
Public Administration HR Office

Annual Report 2012

Mission Statement

To formulate, develop and promote progressive human resources policies, strategies and management systems in support of the business of Government and for the delivery of an efficient service to the public.

The Organisation

The Public Administration HR Office, within the Office of the Prime Minister, is led and coordinated by the Director General (PAHRO), supported by the workings of three (3) important directorates, namely, Resourcing, Employee Relationship Management and HR Management Systems. PAHRO is primarily focused on developing and sustaining its strategic role at the centre of HR Management across the Public Administration. In 2012 PAHRO continued to progress from the traditional concept of micro HR Management, towards a macro and comprehensive outlook to workforce planning, change management, guidance and support provision to line Ministries and Departments, monitoring the implementation of HR Management in line Ministries and Departments, as well as promoting leadership development.

PAHRO will continue to spearhead the implementation of the provisions of the Public Administration Act, progressive human resources strategies and policies, the increased decentralisation of procedural processes to line Ministries and Departments, and the ongoing streamlining of the business of Government in the field of HR Management.

The Director General (PAHRO) provides continuous support and advice to the Principal Permanent Secretary and through him to the Prime Minister or the Minister responsible for HR management in the Public Administration.

The Director General (PAHRO) directs, supervises and co-ordinates the functions and activities of the directorates constituting the Public Administration HR office and oversees the implementation of the provisions of the Public Administration Act, as far as public administration is concerned. Whilst providing central direction to line ministries on the strategic, tactical and operational functions of HR management, this office contributes to the collective management of the Public Administration by contributing towards the creation and formulation of HR policies that address both organisational and workforce needs. HR systems and processes are constantly streamlined with the aim of reducing the bureaucratic overload and to increase efficiency. This office also formulates and implements innovative HR management ideas, methods and techniques.

Whilst further developing PAHRO's regulatory and advisory role by directing and assisting line ministries and departments' in assuming greater responsibility for the day-to-day management of HR functions, this department also manages the delegation of certain powers of recruitment to line Ministries. Advice and assistance are provided to line ministries and departments for the effective management of human resource and also, in line with central policies and Public Service Commission regulations.

PAHRO encourages a positive Client-Service interface by supporting the diffusion of better/smart regulation practices and fosters a culture of improved knowledge and information management.

On the EU dimension, the Director General and two (2) PAHRO directors actively participate and represent the Public Administration in the European Union Public Administration Network (EUPAN) working groups, namely the Human Resources Working Group (HRWG) and the European Personnel Selection Office (EPSO). Malta's participation in the EUPAN network does not only ensure that Malta's national position in the HR field is adequately represented but that the Maltese Public Administration is kept abreast on the developments occurring on the European platform.

Gender Mainstreaming

In line with OPM Circ 15/2012, the Public Administration HR Office (PAHRO) strives to take a proactive approach to gender mainstreaming when establishing regulations, policies and guidelines in the areas of recruitment, selection, appointment, transfer, promotion and progressions. The requirements emanating from the Public Service Commission Regulations (PSC), the Employment and Industrial Relations Act (EIRA) and any other pertinent laws and legislations are, in turn, regulated in the Public Service Management Code (PSMC). Moreover, through appropriate clarifications in the PSMC, further responsibility is devolved onto Ministries and Departments so as to ensure that their operations are gender neutral.

A Consultative Committee, between Government and Trade Unions, has been recently established. One of the topics scheduled for discussion is the adaptation of specific nomenclatures to reflect more gender neutrality.

In 2012, PAHRO was awarded the Equality Mark Certificate.

RESOURCING DIRECTORATE

Introduction

During 2012, the Resourcing Directorate focused on the following tasks:

- Striving to finalise the preparatory work needed to gear itself and the line Ministries for the coming into force of the delegation of the issue of the call for applications and the appointment of the Selection Board;
- Carrying out a number of policy reviews with the aim of strengthening its increasing regulatory role, ensuring conformity with pertinent legislation, simplifying processes and increasing consistency and fairness across-the-board; and
- Continuing the assimilation exercise of public officers who were granted indefinite status as Officer in Scale.

Sectoral Analysis – Programmes and Initiatives

Delegation

One of the main initiatives undertaken by the Resourcing Directorate in the past months reached fruition through the publication of LN 246/2012 on 24th July 2012 entitled the *Public Service Commission (Amendment) Regulations, 2012*. This Legal Notice enabled the delegation, from the Public Service Commission to the respective head of department, of the issue of the call for applications and of the appointment of the Selection Board.

As from 14th September 2012, Permanent Secretaries were empowered to establish, with the approval of the Public Service Commission (PSC), (i) Standing Selection Panels (SSPs) per Ministry composed of retired public officers and other persons from the general public and (ii) heads of department were empowered to directly appoint the Selection Board from amongst persons listed on the SSP and/or serving public officers. This initiative promotes the inclusion and the participation of citizens in particular aspects of administrative life, while reducing the administrative burden on the operability of particular central functions of the Public Administration fostering greater visibility on the workings of Government. As from 15th November 2012, heads of department were empowered to issue calls for applications, subject to established parameters, under their own authority, thus freeing the Resourcing Directorate from a major bulk of its operational aspect and enabling it to dedicate more time and resources towards undertaking an advisory, regulatory and monitoring role.

Persons interested in forming part of the Standing Selection Panels (SSPs) and/or Standing Disciplinary Panels (SDPs) were identified through the publication of adverts in various media. Eligible persons were assessed by a Selection Board composed of officers from the Resourcing Directorate, the Employee Relationship Management Directorate and the HR Branch, OPM. Following approval of the Selection Board report by the PSC, successful candidates were invited to attend for a training session on the 'Selection Process for the Filling of Vacancies in the Public Service'. Concurrently, and since response to the published call fell short of the desired level, public officers who retired during the last 5 years in a salary scale between Scale 1 - 5 were identified and asked whether they would be interested in forming part of SSPs / SDPs, with a view of including them on SSPs following a formal submission of interest, assessment and training.

Concurrently with this process, the Departmental Grades Section of the Resourcing Directorate focused on its outreach, regulatory and monitoring role. The Section provided Ministries with the appropriate tools

required for the drafting of calls for applications, namely through (i) the drawing up of simplified specimen calls for applications which were placed on the respective website and are available for download and through (ii) training vis-à-vis the new process, which was carried out by staff of this Section during day-long sessions, each consisting of a detailed presentation and practical exercises on the new templates of the calls for applications. Seven (7) sessions were held, for a total of 73 Officers, at the CDRT and the Ministry for Gozo. The sessions were followed by a joint DCS and HR Forum as a follow-up to the training. More training will be held in 2013.

Policy Reviews

1. Following extensive consultation with the Attorney General and with the Director General (Social Security), the PSMC provisions regarding retirement and retirement age were reviewed (i) to take into account the provisions of the Social Security Act regarding retirement and pension age; (ii) to make certain clarifications regarding various instances of employment with the Public Service/Sector after the statutory retirement age and (iii) to clarify that persons beyond the statutory retirement age, even if employed under any of the instances at (ii), are not eligible to apply for vacancies in the Public Service/Sector, unless the respective call is issued specifically for the engagement of retired persons in areas of acute shortage of staff as determined by the PPS. The PSMC amendments will be uploaded in due course.

2. The policy regarding tenure in a higher grade was reviewed with the aim of ensuring consistency and fairness across-the-board in the treatment of such cases. A number of amendments to the policy were approved, while others are still under discussion with the PSC. Agreement has been reached so that tenureship arrangements are extended to (i) officers who have competed and been successful in a selection process for a permanent post but who have been appointed to fill the vacancy on a temporary basis, and who have been so appointed for not less than 6 years, subject to satisfactory performance and to (ii) officers serving in secretariats in positions in Scale 10 upwards. Consultation with the PSC was initiated and is still underway regarding proposed extensions to the tenure policy to extend tenureship arrangements to cover posts/positions in the level of up to Scale 20 and across the Public Service.

