



PUBLIC SERVICE COMMISSION

20
19

Annual Report

Public Service Commission
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Acronyms

OPM	Office of the Prime Minister
MEAE	Ministry for European Affairs and Equality
MEDE	Ministry for Education and Employment
MFH	Ministry for Health
MEIB	Ministry for the Economy, Investment and Small Businesses
MESDC	Ministry for the Environment, Sustainable Development and Climate Change
MEW	Ministry for Energy and Water Management
MFCS	Ministry for the Family, Children's Rights and Social Solidarity
MFIN	Ministry for Finance
MFTP	Ministry for Foreign Affairs and Trade Promotion
MGOZ	Ministry for Gozo
MHAS	Ministry for Home Affairs and National Security
MJCL	Ministry for Justice, Culture and Local Government
MOT	Ministry for Tourism
MTIP	Ministry for Transport, Infrastructure and Capital Projects
MPS	Malta Public Service
PSC	Public Service Commission



PUBLIC SERVICE COMMISSION

Mission Statement

“To ensure, through ongoing monitoring and scrutiny, the provision of excellent public services in a delegated environment, through an efficient public appointment process which upholds the principles of merit and equity, and the exercise of just and efficient disciplinary procedures in the Public Service.”



Abstract

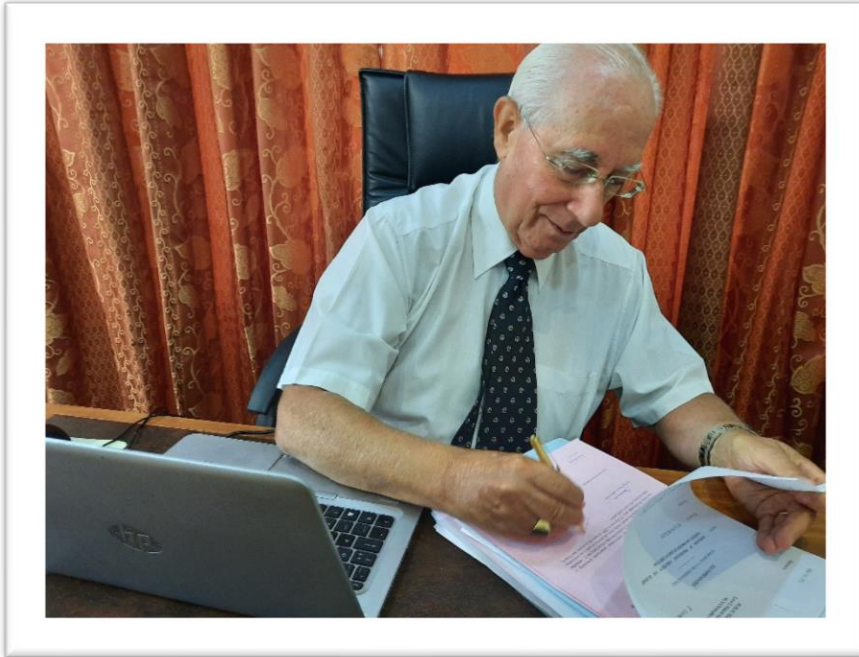
The Public Service Commission is set up in terms of article 109 of the Constitution.

This is the 60th annual report of the Commission, submitted to the Prime Minister in terms of regulation 5 (1) of the Public Service Commission General Regulations.

The report provides a brief description of the main activities of the Commission during the year 2019 in the execution of its constitutional functions of giving advice and making recommendations to the Prime Minister on matters relating to appointments, promotions, removal from office and discipline within the Public Service.

The report may be accessed through the Public Service Commission's website at <https://psc.gov.mt>.

Foreword




Mr Louis P Naudi (Chairman, Public Service Commission)

The Public Service Commission is the Constitutional body regulating appointments in the Public Service. One of its functions is to scrutinise selection processes to ensure that these are conducted in a fair and equitable manner. More importantly, the Commission is empowered to take remedial action if it finds shortcomings in the selection process which negatively impact the rights of an applicant.

The Public Service Commission receives a constant stream of petitions from applicants to calls for applications who feel aggrieved that they have been wrongly assessed by interviewing boards. Petitions vary from ones where the applicant considers that he/she has mistakenly been considered ineligible, to others where he/she feels that his/her effort has been underrated by the interviewing board.

The Commission invariably seeks the views and comments of the interviewing board on the points raised by the petitioner. Some of the petitions involve painstaking research into transcripts of the degrees to determine whether the complainant was correctly classified as ineligible. Others involve alleged discrimination in marks between candidates who are in some cases colleagues at the workplace and, therefore, think that they have all the



information which is available to the interviewing board. Others still involve applicants who misinterpret a comment by the board which leads them to believe that they had done much better than the classification they received. Some petitioners seek to annul the result by attempting to prove that a board member had a conflict of interest and should, therefore, never have been a member/chairperson of that board.

The nature of the petitions is endless and varied but they all have one thing in common: an attempt to have marks increased. The majority of the petitions are resolved through correspondence where the complainant is satisfied that he/she has been fairly treated; others send a rejoinder expanding on their original justifications. A few end up in a Court of Law. Considering the number of calls for applications and the number of applicants, the number of petitions received and moreso those providing justifiable reasons, is a small proportion.

The selection process is regulated by the contents of the call for applications. It is on the basis of this call that Selection Boards will be tasked to make their evaluation and it is, therefore, of fundamental importance that the call for applications reflects precisely what is required of the applicants.

A call for applications which is not well thought-out may give rise to interpretations which need not arise. Careful planning of the call for applications must take into account the duties of the post and the qualifications and attributes expected of the candidates to perform those duties. Subsequently, authorities draw up appropriate selection criteria with proportionate weightings to ensure an effective evaluation and selection.

A little attention would go a long way towards avoiding unnecessary misinterpretation, conflict and occasionally animosity between the Selection Boards and the candidates, as well as among candidates themselves, who consider that they have been the subject of discrimination. In some instances, the Commission has had to revise marks precisely because the circular lacked clarity. Whenever the Commission detects fundamental flaws in calls for applications, the result may be subject to annulment.

I end this Introduction with an appeal to Permanent Secretaries to ensure that whoever is responsible for a call for applications is aware of the importance to research the nature of the call and analyses whether it really reflects what the department is after and, most importantly, that it contains no room for interpretation other than what it is intended to secure.



I. The Remit of the Public Service Commission

Statutory basis

The Public Service Commission is an independent and autonomous body established under article 109 of the Constitution of Malta. It derives its authority and functions from articles 86, 92, 110, 111, 112, 114, 115 and 121 of the Constitution.

The fundamental role of the Commission is to make recommendations or to tender advice, as appropriate, to the Prime Minister, in the making of appointments to public office, the removal of staff from public office, and the exercise of discipline over public officers (or, in other words, public service employees).

In fulfilling its role, the Commission is guided by the principles of merit, equality of opportunity, impartiality, non-discrimination, transparency, the exclusion of patronage (political or otherwise), and fair and open competition, the latter within the parameters of agreements that exist between the Government and Trade Unions.

The procedures governing these functions are set out in the **Public Service Commission Appointments Regulations, 2015**, and in the **Public Service Commission Disciplinary Regulations, 2017**.

The regulations of the Commission are made by the Commission with the consent of the Prime Minister in accordance with article 121(1) of the Constitution.

II. Members and Staff of the Commission



Composition

Article 109 of the Constitution states that the Public Service Commission shall consist of a Chairperson, a Deputy Chairperson, and from one to three other members.

Members of the Commission are appointed by the President of Malta, acting on the advice given by the Prime Minister after consultation with the Leader of the Opposition.

Membership

On 18 July 2019, the Members of the Commission were re-appointed on a three-year period of office.

Table 1: Membership of the Commission as at 31 December 2019

Chairman	Mr Louis P Naudi	(since 18 June 2013)
Deputy Chairperson	Ms Marie-Lourdes Grech	(since 18 July 2016)
Members	Mr Carmel Herrera	(since 18 June 2013)
	Mr Franco Masini	(since 18 June 2013)
	Mr Vincent Piccinino	(since 18 June 2013)



The Members of the Commission


Mr Louis P Naudi

Chairman, Public Service Commission (re-appointed for a third term on 18 July 2019)



Louis P Naudi is a former public officer. During his long career he occupied various positions in different areas and at different levels until, in 1997, Mr Naudi was appointed Permanent Secretary in the Ministry for Tourism and Culture and Chairman of the Inter-Ministerial Committee on Tourism.

In 1993, he was appointed as the first Director General in the Office of the Prime Minister. He was then principally responsible for drafting legislation and the setting up of Local Councils with the overall responsibility for all the departments falling within the Office of the Prime Minister. He had been previously considerably involved in the setting up of the Public Transport Authority, in the constitutional changes to the citizenship laws and, in the setting up of the Malta International Airport Company Ltd. He was also



OPM's Coordinator on the Malta-EU Inter-Ministerial Steering Committee.

Earlier, in 1979, Mr Louis P Naudi had been appointed Deputy Director of Civil Aviation where he was mainly responsible for the handover of the airport complex from the British Authorities and for the registration of Air Malta's aircrafts in Malta.

He was, at various times, appointed Secretary to the Board of MEDSERV, Member of the Co-Operatives Board, Director on the Boards of Cargo Handling Company Ltd., Tigne' Development Company Ltd., Selmun Palace Hotel Company Ltd., Malta International Airport Company Ltd., the Gaming Board and the Malta Tourism Authority.

Ms Marie-Lourdes Grech

Deputy Chairperson, Public Service Commission (appointed for a second term on 18 July 2019)



Marie-Lourdes Grech is a former public officer. During her long career in the Malta Public Service, she served in a number of offices, including the House of Representatives, even if for a brief period, and at the Embassy of Malta in Brussels for four years.

During the 37 years she spent at the Office of the Prime Minister, she occupied various posts and positions within different offices, including the Establishments Division, the Staff Development Organisation, the Operations and Programme Implementation Directorate and others. Before retiring from the Public Service in May 2016, Ms Marie-Lourdes Grech held the position of Director General at the Cabinet Office.

Mr Carmel Herrera

Member, Public Service Commission (re-appointed for a third term on 18 July 2019)



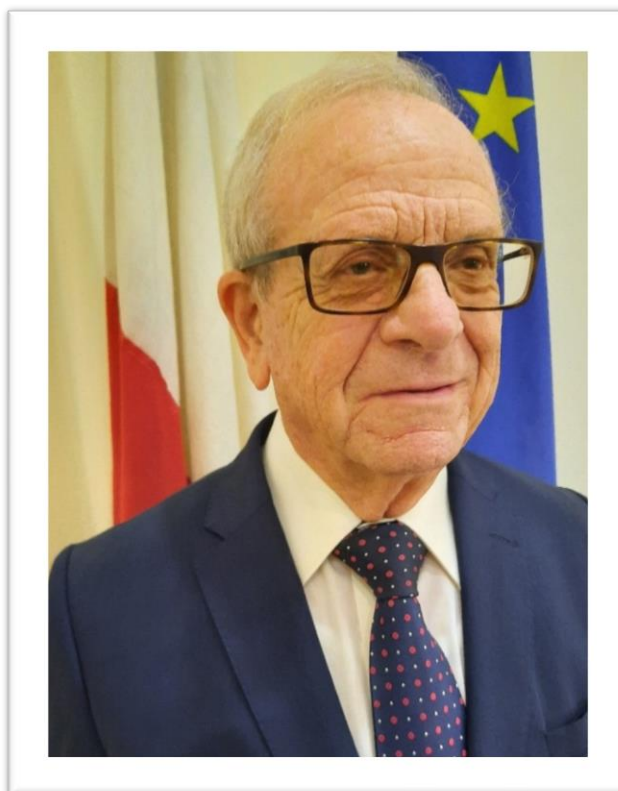
Carmel Herrera joined the Malta Civil Service in September 1968 and retired from the Public Service in August 2011. Between 1972 and 1990, he served at the Department of Social Services from where he moved to the Ministry of Foreign Affairs.

There, he served both at the Bilateral Affairs and the Multilateral Affairs Directorates and was Deputy Director of Protocol before moving to the Ministry of Health. He also served at the Ministry for Resources and Rural Affairs only to return to the Ministry of Foreign Affairs in 2008.

He served overseas at the High Commission in Canberra and at the Consulate in Sydney as Consul General. He also served at the Embassy of Malta in The Hague, the Netherlands, spending the last seven months of his career as Chargé d'Affaires, a.i.

Mr Franco Masini

Member, Public Service Commission (re-appointed for a third term on 18 July 2019)



Franco Masini, born in Victoria, Gozo, was educated at St Aloysius' College and the University of Malta where he read Arts (BA), Documentary Heritage (MA) and Law (Legal Procurator).

He served in senior management and administrative positions in the private sector. He was active in organised business occupying the post of President of the Federation of Industries, the Malta International Fair and the Malta Employers Association. He served on the board of directors of several major public companies including Air Malta plc, Bank of Valletta plc, APS Bank Ltd, Gozo Channel Co. Ltd and companies of the Farsons Group. He is a past member of the Broadcasting Authority, the Council of the University of Malta and, the Malta Council for Economic and Social Development. In 2002, the President of Malta awarded him the Medal for Service to the Republic (MQR) for “exceptional service to Malta”. In 2009 he was conferred with the *Ġieħ Għawdex* award.

Mr Masini had already served as a member of the Public Service Commission between 1996 and 1997.

Mr Vincent Piccinino

Member, Public Service Commission (re-appointed for a third term on 18 July 2019)



Vincent Piccinino is a retired public officer. Following a two-year course at St Michael's Teachers' Training College, he was appointed Teacher in 1969 but chose to take up a career within the Civil Service after obtaining a BA (Hons) degree in Public Administration from the University of Malta in 1983.

Mr Piccinino spent over 23 years at the Office of the Prime Minister and, between 1996 and 1998, he also served as Private Secretary to the Prime Minister. In 2002, Mr Piccinino was appointed Director (Finance and Administration) at the Education Division, from where he was superannuated in 2006 on reaching retirement age.



Number of meetings held

During 2019, the Commission held a total of 50 meetings during which it dealt with various matters and issues relating to appointments, promotions and discipline, as outlined in more detail in this report.

The Office of the Public Service Commission

During 2019, the Commission was served by a small team of dedicated public officers headed by Ms Christine Schembri, Executive Secretary (Public Service Commission), who is a senior public officer appointed to the position on a performance agreement for three years.

Throughout the year under review, Ms Schembri was assisted by Ms Jacqueline Bonnici, Assistant Director (PSC) and by Ms Angela Portelli, Assistant Director (Support Services).

A list of the previous Secretaries of the Public Service Commission is found in *Appendix 2*, while the staff complement and the total expenditure incurred in the running of the Office of the Public Service Commission for the year 2019 are shown in *Appendix 3*.

Method of work of the Commission



The business of the Commission is conducted either through the circulation of files, or during Commission meetings, generally held every Thursday with an agenda that covers policy issues and less clear-cut cases concerning selection processes, promotions, or disciplinary matters that require discussion.

The Commission holds oral hearings in serious disciplinary cases that may lead to dismissal. As laid down in the Disciplinary Regulations, during these hearings, the accused officer and the representative of the department concerned, together with their respective counsel, if they so wish, are given the opportunity to present their case before the Commission before it decides on the case.

Oral hearings are also held when an officer appeals before the Commission, as provided for by regulation 27 of the Disciplinary Regulations, after having been found guilty in disciplinary proceedings that are decided at departmental level. An oral hearing may also be granted by the Commission, at its discretion, before a decision is taken on serious issues such as the withholding of a progression, extension or termination of probationary period, disqualification from a selection process, in



cases of petitions, or the revocation of an appointment.

Meetings are occasionally held with the Principal Permanent Secretary to discuss public service policies, concerns and issues of common interest, in order to promote mutual understanding and support, while fully respecting the constitutional position of the PSC.

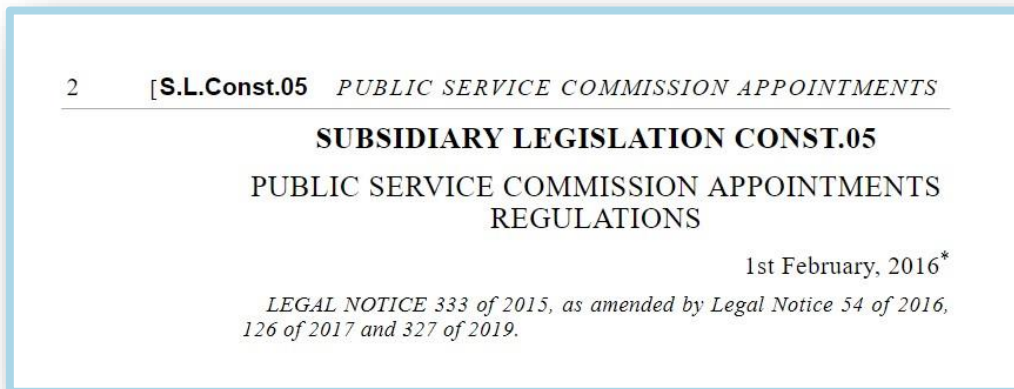
Senior public officers are, at times, invited to the meetings of the Commission, or for meetings with the Chairman and key members of staff, to discuss specific departmental or ministry issues related to particular cases or procedures. Their input on matters of interest or concern helps the Commission to understand better the difficulties and the problems faced by the Administration. Selection Boards may also be required to meet with the Commission when matters regarding selection processes arise.

PSC Website

The website, which may be found at <http://www.psc.gov.mt>, provides basic information on the Commission's role and functions, its current composition, how the Commission conducts its business, and the organisation of the Office of the Public Service Commission.

Various documents and templates are uploaded on the website periodically, mostly concerning instructions and guidelines issued by the Commission. The current Annual Report, as well as reports for the years 2004 to 2018, may also be viewed and downloaded from the site.

III. Appointments



The role of the Commission within a delegated scenario

Directive 9 provides that Permanent Secretaries do not require any authority to issue calls for applications, appoint selection boards, issue results, and make appointments. However, the involvement of the Public Service Commission is mandatory in various stages throughout the selection process. The following are a number of instances when the intervention of the Public Service Commission is imperative:-

- **Eligibility benchmarks**

Eligibility benchmarks are set out by the People and Standards Division, OPM. Any departure from the established eligibility benchmarks, after being approved by the People and Standards Division, should be referred for the information of the Public Service Commission. Moreover, in certain cases, the People and Standards Division may seek the Commission's approval for such departures.

