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In photo from left to right : Dr. Dorrell Philip, Ms. Yvette Phillip, Mr. Zaffar Ali, Ms. Hyacinth Guy, Mr. Oliver Flax, Mrs. Murreen Lezama and Dr. Anna Mahase

1.0 MEMBERSHIP

The following persons formed the Teaching Service Commission in the year 2008:

Ms. Hyacinth Guy - Chairman
Dr. Dorrell Philip - Member
Dr. Anna Mahase - Member
Mr. Oliver Flax - Member
Mr. Zaffar Ali - Member

Ms. Yvette Phillip, Acting Executive Director, Human Resource Management, Service Commissions Department, represented the Director of Personnel Administration at meetings. Mrs. Murreen Lezama served as Secretary.

2.0 MEETINGS

The Commission held **24** statutory meetings in 2008. The Commission also held meetings with representatives of various stakeholders, including in particular the following:

- the Ministry of Education (the Permanent Secretary, Officers of the Human Resource Division and School Supervisors);
- the Division of Education, Youth Affairs and Sports of the Tobago House Assembly;
- the Trinidad and Tobago Unified Teachers Association;
- Schools Principals' Associations; and
- the Association of Denominational School Boards and individual Boards.

At its statutory meetings the Commission considered **1,800** Notes that were prepared by its Secretariat. Members of the Commission also participated in promotional interviews for offices of Principal and Vice Principal in primary and secondary schools.

3.0 OVERVIEW

It is pertinent to review the performance of this present Commission since its first appointment in 2005 and to examine the prospects for the next three years. In this regard it is important to recall the mandate of the Commission, as defined in the Constitution, the appointment/promotion of officers to the Teaching Service, to the discipline of such officers, and to other related matters.

3.1 Appointments

As reported in the 2004 Annual Report, there were substantial interventions which fundamentally impacted on the volume and execution of the Commission's business in 2005 and beyond. These related to:

- *A Cabinet decision of 2004 September 09 to create new administrative offices of Head of Department (Primary) – 483 positions; Head of Department (Secondary) – 571 positions; Dean (Secondary) – 515 positions and Senior Teacher (Primary) – 240 positions.* All these 1,809 positions were advertised under one notice in April 2005 and had to be filled by the Commission. In addition there were some 400 vacant positions of Principal and Vice Principal to be filled.
- *A Memorandum of Understanding (Transitional Arrangements) of 2004 July 02 between the Chief Personnel Officer and the Trinidad and Tobago Unified Teachers Association (TTUTA).* This contained a provision for granting retroactive waiver, in defined circumstances, to applicants for the offices of Principal and Vice Principal, who failed to meet new standard criteria.
- *The application of the transitional arrangements retroactively for a period of six years from 2000 January 01 to 2005 December 31.* As a result, processing of responses to previous advertisements for the 400 positions of Principal and Vice Principal had to be put on hold, pending re-advertisement to entertain applications from officers who enjoyed the benefit of the waiver.

The Commission was faced with considerable administrative challenges inherent in managing the transitional arrangements, compounded by its unanticipated annual extension beyond 2005 up to the end of the reporting period of this report (2008).

The response of the Commission to the above challenges was bold and innovative. At its first strategic planning retreat in November 2005, the Commission agreed that, in order to address the existing crisis in the filling of administrative positions, and to lay the foundation for all future appointments, including in particular entry level positions, it was necessary to establish a dedicated Selection Centre. Such a Centre would be responsible for all appointments to the teaching service, in accordance with strict guidelines set by the Commission and under its close supervision. Accordingly, the Commission prepared and submitted a proposal for the establishment of such a Selection Centre to the relevant authority in January 2006. This proposal was accepted by Cabinet in July 2006.

3.0 OVERVIEW *(continued)*

3.1 Appointments *(continued)*

By the end of 2008, the relevant authorities were at last able to identify accommodation for the establishment of the Selection Centre and were in the process of refurbishing it for use. In the meantime, the Commission had taken a number of initiatives to accelerate the filling of the approximately 2,200 vacant administrative positions. These included:

- Increasing the number of interview panels for positions of Principal and Vice Principal with a member of the Commission chairing each panel.
- Increasing the number of panels for other administrative offices through the recruitment of additional panelists with appropriate experience and training.
- Increasing the frequency of meetings of interview panels by using, in addition to rooms in the Service Commissions Department building, other rooms in NALIS and schools which the Commission was able to identify on an ad hoc basis.

