship project provides a visible and tangible demonstration of the Secretariat's commitment to support its members' anti-corruption efforts, with the potential for replication across the Commonwealth. The establishment of this Centre at the request of members is also a sign that Africa and the wider Commonwealth are committed to rooting out corruption, demonstrating that it has the potential to grow beyond Africa, as the Commonwealth family has much to learn and share with each other.

This study seeks to examine the state of the anti-corruption effort in Commonwealth African countries, and to assess, analyse and compare anti-corruption initiatives using multiples sources of data, both secondary and primary. It gives a situational overview of the status of corruption in African countries in the Commonwealth, analyses anti-corruption efforts by ACAs in these countries and offers policy recommendations.

### Background data

Table 8.1.1 examines the basic data for ACAs in Commonwealth Africa. These include name of the agency, date founded, mandate, investigative power, reporting authority, established under Constitution or Act of Parliament and staff count. ACAs in Commonwealth Africa are relatively young institutions. Tanzania is the oldest, established in 1975; Kenya's Ethics and Anti-Corruption Commission was set up in 2011.

Most ACAs in African Commonwealth countries have functions that include investigation, education and preventive activities. In only three countries, Ghana, Nigeria and Sierra Leone, do they have prosecutorial functions. Most of the ACAs are a product of Act of Parliament; Ghana, Kenya, Rwanda and Uganda's ACAs are products of their Constitution.

The reporting authority is the National Parliament except in Botswana, where the ACA reports to the Office of the President.

Table 8.1.1. ACAs in Commonwealth Africa: Background data (2014)

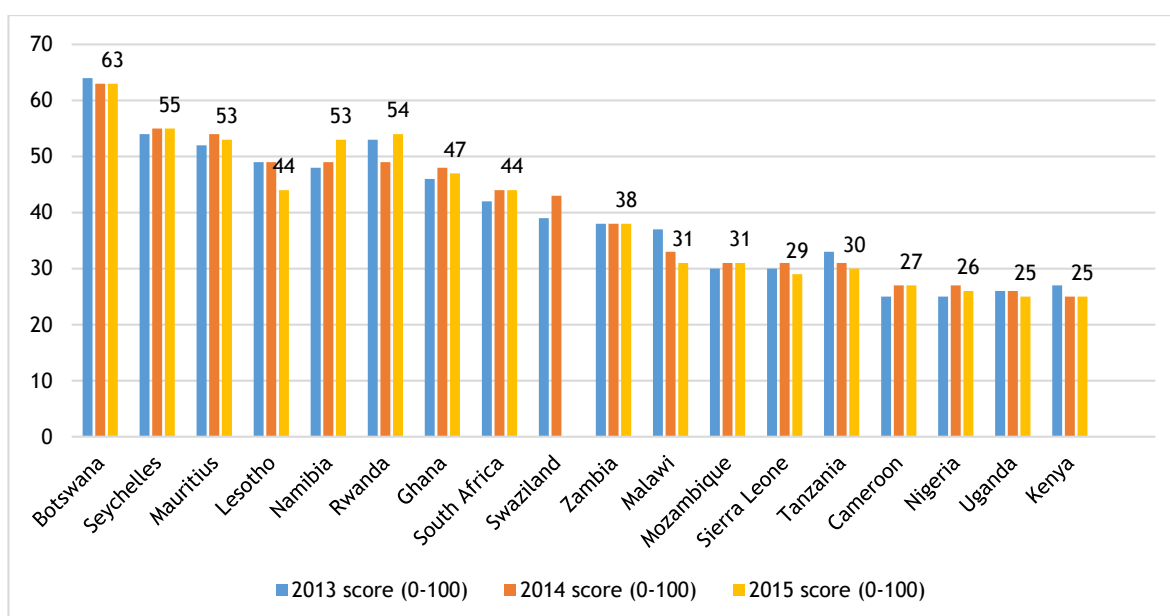
Country	Agency	Date founded	Mandate	Investigative power	Reporting authority	Constitution or Act of Parliament	Staff count
Botswana	Directorate on Corruption and Economic Crimes	1994	Investigation, prevention, education	Police powers	President	Act of Parliament	288
Mauritius	Independent Commission Against Corruption	2002	Investigation, prevention, education	Police powers	Parliamentary Committee (Administrative)	Act of Parliament	160
Ghana	Commission on Human Rights and Administrative Justice	1992	Investigation, human rights, Ombudsman	Subpoena powers Public hearings	Parliament	Constitution	700 but only 20% in AC work
Ghana	Economic and Organised Crime Office	1993	Investigation, prevention, prosecution monitoring	Police powers Power to freeze assets for 14 days	Parliament through Attorney-General	Act of Parliament	468 (for now)
Cameroon	National Anti-Corruption Commission	2006	Investigation, prevention, education	Police powers	Presidency		68
Kenya	Ethics and Anti-Corruption Commission	2011	Law enforcement, prevention, education	Police powers	Parliament/president	Constitution	300
Namibia	Anti-Corruption Commission	2006	Investigation, prevention, education		Parliament	Act of Parliament	70
Lesotho	Directorate on Corruption and Economic Offences	2003	Investigation, prevention, education	Police powers	Parliamentary through Ministry of Justice	Act of Parliament	62
Nigeria	Economic & Financial Crimes Commission	2004	Investigation, prosecution, education	Prosecutorial powers Police powers	Parliament	Act of Parliament	2,000
Nigeria	Independent Corrupt Practices and Other Related Offences Commission	2000	Investigation, education, prosecution, advisory	Prosecutorial powers Police powers	Parliament	Act of Parliament	830
Mozambique	Anti-Corruption Bureau	2004	Prevention, investigation, prosecution	Prosecution	Attorney-General	Act of Parliament	96
Rwanda	Office of the Ombudsman	2003	Investigation, prevention, Ombudsman	Prosecutorial powers Police powers	Parliament/president	Constitution	68
Sierra Leone	Anti-Corruption Commission	2000	Investigation, prevention, education, prosecution	Prosecutorial powers Police powers	Parliament	Act of Parliament	200
Seychelles							
South Africa	Special Investigating Unit	2001	Investigation	Subpoena			
Swaziland	Anti-Corruption Commission	2008	Investigation, prevention, education				
Tanzania	Prevention and Combating of Corruption Bureau	1975	Prevention, education, investigation	Police powers	Parliament, president, citizens	Act of Parliament	2,200
Malawi	Anti-Corruption Bureau	1996	Investigation, prevention				
Uganda	Inspectorate of Government	1987	Investigation, prevention, education	Police powers	Parliament	Constitution	350
Zambia	Anti-Corruption Commission	1982	Investigation, prevention, education	Police powers	Parliament by way of Annual Report through Executive	Act of Parliament	364

Source: Data collected by author.

## Corruption Perceptions Index

Overall, 11 of the 18 African Commonwealth countries managed to better their CPI rank between 2013 and 2015; the situation of seven has worsened. The CPI scores countries on a scale of 0 to 100, with 0 indicating high levels of corruption and 100 low levels. While year-on-year changes in these scores are generally not meaningful, they nevertheless point out whether a country has made meaningful progress in combating corruption. As Figure 8.1.1 illustrates, 13 of the 18 African Commonwealth countries ranked in the 2015 index score below 50—meaning they are considered significantly corrupt. Only one country, Botswana, scored higher than 60, and only four other countries have a CPI score of higher than 50. Five countries score below 30.

