



JUNE 2018

OPA REVISION OF
“The Report of the
Committee
Appointed by the
NHRDC” to
‘Explore New
Ways of Working
in the Public
Sector’

**THE REPORT OF THE COMMITTEE APPOINTED BY
THE NATIONAL HUMAN RESOURCES DEVELOPMENT COUNCIL
TO EXPLORE NEW WAYS OF WORKING IN THE PUBLIC SECTOR**

With the concurrence of the NHRDC appointed committee, the Report “To Explore New ways of Working in The Public Sector” was reviewed by an OPA appointed Committee. OPA appointed Committee having also studied the “Report of the Parliamentary Subcommittee on Public Reforms” published in Aug 2016, made this a concise *Revised Report* requesting the government to implement the few identified important proposals within the NHRDC report for which the Parliamentary Subcommittee supports in its comprehensive report. Reference is also made to the “Handbook on Good Governance for Chairmen and Boards of Directors of Public Enterprises” published jointly by ICASL and NHRDC.

OPA Committee thus makes the following “Summary of Recommendations” to be implemented as an urgent need as the first step towards the Reforms of Public Sector.

a) Cabinet of Ministers

The Constitution should clearly prescribe the number of Ministries to be not more than 30 regardless whether the government is of a single party, multi-party, national or otherwise; Such Ministries shall be constituted on a logical basis of grouping of subjects and departments of the government that shall be attached in a schedule to each Ministry prescribed by the constitution. A list of proposed Ministries is attached. Number of deputies to each Ministry should also be specified as per the above schedule of subjects and the total number shall not exceed 35.

b) Government Policy

Following internationally accepted **Principles of Good Governance**, there must be a well-developed broader policy in each Ministry and a specific sub policy for each major subject of the Ministry and such policies must be prepared with the consultation of the stake holders through consultative committees and approved by the cabinet and changes to the same when required must be done by the cabinet after consultation with the stake holders through the consultative committees strictly following the **Principles of Good Governance** While policies would be the prerogative of the Government, administration should be the responsibility of the public servants, with regular progress reviews (not only of financial progress but also achievements against targets) so that adjustments can be proposed to the Minister for future amendments as required. Ministers, in formulating policies, should engage in appropriate consultation and should avoid sudden decisions that may not be in accordance with existing policies.

c) Appointment of Secretaries to Ministries

Secretaries to Ministries should be appointed after applications are called by the Public Service Commission from the public including ‘senior management groups’ of public sector and Private Sector. Such appointments are to be Permanent to the extent that they may be removed only by the Public Service Commission for reasons adduced. This will not make them necessarily permanent, but it will free them from political pressures and arbitrary changes. The Public Service Commission should have Rules of Procedure which will strengthen its independence when confronted with what it sees as unreasonable requests.

d) Appointments to Government Corporations, and Statutory Boards

Chairpersons and Directors of Corporations and Statutory bodies shall also to be appointed on the basis of specified criteria; proposed for senior management groups from which nominations are called for or nominations are called from the professional organizations related to the subject and the political appointments are done away with. All appointees should have an impeccable record of accomplishment, free from any charges and the boards should have a good mix of diverse skills and expertise required by the institution. Finance Ministry representatives appointed to the Boards should be senior officials and have finance / economics qualifications with experience in fiscal policy / public finance / budgeting / forensic audit capabilities and not confined to officers from the public service with any qualification.

All boards should submit an annual strategic plan with clear strategies approved by the board and forward to the relevant ministries and should be responsible to deliver the strategic plan. At the end of the year, the board should submit to the relevant ministries a variance analysis showing the actual vs. planned outcomes.

e) Professionalism & Productivity

A Ministry of Plan Implementation, and Coordination and Monitoring shall be vested in the Prime Minister to monitor productivity and performance against targets and provide immediate advice if not adhering to the expected plan and policies. Performance incentives are desirable, perhaps through recognition at a national forum. Ministries should also maintain schedules of potential leaders and ensure appropriate training. Regular consultative meetings should be held (already specified but not coherently observed) and recorded with clear action points and responsibilities to ensure the laid down policy is adhered to, necessary action plans are prepared and work is continuously monitored.

The Development Secretaries Forum should be revived and meet under the aegis of the above Ministry. It should include Chief Secretaries of Provinces and, in addition to monitoring and promoting policy implementation, it should advise on the reviewing of policy.

