

October 2017

Report of the  
Committee  
Appointed by the  
NHRDC to  
*'Explore New  
Ways of Working  
in the  
Public Sector'*

*Prepared By:*

*The National Human Resources  
Development Council (NHRDC)  
of Sri Lanka*



**NHRDC**

## Summary of recommendations

- a) Secretaries to Ministries should be appointed on a Permanent basis, by the Public Service Commission, and may only be removed by the Commission for reasons adduced.
- b) The Constitution should be amended to lay down a specific number of ministries, and departments of government should be attached to these ministries through a schedule, without being shifted about between ministries. A list of proposed ministries is attached.
- c) 'The unsustainable and highly politicized practice of treating the public sector institutions...as a means to solve unemployment problems through 'sponsored employment' should cease forthwith.' Quote from one distinguished Secretary, reinforced by another - 'Don't treat the public sector as a refuge for unemployed graduates'.
- d) Appointments to boards, etc should be on the basis of specified criteria, and should not be changed with a change of minister.
- e) Regular consultative meetings should be held (already specified but not coherently observed) and minuted with clear action points and responsibilities.
- f) Clear performance targets should be set and measured with provision for incentives.
- g) Training should be better focused and should develop communication skills, in particular reading and writing and presentation capacity in English.
- h) While accountability should be stressed and public servants protected from political pressures, they should not be subject to nitpicking harassment that limits flexibility and effectiveness.

## **Independence and Continuity**

1. Secretaries to ministries should be appointed, and therefore transferred, or removed if necessary, by the Constitutional Council (or if this is delegated to the Public Service Commission, the importance of the position should be noted and clear guidelines formulated, including screening procedures).
2. This will not make them necessarily permanent, but it will free them from political pressures and arbitrary changes. The Public Service Commission should

have “Rules of Procedure” which will strengthen its independence when confronted with what it sees as unreasonable requests.

3. Systematic handover procedures are essential. A “Code of Ethics” for secretaries with specific guidelines on handing over (with predefined formats and timeline for such handing over) is desirable. It would also help if ministries had succession plans, with briefing sessions whereby senior staff and potential successors were aware of policies and plans for implementation. There are provisions at present, but they need to be enforced, with stipulations as to maintenance of records.
4. While policies would be the prerogative of ministers, administration should be the responsibility of the public servants, with regular progress reviews (not only of financial progress but also achievements against targets) so that adjustments can be made as required. Ministers, in formulating policies, should engage in appropriate consultation and should avoid sudden decisions that may not be in accord with existing policies and practices. This does not detract from their right to make changes, but this should be through full awareness of the existing situation.

### **Professionalism and Productivity**

5. A Ministry of Plan Implementation and Coordination is desirable to monitor productivity and performance against targets. Performance incentives are desirable, perhaps through recognition at a national forum. Ministries should also maintain schedules of potential leaders and ensure appropriate training.
6. The “Development Secretaries Forum” should be revived and meet under the aegis of the above Ministry. It should include chief secretaries of provinces and, in addition to monitoring and promoting policy implementation, it should advise on the shaping of policy.
7. “Schemes of Recruitment” need to be strictly followed in making appointments, and administrators should be protected against interference by politicians. The Right to Information Act should be strengthened in this respect to make information in regard to all appointments and criteria followed, publicly available.

8. Senior positions should be advertised, and the selection board should have strong external representation, perhaps through a nominee of the Coordination Ministry or the Development Secretaries Forum.
9. This does not preclude the Minister personally obtaining professional advice and support but that should be from the limited number of staff he appoints at his discretion. In those instances too there should be criteria for the appointments and they should prepare performance reports which should be available to the public, since public funds are being deployed.
10. The practice of ministers handing over letters of appointment to public officers should cease, since it reinforces the idea that jobs are the prerogative of the Minister. In addition to piling further pressures on the minister for more jobs, it leads appointees to see their service as political rather than to the public.
11. With regard to appointments to public bodies, the discretion of the minister should be subject to guidelines. Letters of appointment should be issued by the secretary, following recommendations from the minister, which make clear the rationale for the recommendation.
12. Continuity should be ensured by retention of at least two former external members of boards. This requirement can be statutorily imposed, and should be acceptable since the rationale for the different members having been appointed will be available on file. In general, a “Code of Rules” should be formulated for such appointments.

