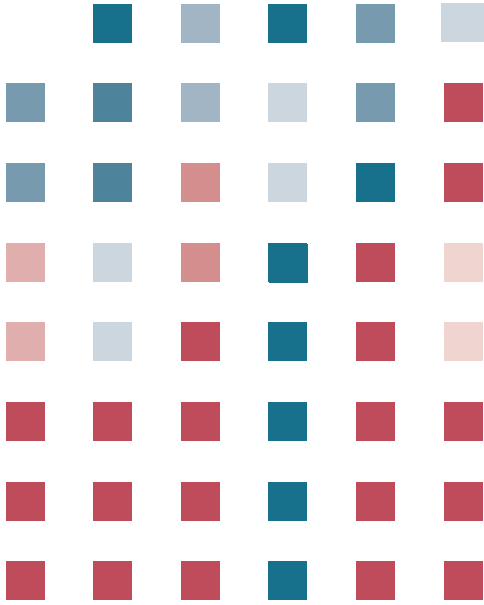


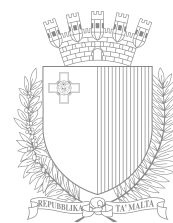
PUBLIC SERVICE COMMISSION



ANNUAL REPORT

2021





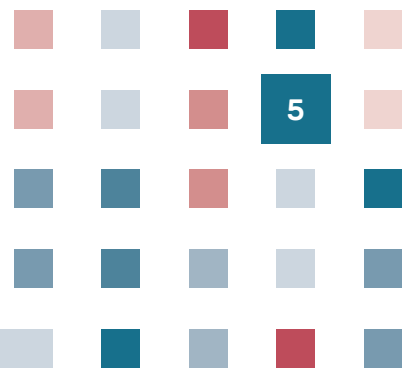
PUBLIC SERVICE COMMISSION

ANNUAL REPORT

2021

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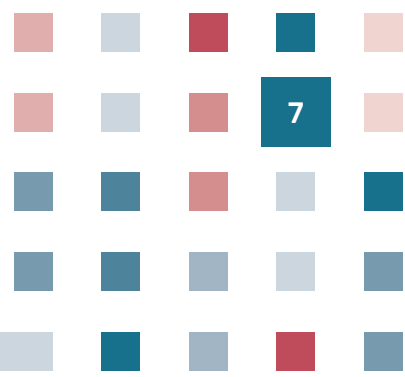


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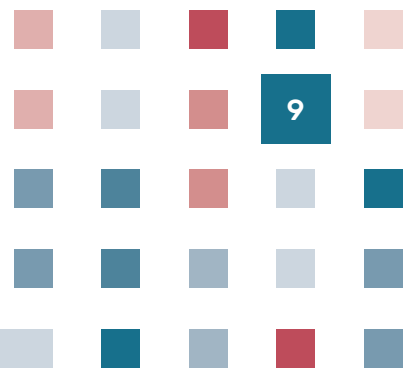
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Acronyms

OPM	Office of the Prime Minister
OPM (MPS)	Office of the Prime Minister (Malta Public Service)
OPM (SAAC)	Office of the Prime Minister (Senior Appointments Advisory Committee)
MFH	Ministry for Health
MFEA	Ministry for Foreign and European Affairs
MSCA	Ministry for Senior Citizens and Active Ageing
MFER	Ministry for Equality, Research and Innovation
MFED	Ministry for Education
MHAL	Ministry for the National Heritage, the Arts and Local Government
MTIP	Ministry for Transport, Infrastructure and Capital Projects
MSFC	Ministry for Social Justice and Solidarity, the Family and Children's Rights
MFJG	Ministry for Justice and Governance
MAFA	Ministry for Agriculture, Fisheries, Food and Animal Rights
MEI	Ministry for the Economy and Industry
MTCP	Ministry for Tourism and Consumer Protection
MECP	Ministry for the Environment, Climate Change and Planning
MGOZ	Ministry for Gozo
MHSE	Ministry for Home Affairs, National Security and Law Enforcement
MESD	Ministry for Energy, Enterprise and Sustainable Development
MFE	Ministry for Finance and Employment
PSC	Public Service Commission
P&SD	People and Standards Division
IAID	Internal Audit and Investigations Department
CfR	Commissioner for Revenue
HR	Human Resources



Highlights 2021

48
sittings




26
oral hearings



155
recommendations



644
representations



186
petitions



24
disqualifications



18
precautionary suspensions

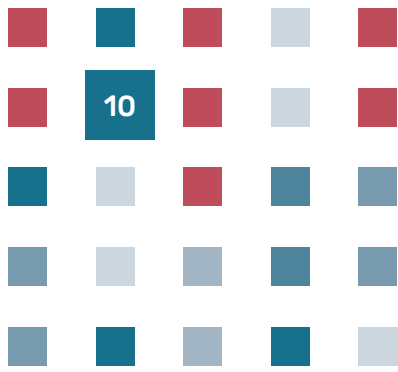


2
dismissals



8
annulled disciplinary cases



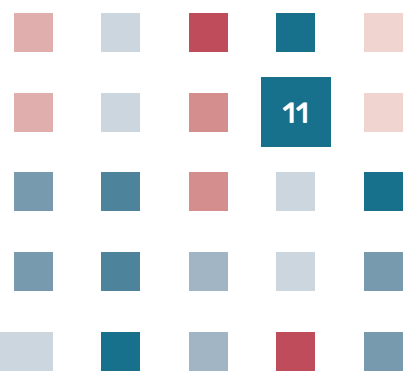


Abstract

This is the 62nd annual report of the Commission, compiled in terms of Regulation 5(1) of the Public Service Commission General Regulations.

The report provides an overview of the main activities of the Commission during the year 2021 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

The Covid-19 pandemic once again conditioned the manner in which the Commission conducted its business during 2021. This did not deter us from contriving measures to fulfil our duties.

The Executive Secretary supported us through these inordinate times with the assistance of her able staff. The Commission would not have been able to work under such stressful limitations were it not for the efficiency of all the officers, new and old. The Executive Secretary, who had taken up appointment late in 2020, introduced her style of management which was both effective and persuasive, employing new measures to ensure healthy teamwork.

The Commission sustained its thrust in favour of further delegation of authority to Permanent Secretaries, with regard to the Appointment and Selection Process, by way of an Instrument of Delegation issued on 10 March 2021.

Legal Notice 195 of 2021 introduced further amendments to the Public Service Commission Appointments Regulations. Moreover, amendments to the Disciplinary Regulations were enacted through Legal Notice 383 of 2021.

As this Commission nears the end of its term of office, I wish to thank my colleagues on the Commission for their co-operation, in ensuring that the principles of merit, equality of opportunity, impartiality, transparency and the absence of patronage on which the Commission is founded were always the guiding beacon in the formulation of our decision-making process. It has been a privilege working with all the Members, the Executive Secretary and her officers and I thank every single one of them for their consistent co-operation and friendship.

Louis P Naudi
Chairman

The Public Service Commission

In 2021, the members of the Commission were in the last year of their three-year tenure, after they had been re-appointed to office in July 2019. During the year under review, the Commission convened 48 sittings and held 26 oral hearings.

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.

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.

The Office of the Public Service Commission

The Office of the Public Service Commission is served by a small team of public officers led by the Executive Secretary who is also vested with the legal and judicial representation of the Commission. In 2021 the Office of the Commission invested in a case management system and in the digitisation of a number of its processes.

Information on the staff complement and the total expenditure incurred in the running of the Office of the Public Service Commission for the year 2021 are shown in Appendix 2 of this report.

Website

The Commission's website, <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.

Selection & Appointments

The role of the Commission within a delegated scenario

Directive 9 amended by Directive 9.1, issued by the Principal Permanent Secretary in terms of the Public Administration Act, 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.

This Section provides an overview of the work conducted by the Commission during 2021 in terms of the Public Service Commission Appointments Regulations, 2015.

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.

The Public Service Commission may 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.

During 2021, the Commission authorised four requests for withdrawal of calls for applications.

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, based on the justification given. The Commission upheld one such request during the reporting period.

Composition of Selection Boards

The Commission approved three 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.

Selection Criteria

Pursuant to the amendments made to the *Manual on Industrial Relations and the Selection and Appointment Process Under Delegated Authority in the Malta Public Service*, Authorities are empowered to approve deviations from the guidelines, in Appendices 3.1-3.5 therein, indicating the selection criteria, sub-criteria and corresponding weightings without reference to the Commission. This delegation of power to the Authorities to approve any deviations from the guidelines does not waive any direction given by the Commission prior to or after the introduction of the delegation and such direction remained effective.

Prior to this delegation, in those instances where a deviation from the semi-standard criteria set out in the Manual was contemplated, the Authority was required to refer the selection criteria and respective weightings for the endorsement of the Public Service Commission prior to the commencement of the interviews. In 2021, that is up to 2 June 2021, the Commission considered a total of 23 requests, for such deviations.

Representations submitted in terms of Regulation 23

The contested calls for applications amounted to 300. These calls for applications attracted 8,856 applicants.

The Commission received 654 representations from applicants, in terms of Regulation 23(1) of the Public

Service Commission Appointments Regulations, 2015, contesting the decision of ineligibility as communicated by the respective Selection Boards. Two of these representations were withdrawn, and three other representations were not considered in view that the applicants were considered eligible by the Selection Board.

As at 31 December 2021, a total of five representations remained pending before the Commission.

Therefore, a total of 644 representations were treated and concluded by the Commission.

The majority of the representations, (60%), were made by applicants who were deemed ineligible on the basis of their qualification.

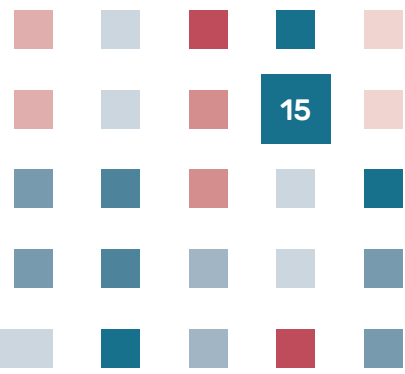
The Commission, after investigating the submissions, ruled in favour of 99 applicants whom it deemed eligible.

A detailed account of the representations addressed by the Commission during 2021 can be found in Appendix 3 of the report.

Table 1: Representations – Distribution by Ministry

Ministry	Contested Selection Processes	Applications	Representations
OPM (MPS)	15	3,276	174
OPM (SAAC)	18	75	18
OPM	9	170	14
MAFA	20	300	30
MECP	8	116	8
MHAL	8	52	8
MFER	4	38	6
MFED	87	1,437	148
MESD	10	102	12
MEI	2	30	3
MSFC	4	63	5
MSCA	13	221	17
MFEA	6	151	15
MFH	52	1,630	97
MFE	9	377	32
MGOZ	6	82	9
MHSE	9	454	32
MFJG	8	131	7
MTCP	2	7	2
MTIP	11	144	17
Total	300	8,856	654⁽¹⁾

⁽¹⁾ Notes: 2 withdrawn, 5 pending as on 31.12.21, and 3 were actually eligible and not considered further.



Petitions submitted in terms of Regulation 24

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 within ten working days from the date when action is taken to make the outcome of the selection process known to him/her.

