

A Brief Perspective on the Public Service Act

For sometime the Government had accepted the need for a programme of public sector reform, a primary objective of which would be the attainment of a significant improvement in the effectiveness and efficiency in the delivery of services and information which the government provides to the citizens of Barbados.

However, it was obvious that meaningful public sector reform could not take place in a public service framework that was mired in antiquated laws, rules, and regulations; such rules and regulations having been crafted in an era of pre-independence colonialism. As a result, the Government recognised that the legal structures governing the public sector, especially its human resource management, had to be modernised to make it relevant to the 21st century .

A broad-based committee representing several interests was established to review and to recommend a policy framework within which legislation that impacted on the administration of the public sector should be consolidated and revised, in order to achieve greater efficiency and effectiveness in the management of that service.

It is within this context that the Public Service Act has been developed. It has been structured such that it can cover what is expected of the public service for the next twenty (20) years. It has been drafted in the context of a vision of a public service which is well managed, trained, educated and motivated in such a way as to allow persons to respond quickly and efficiently to the needs of the public and to carry out its regulatory functions with alacrity.

This Act was proclaimed on December 31, 2007 and it has the potential to have a positive impact on the management of the public service since it will promote a more streamlined and efficient environment for human resource

management, one of the biggest challenges faced in efforts to attain a well managed public sector. For example, the Employment and Recruitment Code, embodied in the First Schedule of the Act, seeks to promote a meritocratic civil service where merit rather than seniority will be the chief determinant of recruitment and promotion. In addition, that Code seeks to bring greater transparency to the human resource function, thus facilitating the employment of the best candidates. When it is considered that the allegation of supersession is the second greatest cause of trade union agitation in the public service (health and safety issues being the first), it would be appreciated that any initiatives that bring certainty and transparency to that process will have a beneficial impact on the management of the public sector.

The *Code of Conduct and Ethics*, contained in the Second Schedule, establishes those behaviours that will give rise to an irreproachable public service in which the governing party can be assured of the professionalism of public servants in the execution of their duties. In addition, it establishes those behaviours a breach of which will result in disciplinary action.

The *Code of Discipline* establishes two categories of infractions which can lead to disciplinary action: (a) a Major Offence and (b) a minor offence. A Major Offence is an infraction which can lead to dismissal and the Act defines twenty (20) such violations. This Code also sets out concisely each step in the disciplinary process, with the aim of achieving resolution of disciplinary matters in a swift but fair manner.

If we accept the widely held view that problems associated with poor service and low productivity in the public service result from the absence of a clearly defined framework governing behaviour and discipline, then we will recognise that the Public Service Act has the potential to have a positive impact on the functioning of the Barbados public service and enhancing further the excellent reputation which it enjoys both regionally and internationally.

