Recruitment and Selection in the Public Service

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Introduction

Graham Allison, a well-known American political scientist, once asked whether public and private management were 'fundamentally alike in all unimportant respects' (Allison, 1994). Do government and business truly inhabit different worlds? Several scholars of public management, particularly those with a political science background, would say yes. Government, they believe, is fundamentally different from business because it operates in a political milieu and its objectives have little to do with profit maximisation. One cannot therefore expect public organisations to function like private firms.

Scholars and practitioners of management may see things differently. They might point out that, however distinct government might be, efforts to improve its performance are ongoing, just as they are in private firms; and that in both public and private sectors those efforts draw on a common toolkit of management techniques. From this perspective the differences rather than the similarities between public and private sectors look superficial.

The debate goes on (e.g.: Hughes, 1998; Farnham & Horton, 1999). Indeed, it has been given new life by the so-called 'new public management' movement, which is often characterised as

an attempt to bring private-sector management styles and techniques into government (Minogue, 1998). The debate is often bound up with a competition of disciplines between scholars of government, whose interest is to claim exclusivity, and scholars of management, whose interest is to deny it.

This chapter takes recruitment and selection in the public service of Malta as a case study of the differences between public and private sector management. It asks whether staffing in the public service has distinctive features, and whether these in turn stem from factors specific to government. It also asks whether these features are immutable and unchanging or whether they can be acted upon and their effect mitigated. An organisation is influenced by its operating environment; but, can it also exert an influence on its environment?

The most striking thing about recruitment and selection in the Maltese public service is the extent to which external actors are directly involved in the process. Leaving aside the topmost positions, where selection is at the Prime Minister's discretion, it is by and large true to say that public servants select staff to fill public service vacancies; but the parameters within which they do so and the procedures that they follow are to a remarkable extent influenced, not to say determined, by external actors. This marks the public service out by comparison with private firms, although as we will see it is less an absolute difference than one of degree.

Yet, one is also struck by the extent of the changes that have taken place in the field of public service staffing over the last decade. Following the publication in 1989 of a report on the reform of the public service (PSRC, 1989), a wide-ranging programme of reform was instituted. This has brought about major changes in the human resource management framework of the service, as we shall see later. The service has shown itself amply capable of adaptation and modernisation. It remains distinctive by comparison with the private sector, but the differences are not immutable.

What the public service is, and how it is organised

The public service consists essentially of the employees of government ministries and departments, as well as those of a few autonomous bodies such as the Public Service Commission and the Electoral Office. The public *service* should not be confused with the broader public *sector*. The latter includes a variety of bodies, statutory public authorities and corporations, government-controlled companies and foundations, local councils, the University of Malta and the Armed Forces, which are not part of the public service and whose staff are not public service employees (unless they happen to be on secondment from government departments). The public service has around 31,000 employees, or 22 % of the labour force, whereas the public sector as a whole numbers some 49,000 (or 35 %). More information on staffing levels can be found in Table 1.

Table 1: Public Sector Employment 1997-2001

|	1997	1998	1999	2000	2001
Government ministries and departments	30,188	30,529	30,498	30,488	30,839
Armed Forces, Revenue Security Corps and Airport Company	1,900	1,622	1,599	1,654	1,612
Independent statutory bodies	10,304	8,223	8,141	8,146	8,216
Companies with public sector majority shareholding	7,871	9,356	7,184	7,704	7,974
Total public sector employment	50,263	49,730	47,422	47,992	48,641

Source: National Statistics Office

The terms 'public service' and 'civil service' are synonymous in Malta, although the former is the correct one at law. Public servants are formally known as public officers, a term indicating that they are employed directly by the government—that is, not by public corporations or other public sector entities—in a civilian capacity.

Most ministries tend to be relatively small organisations oriented towards policy-making and the monitoring of implementation. In addition to the minister and his or her political staff, each ministry has a permanent structure consisting of career public officers who report to a permanent secretary. The latter is the most senior career officer in the ministry and has the dual role of managing the ministry itself and overseeing the work of departments.

Most of the executive work of the public service is undertaken by departments, which can vary in size from a handful of staff to a few thousand. Departments have traditionally been regarded as organisationally separate from ministries. However, they are integrated within a chain of command linking each head of department to his or her minister through the respective permanent secretary. Large departments such as Agriculture, Education or Health, which are headed by directors general, have come to be known as 'divisions' to distinguish them from smaller departments or directorates headed by directors.