Updates to the Public Service Management Code (PSMC)

Various updates to Chapter 1 of the PSMC concerning resourcing policies and procedures were made to reflect policy changes and to secure the availability of up-to-date information on the on-line version of the Code.

Increasing the Participation of Disabled Persons in Employment within the Public Administration

The PSC approved the draft Instrument of Delegation submitted by Resourcing for the engagement of disabled persons in the Public Service in scales 16 to 20 directly from the ETC register of disabled unemployed persons. The Instrument of Delegation was subsequently cleared by the Data Protection Commissioner, in view of the sensitive nature of the data involved when the ETC forwards details of the persons on the said register to departments. The Instrument of Delegation was cleared from all aspects, and a recommendation was submitted to the PSC in order that the PSC may make a formal recommendation to the Prime Minister for the approval of the Instrument. The Prime Minister approved the publication of the Instrument of Delegation on 26th November 2012. The Instrument of Delegation and the concurrent initiative to widen the existing reasonable accommodation arrangements in calls for applications, to allow for special arrangements during public examinations in line with those applied by the University of Malta, where calls for applications specify the sitting for a public examination for entry into a post/position, is to be announced through a letter-circular to Permanent Secretaries.

Matters related to the “Contracts of Service for a Fixed Term Regulations”

Discussions were held amongst the pertinent stakeholders (PAHRO, PACBU, UHM and GWU) concerning the assimilation of public officers who were granted indefinite status as Officer in Scale on the basis of a contractual position in terms of LN 51/2007.

Following the signing of an Agreement between the Government, General Workers Union and Union Haddiema Maghqudin Agreement on 3rd December, 2012, a recommendation was submitted to the PSC so that officers who held a contractual position as Cook or Butcher and were given indefinite status on the basis of said position, may be assimilated into the corresponding grades. This recommendation was made in terms of regulation 4 of LN 51/2007, as subsequently amended, regarding fixed-term work, based on the fact that the officers engaged on such contracts held the same nomenclature, pre-requisites, salary and duties as those pertaining to the grades of Cook/Butcher.

Conditions affecting Assistant Director Positions

The current policy that officers on a performance agreement as Assistant Director who utilise unpaid leave will have their Assistant Directorship terminated was reviewed in the light of the provisions of the “Parental Leave Entitlement Regulations” (LN 225/2003 as amended by LN 427/2007, 430/2007, 175/2010 and 204/2011). The Regulations stipulate a minimum statutory entitlement of four (4) months unpaid parental leave on the grounds of birth, adoption, fostering or legal custody of a child to enable employees to take care of that child until the child has attained the age of eight years, to which Assistant Directors are now entitled.

With the aim of increasing the catchment area for potential candidates for Assistant Director Positions, the Directorate gave consideration to extending eligibility parameters for Assistant Director positions to (i) Public Sector employees holding a position for a period of four (4) consecutive years at a level which is comparable to Scale 7 or higher of the Public Service grades, whenever so recommended by Ministries and approved by PAHRO in exceptional circumstances and for cogent reasons and to (ii) public officers who are detailed/deployed for duty with Public Sector entities provided they have held a position comparable to Scale 7, or higher, within the Public Service and / or the Public Sector for a period of four consecutive years. This will be subject to the setting up of a comparability framework in consultation with PSC.

Centrally-issued Calls for Applications

The Directorate continued to take an active role in the filling of crucial vacancies in various Ministries. A centrally-operated public call for applications for EU Fund Officers was issued for the filling of vacancies in this position to bolster the EU fund management function across the Public Service. A service-wide call for applications for the position of ICT Contracts and Services Officer was issued to fill an approved vacancy.

Matters Related to Recruitment to Address Particular Exigencies

In order to increase recruitment in critical areas within the education and health sectors, where interface with pupils/students and patients respectively is involved, arrangements were introduced, following endorsement by the PSC, so that these two ministries may engage retired Teachers, Kindergarten Assistants and Adult Educators, and Nurses, Midwives and Medical Practitioners over the age of 65 by means of a direct recommendation to the PSC without the need for PAHRO’s verification, subject to Finance clearance.

Furthermore, two Instruments of Delegation were finalised for the engagement of on-call Supply Kindergarten Assistants and on-call Supply Learning Support Assistants, respectively. Hence, MEDE may effect engagements in these two categories without the need for a recommendation to the PSC and subsequent PAHRO verification, which facilitates the recruitment of such officers according to the immediate needs of schools as they arise.

Public Sector Recruitment

During the year, 520 requests for the recruitment of staff, and involving 1446 public sector employees, were submitted by 58 different government-funded entities. 272 requests were for the filling of 932 vacancies in new positions, whilst 205 requests were for the replacement of 460 employees who had resigned or retired from the service. 43 other requests for the filling of vacancies in positions involving the recruitment of 54 employees for a definite period were approved in connection with ESF and other EU-funded projects. Approvals were granted for the commencement of recruitment procedures with the Employment and Training Corporation (ETC).

The 272 requests to fill 932 vacancies for new positions were filled by 553 full-timers and 379 part-timers respectively. Full-time staff who resigned or retired in 2012, and for whom a replacement was required, totalled 249, and a further 211 part-timers were also replaced. EU-funded projects resulted in the engagement of 49 full-timers and 5 part-timers.

In liaison with the ETC, the Department also issued approvals to entities for the extension of the statutory validity periods of work permits which had already expired. Before approvals for extensions of work permits were issued, the Directorate investigated the reasons behind the extension of the selection process and eventual recruitment beyond the stipulated time period.

After careful consideration, approvals to requests for recruitment of staff on short definite contracts or on replacement basis, as in the case of temporary replacements, were also given on several occasions.

EU Recruitment

Recruitment at EU level concerned the filling of vacancies in the positions of Technical Attaché and Research Officers in accordance with the Permanent Representation of Malta in the EU (PREU) Staffing Details Document, and the Secondment of National Experts, together with calls for Temporary Agents with EU Institutions.

A request for a new position of a Technical Attache for Social Policy and Employment – Horizontal Support, was processed and completed following the issue of the call through the PSC.

Four (4) public officers were nominated by line Ministries as Seconded National Experts (SNEs) with EU Institutions and forwarded to the PREU for onward transmission to the relevant EU institution following OPM's clearance. These were : one (1) nomination from MGOZ for a Director General [Strategy & Support] with Unit D1 of the Directorate General Regional Policy (REGIO), and three (3) nominations from MHA for placing with the DG-Justice, Freedom and Security, a Police Officer with EULEX Kosovo Support Team, and another with FRONTEX.

Deployment of Public Officers with Entities

During 2012, one hundred and seventy-two (172) public officers were detailed and twenty-eight (28) public officers were deployed with Public Entities, whereas nineteen (19) officers had their detailing order / deployment revoked as a result of demand driven requests or through officers' selection for posts in the Public Service by virtue of their inherent rights as public officers.

