

Government of the Republic of Trinidad and Tobago
PUBLIC STATEMENT OF THE
PERSONNEL DEPARTMENT 2021
In compliance with
Sections 7, 8 and 9 of the Freedom of Information Act
(FOIA) Chapter 22:02

In accordance with sections 7, 8 and 9 of the Freedom of Information Act (FOIA) Chapter 22:02, the Personnel Department hereby publishes its annual statements setting out the following:

- (a) Particulars of the organisation and its functions;
- (b) The decision making powers and other powers affecting members of the public that are involved in those functions;
- (c) Particulars of any arrangements which exist for consultation with or representation by members of the public in relation to the formulation of policy in or the administration of the public authority;
- (d) Statement of the categories of documents that are maintained in the possession of the public authority;
- (e) Statement of the material that has been prepared by the Personnel Department under this Part for publication or inspection by members of the public, and the places at which a person may inspect or obtain that material;
- (f) Statement listing the literature available by way of subscription services;
- (g) Statement of the procedure to be followed by a person when a request for access to a document is made;
- (h) Statement specifying the officer responsible within office for the initial receipt of, and action upon, notices under section 10, requests for access to documents under section 13 and applications under section 36;
- (i) Statement listing all boards, councils, committees and other bodies constituted by two or more persons, that are part of, or that have been established for the purpose of advising, the public authority, and whose meetings are open to the public, or the minutes of whose meetings are available for public inspection;
- (j) If the public authority maintains a library or reading room that is available for public use, a statement of that fact including details of the address and hours of opening of the library or reading room;

- (k) Documents that are provided to the Personnel Department, for its use and guidance and that of its officers and
- (l) Reports and other documents.

The Freedom of Information Act, Chapter 22:02, gives members of the public: -

- a legal right to access information held by the Personnel Department, limited by exceptions and exemptions as specified in the Act;
- a legal right to have official information relating to himself/herself amended where it is incomplete, incorrect or misleading;
- a legal right to obtain reasons for adverse decisions made regarding an applicant's request for information under the FOIA;
- a legal right to complain to the Ombudsman and to apply to the High Court for Judicial Review to challenge adverse decisions made under the FOIA.

Particulars and functions of the Personnel Department

1. The office of the Personnel Department (the Department) is established by s 13 of the Civil Service Act Chapter 23:01¹ (the Act). The Chief Personnel Officer is the head of the Personnel Department. He is supported by two (2) Deputy Chief Personnel Officers. The Department comprises seven (7) Divisions. They are:

- i. Compensation Management;
- ii. Benefits Management;
- iii. Industrial and Labour Relations;
- iv. Human Resource Policy Planning and Research;
- v. Human Resource Management Services;
- vi. Legal Services; and
- vii. Corporate Services.

¹ (1) There is hereby established for the purposes of this Act a Personnel Department, which shall be under the general direction and control of the Minister to whom is assigned responsibility for the administration of that Department. (2) The staff of the Personnel Department shall comprise— (a) the Chief Personnel Officer who shall be the Head of the Personnel Department; and (b) such number of civil servants as may be assigned to the Personnel Department.

2. The Vision of the Department is to *'be the employer of choice, excelling in the provision of Human Resource Management (HRM) and Industrial Relations (IR) solutions within the public sector.* Its mission aims to ensure, *'as a strategic partner, we collaborate to develop and negotiate terms and conditions of employment, and to create and implement forward-looking HRM solutions in support of good governance and service excellence.'*
3. A Strategic Plan 2018-2020 was developed to enable the Department to fulfil its legal and administrative responsibilities as well as to meet its challenges. Cabinet agreed to approve, in principle, the Strategic Plan 2018-2020 of the Personnel Department. This plan was extended to 2022 to allow for full implementation by the Chief Personnel Officer.
4. The duties and functions of the Department are enshrined in statute. Principally amongst these is the Civil Service Act Chapter 23:01 (the Act) which highlights the following functions at section 14 (1) (a-c) as:
 - a) maintaining the classification of the Civil Service and to keep under review the remuneration payable to civil servants;
 - b) administering the general regulations respecting the Civil Service;
 - c) providing for and establishing procedures for consultation and negotiation between the Personnel Department and an appropriate recognised association or associations in respect of:
 - i. classification of offices;
 - ii. any grievances;
 - iii. remuneration; and
 - iv. the terms and conditions of employment.
5. The Personnel Department is also empowered to perform similar functions under provisions of the Education Act, Chap. 39:01; the Police Service Act, Chap. 15:01; the Fire Service Act, Chap. 35:50; and the Prison Service Act, Chap. 13:02.