**Figure 8.1.1. CPI 2013-2015**

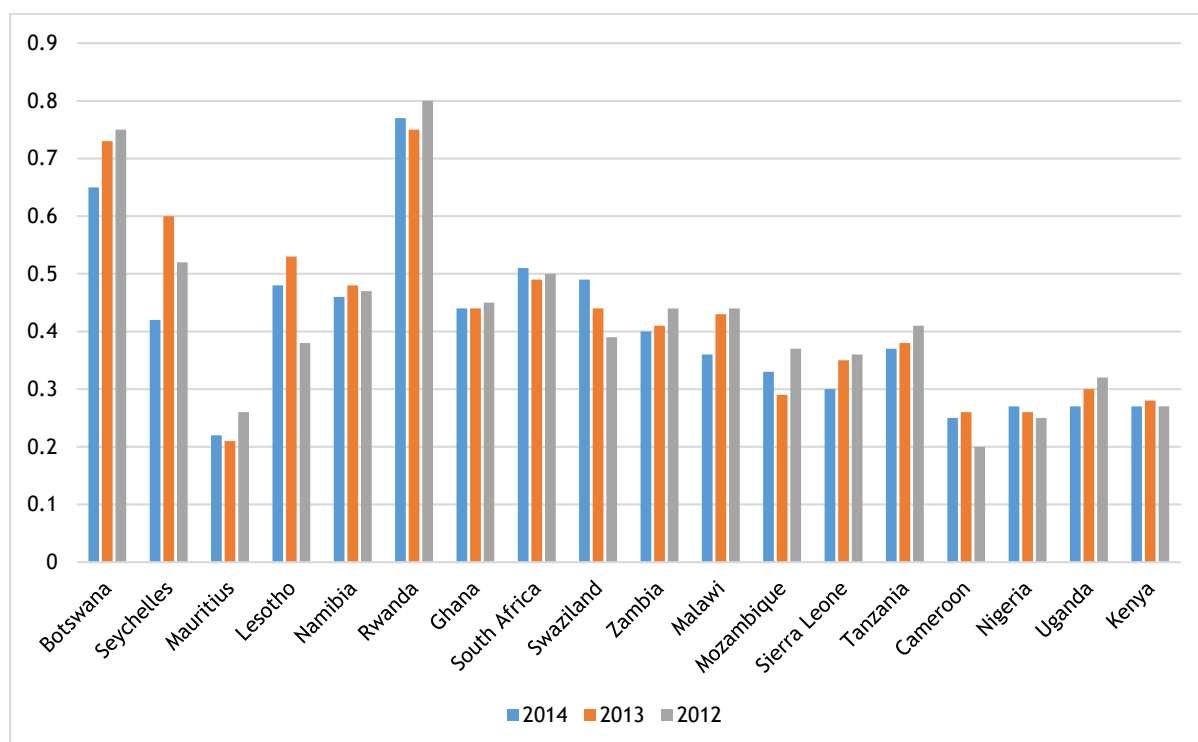


Source: Transparency International (2013), (2014) and (2015).

## Control of corruption

While the CPI does not pretend to provide an all-encompassing snapshot of the corruption situation in a given country, it does indicate that much still needs to be done to fight corruption in these 18 countries. This is also demonstrated in Figure 8.1.2, which shows the Control of Corruption Index 2014 for the 18 countries and loosely corroborates the CPI indexes. The Control of Corruption Index reflects perceptions of the extent to which public power is exercised for private gains. This includes both petty and grand forms of corruption, as well as ‘capture’ of the state by elites and private interests. Control of corruption is one of the six dimensions of the Worldwide Governance Indicators.

**Figure 8.1.2. Control of corruption**



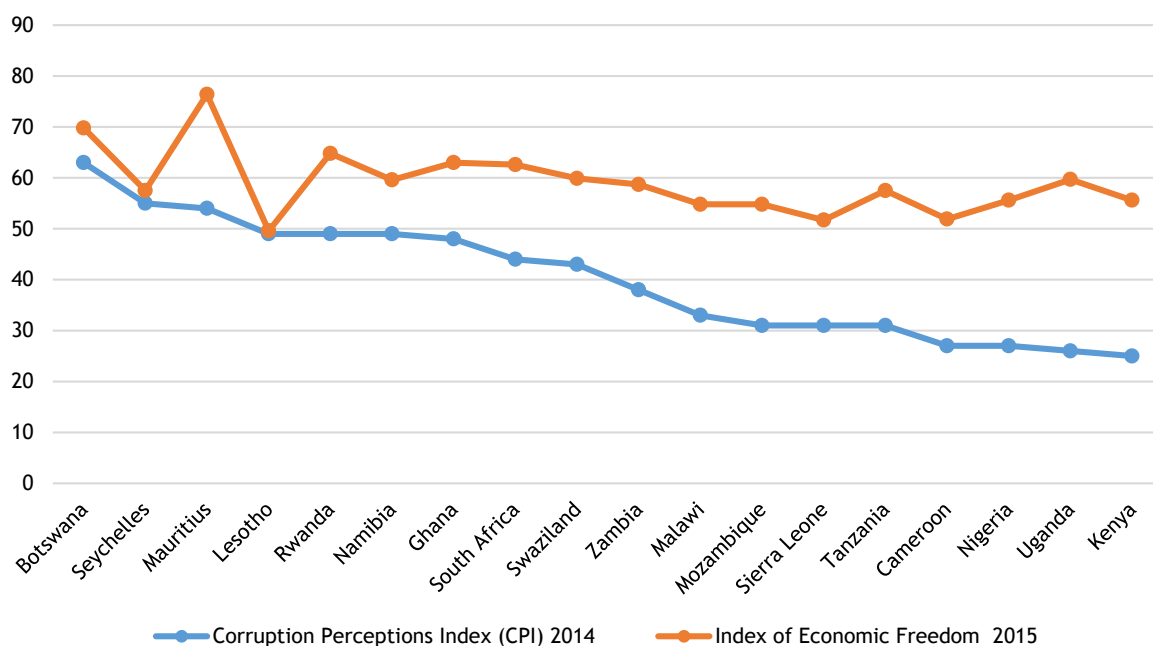
Source: World Economic Forum (2012, 2013 and 2014).

Analysts agree there is a direct correlation between corruption and economic freedom of a country. Economic freedom is the fundamental right of every human to control his or her own labour and property. In an economically free society, individuals are free to work, produce, consume and invest in any way they please. In economically free societies, governments allow labour, capital and goods to move freely, and refrain from coercion or constraint of liberty beyond the extent necessary to protect and maintain liberty itself.

### Corruption and economic freedom

When comparing the 2014 CPI to the Heritage Foundation’s Index of Economic Freedom (see Figure 8.1.3), there seems to be a correlation indeed, with 13 of the 18 countries falling into the moderately free range. Economic freedom should be a guiding principle for policy-makers, and it seems that those countries scoring lower on the CPI may want to increase efforts to strive to protect the rule of law (property rights, freedom from corruption); limit government involvement in the economy (fiscal freedom, government spending); ensure regulatory efficiency (business freedom, labour freedom, monetary freedom); and open markets (trade freedom, investment freedom, financial freedom).

Figure 8.1.3. Corruption and economic freedom



### Preventative and transparency measures

With regard to preventive and transparency measures, all 18 countries have signed and ratified the UN Convention against Corruption (UNCAC), which is a multilateral convention negotiated by members of the UN and the first global legally binding international anti-corruption instrument. In its 71 Articles divided into 8 Chapters, UNCAC requires that states parties implement several anti-corruption measures, which may affect their laws, institutions and practices.

These measures aim at preventing corruption, including domestic and foreign bribery, embezzlement, trading in influence and money laundering. Furthermore, UNCAC is intended to strengthen international law enforcement and judicial cooperation, providing effective legal mechanisms for asset recovery, technical assistance and information exchange, and mechanisms for implementation of the Convention, including the Conference of the States Parties to UNCAC.

As Figure 8.1.4 illustrates, not all 18 countries have enacted important laws in compliance with UNCAC. Access to information legislation is present in half of the African Commonwealth countries; two still need to pass conflict of interest legislation and three have no financial disclosure system in this regard. Half of the 18 countries have legislation providing immunity against prosecution for officials. In four countries, the law does not protect the ACA from political interference. While this is not a specific requirement of UNCAC *per se*, all but two countries have a national anti-corruption strategy.



Anti-corruption policies range from a single national anti-corruption strategy to a set of measures to promote transparency and accountability. In addition to anti-corruption strategies, some countries have introduced targeted approaches against corruption through risk assessments and sectoral approaches. Alternatively, in some cases, countries have—instead of an anti-corruption strategy—promoted broader efforts to promote transparency and accountability. Contrary to national anti-corruption strategies, such integrity measures might be implicit because they are embedded in wider governance or judicial reform programmes.

Three countries have yet to sign and ratify the African Union (AU) Convention on Preventing and Combating Corruption. One country has signed but not ratified it.