The total of public officers who, on 31st December, 2012, were deployed or detailed with Public Entities amounted to one thousand, six hundred and twenty (1,620), as shown in the tables hereunder:

Public Entity	Number of Detailed Public Officers	Public Entity	Number of Deployed Public Officers
Water Services Corporation	550	Barriera Tax Warehouses Ltd	3
Aġenzija Żgħażaġh	6	Employment and Training Corporation	1
Authority for Transport in Malta	91	Fondazzjoni Centru għall-Kreattività	1
Directorate of Educational Services	23	Foundation for Educational Services	1
Directorate for Quality & Standards in Education	5	Foundation for Medical Services	14
Enemalta Corporation	2	Foundation for Social Welfare Services	67
EU Programmes Agency (EUPA)	2	Foundation for Tomorrow's Schools	1
Heritage Malta	126	IPSL	1
Housing Authority	11	Local Councils	66
Kunsill Malti għall-Ispport	35	Local Councils Association	1
Lotteries and Gaming Authority	3	Malta Council for Science and Technology	2
Malta Communications Authority	11	Malta Enterprise	1
Malta Competition and Consumer Affairs Authority	70	Malta Information Technology Agency	2
Malta Council for Culture & the Arts	19	MIMCOL	2
MEPA	93	Malta Tourism Authority	4
Malta Libraries	70	Maltco Lotteries	1
Malta Resources Authority	3	Management Efficiency Unit	2
Malta Standards Authority	0	Manoel Theatre	1
Malta Statistics Authority	57	MCAST	46
MCAST	3	MEUSAC	4
Medicines Authority	31	MEUSAC/MCESD (Gozo Regional Office)	1
National Archives	8	Office of the Commissioner for Voluntary Organisations	1

National Commission for the Promotion of Equality	1	Public Broadcasting Services (PBS) Ltd	1
National Commission Persons with Disability	5	St. John's Co-Cathedral Foundation	1
National Commission for Further and Higher Education	1	University of Malta	1
OHSA	5	WasteServ Ltd	29
Office of the Attorney General	21	Malta Air Traffic Services (MATS) Ltd.	115
Superintendence of Cultural Heritage	7	TOTAL	370**
State Colleges	6		
TOTAL	1,247*		

* Detailed Officers: 11 officers have retired, 5 officers took up permanent employment with their respective entities, and 19 officers had their contract terminated.

** Deployed Officers: 1 officer retired.

Ongoing Ancillary Activities

Data on ongoing ancillary activities during 2012 is shown in the following tables:

Category 'A' Appointments	
Position	Number
In Acting Capacity	13
Assistant Director	42

General Service Appointments	
Grade	Number
Senior Principal	0
Principal	0
Assistant Principal	0
Executive Officer	0
Senior Clerks	0
Clerks	66

Re-employment and Re-instatement of ex-Public Officers	
Re-employment	6
Re-instatement	6

General Service promotions to a higher grade in terms of the relevant provisions of the Addendum and the 1993 Classification Agreements, subject to satisfactory performance	
Grade	Number
From Assistant Principal to Principal	6
From EO to Assistant Principal	16
From Clerk to EO	1
From Clerk to Senior Clerk	167

General Service progressions to a higher salary scale within the same grade subject to satisfactory performance	
Grade	Number
Senior Principal From Scale 7 to Scale 6	9
Principal From Scale 8 to Scale 7 From Scale 9 to Scale 8 From Scale 10 to Scale 9	8 0 10
Assistant Principal From Scale 11 to Scale 10	23
Executive Officer From Scale 14 to Scale 13	3
Clerk From Scale 16 to Scale 15	6
Messenger From Scale 17 to Scale 16 From Scale 18 to Scale 17	0 0
Senior Messenger From Scale 16 to Scale 15	0
Officer i/c Minor Staff From Scale 13 to 12	10

Movement of staff approved by PAHRO	
Grade	Number
General Service Grades	81
Departmental Grades	24
Technical Grades	15
Industrial Grades	15
Others	0

Movement of staff within the same Ministry approved by the respective Permanent Secretary	
Grade	Number
General Service Grades	9
Departmental Grades	1
Technical Grades	0
Industrial Grades	1
Others	0

Movement of staff to and from Private Secretariats	
Grade	Number
General Service Grades	2
Departmental Grades	0
Technical Grades	0
Industrial Grades	0
Others	0

Other Movement of Staff	
Type of Movement	Number
Reversion to former grade in terms of para 1.1.7.2 of the PSMC	5

Appointments in Departmental, Technical and Industrial Grades and Contractual Positions	
Method	Number
Following public calls for applications	1909
Following selection from service-wide calls	381
Following selection from departmental calls	97
After a number of years service in the grade (promotions)(108
Through direct recommendations	0

Calls for Applications – Departmental, Technical and Industrial Grades and Contractual Positions	
Type of advert	Number
Government Gazette	220
Service-wide (PAHRO Circulars)	253
Departmental Circulars	7
Expressions of Interest	22
Deployment	0

Recommendations to the Public Service Commission in respect of Departmental, Technical and Industrial Grades and Contractual Positions	
Local Personnel	325
Expatriate Personnel	12

Pension Files processed by the Department	
Departmental, Technical and Industrial Grades	345
General Service Grades (Directors/Assistant Directors)	19

Others (recommendations)	
Assimilations	5 recommendations involving 77 officers
Re-designations	3 recommendations involving 24 officers
Renewals of contract	65 recommendations involving 227 officers

EMPLOYEE RELATIONSHIP MANAGEMENT DIRECTORATE

Introduction

The objective of the Employee Relationship Management Directorate is to provide support and advice on human resources management, particularly in the sphere of employee relations. The formulation, implementation and monitoring of policies are also priority areas aimed at enculturating modern management methods, that best respond to the programmes of government and the needs of the public.

The Directorate acts as catalyst for gender mainstreaming and occupational health and safety policies in the Public Service. In order to create a culture of integrity and excellence, the Directorate also formulates guidelines on ethics and conduct for public officers.

The PSC Disciplinary Regulations

The PSC Disciplinary Regulations were amended by virtue of a Legal Notice. The most significant amendment introduced a new arrangement regulating the selection of members appointed on Disciplinary Boards set up in line Departments to investigate disciplinary charges issued against public officers. This new arrangement provides for the setting up of a Standing Disciplinary Panel (SDP) in each Ministry composed of suitable and competent former public officers.

Heads of Departments may appoint a Disciplinary Board to investigate a disciplinary charge from amongst serving public officers and/or former public officers serving on the SDP of the relative Ministry. The involvement of former public officers in this new arrangement is in line with Government's thrust towards the promotion of inclusion and the participation of the general public in particular aspects of administrative life. Apart from this, this new arrangement is intended to relieve serving public officers from the arduous task of serving on Disciplinary Boards while enabling disciplinary procedures to be concluded more expeditiously.

Apart from the introduction of this arrangement, this Legal Notice delegated more disciplinary control to line Ministries and fine-tuned a number of provisions.

Subsequently, a Circular (PAHRO Circular No. 249/2012) was issued highlighting the salient points of this Legal Notice.

Standing Disciplinary Panels

In order to implement the arrangement concerning the Standing Disciplinary Panels (SDP), the Directorate, in conjunction with the Resourcing Directorate, issued a call for expression of interest inviting interested former public officers to form part of the SDPs. Eligibility was limited to former public officers who held a post/position not below Salary Scale 5 and whose employment with the Public Service was terminated during the last 5 years. Eligible applicants were interviewed and ensuingly, a training programme for the successful applicants focusing on the current disciplinary procedures pertaining to the Public Service was organised in collaboration with the Centre for Development, Research and Training (CDRT).

The next step forward is that the line Ministries will be asked to form their respective SDPs from amongst the successful applicants. Heads of Departments will then be in a position to appoint a Disciplinary Board either from serving officers or from the persons listed on the SDP of the their Ministry.

Temporary Suspension

PAHRO Circular 47/2012, dated 5th June 2012 announced that the PSC has directed that when considering whether interdiction should be recommended or otherwise, Heads of Department should take into account a number of criteria and consider these criteria against the potential hardship that the officer concerned would undergo whilst on temporary suspension as well as the burden that such temporary suspension would have upon public funds and the Public Service in general.

The criteria that Heads of Department should take into account include: (i) the gravity of the criminal charges; (ii) the correlation between the criminal charges and the officer's duties; (iii) whether the officer would be placed in a conflict of interest if s/he continues to report for work; (iv) whether the officer would be in a position to tamper with any evidence in the Department's possession and/or any witnesses might be subject to influence or intimidation; (v) whether other members of staff or the general public would be put at risk if the officer continues to perform his/her duties; and (vi) whether temporary suspension is necessary to uphold public confidence. This Circular also stated that although one or more of the above criteria may apply, Heads of Department may also propose that instead of temporary suspension, the officer concerned may be assigned alternative duties that are commensurate to the officer's grade/position. A specimen declaration that Heads of Department should submit whenever they report a criminal case to the PSC was also attached to the Circular.