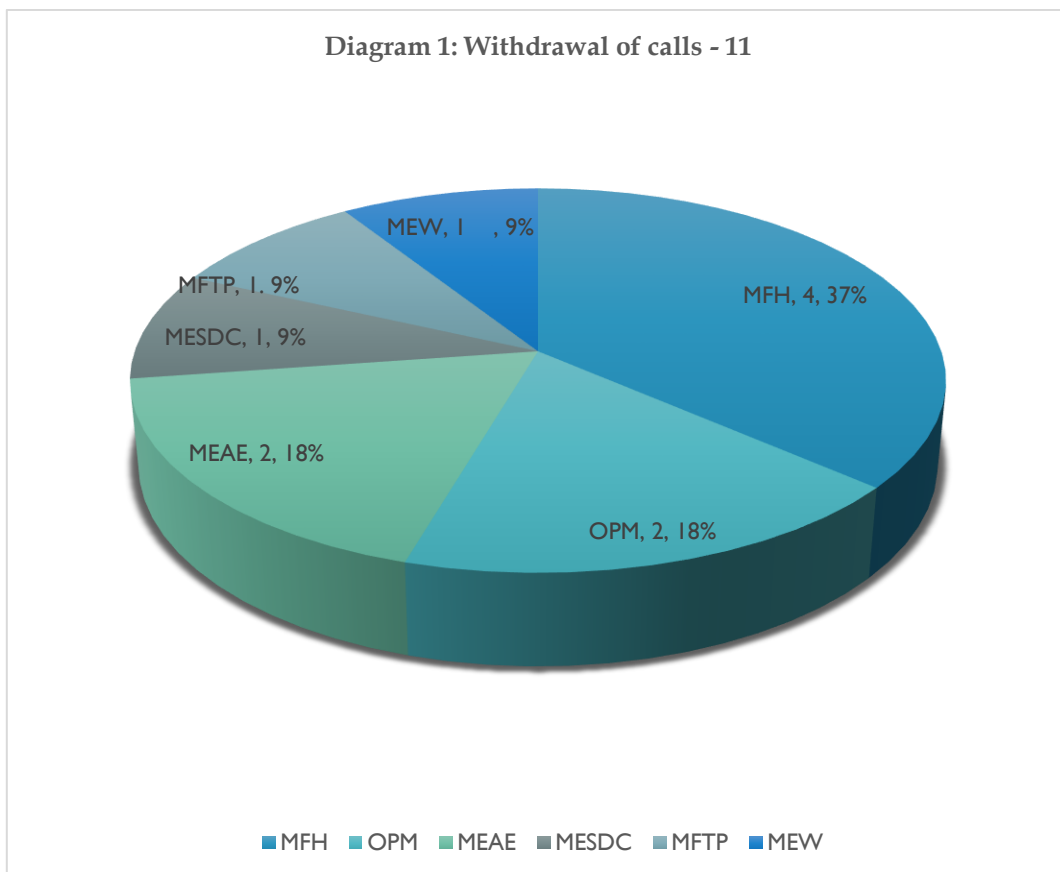
- **Submission of applications period**


At least 10 working days should be allowed for the submission of applications. Justified requests for a shorter period must be authorised by the Commission.

- **Corrections to, or withdrawal of, the call for applications**

Issuing Authorities may make corrections to a call for applications without the need for the Commission’s approval, provided that the corrections are published and advertised with the same prominence as the original call. Moreover, if the corrections result in the widening of the eligibility parameters, the closing date should be extended by at least ten additional working days so that applicants who are rendered eligible are given the opportunity to apply.

The withdrawal of a call for applications must invariably be authorised by the PSC based on a strong justification by the authorities. During 2019 the PSC authorised 11 of such requests as shown in diagram 1.





In instances where the Selection Board encounters difficulty in interpreting the provisions of the call for applications due to lack of clarity or conflicts between the English and Maltese versions or provisions which are in conflict with each other, it is the Maltese version which shall prevail. If the Selection Board considers that the Maltese text is incorrect, it shall then seek the advice of the Public Service Commission. The Commission may direct that a correction to the call for applications be published, or that the call be withdrawn altogether, and a fresh call be issued.

The Public Service Commission may also direct that a call for applications be corrected or withdrawn if, in its opinion, any of the provisions thereof are manifestly unfair or in breach of the principle of merit.

- **Late applications**

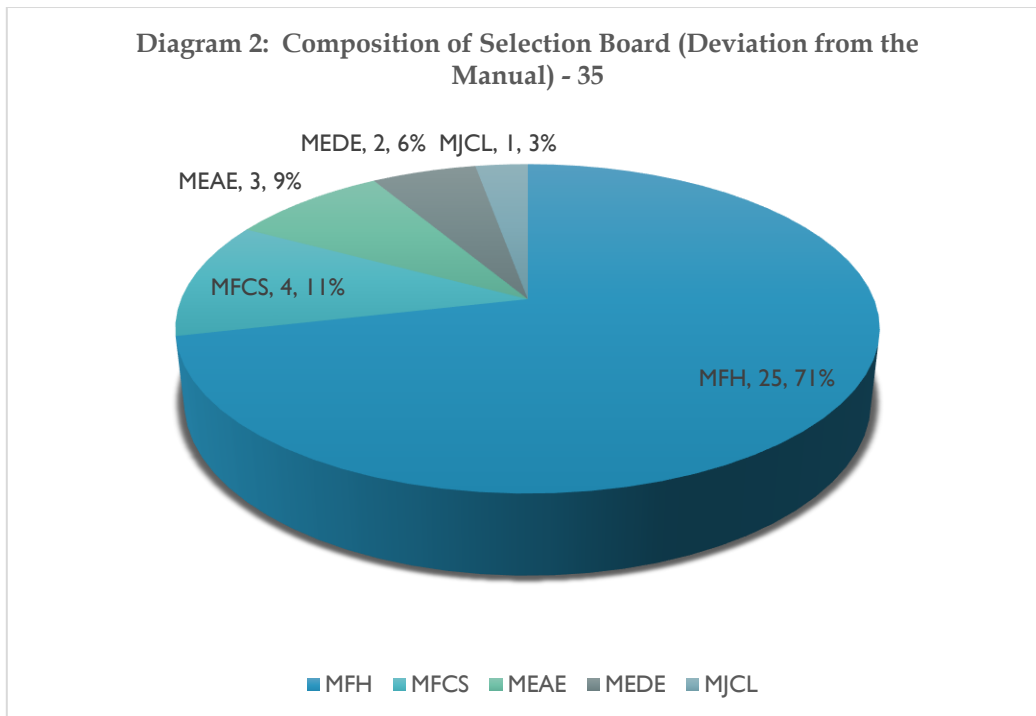
Applications received after the closing date and closing time should not be considered by Selection Boards unless the Public Service Commission grants concession to their acceptance on the basis of the justification given.

- **Composition of Selection Boards**

Selection Boards comprise of three persons – the Chairperson, who should be a serving public officer, and two persons appointed from the Standing Selection Panel of the respective Ministry.

If, for any reason, a person nominated to form part of a Selection Board is not a serving public officer or does not form part of the Standing Selection Panel of the respective Ministry, the prior approval of the PSC is required.

Throughout 2019 the Commission considered 35 cases where authorities deviated from the Manual on Industrial Relations and the Selection and Appointment Process Under Delegated Authority in the Malta Public Service when appointing the Selection Boards. Diagram 2 shows from which ministries these requests originated.



- **Waiver of eligibility requirements in the case of disabled applicants**

The general provisions pertaining to calls for applications, to which reference is usually made in each call, permit applicants who are registered as disabled to request reasonable accommodation on account of their disability. This means that disabled applicants, who would otherwise be ineligible, may seek waivers of specific eligibility requirements.

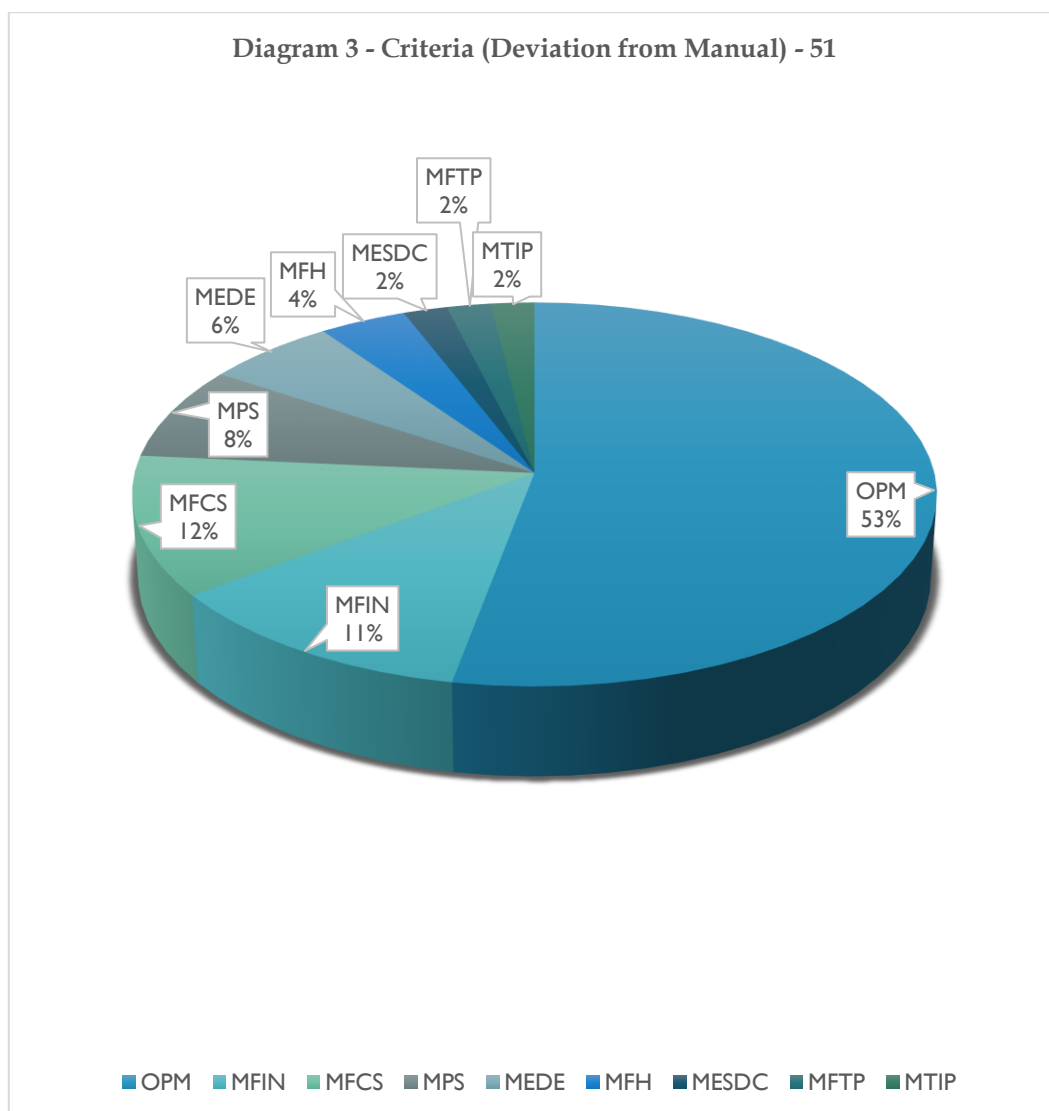
Requests for reasonable accommodation which are received by Selection Boards are to be referred for the consideration of the Public Service Commission.

- **Waiver of eligibility requirements due to administrative errors**

It is the Commission’s policy that applicants should not be penalised for any administrative delays or errors, over which the applicants had no control. For this reason, any cases of apparent ineligibility due to administrative delays or errors should be referred to the Public Service Commission for its consideration.

- **Deviation from the semi-standard criteria as set out in the Manual on Industrial Relations and the Selection and Appointment Process Under Delegated Authority in the Malta Public Service**

If a deviation from the semi-standard criteria is contemplated, the selection board should refer the selection criteria for the endorsement of the Public Service Commission prior to the start of the interviews. In 2019 the Commission considered a total of 51 such requests as demonstrated in diagram 3.





- **Representations period**

The Board should enquire whether any representations contesting ineligibility were submitted to the PSC by applicants within the established timeframe of five working days and whether there are any pending representations by ineligible applications for the consideration of the Commission. Only upon confirmation from the Commission that there were no representations / there are no pending representations can the Selection Board proceed to compile and finalise the report.

- **Petitions period and appointments of successful candidates**


When the ten working days allowed for the submission of petitions expire, the authorities shall enquire in writing with the Public Service Commission whether the ministry concerned may proceed with the making of appointments. There may be instances where clearance is obtained from the Public Service Commission to waive the 10-day petitions period and proceed with appointments on grounds of public interest.

- **Minority reports**

When a member disagrees with the rest of the Selection Board on a matter of significant importance which renders him/her unable to sign the report, the member in disagreement may draw up a minority report. The guidance of the Commission may be sought by the pertinent Permanent Secretary in such cases.

- **Regulation 20 (Power of the Commission to disqualify applicants)**

If for any reason, as stipulated in regulation 20, the authorities are of the opinion that a successful candidate, according to the order of merit recommended by the Selection Board, should not be appointed, they shall submit the matter together with all the relevant documentation, for consideration of the Public Service Commission in terms of the same sub-regulation.



The Public Service Commission, after giving the candidate concerned the opportunity to submit representations and considering the matter, shall direct the authorities on how to proceed and they shall proceed accordingly.

During 2019, the Commission ruled in favour of four requests for the disqualification of applicants.

- **Regulation 32 (Power of the Commission to recommend the revocation of appointments)**

In exercising its power to change and/or annul any wrong decision, the Commission may recommend to the Prime Minister that an appointment be withdrawn in terms of sub-regulation 32 of the PSC Appointments Regulations.

In 2019, the Commission recommended the revocation of three appointments.

In the case of a flawed selection exercise, or in other cases as deemed necessary and appropriate by the Public Service Commission, the Commission retains the right to annul a published result and order a fresh selection process by a fresh Selection Board.

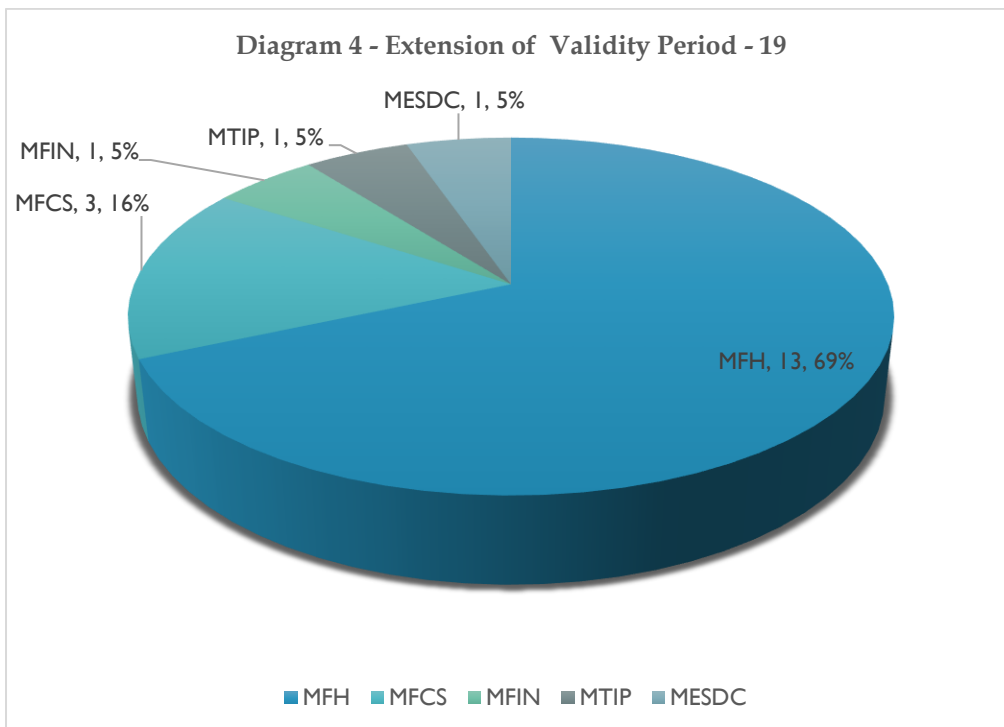
During the year under review the Commission annulled two selection processes.

- **Validity period of the result**


The validity period of a selection process shall be one year from the date of publication of the result, or the date the result is sent to candidates in the case of posts/positions in salary scale 5 or higher, unless otherwise stated in the call for applications. The result of the interview will serve to fill vacancies recurring in that particular post/position during the validity period. In cases where a revised result is issued, the validity period of the result nonetheless starts from the date of the original result.

The Public Service Commission may, if it deems it necessary and proper, authorise the extension of the validity period.

During the year under review the Commission approved nineteen requests for the extension of validity period as delineated in diagram 4.



In recapitulation of the foregoing analysis, during the course of the year under review the Commission considered and ruled upon, eleven withdrawals of calls, fifty-one deviations from the set criteria of the Manual on Industrial Relations and the Selection and Appointments Process Under Delegated Authority in the Malta



Public Service and thirty-five compositions of selection boards which had deviated from the mentioned manual.

During 2019, the Commission also annulled two selection processes. It also recommended three revocation of appointments and four disqualification of applicants.

The Commission approved nineteen extensions to the validity period of results.


Recommendations and advice to the Prime Minister

During the year under review the Commission referred 176 recommendations to the Prime Minister. These recommendations related to appointments to headship positions, re-designation of positions, extension of performance agreements, termination of performance agreements and lateral moves. Other recommendations related to reversion to previous grades, revocation of appointments, re-employment/reinstatement, appointments of Executive Secretary within Local Councils, regularisation of employment of staff in the Public Service and appointments as a result of decisions by the Grievances Unit.

On 17 occasions throughout the year, the Commission gave its advice to the Prime Minister in terms of articles 92(3), 92(4) and 111(1) of the Constitution for the appointments of Permanent Secretaries, Heads or Acting Heads of Department, and Resident Ambassadors abroad.

Notifications

The Commission issued 309 notifications relating to appointments following selection processes, extensions of performance agreements, the grant of indefinite status, assimilations/promotions in terms of classification agreements, postponement/backdating of appointments, engagement/renewal



of contracts, revocation of appointments and withholding of progressions/promotions.