Figure 1 portrays for illustrative purposes the organisational structure of the Office of the Prime Minister.

Figure 1: *Simplified organisation chart of the Office of the Prime Minister as at April 2003*
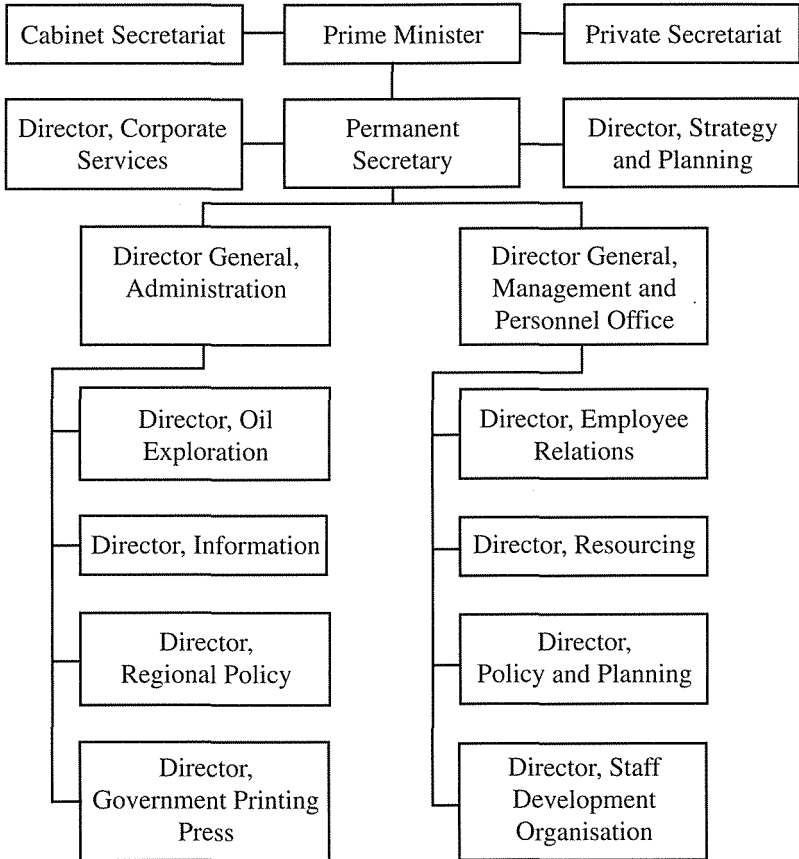
Some units, including statutory authorities and other non-public service entities, are not shown.

Source: adapted from the organisation chart at
http://www.opm.gov.mt/pics/pdf/opm_organigram.pdf

The role of external actors in recruitment and selection

Staffing in the Maltese public service is governed by Chapter X of the 1974 Constitution. The bulk of this part of the Constitution is devoted to defining the role and powers of the Public Service Commission, an independent body which oversees appointments and discipline. Where staffing is concerned, the Commission's remit extends to virtually all of the public service other than appointments to headship positions, which are at the Prime Minister's discretion.

The other major players in recruitment and selection are staff unions. Malta's two largest unions, the General Workers' Union and the Union Haddiema Maghqudin, have a strong base within the public service. Indeed the latter grew out of a union which represented government clerical staff. There are also a number of specialist unions representing particular categories of staff, teachers, doctors, nurses, architects and so on. There is no statutory requirement for the involvement of unions in human resource management. Over the years, however, they have taken on a broad role in staff classification, the definition of career paths and the application of selection mechanisms within the public service.

The role of each of these two sets of players is outlined below.

The Public Service Commission

The Public Service Commission (PSC) seeks to insulate staffing and discipline from untoward influences, particularly party political influences. Similar bodies are found in many other Commonwealth countries (Polidano & Manning, 1996; Wessels, 1998). In Malta as elsewhere, the Commission's role reflects the deep-rootedness of the principle that the public service should not become part of a political spoils system.