In relation to the issue of temporary suspension the following policy decisions were taken:

- public officers who are unable to utilize their accumulated vacation leave because they had been temporarily suspended shall be entitled to utilize their accumulated vacation leave after their temporary suspension is lifted, provided that they had been acquitted from the disciplinary/criminal charges; and
- upon the lifting of the temporary suspension, and provided that they were acquitted from the disciplinary/criminal charges, public officers shall be entitled to the pro-rata vacation leave entitlement that they did not avail themselves of during the calendar year in which they were temporarily suspended. These officers shall also be entitled to the remaining pro-rata vacation leave entitlement in respect of the calendar year during which they resumed their duties. The pro-rata vacation leave entitlement in respect of the period during which the officers were temporarily suspended shall however be forfeited, irrespective of whether or not the officers concerned were acquitted from the charges against them.

Moreover, a Seminar entitled 'Beyond a Zero-Mistake Tolerance' on Temporary Suspension was organised by the Public Administration HR Office (PAHRO) on the 12th September 2012. The aim of this Seminar was to discuss the appropriateness of temporary suspension (formerly known as interdiction) as a mechanism that is applied when a public officer is charged with a criminal offence and up till such time that a court ruling becomes definitive. By bringing together stakeholders from the political sphere, the public administration, the unions and individual case studies, this Seminar served as a precursor to revise the current policy on temporary suspensions.

Following this Seminar, the Directorate held meetings with Directors responsible for HR matters in line Ministries and Trade Unions to formulate a set of concrete proposals for the updating of the Disciplinary Regulations, particularly those related, but not limited to, the issue of temporary suspension. A number of proposals that were made by the Unions and by the line Ministries intended to mitigate the financial and

psychological hardship of public officers under temporary suspension, as well as other discipline-related matters, were evaluated and submitted for consideration.

Once the final proposals are agreed to by all stakeholders, the PSC Disciplinary Regulations will be amended accordingly.

Other Disciplinary matters

The Directorate continued to extend its support to line Departments in the management of disciplinary cases. This was done in various ways, namely:

- the issuing of directives, advice and instructions to line departments on the interpretation, management and processing of various types of disciplinary cases;
- the auditing of the application of the Disciplinary Regulations in line Departments and the undertaking of corrective action, whenever necessary;
- consultation with the PSC on the interpretation of a number of provisions of the Disciplinary Regulations;
- the delivery of short seminars / training programmes to newly-appointed Clerks on the salient features of the Disciplinary Regulations, which were organised by CDRT and participation in Fora for Directors responsible for HR matters, HR Managers and other officers responsible for the processing of disciplinary cases, on certain aspects of the Disciplinary Regulations;
- the delivery of a training programme for officers responsible for the processing of disciplinary cases in the various Units/Sections of the Ministry for Health, Elderly and Community Care.
- issued a PAHRO Circular No. 55/2012 requesting Heads of Department to ensure that Disciplinary Boards draw up their reports on the basis of a template which was attached to the Circular. This Circular also included a set of guidelines which are intended to assist officers who are appointed to serve on Disciplinary Boards. These guidelines outline the responsibilities of the members of the Disciplinary Boards before, during and after a Disciplinary Board.

Permanent Employment

The Directorate carried out an exercise to identify the pensionable public officers who are detailed/deployed with public entities and who reached pensionable age by the end of 2012. This exercise also identified those pensionable public officers who either were medically boarded out or deceased whilst they were still detailed/deployed with their entity. The serving officers were offered the opportunity to take up permanent employment with their entities whereas those who were medically boarded out or deceased were to be considered as having taken up permanent employment one day before their retirement or death. The aim of this exercise was that these officers (or their heirs in the case of those officers who deceased) would benefit from the provisions of Article 8B of the Pensions Ordinance, that is, they will benefit from a Treasury pension based on their analogous Public Service grade and not on their substantive grade. The officers and the former officers who accepted the offer were given permanent employment with their respective entities.

Three (3) Legal Notices were issued declaring the Malta Resources Authority (MRA), WasteServ and the State Colleges as entities falling under Article 8A of the Pensions Ordinance. By virtue of these Legal

Notices, service with MRA, WasteServ, and State Colleges performed by pensionable public officers who take up permanent employment with these entities, is considered as service performed with the Public Service, for Treasury pension purposes.

The Directorate was involved in four (4) separate Classification Boards which were set up to establish the analogous Public Service grade of a number of public officers who took up permanent employment with the Water Services Corporation, Transport Malta, Heritage Malta and the Malta Resources Authority.

Employee Support Programme (ESP)

In line with the objectives of Government to promote the physical and psychological well-being of its employees, in 2011, PAHRO launched the project entitled 'Employee Support Programme for Public Employees' (ESF 4.97), which is co-funded through the European Social Fund.

During the first six months of this year, this project registered further progress with all the components being on schedule. The mapping exercise aimed at identifying the psycho-social and disability issues within the Public Administration was finalised in six (6) Ministries. A number of training sessions addressing all levels of employees aimed at increasing awareness on an array of psycho-social and disability issues, together with training to HR Managers, officers with people management responsibilities and middle management, were delivered. An addendum to the Grant Agreement was finalised. This addendum provided the inclusion of a component for indirect costs, and this permitted the issuance of payments for indirect costs to the respective partner organisations. Additionally, in view of the fact that the EU Funded project ends in September 2013, the Directorate submitted its proposals as to the sustainability of the programme which proposal included estimated budgets in this respect.

In August 2012, the responsibility for the implementation of the ESP Project was re-assigned to the Corporate Projects Directorate within the Centre for Development, Research and Training.

Donation of Vacation Leave

The policy of donation of vacation leave was fine-tuned allowing also the donation of time-off-in-lieu. Eligibility for donated leave was extended to members of the same household and public employees undergoing residential rehabilitation programmes. The amendments include also the creation of a Central Fund, managed by the Employee Relationship Management Directorate. The amendments also provide for the accumulation of hours of donated vacation leave and accumulated time off in lieu, thus unutilised donated vacation leave is not forfeited but accumulated in the Central Fund for eventual future use. Amendments to the PSMC reflecting the policy amendments were published in November 2012.

Equality Mark Certification

The Equality Mark Certification identifies and awards those organisations that demonstrate a commitment towards gender equality. Once organisations obtain such accreditation, they are certified as true equal opportunities employers. This certification recognises an organisation's efforts to ensure that all rights and obligations, policies and family-friendly measures, among other opportunities, are offered to all members within the respective organisation. This also includes equal opportunities for all, and that career progression is based on the individuals' capabilities, irrespective of gender and caring responsibilities.

After liaising with the National Commission for the Promotion of Equality (NCPE) and after having submitted the necessary documentation in connection with the Equality Mark Certification, PAHRO was approved the award of the Equality Mark by NCPE in September 2012. It was presented the Equality Mark Certificate at the Award Ceremony held on the 11th December 2012.

Family-Friendly Measures

Maternity Leave

As from 1 January 2012, maternity leave was increased from fourteen (14) to sixteen (16) weeks, with an increase of a further two (2) weeks in 2013. Public employees who were on maternity on 1 January 2012 whose maternity leave commenced before the said date were automatically entitled to an uninterrupted period of sixteen (16) weeks maternity leave (18 weeks for public employees who were on maternity on 1 January 2013). Employees who avail themselves of maternity leave beyond the paid fourteen (14) weeks are entitled to the applicable benefits payable under the Social Security Act. PSMC provisions were updated accordingly.

Adoption Leave

With effect from 1 January 2012, adoption leave was increased from 5 (five) to sixteen (16) weeks, with an increase of a further two (2) weeks in 2013, bringing this leave at par with maternity leave. Public employees who were on paid adoption leave on 1 January 2012 but whose adoption leave commenced before the said date were automatically entitled to an uninterrupted period of sixteen (16) weeks adoption leave (18 weeks for public employees who were on adoption leave on 1 January 2013). Public employees are entitled to their full salary for the first fourteen (14) weeks paid adoption leave. If the employee chooses to avail oneself of adoption leave beyond the first fourteen (14) weeks, the additional weeks are considered as special unpaid leave and payable at a fixed weekly rate equivalent to the Maternity Leave allowance payable at the time. In 2012, the applicable weekly rate was €160.