In 2021, a total of 66 selection processes were contested. Of the 1,965 candidates who were interviewed in connection with these selection processes, 171 submitted a petition to the Commission. An additional

14 petitions, from one selection process, involving 33 interviewed candidates, which had been pending as on 31 December 2020, were also investigated and decided upon during the year under review. Therefore in 2021 the Commission treated a total of 185 petitions.

The Commission decided in favour of 34 candidates, and directed that a revised result be issued. Eight petitions remained pending as on 31 December 2021. A detailed account of the petitions treated by the Commission is found at Appendix 4.

The majority of the petitions received related to complaints about marks given by Selection Boards for experience (31%), followed by qualifications (30%).

Diagram 1: Nature of Petitions

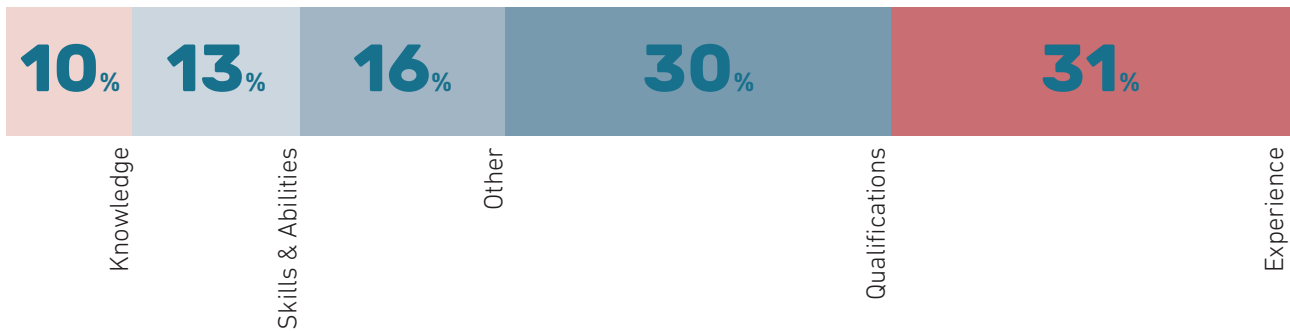


Table 2: Petitions – Distribution by Ministry

Ministry	Contested Selection Processes	Interviewed Candidates	Petitions
OPM (MPS)	5	1,101	81
OPM (SAAC)	7	23	8
OPM	2	17	3
MFED	26	300	35
MSCA	2	12	4
MFH	17	392	33
MFE	1	2	1
MGOZ	1	5	1
MHSE	3	80	16
MTIP	3	33	3
Total	67⁽²⁾	1,965	185

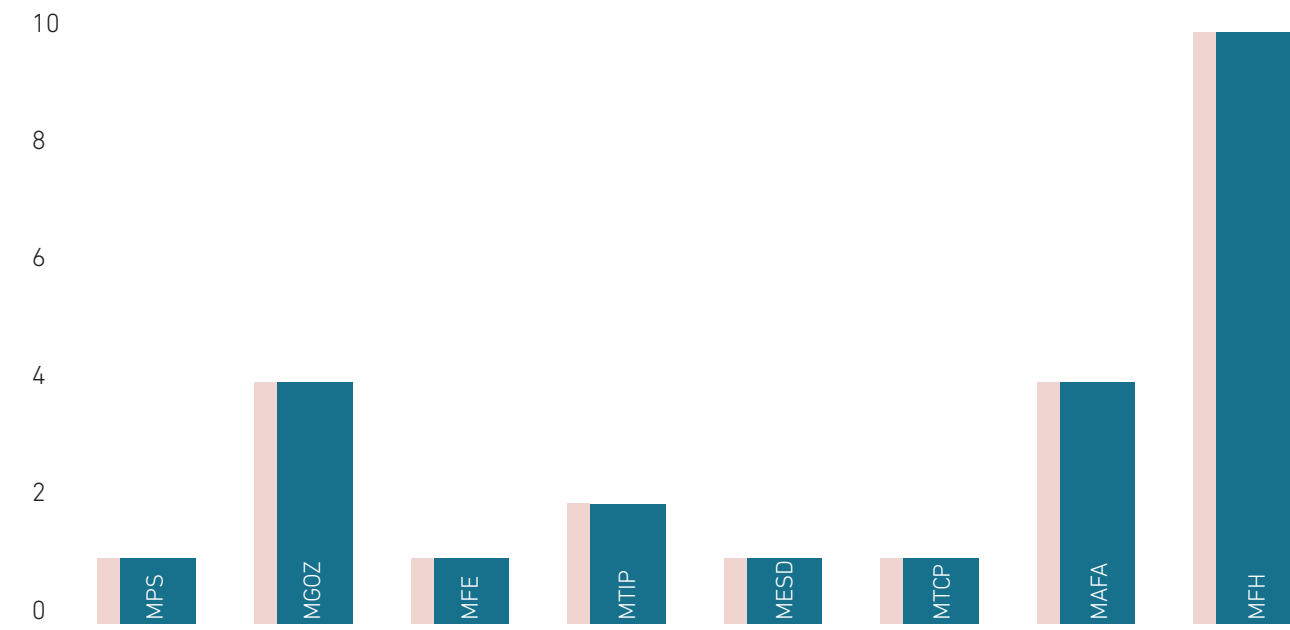
⁽²⁾ Notes: 1 selection process carried forward from 2020

Regulation 20: Power of the Commission to disqualify applicants

The Commission disqualified 24 candidates in terms of Regulation 20 during this reporting period. In the

majority of cases, candidates were disqualified in view that the individuals concerned no longer satisfied the eligibility requirements of the respective call for applications, or should have been considered ineligible *a priori* by the Selection Board.

Diagram 2: Disqualifications (Reg. 20)



Extension/Termination of Probationary Period

An officer who, during his/her probationary period, demonstrates that his/her ability and efficiency displayed in the performance of duties fall short of the required standard, may have his/her probationary period extended or terminated. In such cases, before the lapse of the probationary period, the Permanent Secretary is to inform the officer concerned, in terms of Section 1.8 of the *Manual on Resourcing Policies and Procedures*, of the intention to extend or terminate the probationary period. Notified officers are entitled to appeal to the Public Service Commission within ten working days of the date of notification.

During 2021, the Commission received 93 notifications regarding the extension of probationary period. In one instance the Commission revoked the notification due to an administrative irregularity. Five officers filed an appeal and subsequently the Commission ruled in favour of three appellants.

The Commission also received six notifications for the termination of appointment, out of which one officer appealed to the Commission. The appeal was not upheld. Therefore the Commission recommended that the appointment be terminated.

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 Public Service Commission Appointments Regulations. In 2021, the Commission recommended the revocation of three appointments.

Recommendations and advice to the Prime Minister

During the year under review, the Commission referred 98 recommendations to the Prime Minister in terms of Article 110 of the Constitution. These recommendations related to appointments to Headship Positions, re-designation of positions, extension of performance agreements, termination of performance agreements, termination of probationary period and lateral moves. Other recommendations related to the reversion to previous grades, revocation of appointments, re-employment/reinstatement, and appointments of Executive Secretary within Local Councils.

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

Advice to the President

Act XXVI of 2021 introduced amendments to Article 92(3) of the Constitution. By way of these amendments, the power to appoint public officers to hold or act in the office of Permanent Secretary and to remove from office persons holding or acting in such office shall vest in the President of Malta. Provided that the Public Service Commission shall give its advice to the President after having received and evaluated the recommendation given by the Principal Permanent Secretary.

During the year under review, the Commission issued one advice in terms of Article 92(3).

Notifications

The Commission issued 130 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.

Audits

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

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 during these audits are 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.

Notwithstanding that, due to the restrictive measures in connection with the Covid-19 pandemic, no physical audits were conducted, the compliance mechanism continued to function through the investigation of representations and petitions received by the Commission. Moreover, the Commission kept in constant touch with the Authorities responsible for the issuing of calls for applications and the Selection Boards in order that regulations are followed thoroughly throughout the selection process.

Discipline

The exercise of discipline under 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 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.

This Section provides an overview of the work conducted by the Commission during 2021 with regard to substantive matters in terms of the Public Service Commission Disciplinary Regulations, 2017.

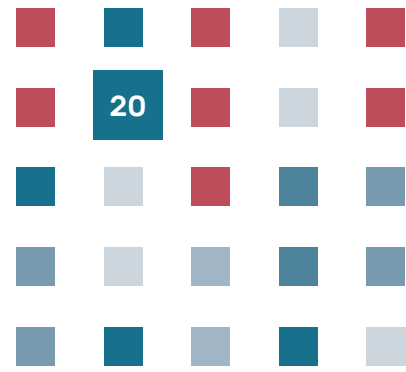
Disciplinary action taken by the Head of Department

Disciplinary action taken by Heads of Department within various ministries between 1 January and 31 December 2021, in accordance with the Public Service Commission Disciplinary Regulations, 2017, totalled 76 charges. Another 46 charges were pending from previous years. During the period under review 107 public officers had active disciplinary procedures against them. The total number of active cases during 2021 was 122.

Table 3: Disciplinary Action taken by Heads of Department

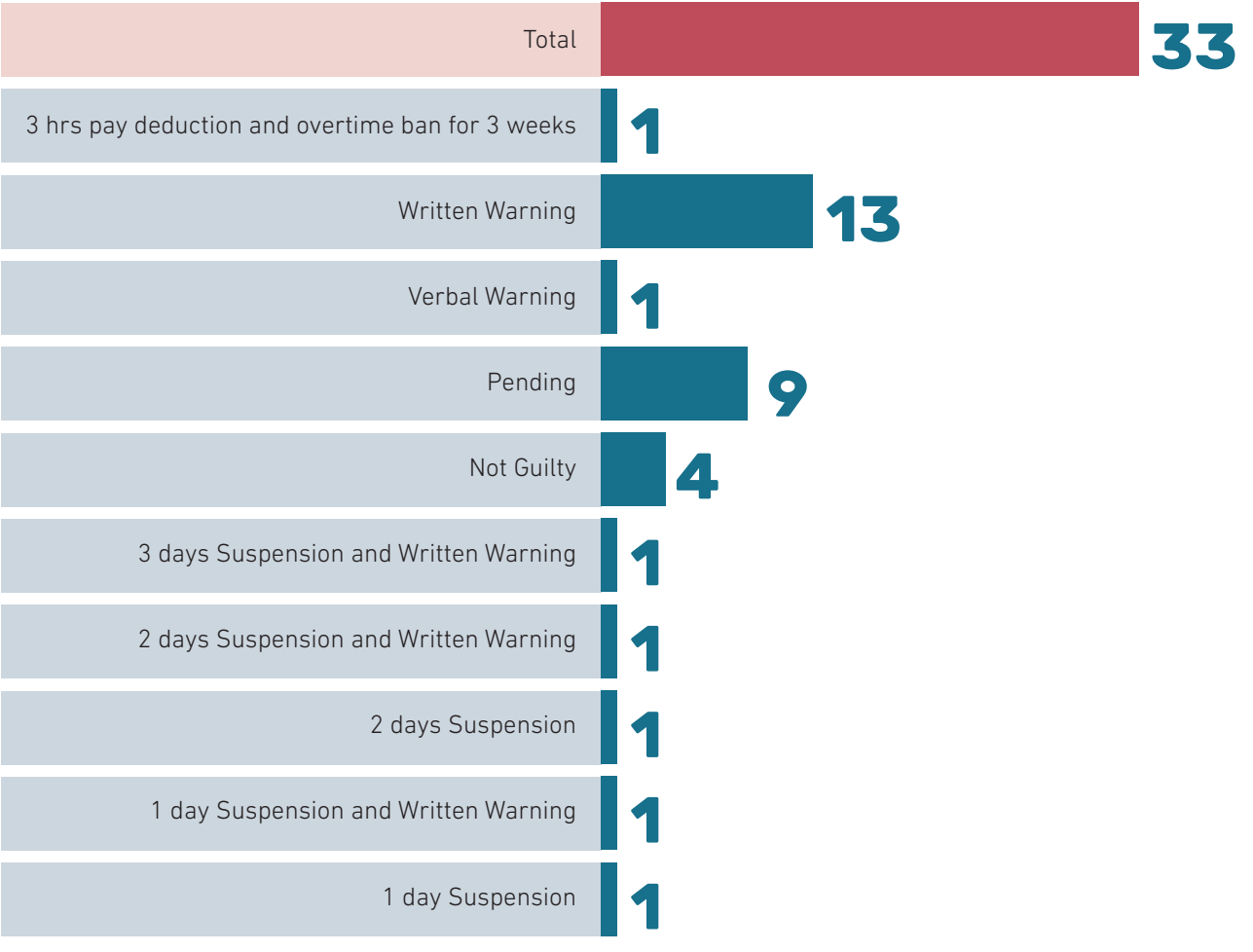
Ministry	Minor Disciplinary Charges	Serious Disciplinary Charges	Serious Charges leading to dismissal
MAFA	0	5	0
MECP	0	1	0
MESD	14	5	0
MFE	1	0	1
MFED	0	3	3
MFH	0	24	2
MGOZ	0	1	0
MHSE	5	6	2
MJEG	1	0	1
MSCA	6	20	1
MTCP	1	3	10
MTIP	4	1	0
OPM	1	0	0
Total	33⁽³⁾	69⁽⁴⁾	20⁽⁵⁾