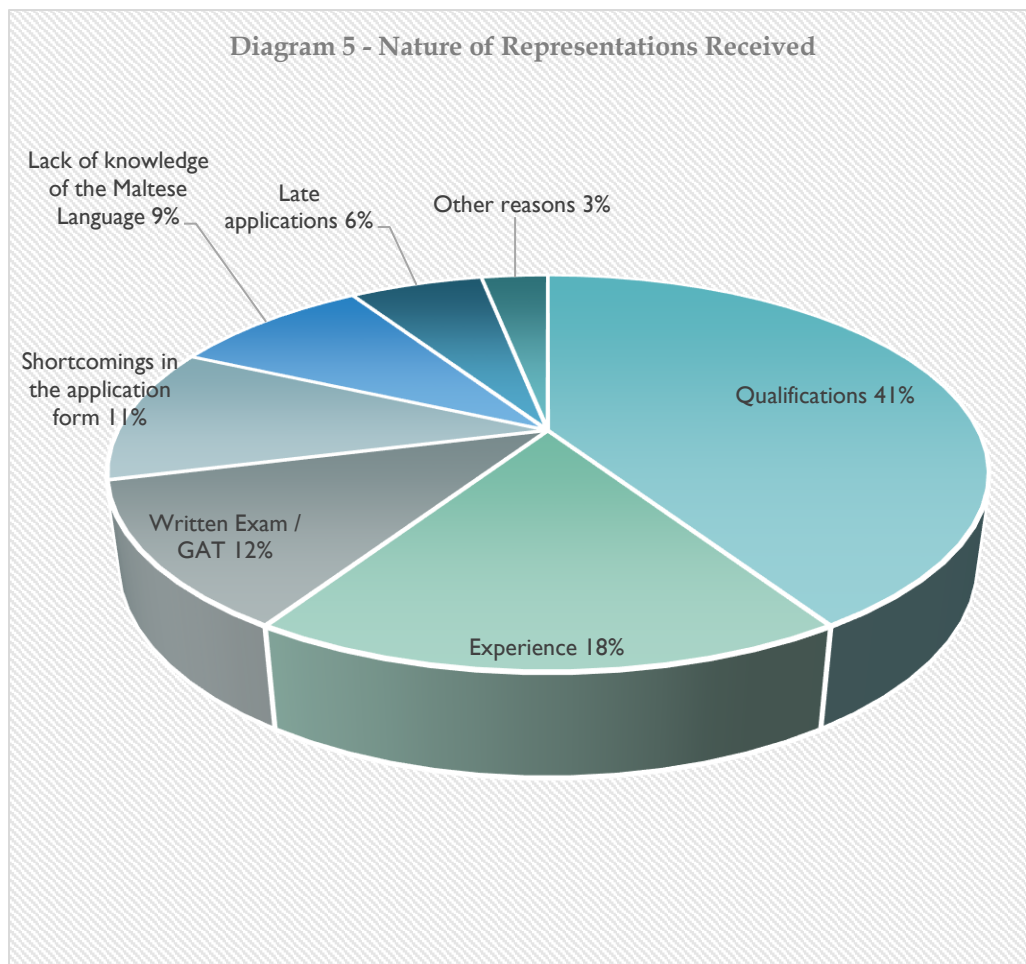
Representations made to the Commission

Regulation 23 of the Public Service Commission Appointments Regulations provides that, an applicant for a vacant post/position who is found by the selection board not to satisfy the eligibility requirements for the post/position, or who is disqualified by the selection board for any other reason and, who is of the view that the selection board has decided wrongly in his/her regard, may submit representations to the Commission within five working days from the date when action was taken to inform him/her that s/he has been found ineligible or otherwise disqualified.

In 2019, the Commission considered a total of 465 written representations addressed directly to the Commission on matters regarding selection processes relating to appointments in the Public Service. Most of the representations received were lodged by applicants prior to the publication of the results, and these mainly involved complaints by applicants who were declared ineligible by selection boards after applying for a particular vacancy.

From the following diagram, it can be noted that the majority of the representations came from applicants who were deemed ineligible on the basis of their qualification (41%), followed by lack of experience (18%). Other reasons for rendering an applicant ineligible are failure of the written exam/General Ability Test (12%), shortcomings in the application form (11%), lack of knowledge of the Maltese language (9%) and late applications (6%).

Note: The written examination and the General Ability Test (GAT) cannot be contested and, therefore, the Commission cannot investigate or alter the result thereof. However, on one occasion the Commission deemed it fair and just to rule that the mark (in decimals) should be rounded up to the next nearer whole figure, being the passmark, rendering two applicants, who had come forward to the Commission with their complaint, eligible.



During 2019, the contested calls for applications amounted to 259. These calls for applications attracted 5,236 applications. Out of those applicants who were deemed to be ineligible by the Selection Boards, 465 submitted representations to the Commission, contesting their ineligibility. Table 2 refers.

Table 2: Representations in 2019

Ministry	No. of Contested Selection Processes	No. of Applications Submitted	No. of Representations Submitted
OPM	6	44	12
OPM (Malta Public Service)	16	127	20
MEAE	9	173	17
MEDE	72	1,332	121
MEIB	2	17	2
MESDC	18	304	31
MFCS	16	160	22
MFH	54	930	100
MFH/MFCS	13	1,143	30
MFIN	5	44	7
MFTP	1	10	1
MGOZ	8	68	8
MHAS	9	330	54
MJCL	20	464	25
MOT	1	6	1
MTIP	9	84	14
Total	259	5,236	465

The Commission, after investigating the submissions, ruled in favour of 127 applicants whom it deemed eligible. The other 338 representations were not upheld.

A detailed account of the representations addressed by the Commission during 2019, can be found in Appendix 4 of the report.



Petitions relating to selection results

Regulation 24 of the Public Service Commission Appointments Regulations states that an applicant for a vacant post/position, who goes through all the stages of the selection process and who feels aggrieved by the result of the selection board on the grounds that the result does not reflect the merit principle, may petition the Commission for redress. A petition under this regulation should be submitted by the applicant within 10 working days from the date when action is taken to make the outcome of the selection process known to him/her.

With regard to posts or positions in Salary Scale 6 or below, the ten working days start to count from the day after a notification appears on the website of the respective Ministry, stating that the result has been issued. In the case of vacancies in Scale 5 or higher, where results are sent directly to applicants, the 10 working days start to count from the day after the result is received by the applicants concerned.

In 2019 the Commission received a total of 133 petitions in respect of the results obtained by individuals who believed that the result of the selection process was not a fair reflection of their merits.

The following diagram shows that the majority of the petitions received in 2019, related to complaints about markings given by selection boards on experience (26%), followed by qualifications (24%), knowledge (20%), skills and abilities (16%) and others (14%).

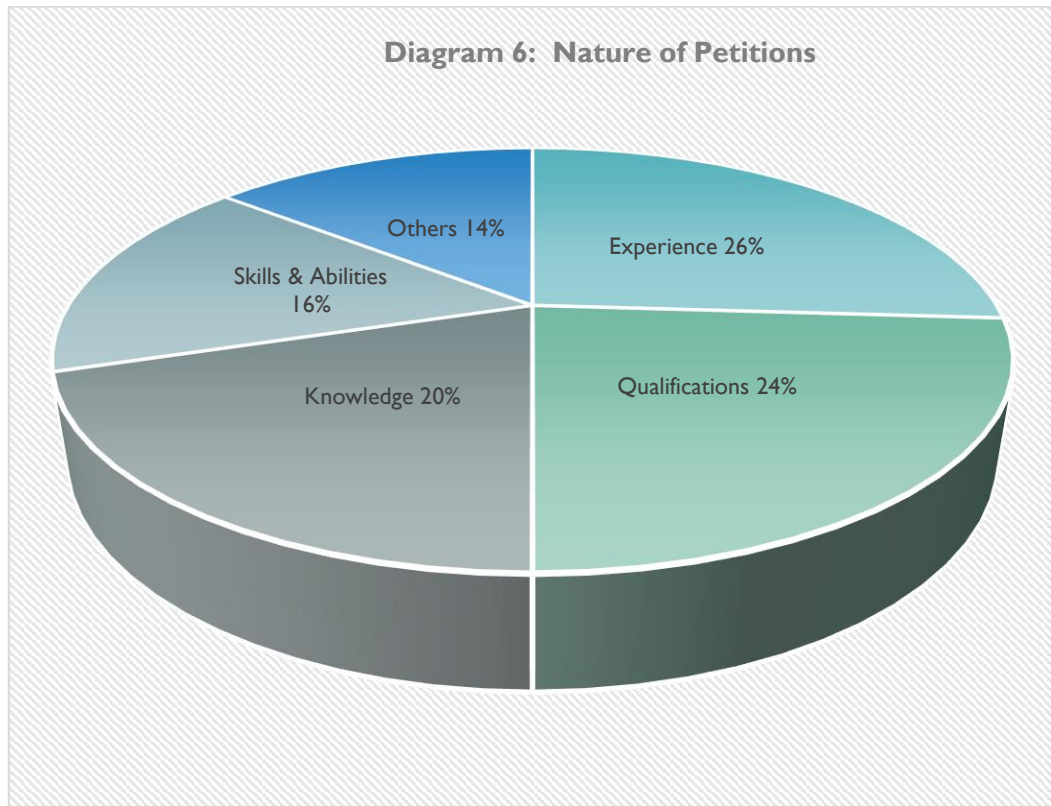


Table 3 below shows that during 2019, the contested selection processes amounted to 94. A total of 133 candidates, out of 1,606 who were interviewed, appealed from the published results.

Table 3: Petitions in 2019

Ministry	No. of Contested Selection Processes	No. of Interviewed Candidates	No. of Petitions Submitted
MEDE	45	729	63
MEIB	1	3	1
MFCS	2	11	2
MFCS/MFH	4	237	4
OPM	2	8	2
OPM (Malta Public Service)	2	5	2
MEAE	3	16	3
MESDC	3	36	3
MFA	1	19	2
MFH	16	148	25
MFIN	1	3	1
MGOZ	8	32	12
MHAS	2	308	6
MJCL	3	11	4
MTIP	1	40	3
Total	94	1606	133

As on 31 December 2019, out of the 133 petitions received, the Commission ruled in favour of 21, ruled against 110, whilst two petitions had not yet been decided upon by the Commission. A detailed account of the petitions investigated by the Commission can be found at Appendix 5.

Oral Hearings following the submission of petitions

In 2019, the Commission held three oral hearings with petitioners and/or with Selection Boards. Once summoned, members of selection boards are expected to attend before the Commission and to answer fully and satisfactorily, to the best of their knowledge and belief, all questions put to them.

Audits

Regulation 19(1) of the Public Service Commission Appointments Regulations, 2015 authorises the Commission to inquire into and investigate any selection process.

To carry out these investigations the Commission relies on the support of the compliance team and the Commission's support unit, which is made up of seven Compliance Officers and two Principals.



Two rounds of audits were carried out during the year under review. Audits involve the review, analysis and the evaluation of

selection processes which are chosen randomly from within each ministry.

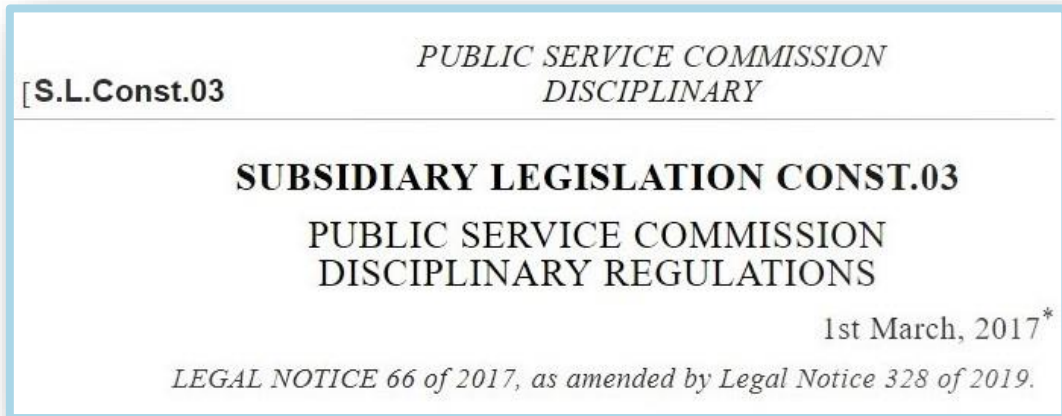
The main objectives of these audits are to ensure that:

- a) selection processes are conducted in accordance with the merit principle;
- b) selection boards interpret the eligibility requirements and the selection criteria in a reasonable manner and are not influenced by any considerations extraneous thereto; and
- c) selection boards do not commit any irregularities of procedure or errors in their appreciation of facts that have material effect on the outcome of the selection process.

Any shortcomings identified by the Compliance Officers during these audits will be referred to the Permanent Secretary of the respective Ministry for remedial action with a view to addressing and rectifying any flaws identified during the course of the audit. If required, meetings with the respective authority are held with a view to clarifying and explaining better any grey areas which remain unclear.



IV. Discipline



Functions of the Commission relating to discipline


The primary role of the Commission within the disciplinary scenario remains that of a regulator and it is empowered to rule upon and give direction with regard to the interpretation of its regulations and to enquire into the disciplinary control exercised by Heads of Department.

If it transpires that a Head of Department or any other officer has abused his/her delegated authority, or has failed to exercise proper disciplinary control in accordance with the Disciplinary Regulations or the manual appended to the regulations, or did not comply with any PSC ruling or directive, the Commission may recommend to the Prime Minister that the delegated authority is withdrawn and/or that disciplinary action is taken against the officer concerned.

The following matters also fall within the direct responsibility of the Commission:

- Recommending the suspension for precautionary purposes of public officers from the exercise of the powers and functions of their office; that is to say, suspension from work on half salary, pending the conclusion of disciplinary or criminal proceedings.

Precautionary suspension is imposed whenever it is



considered that, due to the nature of the charges against the officer, s/he should not continue to attend work until the case against him/her is decided upon. Precautionary suspension is not a penalty, but a precautionary measure in the public interest and does not imply any judgement as to the guilt or otherwise of the officer facing charges.

Whenever an officer is acquitted of the disciplinary/criminal charges brought against him/her, the Commission recommends that the precautionary suspension is immediately lifted and that he/she is reimbursed the half-salary withheld during the suspension. If, on the other hand, the officer is found guilty, then the half salary withheld is, usually, forfeited.

- The imposition of disciplinary penalties on public officers who are found guilty of a criminal offence by the Courts.
- The decisions as to the guilt or otherwise of officers and as to the penalties to be imposed, where the officers were notified that the charges against them could, if proven, lead to dismissal. Such cases are heard before a disciplinary board; however, they are then referred to the Commission in terms of regulation 23(2) of the Disciplinary Regulations, since Heads of Department do not have the authority to dismiss an employee on disciplinary grounds. A finding of guilt does not automatically result in the dismissal of the officer. The Commission may recommend an alternate penalty after considering the findings of the Disciplinary Board and after giving the officer charged and the Head of Department the opportunity to make representations, in writing or orally.
- The hearing of appeals from public officers against decisions taken by Heads of Department under delegated authority, in terms of regulation 27(1) of the Public Service Commission Disciplinary Regulations, 2017.
- The hearing of appeals made by Heads of Department against the findings of Disciplinary Boards, in terms of regulation 29(1).

Disciplinary cases involving criminal proceedings against public officers

In terms of article 110 of the Constitution, during 2019 the Commission made the following recommendations to the Prime Minister in respect of 42 cases involving criminal proceedings against public officers. A more detailed account of these recommendations is shown in Diagram 7:

Notes on Diagram 7 below

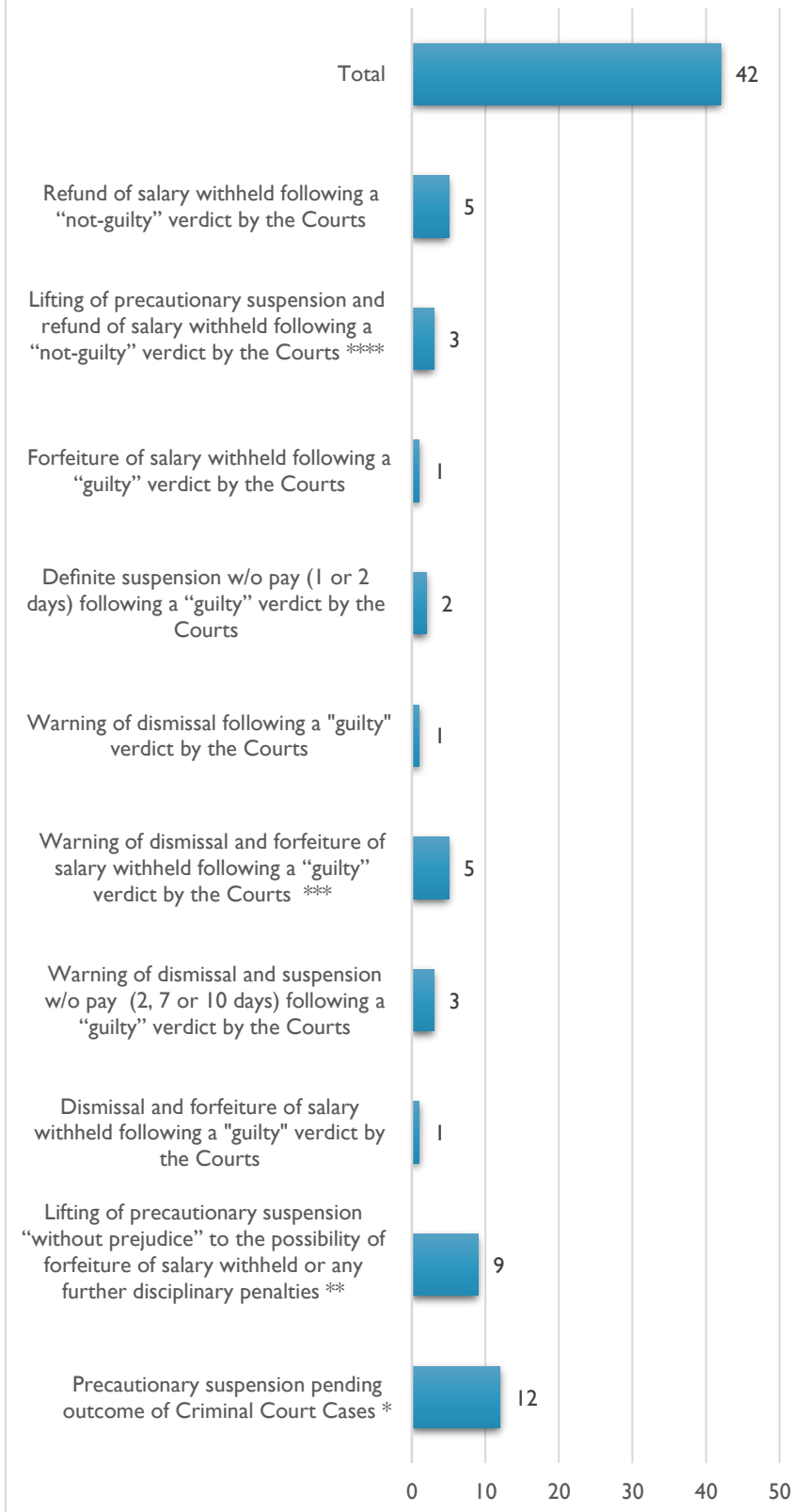
* – One recommendation for precautionary suspension was made following investigations initiated by the police.