Leave to try alternative employment in the Private Sector

In May 2012, the provisions regarding special unpaid leave to take up alternative employment in the private sector were amended. The revised provisions increased the maximum applicable duration from three (3) years to five (5) years, renewable yearly, subject to a maximum of four (4) renewals only.

Collective Agreement Provisions

The PSMC was amended to reflect provisions of the Collective Agreement for Public Employees in the Service 2011-2016 which was signed on the 15 October 2012. The main highlights are shown below:

Overtime payment for public holidays

Employees eligible for overtime payment, who are required to work on public holidays, are remunerated at double the basic hourly rate for every hour of work performed on a public holiday, which amount should not be less than the minimum of a day's pay.

Official engagements abroad during public holidays

Officers requested by superiors to attend duties abroad, including seminars, conferences and meetings shall

be compensated at double the basic hourly rate for every hour of actual work performed or for every hour of attendance to seminars, conferences and meetings.

Planning of Vacation Leave

Effective management and the continuity of operations call for the regular utilisation of vacation leave across the calendar year. In this regard, a vacation leave planner was developed to assist employees in the better planning of their vacation leave and securing its utilisation, as far as possible.

Voluntary Organisations (VOs)

Further to the issuance of the Expression of Interest and the Call for VOs in December 2011, the applications were vetted and processed. In line with the provisions of the policy governing the release of employees with Voluntary Organisations, the Employee Relationship Management Directorate issued another Expression of Interest and Call for VOs in June 2012, the applications of which were also processed.

Additionally, the policy regarding releases of public employees with Voluntary Organisations has been amended to reflect the Gozo dimension of policy in November 2012. In this regard, when a Voluntary Organisation operates separate offices in Malta and Gozo, the Voluntary Organisation may benefit from the release of a public employee, both for the Malta as well as the Gozo office, provided that the request for the additional public employee satisfies the conditions stipulated with regard to the criteria for selection and terms of release. In this view, another call for Expressions of Interest for Public Employees and an Expression of interest for Voluntary Organisations were issued.

Monitoring and Audit Function & Outreach visits

During the period under review, preparatory work was conducted in relation to the identification and drawing up of necessary documentation to be eventually used by the Directorate when conducting Audits with respect to Disciplinary Procedures, Family-Friendly Measures and delegated leaves.

Additionally, meetings with Corporate Services Directorates within line Ministries were sustained. The meetings offered an opportunity to discuss pending HR issues and identify policy areas requiring clarification or adjustment. The scope of this initiative is to strengthen the two-way communication between the Directorate and Directors responsible for HR matters in the respective line Ministries and to facilitate the resolution and streamlining of issues and processes as needs arise.

Codification of Policies

This Directorate aims to ensure that decisions taken are in conformity with previous similar situations. In view of this, decisions and policy adjustments are continuously recorded and documented to ensure continuity, future posterity and that policy updating reflects the contemporary workplace and workforce needs.

Consultative Committee between Government and Trade Unions

A new Consultative Committee between Government and Trade Unions has been established to meet on a regular basis to discuss matters of common interest to Government and the Trade Unions. The first meeting of this committee was convened on the 17th January 2013.

Workplace Mental Health Policy for the Public Administration

In context of the Mental Health Act, 2012 and following the findings of the Psycho-social and Disability Needs Analysis carried out throughout the Public Service during 2011 and 2012 (as part of the Employee Support Programme), the ERM Directorate is considering a Workplace Mental Health Policy for the Public Administration in a spirit of good governance. This policy aims at safeguarding the mental health of public employees through a strategy that promotes the mental well-being of public employees through workplace quality improvement.

In this view, a proactive approach is promoted through a workplace environment that aims at preventing such problems, and a responsive approach to handle such problems if/when identified. The policy also ensures the rights of persons with mental health problems, in the spirit of social inclusion. The objectives comprise an awareness exercise that includes training, an induction process, and dissemination of information on how assistance can be sought from the Employee Support Unit. In this view, the proposed policy is underpinned by the values of respect, dignity and inclusion.

Manuals

In order to further simplify PSMC policies and to make such policies more user-friendly to readers, a number of manuals, such as the Family-Friendly Measures Manual and the Manual of Allowances have been developed in the past years. The Directorate is presently in the process of developing new manuals and is updating and reviewing existing ones.

Client Support Unit

The Client Support Unit was established in December 2010 to review the requests of individual public officers who may wish to submit their personal case for reconsideration. Public officers who wish to request the Client Support Unit to review their case or to meet a PAHRO Client Support representative may submit an e-mail to the Employee Relationship Management Directorate's generic e-mail address, or a letter (in case a return e-mail address is unavailable). The claim should include details on the matter being submitted for review, and any relevant documentation, including a copy of the ruling issued by the respective Corporate Service Directorate, should be attached.

PAHRO Circular No. 235/2012 was issued on the 28 November 2012 reminding the relevant procedures to be followed. A total of 97 requests were handled during 2012.

HUMAN RESOURCES MANAGEMENT SYSTEMS DIRECTORATE

Introduction

The functions of the Human Resources Management Systems Directorate for the year under review included the following:

- Managing and maintaining Government's payroll system and ensuring the timely issuing of salaries, bonuses, overtime and allowances to all persons present on the Government Payroll system;
- Analysing and reporting on the data captured through the Skills Profiling Exercise carried out throughout the Public Administration and monitoring updates of the captured data;
- Implementing and monitoring of the Performance Management Programme (PMP) to improve employee performance against approved output and pre-determined quality standards, while striving to improve the Programme;
- Continue with the transformation of the Directorate into the Public Administration's information hub;
- Organising regular fora for Directors for Corporate Services, Directors for People Management and Human Resources Managers to improve their competence in the field and keep them aware of new developments and policies;
- Administration and support of the new PAHRO website, the Public Service Recruitment Portal and the HR Managers' restricted area on the Public Service Intranet;
- Managing and maintaining the collation of Public Service and Public Sector employees' data with a view to providing regular, accurate, timely and qualitative information for optimal planning and decision taking;
- Performing the annual sick leave and Family-Friendly surveys and any ad hoc surveys as may be required;
- Manage and implement the EU funded project entrusted to the Directorate to further enhance the HR element of PAHRO and line departments.

The Government Payroll

New Payroll System for the Public Service

The year 2012 was the first year of full Dakar implementation across the Public Service. During the year, 14 provisional and 14 final payroll runs (13 salaries and one December Bonus run) were performed by the Directorate. In addition, the Directorate kept constant liaison with line departments and the Central Salaries Section in Gozo to ensure that all persons paid through the Government payroll are given their pay on time and with the exact amount.

During the year the system continued to evolve further and various enhancements were added by the contractor.

Another first for 2012 was the way FS3 details, FSS, NI payments and DAT (deduction after tax) effected through payroll for the previous year were passed on to Inland Revenue. These transactions, which used to be captured through a set of printed reports generated by MITA, were now sent electronically via automatic reports from Dakar payroll. This facility, while greatly reducing processing time, is also in line with the standard reporting format as required by Inland Revenue.

The Collective Agreement for Public Service Employees 2011 - 2016

Following the signing of the Collective Agreement for Public Service Employees for the years 2011 – 2016 in October, all employees on the Government payroll were placed on the newly approved salary scales as from November payroll. All salary adjustments as a result of these new salaries were calculated and inputted in payroll in time for payment during the 12th pay, paid on the 2nd of December, 2012.

This section manually calculated around 9,400 manual adjustments in the salaries of employees who were promoted, had a progression or changed their work schedule during the year, and another 18,000 computerised adjustments in respect of those employees whose salary remained the same between January and October, 2012.