The result of the above initiatives is that, by the end of 2008, the Commission had made serious inroads in the filling of the huge backlog of administrative vacancies. Indeed, this backlog will be completely eliminated in 2009, and subsequent vacancies will also continue to be addressed on a timely basis.

With the anticipated establishment and staffing of the Selection Centre in 2009, order of merit lists for the offices of Principal and Vice Principal will be established from which appointments will be made on an ongoing basis. In this exercise, the use of other selection tools such as leadership assessments and psychometric testing will be explored. At the same time, similar consideration will be given to determining the best selection tools for identifying the most suitable candidates for new appointments into the teaching service.

The Commission envisages that by the end of the year 2010, a system would be in place whereby all promotions to the positions of Principal and Vice Principal will be made prior to the occurrence of such vacancies, with few exceptions. This will result in the virtual demise of prolonged acting appointments at all levels, and thereby facilitate efficient school administration, as well as ending understandable concerns of officers who, having acted in such offices for some time, are denied promotion for whatever reason.

In addition to appointment to the administrative offices referred to above, there are appointment-related functions which had been delegated to the Ministry of Education. The Commission has been examining the desirability of some further delegation of powers and this is expected to be completed by the end of 2009. Such cases include, for example, certain temporary appointments, confirmation of appointments, transfers of officers (excluding Principals and Vice Principals), permission to retire (50 – 54 years) and retirement on grounds of ill health.

Proposals relating to the above will be presented to the Ministry of Education for discussion in 2009, with a view to implementation in 2010.

3.0 OVERVIEW *(continued)*

3.2 Discipline

The concerns of the Commission at the inordinate delays in treating with teacher indiscipline were highlighted in the 2005 and 2006 Annual Reports of the Commission. These concerns derived from the fact that, while the Commission is accountable for teacher discipline in schools, it was not provided with timely information on allegations of teacher misconduct to enable it to discharge this responsibility.

Accordingly, after full discussions with relevant officers in the Ministry of Education, and following advice from the Legal Section of the Service Commissions Department, new procedures were implemented in 2007 concerning an allegation of a serious act of teacher misconduct. Such an act includes abuse of a child, physical violence or a safety breach, or when a criminal charge is laid against a teacher. In such a case, the new procedures provide the Commission with the option to require the teacher to cease to report for duty within two days of the alleged offence while the matter is being investigated. This is in stark contrast to the previous dispensation that required the appointment of an officer, by the Permanent Secretary in the Ministry of Education, to investigate the allegation and report thereon - a process that normally took several weeks. Only then, upon receipt of the report, could the Commission take action.

The new procedures have worked remarkably well in 2008. In some cases teachers have been required by the Commission to cease to report for duty within the envisaged two days of an allegation of serious misconduct. This was only possible because of the full cooperation of all parties concerned – the Permanent Secretary, School Supervisors, Principals, and witnesses to the alleged offences who were forthcoming with their testimony. The Commission is grateful to all these individuals.

During the course of 2008, the Commission gave further consideration to alleged breaches of the Code of Conduct by teachers, other than those referred to above as 'serious'. Such breaches include other matters that threaten the stability of a school or the ability of the Principal to manage effectively in the face of issues such as teacher insubordination, habitual absence, persistent tardiness, neglect of duty, or willful failure to perform duties. The deliberations resulted in the preparation of a draft document setting out procedures for treating with any such allegation, and involve action by the Principal in the first instance, with follow up action by the Permanent Secretary and the Commission on a timely basis. This document will be refined after discussion with interested parties in 2009 prior to approval and implementation.

The Commission envisages that by the end of 2009 a new system would be in place for treating with teacher indiscipline, in whatever form, and the matter will be kept under continuous review thereafter.