The decision making powers and other powers affecting members of the public that are involved in those functions

6. In addition to the powers already highlighted under the Civil Service and other Acts 2 not limited to the Statutory Authorities Act, the CPO, by virtue of section 2(4) (a) and 2(5) of the

²**The Education Act, Chap. 39:01; The Police Service Act, Chap. 15:01; The Fire Service Act, Chap. 35:50; The Prison Service Act, Chap. 13:02**

Industrial Relations Act Chapter 88:01, is deemed to be the Employer of any worker employed by the Government and of any worker employed by the Municipal Corporations respectively.

7. The clients of the Personnel Department include Ministries and Departments; regulatory bodies; public officers; officers of Statutory Authorities under the Statutory Authorities Act; State Enterprises and Special Purposes Companies, workers as defined by the IRA, who are in the employ of the Government or the Municipal Corporations; Associations and Unions representing government employees; and citizens.
8. Since its establishment in 1965, the core functions of the Personnel Department have revolved around matters pertaining to the determination of pay and other terms and conditions of employment and the administering of the general regulations governing the Public Service. However, its functions have undergone some evolution in keeping with changes in Government policy. A major factor prompting change has been the initiative to establish a modern Human Resource Management (HRM) system in the Public Service.
9. Currently, the Department's functions also include responsibility for:
 - the performance of Secretariat Services for the Salaries Review Commission (SRC) which includes the provision of administrative and technical support to the SRC. The SRC was established by section 140 (1) of the Constitution of the Republic of Trinidad and Tobago.
 - the provision of a Secretariat and Technical Services to the Human Resource Advisory Committee, which is a Sub-Committee of Cabinet with responsibility for monitoring salary and wage negotiations and remuneration arrangements of employees in the public sector (a description is provided below);
 - administration of two (2) Group Health Plans, one for daily-rated employees and the other for monthly-paid officers in the Civil and Teaching Services and certain office holders within the purview of the SRC;
 - advising on the pay and other terms and conditions of service of offices within the purview of the SRC; persons employed in those Statutory Boards and State Enterprises which receive guidelines from the Human Resource Advisory Committee; and members of the Defence Force;
 - formulating policies in areas of Human Resource Management which are within its statutory mandate;
 - formulating specific public sector policies in areas such as Occupational Safety and Health, the Public Service Employee Assistance Programme, and the development of guidelines for the Public Service on the treatment of persons afflicted with HIV/AIDS and other life threatening diseases;

- advising on and reviewing the legal and regulatory framework for aspects of Human Resource Management in the Public Service;
- providing advisory and consultative services to line agencies in respect of those matters which are within its purview;
- facilitating the implementation of specific strategic Human Resource Management initiatives in the Public Service;
- strengthening the capacity of Human Resource Management Units to implement those public- service-wide programmes and policies within the Department's purview;
- monitoring and auditing the implementation of those public-service-wide programmes and policies within the Department's purview; and
- determining the terms and conditions of employment of persons employed on contract in Cabinet approved positions in the Public Service and in Statutory Authorities.