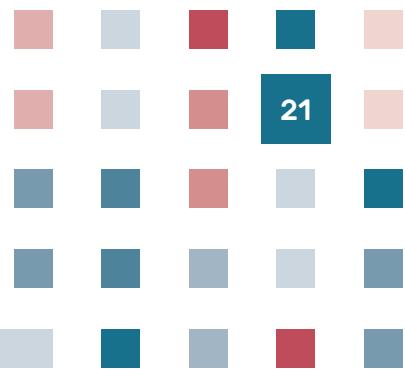
Notes: Charges issued in 2021:- ⁽³⁾22; ⁽⁴⁾45; ⁽⁵⁾20;



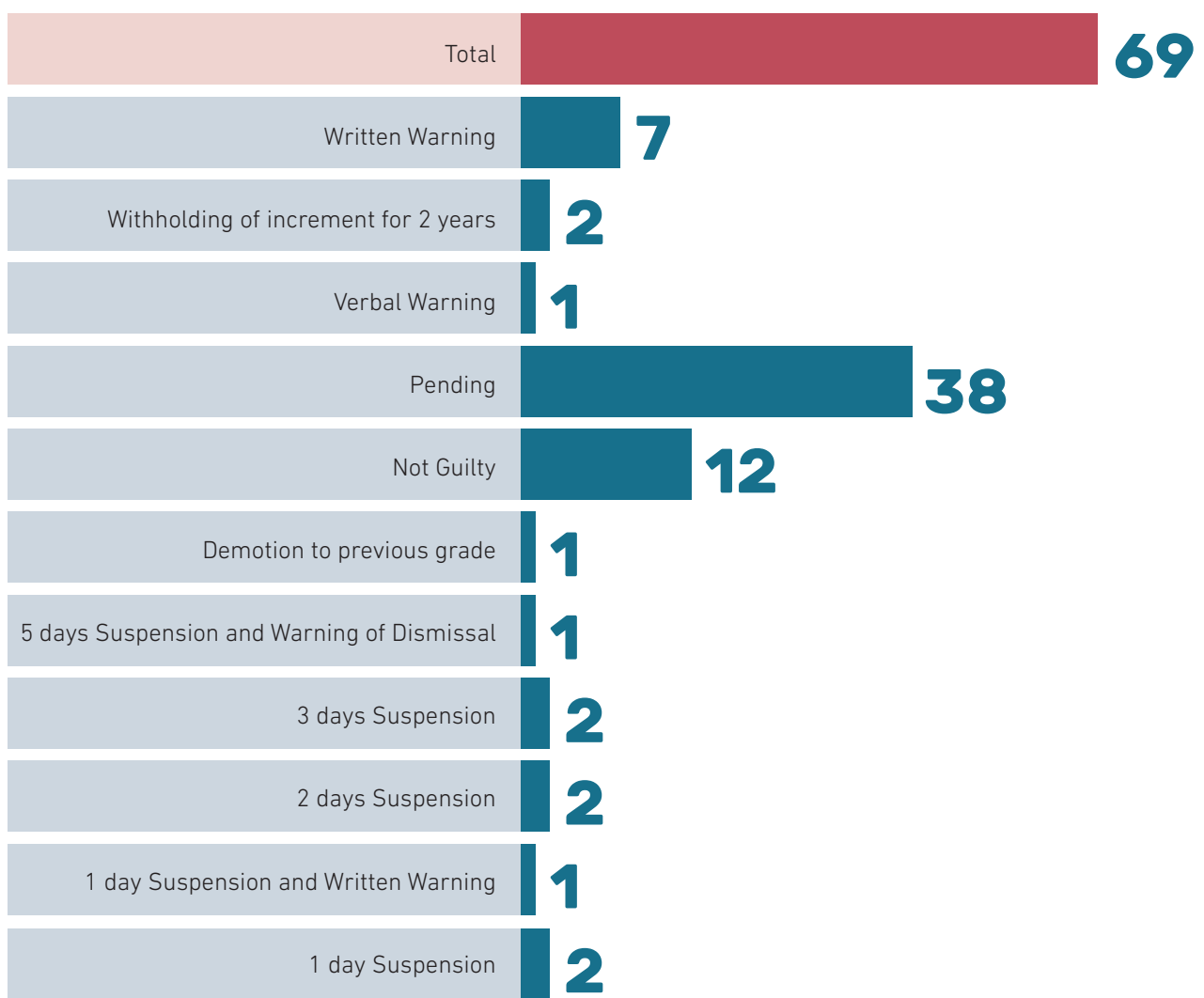
An analysis of the outcome of the aforementioned disciplinary charges issued by Heads of Department is presented in the following diagrams:

**Diagram 3: Disciplinary Action by Heads of Department in 2021
(Outcome of Minor Disciplinary Cases)**

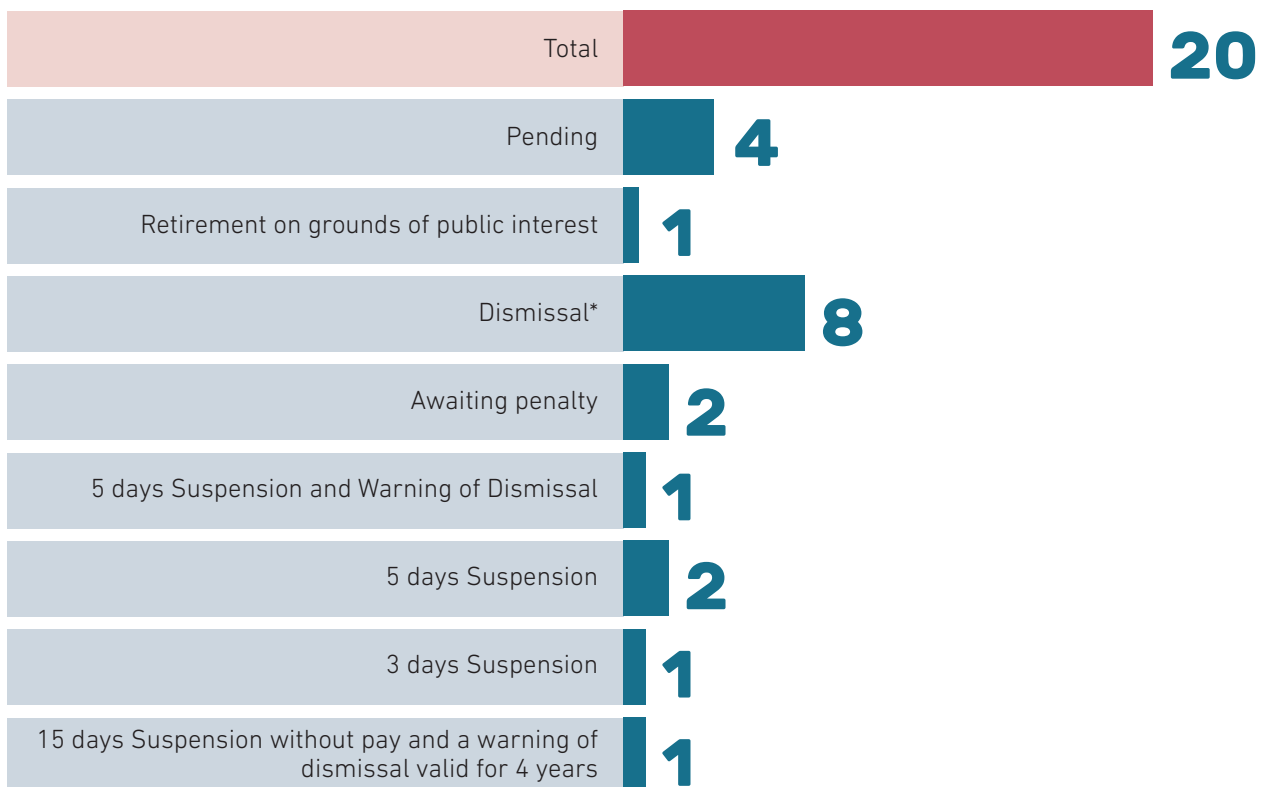




**Diagram 4: Disciplinary Action by Heads of Department in 2021
(Outcome of Serious Disciplinary Cases)**



**Diagram 5: Disciplinary Action by Heads of Department
(Outcome of Serious Disciplinary Cases Leading to Dismissal)**



**Eight cases related to the same public officer resulted in one dismissal*

Disciplinary cases involving criminal proceedings against public officers

The Commission made the following recommendations to the Prime Minister, in terms of Article 110 of the Constitution, in respect of 31 cases involving criminal proceedings against public officers. These comprise of:

- 13 cases where the Commission recommended the precautionary suspension of the officers concerned;
- three cases where the Commission recommended

the lifting of the precautionary suspension pending any potential penalties that may appropriately be imposed;

- four cases where the officers concerned were acquitted or where no criminal proceedings were instituted; and
- one case where the Commission recommended that no penalty be imposed.

The remaining cases were served with a penalty as indicated in Table 4.