4.0 APPOINTMENTS/PROMOTIONS

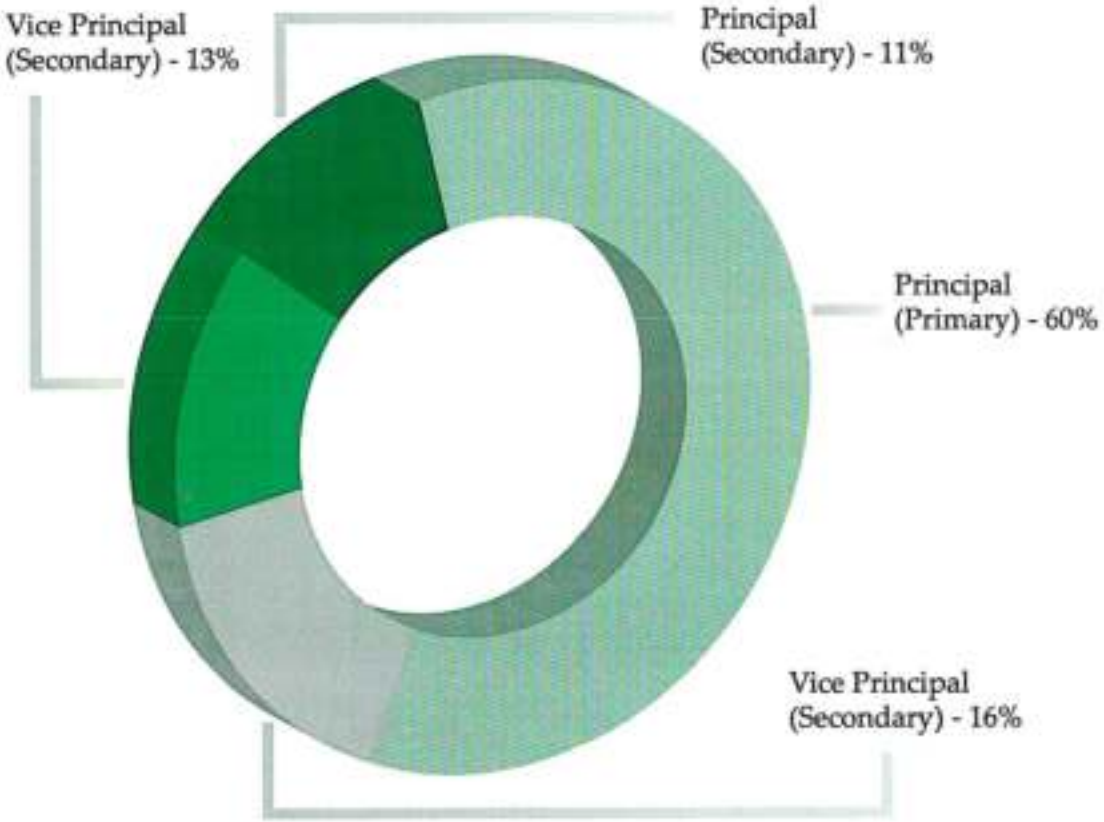
4.1 Principals and Vice Principals

In 2008, **199** promotions were made to the offices of Principal and Vice Principal as indicated in Table 1 and illustrated in Figure 1. It is perhaps worth noting that, of these appointments, **79** (39.7%) related to Government schools and **120** (60.3%) to Denominational schools distributed as follows: Roman Catholic – **50** (41.7%), Anglican – **20** (16.7%), SDMS – **18** (15.0%) Presbyterian – **16** (13.3%), and other Denominational bodies – **16** (13.3%).

Table 1: Principal / Vice Principal Promotions

	Principal	Vice Principal	Total
Primary	119	32	**151**
Secondary	22	26	**48**
Total	141	58	**199**

Figure 1: Principal / Vice Principal Promotions



4.0 APPOINTMENTS/PROMOTIONS (*continued*)

4.2 Senior Teacher/Head/Dean Appointments

In the 2006 Annual Report, it was noted that virtually no progress was made in appointment to these offices as the Commission had sought to focus on filling the positions of Principal and Vice Principal using the resources available to it. However, the filling of these offices was high on the agenda for 2007, when considerable use was made of Selection Panels comprising qualified, experienced and trained personnel, to conduct interviews. On the basis of reports from these panels the Commission, after deliberation, made appointments to **1,125** positions, as previously indicated in the Commission's 2007 Annual Report. As a result of the very substantial progress made in 2007, there were very few vacancies remaining to be filled in 2008. These were duly addressed by the Commission, resulting in **23** appointments to the positions in question.