Eight of the 18 countries do not have whistle-blowing protection legislation *per se*, although in some countries, whistle-blowers are to a certain extent protected by policies, or whistle-blowing legislation is in preparation.

**Table 8.1.2. ACA preventive and transparency measures**

	UNCAC signed and ratified	AU Convention on preventing and Combating Corruption	National anti-corruption Strategy	Access to information legislation	Conflict of interest legislation	Financial disclosure system to prevent conflict of interest	Immunity from criminal prosecution for officials	ACA protected from political interference by law	Whistle-blower Protection legislation
Botswana	Green	Red	Green	Red	Green	Green	Green	Green	Red
Seychelles	Green	Green	Green	White	White	White	White	White	Red
Mauritius	Green	Red	Green	Red	Green	Green	Red	Green	Green
Lesotho	Green	Green	Green	Red	Green	Green	Green	Red	Red
Rwanda	Green	Green	Green	Green	Green	Green	Green	Green	Green
Namibia	Green	Green	Green	Red	Red	Green	Red	Red	Red
Ghana	Green	Green	Green	Green	Green	Green	Green	Green	Green
South Africa	Green	Green	Green	Green	Green	Green	Green	Green	Green
Swaziland	Green	Red	Green	White	White	White	White	White	Red
Zambia	Green	Green	Green	Red	Green	Red	Red	Green	Green
Malawi	Green	Green	Green	Red	Green	Green	Red	Green	Green
Mozambique	Green	Green	Green	Green	Green	Red	Green	Green	Green
Sierra Leone	Green	Green	Green	Green	Red	Green	Red	Red	Red
Tanzania	Green	Green	Green	Red	Red	Green	Green	Red	Green
Cameroon	Green	Yellow	Green	Green	Green	Green	Green	Green	Red
Nigeria	Green	Green	Red	Green	Green	Green	Green	Red	Red
Uganda	Green	Green	Green	Green	Green	Green	Green	Green	Green
Kenya	Green	Green	Red	Green	Green	Green	Red	Green	Green

Source: Keulder (2015).

### ACA investigative and prevention activities

Most ACAs in African Commonwealth countries have functions that include investigation, prosecution, and preventative activities. Table 8.1.3, however, demonstrates that the

percentage of completed investigations of ACAs is rather low, while the percentage of convictions resulting from these cases varies also. Educational work by ACAs seems to, with the exception of Tanzania, not be prioritised.

Table 8.1.3. ACA investigative and preventive activities

	# of complaints received by ACA 2014	# of investigations 2014	% of investigations completed by ACA 2014	% of completed investigations prosecuted 2014	% of convictions from prosecuted cases	# of learning and outreach events in 2014 by ACA
Botswana	1,246	395	45.3	6.7	16.7	-
Seychelles	-	-	-	-	-	-
Mauritius	14,642	6,184	93.6	6.5	35.7	104
Lesotho	1,237	278	21.6	38.3	78.2	28
Rwanda	120	120	86.7	12.5	-	26
Namibia	-	-	87.0	8.0	66.6	many
Zambia	724	439	48.3	14.5	74.0	13
Malawi	1,152	1,000	43.5	12.8	10.7	340
Mozambique	-	291	34.4	-	23.6	4
Sierra Leone	521	254	25.6	66.1	34.9	31
Tanzania	5,069	607	-	53.9	31.8	4382
Cameroon	1,665	-	-	-	-	20
Nigeria	6,084	4,453	64.7	16.8	24.1	343
Uganda	1,579	7,539	18.8	100.0	0.1	44
Kenya	-	-	5.8	34.5	-	50

Source: Keulder (2015).

### Country reviews

**Botswana**, as well as being the least corrupt country in Africa, is also one of Africa's freest economies. Botswana's economic freedom score by the Heritage Foundation is 69.8, making its economy the 36th freest in the 2015 Index. It remains the second-freest economy in the Sub-Saharan Africa region, and its overall score is well above the regional and world averages. Botswana's success in the annual CPI survey over the years may therefore be attributed to the often-diagnosed direct correlation between a country's economic freedom and the absence of corruption. Contributing thereto may be the oversight institutions, such as the Directorate on Corruption and Economic Crime, the Public Procurement and Asset Disposal Board, the Competition Authority and the Financial Intelligence Agency.

**Mauritius** has been able to make a difference in the fight against corruption as one of the least corrupt countries in Africa. The highest level of government has strongly committed to pursuing anti-corruption strategies and initiatives vigorously and persistently. This political commitment has been visible, forceful and convincing despite changes in regime. The recent passing of new laws and the creation of new institutions also prove this commitment. Mauritius has been joining different forces in the fight against corruption. It enlisted the legislative and judicial branches of government, the Independent Commission

Against Corruption, public bodies, development partners, the business community and civil society as strong and equally committed parties. The overwhelming majority of Mauritians perceive the media as having a positive role and independence. However, senior management and most board members in para-statals are replaced when the government changes after a general election.

**Lesotho** has a plethora of anti-corruption laws and has achieved some highly publicised victories over corruption. There is still significant room for improvement though. Underfunded oversight institutions have created important problems within the public sector. Although the institutions charged with monitoring and controlling corruption have positive intentions, without resources they cannot operate to their maximum capacity.

**Rwanda** has made remarkable progress in terms of anti-corruption since the 1994 genocide. These efforts seem to have yielded results, with the country performing better than many other African countries in terms of control of corruption on most governance indicators. Yet there are a number of areas in which corruption still needs to be addressed. There have been instances of tax and public funds embezzlement, fraudulent procurement practices and judicial corruption.

It is generally agreed that **Namibia's** legal and institutional framework for curbing corruption is adequate and among the most functional in the region. Despite efforts by the Anti-Corruption Commission, the Office of the Ombudsman and the Office of the Auditor-General, public corruption remains a problem. The division of powers is respected in practice, which means the judicial system is generally able to address corruption and enforce contracts without political interference. Many observers view the establishment of the Anti-Corruption Commission as a major positive step forward. The anti-corruption campaign is backed by a strong civil society and the media, which function as the main watchdog in the country by revealing cases of corruption and illicit enrichment by holders of high offices. Overall, Namibia has an ambitious anti-corruption framework, but the main problem is implementation and enforcement of these laws.

**Ghana's** governments have set up various anti-corruption bodies during the past decade. However, despite these efforts, the country has not managed to significantly curb corruption, and reducing corruption has proven difficult for several reasons. Several observers point out that Parliament and anti-corruption institutions lack human, material and financial resources. Furthermore, Ghana's still excessive bureaucratic system encourages corruption, and asset declarations by public officials are both unverifiable and inaccessible to the public. This prompts the need to enact the Freedom of Information Bill. Ghana's new policy of a liberal, private sector-driven development agenda still needs to be

translated into action with the implementation of a complementary robust private sector anti-corruption policy.

**South Africa's** numerous anti-corruption agencies and laws indicate a strong political will and commitment towards combating corruption. However, many of the agencies and laws suffer from uneven implementation and overlapping mandates, which affects their operating ability and enforcement of the anti-corruption legal framework. The government has pledged to streamline procedures and provide more efficient and democratic public service in accordance with the so-called *Batho Pele* ('Putting People First') principle. The fight against corruption will also need to be strengthened in the areas of public education and prevention. Measures already introduced include a new law to facilitate efficient and effective prosecution of corrupt officials; a review of the African National Congress' deployment policies to ensure positions are based on competence and not just personal or political connections; a ban on anyone holding public office having links with companies doing business with the state for at least a year after leaving their posts; and tougher rules and much greater openness in the award of public contracts.

**Zambia's** legal framework for an effective fight against corruption is in place, but significant implementation gaps remain. No verification mechanism exists for asset declarations, and it is difficult for the public to receive copies of such declarations. A well-functioning freedom of information act is not in place to secure the right of the public to access information held by the government. Nonetheless, some positive steps have also been taken, such as the launch of Zambia's first national anti-corruption policy and companion action plan, with anti-corruption targets through 2015, and enactment of the Public Interest Disclosure Act (the Whistle-Blowers Protection Act) in 2010. The government has also embarked on significant changes to combat corruption, among them a new Anti-Corruption Commission Act in 2012, which reintroduced the repealed abuse of office clause. The Anti-Corruption Commission has also pursued several high-ranking officials involved in corruption.