Table 4: Recommendations made to the Prime Minister concerning criminal cases

Recommendations in terms of Regulation 13	Precautionary suspension pending outcome of Criminal Court Cases	13
	No precautionary suspension pending outcome of police investigation	1
Lifting of precautionary suspension before conclusion of proceedings without prejudice to any further disciplinary action or penalties		3
Action by the Commission following a "guilty" verdict by the Courts	Dismissal	2
	Warning of dismissal and forfeiture of salary	3 ⁽⁶⁾
	Warning of dismissal and suspension without pay (5 days)	1
	Warning of dismissal	2
	Definite suspension without pay (2 days)	1
	No penalty	1
Restitution of rights following no institution of criminal proceedings or a "not-guilty" verdict by the Courts	Refund of salary withheld	4
Total		31

⁽⁶⁾ Notes: In one of these cases, the Commission recommended also that the accused officer be suspended without pay for 15 days and in another case the Commission recommended also the termination of the Performance Agreement of the officer concerned.

The Commission also submitted its advice to the Prime Minister, in terms of Section 114(1) of the Constitution, on three occasions.

These included:

- one case where a former public officer was acquitted by the Court and was consequently granted the half uncommuted Treasury pension withheld;

- one case where 70% of the pension service was withheld from the officer concerned, pending the conclusion of criminal proceedings; and
- one case where the officer concerned forfeited the service pension rights.

Oral Hearings

During the year under review, the Commission convened 18 oral hearings in terms of the Disciplinary Regulations.

Four cases were convened in terms of Regulation 15(2), which deals with disciplinary action following conviction on a criminal charge.

The Commission treated eight cases related to offences where the Head of Department had given notice to the officer charged that the charges, if proved, could lead to dismissal. In such cases, 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). The Commission treated eight cases in terms of this regulation in 2021.

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. Two appeals were submitted to the Commission in terms of Regulation 27 in 2021.

The Commission held one Oral Hearing in terms of Regulation 29. The Head of Department may 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 three other instances, the Commission held Oral Hearings related to appeals submitted by public officers

against the decision of the Head of Department to consider them as having resigned from the Public Service with effect from the eleventh day following their absence without leave for ten consecutive working days, in terms of Regulation 32(5) of the Public Service Commission Disciplinary Regulations, 2017.

Disciplinary cases leading to dismissal and appeals

The Commission considered 15 disciplinary cases which were referred to it in terms of:

- (i) Regulation 12 of the Public Service Commission Disciplinary Regulations, 2017, where the Head of Department recommended that the officer concerned be suspended for precautionary purposes.
- (ii) Regulation 23(2) of the Public Service Commission Disciplinary Regulations, 2017, where the officers involved had been notified that the charges, if proved, could lead to their dismissal.
- (iii) 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 written/oral representations, the Commission submitted 15 recommendations to the Prime Minister, a breakdown of which is provided in Table 5.

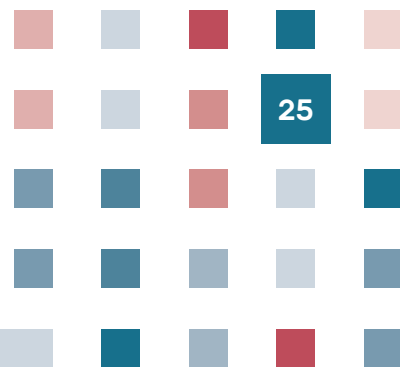


Table 5: Recommendations made to the Prime Minister concerning disciplinary cases

Precautionary suspension pending outcome of disciplinary case	5
Dismissal	1
Warning of dismissal and suspension without pay (15 days)	1
Suspension without pay (5 days)	2
Revocation of appointment and reversion to former post	1
Found guilty, increment deferred by one year	1
Confirmed the guilt and penalty imposed by the Head of Department	1
Confirmed the guilt but amended the penalty imposed by the Head of Department	1
Refund of salary withheld during period of precautionary suspension	2
Total	15

Proceedings in breach of the Disciplinary Regulations

During the year under review, the Commission declared eight cases as null on the following grounds:

- in one case, the accused officer was not informed of the right to be assisted during disciplinary proceedings;
- in three cases, the charge letter was not issued by an officer delegated with such authority in terms of the Instrument of Delegation;
- in three cases, the statement of charges was issued by the Permanent Secretary, who had also appointed the Disciplinary Board; and
- in one case, the Disciplinary Board allowed and engaged in deliberations with the departmental representative.

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 2021, the Commission received one reference back. As on 31 December 2021, this was still pending consideration by the Commission.

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 three petitions under this Regulation.

In all three cases, the Commission found no *prima facie* case of gross disregard of the disciplinary regulations or a serious miscarriage of justice resulting in a violation of natural justice or fundamental rights.

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. In such cases 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. A public officer so notified may appeal to the Public Service Commission setting out the reasons why the decision was unjust.

During 2021, the Commission considered eight appeals which were referred to it in terms of Regulation 32 of the Public Service Commission Disciplinary Regulations, 2017.

The Commission found in favour of the appealants in two cases. The Commission held that the appeals were justified and therefore the decision of the Head of Department was annulled and both officers were considered as still in employment.

Three appeals were not justified and hence the decision of the Head of Department that the officers concerned be considered as resigned was confirmed.

In one case the Commission approved a request by the Head of Department to withdraw action taken in terms of Regulation 32 in view that the officer concerned had, in the meantime, been medically boarded out. Whilst in another case, instead of invoking Regulation 32, the Department was advised to take action to terminate the probationary period of the officer concerned.

As on 31 December 2021, one case remained pending before the Commission.

Selected Issues on Policy Matters related to recruitment and appointments

Traineeships in the Malta Public Service

In February 2021, the Principal Permanent Secretary, during a meeting held with the Commission, sounded the members on the plans for the introduction of a Traineeship Scheme which was being planned through the strategic partnership between the Institute for the Public Services and the Malta College of Arts, Science and Technology.

The Commission registered its readiness to work with the Administration to facilitate the implementation of the Scheme.

In May 2021, the Commission approved two draft calls for applications that were eventually published in June 2021, in connection with the IPS Student Scheme. The calls invited external students to pursue BA (Honours) courses in Procurement and Finance and in Public Policy and Management, accredited at MQF Level 6. Suitable applicants would pursue the course at the Malta College of Arts, Science and Technology as full-time students of the Institute for the Public Services. Upon attainment of the degree, the students would be appointed as Manager in Salary Scale 10, in the Malta Public Service.

Tenure as Officer in Grade in the Respective Classes

In January 2021, the Commission considered a proposed policy concerning *Officers in Grade* submitted for its concurrence by the People & Standards Division (P&SD). The purpose of the proposed policy was two-fold:

- i. To enable public officers tenured as *Officers in Grade* to, on a personal basis, pertain to and apply for career path opportunities within the Class/Stream of the previous grade held; and
- ii. To clarify entitlement to perquisites/allowances for professional duties performed.

The Commission debated the policy at length and in principle agreed with the introduction of the proposed policy. However, it considered that the policy required more clarity under certain sections. In September 2021, the People & Standards Division resubmitted the policy, proposing further amendments.

The Commission considered an exercise conducted by the People & Standards Division wherein officers who held such appointments were identified and categorised under eleven sections.

The Commission considered that the policy was intended to streamline designations within the public service and allow Officers in Scale with a concurrent substantive grade, whose Officer in Scale status was to be replaced with that of Officer in Grade, to become eligible to apply for calls for applications in terms of the policy.

The Commission, cognisant of the fact that the designation of Officer in Scale was being suppressed and replaced by that of Officer in Grade, welcomed the recommendation and considered that the exercise proposed by the People & Standards Division addressed a number of anomalies that were brought about through a number of *ad hoc* actions that had been implemented across a number of years with regard to public officers who held definite positions but did not hold a previous substantive grade. The Commission considered that the proposed exercise should serve to provide more clarity on the status of the officers concerned and their rights *vis-à-vis* their respective classes/streams.

The Commission approved the recommendation, in terms of the Policy on Officers in Grade *vis-à-vis* Class/Stream, Career Path and Allowances for Professional Duties. The Commission approved in principle the proposed action with regard to the officials concerned as indicated and categorised by way of the eleven lists as presented by the People and Standards Division.

Provisions in the Manual on Resourcing Policies and Procedures and in the Manual on Industrial Relations and the Selection and Appointments Process under Delegated Authority in the Malta Public Service

In late December 2020, the Commission had considered a proposal by the People and Standards Division, referring to Section 2.2, paragraph 3 of the Manual on Industrial Relations and the Selection and Appointments Process under Delegated Authority in the Malta Public Service which precluded the appointment on Selection Boards of persons involved in political/trade union activities.

It was explained that Authorities were not always in a position to know beforehand whether the persons nominated satisfied the quoted requirements. This was particularly the case with the persons from the Standing Selection Panel, since these would no longer be serving in the Ministry in question. To address this issue, the introduction of an additional Declaration Form (PSC Form 8) was recommended. The Form would need to be signed by the Chairperson and Members prior to the start of the interviews/assessment of candidates and was to be included in the list of documents to be submitted with the Selection Board Report. Moreover, reference to the new declaration form would be made in Sections 2.3 and 4.2 and in Appendix 2 of the Manual, whilst it would be added to the "List of documents pertaining to Selection Boards" on the website of the People & Standards Division.

The Commission approved the proposal and to this effect, a P&SD Letter-Circular was sent to Directors General and Directors responsible for the HR function on 7 January 2021.

In May 2021, the Commission approved the revised provisions in the Manual on Industrial Relations and the Selection and Appointment Process under Delegated Authority in the Malta Public Service and the Manual on Resourcing Policies and Procedures, introducing five sets of base selection criteria to be included as Appendices in the pertinent manual. The criteria are not mandatory and should serve as a guideline to ministries.

Instrument of delegation dated 10 March 2021

On 10 March 2021, the Prime Minister, acting on the recommendation of the Public Service Commission, in exercise of powers conferred by Article 110 of the Constitution, delegated to Permanent Secretaries the power to:-

- (i) make promotions following the attainment of a number of years of satisfactory service or the attainment of a particular qualification, where such promotions are provided for in an agreement governing a particular career stream in the Public Service, or in the call for applications under which the public officers in question have been appointed;
- (ii) make assimilations of public officers from one grade to another grade in terms of the provisions of an agreement governing a particular career stream in the Public Service;
- (iii) withhold salary increments of public officers or withhold the progressions of public officers to a higher salary scale within the same grade/position or withhold promotion to a higher grade/position on the basis of a number of years' satisfactory service, in all three instances from the due date and where justified on account of poor performance, misconduct or other reasons;

(iv) postpone appointments for more than twelve weeks from the effective date thereof; and

(v) renew definite appointments, where such renewal is warranted.

The powers set out in sub-paragraphs (i) to (iii) were delegated to Permanent Secretaries.

The power set out in sub-paragraph (iii) was to be exercised by the Permanent Secretary, subject to the officer being informed, in writing, of the Permanent Secretary's intention so to act and of the officer's right to appeal to the Public Service Commission, within ten (10) working days from the date when the officer is so informed. The withholding would not come into effect before the ten (10) working days and, should the officer appeal to the Public Service Commission, until the decision of the Commission would be pronounced.

The power set out in sub-paragraph (iv) above was also to be delegated to Permanent Secretaries, provided that, in those cases where the appointment was made following a selection process, the postponement was made to a date within the validity period of the selection board result and, in other cases, subject that the initial approval of the appointment was given in terms of Article 110 of the Constitution.

The power set out in sub-paragraph (v) above was also delegated to Permanent Secretaries, insofar as appointments in salary scale 6 and lower are concerned, as well as the power to extend such definite appointments, unless otherwise specified in a particular scheme, provided that any appointments so renewed or extended were initially made in terms of Article 110 of the Constitution.