4.3 Secondary School Teachers

Applications for teaching positions in secondary schools are received and assessed by the Ministry of Education to determine the subject area(s) for which the applicants qualify. The applications are then sent to the Teaching Service Commission, which has authorized interviews of qualified candidates by panels comprising senior members of staff of the Service Commissions Department and curriculum officers in the relevant subject areas from the Ministry of Education. Reports of the panels are considered by the Teaching Service Commission, which approves priority lists for appointment of subject specialists. From these lists, the Permanent Secretary in the Ministry of Education has been delegated authority to make temporary appointments not exceeding three months. Boards of Management of Assisted Schools select their temporary teachers from these approved priority lists.

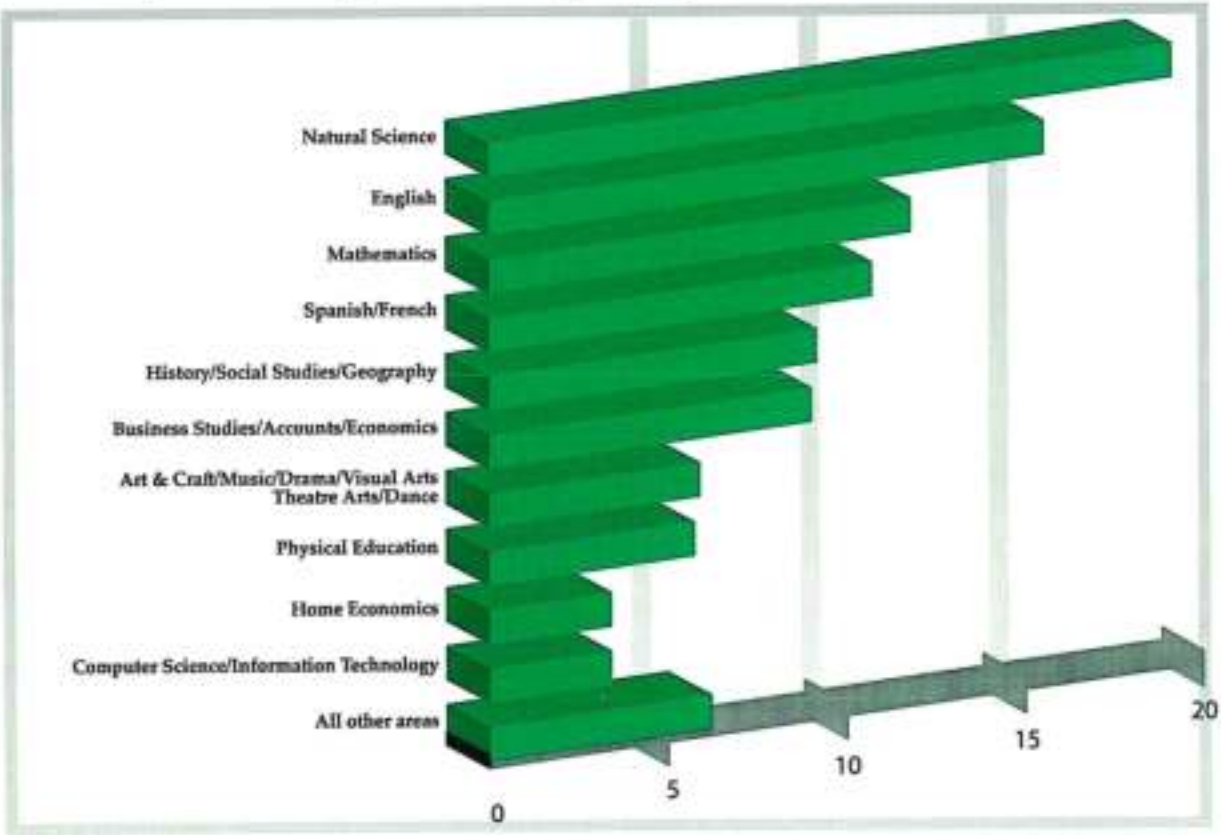
In order to improve productivity in the appointment of teachers, regular meetings have been held between senior members of staff of the Service Commissions Department and the Ministry of Education. These meetings have been monitoring, on an ongoing basis, priority areas of need in the various schools so that the Commission can conduct the selection process with these needs in mind. This has resulted in a reduction of the time taken to fill vacancies in schools and increased efficiency in the appointment process.