**Mozambique's** government has been vocal about its intentions to curb corruption. Consequently, corruption is not a problem of inadequate laws but one of laws not being enforced. In order to tackle corruption in the country, stronger enforcement of anti-corruption legislation is needed. Currently, the Anti-Corruption Law 2004 does not cover private sector corruption, and many observers identify whistle-blower protection as weak. Last but not least, more effective oversight of the procurement process may be needed in order to reduce corruption in procurement. A change in attitude towards corruption by citizens and the public and private sectors is a prerequisite.

**Malawi** enjoys political stability and a general framework for good governance is in place. Corruption is a major challenge, though. In the 2014 round of the Afro-barometer survey, a good number of Malawians (64 per cent) believed ordinary people could make a difference in the fight against corruption in the country, while the majority (75 per cent) believed the news media had been effective in reporting corruption. The Anti-Corruption Bureau still faces financial and human resource constraints. It is undertaking civic education efforts, such as workshops and campaigns in the media, leading to greater public visibility. Its anti-corruption measures involve reviewing procedures, systems and methods in public as well as private organisations, and advising on best practices with regard to prevention and detection of corruption.

**Swaziland's** Anti-Corruption Commission has demonstrated some degree of effectiveness in its operations. It is mandated by law to receive and investigate allegations of public sector corruption. Together with the Money Laundering (Prevention) Act of 2001, the Prevention of Corruption Act also criminalises several corruption-related activities, such as bribery, kickbacks and use of state confidential information for personal gain. The Anti-Corruption Commission has conducted high-level investigations of top public officials alongside other civil servants. However, other high-profile cases investigated previously are still before the court. There is a lack of capacity, and resources are inadequate. There has also been a wrangle about the legality of the constitution of the Commission. The result is that the present Commission, constituted in March 2008, has had to start implementing the mandate afresh, and its National Strategy has not been implemented. The core objectives are to prevent and combat corruption and achieve zero tolerance. This could be achieved by and through implementation of the provisions of the Prevention of Corruption Act of 2006 as well as by interacting with other partners.

**Tanzania** has a comprehensive body of laws, regulations and oversight agencies intended to prevent, investigate and sanction corrupt practices. Legislation is adequate to deal with corrupt activities at all levels. However, there is often failure to enforce these rules, or the wilful circumvention of them. Since assuming office in November 2015, President John Magufuli has been rebuilding lost trust with Western donors by firing public officials deemed incompetent and corrupt. He has been cracking down on corruption and wasteful spending, including by cancelling Tanzania's Independence Day celebration and instead using the nation's funds to battle the cholera outbreak and calling on citizens to clean up the country. He participated in these efforts personally by cleaning up rubbish outside of the state house. Magufuli has also banned unnecessary foreign travel for government officials and reduced the Cabinet from 30 ministers to 19.

**Cameroon's** government seems to have committed more resources to curbing corruption in the past few years. Positive developments include a string of convictions of high-ranking officials and member of the government on corruption and embezzlement charges starting from 2006. However, major challenges in the implementation of many measures persist. Among others, a law on the declaration of assets is not yet in force. Provisions in the public procurement code are not well observed in practice. In addition, there is a need for a public information law, which would provide the public and civil society with an effective instrument to hold the government accountable and check on public expenditure. A sustained relationship between the National Anti-Corruption Commission and civil society has contributed to improved participatory governance and a more effective war against corruption. There has been constructive engagement between the various key champions against corruption in both public and private sector institutions, including the Commission, in building and encouraging a 'watchdog mentality' within civil society. This has ensured effective presence of the Commission in remote areas, where contractors and local government officials perpetrate the most corrupt activities related to infrastructure.

**Nigeria's** legal and administrative framework for combating corruption is generally in place. However, as with legislation and regulations in general in the country, implementation and enforcement are weak. Although Nigeria has several anti-corruption agencies, their ability to tackle corruption and bring corrupt individuals to justice has remained a challenge. Fighting endemic corruption in Nigeria is definitely not an easy task, and it requires full support from all levels of society. Nevertheless, the new government has also generated several positive developments in addressing corruption and promoting good governance. President Buhari did not have to verbally declare there would be no sacred cows in his anti-corruption fight: he is showing Nigerians this by ordering or allowing the arrests of prominent citizens in society, thus proving to the people that he is not afraid to take on the 'big guns'. This may be winning the trust of Nigerians.

The nature of corruption in **Uganda** is a subject of some debate. Despite fairly elaborate formal control mechanisms, corruption continues to be a major problem. Anti-corruption agencies are understaffed and underfinanced, which greatly curbs their practical capacity to enforce legislative measures to combat corruption. Although Uganda has certain initiatives in place, including the Anti-Corruption Bill of 2009 and the Anti-Corruption Court, the resources to enforce them are generally lacking. The Anti-Corruption Act 2009 has the potential to affect positive developments in Uganda's fight against corruption. The nature of the results of this act will depend on the effectiveness of its implementation.

**Kenya** had been thought of as one of the more politically stable countries in Eastern Africa until the ethnic disturbances in the wake of the December 2007 presidential elections. On 27 August 2010, Kenya took a large step forward in the fight against corruption and ratified a new Constitution that has been praised by the international community. This is founded on principles of ‘good governance, integrity, transparency and accountability’. It will cement the separation of powers, discourage ethnic tensions, weaken the powers of the president and thus create an environment less susceptible to corruption. Further, it calls for the creation of a new anti-corruption body, called the Ethics and Anti-Corruption Commission. This was founded in 2011, consistent with the timeframe in the Constitution. Another important addition is the enshrining of the Public Officer Ethics Act into the Constitution. Public officials are now mandated to have ‘high standards of professional ethics’ and must declare their wealth. Kenya is the first African country to make government data accessible to ordinary citizens via the internet. The effects of these reforms are yet to be fully felt or reflected in surveys.

Fourteen years after the end of its civil war, **Sierra Leone** continues to struggle with systemic corruption that undermines efforts toward sustainable development. These challenges are reflected in citizens’ perceptions expressed in the latest Afro-barometer survey. A large majority of Sierra Leoneans say the level of corruption in the country is a major problem. The Anti-Corruption Commission has adopted several steps aimed at preventing, suppressing and ultimately eradicating corruption in the country. There is undoubtedly massive interest in Sierra Leone’s attempts here, as corruption continues to undermine national development efforts. Since prosecutions of alleged corrupt offences cannot necessarily stop corruption, the Commission initiated and is implementing a ‘systems and processes review project’ aimed at preventing corruption.

### Conclusion and policy recommendations

UNCAC is a key driver in developing anti-corruption strategies in African Commonwealth countries. The discussion about anti-corruption strategies and activities in the 18 African Commonwealth countries, and the varying impact ACAs have, points to similar issues, that can be summarised as follows and are not unlike those in countries elsewhere:

**Improve the quality of governance:** The success or failure of an anti-corruption strategy is very much contingent on the quality of governance in a given country.

**Make available sufficient resources:** In almost all the countries reviewed here, anti-corruption agencies are at the centre stage of the development and implementation of anti-

corruption actions. A common challenge noted is that ACAs are not receiving sufficient resources.

**Demonstrate political will:** The role of ACAs in the implementation of anti-corruption strategies often rests with numerous agencies within and outside the state and relies on long-term government support and commitment. Without this high-level support, the ACAs will not be able to develop and implement strategy. Therefore, political will to fight corruption is a precondition for the successful operation of ACAs. This entails that the ACAs be equipped with sufficient resources, capacity, independence and power to prevent and combat corruption.

**Focus on implementation:** The ultimate value of anti-corruption legislation and policy development is in its implementation. A good range of anti-corruption legislation exists, but it is not implemented uniformly.

**Focus attention on preventive measures:** These seem to take a backseat to punitive measures. The relative low level of anti-corruption educational and outreach activity by ACAs is unfortunate. Cooperation between ACAs and non-governmental and civil society organisations in educational work is generally fruitful. In addition to raising awareness about the extent of corruption, national surveys can be used more systematically to inform the development and monitoring of anti-corruption strategies.

**Ensure media and economic freedoms:** Freedom of the media and economic freedoms are minimum requirements in building a strong anti-corruption culture. This requires the passing of access to information legislation, which only half of the countries have.