### **Accountability**

13. Monitoring productivity, performance assessment and progress reviews are not carried out objectively. Performance reviews are perfunctory, with no provision for measuring excellence or commitment. This must be changed, with provision to recognize excellence. Progress reviews tend to be of outlay rather than outcomes. They need to include brief narratives and should be reviewed. They should also be sent to the Coordination Ministry which will review and comment on the progress of each Ministry.
14. Senior officials, and all boards, should provide a one page account each quarter to the secretary / minister as to what has been accomplished and what priorities

are for the next quarter. They should also have a clear statement of goals and report in terms of their work towards these goals. These too must be reviewed by the Coordination Ministry.

15. Ministries should maintain registers with regard to correspondence with a monthly review of what is outstanding. Every unit should be required to ensure that issues are dealt with within three days, or else a response sent to indicate action taken.
16. Internal audit procedures must be strengthened with provision for analysis of outcomes, and due attention paid to the observations of external audit. However, procedures should be simplified, to avoid nitpicking that limits efficiency and flexibility. Administrative and financial regulations should be seen as guidelines, with greater transparency to ensure financial probity, rather than concentration of procedures only, but more so on outcomes.

#### **Efficiency**

17. Training should be arranged systematically, both through a national overview system and a schedule in each ministry, specifying desired outcomes and with provision to assess those.
18. Most importantly, there was general consensus that rationalization of the Cabinet was an urgency. It requires political will. But it is also important that this Committee focus attention on the issue, and urge advocacy in this regard. Following much discussion, the meeting last week reached agreement on limiting the Cabinet to the following -
  - a. Justice
  - b. Finance & Planning (inclusive of Economic Policy)
  - c. Defence
  - d. Foreign Affairs (inclusive of Foreign Employment)
  - e. Health
  - f. Education (inclusive of Higher Education and Vocational Education)
  - g. Trade and Commerce

- h. Industries, Science and Technology
- i. Agriculture, Food and Plantations
- j. Provincial Councils, Public Administration and Home Affairs
- k. Fisheries
- l. Land, Environment, Water Resources, Mineral Resources (inclusive of Disaster Management and Irrigation)
- m. Housing, Construction and Urban Development
- n. Ports, Shipping and Aviation
- o. Power and Energy (inclusive of Petroleum)
- p. Social Welfare and Empowerment (inclusive of Women and Children's Affairs, Secretariats for Disabled and Elders )
- q. Social Amenities (inclusive of Cultural Affairs and Sports, Archaeology and National Heritage)
- r. Religious Affairs
- s. Reconciliation, Rehabilitation and Resettlement
- t. Posts, Telecommunications and Information and Communication Technology
- u. Tourism and Media
- v. Transport and Highways
- w. Labour, Employment and Entrepreneurship
- x. Procurement
- y. Plan Implementation and Coordination

It was agreed that the first and the last two Ministries above should not be entrusted to Constituency MPs, but should go to those without electoral interests or obligations.

## Note

*The committee met on four occasions, and had the benefit of written inputs from the following former secretaries and public servants, as well as from the Secretary to the Labour Ministry. It comprised:-*

*Prof. Rajiva Wijesinha (Chairman)*

*Mr. Dharmasiri Pieris*

*Mr. H. M. G. S. Palihakkara*

*Mr. Mahinda Madhihahewa*

*Mrs. Malini Pieris and*

*Mr. Asoka Gunawardena (former member of the Finance Commission)*

*Mr. Pieris also made an oral presentation to the Committee.*

Committee members:-

*Mr. S. A. N. Saranatisa - Secretary, Ministry of Labour*

*Mr. A. B. M .Ashraf - SLIDA*

*Mr. Romesh Costa - Jetwing*

*Ms.Thanuja Murugesan - Public Service Commission*

*Ms. AyoniWaniganayake - Ceylon Chamber of Commerce and*

*Ms .Shalika Subasinghe - World Bank*