

## **PUBLIC SERVICE MANAGEMENT AND EMPLOYMENT POLICY**

### **FOREWORD**

This new Public Management and Employment Policy is an important instrument, especially at this point when the government has decided to take strong measures to improve management performance in the delivery of services to the public and to productive organisations. For a long time the government was operating with Public administration systems of the 1960's which were inherited from the colonial period, systems that do not meet the challenges and expectations of modern day public management. It is imperative, therefore, that the Government evolves a new policy that shall guide future administration of the Public Service.

#### **The Policy is important because:**

- ◆ **Firstly**, it sets out new systems and new principles of management which conform with the current times.
- ◆ **Secondly**, it takes into consideration major changes taking place in the economy, in the political arena and in the social area. These changes demand capable, dedicated and accountable managers with ability to adopt new management skills.
- ◆ **Thirdly**, the Policy conforms with reforms taking place in the new role of the Government. The policy and vision of the ruling Party (CCM) for 1990's that was adopted in' 1992, is for transformation of the government's responsibility, from direct involvement in production of goods and as the sole provider of economic and social services, to an enabling and facilitative institution with decentralised public responsibilities, while involving the private sector more in the production of goods and in service delivery. One of the important outcomes of this direction for the Government is a shift of responsibility from being the major employer. In other words, Government does not have the capacity to guarantee employment to every citizen who completes any programme of learning or at any level of schooling. However, its responsibility is to ensure that employment, appointment and promotion in the public service are based on competitive, transparent and merit principles. This is an important change contained in the Policy.
- ◆ **Fourthly**, the Policy calls for management systems that are efficient and effective in all public service delivery. This Policy explains clearly that government's budgetary constraints notwithstanding, every single cent provided has to produce beneficial results to the public. Results have to be evident, measurable and demonstrate value for money in terms of quality work and in reducing the number of complaints of the public or in the improvement of the quality of life.

In consideration of the above and the reforms taking place, all public servants must understand the importance of these changes in order to adopt new attitudes and new styles and to increase discipline in their work performance. Discipline means competence, obedience and the existence of good working systems. Public Servants have to restore integrity in their performance and in service delivery to the public in order to increase the pace of national development. In this context it is imperative that those administrative rules and regulations that hinder good performance be reoriented to comply with this policy. For example, in the construction of roads or bridges there must be rules and regulations which shall ensure that taxpayer's money collected from within and from external sources is well spent and yields good results. But we do not want those rules and regulations to delay that service. We want rules and regulations to safeguard public funds and to ensure that taxpayer's money is spent for planned activities, at the right time and with honesty.

It goes without saying that public service managers and supervisors must strengthen their intellectual capacities to be able to direct the Nation to high and sustainable levels of development in the 21st century. Our service faces new and difficult challenges as we approach the new century and therefore the only way is to change **because nothing endures except change.**

Private organisations (NGO's) in this country are ever increasing their contribution in economic and social activities. These organisations demand knowledge, supervision, perception and norms of the public service that are different from the tradition. On the other hand, the current state in global relations, together with the ongoing rapid technological changes and competition, all demand quick decision-making, ability to comprehend issues, and to adapt new techniques and skills for work. The aim of this Policy is **to keep abreast i.e. to adapt to changes fast, accurately and at the right time.**

This policy, therefore, is an important pillar to support the establishment of government management principles which are based on **laws, information, transparency and fairness to all public members.**

Proper reforms do not fall from above like rain and are neither planted like trees nor imported like industrial commodities. Proper reforms must emerge from peoples' needs and must be implemented by the people themselves for their own benefit. It is only by this approach that reforms can be sustained. Therefore, they have to be managed by people with vision and with capacity to learn. What is important is to modify structures, regulations, implementation methods, remuneration systems, decision making speed and performance. Short of this, many papers shall be written using a lot of funds without getting the required results. Employees should know their responsibilities and the work procedures and adhere to them. If public service leaders and government department heads are going to accept these reforms, I believe that great transformation shall happen in the management of the government in this country. These are my expectations and wishes.

Let me emphasise that Government is determined to restore discipline, efficiency, integrity, dignity, capacity and effective performance in the public service by emphasising the mission, principles and procedures expounded in this Policy.

Therefore, all public servants at all levels must take this challenge and devise correct strategies for implementing Government resolve to building an administratively and economically strong Nation. The broad objective is to maintain peace, development and fairness by pursuing appropriate principles of good governance.

