

DELEGATION OF FUNCTIONS- PUBLIC SERVICE REGULATIONS (1961)

ACCOUNTABILITY AGREEMENT BETWEEN THE PUBLIC SERVICE COMMISSION AND THE PERMANENT SECRETARY MINISTRY OF EDUCATION AND CULTURE

1. MANDATE

This Accountability Agreement is pursuant to the Delegation of Functions (Public Service) Order, 2000 and subject to Guidelines established by the Public Service Commission.

2. FUNCTIONS DELEGATED

Under this Agreement, the Permanent Secretary in the Ministry of Education and Culture is delegated functions under the Public Service Regulations, 1961, as under:

2.1 Appointments

All appointment activities, including;

- 1) recruitment
- 2) first appointment
- 3) promotion
- 4) transfer

5) assignments

- acting
- deployment
- secondment

2.2 Separation

Removal and/or departure of persons from office under any of the following circumstances;

- 1) for cause (misconduct, poor performance, criminal offence, etc.)
- ii) abolition of position
- iii) reorganization
- iv) voluntary departure (resignation, abandonment of post, etc)
- v) mandatory departure (upon reaching age of mandatory retirement)

2.3 Discipline

The conduct of disciplinary procedures and the imposition of appropriate penalties for any and all infractions, including those which could lead to dismissal from public office for all public officers within the Ministry.

2.4 Training

The selection of persons for training and development activities which are:

- 2) conducted by the Ministry for its personnel; or
- 3) related directly to the mandate and/or needs of the Ministry; or
- 4) available only to public officers within the Ministry.

The selection of persons for all other types of training will continue to be done by the Public Service Commission.

3. ACCOUNTABILITY

The Permanent Secretary is accountable to the Governor General, through the Public Service Commission, for the exercise of these delegated functions. The assessment of the Commission will form part of the overall Accountability of the Permanent Secretary.

The Permanent Secretary undertakes to establish appropriate accountability mechanisms, including a Human Resource Executive Committee and a Management-employee Consultative Committee at the highest level.

3.1 Establishment of Guidelines

The Public Service Commission shall establish Guidelines consistent with the Public Service Regulations, 1961, for the Permanent Secretary (see Appendix 1); ensure that

adequate training is provided to designated Ministry personnel; and act as a source of consultation and advice.

3.2 Application of Guidelines

In the exercise of these delegated functions, the Permanent Secretary shall apply the Guidelines (see Appendix 1) established by the Public Service Commission.

3.3 Performance Standard

The standard of Performance by the Permanent Secretary in specific relation to these delegated functions shall be based on the KEY VALUES and BEHAVIOUR EXPECTATIONS, and shall be assessed using the Performance Indicators outlined in Appendix 2 to this Agreement.

3.4 Reporting Requirement

During the first year of the delegation, the Permanent Secretary shall submit to the Public Service Commission, quarterly reports against the performance indicators.

After the first year, the Permanent Secretary shall submit an annual report for each fiscal year, based upon the performance indicators, by no later than the end of the first quarter of the succeeding year.

4. RECOURSE AND REDRESS

4.1 General Provision

The Permanent Secretary undertakes to ensure that all employees are aware of, and have access to, appropriate recourse and redress measures and mechanisms, as provided for in the Guidelines (Appendix 1), in relation to decisions made and actions taken with respect to these delegated functions.

4.2 Specific Provision

Employees, having exhausted all other mechanisms for redress and recourse may appeal to the Public Service Commission and ultimately, will continue to enjoy the right of appeal to the Privy Council.

5. MONITORING

5.1 General Oversight

The Public Service Commission has the responsibility for general oversight and for monitoring the performance of the Permanent Secretary in respect of these delegated functions.

5.2 Audit

The Commission reserves the right to conduct periodic audits and/or undertake reviews of the activities of the Ministry under these delegated functions, as under:

- 1) an audit will be initiated by the Commission at the end of the first year of delegation;

ii) subsequent audits will be conducted at two-year intervals;

iii) notwithstanding the foregoing, an audit may be initiated at any time by the Commission, if it has reason to believe such action is warranted.

5.3 Surveys

The Commission may initiate opinion surveys within the Ministry to gauge perceptions about the exercise of the delegated functions.

COMPLIANCE

Failure to comply with the provisions of the Accountability Agreement will result in appropriate sanctions by the Public Service Commission up to and including revocation of the delegated functions either from designated personnel within the Ministry or, ultimately from the Permanent Secretary.

Michael Fennell, C.D.
Acting Chairman
Public Service Commission

Marguerite E. Bowie (Mrs.)
Permanent Secretary
Ministry of Education, Youth and Culture

1st April, 2000