Of course, the *practice* of impartiality in public service staffing is not always as deeply rooted as the *principle*. Public services in several countries have succumbed to politicisation in varying degrees, notwithstanding the existence of institutional mechanisms

designed to prevent this happening. This can be observed in cases such as Jamaica (Harrigan, 1995), Sri Lanka (Hulme & Sanderatne, 1995), Trinidad and Tobago (Brown, 1999) and much of sub-Saharan Africa (Adamolekun, 2002). Recruitment on merit can become a particularly sensitive, and politically contested, matter in ethnically divided countries (Brown, 1999). Yet, far from being discredited, the concept of an independent watchdog to defend the merit principle continues to find strong adherence even in countries with direct experience of administrative politicisation. McCourt (2001:336–340) has found this to be the case in countries as diverse as Nepal, Sri Lanka, Ghana and Tanzania.

In Malta, as in several other countries, the term 'watchdog' is actually a misnomer. It suggests that the PSC's role is to monitor events from a distance with a view to intervening when something amiss occurs. According to the Constitution, however, most vacancies in the public service are filled by the Prime Minister on the recommendation of the PSC: that is to say the Commission is effectively responsible for staff selection. The Constitution allows for staffing powers to be delegated to lower levels within the administration, but delegation itself can only take place on the Commission's recommendation.

What does this mean in everyday administrative terms? The Commission is a small body which does not directly carry out selection exercises. Instead it seeks to ensure the integrity of the selection process by compelling departments to pass through a series of procedural checkpoints. Thus:

- A department wishing to fill a vacancy must first submit a draft call for applications, be it external (open to the public) or internal (open to serving public officers), for the Commission's approval prior to issuing the call.
- The department must also propose selection criteria for the Commission's approval. The Commission tends to vet these criteria with reference to past calls for applications for similar positions.

- The department must then obtain clearance from the Commission to set up a selection board. The PSC does not normally allow staff from the minister's private secretariat to sit on selection boards, and it also requires that at least one member of the board be from outside the ministry concerned. In addition, a board member must be replaced if he or she has any close relations among the candidates.
- Once established, the selection board screens applications and interviews candidates on the basis of the approved criteria. When the board has finished its work it forwards a report to the Commission, which reviews it and finally gives the department the green light to engage the selected applicants.

This is a system of centralised control based on power of prior approval (Polidano, 1998), with all the usual disadvantages. Leaving aside the repeated to-ing and fro-ing between departments and the Public Service Commission, the system robs departments of the flexibility to modify selection criteria to reflect changing requirements or to experiment with new selection techniques. More insidiously, the requirement to gain PSC approval at every stage of the selection process effectively transfers responsibility for the quality and integrity of the process from the head of department and the selection board to the Commission itself. Once the Commission has approved the selection results, the department is in the clear. A good system of monitoring and control should surely aim to emphasise departments' responsibility for selection decisions rather than absolve them of it.

The current system is also less than ideal from the Commission's own point of view. First of all, any contestation of a selection result by an unsuccessful candidate would place the PSC in a conflict of interest since it would have to revisit and pass judgement on a process which it has already approved at every stage. Furthermore, the Commission's attention is dissipated in dealing with each and every call for applications in the public service when it would be more effective to concentrate on any specific areas of concern.

It is for these reasons that, as we will see later, the government and the Commission have been discussing proposals to delegate staffing powers to heads of department.

The role of trade unions

Staff unions negotiate with the government on two related but distinct issues in connection with public service employees. The first concerns a collective agreement which covers the public service as a whole. The practice of drawing up such agreements is relatively recent: the first was signed in December 1990. This agreement provided for the reform of the public service salary structure and it also committed the government to reviewing salaries every five years. In keeping with this commitment a second agreement, covering the years 1996–2001, was signed in 1998 providing for a reopening of the vertical relativities between different salary scales and the introduction of measures to bring about greater flexibility in working practices. It was also agreed that future collective agreements would run for three-year periods (Commonwealth Secretariat, 2002). A new collective agreement covering the years 2002–04 was signed in December 2002.

In addition to this there are around 60 classification agreements, or mini-collective agreements, regulating specific career streams within the public service. Each classification agreement defines the grades within a career stream, ties individual grades to particular salary scales, determines which grades are open to external recruitment and which are promotion grades, and sets out eligibility requirements for entry to each grade. In short these agreements effectively determine how employees are recruited and promoted, into what jobs, and with what qualifications. Unions are thus extensively involved in the management of the staff classification structure of the public service. The unavoidable side effect is to limit the service's ability to address requirements for new skills or to adjust terms and conditions of service in response

to recruitment shortfalls in particular areas.