The above delegation of powers is subject to the proviso that the Commission reserves the right to make, at any time, a recommendation to the Prime Minister that this Instrument of Delegation be withdrawn or partially withdrawn or amended and that, upon such a recommendation being made and until the Prime Minister acts upon such a recommendation, the powers delegated by this Instrument shall be suspended.

Public Service Commission Appointments (Amendment) Regulations, 2021

On 27 April 2021, by virtue of Legal Notice 195 of 2021, and in exercise of the powers conferred by Article 121 of the Constitution of Malta, the Public Service Commission, with the consent of the Prime Minister, published two amendments to its Appointments Regulations.

The legal notice amended Regulations 19(4) and 20(2) of the Public Service Commission Appointments Regulations, 2015.

Prior to the amendment to sub-regulation 19(4), the Commission was empowered to apply its discretion whether to grant candidates, who felt disadvantaged following the issuance of a revised result, the opportunity to submit petitions. The Commission held that such discretionary powers did not provide adequate transparency in the process when such instances arose. In this context, the Commission approved the amendment to allow candidates who felt disadvantaged pursuant to the issuance of a revised result to submit a petition in terms of Regulation 24 of the same Regulations.

In view of the above, sub-regulation 19(4) was substituted by the following new sub-regulation:

“(4) Where an amended selection result is issued, in terms of sub-regulation (3), any applicant disadvantaged by the amended result shall be granted the right to submit a petition in terms of Regulation 24. The petition shall address the elements of the result that were modified by way of revision, unless the Commission had treated a petition by the applicant concerned on the same elements in the first instance that the result was issued.”

The amendment to sub-regulation 20(2) was introduced to allow an opportunity for the submission of representations by applicants prior to their disqualification by the Commission. In this regard, Regulation 20(2) was amended to read:

“(2) Before the Commission disqualifies an applicant on any of the grounds given in terms of sub-regulation (1), the Commission shall give the applicant the opportunity to submit representations in writing”.

Submission of applications through the recruitment portal

Notwithstanding that the Commission, in principle, concurred with the submission of applications through the recruitment portal, at the same time, it was concerned about the number of representations it received from applicants in connection with calls for applications requiring exclusive submission of

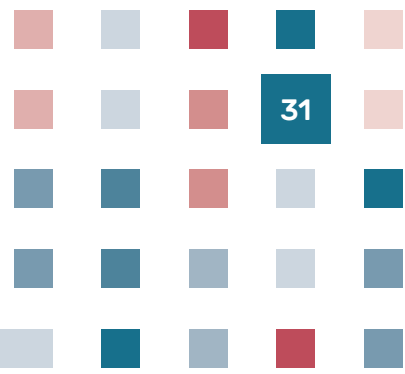
online applications through the recruitment portal in connection with specific posts. A number of applicants were encountering difficulties in applying through the portal, especially when uploading documents, with the consequence that they would be regarded ineligible.

In this regard the Commission held discussions with the People & Standards Division, and it was agreed that a service-wide circular be issued, including a provision wherein, upon issuance of calls for such posts/positions, HR Departments were required to inform potential applicants to approach the respective HR Department should assistance be required to develop and submit the online application.

Additionally, the following new clause was included in the templates of calls for applications:

‘7.2 Applicants who need assistance in submitting an online application are to seek such assistance from the HR Unit of their current Department or the HR Unit of the Department where they are applying. Such applicants are to ensure that the person applying on their behalf is, in fact, applying for the vacancy required and attaching the correct documentation.’

To this effect P&SD Circular number 6/2021 was issued on 8 March 2021.



Issues relating to disciplinary procedure

Amendments to the Public Service Commission Disciplinary Regulations, 2017

On 8 October 2021, Legal Notice 383 was published, amending the Public Service Commission Disciplinary Regulations, 2017.

The amended Regulations were 7, 12, 13, 18, 19, 22, 23, 24, 26, 27, 29, 30. Two new regulations were added, being 7A and 37A and a new Section (Section 6), named "Timeframe for the retention of disciplinary penalties in personal records", was included immediately after Section 5 of the Schedule to the principal regulations.

The regulations as amended provide for additional rights to the Head of Department, to the officer charged and new rights for the alleged victim. Furthermore, the regulations provide for new timeframes.

For instance, the Head of Department now has the right to object within five (5) working days to the submission of documentary evidence produced by the officer charged after the start of the hearing if the former considers it to be irrelevant. The Disciplinary Board or the Commission shall then decide whether the documentary evidence is to be accepted.

New Regulation 7A gives the alleged victim the right to be present at every stage of any disciplinary proceedings related to an alleged offence. The alleged victim may be accompanied by a person (or persons) of his/her choice. Furthermore, the alleged victim has the same rights as the officer charged in terms of access to documentary evidence, the findings of the Disciplinary Board, and the final decision taken by the Head of Department or the Commission, depending on the case.

The rights to the officer charged have been enhanced. Through these amendments, when considering precautionary suspension, the Head of Department shall inform the officer charged of the intention before submitting a recommendation to the Commission and the officer shall be allowed five (5) working days in which to submit written representations to the Commission, giving justified reasons in rebutting the suspension and/or the amount of salary to be withheld. Moreover, when an officer is suspended for precautionary purposes and no criminal charges are instituted after the lapse of six months from the date of the suspension, the officer now has the right to submit written justifications requesting the Commission to consider lifting the suspension. Prior to reaching a decision, the Commission shall request the opinion of the Head of Department.

The revised regulations also affected the way the Disciplinary Board operates. Henceforth, the Disciplinary Report may include any recommendation for the officer charged to be referred to support programmes, the findings regarding the guilt or otherwise and a recommendation on the penalty to be imposed by the Head of Department and reasons for such conclusions. Where the charge may lead to dismissal, the report of the Board shall only include an opinion on the penalty to be imposed.

Whenever it results from the findings of the Board that, contrary to what was stated by the Head of Department, the offence was not of a serious nature, the Disciplinary Board may also award a lesser penalty than that applicable for serious offences. In such cases, the Head of Department will enter a note in the respective file with regard to the reasons that led them to accept the opinion of the Board.

Finally, the new regulation 37A introduced a new Schedule 6 stipulating timeframes for the retention of disciplinary penalties in the personal records of public officers. The new provisions stipulate that penalties shall remain recorded in an officer's Personal Record Sheet for ten (10) years from the date a penalty is completed. A record of penalties in an officer's Service and Leave Record Sheet, however, shall be kept for the periods indicated in the table below:

The period for recording a penalty imposed by the Commission in cases potentially leading to dismissal or criminal cases, on an officer's Service and Leave Record Sheet, shall be determined by the Commission, depending on the nature and gravity of the offence. The period shall not exceed ten (10) years, unless the officer charged was placed under an indefinite warning of dismissal, in which case the penalty would be recorded until the officer concerned reaches 75 years of age.

Penalties

Written warning

Suspension without pay for a number of days

Withholding of increment for a definite period

Warning of dismissal for a number of years

Demotion

Retention period in Service and Leave Record Sheet

12 months from the date of penalty

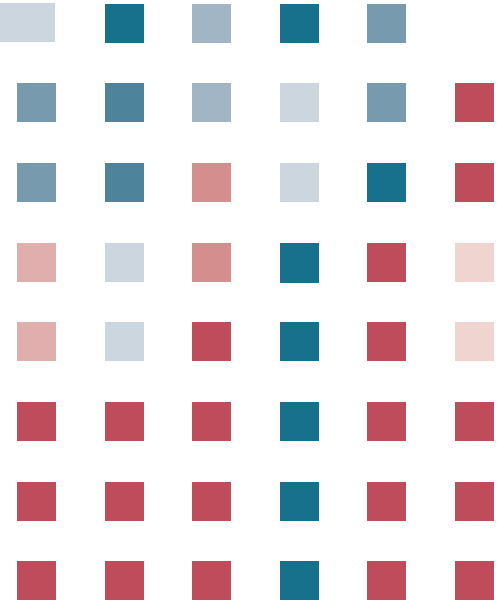
12 months from the date of penalty

A period equal to the withholding of increment, starting from the date the withholding expires

A period equal to the validity period of the warning of dismissal, starting from the date the warning of dismissal expires

10 years from the date of penalty

APPENDICES



The Members of the Commission

Mr Louis P Naudi

Chairman

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.

Ms Marie-Lourdes Grech

Deputy Chairperson

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

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 where, 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.

Mr Franco Masini

Member

Franco Masini 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 previously served as a member of the Public Service Commission between 1996 and 1997.

Mr Vincent Piccinino

Member

Vincent Piccinino is a retired public officer who served 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.

Office of the Public Service Commission

Staff Complement

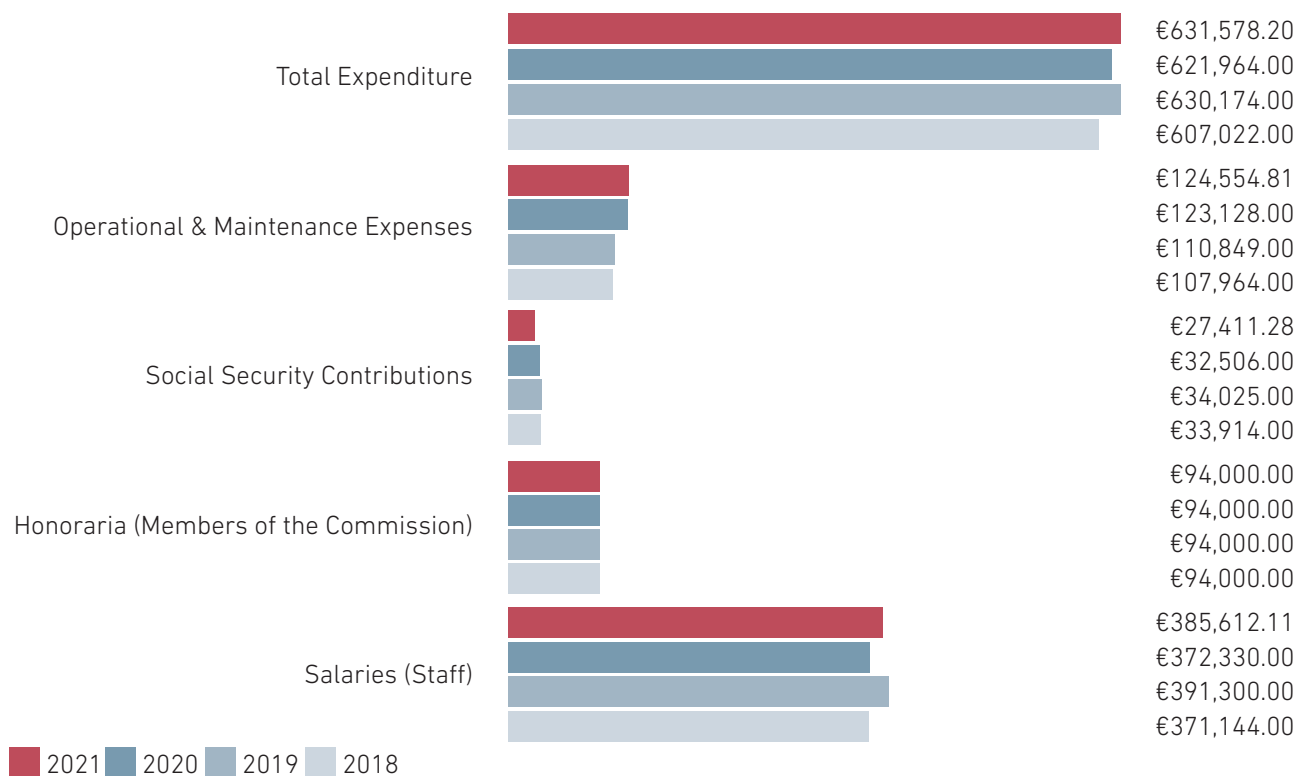
The staff headcount as on 31 December 2021 stood at 13 and comprised of public officers in the following posts/positions:

Executive Secretary	1	Assistant Director	1
Manager II	1	Compliance Officer	3
Manager I	1	Assistant Principal	1
Executive Officer	1	Senior Clerk	1
Clerk	1	Messenger	2

Expenditure

During the current year the total expenditure of the Commission amounted to €631,578, being an increase of 1.55% over the previous year. The Commission's honoraria stood at €94,000 and the expenditure on staff salaries reached €385,612. An overview of the expenditure for the years 2018 to 2021 is provided in Diagram 6.