**Establish monitoring and evaluation mechanism:** Constant monitoring, evaluation and measurement of anti-corruption initiatives is generally lacking among ACAs, and is mostly performed by non-state actors. A key challenge is to identify measurable indicators, with established baselines and tracking mechanisms to determine whether progress is being made, and to adjust policies and strategies accordingly. Only a few countries have set up adequate implementation, monitoring and evaluation mechanisms.

Finally, corruption is an international threat. The global fight against corruption has been approached in the wrong way for too long. The philosophical orientation underpinning the fight is that developing Global South economies are more corrupt than the advanced Western economies. Such thinking does not appreciate the concept of partners in crime or that it 'takes two to tango'; for every one corrupt person in a developing country there is an equal and opposite partner in developed countries. Similarly, for every one corrupt public officer there is a minimum of three to five private sector conspirators, such as lawyers,



bankers, accountants and business executives who facilitate the concealment of the stolen assets. In a globalised financial system, funds embezzled in one continent can cross borders in the blink of an eye. Indeed, the principal beneficiaries of corruption in Africa are also found outside the continent. An international response is therefore required to meet this threat.

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## Principle 9. Effective public financial management<sup>41</sup>

Transparency, accountability and probity are three key tenets at the heart of sound public financial management. Strong collaboration between key institutions is required in developing effective, transparent and accountable institutions at all levels in accordance with Sustainable Development Goal (SDG) 16.6. It is in this light that the Commonwealth Secretariat has identified effective partnerships between key oversight institutions, including internal audit and public procurement oversight on the one hand and oversights by supreme audit institutions and public accounts committees on the other, as critical in strengthening good governance through effective public financial management systems and processes.

Public procurement, which usually accounts for substantial element of government expenditures, directly affects good governance, corruption and delivery of public service. Strong oversight of public procurement could therefore substantially reduce bribery and corruption in all its forms, as SDG 16.5 targets. It is therefore essential that the audit process strengthens and reflects oversight of public procurement by internal audit. Presented below is an extract from a public procurement toolkit developed by the Cave Hill School of Business for Commonwealth small states and developing countries at the behest of the Commonwealth Secretariat that outlines key internal audit and public procurement measures to be considered during the various stages of the procurement process. This seeks to promote detailed oversight of public procurement by internal auditors in a bid to add value to the systems and controls over public procurement.

Key to strengthening oversight of public financial management oversight is effective collaboration between supreme audit institutions and public accounts committees in promoting transparency and accountability by ensuring that issues highlighted in external audit reports are promptly scrutinised by the legislature through the public accounts committees. The Sierra Leone case study presented below highlights the close collaboration and improved working relationship fostered between the Audit Service Sierra Leone and the country's Public Accounts Committee, which has resulted in the timely review by the latter of audited reports of annual accounts submitted to Parliament.

In spite of various measures promulgated in strengthening public financial management systems and processes, member countries faced various risks in delivering good governance and the SDGs. Thus, a formal, structured, continuous and holistic approach to risk management embodying the principles of Enterprise Risk Management (ERM) is now

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<sup>41</sup> Prepared by Augustus Cole, Public Financial Management Adviser, Commonwealth Secretariat

gradually being employed by member countries in identifying, assessing and mitigating risks impacting the delivery of national development plans. This holistic approach to risk management that ERM provides nurtures institutional strengthening and helps identify and mitigate various risks to effective public financial management, including corruption risks. While the gains of employing ERM in the public sector in developing countries and small states across the Commonwealth are yet to be fully realised, the Ghana case study presented below outlines measures employed in introducing ERM across key line ministries and the early successes achieved.

The ever-growing importance of Computer-Assisted Audit Techniques (CAATs) in revolutionising the audit oversight function within the public sector cannot be overemphasised. Developing countries and small states across the Commonwealth are gradually automating their audit processes in strengthening the independent oversight responsibilities of internal and external auditors alike. Improving the efficiency of the audit process (through the reduction of paperwork and reduced turnaround time) and detection of erroneous payments spanning over 10 years were cited by the Department of Internal Audit in the Ministry of Finance and Development Planning, Botswana as key benefits in introducing CAATs. The utilisation of CAATs by the department is currently at the embryonic stage and has therefore not been included as a full case study.

On the whole, effective public financial management oversight, being one of the key principles of public sector reform, is pivotal in improving public service delivery. The case studies presented below posit that this could be advanced through effective collaboration of key oversight institutions, adopting an enterprise-wide approach to risk management and leveraging of CAATs in the execution of audits.

## Framework 9.1 Botswana. The use of CAATs to improve internal auditing in the Ministry of Finance and Development Planning<sup>42</sup>

### Background of the Ministry

The Department of Internal Audit, under the Ministry of Finance Development and Planning, has approximately 75 internal auditors. Auditors are seconded to various line ministries and two independent departments.

The entire government setup has 17 ministries and approximately 120,000 employees. The Department is responsible for reviewing and evaluating the effectiveness of internal controls throughout the entire government processes.

The types of audits the Department conducts are as follows:

- operational audits
- financial audits
- compliance audits
- performance audits
- project audits

### Computer-Assisted Audit Techniques Unit

The Department of Internal Audit as part of its reforms to improve the effectiveness and efficiency of internal auditing set up a unit in 2011 known as the Computer-Assisted Audit Techniques (CAATs) Unit. This focuses mainly on the automation of internal audit processes. From the different auditing tools available, the Department decided on the deployment of Audit Command Language (ACL) solution as a tool for auditors to use to interrogate data and even automate audit working papers.

The use of ACL started back in 2006, when 15 ACL software desktop licences were procured and 15 officers were trained on the solution. Accessing government data from various systems proved a challenge as data were accessed through the use of hard drives and the Department depended on IT officers to provide data. Therefore, there was high likelihood that the data provided would be incomplete and could not be relied on.

Owing to an increase in the audit scope, with a huge amount of data being processed on a daily basis, the Department in 2015 embarked on a project of migrating from desktop to server environment to enable direct access to government databases. The project was

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<sup>42</sup> Prepared by the Ministry of Finance and Development, Botswana.

implemented successfully by end July 2015, and three ACL essentials were procured: vendor management, payroll and human resource and general ledger.

The CAATs Unit is thus responsible for maintaining the server, conducting system audits and data analysis using ACL, training of officers and supporting staff on the use of the tool, developing scripts on continuous monitoring and coordinating all activities that are concerned with the utilisation of ACL.

#### Audit Command Language software

ACL was chosen over other audit applications as it permits continuous auditing. The Department wanted a tool capable of reviewing audit controls and risk registers continuously, so as to provide assurance of and timely insight into risks and control issues. Management found it valuable that ACL could in a timely manner identify anomalies and control gaps, thereby prompting correction of problems before they got out of control.

ACL software comprises ACL Analytics, the ACL Analytical Exchange Server (AX) and Governance, Risk and Compliance (GRC).

ACL Analytics is used for the analysis of data and for downloading data from linked databases. Data analysis can assist the auditor in detecting fraud by performing analytical tests, such as whether employees are paid incorrect salaries. This is done through the use of ACL commands and functions.

AX is used for scheduling scripts so they run continuously (continuous monitoring); tests are scheduled to run automatically in order to reduce the audit cycle.

GRC is used for the automation of audit working papers; the whole audit process is automated from audit planning up to the production of audit report.

#### Expected benefits

After full implementation of the application, the Department anticipates the following benefits:

- analysis of large amount of data in a short period of time thus, improving efficiency
- testing of 100 per cent of population, increasing coverage and preventing audit risk
- automatic running of critical tests, improving the productivity of auditors
- creation of a repeatable processes to assist teams to shorten their audit cycle (continuous monitoring)

- linking of work to different types of databases as the application is independent of the system being audited and uses a read-only copy of the file to avoid any corruption of an organisation's data
- provides documentation of each test performed in the software that can be used as documentation in the auditor's working papers
- reduced paper work, as all processes are automated (reviews of working papers done on the system)

#### Actual benefits

In most cases, audit relies on a sampling basis; therefore, with the introduction of CAATs, the Department is able to test 100 per cent of the population in a short period of time, thus improving efficiency and audit coverage.

Detection of wrong payments dating as far back as 2004 has been realised with the use of CAATs.