** – In one of the cases, the lifting was on condition that upon resumption of duty, the officer was to commence an anger management programme as recommended by the Court

*** – In one of the cases, the Commission recommended also that the rate of pay be reduced by one increment for one year.

**** – One recommendation for the lifting of precautionary suspension and refund of salary withheld was made following investigations initiated by the police which did not lead to arraignment in Court.

Diagram 7: Recommendations made by the Public Service Commission to the Prime Minister concerning criminal cases - Total 42





The Commission also submitted its advice to the Prime Minister, in terms of section 114(1) of the Constitution, for the partial withholding of the Treasury pension of a public officer, pending the conclusion of criminal proceedings against him/her.

Oral Hearings


The Public Service Commission Disciplinary Regulations, 2017 provide that, in its consideration of a case under certain circumstances, the Commission may give the opportunity of an oral hearing to the parties involved.

Regulation 15(2), which deals with disciplinary action after conviction on a criminal charge, stipulates that, if the Commission considers that the appropriate penalty following conviction on a criminal charge shall be dismissal or a warning of dismissal or the forfeiture of any salary withheld, it shall inform the officer of his/her right to make written representations to the Commission within a period of 10 working days from such notification and the Commission shall consider such representations and may give the officer the opportunity of an oral hearing before making a recommendation to the Prime Minister.

In the case of an offence where the Head of Department had given notice to the officer charged that the charges, if proven, could lead to dismissal, the Commission may give an opportunity to the officer charged and to the Head of Department to make oral representations before it, as required by regulation 23(2)(c).

A public officer shall have a right of appeal to the Commission, in accordance with regulation 27, against a finding of guilt and any corresponding penalty imposed by the Head of Department or where the officer can prove that there has been a gross disregard of the procedures laid down in the Disciplinary Regulations and such disregard had prejudiced his interests.

Likewise, regulation 29 concedes to the Head of Department the right to appeal to the Commission if he/she is either dissatisfied with the proceedings or findings of a Disciplinary Board or has



proof that there has been a gross disregard of the procedures laid down in the Disciplinary Regulations and such disregard had prejudiced the case.

In both instances (regulations 27 and 29), if the Commission is of the opinion that the appeal merits consideration, it shall give an opportunity to the officer charged and to the Head of Department to make oral representations.

Moreover, in terms of regulation 30, any person who had been penalised in terms of the Public Service Commission Disciplinary Regulations, may petition the Commission to review his/her case for the purpose of revoking or amending the recommendation which the Commission had tendered against him/her. In its consideration of the petition, the Commission may, at its sole discretion, give the petitioner the opportunity to make oral representations, and may also seek the views of the respective Head of Department, in writing or orally.

Another instance where the Commission may, at its discretion, give the opportunity of an oral hearing is when a public officer appeals to the Public Service Commission against the decision of the Head of Department to consider him/her as having resigned from the public service with effect from the eleventh day following his/her absence without leave for ten consecutive working days, in terms of regulation 32(5) of the Public Service Commission Disciplinary Regulations, 2017.

On its own initiative, the Commission may also give the opportunity of an oral hearing when it considers it appropriate.

During 2019, the Commission convened 14 oral hearings - seven hearings in terms of regulation 23(2)(c), four hearings in terms of regulation 27(5) and three hearings in terms of regulation 15.



Disciplinary cases leading to dismissal and appeals

During 2019, the Commission considered 20 disciplinary cases which were referred to it in terms of:

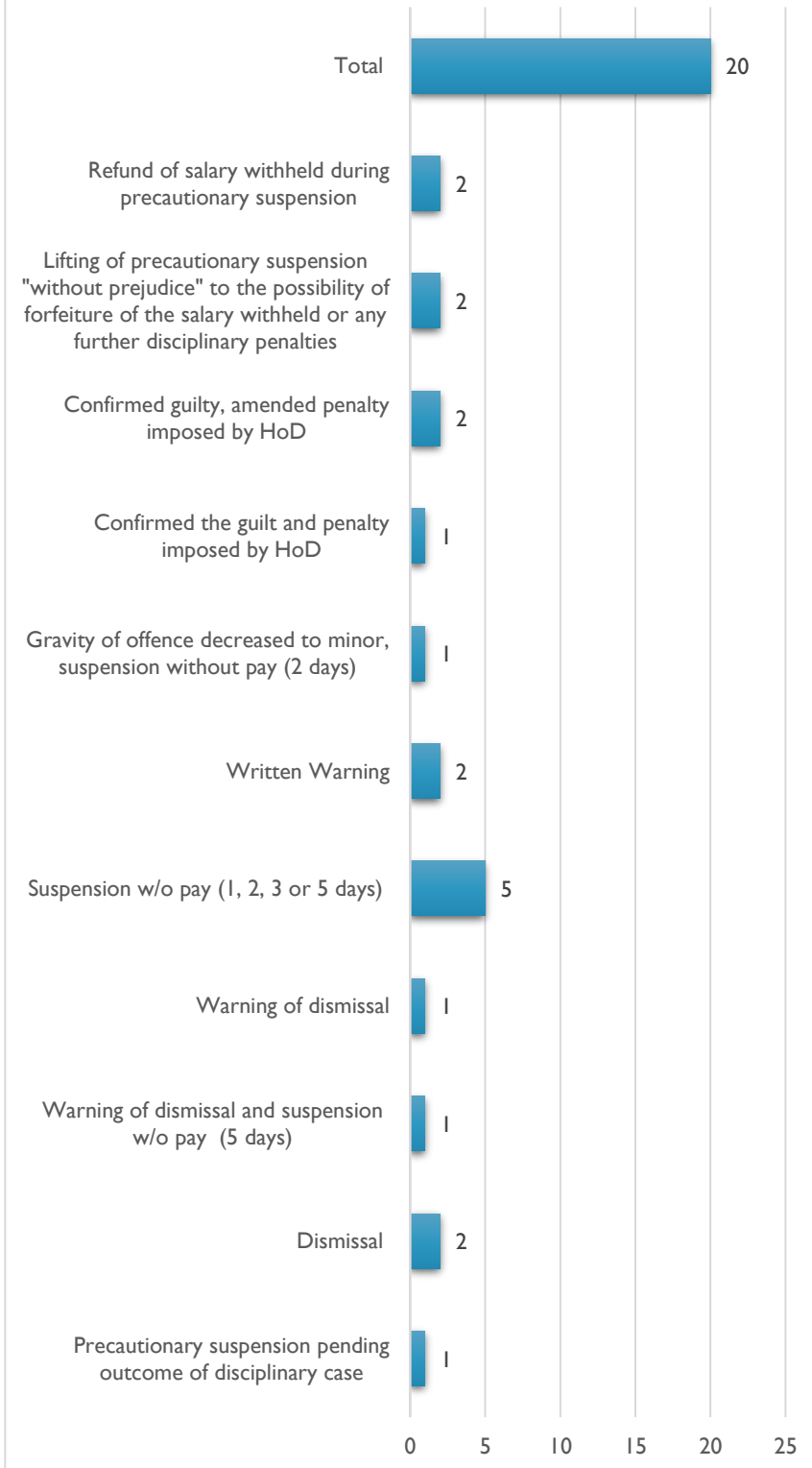
- (i) regulation 23(2) of the Public Service Commission Disciplinary Regulations, 2017, where the officers involved had been notified that the charges, if proven, could lead to their dismissal; or
- (ii) regulation 27 of the Public Service Commission Disciplinary Regulations, 2017, where the officers involved appealed against a finding of guilt and any corresponding penalty imposed by the Head of Department or where the officer could prove that there had been a gross disregard of the procedures laid down in the regulations which prejudiced his/her interests.

After giving both the officers involved and their respective Head of Department an opportunity to make oral representations, the Commission submitted 20 recommendations to the Prime Minister.

A detailed account of these recommendations is shown in Diagram 8:



Diagram 8: Recommendations made by the Public Service Commission to the Prime Minister concerning disciplinary cases - Total 20





Analysis of offences and penalties in cases decided by the Commission (both criminal and disciplinary cases)

The forty-two criminal cases referred to in Diagram 7 include twelve cases where the Commission recommended the precautionary suspension of the officers concerned, nine cases where the Commission recommended the lifting of the precautionary suspension pending any potential penalties that may appropriately be imposed and eight cases where the officers concerned were not found guilty. The remaining thirteen criminal cases were all served with a penalty as indicated in Diagram 7.

Similarly, the twenty disciplinary cases listed in Diagram 8 include one case where the Commission recommended the precautionary suspension of the officer concerned, two cases where the Commission recommended the lifting of precautionary suspension without prejudice to the possibility of any further disciplinary penalties and two cases where the officers concerned were not found guilty. The remaining fifteen disciplinary cases were served with a penalty as indicated in Diagram 8. Thus, the total number of cases in which officers were served with a penalty by the Commission amounted to twenty-eight.

Appeals dismissed by the Commission

Regulation 27(8) empowers the Commission to summarily dismiss or disallow an appeal without hearing it, or without hearing it any further, as the case may be, on the grounds that an appeal is frivolous or vexatious or one that should not otherwise have been brought or made.

During the year under review, the Commission dismissed one appeal submitted by the accused officer, on grounds that in this case the appeal to the findings were to be made to the Head of Department and not to the Commission.



Proceedings in breach of the Disciplinary Regulations

During the year under review, the Commission declared seven cases as null since timeframes stipulated in the Public Service Commission Disciplinary Regulations, 2017 had not been adhered to. The Commission took a serious view of the shortcomings by the Disciplinary Boards and/or by the Heads of Department concerned and reported the matter to the respective Permanent Secretaries.

Reference back by the Prime Minister

The Prime Minister may, acting in accordance with article 86(1)(a) of the Constitution, refer a recommendation back, once, to the Commission for reconsideration. During 2019, the Commission considered one case where, following deliberation, it agreed to amend its previous recommendation. The Prime Minister approved the Commission's recommendation.

Review of Past Disciplinary Decisions

Regulation 30 of the Public Service Commission Disciplinary Regulations, 2017 provides a remedy in the event of a gross miscarriage of justice in disciplinary proceedings. It empowers the Commission to review past recommendations following a petition by an aggrieved officer.

During the year under review, the Commission considered two petitions under this regulation.

In one case, the Commission, after deliberating, revoked its previous recommendation for dismissal and amended the penalty.

In another case, the Commission agreed that the request could not be acceded to.



Absence without leave

Regulation 32 of the Public Service Commission Disciplinary Regulations, 2017, stipulates that a public officer who absents himself without leave for ten consecutive working days shall be considered as having resigned from the public service with effect from the eleventh working day of unauthorised absence. The Head of Department shall, immediately after the expiration of the time-limit, notify the officer concerned that he/she considers the officer as having resigned from the public service with effect from the eleventh day of his/her unauthorised absence and that the officer shall be liable to pay Government, as stipulated in the Public Service Agreement in force from time to time, half the salary that he/she would have earned during the applicable notice period. If the officer considers that the decision of the Head of Department is unjust in his/her regard, he/she may appeal to the Public Service Commission within ten working days starting from the day after he/she received the notification from the Head of Department, setting out the reasons why he/she considers that the decision in his/her respect was unjust. The Commission shall seek the views of the Head of Department thereon and may, at its discretion, give the officer concerned and the Head of Department the opportunity of make oral representations.

During 2019, the Commission did not receive any appeals in terms of regulation 32 of the Public Service Commission Disciplinary Regulations, 2017.

The exercise of discipline through delegated authority

The Commission continued to monitor the exercise of discipline by Heads of Department under delegated authority. This was done through reports which Heads of Department were required to submit to the Commission, and which contained information about all disciplinary measures taken by them against public officers in terms of the Disciplinary Regulations.

The table below gives a breakdown of disciplinary action taken by Heads of Department within various ministries between 1 January and 31 December 2019, in accordance with the PSC Disciplinary Regulations, 2017, which totalled 126 charges. Another 40 charges were pending from previous years. The total number of public officers who had active disciplinary procedures against them during 2019 was 166.

Table 4: Disciplinary Action taken by Heads of Department

Ministry	No. of Minor Disciplinary Charges	No. of Serious Disciplinary Charges	No. of Serious Charges leading to Dismissal
MEAE	1	0	1
MEDE	1	4	10
MEW	19	1	0
MESDC	0	4	0
MFCS	8	9	0
MFH	7	22	8
MFIN	0	1	0
MHAS	8	9	2
MJCL	11	30	8
MTIP	1	1	0
Total	56 (out of which 46 were issued in 2019)	81 (out of which 60 were issued in 2019)	29 (out of which 20 were issued in 2019)

The following diagrams (9, 10 and 11) analyse the outcome of the aforementioned disciplinary charges issued by Heads of Department.



Diagram 9: Disciplinary Action by Heads of Department in 2019 (Outcome on Minor Disciplinary Cases)

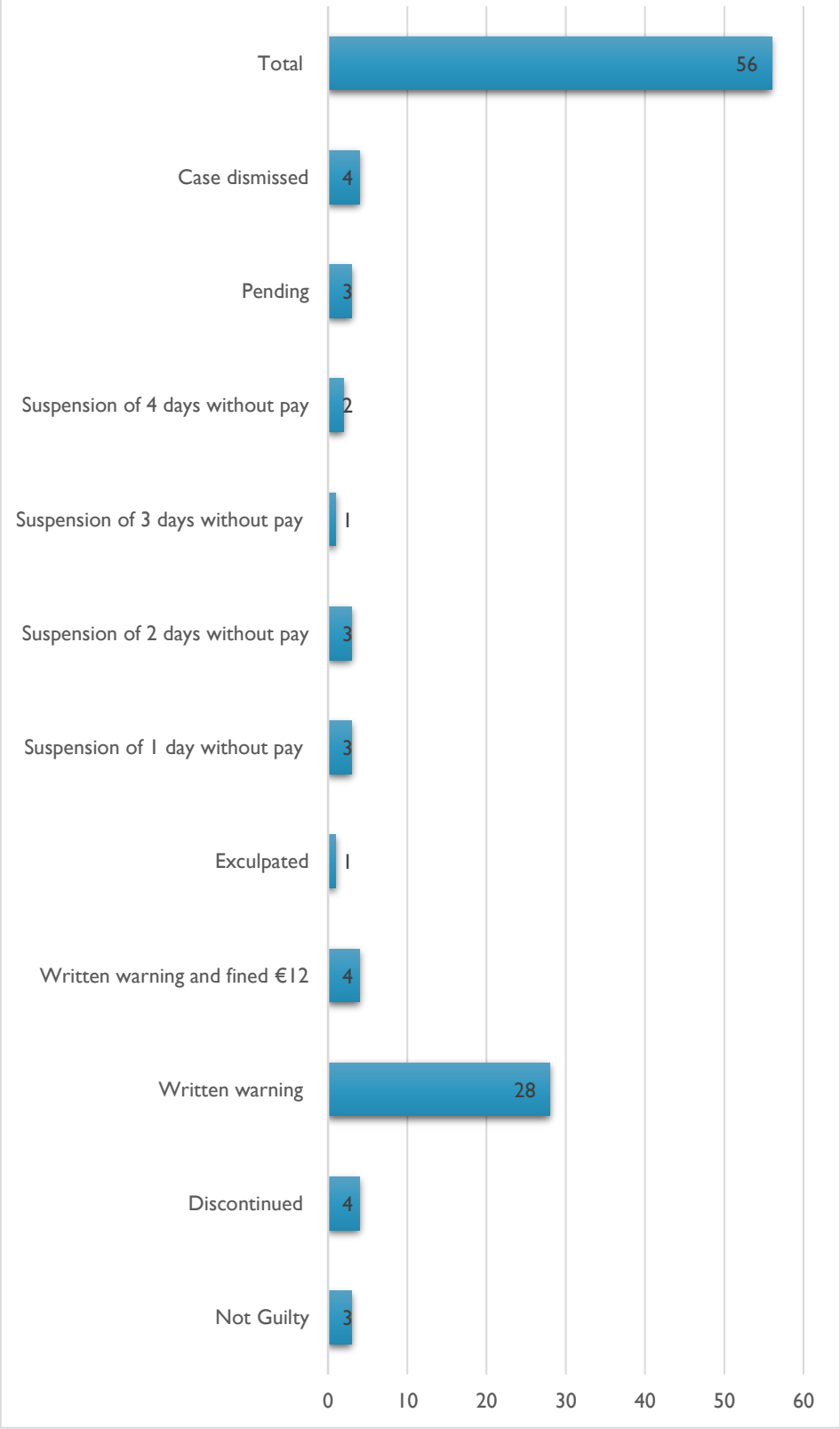




Diagram 10: Disciplinary Action by Heads of Department in 2019 (Outcome on Serious Disciplinary Cases)