The Salaries Review Commission (SRC)

10. The Salaries Review Commission (SRC), comprising a Chairman and four members who are appointed by the President of the Republic of Trinidad and Tobago, after consultation with the Prime Minister and the Leader of the Opposition. The SRC, in accordance with Section 141(1) of the Constitution of the Republic of Trinidad and Tobago, is required to, from time to time, with the approval of the President, review the salaries and other conditions of service of the President, the holders of offices referred to in section 136 (12) to (15) Members of Parliament, including Ministers of Government and Parliamentary Secretaries and the holders of such offices as may be prescribed.

The Human Resource Advisory Committee (HRAC)

11. The Human Resource Advisory Committee is a Sub-Committee of Cabinet with responsibility for monitoring wage and salary negotiations in the public sector. The scope of the Committee includes the monitoring of negotiations/revision of pay and other terms and conditions of employment of Statutory Authorities/Boards and Corporations as well as companies that are wholly or majority owned by the State.

Particulars of any arrangements which exist for consultation with or representation by members of the public in relation to the formulation of policy in or the administration of the public authority

12. The foregoing Acts highlighted in paragraph 5 above, all provide for consultation and negotiation between the Personnel Department and appropriate recognised Associations representing the public officers in the respective Services with regard to the same matters as

are specified at section 14(1) of the Civil Service Act. These Acts also provide for the procedures to be followed in respect of negotiations resulting in agreement or disagreement between the parties.

13. Under the Statutory Authorities Act, Chap. 24:01, the functions of the Personnel Department, as specified in the Service Acts mentioned above, are also the responsibility of the Personnel Department in relation to the organisations which fall under that Act, and will remain so for as long as a personnel organisation has not been established under that Act, by the President. However, where no agreement is reached after consultation and negotiation, the dispute is dealt with in accordance with the procedure relating to disputes as provided in the Industrial Relations Act (IRA), Chap. 88:01.

Categories of documents that are maintained in the possession of the Personnel Department

14. The following includes the categories of documents maintained by the Personnel Department.
- (a) Administrative records used in the daily operations of the Department;
 - (b) Personnel records for former and current members of staff;
 - (c) Accounting and financial management records;
 - (d) Files dealing with official correspondence;
 - (e) Cabinet Minutes and Notes;
 - (f) Development Programme files;
 - (g) Policies;
 - (h) Strategic Plans of the Personnel Department;
 - (i) Training/Human Resource Development Plans of the Personnel Department;
 - (j) Legislation and legal instruments;
 - (k) Legal opinions and related matters;
 - (l) Agenda and Minutes of meetings;
 - (m) Circular Memoranda, notices and bulletins;
 - (n) Files dealing with official functions, conferences and events hosted or attended by the Personnel Department;
 - (o) Personnel Department Newsletters;
 - (p) Files relating to contract employment;
 - (q) Vision & Mission statements;
 - (r) Memoranda of Agreements;
 - (s) Collective Agreements;
 - (t) Class Specifications in respect of offices in the Civil Service and Statutory Authorities

subject to the Statutory Authorities Act;

- (u) Job Specifications and Descriptions in respect of offices in the Teaching, Fire, Prison, Police, Judicial and Legal Services and the Sugarcane Feeds Centre;
- (v) Standardised Job Descriptions in respect of persons engaged on contract in the more common positions in the following streams: Clerical/Secretarial; Manipulative; Human Resource Management; Communications; Legal, Information and Communications Technology (ICT) and Procurement; Legal (Central) Facilities Management; Project Management and Monitoring and Evaluation;
- (w) Legal Documents that are filed in the High Court, Court of Appeal, Industrial Court and with the Special Tribunal;
- (x) Documents prepared to provide guidance to Ministries and Departments in implementing Human Resource Management (HRM) programmes; and
- (y) Reports of Consultants.

