

Best practice for indicator #9: Public Service Commission Appointment Policy

Institution: Public Service Commission

Title: Public Service Commission Appointment Framework

Description of the best practice:

A brief description and summary of the best practice, as well as an explanation of why it should be considered as such, referring to its sustainability and transferability.

The Public Service Commission's (PSC) Appointment Framework establishes the expectations and requirements to ensure that appointments in the federal public service are based on merit and free from political influence. It provides flexibility to deputy heads to customize their approach to staffing to better meet their needs, while respecting public service values such as merit, fairness, and transparency. It applies to all appointments to and within organizations subject to the *Public Service Employment Act* (PSEA).

It may serve as an example or model to other public entities could leverage based on their existing legislation or context.

Reasons/Importance: *Reasons for pursuing best practice should be given. Include the situation prior to its adoption and identify the problem or problems it is meant to address.*

Under the former legislation (prior to 2005), public service employees had expressed concerns with the centralized, rules-heavy and complex nature of the staffing system. The implementation of the PSEA in 2005 allowed for a more values-based rather than rules-based approach. It afforded public service managers the flexibility necessary to staff, to manage and to lead their personnel to achieve results for Canadians. It also allowed Canada to continue benefiting from a public service that is merit-based, non-partisan and that strives for excellence.

The PSC continued to improve its policies resulting from the legislation introduced in 2005, and on April 1, 2016, it launched a new policy framework for staffing in the federal public service. The intent was to streamline requirements while also offering increased discretion for those with staffing authority.

Approach: *Describe the proposed design and the methodology for applying the best practice. What was considered in its design and methodology? Were other countries' experience considered? Was model legislation used?*

The PSC Appointment Framework is comprised of a delegation instrument and appointment policy. The delegation instrument sets out terms and conditions for deputy heads who are delegated staffing authority. The policy sets out the minimum requirements for the various stages of the appointment process.

To establish an appropriate balance between the flexibility inherent in the legislation and the need to ensure the integrity of the appointment process, the following approach was taken in developing the Appointment Framework:

- Establish core values and principles to guide managerial decision-making in the appointment process. These are based on the premise that merit and non-partisanship must be applied in accordance with core values (such as fairness, equity, transparency, flexibility, diversity and excellence) that operate within a system of accountability to preserve the integrity of the appointment system.

- Where possible, the PSC avoided imposing prescriptive policy and detailed procedures that could jeopardize the flexible, values-based approach inherent in the legislation.

Implementation: How is the best practice being implemented? What financial and human resources were needed for its implementation?

All departments and agencies subject to the PSEA must adhere to the expectations set out in the Appointment Framework.

In 2016, the PSC committed resources to supporting departments and agencies in their transition to the new policy. A team of HR specialists are responsible for providing ongoing advice and guidance, and training is offered through the Canada School of Public Service.

The PSC publishes guides and tools to assist human resources advisors and other stakeholders involved in implementing the new appointment framework through the federal government website.

As compliance with new requirements was a key measure of success, the PSC conducted a system-wide staffing audit to ensure that the policy was being implemented as intended. It also conducted surveys to gauge employees' understanding of the policy requirements.

Outcome: What has been the final outcome of implementing the best practice? Or what is the expected final outcome? What benefits and/or success stories have there been? Have they addressed the problems originally identified as necessitating the practice to be implemented? What impact has it had?

The expected outcomes from the framework are:

- A non-partisan and representative workforce of individuals drawn from across the country, benefitting from the diversity, linguistic duality and range of backgrounds and skills of Canadians;
- Appointment processes designed so as not to discriminate or create systemic barriers;
- Appointment processes conducted in a fair and transparent manner and in good faith;
- Appointments of highly competent persons who meet the needs of the organization; and
- Timely correction of errors and omissions.

The appointment framework has other outcomes such as more innovation and agility in staffing approaches, and more room for managerial discretion. It also had an increased focus on outcomes, including the quality of the person hired.

The results of the latest System-wide Staffing Audit has shown a high rate of compliance with staffing legislation, regulations and policies across the federal public service.

Replicability: Which and what quantities of resources were mobilized in implementing the best practice? Where did those resources originate from? Which achievements would be important to consolidate going forward? Which shortcomings or difficulties are important to address? Mention at least three key aspects that need to be considered in replicating the practice elsewhere. What elements are there to ensure implementation fidelity in a replicability process?

The policy was implemented within the existing PSC's resources in consultation with stakeholders. A small team was responsible for developing the final product, however the majority of PSC employees were involved and there were public service-wide consultations to ensure it met expectations.

To replicate this practice, organizations may be interested in applying parts of the framework that would suit their context in specific cases.

Technical cooperation: Could the best practice be adapted and used by other countries? Would it be possible to provide technical assistance to other countries in implementing the best practice? Identify a point of contact in the entity that could provide that assistance.

Yes. The Public Service Commission is open to collaborate and assist other representatives in implementing the best practice.

Follow-up: Who or what groups will monitor the practice's implementation? How will its implementation be monitored? Will there be a follow-up reporting?

Deputy heads are responsible for monitoring adherence to this framework within their organizations and for ensuring that appropriate remedial action is taken to address any deficiencies.

The PSC may monitor compliance with all aspects of this framework, as well as the achievement of the policy objective and expected results in a variety of ways, including but not limited to audits, surveys or other means.

Lessons: What have been some of the lessons learned in implementing the best practice? What have been the challenges in implementing the best practice?

In reviewing organizational policies and direction set following the implementation of the Appointment Framework, there were positive indications that transformation was occurring. High level of compliance to the new policy was achieved, however, lower perceptions from employees indicate that work remains. In light of this, the PSC continues its efforts to achieve a culture change.

Documentation: Where can further information be found about the practice (e.g., Internet links)?

The appointment policy can be found at the following link:

<https://www.canada.ca/en/public-service-commission/services/appointment-framework.html>

Public Service Employment Act

<https://laws-lois.justice.gc.ca/eng/acts/p-33.01/>

Contact: Who can be contacted for further information?

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