Matters are further complicated by the very size and diversity of the service, which means that the classification structure incorporates a wide diversity of occupational groups. This encourages each group to compare its terms and conditions of employment against those of other groups and to demand that any perceived imbalance in its disfavour be remedied. For example, if the government were to react to recruitment shortfalls in one particular career stream by shifting the grades in that stream to higher salary scales, another group which traditionally had parity with that stream might demand similar benefits for itself. Conceding the demands of this group would then prompt others to make claims of their own. The classification structure of the public service might quickly unravel under the pressure of such demands.

Change is by no means impossible: on the contrary the entire structure was radically overhauled during the 1990s, as we will see later on. But that overhaul required a major effort over a five-year period, and it represents an important achievement given the context we have just described.

The impact of external actors on the choice of selection criteria

External actors have influenced selection practices within the public service in other ways besides those described above. Throughout much of its history the Maltese public service has tended to rely extensively on selection criteria that are objectively verifiable, such as promotions by seniority or recruitment on the basis of written examinations, as opposed to 'subjective' factors such as employee performance appraisals (see Pirotta, 1996). This is in line with the traditional preferences of both unions and the Public Service Commission: objectively verifiable selection mechanisms protect employees' career prospects from over-dependence on the whims

of their superiors and represent the best possible insurance against political favouritism in public service appointments.

It is for similar reasons that the Public Service Commission has not so far given sanction to the use of pre-interview short-listing. A private firm might set few eligibility requirements for a position, preferring instead to draw up a shortlist of candidates after scrutinising applicants' CVs. But where the public service is concerned this would be seen as giving excessive room for discretion. The practice within the service is to include detailed eligibility requirements (usually derived from the relevant classification agreement) within the call for applications and then to limit the role of pre-interview screening to ensuring that candidates meet those requirements. Subjective judgements are of course inevitable during the interviewing stage, but at least the decisions taken here are documented through the awarding of marks under predetermined selection criteria.

The inability to shortlist means that selections involving large numbers of applicants - for instance, the annual recruitment of clerks - become a lengthy exercise in which promising candidates can be lost because they would have found a job elsewhere by the time they are offered an appointment within the service. Exam-based recruitment serves the purpose of winnowing the field of applicants down to a manageable number at the interview stage, but it is only a partial solution since the process of marking exam scripts and posting results involves delays of its own.

Another long-standing selection practice, one with well over a century's tradition behind it, is that of promoting staff according to seniority (Pirotta, 1996). Seniority was given particular weight in a reorganisation of the classification structure which was carried out in the 1970s, and which opened a promotion path all the way from the bottom to the top in many career streams. It meant that, in theory at least, a clerk could rise all the way to senior management level on the basis of length of service. This suited the career aspirations of junior staff, but at the cost of limiting external

intakes at supervisory and middle management levels and with it the service's ability to attract new blood. Here, however, the service has been largely able to overcome its historical legacy, as we shall see next.

Changes since 1989

In 1988, the government appointed a Public Service Reform Commission (PSRC - not to be confused with the Public Service Commission) to review the structure and organisation of the public service and make recommendations for change. In its main and supplementary reports (PSRC, 1989, 1990), the Reform Commission proposed major changes (see Warrington, 1992; Polidano, 1996; Pirotta 1997; Commonwealth Secretariat, 2002). The main recommendations in respect of recruitment and selection were to simplify and modernise the salary and classification structure; to make promotions more rigorously selective on the basis of merit; and to give heads of department a greater say in recruitment and promotions through the introduction of new, decentralised procedures. Efforts to put these recommendations into effect got under way in 1990.

The restructuring of the classification system

In December 1990 an agreement was reached with staff unions to compress the salary structure, which then included over 90 different salary scales, into a simpler 20-scale structure. This new structure remains the basis of the staff classification and pay system in force today.

Subsequently, negotiations with unions got under way in respect of individual career streams with a view towards making promotions more merit-oriented. As already mentioned earlier, the exercise lasted five years, eventually producing the 60 or so classification agreements to which we have already referred. A round

of minor adjustments to several of these agreements was made during 1998–2001.

The classification agreements went a substantial way towards realising the Reform Commission's vision, although political reality required that they incorporated concessions for staff already in the service at the time the agreements were signed. Broadly speaking, promotions by seniority were abolished. A new regime was introduced in which a movement of any significant distance up the ladder depended on ability often as assessed through a written examination or on qualifications. Serving staff were granted the facility of 'progression' (promotion to the next higher grade after a number of years' service, conditional on satisfactory performance) in lieu of the old system of promotions by seniority, but with limitations as to how far up the career ladder they could go in this manner.