Reduced paper work has been real, as most of the audit processes are automated.

There has been improved turnaround time of audits, which will enable at least 90 per cent implementation of the annual work plan.

#### The roadmap (going forward)

The CAATs Unit has come up with a three-year rollout plan to take the application to line ministries so that all internal auditors can use it.

There will be continuous training of auditors so that utilising the software will not be so difficult.

The Unit intends to acquire the rights to link the entire government's databases to the server for ease of data access.

## Case Study 9.2 Sierra Leone. Collaboration between the Public Accounts Committee and the Supreme Audit Institution<sup>43</sup>

### Background

#### The Public Accounts Committee

The Public Accounts Committee (PAC) of the Sierra Leone Parliament is constitutionally mandated to examine the country's Annual Public Accounts. This is an account that reflects the appropriation of funds approved by the House. Such funds are generally utilised to furnish public expenditure. In addition to this, Audit Service Sierra Leone (ASSL) submits special reports of the Auditor-General to the PAC. The examination of the Annual Public Accounts and special reports submitted by ASSL is the PAC's constitutional mandate as vested in it by Subsection (6) of Section 93 of the 1991 Constitution (Act 6 1991), which requires the Auditor-General to submit a report to Parliament on the audit of the Annual Public Accounts within 12 months of the immediately preceding fiscal year end. This report among others is expected to draw the attention of Parliament to any irregularities.

Normally when the report is submitted to Parliament, it is passed on to the PAC for review and debate. During the debate, the evidence of relevant public officers submitted under oath forms the basis of the PAC's report. This is then sent back to the House of Parliament, which is expected to comply with Standing Order 75 and to provide the necessary guidelines to ensure probity and accountability in the use of public resources.

The PAC also has the power to examine any accounts or reports of statutory corporations and boards after these have been laid on the Table of the House.

#### Audit Service Sierra Leone

Audit Service Sierra Leone (ASSL), which is Sierra Leone's Supreme Audit Institution (SAI), is mandated by Section 119(2) of the Constitution to audit the Public Accounts of Sierra Leone and all subvented public offices, including the courts, central and local government administrations, universities and public institutions of like nature, any statutory corporation, company or other body or organisation established by an Act of Parliament and statutory instrument or otherwise set up partly or wholly out of Public Funds.

Prior to the establishment of ASSL in August 2004 existed the Audit Department, which was a department of government. However, in line with the Lima and Mexico Declaration and UN General Assembly Resolution A/66/209, which both aim to buttress the independence of

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<sup>43</sup> Prepared by the Audit Service and the Public Accounts Committee, Sierra Leone

the SAI, the government of Sierra Leone passed the Audit Service Act of 1998, requiring establishment of an independent SAI. This Act was finally implemented in 2004: on 1 August, ASSL was established as a fully administrative independent public sector institution autonomous of the mainstream civil service.

ASSL has come a long way since its establishment and has grown enormously in staff strength and institutional capacity. For example, from a personnel standpoint, it has grown substantially from three qualified professional accountants in those early days to 21 in 2016. The audit coverage of the national budget is now at its highest, at more than 85 per cent. The types of audits undertaken by the institution have also increased to include performance audits (value for money audits) and other specialised audits. The quality of the reports has also improved substantially, and is in full compliance with the requirements of the International Standards for Supreme Audit Institution.

### Collaborations

Since 2009, the PAC and ASSL have actively collaborated in a bid to improve accountability and transparency within the public service. These collaborative efforts include:

#### **Publicising the Auditor-General's report**

Prior to 23 April 2009, the concept of premature publication of select committee reports of Parliament as implied by Standing Order 75 was interpreted to include the Auditor-General's annual reports. This was an obstacle to any early publication of these reports and the holding of public hearings on them. It was against this backdrop that the PAC and ASSL, with support from key development partners, proposed an amendment be effected to Standing Order 75, so the Auditor-General's reports can become public documents as soon as they are laid before Parliament.

However, the purpose of the amendment was in fact already implicitly contained in the Revised Standing Orders of 2006. Furthermore, Standing Order 73(20) provides that the PAC and all other select committees, with the exception of the Standing Orders, House and Business Committees, shall include public sessions in their sittings. Pursuant to this new level of transparency in PAC activities, its hearings are now held in the open.

#### **Local accountability conferences for public officers**

The first PAC and ASSL Local Accountability Conference for Ministries, Departments and Agencies was organised in 2010 with the objective of educating vote controllers on emerging audit issues and subsequent challenges over the years. This conference was also a platform to sensitise the auditees on the importance of ASSL's role in the promotion of accountability



and transparency in the use of public funds. These interventions have apparently engendered improvement in auditees' capacity to submit financial statements on a timely basis and respond to audit queries in like fashion. Although some challenges remain with regard to the submission of financial statements, amendment of the ASSL Act has strengthened the hand of ASSL in bringing defaulters to account.

#### **Provision of office space for ASSL/PAC**

The PAC was instrumental in Parliament's provision of office space for PAC and ASSL staff on its premises in 2009. Consequently, a small team of ASSL staff is now housed in PAC offices in Parliament. This has promoted a quick and easy interface between the two institutions, as recognised during West Africa Association of Public Accounts Committee conferences. This action of Sierra Leone's PAC has provoked other PACs within the sub-region to open doors and enhance their working relationship with their respective SAls.

#### **Provision of technical support to PAC**

ASSL's continued technical support to PAC during hearings is vital. The relevance of this support is underscored by the fact that, for every life of Parliament, a huge proportion of PAC members usually comprise newly elected parliamentarians. This technical support comes through provision of information on technical issues pertaining to the document at hand and preparation of committee members for hearings in the form of briefs. This continuing support to PAC members has increased the level of confidence of its members, especially in the framing of questions during hearings.

However, with the emergence of other audit areas, like performance audit, more capacity-building support is required for the PAC members.

#### **ASSL and PAC annual workshop**

An annual PAC and ASSL workshop has been introduced, with the aim of reducing the challenges in implementing the annual activities of the two institutions. It is normally held during the first quarter of the year. During the workshop, the previous year is reviewed; lessons learnt are shared and noted; and an annual work plan is prepared for the current year. Presentations are made and action points are circulated to both institutions, aimed at charting the way forward. This has greatly enhanced the productive working relationship between the two institutions and, over the past two years, has helped the two institutions coordinate and collaborate on activities that they implement jointly.

#### **Training for new committee members**

After every general election, there is on average a turnover of more than 30 per cent of MPs. This implies that, periodically, new members (new to parliamentary protocols and procedures) are voted into Parliament, some of whom eventually join the PAC. ASSL has over the years provided training for such new members to enable them to understand ASSL's mandate, operations, audit process and audit reports.

#### **ASSL support to the PAC Secretariat**

The PAC until recently did not even have a dedicated secretariat. Thanks to a parliamentary intervention, it now has one that houses the three-person staff who manage its affairs, including the clerk of the PAC, who heads the office. Apart from helping the fledgling Secretariat get onto its feet, ASSL provides it with further technical support on report writing, the development of annual work plans and other administrative matters.

#### **Joint attendance of regional PAC conferences**

To further consolidate the collaborative working relationship between the two institutions, the PAC and ASSL jointly attend conferences of the West African Association of Public Accounts Committees, with a view to adopting and sharing good practices with other jurisdictions within the sub-region. The two institutions also collaborate on the presentations of papers and other conference-related matters.

#### **Joint solicitation of capacity-building support**

ASSL and the PAC have worked together on several occasions to solicit capacity-building assistance that will benefit both institutions. This collaborative approach to the solicitation of support has helped coordinate assistance to both institutions on the basis of comparative advantage. This has had a positive impact on the effective public financial management activities of both institutions.

## Framework 9.3. Commonwealth framework for public procurement and auditing during the project lifecycle<sup>44</sup>

The following guidelines are generic guidelines, which will apply to any project irrespective of jurisdiction. It is to be noted that type, scope and quantum of the project will determine the exact format or process to be followed in procuring the good and/or service and the following sets out the matters that should be considered at the various stages.