In 2008 a total of **719** persons were interviewed in order to assess their suitability for appointment in all subject areas. As a result a total of **644** persons were approved by the Commission on the recommendation of the panels. The performance of candidates by subject area is summarized in Table 2. The percentage distribution of successful candidates by subject area is illustrated in Figure 2.

Table 2: Performance of Candidates by Subject Area

Subject Area	Number of Candidates		Percentage of Successful Candidates by Subject Area
	Interviewed	Successful	
Natural Science	142	123	19.10
English	112	100	15.53
Mathematics	83	76	11.80
Spanish/French	75	69	10.71
History/Social Studies/Geography	70	59	9.16
Business Studies/Accounts/Economics	62	58	9.01
Art & Craft/Music/Drama/Visual Arts /Theatre Arts/Dance	41	38	5.90
Physical Education	37	37	5.75
Home Economics	28	22	3.42
Computer Science/Information Technology	24	22	3.42
All other areas	45	40	6.21
Total	**719**	**644**	**100.00**

Figure 2: Percentage Distribution of Successful Candidates by Subject Area



4.0 APPOINTMENTS/PROMOTIONS *(continued)*

4.4 Primary School Teachers

With the consent of the Commission, interviews for filling temporary appointments in Primary Schools are conducted from time to time on the basis of need by the relevant authority – the Ministry of Education for Trinidad and, in the case of Tobago, the Department of Education of the Tobago House of Assembly. Order of Merit Lists are prepared and referred to the Commission for approval. Initial temporary appointments are made by the relevant authority on the basis of these lists. Permanent appointments are made by the Commission on the advice of the relevant authority. During 2008 a total of **508** such appointments were made by the Commission to the office of Teacher I.

4.5 Other Matters Relating to Appointments

The Commission has been mindful that, apart from appointments/promotions to vacant positions in schools, there are other matters under its remit that have to be addressed in order to improve the status and functioning of teachers in the service. These include confirmation of appointment of teachers after the probationary period has ended, temporary appointments, transfers and early retirements. These were vigorously addressed by the Secretariat and, by the end of 2007 significant inroads had been made in relation to the backlog in these areas. This process was continued in 2008.

The number of such matters relating to appointments that were addressed by the Commission in 2008 includes:

- **357** acting appointments;
- **272** temporary appointments;
- **1,132** confirmation of appointments;
- **364** transfers;
- **199** temporary transfers/releases on secondment
- **162** promotions to Teacher II/III positions;
- **42** promotions to administrative positions that were delinked from the Public Service and transferred to the Teaching Service - **26** of these were at the School Supervisor I/II level;
- **50** early retirements; and
- **32** retirements on grounds of ill-health or marriage.

5.0 DISCIPLINE

Disciplinary action against an officer of the Teaching Service can be initiated by the Commission on receipt of a report from an investigating officer, appointed by the Permanent Secretary in the Ministry of Education, that a prima facie case has been made out against the officer. If the Commission decides to proceed in the matter, it appoints a tribunal to hear the evidence and find the facts. The tribunal prepares a report for the Commission who then determines the matter and imposes such penalty, if any, as it sees fit.

5.0 DISCIPLINE *(continued)*

Disciplinary action can also be initiated when the Commission becomes aware of court charges against an officer under its purview, or when the Permanent Secretary seeks a declaration from the Commission that an officer has abandoned his/her post.