***Therefore let us move together, Work together, Strengthen Government  
Management and Administration;  
Let us build our Nation, Tanzania.***

**MINISTER OF STATE, PRESIDENT'S OFFICE (CSD)**

## **PREAMBLE**

Most individuals who enter the Public Service are dedicated to serving their fellow citizens. Many are able and well-educated. Unfortunately, past management systems, policies and practices have tended to undermine their competence and motivation, resulting in loss of morale and a serious lack of skill development. The Government intends to reverse this decline by introducing a new direction in public service management, human resource management policies, principles and practices which ensure that public servants become motivated; that they conduct themselves to the highest ethical standards, and that they put their skills and talents to productive use.

The Public Service, as defined in this policy, is constituted of various organization and employment agencies, and each of these services has terms and conditions that reflect the distinctive nature of their various functions. However, all these services constitute an integral whole of Government Services. This policy paper therefore sets out a shared vision, a common mission, core values and the management principles which shall govern the these services. From this framework, each service shall develop a vision, a mission, a code of ethics, and procedures and specific practices tailored to its individual circumstances.

This Policy marks the beginning of a concerted effort to equip the Public Service with a practical, modern management capacity, capable of serving successive Governments into the next century.

## **1. DEFINITION OF PUBLIC SERVICE**

1.1. For clarity, the Public Service of the United Republic of Tanzania is constituted of the following:

- The Political Service
- The Civil Service
- The Operational Service
- The Local Government Service
- The Health Service
- The Teacher's Service
- The Police, Prisons and Immigration Service
- The Executive Agency and other Public Institutions Service
- The Judiciary Service
- Parliamentary Commission Service.

1.2 Specifically excluded from this definition is the military service.

## **2. BACKGROUND AND OBJECTIVES**

### **Problems**

2.1 For quite some time now, the Public service has been viewed as a liability to the taxpayer rather than an asset. This is because low productivity, erosion of work ethics, indiscipline, blatant violation of rules, regulations and procedures, weak control and corruption have been observed as common features in the service. Among other aspects, the prevailing employment and management practices have been identified as major contributing factors to current problems in Government Service Employment. The problems and concerns identified include the following:

- Recruitment and appointment into Public Service not being based on competence or ability. The supply driven recruitment policy for school leavers and graduates of training institutions has no mechanisms to select better ones and leave out incompetent ones.
- There is no established criteria for the determination of vacancies, so employment is done to fill improperly determined vacancies.
- Promotions are based more on longevity of service than merit. Decisions on who to promote are often based more on intuition and ascriptive criteria than on institutional development.
- Movement or transfer from one type of job to another is done indiscriminately.
- There is general weakness in work supervision as well as laxity in applying disciplinary action where necessary. The present system for carrying out disciplinary measures is too cumbersome, takes too long to administer and does not instil work discipline.
- There are too many employment authorities for different cadres and among various organs. Nobody has questioned the competence of all these employment authorities.
- The operations of "Kamati za Ajira Serikalini" (KAMUS) are not very transparent thus limiting the effectiveness of management on employment decisions in ministries.
- Public Service Employment does not pay attention to customer care. Some of the existing personnel management systems and practices in Government are outmoded hence fail to cope with dynamic changes that are taking places.

- Weak personnel data and information systems do not facilitate proper decision-making.
- Pay Levels in Public Service Employment are generally very low and are not competitive compared to other employers in the country.
- Existing employment and management policies and practices discourage labour or job mobility. Currently, retirement and pension policies are excessively rigid. Once recruited into Public Service it becomes difficult for one to leave without losing pension benefits.
- There is poor staff deployment and unbalanced distribution of personnel among Ministries, regions and even among sections of work. This is attributable to the highly centralized and unchecked system of allocating personnel within the Public Service organizations.
- The performance appraisal system currently used is too subjective, non participatory and is poorly managed to be of any assistance in the adopted results-oriented and merit-based civil service management.
- Staff development programmes have not received due attention in the Public Service. Training programs carried out are not related to work improvement.
- There is a general absence of schemes for motivation or recognition and appropriate rewards for good work to boost work morale.

## **New Challenges**

2.2. Besides the current problems, there are new challenges in public service management which need to be addressed.

Firstly, socio-economic and political pluralism, economic liberalisation, rapidly expanding private sector role in national economic development, and globalisation of trade, all demand a new public service response. Secondly, rapid changes in technology call for flexibility and proactiveness in the management of public affairs in the next century. The rigid bureaucracy which performed fairly well in the past may not cope with the rapidly changing technology. In this context is perceived the need to transform the Public Service from a command and control bureaucratic culture to a more decentralized, flexible, and initiative-led institution.

## **Objectives**

2.3 The overall objective of this Public Service Employment and Management Policy is to introduce principles, ethos and practices which shall guide the transformation of the Public Service of Tanzania to a highly performing and dynamic meritocracy.