### Planning the project

#### Guideline internal audit

1. The Internal Audit Department and Central Audit Agency should identify what its audit responsibilities are in relation to public sector procurement for general and complex project, public-private partnership (PPP) projects and concessions and decide on the types of audits to be implemented and how to carry these out. In the planning of the audit, plan consideration must be given to all major aspects of the procurement that have a bearing on value for money, and identification of lessons for the future.
2. The Internal Audit Department and Central Audit Agency should identify and secure the core in-house skills it needs to carry out the procurement activity (especially in instances of PPP arrangements and concessions), and supplement these skills with expert external support as necessary.
3. The Internal Audit Department and Central Audit Agency should ensure the procuring entity has a clear idea of the benefits of the project and that these filter in the development of the evaluation criteria.
4. The Internal Audit Department and Central Audit Agency should determine if the procuring entity has defined, addressed and allocated project risk.

#### Explanation

Trained/skilled and qualified staff should conduct the procurement process and the auditing of the procurement process by either the internal audit or the Central Audit Agency, within well-defined parameters. These parameters should ensure that there is recognition of the legal authority and roles of the Central Audit Agency and the Internal Audit Department. It is important that the standards and objectives be determined, documented and recorded prior to commencement of any procurement activity. This offers a benchmark by means of which the project/procurement activity can be measured, and provides transparency, a

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<sup>44</sup> Developed by the Cave Hill Business School, University of the West Indies, Barbados, for and on behalf of the Commonwealth Secretariat.

frame of reference and/or a form of protection for the individuals involved in the procurement and in auditing the procurement process.

### **Guideline internal procurement**

1. The procuring agency should identify its project responsibilities for general and complex projects, PPP projects and concessions and decide on the types of delivery structures to be implemented for project delivery. Consideration must be given to all major aspects of the procurement that have a bearing on value for money, and identification of lessons for the future.
2. The procuring entity must identify the value for money proposition to be obtained from the project. This can be done via a cost benefit analysis and the usual feasibility studies.
3. The business case for the procurement activity must be clearly identified.
4. The procuring agency should identify and secure the core in-house skills it needs to carry out the procurement activity (especially in instances of PPP arrangements and concessions), and supplement these skills with expert external support as necessary.
5. There should be a determination as to whether the procuring entity is suited, equipped and resourced to undertake the procurement activity.
6. Public bodies undertaking public procurement should be mandated to properly define the scope of the project procurement activity and to develop a detailed written procurement strategy inclusive of a list of desired outcomes/objectives to be attained or achieved at each stage in the procurement process, types of delivery/procurement methods to be used and the key performance indicators (KPIs) and deliverables under each stage in the process. They should also be encouraged to identify the specific and broader policy issues and risks involved in the procurement exercise and determination must be made as to how these matters will be addressed. The plan should also clearly define the role of the various participants in the procurement exercise.
7. A detailed risk assessment should be done and identification made of how project risk will be allocated, transferred and/or mitigated.
8. To ensure accountability and transparency in the process, the procuring entity should seek to make available and accessible to audit critical information regarding the need for the project, possible benefits to be obtained from same and the timelines.
9. The procuring entity should ensure it develops a communication strategy addressing the project, its benefits, implications, risks and implementation timeframes.
10. The procuring entity should ensure that critical items such as project funding, approvals and end users have been approved early in the process to mitigate against cost and time implications.

11. Potential risks and legal issues should be identified early together with strategies for mitigation.

### **Explanation**

The scope and function of the procurement process and the procuring entity should be determined, documented and recorded prior to commencement of any procurement activity. This offers a benchmark by means of which the project/procurement activity can be measured and provides transparency, a frame of reference and/or a form of protection for the individuals involved in the procurement and in auditing the procurement process.

Value for money consists not simply of the lowest cost but also of the best combination of cost over the whole life of a project, flexibility and quality to meet an organisation's requirements. The evaluation of value for money will therefore involve the assessment not only of financial benefits and costs but also of non-financial factors.

### **Contract formation**

#### **Request documentation**

#### ***Audit***

1. The auditing entity should audit the tender strategy of the procuring entity, with a view to ensuring that one exists, that it is clear and defined and that it has been followed in tender process.
2. Checks should also be made to determine if the timelines set out in the tender strategy have been adhered to and, if not, the reasons for same.
3. A check should be made to ensure that the specification and tender documents:
  - are clear and understandable
  - do not favour any one bidder
  - specify inputs or the methods of service delivery that will not limit innovation and competition. In determining whether a specification is sufficiently clear, consideration must be given to whether it addresses the organisation's real needs and is sufficiently output-based
  - clearly identify the requirements of the procuring entity
  - contain the required instructions to bidders, submission timeframes, evaluation criteria, award process and timeframe, the contract form to be used and other pertinent considerations
4. A check should be made to ensure that all relevant approvals are obtained internally and from required third parties before documents are issued.

The custody and access to the documents must be examined to ensure that there are no breaches or that the integrity of the system is not compromised.

### ***Procurement***

1. A tender strategy should be developed to cover all required procurement and to foster competition so as to promote fairness, equity and the achievement of value for money.

The tender strategy should outline:

- the objectives of the process
- the expectations of the procuring entity with regard to the required good/service
- the nature of the demand and supply for the good and the options available for procuring same
- the budget and how the project will be funded
- a recommendation as to the most suitable procurement methodology/delivery model
- the tender process, how the organisation will communicate with bidders and the timetable for the tender exercise
- the criteria to be used to select the supplier/contractor
- the form and or type of contract to be used
- the expected outcomes for the procurement exercise
- an identification and assessment of the risks associated with same

2. Preparation of bid document: The procuring entity should determine if it has the skill and capacity to prepare the documentation, answer questions and issue clarifications in respect of same. If not, it should procure the assistance of experts to undertake the function.

3. All bid documents should clearly:

- articulate the needs of the procuring entity
- identify the terms and conditions pertaining to the submission of the tender or bid
- identify timelines for key milestones in the process
- be clear, concise and easy to understand
- identify the evaluation criteria from technical, financial and performance perspectives
- identify the required minimum qualification requirements
- identify the budget for the project/works (if any)
- identify any technical items required to be disclosed or provided to bidders
- identify grounds for disqualification and rejection of bids
- identify critical post contract issues/items such as form of contract, bonding requirements, insurance requirements, etc.

- identify terms and conditions of contract
- identify governing laws and regulations

The tender strategy should be approved by the persons with authority to approve same in the organisation. In the case of a state enterprise, this is the Board of Directors and in some instances Cabinet; in the case of ministries, it is the relevant permanent secretary, minister and or Cabinet.

### **Approach the market**

#### ***Audit***

1. The audit should address and identify whether the procuring entity was successful in maintaining successful competitive tension to contract award and managed the negotiations with the preferred bidder well. Competitive tension throughout the procurement process helps create an environment that elicits the best bids from potential suppliers/contractors.
2. The audit should consider if, in approaching the market, proper principles of fairness, transparency and probity were adhered to.
3. A check must be done to ensure that any such approach is not conducted in a manner to favour any one contractor or supplier. As part of the check, it should be noted if persons not ordinarily engaged in same were a party to the process and whether or not key decision-makers in the award function were party to same.

#### ***Procurement***

1. The procuring entity should undertake a preliminary assessment of market supply for the required goods and services and the findings of these investigations should be documented and recorded. This forms the basis for the manner in which the information is presented to the market.
2. The procuring entity should ensure discussion, meetings and interactions with potential suppliers are not undertaken by one functionary but more than one, and where possible that same be documented.
3. Persons going to market or determining supply capacities should not be the sole evaluator and should be required to document their findings from their market analysis.
4. All approaches should be done in a consistent format to ensure data collection of like information.
5. The appropriate criteria, needs and requirements of the procuring entity must be spelt out in a clear, concise manner in the tender bid documentation. Additionally, clarifications and/or further documentation must be sent to all bidders/suppliers.

## **Evaluation**

### ***Audit***

1. The audit should examine whether bidders proposed a good range of solutions.
2. It should be identified whether the audited body carried out a broad-ranging assessment of the bids—that is, whether it adhered to the evaluation criteria and whether or not irrelevant considerations were taken into account.
3. The bid of the selected contractor/supplier should be examined to ensure it complies with the tender requirements, evaluation criteria and agency requirements.
4. If one bid is received, the extent to which it complies with the tender, documents, evaluation criteria and procuring agency objectives should be examined.
5. Consideration should be given to how members of the evaluation were selected and their expertise. If external advisers are appointed they should be experts in the particular area.
6. The evaluation procedures and consideration should be reviewed to ensure compliance and that same can withstand scrutiny.