Skills Profiling

This Directorate carries out periodical updates to the skills profiling database. This office issues lists of officers whose skills profiles do not feature in this database, and requests the assistance of Directors responsible for Corporate Services within line Ministries to contact the listed officers and ensure that the missing details are received without delay. After this data is collected, it is analysed on the basis of compliance, highest level of education and work preferences. All recruits are required to complete their skills profile, while all other employees are required to ensure that their skills profile is kept updated.

This office has performed four such update exercises to ensure that the Directorate's skills database is kept up to date.

This skills data will eventually be imported into one of the new HR modules which the Directorate will be procuring through ESF funds.

Performance Management Programme (PMP)

This year's quantity PMP audits were carried out in all Ministries between March and June, 2012. A follow-up to this audit was performed in November as a result of which, a noticeable improvement in the year's compliance was noticed - from 91% to 94%. This annual exercise is undertaken in order to ensure that PMPs covering the period 1st January to 31st December 2012 have been opened for all eligible employees.

Overall PMP compliance for 2012, unfortunately, fell by 2% from the previous year – from 96% to 94%. This was mainly due to the poor compliance rate of two Ministries. Four Ministries registered 100% compliance, while two others registered 99%.

A report was compiled to establish and show the 2012 PMP Compliance Rate for each Ministry.

Fora organised by the Directorate

In order to strengthen the communication between the Directorate and the line Ministries, and to further improve the competence in HR Management with the various stakeholders, the Directorate organised five fora for Directors (Corporate Services) during the year. Topics ranged from ‘*The Social Security Pension Reform*’ to ‘*Public Procurement – Principles, Procedures and Departmental Contracts*’. The Directorate also organised a forum for HR Managers and one joint fora for DCSs and HR Managers.

In order to have quick access to presentations and minutes of past fora, an area was created on the Government Intranet where DCSs and HR Managers could log into and view required documents.

Human Resources Working Group (HRWG)

This Directorate represented the Maltese Public Administration in the HRWG Meetings held during this period. The two meetings were held in Copenhagen (27-28 February 2012; 2-3 May 2012), organised by the Danish Presidency. The themes that were discussed included: Top Executives; The Crisis’ impact on Human Resources; Need for new types of HR Units; Informal Social Dialogue; European Year 2012 for active ageing, and Public Service Motivation in times of Crisis. Since the appointment of a new Director in July, 2012, participation in HRWG is now the responsibility of the Employee Relationship Management Directorate

Data Protection and Freedom of Information

Data Protection (DP)

On 27th January, on the occasion of the European Data Protection Day, Mr Espedito Grech, Data Protection Officer at PAHRO, was invited to deliver a presentation during the meeting of the Data Protection Forum. The presentation dealt with the proposed amendments to the Retention Policy of HR Documents in relation to the Archives Act.

Several meetings were held with the Policy Implementation Directorate at OPM and MITA’s Data Protection Advisor on amendments to the present Retention Policy for HR Documents. These amendments were required in view of document retention obligations of the National Archives Act, which requires that all public documents of endurance value, including HR related data, be retained for archives purposes. A final amended document was eventually approved by the Information and Data Protection Commissioner and the National Archivist, and uploaded on the Data Protection area of the Government Intranet. In the meantime, the Directorate answered to various Data Protection (DP) related queries and to various Subject Access Requests from individuals who wished to view their personal file in terms of the Data Protection Act.

Freedom of Information (FOI)

During this period, Mr Espedito Grech, the FOI Officer for PAHRO, attended two (2) hands-on training sessions on the backend of the FOI IT System. This system was designed to enable all FOI Officers to keep track of FOI requests and take appropriate action as necessary. All FOI related letters and correspondence with persons making FOI requests are tackled and issued from this site.

In the meantime, the necessary FOI documentation, such as complaints forms, and PAHRO’s exemption list have been prepared and handed over to the FOI section of MJDF. An FOI section was also included on the PAHRO website.

European Social Fund (ESF) Project

The Directorate was successful in obtaining co-financing under the European Social Fund (ESF) for a project whose main objective is to enhance the Public Service's HR management competence. The ESF 4.167 project was submitted under Priority Axis IV: "Strengthening of Institutional and Administrative Capacity". The Centre for Development, Research and Training (CDRT) is a partner in this project. The project aims at procuring additional HR modules, like skills, qualifications, employee appraisal and discipline to complement the present payroll system. This will further enhance the HR capacity of both PAHRO and line departments.

The new PAHRO website

During this year, work continued on the development of the new PAHRO website, which is being developed on a more modern design and platform. This website will eventually replace the present site which has been in use since 2002. Apart from an improved and modern appearance, the new PAHRO website is faster, more user-friendly and incorporates such new functionalities as a Calendar of Events, an updated News Section and an Online Survey. The website will be updated regularly to include the latest Public Administration developments, as well as current service-wide calls for applications.

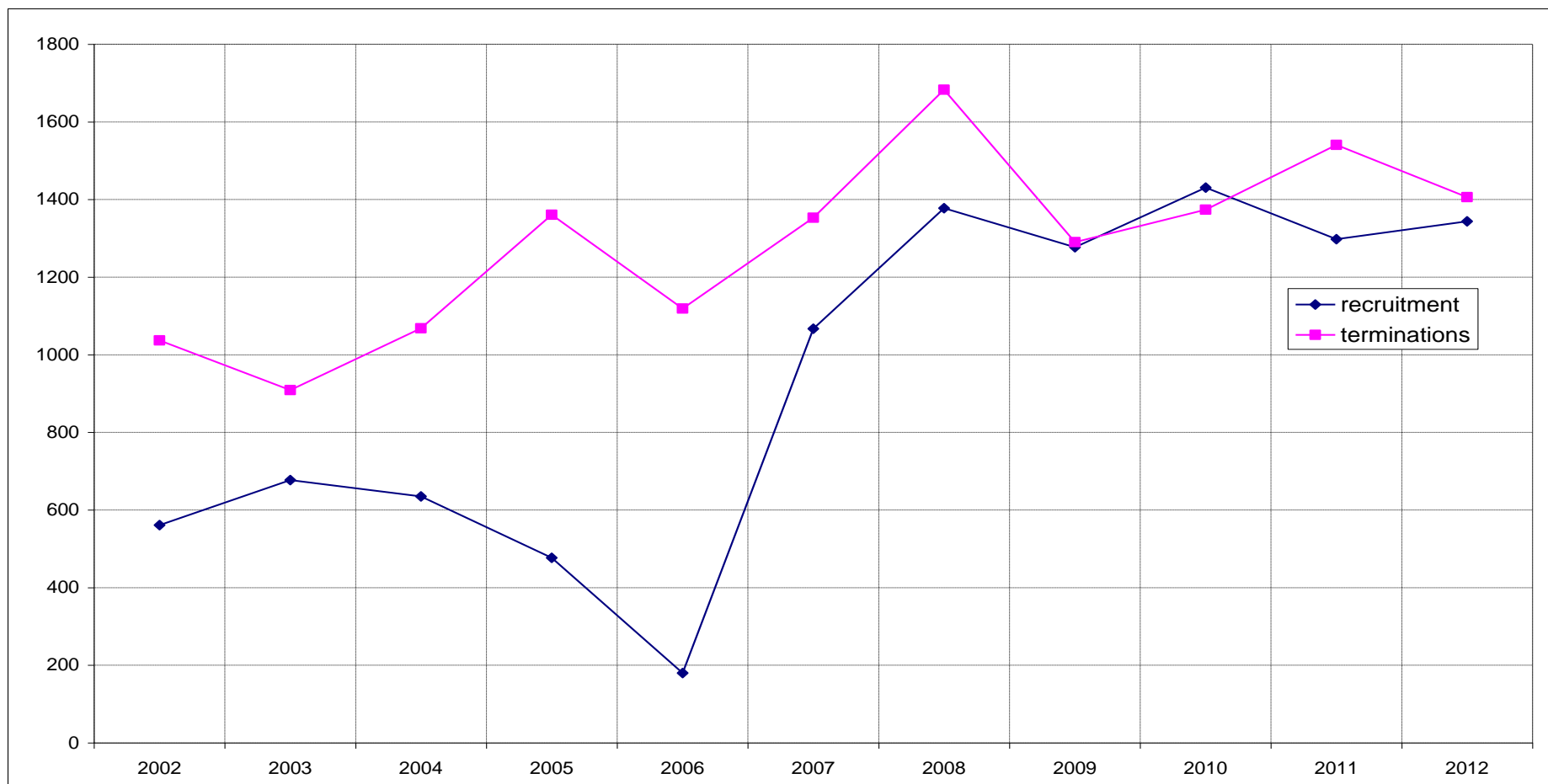
This new website has been fully tested, and is now ready to be put on the live environment.