2.4 Specific objectives of the new Public Service Management and Employment policy are to:

- right-size the Public Service to affordable levels, and as necessary to perform the core roles and functions of government
- increase public servants' skills and competence to levels required to manage and perform the roles and functions of Government
- ensure that only those who are competent, through their skills and personal attributes to perform well are recruited and retained in Public Service employment
  - enhance leadership qualities among those who occupy, or shall in future occupy executive positions in the Public Service
- recognise, encourage and appropriately reward good performance and conduct, and penalise poor performance and unsatisfactory conduct among public servants
- inculcate high standards of integrity and professional ethics in public servants at every level
- enable different Public Service organisations to develop human resource management practices which are tailored to their individual circumstances, within a single, common framework of principles and standards
- encourage the Public Service to facilitate and promote private sector development and community participation in the delivery of essential services
- encourage a greater interchange of employees between the public and private sectors and
- promote modern management practices in the public service, including emphasis in delegation and decentralisation in the delivery of public services.

### **3. VISION, MISSION AND CORE VALUES**

#### **A Shared Vision and a Common Mission**

3.1 All Public Service Organisations shall be guided by a shared vision and a common mission

#### **VISION**

The Public service of Tanzania will be transformed to an institution of excellence to play a pivotal role in achieving sustained national economic growth prosperity, and eradication of poverty in the 21st Century.

#### **PURPOSE AND MISSION**

The collective purpose of the public service organisations is to enable the Government to facilitate and empower all the citizenry, and non-public and private sector agencies to realize peace, justice and social equity, and to maximize their contribution to national development in ways consistent with the promotion of consumer welfare, eradication of poverty and the protection of our natural environment against mismanagement and degradation.

The common mission of every Public Service organisation is to deliver quality services to the people of Tanzania, with efficiency, effectiveness and the highest standard of courtesy and integrity.

#### **Shared Core Values**

3.2 In the pursuit of the shared vision, and with a collective purpose and mission, all public servants shall be bound by a core of shared values. These core values shall be the basis of a Code of Ethics that shall lay down the standards of conduct and behaviour that employees in each Public Service organization should observe.

## **CORE VALUES**

### ***Pursuit of Excellence in Service***

Public servants will strive to achieve the highest standards in their work and to actively look for opportunities to improve on those standards.

### ***Loyalty to Government***

Public servants will loyally serve the duly elected Government of the day and will comply with the lawful instructions of their Ministers and senior managers to the best of their ability.

### ***Diligence to Duty***

Public servants will attend regularly during their hours of duty and will devote themselves wholly to their work during this time.

### ***Impartiality in Service***

Public servants will not engage in political activities at place of work, nor allow their personal political views to influence the performance of their duties.

### ***Integrity***

Public servants will not seek or accept gifts, favours or inducements, financial or otherwise, in the course of discharging their duties. Nor will they offer gifts, favours or inducements. They will not use public property or official time for their own private purposes. They will not use information acquired in the course of their official duties to gain personal financial advantage.

### ***Courtesy to All***

Public servants will treat their clients and colleagues with courtesy. Public servants will regard themselves as servants of the Tanzanian people, and will be particularly considerate when dealing with vulnerable members of the public, such as the elderly, the poor, the sick and people with disabilities and other disadvantaged groups in society.

### ***Respect for the Law***

Public servants will not commit any unlawful act in the course of their duties, nor will they instruct or encourage any other person to do so. If a public servant is asked or directed to commit an unlawful act, he or she will refuse to comply, and report the matter to his or her superior officer. If no action is taken, the public servant concerned has a duty to report the matter in person to the head of his or her organisation and, if necessary, directly to the Head of Public Service in person.

### ***Proper use of Official Information***

Public servants will not unnecessarily withhold information which the public has a right to know, nor information which is needed by Ministers or other public servants. On the other hand, they will not divulge or misuse official information which is confidential.

3.3 Every Public Service organization shall take initiative to publicise and educate its employees on the shared vision, the common mission, the core values, and the code of ethics pertaining to the particular organisation.

#### 4. GUIDING MANAGEMENT PRINCIPLES AND POLICIES

##### Core Management Principles

4.1. The management of Tanzania's Public Service shall direct itself to, firstly, achieve efficiency and effectiveness in the operations of public organisations. Secondly, it shall gear itself to coping with the challenges of economic liberalisation, political and social pluralism, globalization and a rapidly changing technological world. To this end, Tanzania Public Service organisations shall adopt results-oriented management practices. These shall be guided by the following core management principles.