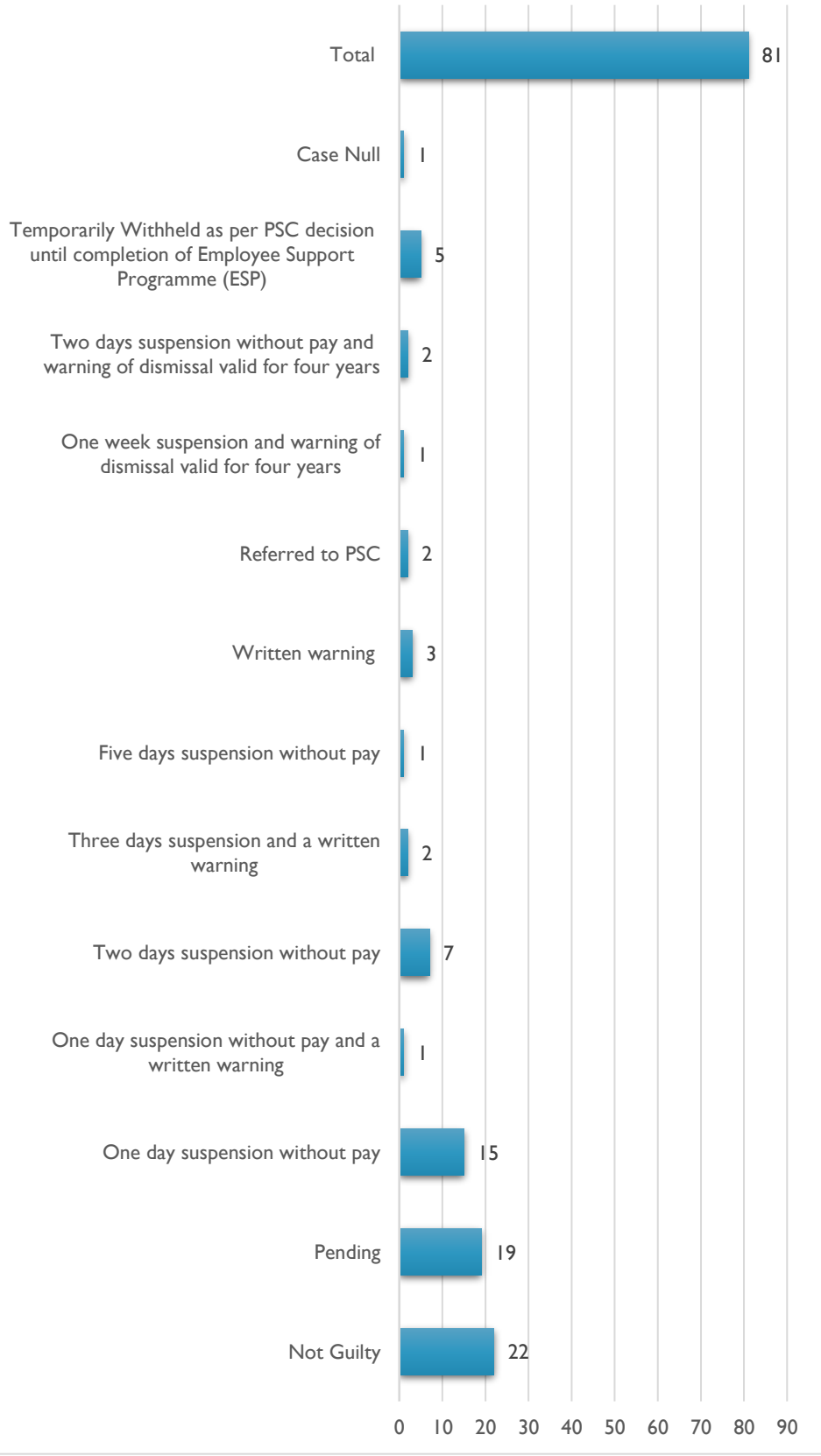
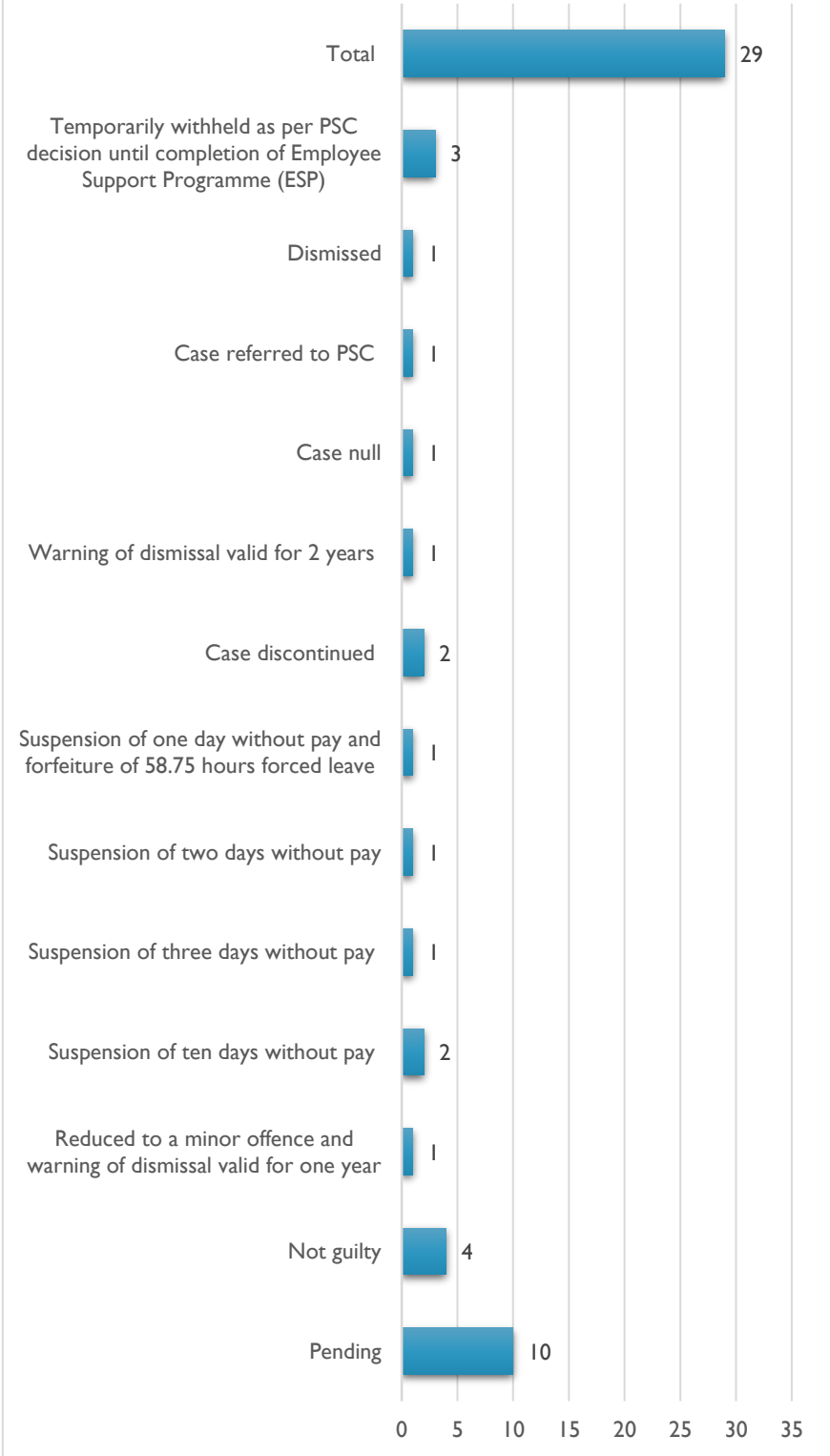




Diagram 11: Disciplinary Action by Heads of Department in 2019 (Outcome on Serious Disciplinary Cases leading to dismissal)





V. Selected Issues and Rulings by the Commission

A. Policy Matters and issues relating to recruitment and appointments

Meetings with the Principal Permanent Secretary


During the year under review, the Commission held three meetings with the Principal Permanent Secretary.

The first meeting was held on 13 March 2019, where, amongst other issues, the Principal Permanent Secretary referred to the newly revised Public Administration Act (PAA) which came into force on 1 March 2019.

He explained that, for the first time, the movement of high-level public employees who held posts that involved regulatory and inspectorate functions from the public sector to the private sector was being addressed. The PAA, which was to come into effect in September 2019, meant to regulate revolving door practices.

Discussions regarding the revolving door practices resumed in another meeting with the Principal Permanent Secretary, which was held on 5 September 2019. The Principal Permanent Secretary proposed that the Public Service Commission should be represented on a board which was to be set up to monitor the proper implementation of the provisions laid down in article 4(5) of the PAA.

The Commission considered this proposal as appropriate and significant and agreed to nominate its Executive Secretary to act on its behalf on this board.



On 14 November 2019, the Commission met again with the Principal Permanent Secretary to consult with him on various matters. The parties discussed also the disciplinary boards. The Chairman, Public Service Commission, explained to the Principal Permanent Secretary that the responsibility to appoint the disciplinary board was to be shifted from the Head of Department to the Permanent Secretary of the respective Ministry, so that the public officer issuing the charges against a subordinate would have no say in the appointment of the disciplinary board. In this manner the charged officer would have a fairer hearing.


The Principal Permanent Secretary agreed to the Commission's proposal and stated that the foregoing amendments in the Disciplinary Regulations would, indeed, contribute to more independent and impartial proceedings.

Appointments to Assistant Directorship positions

In January 2019, discussions were initiated between the Commission and the Administration regarding the revision of the selection process related to Assistant Director positions.

It was proposed that vacancies in Assistant Director positions be advertised centrally bi-annually through calls for applications issued by the Office of the Prime Minister. Furthermore, it was being proposed that the selection and appointment process, comprising of a psychometric test, an extended and an individual interview, would be conducted by the Senior Appointments Advisory Committee (SAAC) and in the same manner as that of Headship positions. Applicants were also to be obliged to present with their application a four-year plan in relation to the position applied for.

After deliberating at length, on 14 November 2019, the Commission approved the recommended change in the process for the nomination and selection of public officers for positions of Assistant Director.



Legal Notice 327 of 2019, published on 10 December 2019, provided for the above-mentioned changes in the Public Service Commission Appointments Regulations, 2015.

Instruments of delegation of powers respecting the Public Service

In December 2019, following the publication of Legal Notice 327, Director, People Resourcing & Compliance, People and Standards Division, OPM, referred two Instruments of Delegation, amending those issued concurrently on 16 February 2015, for the consideration and approval of the Commission. The Instruments had already been cleared with the Attorney General.

The first Instrument provided that the power to make appointments to Assistant Director positions should no longer be delegated to Permanent Secretaries, but should be exercised following a recommendation made by the Public Service Commission in terms of article 110 of the Constitution.

Likewise, the second Instrument provided that the power to make appointments to Assistant Director positions, in situations where such delegation of powers cannot, for any reason, be exercised by Permanent Secretaries, should no longer be delegated to the Public Service Commission. Instead, the Public Service Commission was to submit its recommendation for appointments in such positions in terms of article 110 of the Constitution.

In agreement, the Commission submitted its recommendation to the Prime Minister for approval, in terms of the provisions of article 110(1) of the Constitution, for the Instruments of Delegation to be published.



Ruling by the Commission regarding eligibility

In February 2019, the Commission received a request for guidance from a Selection Board appointed to assess applicants for the position of Allied Health Service Manager (Salary Scale 5). The Chairperson stated that the Board could not decide with regard to the eligibility of an applicant who had been appointed to the substantive grade of Advanced Allied Health Practitioner, in Salary Scale 5, because he was still in his probationary period, and the call required that applicants had to be confirmed in their appointment. However, it was established that preceding his present appointment the applicant had held the post of Senior Allied Health Practitioner (Salary Scale 6) for over five years, and another eligibility requirement of the call stipulated that applicants had to be in the grade of Senior Allied Health Practitioner (Salary Scale 6).

Lengthy discussions were held between the Commission and the People and Standards Division, within OPM, regarding the eligibility requirements outlined in the call for applications in question. It was considered that the call was also open to applicants who were applying laterally and not for a higher grade/position only. Furthermore, on 5 April 2018, the Commission had directed that any calls for applications for the positions of Allied Health Service Manager and Professional Lead Allied Health Practitioner were to be open also for incumbents in the position and other Advanced Allied Health Practitioners who held a substantive grade in a salary scale as that of the vacant positions.

After considering the circumstances presented and after confirming with the Ministry for Health that no other possible eligible officers would be placed at a disadvantage by this decision, the Commission concluded that the applicant should be considered eligible, on the basis that for this particular call there was no need for him to be confirmed in his present grade, provided he satisfied any other eligibility requirement had he not been appointed to the grade of Advanced Allied Health Practitioner.

Lateral applications for internal/external calls

The Commission had always held reservations as to the interpretation of paragraph 2.2.4 (ii) of the Manual on Resourcing Policies and Procedures, which dealt with public officers who apply for the same substantive grade as that currently held.


The Commission considered that the general provisions for which reference was made in all calls for applications were somewhat misleading and it advised the People and Standards Division, within OPM, to amend the provisions.

In March 2019, the People and Standards Division, within OPM, after consulting with the Industrial Relations Unit, came forward with a proposal to replace the policy at Section 2.2.4 of the Manual on Resourcing Policies and Procedures, with the following:-

‘Lateral applications (i.e. applications by public officers who already hold an appointment in the same grade or positions being advertised) are not allowed, except for instances when the area of specialisation of the advertised vacancy is different to the one held by the public officer and requires a specific related qualification as an eligibility requirement, which the applicant must satisfy. This applies both in the case of internal and external calls for applications and is without prejudice to the provisions of Section 1.2.4 (xviii) which states that public officers whose principal place of residence is in Gozo but who are working in Malta, and who hold an appointment in the same grade/position being advertised, may apply laterally’.

Moreover, to consolidate the above, it was proposed that the following sub-paragraph be included in the templates of those calls for applications which specified an area of specialisation in addition to the grade/position:-

‘Lateral applications by public officers who already hold an appointment in the same grade/position being advertised are allowed only if the area of specialisation of the vacancy is different to the one held by the applicant and requires a specific related qualification as an eligibility requirement, which the applicant must




satisfy'. After giving due consideration, the Commission approved the proposed amendments.

Policy concerning tenure in a higher scale/grade of public officers serving in positions within Ministers'/Parliamentary Secretaries' Secretariats

The Commission considered a set of proposals presented by the People and Standards Division, within OPM, regarding the review of tenure in a higher scale/grade of public officers serving in positions within Ministers'/Parliamentary Secretaries' Secretariats and other designated Offices.

The amended policy provided for the following:

- Public officers would be entitled to tenure in a higher scale/grade upon completing four years' service in aggregate in such positions, with tenure to be granted retrospectively; i.e. a public officer who had rendered service for four years in such position in aggregate would be tenured on a personal basis in a salary scale equivalent to the scale attached to the Secretariat position, whilst retaining his/her current substantive grade, subject that the highest salary scale that could be attained on a personal basis did not exceed the highest salary scale applicable to the officer's pertinent Classification Agreement.
- In cases where the officer's Secretariat position was tied to a salary scale which exceeded the highest salary scale of his/her pertinent Classification Agreement, then the officer would be tenured as 'Officer in Grade' in the respective salary scale attached to the Secretariat position.
- All years of service in Secretariat positions would be reckonable, including pre-onset of public officer status. A similar approach had already been agreed upon in the case of Secretariat and Operations Staff at the Office of the President.



After giving due consideration to the proposed amendments, the Commission concurred with the recommended course of action.

Amendments to the Selection Board Report

During the year under review, the Commission considered favourably a recommendation put forward by a public officer to have the template of the assessment sheet of the Selection Board Report amended to include the paragraph in the respective call for applications, through which applicants were deemed eligible. This inclusion was crucial in determining the salary scale in which successful applicants would be placed upon appointment since in certain posts, for instance Assistant Manager, the salary scale depended on the qualifications held. Moreover, such information was useful when processing requests for a Qualifications Allowance, since the administration would know which qualifications were considered for eligibility purposes by the Selection Board, and which were additional, thus attracting a Qualifications Allowance.



Amendments to the Service and Leave Record Form (GP47)

In 2019, the Commission also considered and approved an amended version of the Service and Leave Record Form (GP 47) submitted by the People and Standards Division, primarily with the aim of assisting Selection Boards in determining the eligibility of candidates with regard to periods reckonable as ‘service in the grade’ as well as reckonability of years of experience.

Another amendment to the GP 47 was that it should not be issued earlier than one month from the date of application, to be in line with the requirement applicable to the Certificate of Conduct submitted with applications.


B. Issues relating to disciplinary procedure

Amendment to regulation 18 of the Public Service Commission Disciplinary Regulations, 2017

Late in the year under review, the Public Service Commission considered a judgement of 8 October 2019, delivered by the European Court of Human Rights (ECHR), pertaining to an ex-public officer who had been dismissed from the Public Service.

The ECHR found in favour of the former public officer on the basis that she had been denied a fair hearing, as the Disciplinary Board was not considered to have been independent and impartial. The latter was appointed by the Head of Department who had also issued the charges against the officer.

Such amendment necessitated amending regulation 18 of the Public Service Commission Regulations, 2017. The Commission discussed in detail the implications resulting from the specific case and considered further amendments to the current procedure, to the effect that public officers serving on a Disciplinary Board did not fall under the responsibility of the Head of Department who had issued the charges. This measure required that Disciplinary Boards be appointed by the respective Permanent Secretary, and



any objection to the composition of the Disciplinary Board would be sent to the Permanent Secretary, with a final appeal, if any, to the Public Service Commission.

The Commission considered that since the case in question, a number of initiatives had been introduced to strengthen the impartiality of the Disciplinary Board, including:


- a) The Disciplinary Board could be composed from within the whole Ministry and not the specific department of the officer charged;
- b) The setting up of Standing Disciplinary Panels, therefore the Disciplinary Board needed not be composed entirely of subordinates of the respective Head of Department; and
- c) The mechanism of an objection by the officer charged to the composition of the Disciplinary Board was extended to a two-fold objection: the first with the pertinent Head of Department and another with the Permanent Secretary.

Legal advice from the State Advocate was sought before the Commission approved the publication of a legal notice to amend regulation 18 of the Public Service Commission Disciplinary Regulations, 2017.

Legal Notice 328 of 2019 was published on 10 December 2019.

To this effect a letter-circular addressed to the Permanent Secretaries, was issued on 5 December 2019, by the Permanent Secretary, People and Standards Division, to regulate all pending disciplinary cases within all ministries.

Chairpersons and Members on any constituted Disciplinary Board could not be responsible to the Head of Department who had issued the statement of charges against the officer charged. Therefore, if the Disciplinary Board did not satisfy this criterion, a new Disciplinary Board was to be appointed in line with the amended regulation 18 of the PSC Disciplinary Regulations.