Diagram 6: Expenditure 2018 – 2021



Appendix 3

Representations addressed by the Public Service Commission

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

Office of the Prime Minister (Malta Public Service)					
Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Clerk	601	39	30	9	Nine applicants were deemed eligible since proof was submitted that they satisfied the eligibility criteria.
Staff Nurse	358	13	12	1	One applicant was deemed eligible on providing proof of residence permit.
Manager I (Procurement)	11	1	1	0	
Assistant Manager (Procurement)	17	2	2	0	
Manager II (People Management)	11	1	1	0	
Executive Officer	505	39	24	15	Eight representations were disregarded by the Commission on the basis that the Exams Department reviewed their decision since it transpired that applicants had the necessary qualifications. Another four representations were upheld since they were in possession of an 'A' Level in a subject which was considered relevant. One applicant was found to satisfy the eligibility requirements and two other representations were conditionally upheld provided they passed their upcoming 'A' Levels.
ICT Support Assistant	45	2	2	0	
ICT Support Officer	29	6	4	1	One of the representations was submitted late and was not considered. Another representation was upheld since the applicant submitted the necessary transcript.
Assistant Principal	344	26	24	2	Two representations were upheld since it resulted that one of the applicants held a qualification in a relevant area, whereas another applicant was eligible on the basis of the substantive grade of Executive Officer.
Assistant Clerk	385	9	9	0	
Principal	668	24	22	2	One applicant was deemed eligible since it resulted that the qualifications held were relevant, and another applicant was considered conditionally eligible pending the attainment of the ECDL.
ICT Support Officer	23	3	3	0	
Manager I (Procurement)	5	1	1	0	
Security Guard	92	2	2	0	
Senior Principal	182	6	5	1	One representation was upheld since it was found that applicant had reverted to substantive grade of Principal.
Total	3,276	174	142	31	1 representation not considered.

Office of the Prime Minister (Senior Appointments Advisory Committee)

Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Assistant Director (Accounting and Finance), MFEA	5	1	1	0	
Assistant Director (Policy Development and Programme Implementation), MAFA	7	1	1	0	
Assistant Director (Fisheries) Aquaculture Dept, MAFA	3	1	0	1	Representation was upheld since it was found that applicant was in the required salary scale.
Assistant Director (Strategy & Support), MTCP	8	1	1	0	
Assistant Director (Excise Customs), MFE	3	1	1	0	
Director General (Public Abattoir), MAFA	4	1	1	0	
Director General (Animal Health & Welfare), MAFA	6	1	1	0	
Assistant Director (Agriculture), MAFA	5	1	1	0	
Assistant Director (HR), MFJG	6	1	1	0	
Head (Transport and Logistics), MFED	2	1	1	0	
Head (College Network), MFED	7	1	1	0	
Director (Research & Evaluation), MFCS	5	1	1	0	
Director (Operations), Civil Protection Department, MHSE	3	1	1	0	
Director (Critical Infrastructure Protection), MHSE	1	1	1	0	
Director General (Compliance & Investigations), CfR, MFE	3	1	1	0	
Director (Technical), VAT, Office of the CfR, MFE	1	1	1	0	
Assistant Director, Office of the DG (Economic Policy), MFE	4	1	1	0	
Chief Audit Officer, Lands Authority, MEI	2	1	1	0	
Total	75	18	17	1	

Office of the Prime Minister					
Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Senior Manager (Compliance and Risk) - IAID	11	1	1	0	
Senior Manager (Finance and Administration)	12	1	1	0	
Assistant Manager (Accounting and Finance)	14	1	0	1	Representation was upheld since applicant submitted proof of being in possession of the required qualification by deadline.
Officer I (DIER)	15	1	1	0	
Manager II (PSC)	8	1	0	1	Representation was conditionally upheld since applicant was in the final phase of studies.
Senior Manager (EU Funds)	35	3	3	0	
Programme Manager (EU Funds) in the PPCD, FPD, SID, MSD	37	3	3	0	
IAID Executive (Compliance and Risk)	3	1			Representation was not concluded as on 31.12.2021.
Senior Manager (EU Funds)	35	2			Representation was not concluded as on 31.12.2021.
Total	170	14	9	2	3 not concluded as on 31.12.2021.

Ministry for Agriculture, Fisheries, Food and Animal Rights

Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Manager I (Fisheries Protection)	20	1	1	0	
Senior Veterinary Support Officer	14	2	2	0	
Manager II (Animal Welfare)	7	1	1	0	
Manager II (Accounting and Finance)	6	1	1	0	
Senior Manager (Paying Agency)	16	4	4	0	
Assistant Veterinary Support Officer/ Veterinary Support Officer	16	1	1	0	
Scientific Officer	19	2	2	0	
Farmer	15	1	1	0	
Manager I (Animal Welfare)	7	1	1	0	
Technical Officer	5	1	1	0	
Manager I (Fisheries and Aquaculture)	23	1	1	0	
Gardener	29	2	2	0	
Principal Agricultural Officer	9	2	2	0	
Senior Manager (Project Management)	6	1	1	0	
Senior Manager	7	1	1	0	
Assistant Manager	42	1	1	0	
Butcher	23	3	3	0	
Senior Agricultural Officer	12	2	2	0	
Senior Manager - Department of Fisheries and Aquaculture	13	1	1	0	
Manager II	11	1	1	0	
Total	300	30	30	0	

Ministry for the Environment, Climate Change and Planning

Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Gardener	4	1	1	0	
EU Project Officer	26	1	1	0	
Environment Officer	28	1	1	0	
Manager I	9	1	1	0	
Assistant Manager (Project Management)	12	1	1	0	
Warden (Environment)	13	1	1	0	
Manager II	8	1	1	0	
Warden (Environment)	16	1	1	0	
Total	116	8	8	0	

Ministry for the National Heritage, the Arts and Local Government

Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Systems Administrator	8	1	1	0	
Heavy Plant Driver (Group IV)	1	1	1	0	
Manager II (Compliance)	3	1	1	0	
Senior Manager (Accounting & Finance)	2	1	1	0	
Senior Manager (Project Management)	11	1	1	0	
Manager I (Human Resources)	5	1	1	0	
Systems Administrator	13	1	1	0	
Senior Manager	9	1	0	1	Representation was upheld since applicant submitted all the required documents.
Total	52	8	7	1	

Ministry for Equality, Research and Innovation

Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Senior Manager (Project Management)	13	1	1	0	
Junior Legal Officer	6	1	1	0	
Project Co-ordinator (L-E-I)	12	3	2	1	One representation was upheld since it was found that the applicant held the necessary qualification.
Manager II (HR)	7	1			Representation was not concluded as on 31.12.2021.
Total	38	6	4	1	1 not concluded as on 31.12.2021.

Ministry for Education

Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Technician/Senior Technician (IT)	11	2	1	1	Representation was upheld since applicant had necessary requisites.
Supply Teacher (Primary)	6	2	2	0	
Supply Teacher (Design and Technology)	1	1	/	/	Representation was not considered since applicant was eligible for Supply position (ineligible for regular post).
Senior Manager (Project Management)	13	2	2	0	
Supply Learning Support Educator	83	1	1	0	
Part-time Adult Educator (Essential Skills - Maths)	1	1	1	0	
Technician/Senior Technician (Science)	13	1	1	0	
Technician/Senior Technician (VET)	11	2	2	0	
Teacher (PSCD)	3	2	2	0	
Education Officer (Special and Inclusive Education)	7	2	2	0	
Supply Teacher (Primary - Migrant Induction)	4	1	1	0	
Learning Support Educators - 4th Batch	205	2	2	0	
Teacher (ECEC) - Oct 2020 - Apr 2021	23	2	2	0	
Supply Teacher Maths (Oct 2020 - March 2021)	5	1	1	0	
Manager I (Compliance)	15	1	1	0	
Project Officer LLAPSI	8	2	2	0	
Teacher (Philosophy)	10	4	4	0	
Teacher (Sociology)	3	1	1	0	
Teacher (Maltese)	6	1	1	0	
Supply Teacher (Personal and Beauty Care)	3	1	1	0	
Teacher (Personal and Beauty Care)	3	1	1	0	
Supply Teacher (Plumbing)	1	1	1	0	
Supply Teacher (Carpentry)	1	1	1	0	
Teacher Post-Secondary (Psychology)	9	1	/	/	Representation was withdrawn by applicant.
Supply Teacher (Graphical Communication)	3	1	1	0	
Teacher (Italian)	2	1	0	1	Representation was upheld since applicant was inadvertently informed by Selection Board of ineligibility.