##### CORE MANAGEMENT PRINCIPLES

1. **Results-oriented:** Performance in Public Service organizations will be appraised on the basis of outputs and outcomes achieved and not on inputs.
2. **Mission-driven:** The mission and goals of every public service organisation, will be the basis of all important decisions and not mere compliance with its rules, regulations and standing orders.
3. **Client-focus:** The goals and operations of Public Service organizations will focus on meeting the needs of the beneficiaries of its services (clients). This way, the organization and its employees will avoid self-interest and bureaucratic behaviour.
4. **Participatory-orientation:** Every Public Service organization will promote the participation of its community and clients, and continuously seek to empower the community for self-development.
5. **Strategic-orientation:** Strategic planning and management techniques will be adopted by every Public Service organization.
6. **Value-for Money concern:** The quest for cost-efficiency and effectiveness will prevail throughout the operations of each Public Service organisation.
7. **Innovativeness:** Every Public Service organization will continuously search for quality-enhancing and costs-saving techniques and technologies in their operations.
8. **Monitoring and Evaluating:** Public Service organizations will institute systems and mechanisms to continually monitor and evaluate performance, and to anticipate problems and solutions.
9. **Catalysing and Facilitating Development:** Public Service organizations will play the deliberate role of promoting and enabling the non-public organizations to maximize their contribution in the delivery of quality services to the citizenry.
10. **Decentralizing:** With due concern for cost-effectiveness, Public Service organizations will seek to enable and empower subsidiary and grass-root organizations to increasingly assume direct responsibility and authority for delivery of services.

## **Restructuring and Re-organization Principles**

4.2. Every Public Service organisation shall be responsible for devising its own organisation and management structure, commensurate with the available resources. In designing their structures, organisations shall be guided by the following principles:

- work shall be defined in terms of the results to be achieved, rather than the process to be followed.
- to the greatest extent possible, and provided that value for money is gained, non-core functions shall be contracted out to private sector organisations through competitive tendering.
- executive and service delivery activities which cannot be provided by the private sector shall be set up as Executive Agencies, and shall be given maximum managerial and operational autonomy in return for specified improved outputs and outcomes. The framework for this exists in the Executive Agencies Act (1997)
- there shall be clear lines of responsibility and accountability for every activity
- reporting lines shall be as short as possible: each level of management must be justified in terms of its added value
- decision-making authority for resources, and accountability for results shall rest with the person who is operationally responsible for the activity

## **Performance Management Systems**

4.3. All Public Service organisations shall have a performance management system. Key features of these system shall be:

- Based on a National Strategic Plan: This plan shall be developed and annually updated by the Planning Commission with strategic result areas (SRAs) for each sector. Each strategic result area (SRA) may have an impact on more than one ministry, with a number of agencies contributing to the achievement of a particular SRA. Based on the SRAs, the ministries, departments, agencies and other Public Service organisations shall set their Key Result Areas (KRAs) where the ministries detail the critical performance targets to be achieved over a three-years period.
- Public Service organisations shall have specific outputs and activities as basis for which funding shall be sought from the Government Budget. Budgets shall be output – based and not Input – based. Resources shall be allocated to the Public Service organisations based on specified outputs to be achieved.

- Performance Budgeting shall be applied in all Public Service organizations, as contrasted to the traditional incremental, inputs-based and the current cash-based budget. Thus budgets shall be formulated on the basis of approved outputs to be produced by the organisation in accordance with its strategic plan instead of being formulated on the basis of inputs.
- every Public Service organization shall have a clear Vision and Mission statement. The Vision and Mission should be shared and owned by all staff of the organisation from the top down to the lowest levels.
- based on a Performance Management Model (PMM) developed by the Public Service Department, every Public Service organization shall develop a Three Year Strategic Plan and an Annual Services Improvement Plan which should include the organisation's:
  - review of performance in the previous period
  - current strategic outlook
  - objectives, policies and strategies
  - priorities (Key Result Areas)
  - outputs
  - performance targets
  - budget and financial performance plan.
- Annual Performance Agreements shall be introduced for all executive grade officers in the Public Service organisations. These performance agreements shall:
  - (a) provide a mechanism through which senior executives can specify their expectations from their immediate subordinates during the forthcoming financial year and the priorities they attach to their organisation's activities and outputs.
  - (b) provide agreed performance measures/targets which can subsequently be used to evaluate performance. They shall have a strategic focus and their contents shall reflect the collective interest of the government as well as the requirements of individual organisations.
  - (c) shall be integrated into the government's strategic planning system. They shall be used as a key mechanism for driving the implementation of government's overall social, economic and political strategy. Thus, for example, there shall be annual Performance Agreements between Permanent Secretaries and Ministers. There shall also be performance Agreements between the Permanent Secretaries and the Heads of Divisions, between Heads of Divisions and Section Heads, and between Section Heads and Schedule Officers.

## **5. HUMAN RESOURCES MANAGEMENT POLICIES**

5.1 The transformation of the Tanzania Public Service depends, above all, on the success with which it manages its most precious resource –its personnel. To this end, human resources in the Public Service shall be governed by policies outlined below.