The pattern is exemplified by the classification agreement for the general service, which is a career stream consisting of clerical and administrative grades. The particular significance of this stream is that its members are found in all ministries and departments; it represents some 10 per cent of the entire public service; and it supplies a large proportion of appointees to top management positions, including most of the permanent secretaries in post at the time of writing. The main agreement was signed in November 1993 and some limited additional changes were made in an addendum in August 2001.

On the one hand, the agreement allows staff who were in service in November 1993 to progress to a higher grade every eight years, up to a maximum of two grades and in any case no higher than Principal (a middle management grade). On the other hand, staff recruited subsequently have to overcome examination hurdles to go any significant distance up the ladder. Pre-November 1993 staff can gain accelerated entry to the grade of Principal through an examination which is also open to university graduates in any discipline.

Beyond this level the new grade of Senior Principal serves as a stepping-stone to senior management positions. It is filled entirely on the basis of merit, which currently means an assessment centre involving a group discussion, written report and individual interview (the latter aiming among other things to assess candidates' track record). There is no progression route to this grade.

This system may seem complex and idiosyncratic in some respects. But its benefits should not be discounted. Indeed it represents an important achievement given the social and political context within which it was born. The seniority-based promotion path which ran all the way from the bottom to the top of the general service has been eliminated. Young graduates who join the public service in the grade of Principal can compete for promotion to Senior Principal after only two years. Those who succeed become immediately eligible for promotion to headship positions. Capable people can now rise quickly. Prior to November 1993, the only promotion route from middle to senior management levels in the general service was by seniority, which meant that individuals had to wait for their turn regardless of their ability.

The impact of the new system can be seen in the changing demographics of the public service. As a group, senior managers are getting younger and better qualified as vacancies in their ranks are filled under the new system. In 1993 just nine per cent of directors were under 40 years of age, yet in recent years a third of new appointees to directorship positions have been in their thirties (Grima, 2001; Naudi, 2002).

Naturally, there remains scope for improvement. The use of a written exam for the recruitment of graduates at middle management level may seem odd; but it is necessary since under the terms of the November 1993 agreement, serving pre-1993 non-graduates enter the same selection pool as graduates. More generally, the service continues to grapple with the historical preference for 'objective' selection mechanisms, which has led to

performance appraisal playing second fiddle to examinations as a selection mechanism for promotions. In the mid-1990s, however, a modern, objective-based system of performance appraisal was introduced and it has been drawn into promotion decisions. The system is also being linked to staff progressions since, under the terms of various classification agreements, progressions are conditional on satisfactory performance by the employee concerned (see Thake, this volume).

Performance contracts at senior management level

Even more radical changes have taken place at the level of senior management. In 1992 a new top management structure was introduced consisting of the four levels of permanent secretary, director general, director and assistant director. The Constitution itself provided for the appointment of permanent secretaries, but this provision had never previously been put into effect. The new structure was an effort to tighten up reporting relationships within ministries and departments and establish more cohesive organisation structures, and also to introduce a greater degree of accountability for results. Appointments in the new top structure began to be made in 1992 and assistant directorships were filled in 2000.

It is important to appreciate that these four levels are not grades but simply generic position titles. A senior manager in the public service has two concurrent appointments: to a particular *position* for example, Director (Curriculum Development) or Director General (Health) and to a substantive *grade* which is usually pegged to a lower salary scale than the position. Appointments to senior management positions are based on a performance agreement which provides for the setting of annual performance targets and the formal assessment of the appointee's performance. Such appointments run for a few years at a time: permanent secretaries, directors general and directors are appointed for 3-year terms;

whereas assistant directors are appointed for 5-year periods. Renewal depends on the incumbent's performance, whereas he or she retains tenure in his or her substantive grade.

This system achieves a balance between the need to retain the concept of a career public service and the need to make senior public officers accountable for results. At the end of their term of appointment, senior managers have to compete with other candidates for their position. If they are not reappointed they revert to their substantive grade, which effectively means demotion. This is not a matter of theory: there have been a number of instances where appointments to senior management positions were not renewed. Malta remains one of only a limited number of countries worldwide which have adopted such a system of renewable performance contracts for senior managers throughout the public service (Commonwealth Secretariat, 2002).