Appendices

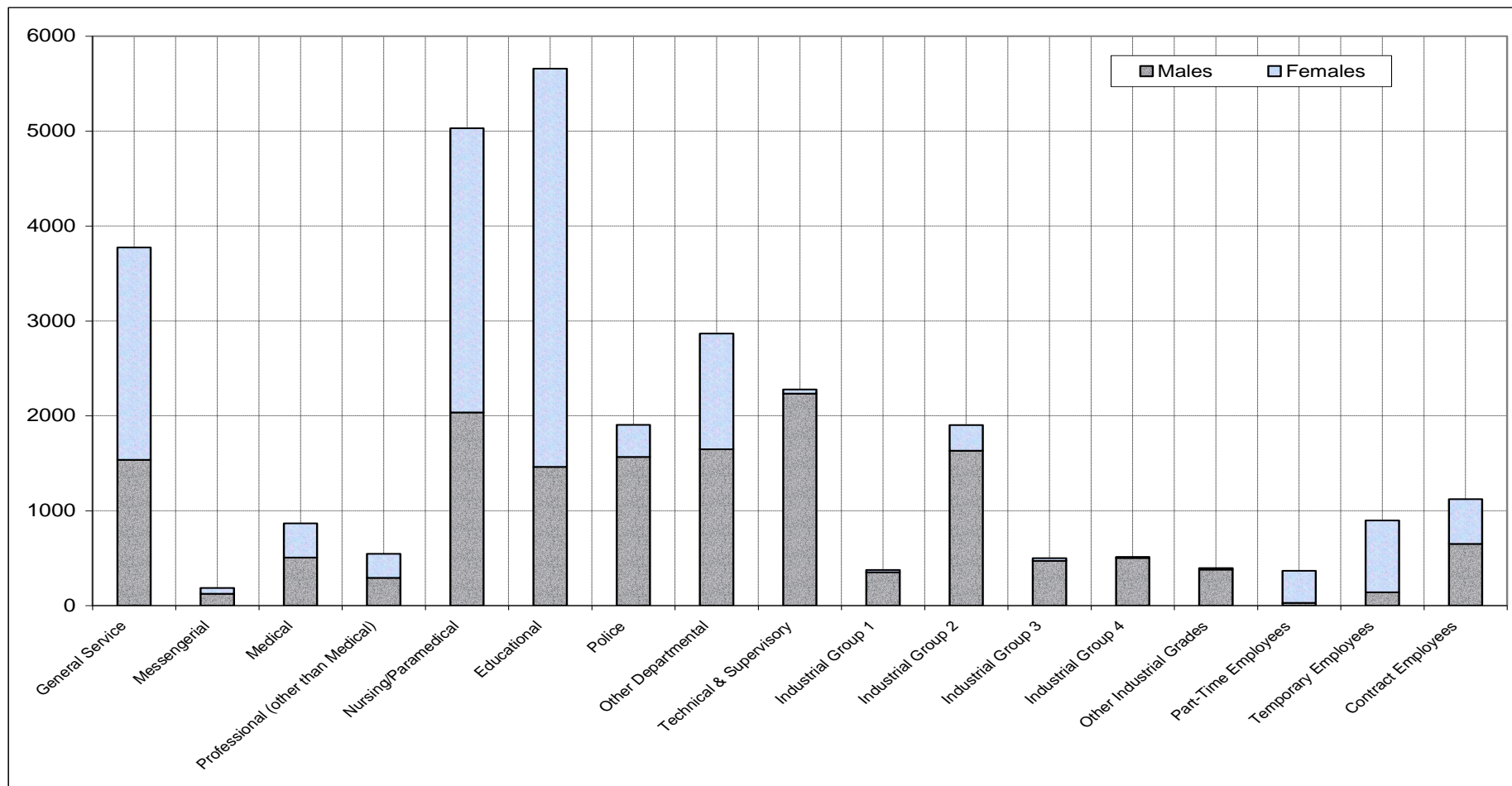
Appendices I to VII show:

- I. Recruitment against Terminations in the Public Service 2002 – 2012;
- II. Distribution of Public Service employees by Category and Gender as on December 2012;
- III. Average age by Grade and Gender in the General Service Class as on December 2012;
- IV. Comparison report - Public Service Workforce - end December 2011 against end December 2012;
- V. Pie Chart showing comparison between causes of terminations from the Public Service during 2012;
- VI. PMP Compliance by Ministry during 2012;
- VII. Average Age within the General Service Class by Gender – 2002 - 2012