Ministry for Education

Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Assistant Manager (Project Management)	16	1	1	0	
Post of Teacher (Art)	1	1	1	0	
Supply Learning Support Educator	29	1	1	0	
Supply Teacher (Customer Care and Sales)	4	1	1	0	
Supply Teacher (Basic Engineering)	4	1	1	0	
Supply Teacher (Physics)	4	1	1	0	
Teacher (ECEC) - 2021/2022	10	3	3	0	
Teacher (Business Studies)	5	2	2	0	
Supply Teacher (Home Economics)	5	1	1	0	
Supply Teacher (Care Work)	1	1	1	0	
Technical Officer (Science)	25	2	2	0	
Technical Officer (Science)	25	2	2	0	
Teacher (Business Studies)	5	2	2	0	
Senior Technical Officer (VET/IT/SCIENCE)	64	18	11	7	Four representations were upheld since applicants held the necessary qualifications and three representations were upheld on the basis of applicants having an Officer in Scale status.
Teacher ECEC (26 July - 2 September)	24	7	7	0	
Part-time Adult Educator EFL (30 June 2020 - 24 June 2021)	22	1	/	/	The late representation was not considered.
Part-time Adult Educator EFL (12-30 June 2020)	30	1	1	0	
Part-time Adult Educator (online education)	13	1	1	0	
Position of Supply Learning Support Educator (16-31 May)	27	1	1	0	
Supply LSE (1-15 July)	31	1	1	0	
Supply LSE (1-15 April)	19	1	1	0	
Supply LSE (1-15 July)	31	1	1	0	
Technician/Senior Technician (Science)	23	5	5	0	
Technician/Senior Technician (VET)	18	5	5	0	
Supply Teacher (Art and Design)	4	1	1	0	
Supply Teacher (Physical Education)	10	1	1	0	

Ministry for Education

Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Teacher (Physical Education)	3	1	1	0	
Manager II	6	1	1	0	
Manager II (Project Management)	6	1	1	0	
Manager I in the International Affairs Programme Implementation Directorate	6	1	1	0	
Supply Teacher, Primary Education (General)	23	1	1	0	
Supply Teacher, Primary Education (General)	23	4	4	0	
Supply Teacher, Primary Education (General)	23	2	2	0	
Supply Teacher, Primary Education (General)	23	2	2	0	
Engagement of retired education grades to perform teaching duties	1	1	1	0	
Supply Teacher (Physical Education)	11	1	1	0	
Manager I in the International Affairs Programme Implementation Directorate	6	1	1	0	
Supply Teacher (Religion)	3	1	/	/	The late representation was not considered.
Senior Technical Officer (VET)	24	1	/	/	The late representation was not considered.
Manager I (HR)	15	1	1	0	
Manager I	6	1	1	0	
Education Support Practitioner (Resource Worker)	32	3	3	0	
Part-time Adult Educator, Improving Education and Career Prospects (HR Mngt)	19	1	1	0	
Part-time Adult Educator, Healthy Living - Health Wellbeing and Successful Ageing	8	1	1	0	
Part-time Adult Educator, Healthy Living - Cooking and Nutrition	8	1	1	0	
Principal Education Support Practitioner (Inclusive Education)	11	1	1	0	
Teacher - Primary Education (Migrant Induction Programme)	7	1	1	0	
Part-time Adult Educator, Essential Skills (English)	16	1	1	0	
Supply Teacher (Media Literacy)	2	1	1	0	
Supply Teacher (Special Education) PSCD	10	1	0	1	Representation was upheld since applicant's qualifications were found to be relevant to the subject applied for.

Ministry for Education

Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Supply Teacher (Social Studies)	10	2	1	1	Representation was upheld since qualifications met the requirements of the call.
Part-time Adult Educator - Visual and Performing Arts - Drawing and Painting	15	1	1	0	
Post of Technician/Senior Technician (Science)	13	3	3	0	
Head of Department (Physical Education)	1	1	1	0	
Teacher 2021/2022 (ECEC)	23	1	1	0	
Supply Teacher - Primary Education (Migrant Induction Programme)	5	3	3	0	
Supply Learning Support Educator	147	3	3	0	
Head of School (Mainstream - Malta)	14	1	1	0	
Manager II (Project Management)	4	1			Representation was not concluded as on 31.12.2021.
Supply Teacher (Primary Education - General)	14	1	1	0	
Supply Teacher (Music)	4	1	/	/	Representation was not considered since applicant was found eligible by Board for Supply position (ineligible for regular post).
Total	1,437	148	130	11	4 late applications not considered; 1 not concluded as on 31.12.2021; 1 withdrawn.

Ministry for Energy, Enterprise and Sustainable Development

Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Assistant Manager (Project Management)	8	1	1	0	
Gardener	10	1	1	0	
Principal Security Officer	16	2	2	0	
Agricultural Officer (PARKS)	10	2	2	0	
Manager I (Project Management)	14	1	1	0	
Research Officer in the PARKS Malta	13	1	1	0	
Manager II (PARKS)	9	1	0	1	Representation was upheld on confirming with transcript that applicant held necessary qualification.
Manager II (Project Management)	7	1	1	0	
Principal Technical Officer (Draughtsperson)	6	1	1	0	
Senior Manager (e-mobility)	9	1	/	/	Representation was not considered since the Board had clarified the eligibility clause to the applicant who was satisfied.
Total	102	12	10	1	1 not considered.

Ministry for the Economy and Industry

Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Manager II (PDPI)	16	2	2	0	
Senior Manager	14	1	1	0	
Total	30	3	3	0	

Ministry for Social Justice and Solidarity, the Family and Children's Rights

Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Phlebotomy Technician	28	1	1	0	
Senior Manager	8	1	1	0	
Assistant Foreman	18	2	2	0	
Senior Manager (Research and Evaluation)	9	1	1	0	
Total	63	5	5	0	

Ministry for Senior Citizens, and Active Ageing

Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Principal Security Officer	16	1	1	0	
Assistant Technical Officer	10	1	1	0	
Assistant Manager	25	1	1	0	
Manager II (Communications)	24	1	1	0	
Allied Assistant	27	1	1	0	
Security Officer	29	1	1	0	
Phlebotomist/Phlebotomy Technician	33	1	1	0	
Manager II (Compliance)	6	1	1	0	
Manager I	6	1	1	0	
Assistant Foreman	16	5	1	4	Four applicants were deemed eligible since it was found that they were confirmed in their current grade.
Principal Security Officer	16	1	1	0	
Assistant Manager (Residential Services)	9	1	0	0	The late representation was not considered.
Senior Systems Administrator	4	1	1	0	
Total	221	17	12	4	1 late representation not considered.

Ministry for Foreign and European Affairs

Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Technical Attaché (Telecoms/Digital Affairs)	11	1	1	0	
Second Secretary	47	8	8	0	
Technical Attaché (Environment)	21	1	1	0	
Technical Attaché (CFSP/CSDP)	6	1	1	0	
Manager II in the European Union Coordination Department	38	2	2	0	
Manager I in the European Union Coordination Department	28	2	2	0	
Total	151	15	15	0	

Ministry for Health

Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Security Officer	88	1	1	0	
ICT & Business Analyst	9	2	1	1	One applicant was deemed eligible since evidence was provided of work in an informal IT environment.
Technical Officer	5	1	1	0	
Security Guard	26	1	1	0	
Promotion of Higher Specialist Trainee to Resident Specialist (Obstetrics & Gynaecology)	18	1	1	0	
Security Officer	19	1	1	0	
Charge Nurse	156	2	1	1	The Commission ruled that applicant was to be allowed to submit application.
Consultant Plastic Surgeon (Laser Surgery)	6	3	2	1	Applicant was deemed eligible since the Board did not grant two working days for submission of missing documents.
Consultant Plastic Surgeon (Microvascular Surgery)	5	3	2	1	Applicant was deemed eligible since the Board did not grant two working days for submission of missing documents.
Consultant Plastic Surgeon (Gender Reassignment Surgery)	5	3	2	1	Applicant was deemed eligible since the Board did not grant two working days for submission of missing documents.
Consultant Geriatrician with special interest in Acute Geriatrics	2	1	1	0	
Allied Health Professional (Medical Lab Science)	19	1	1	0	
Manager I (Human Resources)	12	2	2	0	
Assistant Manager (Human Resources)	18	1	1	0	
Senior Practice Nurse	5	1	1	0	
Technical Officer (Electrical)	5	1	/	/	Representation was withdrawn by applicant.
Senior Staff Nurse/Senior Midwife	303	7	3	3	One representation was late and not considered. Three representations were upheld since applicants were in possession of the required qualification.
Emergency Ambulance Responder	62	3	3	0	

Ministry for Health

Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Assistant Technical Officer	9	3	0	3	Two representations were upheld since applicants satisfied the experience criterion. One representation was upheld since applicant was in possession of the required qualification.
Principal ECG Technician	24	1	1	0	
Consultant Psychiatrist	8	1	1	0	
Allied Health Practitioner (Radiography)	17	1	1	0	
Manager II	6	1	1	0	
Allied Health Professional (Physiotherapy)	46	2	2	0	
General Practitioner Trainee	82	1	1	0	
Senior Manager	5	1	1	0	
BST (Emergency Medicine)	90	3	1	2	Two representations were upheld since applicants provided the necessary documents.
Manager I (Procurement)	9	2	1	1	Representation was upheld since it was confirmed that applicant was expected to obtain the qualification by September 2021.
Pharmacist	20	1	0	0	Representation was not considered since the Board realised that applicant was actually eligible.
Allied Assistant	28	4	4	0	
Senior Systems Administrator	3	1	1	0	
Assistant Manager (Accounting and Finance)	16	1	0	1	Representation was upheld since applicant had the required qualification.
Supervisor	10	1	1	0	
Principal Pharmacist	20	4	4	0	
Supervisor	10	1	1	0	
Psychology Practitioner	8	1	1	0	
Assistant Manager (HR)	25	1	0	1	Applicant was considered conditionally eligible due to being in the final phase of obtaining qualification.
Manager II	3	1	1	0	
Allied Health Professional (Medical Laboratory Science)	22	1	1	0	

Ministry for Health					
Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Manager II	3	1	1	0	
Higher Specialist Trainee (Dermatology)	3	1	1	0	
Higher Specialist Trainee (Obstetrics and Gynaecology)	11	1	0	1	Representation was upheld since ineligibility was reversed by Board.
Social Worker	13	1	1	0	
House Officer (Foundation Doctor)	259	8	2	6	Six applicants were conditionally eligible provided they achieved the required qualification by the start of the program, one of whom also had to provide a translation of the conduct certificate.
Psychology Assistant	59	5	2	3	Three representations were upheld since applicants' qualification was equivalent to the requisite.
Allied Assistant	28	1	1	0	
Systems Analyst in the Information Management Unit	3	1	1	0	
Lead (Professional Management) Orthoptics	2	1	1	0	
Senior Technical Officer (Electrical)	11	6	1	5	Five representations were upheld since applicants had been confirmed in the grade as required.
Principal Technical Officer (Civil Eng)	2	1	1	0	
Assistant Technical Officer	9	1	0	1	Representation was upheld on the basis that applicant had been confirmed in Scale 15.
Promotion from General Practitioner to Senior General Practitioner	3	1	1	0	
Total	1,630	97	62	32	1 withdrawn; 1 late representation not considered; 1 settled by Selection Board.

Ministry for Finance and Employment

Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Manager II (Accounting and Finance)	16	1	1	0	
Assistant Manager (Accounting and Finance)	27	1	/	/	Representation was not considered since it was erroneously submitted by an eligible applicant.
Assistant Manager (Human Resources)	27	2	0	2	Both applicants were deemed conditionally eligible since they provided proof that they would obtain necessary qualification by the given deadline.
Customs Assistant	115	5	5	0	
Customs Officer	150	18	17	1	One applicant was deemed eligible since it was found that qualifications were relevant to required areas.
Assistant Technical Officer (Carpentry)	4	1	1	0	
Manager II (Human Resources)	11	1	1	0	
Manager I	14	2	1	1	One representation was upheld since it was found that the applicant submitted the required documents on time.
Accountant II	13	1	1	0	
Total	377	32	27	4	1 not considered.