Statement of the material that has been prepared by the Personnel Department under this Part for publication or inspection by members of the public, and the places at which a person may inspect or obtain that material

15. Materials on Personnel Department: Role, Responsibilities and Functions can be accessed at: **Personnel Department, (Office of the Chief Personnel Officer), No. 3 Alexandra Street, St. Clair, New Town 190129, Trinidad and Tobago.**

Statement listing the literature available by way of subscription services

16. The Department does not maintain a listing of literature which is available by subscription fees.

Statement of the procedure to be followed by a person when a request for access to a document is made

It is the policy of the Personnel Department to respond to all requests for information, both oral and written. However, in order to facilitate the exercise of the rights conferred on individuals by the FOIA, (for example, the right to challenge a decision if a request for information is refused), the request must be made in writing. To access information that is not readily available in the public domain, the applicant must complete the appropriate form entitled 'Request for access to Official Documents', available in the Schedule attached to the Freedom of Information Act 1999 and at the Personnel Department, (Office of the Chief Personnel Officer), No.3 Alexandra Street, St. Clair New Town 190129, Trinidad and Tobago or from any Public Authority.

17. The guidance as outlined in section 13 of the FOIA is as follows;

- (1) A person who wishes to obtain access to an official document shall make a request in the form set out in the Schedule, to the relevant public authority for access to the document.
- (2) A request shall identify the official document, or provide sufficient information to enable the designated officer of the public authority, or an employee of the public authority who is familiar with the relevant documents, to identify the document with reasonable effort.
- (3) A request may specify in which of the forms described in section 18 the applicant wishes to be given access.
- (4) Subject to section 21, a request under this section may be made for access to all records of a particular description or all records relating to a particular subject.
- (5) An application for access to an official document held by a public authority referred to in section 4(k)(i) or (iii) shall be made to the responsible Minister.

Addressing Requests

18. To facilitate prompt handling of the request, such a request must be addressed to the Designated Officer of the Personnel Department.

Details to be included in the Request

19. Applicants are asked to provide details that would allow for ready identification and location of the records that are being requested. If insufficient information is provided, clarification will be sought from the applicant. If the applicant is uncertain as to the details to be included, the Designated Officer will assist.

Requests not handled under the FOIA

20. A request made under the FOIA will not be processed if it is for information (for example, material contained within Acts, Legal Notices and Gazettes) which is currently available in the public domain, either from the Personnel Department or from another public authority.

Responding to requests

21. The Personnel Department is required to furnish copies of documents only when they are in the Department's possession or they can be retrieved from storage. Subject to Section 8

Statements, an applicant is entitled to only one (1) copy of a document held in the Department. If the Department is unable to make a legible copy of a document, it will furnish the best copy possible and note its quality when replying. In treating with requests, the Personnel Department is not under obligation to: (a) create new documents; or (b) perform research for the applicant.

Time Limits

General

22. The Personnel Department will determine whether a request for access to information will be granted as soon as is practicable but no later than 30 days after the request has been made, as required by Section 15 of the FOIA. If a decision is taken to grant access to the information requested, the person will be permitted to inspect the documents or be provided with copies, if the person so requests.

Fees and Refunds

23. The Freedom of Information Fees and Charges Regulations prescribe the fees incurred in making documents available. Where such fees are payable, the person is entitled to receive the document/s within seven days of payment of the relevant fee. If the Department fails to provide the information within the seven-day period, the person is entitled to a refund of the fees, in addition to access to the document/s requested.

Statement specifying the officer responsible within office for the initial receipt of, and action upon, notices under section 10, requests for access to documents under section 13 and applications under section 36

24. At the Personnel Department the

Designated Officer : Ms. Jenny Singh.
Alternate Officer : Mrs. Ruth Gibbs-George
Address : Personnel Department
(Office of the Chief Personnel Officer)
#3 Alexandra Street
St. Clair
New Town 190129
Trinidad and Tobago
Telephone : (868) 612-4CPO (4276)

Statement listing all Boards, Councils, Committees and other bodies constituted by two or more persons, that are part of, or that have been established for the purpose of advising, the public authority, and whose meetings are open to the public, or the minutes of whose meetings are available for public inspection

25. There is no established Board, Council, Committee or body constituted/established for the purpose of advising the Personnel Department at this time.