The selected bid should be examined to ensure compliance with the tender requirements

### ***Procurement***

1. The tender process should be conducted in a fair, open, transparent manner. There must be checks and controls over access to the documentation to prevent instances of tampering and or other acts of wrongdoing in relation to same.
2. All bids should be evaluated or compliance with the terms and conditions of the tender documentation.
3. Bids must be evaluated in accordance with the stipulated evaluation criteria.
4. Persons responsible for evaluating the bids should be properly qualified, not have any conflicts and/or interest or special relationships to any supplier and good governance in exercise of the decision-making, which requires that same not be vested in one individual.
5. Persons recommending the award cannot approve the award.
6. Bidders that are unsuccessful should be informed of same.
7. Records and documents of all bids received and evaluation reports should be kept or archived to aid in potential investigative processes.

## **Negotiation and contract signature**

### ***Audit***



1. The audit should examine whether the procuring entity identified the contractual issues that were likely to arise during the procurement and prepared a draft contract, setting out initial proposals on each issue.
2. The audit should address whether legal advice was obtained and what was the import of same.
3. The audit should identify whether the procuring entity succeeded in maintaining competitive tension to contract award and managed the negotiations with the preferred bidder well.
4. The audit should examine whether the successful tenderer meets the project's original objectives or the latest circumstances, if these objectives changed during the procurement. In the latter case, the audit should state the significance of any such changes.
5. Checks should be made to determine whether, immediately prior to signing the contract, the audited body's senior management reviewed the deal negotiated, to ensure it met its objectives, either those originally set or the latest ones, if these had been amended. The review should also have taken full account of any policy changes that were likely to occur in the foreseeable future. The auditor can then take assurance from their examination of this review that the contract complied with the procuring entity's audited objectives.
6. The auditor should review whether the contract's provisions on matters such as performance measurement and supplier remuneration will be likely to ensure delivery of the service required.
7. Termination and payment procedures must be reviewed to ensure they conform to tender documents, the procuring entity's procurement plan and usual payment terms and conditions.
8. Consideration must be given to how risk was identified, assigned and treated in the contract and negotiation stages.

## **Procurement**

1. The procuring entity should ensure that the contract is signed as soon as possible after the issuance of the letter of acceptance or letter of award.
2. The contract should incorporate all material terms as set out in the tender documents and in the post-tender meetings, discussions and negotiations, and records of same should form part of the official project records.
3. Legal advice should be obtained and where possible contract forms and documentation should be standardised.

4. There should be consensus on the following areas:
  - the scope of works
  - documents to be incorporated in the contract and their priority in cases of dispute
  - contract sum
  - payment terms
  - termination provisions and consequences of termination
  - delivery times
  - roles and responsibilities of the parties
  - position in relation to variations
  - *force majeure* events
  - standards to be adhered to and specifications to be complied with
  - dispute management terms and conditions
5. Unsuccessful bidders should be informed when a decision has been made.
6. Persons involved in the procurement process and in administering and monitoring of the contract should be made aware of the terms and conditions of the contract.

## Contract management

### Audit

1. The auditor should review how the audited body monitored and managed its project costs, including internal and external resources. Cost control includes the establishment of budgets and regular monitoring of costs incurred against these budgets. The procuring entity should have undertaken such monitoring for all costs, including both internal and external resources, and only increased budgets for well-defined additional tasks.
2. The auditor should review whether the services required as part of the contract are being delivered to the appropriate quality standards and remain aligned with the procuring entity business or project needs
3. The auditor should check whether services and payment are in keeping with contractual stipulations. The auditor should seek assurance that the reporting of service performance and calculation of payments, often termed the performance measurement system, accurately reflects all services required under the contract and the actual performance by the contractor.
4. The audit should identify whether during the procurement there was a regular assessment of the project to ensure that it continued to offer value for money.
5. The audit should examine whether there were controlled realistic budgets for all project costs, including internal and external resources.

6. Critical findings should be recorded, documented and brought to the attention of key decision makers.

### **Procurement**

1. Contract administration techniques should be employed and procurement professionals should be educated on the use of these techniques.
2. There must be periodic performance reviews and the findings of same must be documented.
3. Risk issues post-contract should be dealt with as soon as possible to limit and manage cost implications.
4. There should be reconciliation between actual and budgeted costs.
5. Contract reviews should be periodic.
6. The information and learnings from this stage of the contract should be managed and recorded to assist in determining contractor/supplier compliance.
7. Project management tools should be employed to maintain strict budgetary controls and adherence to schedules and timeframe.
8. All complaints, breaches or lapses in schedules must be documented and appropriate documentation sent to the supplier/contractor.
9. A determination should be made if the project can be managed internally or if external expertise is required.

### **Contract disposal**

#### **Audit**

1. There should be an audit to determine if the procuring entity planned and managed effectively its exit from the contract on its expiry. The final risk to the value for money comes at a contract's end, when poor management can adversely impact the value for money of any subsequent arrangement for service delivery that the audited body enters into. The procuring entity should ensure it undertakes adequate planning towards the end of the contract, so it can make informed decisions about the options available to it on the contract's conclusion, and then manage that exit properly.
2. The audit should examine if the procuring entity has made a determination on how the services will be delivered once the contract finishes, the possible risks associated with any handover of service provision and if same has been adequately addressed.

### **Procurement**

1. Prior to contract closure, the procuring entity should ensure there has been compliance with the contract provisions and the contractor/supplier has been paid as per the contract.
2. It should be ensured that all relevant departmental approvals and signoffs have been obtained.
3. Arrangements should be made for any post-contract requirements. In the case of takeover of a physical asset, steps should be made to ensure adequate arrangements have been made regarding warranties and maintenance.
4. The procuring officer should ensure there has been a post-contract review and the findings of same are documented.
5. The procuring entity should ensure that all relevant outstanding documentation, manuals have been received.
6. The procuring entity should ensure that all final accounts have been completed and that any set-off or claims for loss by the procuring entity against the supplier/contractor have been settled.

The procuring entity's legal, financial and operations should be involved in this process.

### Governance and approval

#### Audit

1. The auditors should ensure that the right governance and relationship structures are maintained throughout the procurement process.
2. The audit should examine whether the procuring entity has the right governance structures for the project and maintains a good relationship with the contractor(s).
3. The auditor should look to determine whether the internal and external approvals required at each stage have been obtained.
4. The auditor should examine whether there is adherence to signing limits and payment policies set out in the contract documents and if same is consistent with internal company practice and procedures.
5. The auditor should consider if there is continuity in the internal project management team and whether the team was *au courant* with and performed its roles and responsibilities.
6. The auditor should therefore review whether the roles and responsibilities for the management of the contract, and the procedures to be followed, have been clearly defined.
7. The auditor should examine the management of the relationship between the audited body and the contractor.

8. The auditor should ascertain if the accounting treatment is accurate and appropriate.

### **Procurement**

1. Approvals should be obtained from the relevant authorised body and/or officer at the right stages in the process and not *ex-post facto*. This includes approvals for procurement strategy, financial thresholds, project approval, bidding strategy, budgets, contract terms, payments schedule and material contract terms.
2. Governance requirements are important and require that all parties in the process understand their roles and responsibilities and the limits of their authority. There must be clear appreciation of the roles and responsibilities of others in the process and the need to be transparent and accountable and satisfy standards of good conduct and probity.
3. There are a number of tools that can and should be implemented during the various stages in the process that aid in the promotion of stated procurement objectives and in promoting fair completion, value for money, transparency and accountability in the procurement process. These include and are not limited to:
  - proper record keeping
  - disclosure of required information
  - control lists and limits on financial thresholds
  - measures for preventing fraud, combating corruption and reducing risk
  - control mechanisms and checks and balances that can be used in the procurement process

The following guidelines are generic guidelines that will apply to any project irrespective of jurisdiction. It is to be noted that type, scope and quantum of the project will determine the exact format or process to be followed in procuring the good and/or service and the following sets out the matters that should be considered at the various stages.

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