Disciplinary Return – Change in procedure

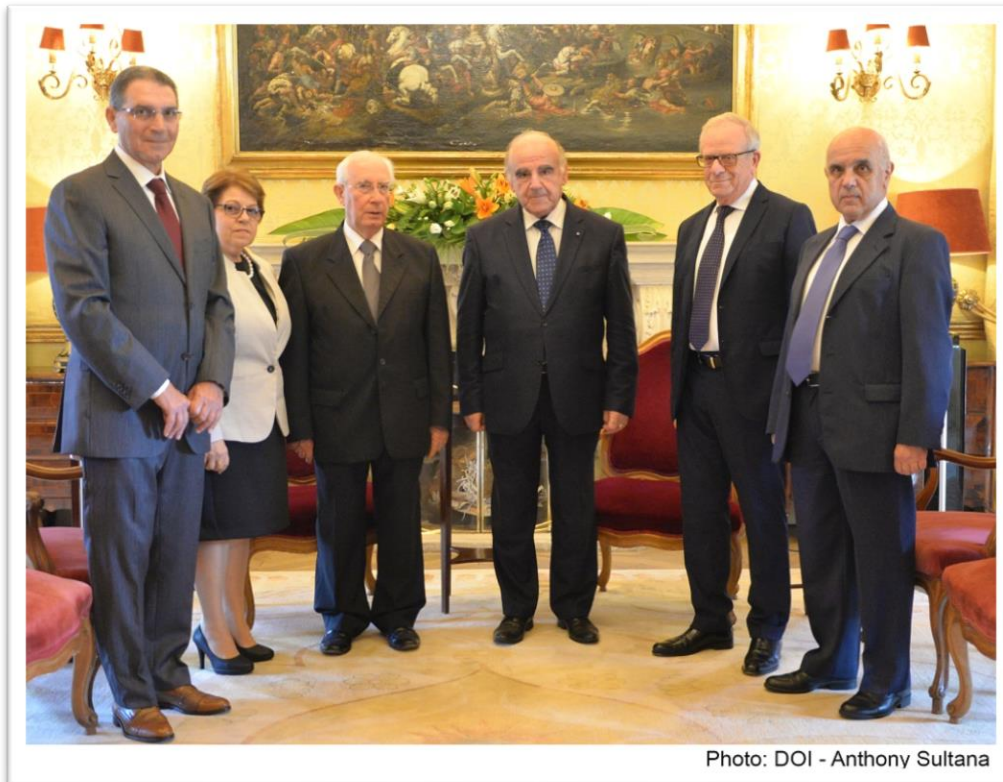
Following discussions held between this office and the People and Standards Division within OPM, the Commission agreed that as from the current year reporting of disciplinary cases to the People and Standards Division and to the Public Service Commission as per provisions of Section 9 of the Manual on Disciplinary Procedures were to be submitted once yearly, in January, with returns covering period 1 January to 31 December of the preceding year.

Previously, returns were to be submitted twice a year, the first set covering period 1 January to 30 June and the second set covering period 1 July to 31 December.

This measure was taken as part of the ongoing simplification measures across the Public Service.

VI. Other Business of the Commission

Meeting with H.E. the President of Malta



The members of the Commission paid a courtesy visit to His Excellency, Dr George Vella, President of Malta on 30 October 2019, at San Anton Palace, Attard. It is customary for the Commission to meet with the President of Malta upon the commencement of its three-year mandate. All the members of the Commission were re-appointed for another term by the President of Malta on 19 July 2019.

On this visit the Commission was accompanied by the Executive Secretary and the Assistant Director (PSC).

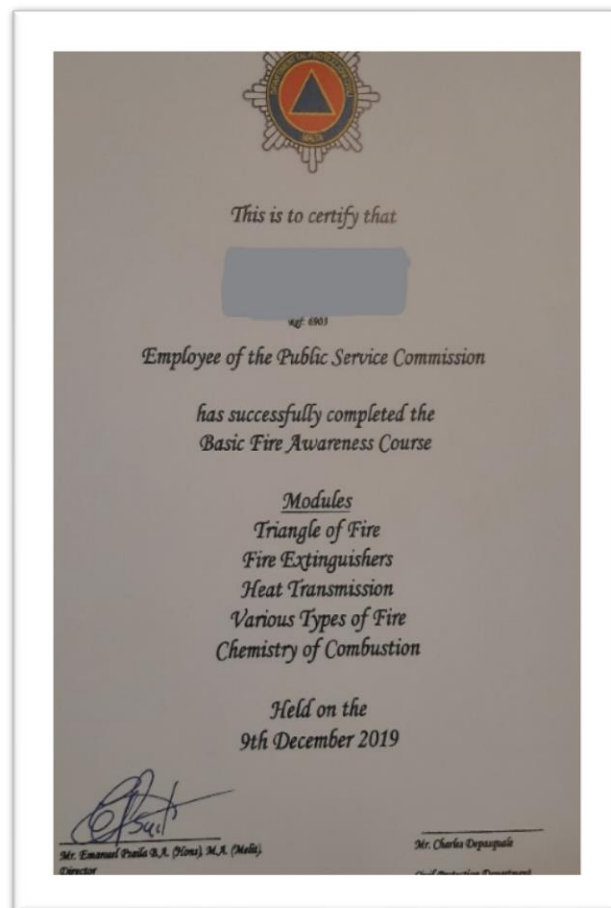
Cordial greetings were exchanged and a donation towards the Community Chest Fund Foundation was presented by the Chairman to His Excellency on behalf of the Commission.

Training of Staff – Basic Fire Awareness Course

In 2019, the staff of the office of the PSC attended a Basic Fire Awareness Course organised by the Department of Civil Protection at Ta' Kandja.

The course consisted of various modules such as the types of fire extinguishers, the various types of fires and the chemistry of combustion. At the end of the course a practical session awaited the participants, where everyone had the chance to operate a fire extinguisher and put out a real fire under the supervision of the Protection Officers.

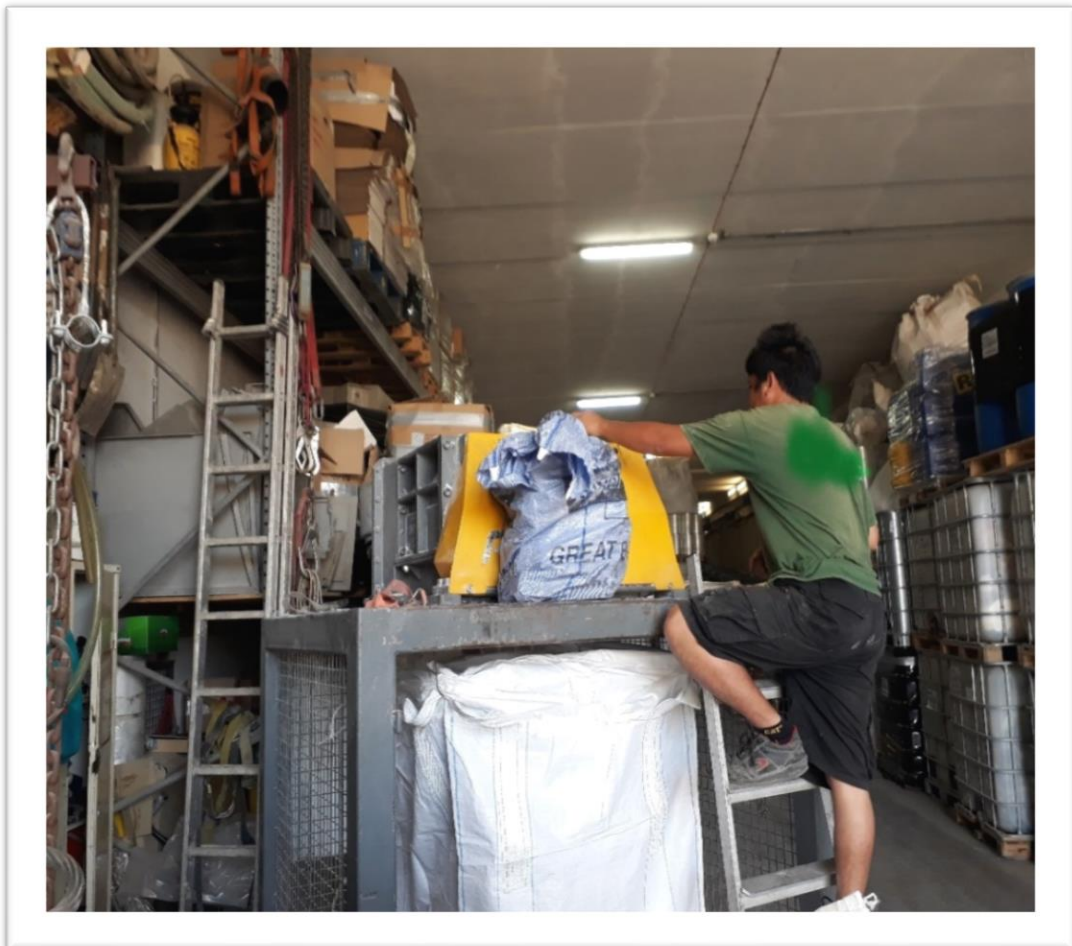
It also provided participants with information as to what could be done in controlling the fire hazards and how to recognise the right extinguisher for each type of fire. Most importantly it helped participants to be more cautious in ensuring the safety of all persons in their building.



Retention Policy

In line with the General Data Protection Regulation (GDPR) and the Commission's Retention of Documents Policy, which was revised in 2018, the ongoing process of the review of archived departmental files and documentation continued during the year under review. This process generated almost 400 kg of paper for disposal.

This office took great care to dispose of this material in an eco-friendly manner, where it was guaranteed that the paper would be shredded and recycled for reuse, rather than causing eventual dumping and pollution. The shredding process was strictly supervised by a member of the staff at all times, in order to respect the confidentiality and the sensitive nature of the data at all stages, from transportation to sorting and finally to shredding.

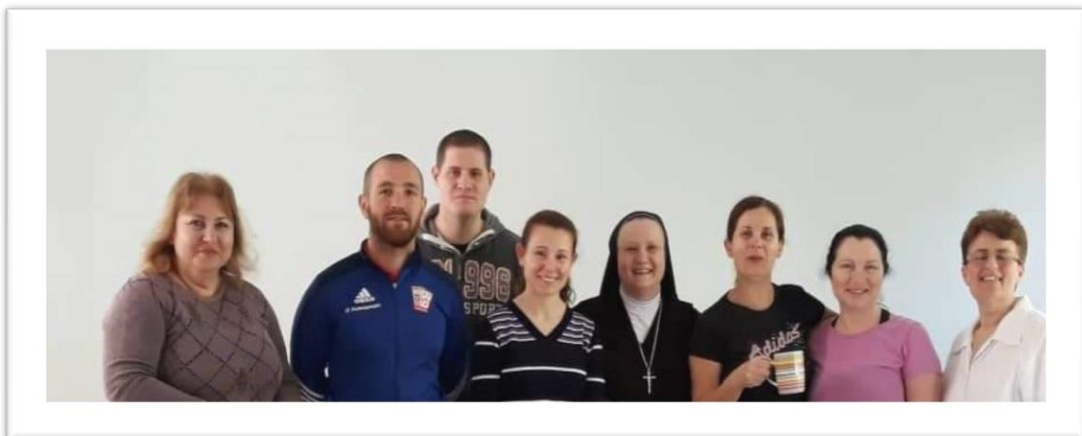


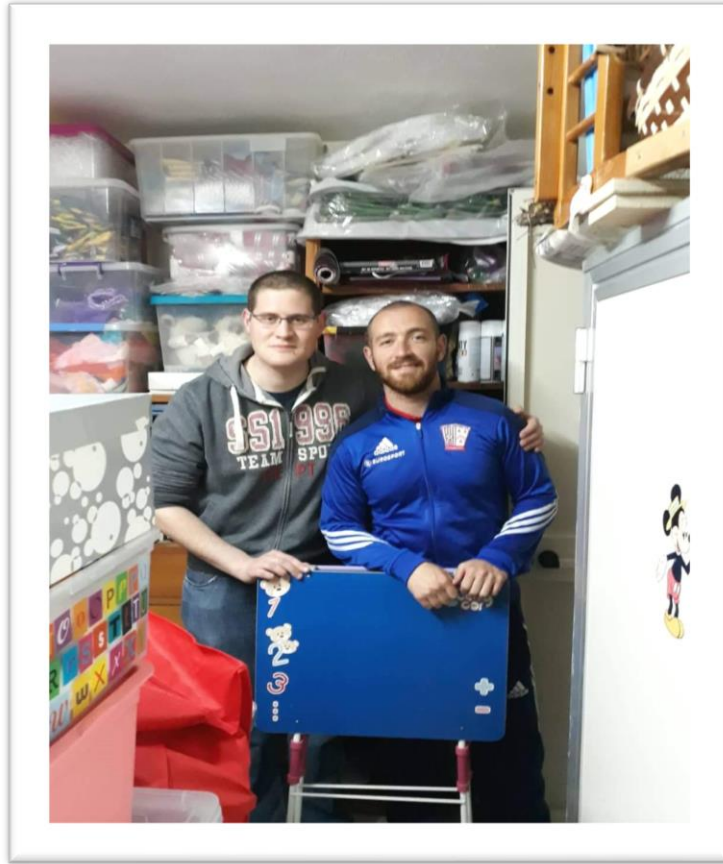
Social Activities

On Saturday 27 April 2019, a small team from the office of the Public Service Commission, spent a busy day lending a helping hand to the Sisters of the Ursoline Creche in Gwardamangia, by helping them assemble and clean the hall and the playing ground before the re-opening of the pre-primary school after the Easter holidays.

Those who attended also helped in organising the shelving system in the costumes store.

This event was fruitful not only to the Ursoline Sisters, who are immersed in their day-to-day maintenance of the premises, besides the upbringing of the children, but even more so to the staff as it proved to be a very good, productive team-building activity.





Pink October / Movember 2019

On 19 November 2019, a hot dog, pink and black dress-down day was organised amongst the staff to commemorate both the Pink October and the Movember awareness campaigns.

Proceeds were forwarded to the Marigold Foundation, BOV in the Community, at Villa Francia, Lija on the 27 November 2019.

Foodbank Malta



During the Christmas season, a total of 41 kg of tinned and pre-packed food items and toiletries were collected amongst the members of the Commission and members of the staff. Several basketful of items were handed over to Ms Irene Schembri, founder of the Malta Food Bank Foundation, who took care to come and collect the items from our offices to pass them on to families in need.



Appendix 1

Public Service Commission Chairpersons

Mr L H Gorsuch, CBE

05.08.1960 - 31.10.1963

Judge W D Harding, CBE, KM, BLitt, LL.D

05.11.1963 - 04.11.1971

Dr G Zammit, BA, BA (Hons) Lond, BD (Rome), LL.D

05.11.1971 - 31.10.1977

Dr C Cassar, MD, MRCP, PhC, KM, CStJ

20.01.1978 - 19.01.1980

Mr C Giuliano

20.01.1980 - 31.12.1981

Mr G Craig

12.01.1982 - 25.02.1984

Mr M J V Bonello

01.04.1984 - 08.08.1986

Mr P V Attard

01.09.1986 - 11.08.1987

Dr A G Camilleri, BA, LL.D

12.08.1987 - 11.08.1992

Prof E Borg Costanzi, BSc, BE&A, A&CE, MA (Oxon)

12.08.1992 - 11.05.1996

Mr A Galdes, MOM, BA (Hons)(Econ), FCIB

12.05.1996 - 28.02.1997

Mr J J M Curmi, MPA, DPA, FIFD

12.05.1997 - 11.06.2003



Mr A Fiorini Lowell

12.06.2003 - 11.06.2010

Mr P A Attard, Dip Educ (Admin & Mgt)