During the course of 2008, there were **55** disciplinary cases (new and ongoing from 2007) which came to the attention of the Commission. Of these, **30** concerned misconduct for which investigators' reports were available and, in most cases, disciplinary tribunals were established, **10** derived from court charges and **15** related to abandonment of office. At the end of the 2008, the position was as follows:

- Of the **30** cases of alleged misconduct, **2** were dismissed for lack of evidence, **3** were discontinued because the officers had opted for voluntary retirement, **4** officers were retired on grounds of ill health, **1** officer was undergoing a medical board examination, **4** officers were found guilty and dismissed from the service, and **16** cases were ongoing.
- Of the **10** cases arising from court charges, **2** officers were exonerated and **8** cases were ongoing.
- Of the **15** allegations of abandonment, **14** officers were declared to have resigned their offices and **1** officer was allowed to resume duty.

The Commission continues to be concerned when matters are dismissed for lack of prosecution. The two cases where matters were dismissed for lack of evidence involved allegations of sexual misconduct against very young children. These children, when called upon to give evidence in the matter find the process to be very traumatizing and are quite self conscious about the matter; more so when the court takes several years to hear the matter and the children are now in the sensitive teenage years. This has resulted in alleged offenders not having to face their accusers and, without any evidence, the Commission has had no option but to reinstate the teachers to their former positions. This is a situation that requires urgent review and the Commission will be discussing the options available under the regulations for fully investigating allegations of sexual abuse by teachers against children, even when the matter is being pursued in court.

6.0 STAKEHOLDER RELATIONS

The Commission continued its outreach programme through:

- regular meetings with key stakeholders (see section 2.0 above);
- workshops for School Supervisors; and
- production and distribution of the publication entitled "TSC Speaks" which updates stakeholders on the Commission's initiatives in addressing key issues facing the education system.

In 2008, it held two workshops with School Supervisors, one in January and the other in August. The aim of these workshops was to provide information to the School Supervisors and other officers of the Ministry of Education on appointments made to schools, how regulations should be interpreted and implemented and to share information on any new initiatives undertaken by the Commission. These workshops also provided the opportunity for the Commission to understand and appreciate the real challenges faced by the School Supervisors, to discuss and resolve issues and to align the objectives of the Ministry of Education and the Commission.

6.0 STAKEHOLDER RELATIONS *(continued)*

The Commission has always sought to use the July/August period to focus on filling vacancies of Principals and Vice Principals in schools so that schools could have the manpower resources in time for the opening of the new term in September. This information is made available to School Supervisors at the August workshop and working in conjunction with the Human Resource Division of the Ministry of Education, School Supervisors can then ensure that they have the information and the documentation to ensure that they are in a position to complete the installation of officers appointed to schools in their districts.

7.0 CONCLUSION

The Teaching Service Commission is achieving its mandate under the Constitution in spite of many challenges. High on the list of challenges is the absence of any organizational infrastructure which integrates the Human Resource Management goals of the several organizations which have shared objectives in the education sector. Without this integration, there is a lack of accountability by any one agency for the overall end goal.

This creates a situation where goals are misaligned and where structural and procedural issues that impede organizational effectiveness exist. As a result, each agency seeks to use its resources to achieve its own objectives, often without recourse to the wider boundary-spanning goal. This fragmentation of goals is a key feature of the public service and causes departments and units to focus on the effort expended and on the procedure followed for the task, rather than on the actual delivery of a service.

In the absence of regulations to facilitate same, the Commission sought to bridge the gap by using a strategic approach to the HRM function. This involved developing a strategic relationship with its key stakeholder, the Ministry of Education, and aligning its goals for the appointment and discipline functions with that of the several levels within the Ministry with which it interacts. At the same time it reached out to the other stakeholders such TTUTA, the Denominational Boards and the wider public to share and obtain buy-in. To this end it has been successful.

The year 2009 will see the Selection Centre come to fruition and it being fully utilized for all appointment functions. More panels will be set up to conduct the selection processes and the Commission's goal of being able to make real time appointments appears to be achievable in that year. With this in place, the Commission will move to the next level in the achievement of its mandate by gaining an appreciation for the school environment through school and district visits and so be in a better position to identify their unique needs and make the most appropriate placements.

Finally, the Commission records its deep appreciation to the staff in the Service Commissions Department, and particularly in the Commission's Secretariat, officials in the Ministry of Education, and all other stakeholders in the education system, without whose collective commitment and support the future of the education system would be indeed bleak.

Notes