### **Human Resource Planning**

5.2 Every Public Service organisation shall draw up a medium term (three-year forward) and an annual human resource plan, based on its strategic objectives. An assessment of future human resource requirements shall be made on the basis of future tasks that the organisation expects to perform, the skills and competencies required to perform them, and the resources available to pay for them. Human resource planning shall cover: recruitment, promotion, training and development, and retirement or resignation. The human resource plan shall then become an integral part of the organisation's medium term expenditure framework.

### **Grading**

5.3 The existing system of common cadres shall be discontinued and replaced by simpler, more flexible arrangements with the aim of:

- moving from centralised control to the development of grading structures tailored to the needs of individual organisations' own operational requirements
- reducing the number of levels and grades and reducing excessively hierarchical organisation structures
- replacing automatic progression with promotion on merit, and facilitating the rapid career progression of able performers
- enhancing job satisfaction by broadening the scope of individual jobs and increasing multi-skilling and
- facilitating the introduction of new skills.

5.4 These arrangements may take several years to develop. Meanwhile, organisations wishing to develop their own grading structures may apply to the Public Service Department to do so; provided they can demonstrate that the proposed arrangements comply with the principles of this Policy.

## **Recruitment and Selection**

5.5 All Public Service organizations shall be required to notify the Public Service Department and the Ministry of Finance all positions which fall vacant. Public organizations shall have the authority to declare posts redundant and to utilize such savings to fund their other charges.

### **5.6 A post in the public service may only be filled if there is a funded vacancy.**

5.7 Recruitment shall be conducted by open competition through media advertising designed to ensure the widest possible field of suitably qualified applicants from both inside and outside the Public Service. Objective criteria for short-listing and final selection shall be prepared in writing in advance of the selection process. These shall be preserved in permanent records for future inspection and audit. Recruitment is defined as initial entry to the Public Service.

5.8 Selection criteria shall maintain an appropriate balance between academic or professional qualifications and other aspects, such as experience, track record and learning potential. The criteria shall, however, relate only to issues that are directly relevant to the job to be done. Particular care shall be exercised to ensure that there is no overt or unintended discrimination against women, people with disabilities and other vulnerable groups.

5.9 All applicants who meet the criteria shall be considered for selection by a recruitment panel. Applicants shall be awarded marks against the predetermined criteria, and successful applicant shall be persons with highest scores. Panel marking sheets shall also be permanently retained for future inspection and audit.

5.10 All applicants, whether successful or unsuccessful, shall be informed of the result of their application in writing within a specified period, preferably no longer than 10 days after the selection process has been completed.

## **Entry Restrictions**

### **5.11 Entry to the Public Service shall be limited as follows:**

- foreign nationals may only be considered for positions in the Public Service if there is no suitably qualified Tanzanian citizen. They can be engaged only on fixed-term contracts for a period not exceeding three years, and only with the express authority of the Head of the Public Service.
- only Tanzania citizens who have successfully completed at least four years of post-primary (secondary) education shall be eligible for permanent and pensionable terms of employment in public service organizations.
- good character shall be a prerequisite for entry into the Public Service.

- the minimum age for entry into the Public Service shall be eighteen. The exit age is 60.
- health and physical fitness shall not be a barrier to employment in public service unless it is directly relevant to the job to be done.

### **Employment Contracts**

5.12 Offer of employment may not be made, nor may an employee may not take up duty until all necessary pre-entry checks have been satisfactorily completed. This includes obtaining documentary evidence of formal qualifications, past employment, character references, and any necessary security clearance.

5.13. All Public Service employees shall have a written contract of employment. Contracts shall be either *permanent* or *axed-term*. Permanent contracts shall normally be offered to people who are engaged on work of a core, ongoing nature for which there is likely to be a continuing need in the foreseeable future. Fixed-term contracts shall be used in Public Service employment in any of the following circumstances;

- to provide urgently required skills which are in short supply
- to undertake tasks which are of limited duration
- to bring in people with fresh skills and talents from outside the Public Service.

5.14 New entrants to the Public Service including those on fixed-term contracts, shall be required to complete a period of probation. The purpose of probation is to assess suitability for Public Service employment, as well as ability to do the job. The period of probation may vary, depending on the level and complexity of the job, but may not be less than three months nor longer than 12 months.

5.15 Letters of Appointments into Public Service organisations shall specify what is expected of each employee in terms of performance. The appointment letter shall also outline the responsibilities, accountability and performance criteria of the employee.