Ministries should maintain registers with regard to correspondence with a monthly review of what is outstanding. Every unit should be required to ensure that issues are dealt with within three days, or else a response sent to indicate action taken.

Internal Audit procedures must be strengthened with provision for analysis of outcomes, and due attention paid to the observations of External Audit. However procedures should be simplified, to avoid nitpicking that limits efficiency and flexibility. Administrative and Financial Regulations should be seen as guidelines, with greater transparency to ensure financial probity, rather than concentration of procedures rather than outcomes.

Training should be arranged systematically, both through a national overview system and a schedule in each Ministry specifying desired outcomes and with provision to assess these.

f) Employment Opportunities

The unsustainable and highly politicized corrupt practice of treating the public sector institutions as a means to dole out job opportunities to the favoured through 'sponsored employment' should cease forthwith. Required cadre of each public sector institution shall be strictly adhered to and proper procedure is followed at all time to fill up the vacant positions without political directions.

Schemes of Recruitment need to be strictly followed in making appointments, and administrators should be protected against interference by politicians. Some of the politicians' claim that they should be able to provide jobs to their party supporters or constituencies is a misnomer where government must only cause to create job opportunities by expanding the economic activity and not for private distribution of jobs by MPs.

The practice of Ministers handing over letters of appointment to public officers should also cease, since it reinforces the idea that jobs are the prerogative of the Minister. In addition to piling further pressures on the Minister for more jobs, it leads appointees to see their service as political rather than to the public.

Senior positions should be advertised, and the selection board should have strong external representation, perhaps through a nominee of the Coordination Ministry or the Development Secretaries Forum.

g) Sample Cabinet of Ministers

Most importantly, there was a general consensus that rationalization of the Cabinet was urgency. It requires political will. Committee did focus attention on the issue, and urge advocacy in this regard. Following much discussion, it is recommended on limiting the Cabinet Ministries to the following –

1. PRESIDENT Minister of Defense
2. PRIME MINISTER National Policy, Plan Implementation, Coordination and
Monitoring
3. Justice, Prisons, Law and Order
4. Finance & Economic Affairs
5. Foreign Affairs and Foreign Employment
6. Trade and Commerce
7. Health
8. Education Higher Education and Vocational Training
9. Housing and Construction
10. Food, Agriculture, and Plantations
11. Power, Energy and Water Supply
12. Transport and Highways
13. Posts ,Telecommunications, Digital Infrastructure and Media
14. Ports, Shipping and Maritime Affairs
15. Tourism and Aviation
16. Industries, Science and Technology
17. Fisheries and Inland Fish Resources
18. Primary Industries, Mineral Resources, Rural Economy and Wild Life
19. Labor, Employment and Entrepreneurship Development

20. Provincial Councils & Local Government, Public Administration, Home Affairs and Parliamentary affairs
21. Land, Environment, Water Resources, irrigation and Disaster Management
22. Social Welfare and Empowerment (including Affairs of Women, Children, Disabled and Elders)
23. Social Amenities, Cultural Affairs and Archaeology and National Heritage
24. Sports and Youth Affairs,
25. Religious Affairs and National Languages
26. National Reconciliation, Rehabilitation and Resettlement
27. Mega-polis, City Planning, Urban development, Urban Waterways & Coastal Resources development
28. Minister of Public Enterprises and New Strategies Development
29. Estate Infrastructure and Community development
30.Special Projects

NHRDC appointed Committee met on four occasions, and had the benefit of written inputs from the following former Secretaries and Public Servants, as well as from the Secretary to the Labour Ministry.

Professor Rajiva Wijesinghe (Chairman)

Mr Dharmasiri Pieris

Mr H M G S Palihakkara

Mr Mahinda Madhiahewa

Mrs Malini Pieris

Mr Asoka Gunawardena (former member of the Finance Commission)

Mr Pieris also kindly made an oral presentation to the Committee

Revisions were made by OPA appointed Committee

Mr. Lalith Wijetunge

President

Eng. Nissanka Perera

President-elect

Mr. Saman Warusavithana

General Secretary

Mr. Raja Korale

Vice President

Capt. Ranjith Weerasinghe

Member of the Executive Council

Mr. Ravi Abeysuriya

Member of the Executive Council