If the public authority maintains a library or reading room that is available for public use, a statement of that fact including details of the address and hours of opening of the library or reading room

26. Where a request for access to information has been granted, arrangements will be made, as appropriate, for such information to be accessed at the Personnel Department, No. 3 Alexandra Street, St. Clair on Monday to Friday between the hours of 9:00 a.m. and 3:00 p.m.

This section refers to documents that are provided to the Personnel Department, for its use and guidance and that of its officers

27. The documents listed below are used to guide officers within the Personnel Department. Those listed at numbers 1 and 2 are available for purchase at the Government Printery. Those listed at numbers 3-31 are available at the Personnel Department for inspection purposes only.

1. Public Service Acts and Regulations;
2. Laws of the Republic of Trinidad and Tobago;
3. Guidelines for contract employment in Government Ministries/Departments, Statutory Authorities and the Tobago House of Assembly;
4. Circular Memoranda to Permanent Secretaries/Heads of Department and certain Statutory Authorities and the Chief Administrator, Tobago House of Assembly;
5. Guidelines for the Administration of Devolved Functions;
6. Circulars to Permanent Secretaries/Heads of Department and certain Statutory Authorities and the Chief Administrator, Tobago House of Assembly in respect of Guidelines for the Administration of Devolved Functions;
7. Manual of Terms and Conditions of Employment;
8. Memoranda of Agreement with various Associations/Unions;
9. Collective Agreements applicable to workers in respect of whom the Chief Personnel

- Officer is deemed by the Industrial Relations Act to be the Employer;
10. Classification and Compensation Plans for the Trinidad and Tobago Teaching Service;
 11. Classification and Compensation Plans for the Trinidad and Tobago Police Service;
 12. Classification and Compensation Plans for the Trinidad and Tobago Fire Service;
 13. Classification and Compensation Plans for the Trinidad and Tobago Prison Service;
 14. Classification and Compensation Plans for the Civil Service and Statutory Authorities subject to the Statutory Authorities Act;
 15. Remuneration Arrangements for holders of offices in the Judicial and Legal Service;
 16. Report of Cabinet-appointed Committees established to explore issues related to the implementation of Group Health Insurance coverage for the Public Service;
 17. Report on the selection of an Administrator for the Group Health Plan for daily-rated employees by a Joint Committee comprising representatives from National Union of Government and Federated Workers (NUGFW) , the Contractors and General Workers Union (C&GWTU), Amalgamated Workers Union (AWU), the Comptroller of Accounts and the Personnel Department November, 2016;
 18. Report on the evaluation of prospective Plan Administrators of the Group Health Plan for monthly-paid officers in the Civil and Teaching Services, Statutory Authorities and the Tobago House of Assembly;
 19. Reports of the Salaries Review Commission approved by Cabinet;
 20. Personnel Department Circular Memoranda from 1969 to 2018;
 21. Employee Assistance Programme (EAP) Policy for the Public Service of Trinidad and Tobago;
 22. Guidelines for the Administration of the Employee Assistance Programme (EAP) for the Public Service of Trinidad and Tobago;
 23. Branching Out – A Guide to Voluntary Termination of Employment Act (VTEP);
 24. Documents on the Performance Management and Appraisal System:
 - Discussing Performance: A Programmed Learning Text;
 - Shaping Performance: A Manual for Performance Management in the Public Service; and
 - Regulatory Framework for the Management of Employee Performance.
 25. Report of the Joint Working Party on Reclassification and Upgrading of all Jobs in the Bargaining Unit represented by the NUGFW;
 26. Events Co-ordination, Protocol and Etiquette Guidelines for the Office of the Chief Personnel Officer;
 27. Personnel Department Ministerial Performance Management Framework Report - 2008;

28. Personnel Department Ministerial Performance Management Framework Report - 2010;
29. Guidelines for Managing HIV/AIDS in the Public Service; and
30. Report of the Defence Force Pay Review Committee.