Recruitment against Terminations in the Public Service 2002 - 2012

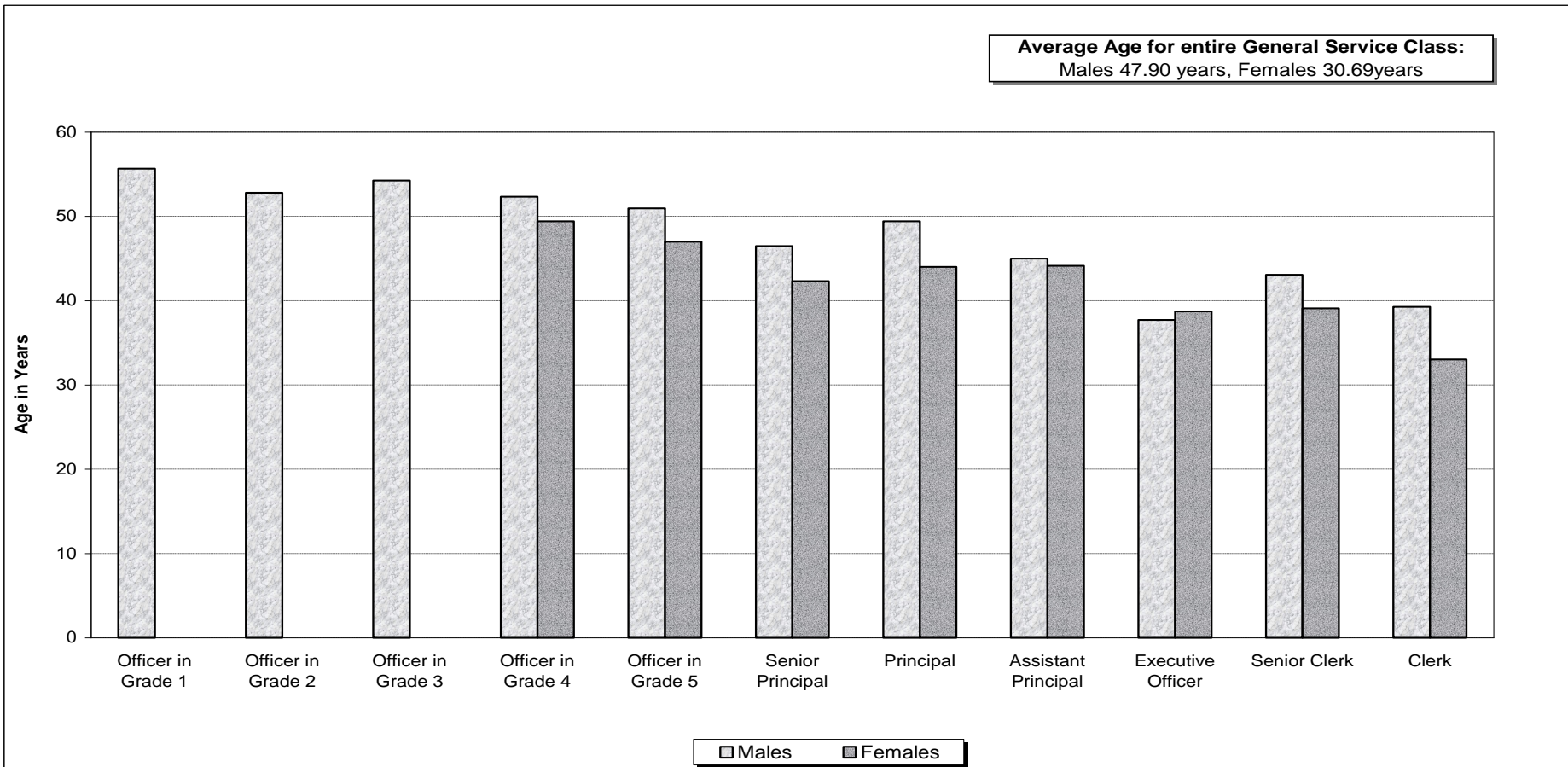


Distribution of Public Service employees by Category and Gender as on 31st December 2012



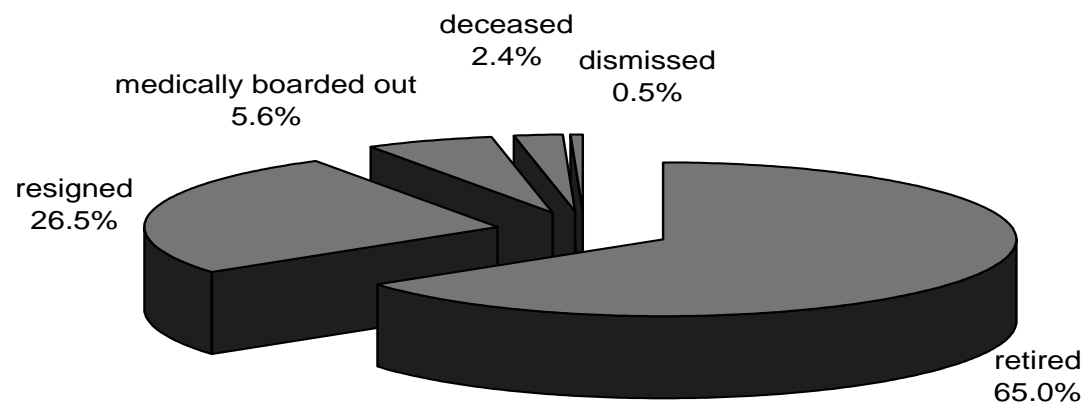
General Service Class
Average Age by Grade and Gender
 as on 31st December 2012
 (all grades shown substantively)

Average Age for entire General Service Class:
 Males 47.90 years, Females 30.69years

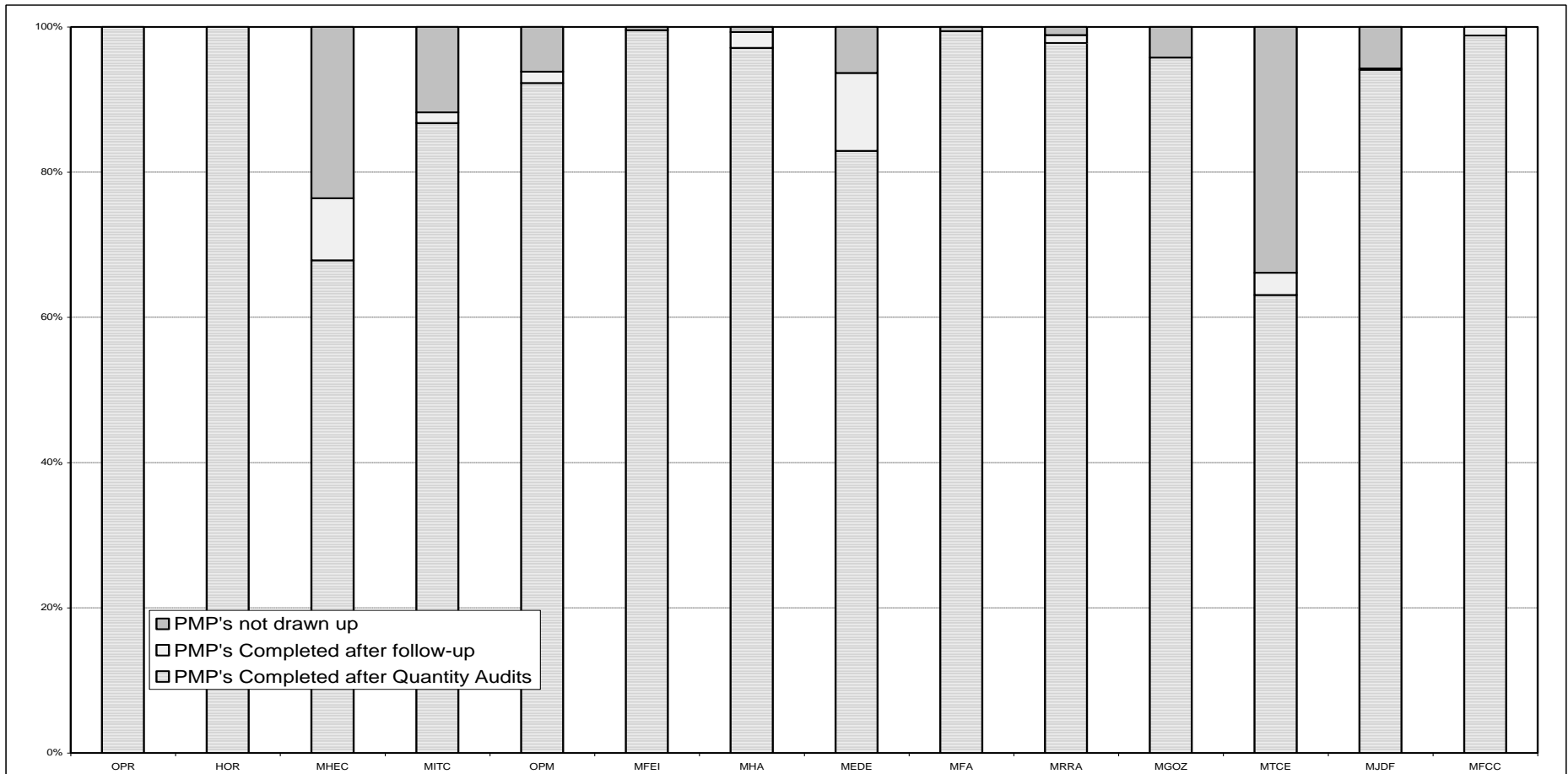


Public Service Totals Including AFM uniformed personnel and Public Service employees seconded/detailed to authorities/public entities December 2011/2012				
Category	Dec 2011		Dec 2012	
Full-Time Public Service Employees				
Administrative & Clerical	3707		3669	
Messengerial	193		179	
Police Force	1928		1903	
Technical	1926		1847	
Professional (Other than Medical)	465		486	
Nursing/Paramedical	4871		5026	
Medical	869		848	
Educational	5612		5657	
Other Departmental Grades	2531		2588	
Industrial	3557	25659	3296	25499
Armed Forces (Uniformed)				
Regular	1550		1540	
Revenue Security Corps	73		38	
Reserve	50		57	
Volunteer	25	1698	22	1657
Temporary Employees				
Part-Time	381		365	
Temporary	1123		894	
On definite contract - local & expatriates	807		1097	
Trainees	1	2312	1	2357
Public Officers with Authorities/Public Entities		1328		1341
GRAND TOTALS		30997		30854

Employees who terminated their employment from the Public Service
January - December 2012



**Performance Management Programme
PMP Compliance of Employees in the General Service Class - 2012**



General Service Class
Average Age by Gender 2002 - 2012
December 2012