5.16 At the end of the probation period, an employee shall be informed in writing whether he/ she have successfully completed his/ her probationary period or not. Notification of successful completion shall automatically confirm the employee's appointment to the Public Service. Employees who fail the probationary period may be offered a single extension of not more than half the length of the initial probation period, provided that there is a realistic prospect of improved performance. Failure to complete the probationary period and any extension shall lead to immediate discharge

## **Performance Appraisal**

5.17 Every organisation within the Public Service shall be required to operate a performance appraisal system for all its employees. Performance appraisal systems may vary from organisation to organisation, and from level to level, but shall have the following common elements:

- every employee, including Permanent Secretaries and Heads of Independent Departments, shall be given a job description incorporating specific, measurable objectives for the results they are to achieve in the following 12 months. The job description and performance objectives shall be drawn up in consultation with the employee, and shall include personal and skill development objectives as well as operational objectives;
- employees shall be given feedback at regular intervals of not less than six months on their performance against the objectives, and shall be given advice and support to improve any shortcomings;
- a written performance assessment shall be completed each year, and its contents discussed between the employee and his or her reporting officer. The assessment interview shall provide the opportunity to discuss the employee's training and career development needs, as well as to recognise good performance and to examine the reasons and agree on remedial action where performance has not matched the required standard;

5.20 Every employee shall have a personal training and development programme, agreed annually during the performance appraisal process.

## **Public Service Training Institutions**

5.21 The existing Public administration training institutions shall be rationalised, refurbished and consolidated to constitute a Public Service College. The college shall be paced on a self-financing basis, and shall recover costs from organisations who use its services. Other Public Service organisations shall be free to obtain training from either the Public Service College or external suppliers, provided that value for money is obtained.

## **Promotion**

5.22 Promotion is defined as moving from one grade to a higher grade. Promotion shall be obtained solely on merit through open competition for a vacant position. Competitions shall normally be open to both internal and external candidates. When considering an applicant for a post at a higher level, the main criterion for selection shall be the applicant's suitability for the job in question, as demonstrated by his or her qualifications, skills, experience and personal qualities. Selection for promotion shall be conducted in the same manner as for recruitment.

## **Mobility of Employment**

5.23 There shall be free movement of labour both within the Public Service and between the Public Service and the private sector. Suitably qualified public servants may apply for any advertised post within their own organisation or in other Public Service organisations. However, public servants on fixed-term contracts shall be required to fulfil the terms of their contract before taking up another post. Permanent employees shall be required to reach agreement with their current employing organisation on the timing of any move. Organisations may not unreasonably withhold agreement to a move, particularly where the employee's new appointment is on promotion or provides enhanced career opportunities.

## **Remuneration**

5.24 The overall remuneration budget for the Public Service shall be determined annually by the Ministry of Finance, taking into account available resources and informed by market comparisons. Each Public Service organisation shall receive a proportion of the total budget, based on its estimated requirements and taking account of the Government's overall priorities. Public servants shall be paid in accordance with their skills, competencies and responsibilities, within the resources that the Government can afford. Salaries shall be paid monthly in arrears.

5.25 New pay arrangements shall be developed to link salary progression more closely to improved performance, and to enable individual organisations to devise their own pay structures, suited to their operations. Organisations wishing to develop their own pay structures may apply to do so, provided that these comply with the principles and policies set out in this Policy, and that they offer good value for money.

5.26 The Government shall negotiate pay levels for employees with the relevant Trade Unions on an annual basis and decisions shall be reached amicably.

## **Working Hours**

5.27 The normal working week in the Public Service shall be at least forty hours. Public service organisations may organise working hours as they find fit, in order to meet the needs of their clients and the preferences of their employees.

5.28 Flexible working hours and part-time working shall be encouraged, where these shall provide a better service to clients and enable employees, particularly women with children, to combine more easily their work with their domestic and family responsibilities.

## **Annual Leave**

5.29. Every public servant shall be entitled to an annual paid leave for a number of days as determined by Government from time to time.

5.30. Leave not taken shall have no monetary value and shall be forfeited. In exceptional circumstances employees may be permitted to carry forward or anticipate a maximum of 10 days annual leave from one year to another.

## **Unpaid Leave**

5.31 At management discretion, employees may be granted up to a maximum of 90 days unpaid leave in any two year period to pursue academic studies or undergo training or development, where these are considered to be in the public interest. Requests for unpaid leave above this level or for other reasons shall be considered on their merit on a case by case basis.

## **Sick Leave**

5.32 On the basis of written recommendation of a duly registered medical practitioner, an employees of a Public Service organisation shall be entitled to sick leave, under the following terms:

- sick leave on full pay for 60 working days in any calendar year
- sick leave on half pay for the next 60 workdays in any year.

No more sick leave shall be granted after these days.

## **Maternity Leave**

5.33 Once every three years, with certification by a duly registered medical practitioner, a female employee of a Public Service organisation shall be entitled to maternity leave for a maximum number of days as determined by the Government from time to time.