Reports and other documents required by Section 9

28. The Personnel Department has no report or other document compiling the requirements of s. 9 (1) (a-d) and (j)-(m). The following is reflective of s. 9 (1) sub-sections 9 (e)-(i).

29. A report (including a report concerning the results of studies, surveys or tests) prepared for the public authority by a scientific or technical expert, whether employed within the public authority or not, including a report expressing the opinion of such an expert on scientific or technical matters.

- Report on Indoor Air Quality Assessment and Health and Safety Audit at the Valpark Building, 76-78 St. Vincent Street, Port of Spain, July 2014;
- Report on the Indoor Air Quality Assessment at the Compensation Management Division, 59 Frederick Street, Port of Spain, July 2014.

30. A report prepared for the public authority by a consultant who was paid for preparing the report.” The following reports are for examination purposes only:

- Public Service Salary Survey (PricewaterhouseCoopers)
- Consultant’s Reports prepared by KPMG Consulting on the Job Evaluation Exercises in the following Services:
 - Teaching Service (September, 1999)
 - Prison Service (August, 1999)
 - Police Service (September, 1999)
 - Fire Service (August, 1999);
- Consultant’s Report on the Job Evaluation Exercise in the Judicial and Legal Service (PricewaterhouseCoopers) June, 2003;
- Consultant’s Report on the Institutional Strengthening of the capacity of Ministries/Departments/Statutory Authorities to undertake Human Resource Planning in the Public Service (PricewaterhouseCoopers) July, 2007;
- Consultant’s Report on the review of the Approved EAP Policy for the Public Service and Guidelines for the Administration of the EAP [Behavioural Management Solutions Ltd

(BMS)] May, 2007;

- Consultant's Report on Stakeholder Consultations for the EAP (BMS) December, 2007;
- Consultant's Report on Inventory and Assessment of the capability and capacity of EAP Service Providers and Clinical Auditors (BMS) January, 2008;
- Consultant's Report on Options available for the Design of an EAP for the Public Service (BMS) May, 2008;
- Consultant's Report on the design of an Employee Assistance Programme for the Public Service (BMS) January, 2009;
- Consultant's Report on Implementation Plan for the EAP (BMS) December, 2009;
- Consultant's Report on the Diagnostic Exercise regarding the type of Job Evaluation System(s) to be implemented in the Civil Service, Statutory Authorities and the Tobago House of Assembly (IBM World Trade Corporation) September, 2010;
- Consultant's Report on the Diagnostic Exercise for Existing Offices within the purview of the Salaries Review Commission (IBM World Trade Corporation) January, 2013.

A report prepared within the public authority and containing the results of studies, surveys or tests carried out for the purpose of assessing, or making recommendations on the feasibility of establishing a new or proposed Government policy, programme or project.

31. Examination only:

- Consultant's report on Review of the Classification and Compensation System in the Civil Service and Statutory Authorities

A report on the performance or efficiency of the public authority, or of any office, division or branch of the public authority, whether the report is of a general nature or concerns a particular policy, programme or project administered by the public authority.

32. Examination only:

- Personnel Department Ministerial Performance Management Framework Report 2008
- Personnel Department Ministerial Performance Management Framework Report 2010

A report containing final plans or proposals for the re-organisation of the functions of the public authority, the establishment of a new policy, programme or project to be administered by the public authority, or the alteration of an existing policy, programme or project administered by the public authority, whether or not the plans or proposals are subject to approval by an officer of the public authority, another public authority, the responsible Minister of the public authority or Cabinet

33. Examination only:

- Strategic Plan of the Personnel Department 2001-2004
- Human Resource Development Plan of the Personnel Department 2004 – 2006
- Strategic Plan of the Personnel Department 2018- 2020