12.06.2010 – 17.06.2013

Mr L P Naudi

18.06.2013 –



Appendix 2

Secretaries to the Public Service Commission

Mr H Miller, Secretary Designate

06.07.1960 - 16.12.1960

Mr H Miller, Secretary

17.12.1960 - 23.03.1969

Mr G Soler, Secretary

24.03.1969 - 08.03.1973

Mr A Piccinino, Acting Secretary

09.03.1973 - 30.11.1973

Mr C Vella, Acting Secretary

01.12.1973 - 21.09.1975

Mr P Vassallo Cachia, Secretary

22.09.1975 - 09.09.1983

Mr P V Attard, Secretary

01.01.1984 - 16.09.1985

Mr R V Mifsud, Secretary

23.12.1985 - 31.12.1988

Mr N Scicluna, Secretary

05.01.1989 - 26.11.1993

Mr J Bonello, Acting Secretary

27.11.1993 - 15.10.1995

Mr G Saliba, Acting Secretary

16.10.1995 - 03.12.1995

Mr J Bonello, Acting Secretary

04.12.1995 - 02.05.1996

Mr N Worley, Acting Secretary

03.05.1996 - 18.02.1999



Mr N Worley, Secretary

19.02.1999 - 12.04.2001

Mr R Saliba, Acting Secretary

13.04.2001 - 20.06.2001

Mr R Saliba, Secretary

21.06.2001 - 09.01.2004

Mr P Sammut, Secretary

10.01.2004 – 08.01.2010

Mr P Sammut, Executive Secretary

09.01.2010 – 16.04.2010

Mr C Polidano, Executive Secretary

17.04.2010 – 28.02.2014

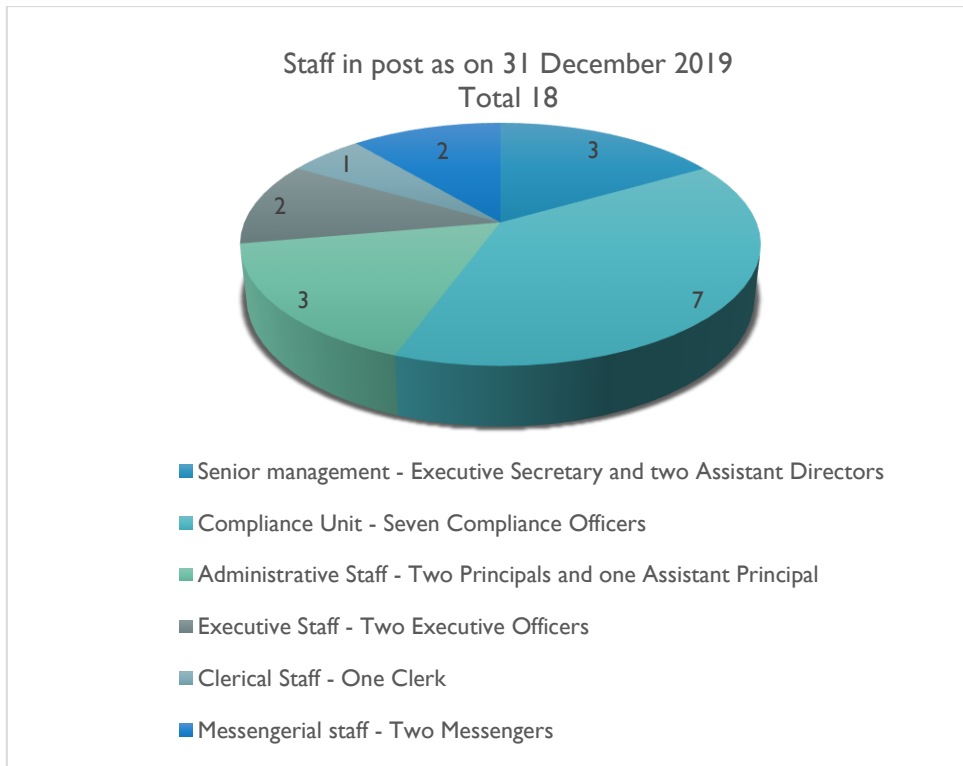
Ms C Schembri, Executive Secretary

01.03.2014 –

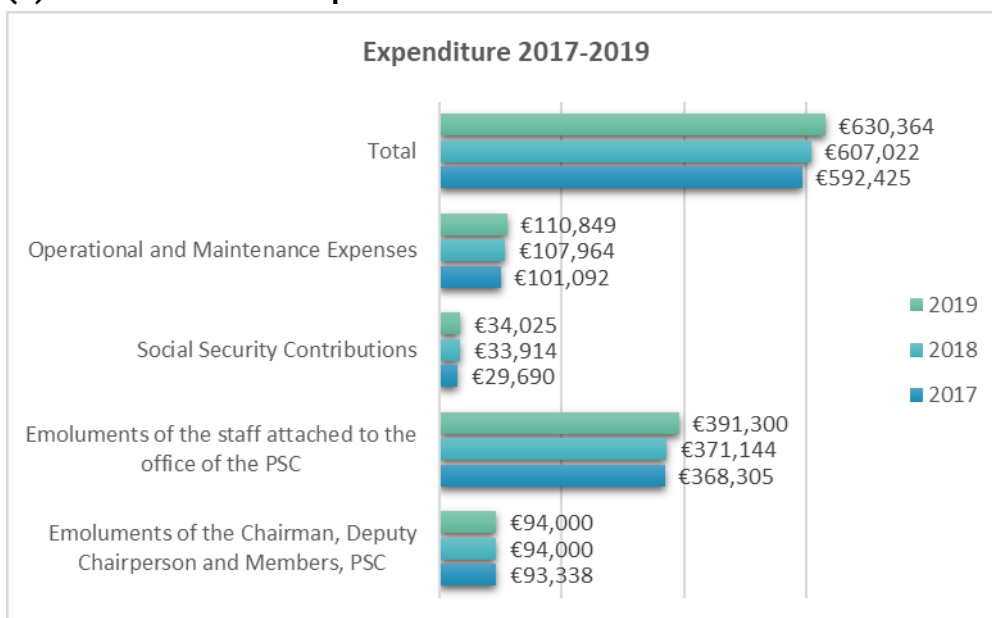
Appendix 3

Office of the Public Service Commission

(i) Staff complement



(ii) Commission's expenditure



Appendix 4

Representations addressed by the Public Service Commission in 2019

(Nomenclatures denoting the male gender include also the female gender)

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
OPM	Assistant Director, DIER (Centralised Call)	3	1	1	0	
OPM	Assistant Director (Policy Development & Programme Implementation Dir), MFCS (Centralised Call)	2	1	1	0	
OPM	Assistant Director (People Management (HR)), MEDE (Centralised Call)	6	1	1	0	
OPM	ICT Officer (Centralised Call)	50	4	3	1	One applicant was deemed eligible since he held a relevant qualification.
OPM	Senior Manager (Project Implementation)	12	3	2	1	
OPM	Manager II (Accounting and Finance)	6	1	0	1	Applicant was considered eligible as he held a relevant qualification.
OPM	Audit Support Officer, IAID	5	1	1	0	
OPM	Senior Manager (HR Corporate Data Systems)	8	2	2	0	
OPM	IAID Manager (Compliance and Risk), IAID	7	4	4	0	

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
OPM	Senior Technical Officer (Door Numbering), Electoral Office	6	1	0	1	Applicant was deemed eligible as he was in possession of both educational and work experience required.
OPM	Assistant Director (Third Country Nationals), MHAS (Centralised Call)	5	1	0	1	Applicant had missing documentation and was allowed to submit the required documentation.
OPM	Assistant Director, Eco-Gozo Directorate, MGOZ (Centralised Call)	9	1	0	1	Applicant had missing documentation and was allowed to submit the required documentation.
OPM	Assistant Director (Digital Literacy), MEDE (Centralised Call)	7	1	0	1	Applicant had missing documentation and was allowed to submit the required documentation.
OPM	Assistant Director, in the Local Government, MJCL (Centralised Call)	2	1	1	0	
OPM	Assistant Director, MJCL (Centralised Call)	6	2	1	1	Applicant had missing documentation and was allowed to submit the required documentation.

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
OPM	Assistant Director (Operations Directorate), MFCS (Centralised Call)	5	1	1	0	
OPM	Assistant Director (Global Issues), MFTP (Centralised Call)	6	1	1	0	
OPM	Assistant Director (Plant Protection Directorate), MESDC (Centralised Call)	6	1	0	1	Applicant had missing documentation and was allowed to submit the required documentation.
OPM	Assistant Director (Office of the DG, Economic Policy), MFIN (Centralised Call)	4	1	0	1	Applicant had missing documentation and was allowed to submit the required documentation.
OPM	Assistant Director (Office of the DG, Customs), MFIN (Centralised Call)	7	1	1	0	
OPM	Assistant Director (Support Services), MTIP (Centralised Call)	5	1	0	1	Applicant was deemed eligible as he had the required experience in the grade/scale.
OPM	Assistant Director (Trade-related Services & Projects Directorate), MEIB (Centralised Call)	4	1	0	1	Applicant had missing documentation and was allowed to submit the required documentation.
MHAS	Police Inspector	109	41	39	2	The Commission agreed that two applicants should have their GAT marks (64.67%) rounded up to 65% to represent a pass mark.

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
MHAS	Police Constable	108	1	1	0	
MHAS	Legal Unit Leader	1	1	1	0	
MHAS	Manager I (Project Management)	24	1	1	0	
MHAS	Superintendent in the Malta Police Force	22	3	1	2	Applicants had missing documentation and were allowed to submit the required documentation.
MHAS	Senior Manager (Accounting and Finance)	7	1	1	0	
MHAS	Administrative Assistant	35	2	0	2	Applicants had missing documentation and were allowed to submit the required documentation.
MHAS	Assistant Manager (People Management)	16	3	0	3	Applicants had missing documentation and were allowed to submit the required documentation.
MHAS	Manager II (Research)	8	1	1	0	
MGOZ	Operations Manager (Projects and Development Directorate)	13	1	1	0	
MGOZ	Manager I (Project Management), ECOGOZO Regional Development Directorate	15	1	1	0	
MGOZ	Tradesman/ Senior Tradesman (Welder Burner)	8	1	1	0	

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
MGOZ	Research Assistant (Simaseed Project)	9	1	1	0	
MGOZ	Principal Agricultural Officer	3	1	1	0	
MGOZ	Tradesman/ Senior Tradesman (Plumber)	5	1	1	0	
MGOZ	Research Assistant (Simaseed Project)	6	1	1	0	
MGOZ	Senior Public Cleansing Foreman	9	1	0	1	Applicant had missing documentation and was allowed to submit the required documentation.
MEDE	Assistant Foreman	58	2	1	1	Applicant was in the correct grade and scale before the closing time and date of the call for applications.
MEDE	Technician/ Senior Technician	14	2	2	0	
MEDE	Technician/ Senior Technician	20	2	2	0	
MEDE	Technical Officer within MEDE to serve in Gozo	9	1	1	0	
MEDE	Learning Support Educator within the Nurture Groups (NG) in the State Primary Schools in Malta	22	1	1	0	

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
MEDE	Learning Support Educator	327	19	12	7	The Commission concluded that three applicants had justified reasons to submit a late application. The Commission also concluded that another four applicants held a relevant qualification.
MEDE	Supply Teacher (Music)	20	2	2	0	
MEDE	Supply Teacher (Secondary Education - Hospitality)	4	1	1	0	
MEDE	Supply Teacher (Physical Education)	32	1	1	0	
MEDE	Supply Teacher (PSCD)	4	1	1	0	
MEDE	Supply Teacher (Primary General)	4	1	1	0	
MEDE	Head of Department (Inclusion)	25	3	3	0	
MEDE	Scholarship Officer (Scholarship Schemes)	1	1	1	0	
MEDE	Education Officer (Curriculum)	11	2	1	1	One applicant presented proof that he was in possession of the required years of experience.
MEDE	Education Officer (Digital Literacy)	10	4	4	0	
MEDE	Education Officer (Music)	5	1	1	0	
MEDE	Supply Teacher (Hairdressing)	3	2	2	0	

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
MEDE	Technician/ Senior Technician (Science)	5	1	0	1	Applicant presented enough evidence to have his application considered favourably.
MEDE	Technician/ Senior Technician to serve in Gozo	6	2	2	0	
MEDE	Supply Learning Support Educator	49	2	2	0	
MEDE	Supply Teacher (Art and Design)	8	1	1	0	
MEDE	Supply Teacher (Primary General)	29	1	1	0	
MEDE	Supply Teacher (PSCD)	26	2	2	0	
MEDE	Trainee Manager I/ Manager I (Project Management)	7	1	1	0	
MEDE	Senior Manager (Research)	6	2	1	1	One applicant presented enough evidence to prove that he had the requested years relevant managerial experience.
MEDE	Teacher (ECEC)	16	1	1	0	
MEDE	Supply Learning Support Educator	38	1	1	0	
MEDE	Supply Teacher (Religion)	6	1	0	1	Applicant had all the required qualifications.
MEDE	Supply Teacher (ECEC)	10	2	2	0	
MEDE	Supply Teacher (English)	5	1	1	0	
MEDE	Supply Teacher (Ethics)	3	1	1	0	
MEDE	Supply Teacher (ECEC)	4	1	1	0	
MEDE	Teacher (English)	20	1	1	0	

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
MEDE	Teacher (European Studies)	2	1	1	0	
MEDE	Teacher (Primary General)	2	1	1	0	
MEDE	Assistant Manager (Project Management)	4	1	0	1	Applicant had erroneously applied for another post and presented enough evidence to have his application considered favourably.
MEDE	Principal Education Support Practitioner	6	1	1	0	
MEDE	Senior Technical Officer (Malta)	29	2	2	0	
MEDE	Assistant Manager (Transport and Logistics)	8	1	1	0	
MEDE	Supply Learning Support Educator	9	1	1	0	
MEDE	Assistant Technical Officer to serve in Malta	84	2	2	0	
MEDE	Education Support Practitioner (Career Advisor)	22	1	0	1	Applicant was in possession of the required qualifications.
MEDE	Teacher (Ethics)	10	1	0	1	Applicant had missing documentation and was allowed to submit the required documentation.
MEDE	Head of School to serve in Malta	15	2	2	0	
MEDE	Teacher (Primary Migrant Induction)	8	1	0	1	Applicant declared that the teacher's warrant would be submitted as stipulated in the call.

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
MEDE	Teacher (Social Studies)	6	1	1	0	
MEDE	Teacher (Systems of Knowledge)	7	1	0	1	Applicant was eligible as he registered for Masters qualification before July 2008, as was required by the call.
MEDE	Teacher (Physics)	8	1	1	0	
MEDE	Teacher (Agribusiness)	1	1	1	0	
MEDE	Teacher (Marketing)	2	1	1	0	
MEDE	Teacher (Primary Education)	61	4	3	1	One applicant was deemed eligible as he declared that he was to undergo the adaptation course as stipulated in the call.
MEDE	Teacher (ECEC)	50	2	2	0	
MEDE	Head of Department (Prefect of Discipline)	20	1	1	0	
MEDE	Manager II (Research)	2	2	2	0	
MEDE	Senior Manager (Project Management)	7	1	1	0	
MEDE	Part-time Adult Educator (English - Foreign Language)	11	1	1	0	
MEDE	Part-time Adult Educator (Italian)	10	1	1	0	
MEDE	Part-time Adult Educator (Spanish)	7	1	1	0	
MEDE	Teacher (Primary Education)	12	1	1	0	
MEDE	Teacher (Spanish)	8	1	0	1	Applicant satisfied the qualifications requirement.

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
MEDE	Part-time Adult Educator (Arabic)	5	2	2	0	
MEDE	Teacher (English)	2	1	1	0	
MEDE	Teacher (ECEC)	15	3	3	0	
MEDE	Assistant Head of School (Primary) Gozo	33	1	1	0	
MEDE	Centre Administrator (School of Music), Mikiel Anton Vassalli	11	1	1	0	
MEDE	Learning Support Centre Coordinator	12	5	1	4	Applicants had missing documentation and were allowed to submit the required documentation.
MEDE	Supply Learning Support Educator	19	1	1	0	
MEDE	Manager II (Transport & Logistics)	5	1	1	0	
MEDE	Manager I (Project Management)	6	1	1	0	
MEDE	Principal Technical Officer	4	1	1	0	
MEDE	Scholarships Officer	9	1	1	0	
MEDE	Supply Teacher (Primary Education - Migrant Induction)	1	1	1	0	
MJCL	Assistant Manager (Procurement)	9	1	1	0	
MJCL	Technical Officer (Maintenance)	5	1	1	0	

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
MJCL	Assistant Foreman	20	1	0	1	Applicant was in the correct salary scale and grade as stipulated in the call.
MJCL	Assistant Technical Officer (Land Surveying)	2	1	1	0	
MJCL	Public Cleansing Foreman	19	1	1	0	
MJCL	Recruitment of Labourers (through Jobsplus)	246	5	4	1	Applicant was included in the Jobsplus list as required in the call.
MJCL	Manager II (Project Management)	20	1	1	0	
MJCL	Supervisor	10	1	1	0	
MJCL	Court Messenger	4	1	1	0	
MJCL	Manager II (People Management)	5	1	1	0	
MJCL	Foreman	29	1	1	0	
MJCL	Assistant Manager (People Management)	11	1	1	0	
MJCL	Tradesman / Senior Tradesman (Electrician)	8	1	1	0	
MJCL	Tradesman / Senior Tradesman (Plasterer & Painter)	25	1	1	0	
MJCL	Operations Manager	8	1	1	0	
MJCL	Tradesman / Senior Tradesman (Welder)	11	1	1	0	
MJCL	Manager II (People Management)	5	1	1	0	
MJCL	Senior Manager (Accounting and Finance)	5	1	1	0	

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
MJCL	Principal Technical Officer (Site Coordination)	9	1	0	1	Applicant had missing documentation and was allowed to submit the required documentation.
MJCL	Manager II (Research)	13	2	2	0	
MFH / MFCS	Allied Assistant	18	2	1	1	One applicant satisfied the qualifications requirement.
MFH / MFCS	Deputy Charge Nurse to be promoted to Charge Nurse	27	5	0	5	Applicants were allowed to apply for MFH call after erroneously applying for MFCS call.
MFH / MFCS	Phlebotomist / Phlebotomy Technician	19	2	2	0	
MFH / MFCS	Pharmacist - F/T & P/T Basis	6	1	0	1	Applicant was allowed to apply for MFH call after erroneously applying for MFCS call.
MFH / MFCS	Promotion of General Practitioner to Senior General Practitioner	3	1	1	0	
MFH / MFCS	Engagement of Retired/Retiring Public Officers and Engagement of Retired/retiring External Recruits on a Full-time or Part-time Basis	11	2	0	2	The Commission agreed that both applicants presented justifiable reasons to have their late application considered favourably.

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
MFH / MFCS	Re-Engagement of Retired/Retiring Public Officers and Engagement of Retired/Retiring external recruits	11	1	0	1	The Commission agreed that applicant presented justifiable reasons to have his late application considered favourably.
MFH / MFCS	Deputy Charge Nurse to be promoted to Charge Nurse	14	1	0	1	The Commission agreed that applicant presented justifiable reasons to have his late application considered favourably.
MFH / MFCS	CAF - Allied Health Professionals	48	1	1	0	
MFH / MFCS	Allied Assistant	21	1	1	0	
MFH / MFCS	Staff Nurse	322	2	1	1	Applicants had missing documentation and were allowed to submit the required documentation.
MFH / MFCS	CAF - Staff Nurses and Midwives to Senior Staff Nurses and Midwives	620	9	2	7	Applicants had initially submitted an incorrect GP47 and the Commission agreed to allow them to submit an updated version.
MFH / MFCS	Phlebotomist / Phlebotomy Technician	23	2	2	0	
MFH	Allied Health Service Manager (Mater Dei)	5	1	1	0	

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
MFH	Consultant (Ophthalmology), GGH	5	1	0	1	Applicant was considered eligible for a provisional interview. The selection board was to assess his ability to communicate in the Maltese language during the provisional interview.
MFH	Practice Nurse (Quality Assurance and Policy Development), Mount Carmel Hospital	11	1	1	0	
MFH	Project Officer for the Project: ESFo2.065 - Establishing a National Platform to Address Social Determinants of Health, within the Superintendence of Public Health	7	1	1	0	
MFH	Barber/Hairdresser (Group IV), Mount Carmel Hospital	1	1	1	0	
MFH	Director (Allied Health Care Services), Healthcare Services Department	3	1	1	0	
MFH	Scientific Officer (Medical Illustrations)	8	1	1	0	

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
MFH	Call for serving Deputy Charge Midwives to be promoted to the Grade of Charge Midwife through Portfolio	8	4	1	3	The Commission deemed that two applicants provided enough evidence to have their late application considered favourably. Another applicant was considered eligible due to an administrative error.
MFH	Consultant (Microbiology/Bacteriology) on Locum Basis, Gozo General Hospital	4	1	1	0	
MFH	Trainee in Genetic Counselling	9	1	1	0	
MFH	Allied Health Professional (Occupational Therapy) on a Full-time/Part-time basis	15	1	1	0	
MFH	Project Administrator for the Project 'Non-Technical Skills Training for Healthcare Personnel' - ESF 02.052	6	1	1	0	
MFH	Project Officer for the Project 'Non-Technical Skills Training for Healthcare Personnel' - ESF 02.052	5	1	1	0	
MFH	Scientific Officer (Environmental Health)	15	1	0	1	Applicant was in possession of a relevant qualification.