## **Employee Empowerment**

5.34 Public Service organisations shall develop mechanisms to help employees participate regularly and be informed about matters affecting their work and conditions of service, and to encourage employees to put forward their ideas for improving efficiency and quality of service, and for making cost savings.

5.35 Other than in certain restricted sectors, such as the police and prisons services, public servants shall be free to join trade unions. Trade unions shall be consulted by the Government on matters affecting public servants' remuneration and their terms and conditions of service.

## **Conduct and Discipline**

5.36 All servants will be bound by a common Code of Ethics. The Code of Ethics will lay down the standards of conduct and behaviour that are required to ensure observance of the values and principles outlined under this Policy.

5.37 Failure to comply with the Code of Ethics will be deemed a breach of discipline and dealt with accordingly.

5.38 Breaches of discipline are defined as:

- criminal or unlawful actions
- actions in contravention of the Public Service Code of Ethics
- failure to comply with terms and conditions of employment
- dereliction of duty.

5.39 Public Service organisations will have clearly laid down procedures for dealing swiftly and effectively with breaches of discipline, and will ensure that these are known to and understood by all their employees. The procedures will comply with the following principles:

- it will be the duty of every employee to bring to the attention of his or her supervisor or manager any suspected disciplinary breach, whether or not this arises within his or her area of work, and irrespective of the seniority of the person concerned. Failure to do so will itself be treated as a breach of discipline
- no employee may be penalised for reporting a suspected disciplinary breach
- any suspected criminal action will be reported to the police
- all-suspected breaches of discipline will be investigated immediately
- persons under investigation will be informed in writing of the breach with which he or she is charged
- a written record will be made of the facts as investigated, and preserved for future inspection and audit
- the person under investigation will be given an opportunity to present their case
- a decision will be reached as soon as possible and the person concerned informed of the decision in writing;
- there will be a clearly laid down scale of penalties appropriate to the seriousness of the breach
- the person concerned will be given the opportunity to appeal against the decision, and any penalty imposed, to an independent body.

## **Retirement Benefits**

5.40 Every Public Service organization will have a retirement benefits scheme for its employees. All such schemes will be fully funded by joint contribution of employees and their employers. Contribution to an employees retirement benefit scheme will be a priority expenditure for every Public Service organization.

## **Voluntary Resignation**

5.41 A public servant may resign voluntarily at any time, by giving one month's notice in writing. Public servants who resign with less than 5 years service will not be entitled to any retirement benefits. Public servants with five or more years service who resign before their 50 birthday will be entitled to receive their retirement benefits on reaching normal retirement age.

## **Normal Retirement**

5.42 The normal retirement age shall be 60. Public servants may be retained beyond normal retirement age only for exceptional public interest reasons, and provided that there is no other suitable candidate who could fill the position. A public servant retained beyond the age of 60 may not draw their retirement benefits until he or she finally leaves the Public Service.

## **Voluntary Early Retirement**

5.43 A public servant may request to retire voluntarily at any time after the age of 50. Upon retirement he or she shall be eligible for immediate payment of retirement benefits.

## **Ill-health Retirement**

5.44 A public servant may be retired early if his or her health renders him or her un' for duty and there is no reasonable prospect of recovery. A public servant retired on ill-health grounds shall be eligible for immediate payment of retirement benefits.

## **Summary Dismissal**

5.45 A public servant may be summarily dismissed after due process at any time on the following grounds:

- criminal prosecution
- fraud or embezzlement
- dereliction of duty
- persistent absenteeism
- gross incompetence.

5.46 A public servant that is discharged shall forfeit his or her retirement benefits.

## **6. ROLES AND RESPONSIBILITIES**

6.1 Implementation of the principles in this Policy should bring about a fundamental shift in the management of Tanzanian Public Service, especially the management of employees, as “human resource management” replaces the existing ‘personnel administration’ concept. The Public Service Department shall become a small, policy making department, responsible for making sure that Public Service organisations adopt management policies and principles which enable them to make the best use of the scarce public resources, and recruit, organise, motivate and develop their staff to obtain optimum effectiveness.

6.2 The Public Service Commission shall have stronger, more independent role in safeguarding the common principles and standards that underpin these policies. Prime responsibility for human resource management shall nonetheless rest with employing organisations. The new institutional arrangements and underlying policies are set out in the sections which follow below.

### **The President of the Republic**

6.3 All public servants are employed in the name of the President of the Republic, who is ultimately accountable for the management and conduct of the Public Service. However, the personal involvement of the President in making appointments in the public service shall be limited to Anal approval and pronouncement of the Chief Executives of Ministries and Independent Departments (i.e. Permanent Secretaries and Deputy Permanent Secretaries) Regional Administrative Secretaries, members of the Public Service Commission, Ambassadors, Regional and District

Commissioners and Heads of the various organs in the public service as listed in Section 1 above. The President shall delegate responsibility for the management of human resources in the Public Service to the Public Service Commission, the Public Service Department, and the individual Public Service organisations.