The decentralisation of staffing

Full decentralisation of staffing is yet to be achieved. It is fair to say that both the government and the Public Service Commission acknowledge the benefits of decentralisation, although the Commission is naturally concerned that any decentralised system should incorporate adequate safeguards for the principle of merit. The government and the PSC have been discussing a set of new draft PSC regulations which would make it possible to delegate staffing powers to heads of department. The Constitution requires that such new regulations be issued with the Prime Minister's approval.

Some preliminary steps have already been taken. In 1999 permanent secretaries were given the authority to engage casual substitute staff to cover for employees on long-term leave of absence on a temporary basis. In 2000 disciplinary powers were delegated to heads of department when new PSC regulations in this area were brought into effect. The arrangements by which disciplinary

powers were delegated to heads are innovative in that they allow the Public Service Commission, acting at its own discretion, to withdraw delegated powers from any head of department if the Commission finds that they are being misused. The Commission can also decide to take disciplinary proceedings against the head in question (Commonwealth Secretariat, 2002). It is likely that any new regulations providing for the delegation of staffing powers to heads of department would follow a similar pattern.

Any prospective delegation of powers raises the issue of whether line departments would be capable of utilising those powers effectively. It should be recalled, however, that even under the present centralised system departments play a primary role in staff selection. PSC selection boards are manned by public officers nominated for the purpose by departments: recruitment and promotions are only carried out centrally in respect of general service grades. The difference decentralisation would make to the selection process is in simplifying the reporting requirements involved and making selection boards responsible to departments rather than directly to the Public Service Commission.

As in many other organisations, there is scope for putting personnel management in the public service on a more professional basis. While human resource management training has been organised for public officers, it is fair to say that recruitment and selection is not widely recognised within ministries and departments as an activity that requires specialist expertise. Nevertheless, there is an ample repository of accumulated experience in recruitment and selection as currently practised within the service. There is little doubt that ministries and departments would be capable of coping with decentralisation in this field, as they have already shown themselves capable of doing in respect of discipline.

Conclusion

What does the evidence presented in this chapter tell us about the differences between government and business? On the one hand it is true to say that government and business draw on the same management toolkit, at least where recruitment and selection are concerned. A private-sector human resource manager would be familiar with all of the selection methods mentioned in this chapter.

On the other hand, however, government *is* different from business. Some of these differences arise from the political milieu of government: for example, the concern that staffing in the public service should not be subject to political influences, which gave rise to the Public Service Commission as an independent guardian of the merit principle. Favouritism in the private sector does not attract anything like the same level of public concern because private firms are not funded by taxpayers. We have seen how the Commission has influenced staffing practices in the public service.

Other differences between the public service and private firms are a matter of degrees rather than absolutes. Any large, heavily unionised organisation is likely to exhibit some of the characteristics reviewed in this chapter: even in the US, for example, unionised firms have tended to place heavy reliance on seniority for promotion purposes (Heneman & Heneman, 1994: 303). The public service is by far the largest employer in Malta; it is very highly unionised; and its employees are represented by not one but many unions. It should be no surprise if the service displays such characteristics in accentuated form.

What these differences add up to is that the public service relies more on some of the selection tools in the management toolkit, such as exam-based recruitment, than on others. It cannot yet use particular items in the toolkit, such as shortlisting, to the same extent as they might be applied in the private sector. The distinctive characteristics of the public service do restrict the ability of its practitioners to apply all the tools available in the toolkit.

The factors that make the public service distinctive are

longstanding and they will probably endure for a long time to come. But their impact on public service management is mediated through changing circumstances and situations, and it is not as constant or as immutable as some political scientists think it is. In plainer English, it *is* possible to bring about change in the public service. As we have seen, the service has been able to overcome the constraints of its environment; it has proven able to innovate and to update its management practices. Within Malta, the service is probably a leader in its use of performance-based accountability for senior managers. Beyond personnel management it is arguably a leader in other areas too: in the application of information technology, for instance, or the use of client charters (a government addition to the management toolkit which is only just beginning to be taken up by local private firms). To date, 44 charters have been issued under the government's Quality Service Charter initiative (Charter Support Unit, 2003).

Any organisation is profoundly influenced by its environment, but it also has the power to shape its own destiny.

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