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
MFH	Allied Health Professional (Podiatry) on a Full-time/Part-time	8	1	0	1	Applicant provided enough evidence to have his late application considered favourably.
MFH	Allied Health Professional (Physiotherapy) on a Full-time/Part-time	28	1	0	1	Applicant provided enough evidence to have his late application considered favourably.
MFH	Higher Specialist Trainee to Resident Specialist in Paediatrics	6	1	1	0	
MFH	Systems Administrator	12	1	1	0	
MFH	Allied Health Professional (Occupational Therapy)	15	1	1	0	
MFH	Assistant Manager (Accounting & Finance)	17	1	1	0	
MFH	Senior Allied Health Practitioner (Medical Lab Technology)	15	1	1	0	
MFH	Senior Nursing Manager	7	2	0	2	Applicants presented justifiable reasons to have their late application considered favourably.
MFH	Security Officer	16	1	0	1	Applicant was indeed in the requested salary scale and grade requested by the call.

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
MFH	Competence Assessment Framework (CAF) for Allied Health Professionals (Audiology)	2	1	0	1	Applicant was in the required salary scale and as stipulated in the call.
MFH	Competence Assessment Framework (CAF) for Allied Health Professionals (Physiotherapy)	16	2	2	0	
MFH	Manager II (People Management)	10	1	1	0	
MFH	Foundation Doctor	190	21	11	10	Applicants had missing documentation and were allowed to submit the required documentation.
MFH	Senior Foreman	21	2	2	0	
MFH	Consultant Psychiatrist	5	1	1	0	
MFH	Practice Nurse (Anaesthesia)	3	1	1	0	
MFH	Assistant Manager Projects and Communications	13	2	2	0	
MFH	Emergency Ambulance Responder	28	12	3	9	Applicants had missing documentation and were allowed to submit the required documentation.
MFH	Post Mortem and Mortuary Attendant, MDH	8	1	1	0	
MFH	Scientific Officer (Nutrition)	2	1	0	1	Applicant was considered eligible due to an administrative error.

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
MFH	General Practitioner Trainee	57	2	2	0	
MFH	Basic Specialist Trainee (Anaesthesia & Intensive Care)	19	1	1	0	
MFH	Basic Specialist Trainee (General/Internal Medicine)	55	1	0	1	Applicant satisfied the eligibility criteria of the call.
MFH	Basic Specialist Trainee (Obstetrics & Gynaecology)	12	2	2	0	
MFH	Basic Specialist Trainee (Psychiatry)	23	1	1	0	
MFH	Basic Specialist Trainee (Microbiology)	11	1	1	0	
MFH	Basic Specialist Trainee (General Surgery)	26	1	1	0	
MFH	Basic Specialist Trainee (Emergency Medicine)	68	1	1	0	
MFH	Basic Specialist Trainee (Paediatrics)	15	3	3	0	
MFH	Basic Specialist Trainee Locum Basis (Emergency Medicine)	13	1	1	0	
MFH	Staff Grade (Medical Class) Full-time/Part-time	7	2	2	0	
MFH	Basic Specialist Trainee (Haematology)	7	1	1	0	

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
MFH	Project Administrator for the Project "Reduction in Social Inequalities in Health and Burden of Disease"	8	2	2	0	
MFH	Chief Scientific Officer	2	1	1	0	
MFH	Decontamination and Sterilisation Technician, Mater Dei Hospital	25	3	3	0	
MFH	Manager II (People Development), Malta Postgrad Training Centre	7	1	1	0	
MFH	Senior Systems Administrator, CIO Office	10	1	1	0	
MFH	Principal Technical Officer (Biomedical)	23	1	1	0	
MFH	Principal Technical Officer (Electrical)	11	1	1	0	
MFH	Principal Technical Officer (Mechanical)	7	1	0	1	Applicant was deemed eligible after the number of years of experience was confirmed through an updated version of GP47.
MFCS	Senior Allied Health Practitioner (Dental Technology)	1	1	1	0	
MFCS	Tradesman/ Senior Tradesman (Plumber)	12	2	2	0	
MFCS	Principal Technical Officer	8	2	2	0	

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
MFCS	Allied Health Practitioner (Physiotherapy)	6	2	2	0	
MFCS	Assistant Technical Officer	18	2	0	2	Applicant was allowed to apply for MFCS call after erroneously applying for MHAS call.
MFCS	Security Officer	18	1	1	0	
MFCS	Senior Foreman	9	2	1	1	Applicant was in the required salary scale and grade as stipulated in the call.
MFCS	Senior Technical Officer	7	1	1	0	
MFCS	Senior Manager (Account & Finance)	6	1	1	0	
MFCS	Senior Manager (Drugs and Alcohol Policy)	7	1	1	0	
MFCS	Senior Manager (Community Services)	20	1	1	0	
MFCS	Customer Care Assistant	17	1	1	0	
MFCS	Senior Systems Administrator	11	1	1	0	
MFCS	Practice Nurse (Continence)	8	1	1	0	
MFCS	Senior Manager (Community Services)	7	2	2	0	
MFCS	Manager I (Quality Assurance), SVPR	5	1	0	1	Applicant had missing documentation and was allowed to submit the required documentation.
MFTP	Senior Manager (Research), Office of the Permanent Secretary	10	1	1	0	

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
MESDC	Assistant Manager (Fisheries Protection), Fisheries and Aquaculture Dept	30	2	2	0	
MESDC	Assistant Manager (Procurement), Fisheries and Aquaculture Dept	16	1	1	0	
MESDC	Scientific Officer	27	3	1	2	Two applicants had missing documentation and were allowed to submit the required documentation.
MESDC	Senior Manager (Paying Agency)	16	1	1	0	
MESDC	Operations Manager	12	1	1	0	
MESDC	Senior Manager (Administration - Fisheries), Fisheries and Aquaculture Department	13	2	2	0	
MESDC	Project Officer, Rain Water Infrastructure Network Project (RAINWIIN), Ambjent Malta	16	1	1	0	
MESDC	Farmer	52	7	0	7	Applicants satisfied the eligibility criteria. However, the call had been issued with outdated eligibility criteria. The Commission ruled that the call be re-issued with updated eligibility criteria.

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
MESDC	Principal Agricultural Officer	18	3	1	2	Both applicants satisfied the eligibility criteria as per the MOU signed in 2013.
MESDC	Senior Systems Administrator, Office of the Chief Information Officer	10	1	1	0	
MESDC	Assistant Manager (Fisheries Protection)	9	1	1	0	
MESDC	Operations Manager	12	1	1	0	
MESDC	Senior Manager (EU Affairs)	7	1	1	0	
MESDC	Project Officer (Paying Agency)	19	1	1	0	
MESDC	Manager II (Administration - Fisheries)	12	1	1	0	
MESDC	Assistant Manager (People Management)	19	2	2	0	
MESDC	Technical Officer (Site Coordination)	8	1	0	1	Applicant was deemed eligible as he was confirmed in the required grade.
MESDC	Manager (Paying Agency)	8	1	1	0	
MEAE	Senior Manager (Contracts Compliance)	8	1	1	0	
MEAE	Programme Officer (EU Funds)	30	1	1	0	
MEAE	Manager II (Research)	21	2	2	0	
MEAE	Senior Manager (Project Management), Office of Permanent Secretary	12	1	0	1	Applicant was in possession of the required qualifications.
MEAE	Technical Attaché	12	1	1	0	

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
MEAE	Technical Attaché	20	1	1	0	
MEAE	Technical Attaché	14	1	1	0	
MEAE	Senior Manager (EU Funds) - PPCD, FPD, SID and MSD	45	2	2	0	
MEAE	EIRA Inspector	11	7	2	5	5 applicants had missing documentation and were allowed to submit the required documentation.
MFIN	Senior Manager (Accounting and Finance)	13	3	2	1	One applicant was deemed eligible on the basis that his qualification had the relevant ECTS credits.
MFIN	Manager II (Accounting & Finance)	7	1	0	1	Applicant was considered eligible as he was in possession of a relevant qualification.
MFIN	Manager II (Accounting & Finance)	8	1	1	0	
MFIN	Systems Administrator, CIO Office	8	1	1	0	
MFIN	Manager II (Accounting & Finance)	8	1	1	0	
MTIP	Principal Technical Officer (Districts)	14	1	1	0	
MTIP	Tradesman/ Senior Tradesman (Tile Laying)	12	4	4	0	
MTIP	Manager II (Procurement)	7	3	3	0	
MTIP	Senior Foreman	13	1	1	0	

Ministry	Post/Position Applied for	Number of Applicants	Number of Representations Received	Number of Representations not upheld	Number of Representations upheld	Remarks
MTIP	Tradesman/ Senior Tradesman	6	1	0	1	Applicant was deemed eligible as he held a relevant and comparable qualification.
MTIP	Heavy Plant Driver	3	1	1	0	
MTIP	Assistant Manager (Accounting & Finance)	7	1	1	0	
MTIP	Scientific Officer	19	1	0	1	Applicant was deemed eligible as he submitted letter of proof of qualification.
MTIP	Principal Technical Officer (Electrical)	3	1	1	0	
MEIB	Senior Manager (Enterprise Policy and Schemes)	10	1	1	0	
MEIB	Manager I (Procurement)	7	1	0	1	Applicant had missing documentation and was allowed to submit the required documentation.
MOT	Senior Manager (Project Management)	6	1	1	0	

Appendix 5

Petitions addressed by the Public Service Commission in 2019

(Nomenclatures denoting the male gender include also the female gender)

Ministry	Post/Position applied for	Number of Interviewed Candidates	Number of Petitions received	Number of Petitions not upheld	Number of Petitions upheld	Remarks
OPM	Assistant Manager (People Management) in the Finance and Administration Directorate	5	1	1	0	
OPM	Assistant Director, Office of the Regulator (Individual Investor Programme)	3	1	1	0	
OPM (Centralised)	Assistant Director (Local Government)	2	1	1	0	
OPM (Centralised)	Director (Government Accounts), Treasury Department	3	1	1	0	
MHAS	Assistance and Rescue Officer, Civil Protection Department	247	5	1	4	A revised result was issued to address shortcomings identified in the selection process.
MHAS	Senior Correctional Officer, Correctional Services Department	61	1	1	0	
MGOZ	Director (Rural Gozo)	3	1	1	0	
MGOZ	Manager I (Project Management), EcoGozo Regional Development Directorate	5	1	1	0	

Ministry	Post/Position applied for	Number of Interviewed Candidates	Number of Petitions received	Number of Petitions not upheld	Number of Petitions upheld	Remarks
MGOZ	Director General (Strategy and Support)	6	3	3	0	
MGOZ	Director General (Operations)	3	2	2	0	
MGOZ	Position of Assistant Director (Services Gozo Directorate)	1	1	1	0	
MGOZ	Director (Maintenance and Restoration)	3	2	2	0	
MGOZ	Director (Cultural Heritage)	9	1	1	0	
MGOZ	Senior Technical Officer (Land Surveyor)	2	1	1	0	
MEDE	Head of School to serve in Malta	11	2	2	0	
MEDE	Teacher - Secondary (Integrated Science)	7	1	1	0	
MEDE	Teacher - Secondary / Post-Secondary (Biology)	7	1	1	0	
MEDE	Teacher - Post-Secondary (Environmental Science)	1	1	1	0	
MEDE	Supply Teacher - Secondary / Post-Secondary (Chemistry)	2	1	1	0	
MEDE	Supply Teacher - Secondary / Post-Secondary (Physics)	1	1	1	0	
MEDE	Assistant Director (Finance Directorate)	2	1	1	0	
MEDE	Head of Department VET (Health and Social Care)	8	2	2	0	
MEDE	Head of Department Primary (English)	9	2	2	1	One petitioner had his ranking revised.

Ministry	Post/Position applied for	Number of Interviewed Candidates	Number of Petitions received	Number of Petitions not upheld	Number of Petitions upheld	Remarks
MEDE	Head of Department VET (Textiles and Fashion)	6	1	1	0	
MEDE	Head of Department Curriculum (Digital Literacy)	24	1	0	1	A revised result was issued to address shortcomings identified in the selection process.
MEDE	Head of Department English (Secondary)	10	2	2	0	
MEDE	Head of Department Curriculum (Primary English)	8	1	1	0	
MEDE	Assistant Head of School (Primary) to serve in Gozo	29	1	1	0	
MEDE	Head of Department Curriculum (Digital Literacy)	24	1	1	0	A revised result was issued to address shortcomings identified in the selection process.
MEDE	Head of Department (Inclusion)	6	2	2	0	
MEDE	Supervisor	42	1	1	0	
MEDE	Manager II (Transport)	1	1	1	0	
MEDE	Supply Teacher	1	1	0	1	
MEDE	Education Officer (Migrant Learners)	5	2	2	0	
MEDE	Education Officer (Assessment for Learners)	3	1	1	0	
MEDE	Education Officer (Digital Literacy)	5	1	1	0	
MEDE	Foreman within MEDE to serve in Malta	26	1	0	1	Petition not upheld initially. However, following enquiries by Ombudsman, further clarifications were sought from Selection Board. A revised result was published and petitioner's ranking was upgraded.

Ministry	Post/Position applied for	Number of Interviewed Candidates	Number of Petitions received	Number of Petitions not upheld	Number of Petitions upheld	Remarks
MEDE	Assistant Foreman within MEDE to serve in Malta	28	1	1	0	
MEDE	Head of Department Curriculum (Primary Science)	9	2	2	0	
MEDE	Head of Department Curriculum (Primary Mathematics)	16	5	4	1	A revised result was issued to address shortcomings identified in the selection process.
MEDE	Head of Department Curriculum (Migrants Unit)	4	1	1	0	
MEDE	Assistant Technical Officer	58	1	0	1	A revised result was issued to address shortcomings identified in the selection process.
MEDE	Senior Manager (Project Management)	3	1	0	0	Petition was not further pursued by candidate.
MEDE	Assistant Manager (Transport & Logistics)	1	1	0	1	Partially upheld on marks for Experience & Qualifications.
MEDE	Teacher (2019)	12	3	2	1	One petition upheld on marks for Qualifications.
MEDE	Supply Teacher (2019) – English	1	1	1	0	
MEDE	Learning Support Educators	272	2	1	1	One petition upheld on marks for Years of Experience.
MEDE	Part-time Adult Educator (Italian)	3	1	1	0	
MEDE	Part-time Adult Educator (Accounting)	3	1	1	0	
MEDE	Supply Teacher (Art)	2	1	0	1	Partially upheld on marks for Qualifications.
MEDE	Supply Teacher (Art)	1	1	1	0	
MEDE	Teacher (Primary Education General)	49	4	3	1	Partially upheld on marks for Qualifications.

Ministry	Post/Position applied for	Number of Interviewed Candidates	Number of Petitions received	Number of Petitions not upheld	Number of Petitions upheld	Remarks
MEDE	Teacher (Italian)	5	1	0	1	Partially upheld on marks for Experience.
MEDE	Supply Teacher (Primary Education General)	2	1	1	0	
MEDE	Supply Teacher (Primary Education General)	2	1	1	0	
MEDE	Supply Teacher (Physical Education)	1	1	1	0	A revised result was issued to address shortcomings identified in the selection process.
MEDE	Head of Department (Prefect of Discipline)	11	2	2	0	
MEDE	Operations Manager	3	1	1	0	
MEDE	Position of Centre Administrator (School of Music)	5	1	1	0	
MJCL	Deputy Registrar (Diploma), Courts of Justice Department (Malta)	3	1	1	0	
MJCL	Foreman (Sites)	4	1	1	0	A revised result was issued to address shortcomings identified in the selection process.
MJCL	Archive Conservator	4	2	2	0	
MFH / MFCS	Staff Nurse on Full-Time / Part-Time Basis	204	1	1	0	
MFH / MFCS	Clinical Chairperson (Geriatrics)	3	1	1	0	
MFH / MFCS	Phlebotomist / Phlebotomy Technician	17	1	1	0	
MFH / MFCS	HST General Surgery	13	1	1	0	

Ministry	Post/Position applied for	Number of Interviewed Candidates	Number of Petitions received	Number of Petitions not upheld	Number of Petitions upheld	Remarks
MFH	Allied Health Professional (Physiotherapy) on a Full-Time / Part-Time Basis	28	3	3	0	
MFH	Chief Information Officer	1	1	1	0	
MFH	Emergency Ambulance Responder	8	2	2	0	
MFH	Foreman	32	2	0	2	A revised result was issued to address shortcomings identified in the selection process.
MFH	Manager I (CPSU)	3	1	1	0	
MFH	Basic Dental Specialist	2	1	1	0	
MFH	Practice Nurse (Scrub)	6	1	0	1	A revised result was issued to address shortcomings identified in the selection process.
MFH	Consultant (Public Health Medicine), Superintendence of Public Health	5	1	1	0	
MFH	Chief Nursing Manager	2	1	1	0	
MFH	Consultant Orthopaedic Surgeon	2	1	1	0	
MFH	Director (Health Promotion & Disease Prevention) Superintendence of Public Health	4	1	1	0	
MFH	Higher Specialist Trainee (General Surgery)	9	1	1	0	
MFH	Higher Specialist Trainee (Endocrinology and Diabetes)	4	1	1	0	

Ministry	Post/Position applied for	Number of Interviewed Candidates	Number of Petitions received	Number of Petitions not upheld	Number of Petitions upheld	Remarks
MFH	Higher Specialist Trainee (Orthopaedic Surgery, Trauma and Sports Medicine)	4	2	1	1	A revised result was issued to address shortcomings identified in the selection process.
MFH	Principal ECG Technician	17	5	5	0	
MFH	Basic Specialist Trainee (Psychiatry)	21	1	1	0	
MFCS	Senior Coordinator (Active Ageing), SVPR Long Term Care Facility	5	1	1	0	
MFCS	Senior Nursing Manager, SVP	6	1	1	0	
MFA	Counsellor	19	2	2	0	
MESDC	Senior Veterinary Support Officer	5	1	1	0	
MESDC	Environment Officer	29	1	1	0	
MSDEC	Operations Manager	2	1	1	0	
MEAE	Manager II (People Management), Corporate Services	2	1	1	0	
MEAE	Programme Manager (EU Funds)	2	1	1	0	
MEAE	Position of Technical Attaché (Trade) within the Permanent Representation of Malta to the EU in Brussels	12	1	0	0	Pending as on 31 December 2019.
MFIN	Assistant Manager (Procurement)	3	1	1	0	
MTIP	Security Officer	40	3	2	1	A revised result was issued to address shortcomings identified in the selection process.

Ministry	Post/Position applied for	Number of Interviewed Candidates	Number of Petitions received	Number of Petitions not upheld	Number of Petitions upheld	Remarks
MEIB	Position of Assistant Director in the Trade-related Services & Projects Directorate	3	1	0	0	Pending as on 31 December 2019