### **Public Service Commission**

6.4. The existing separate “Service Commissions” shall be merged to form a single Public Service Commission. The role of the Public Service Commission shall be to safeguard the principles of recruitment and promotions by merit.

6.5. The Commission shall comprise no more than seven Commissioners, who shall be appointed by the President. They shall be people of unquestioned probity and ethical standards who enjoy the respect of the community and who are perceived to be devoted to the public interest. They shall act with complete political neutrality, and shall represent a cross section of society. Elected politicians, politically appointed persons, members of the military service and serving public servants may not be appointed as Commissioners. Commissioners shall be appointed on a part-time basis, and shall serve for a maximum of two of three-year terms.

6.6 The duties of the Public Service Commission shall be to:

- act as an appointing and promotion authority for certain categories of staff in the public service as shall be stipulated in the relevant law. This shall include advertising of vacant posts, conducting interviews and advise employers on the suitability of candidates for appointments
- issue guidance to the Public Service on implementing the principles of merit, fair and open competition, equity, openness and transparency, and on the Code of Ethics
- at his pleasure, advise the President through the Public Service Department on the suitability of candidates for appointments to the positions specified in paragraph 6.3 above;
- report to the President in person of their findings at least once a year; and publish an annual report of their activities.

6.7 Pending the formation of the new Public Service Commission, the existing Commissions shall be constituted as set out in paragraph 6.5 except that the maximum number of Commissioners shall be five instead of seven. The Commissions shall undertake the responsibilities set out in paragraph 6.6.

### **The Chief Secretary**

6.8 The Chief Secretary who is also the Head of Public Service shall be responsible to the President for the operational efficiency and good management of the Public

Service. As the President's chief public servant, the Chief Secretary shall advise the President on policy matters affecting the efficiency and effectiveness of the Public Service, and on relationships between public servants and Ministers. The President shall hold the Chief Secretary to account for ensuring that the Government's human resource management policies are implemented throughout the Public Service.

6.9 As the Head of the Public Service, the Chief Secretary shall also be responsible for ensuring that Heads of Public Service organisations are fully conversant with their management responsibilities, and that they carry them out conscientiously.

### **Public Service Department**

6.10 The Civil Service Department shall be renamed the Public Service Department. Its role shall be to ensure that management policies and practices enable Public Service organisations to recruit, retain and motivate skilled and competent staff to undertake the required tasks of government. It shall be responsible for ensuring the implementation of the policies set out in this Policy, for monitoring their effectiveness and, as necessary, for making improvements.

6.11 The Public Service Department shall also provide Public Service-wide management services, where these are needed. In particular, the Department shall:

- formulate policies on personnel and administration and guide and oversee the adherence to those policies
- regularly monitor, evaluate and advise on pay and conditions of service agreements for Public Service-wide grades
- maintain a key central and complete database on all Public Service personnel
- offer training and development for Public Service personnel
- provide guidance on the values, principles and policies set out in this Policy
- provide management consultancy services to Public Service organisations, as required, on a cost-recovery basis.

### **Public Service Organisations**

6.12 Public Service organisations including Local Government Councils, shall be free to devise the procedures and practices most suited to their human resources management needs, provided that these comply with the principles and policies laid down in this Policy and are efficient and cost-effective. Public Service organisations have a particular responsibility to inform and consult with their employees, both individually and collectively, about matters affecting their conditions of service and their career prospects.

## **7. IMPLEMENTATION**

### **Priority Actions**

7.1 Implementation of these policies shall begin immediately and all concerned bodies shall begin to take steps to ensure its successful implementation.

### **The Chief Secretary**

7.2 The Chief Secretary shall meet regularly with the Chairperson of the Civil Service Commission and the Permanent Secretary, Public Service Department, to review progress, and shall report to the President on the results achieved.

### **Public Service Department**

7.3 The Permanent Secretary, Public Service Department, shall lead in co-ordinating, monitoring and reporting on the implementation.

### **Public Service Organisations**

7.4 The Heads of Public Service Organisations are required to popularise and promote observance of the shared vision, the common mission, the core values and management principles in their organisations.

### **Public Servants**

7.5 Individual public servants are required to embrace the vision, mission, ethos and principles laid down in this policy. In particular, they have responsibility to:-

- contribute to the continuous improvement in the quality of the services rendered by their employer
- serve all citizens and other recipients of their services with utmost courtesy, integrity and diligence
- actively seek and, when offered, to take opportunities to improve their skills and enhance their career prospects.
- keep themselves informed about human resource matters affecting their careers, and to offer ideas and suggestions on how human resource management could be improved.

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