Ministry for Gozo

Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Senior Foreman (Roads)	4	1	1	0	
Junior legal Officer	8	1	1	0	
Tradesman/Senior Tradesman (Plasterer & Painter)	13	4	4	0	
Manager I (Project Manager)	22	1	1	0	
Assistant Foreman	24	1	1	0	
Assistant Manager	11	1	1	0	
Total	82	9	9	0	

Ministry for Home Affairs, National Security and Law Enforcement

Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Manager I (Project Management)	31	1	1	0	
Police Constable	165	20	18	2	One representation was upheld. One representation was upheld since it was confirmed that applicant had not submitted a correct declaration.
Assistant Manager	10	1	0	1	One applicant was deemed conditionally eligible on condition that the MQRIC recognition statement was provided in terms of the special conditions of the call for applications.
Manager I (Financial Analysis)	21	2	0	2	Both applicants were deemed eligible since it was found that they were in the final phase of their studies.
Senior Manager	13	1	1	0	
Post of Manager I (Research)	7	1	1	0	
Police Constable	158	4	3	1	Representation was upheld since it was confirmed that applicant had no pending criminal proceedings.
Systems Administrator in the Information Management Unit	6	1	1	0	
Manager I (Forensic Unit)	43	1	1	0	
Total	454	32	26	6	

Ministry for Justice and Governance

Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Assistant Manager (Human Rights)	24	1	1	0	
Senior Manager (Project Management)	14	1	1	0	
Senior Manager (Project Management)	9	1	1	0	
Manager I (Research)	24	1	1	0	
Project Coordinator (Learning Exchange Integrating) - Human Rights	14	1	1	0	
Assistant Manager (Project Management)	23	1	1	0	
Assistant Manager (Project Management)	23	1	1	0	
Total	131	7	7	0	

Ministry for Tourism and Consumer Protection

Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Tradesman/Senior Tradesman (Electrician)	3	1	1	0	
Tradesman/Senior Tradesman (Spray Painter)	4	1	1	0	
Total	7	2	2	0	

Ministry for Transport, Infrastructure and Capital Projects

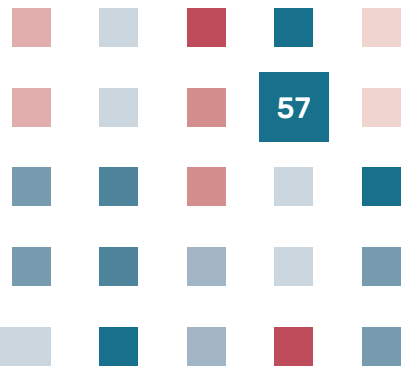
Post/Position	Applicants	Representations			Remarks
		Total	Not upheld	Upheld	
Systems Administrator	10	1	1	0	
Manager II (Research)	10	1	0	1	Applicant was deemed eligible since the areas of qualifications held were covered by areas required in the call.
Chief Electrical Engineer	3	3	1	2	Two applicants were deemed eligible since it was found that they satisfied the experience requirements.
Senior Technical Officer (Draughtsperson)	8	2	2	0	
Senior Systems Administrator	8	1	1	0	
Technical Officer	22	2	2	0	
Security Guard	24	2	0	2	Both applicants were deemed as conditionally eligible since it was found that they had not been informed of the call for the qualifying exam.
Senior Technical Officer	12	1	1	0	
Manager II	13	1	1	0	
Manager II (Project Management)	5	1	1	0	
Heavy Plant Driver	29	2	2	0	
Total	144	17	12	5	

Petitions addressed by the Public Service Commission

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

Office of the Prime Minister (Malta Public Service)					
Post/Position	Interviewed candidates	Petitions			Remarks
		Total	Not upheld	Upheld	
Clerk	241	15	15	0	
Assistant Clerk	120	1	1	0	
Executive Officer	276	18	13	5	The Commission ruled that some of the petitioners merited an upgrade in their mark.
Assistant Principal	167	8	7	1	The Commission ruled that the petitioner merited an upgrade in the mark.
Principal	297	39	20	19	The Commission ruled that some of the petitioners merited an upgrade in their mark.
Total	1,101	81	56	25	

Office of the Prime Minister (Senior Appointments Advisory Committee)					
Post/Position	Interviewed candidates	Petitions			Remarks
		Total	Not upheld	Upheld	
Assistant Director (International Affairs & Policy Development Division), MFH	1	1	1	0	
Assistant Director (Accounting Standard Setting & Financial Reporting), Treasury Department, MFE	4	2	2	0	
Assistant Director (Accounting Standard Setting and Financial Reporting), Treasury Department, MFE	3	1			Petition not concluded as on 31.12.2021.
Assistant Director in the Office of the DG (Ambjent Malta Division), MECP	4	1	1	0	
Assistant Director in the Policy Development & Programme Implementation Directorate, MECP	3	1	1	0	
Assistant Director (Business Development) in the Ambjent Malta Division, MECP	4	1	1	0	
Assistant Director (Environmental Projects) in the Ambjent Malta Division, MECP	4	1	1	0	
Total	23	8	7	0	1 not concluded as on 31.12.2021.



Office of the Prime Minister					
Post/Position	Interviewed candidates	Petitions			Remarks
		Total	Not upheld	Upheld	
Manager II (Office of the PSC)	2	1	1	0	
Senior Manager (EU Funds)	15	2			Petition not concluded as on 31.12.2021.
Total	17	3	1	0	1 petition not concluded as on 31.12.2021.

Ministry for Education

Post/Position	Interviewed Candidates	Petitions			Remarks
		Total	Not upheld	Upheld	
Part-time Educator (Music) - Electronic Music	2	1	1	0	
Part-time Educator (Music) - Jazz Improvisation	2	1	1	0	
Part-time Educator (Music) - Chamber Music	7	1	1	0	
Part-time Educator (Music) - Contemporary Music Studies	3	1	1	0	
Part-time Educator (Music) - Contemporary Voice	2	1	1	0	
Kindergarten Educators	113	8	5	1	The Commission ruled that a Revised Result was to be issued since a petitioner was considered under a wrong 'Category'. One petition was not substantiated and not considered. One petition was submitted late and was therefore not considered.
Supply Teacher Biology	1	1	1	0	
Supply Teacher (Art)	2	1	0	1	The Commission ruled that the petitioner merited an upgrade in marks for experience. Since passmark was still not obtained, no Revised Result was issued.
Part-time Education Coordinator with the School of Music	8	1	0	1	The Commission ruled that the petitioner merited an upgrade in marks for the qualification. Since ranking was not changed, no Revised Result was issued.
Supply Learning Support Educator	17	1	0	1	The Commission ruled that the petitioner merited additional marks for additional qualification.
Supply Teacher (Secondary) Science	1	1	1	0	
Supply Teacher (Secondary/Post-Secondary) Chemistry	1	1	1	0	
Primary Teacher Education General	50	1	1	0	
Supply Teacher (Physics)	1	1	1	0	
Supply Teacher (Biology)	2	1	1	0	
Teacher Post-Secondary (Psychology)	2	1	0	0	
Technical Officer (Science)	15	2	2	0	
Senior Technical Officer (VET)	12	2	2	0	

Ministry for Education					
Post/Position	Interviewed Candidates	Petitions			Remarks
		Total	Not upheld	Upheld	
Senior Technical Officer (IT)	13	1	1	0	
Supply Teacher (Secondary/Post-Secondary Education) Biology	2	1	1	0	
Supervisor	25	1	/	/	Late petition was not considered.
ICT and Business Analyst in the Information Management Unit	2	1	1	0	
Part-time Adult Educator (Art) (Art History and Critical Theory)	3	1	1	0	
Part-time Adult Educator (Improving Education and Career Prospects) - Religious Knowledge	1	1	0	1	The Commission ruled that the petitioner merited more marks for qualification. Since ranking was not changed, no Revised Result was issued.
Education Officer (Maltese as a Foreign Language)	5	1	1	0	
Education Support Practitioner (Transition Coordinator)	8	1			Petition not concluded as on 31.12.2021.
Total	300	35	25	5	1 Petition was not yet concluded by 31.12.2021. 3 Petitions were late and not considered. 1 Petition was not substantiated and not considered further.

Ministry for Senior Citizens, and Active Ageing					
Post/Position	Interviewed Candidates	Petitions			Remarks
		Total	Not upheld	Upheld	
Consultant Geriatrician (Long term care)	4	3			Petition not concluded as on 31.12.2021
Assistant Foreman, SVPR	8	1			Petition not concluded as on 31.12.2021
Total	12	4			4 not concluded as on 31.12.2021.

Ministry for Health

Post/Position	Interviewed Candidates	Petitions			Remarks
		Total	Not upheld	Upheld	
Advanced Pharmacy Practitioner	6	2	2	0	
House Officer (Foundation Doctor)	191	9	8	1	The Commission ruled that one petitioner merited marks for 'publication' and 'Degree'. A Revised Result was issued.
Security Officer	38	2	2	0	Following the investigation, the Commission ruled that a candidate was to be disqualified.
Consultant (General) Internal Medicine with special interest in Gastroenterology	3	1	1	0	
Practice Nurse (Practice Development) Primary Health Care	12	1	1	0	
Consultant in General Medicine & Respiratory Medicine with Special Interest in Lung Cancer, Dept of Medicine, MDH	3	1	1	0	
Consultant in General Medicine & Respiratory Medicine with Special Interest in Severe Asthma and Allergies, Dept of Medicine, MDH	2	1	1	0	
Senior Systems Administrator, Office of the CIO	2	1	1	0	
Senior Staff Nurse (CAF)	6	1	1	0	
Consultant Plastic Surgeon with special interest in Microvascular Surgery, MDH	3	1	0	0	Withdrawn by applicant.
Consultant Plastic Surgeon with special interest in Gender Re-Assignment Surgery, MDH	5	1	0	0	Withdrawn by applicant.
ECG Technician	13	3	3	0	
Consultant (Obstetrics & Gynae) with special interest in feto-maternal medicine	3	1	1	0	
General Practitioner Trainee	70	4	4	0	
Chief Midwifery Manager	2	1	0	1	Following the investigation, the Commission ruled the disqualification of a candidate, through which the petitioner changed ranking.
Basic Specialist Trainee (Psychiatry)	20	1	0	1	The Commission ruled that the petitioner merited an additional mark for 'Taster Week'. A Revised Result was issued.
Basic Specialist Trainee (Paediatrics)	13	2	2	0	
Total	392	33	28	3	2 withdrawn.

Ministry for Finance and Employment

Post/Position	Interviewed Candidates	Petitions			Remarks
		Total	Not upheld	Upheld	
Senior Manager (Accounting & Finance)	2	1	0	0	
Total	2	1	0	0	One candidate was disqualified further to the investigations carried out by the Commission.

Ministry for Gozo

Post/Position	Interviewed Candidates	Petitions			Remarks
		Total	Not upheld	Upheld	
Junior Legal Officer	5	1	1	0	
Total	5	1	1	0	

Ministry for Home Affairs, National Security and Law Enforcement

Post/Position	Interviewed Candidates	Petitions			Remarks
		Total	Not upheld	Upheld	
Officer II (Security Management)	3	1	0	1	Following the investigation, the Commission ruled that a candidate was to be disqualified.
Police Constable in the Malta Police Force	44	1	1	0	
Total	47	2	1	1	

Ministry for Home Affairs, National Security and Law Enforcement (Petitions carried forward from 2020)

Post/Position	Interviewed Candidates	Petitions			Remarks
		Total	Not upheld	Upheld	
Officer in Charge Detention Shifts in the Detention Service	33	14	14	0	
Total	33	14	14	0	

Ministry for Transport, Infrastructure and Capital Projects

Post/Position	Interviewed candidates	Petitions			Remarks
		Total	Not upheld	Upheld	
Technical Officer (Site Coordination)	2	1	1	0	
Chief Engineer (Electrical)	2	1	1	0	
Assistant Foreman	29	1	1	0	
Total	33	3	3	0	



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