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1. INTRODUCTION

This report covers the period January 2006 to December 2007. Among other things, it is an attempt to provide a Mission and a Vision for the Public Service Commission (PSC) as well as its values and principles. It is also an attempt to provide an insight into the operation and the activities of the PSC. The report explains the legislative framework of the Commission. Some of the weaknesses of the PSC in trying to provide an efficient and effective service to the Civil Service are highlighted therein.

The report hopes that the proposed Civil Service Reforms would redress the laissez-faire attitude of Civil Servants. It expresses the need for a Civil Service culture reminiscent of the earlier years.

2. MISSION/VISION/VALUES AND PRINCIPLES

The Mission of the Public Service Commission (PSC) is defined by law from the provisions of the 1997 Constitution of The Republic of The Gambia. The aim is to maintain an effective and efficient Civil Service by ensuring that persons who meet the criteria for jobs are recruited, trained, and disciplined in an open, fair and impartial manner. The Commission provides efficient and cost-effective service for all Civil Servants and other stakeholders throughout The Gambia by the formulation, management and the supervision of the management and implementation of Government policies which pertain to recruitment, development and discipline of Civil Servants.

The Vision of the Commission is to meet the national development goals by making optimal use of the diversity of competencies, skills and qualifications that are available in the country in general and the Civil Service in particular. The Commission accordingly scrutinises and evaluates a range of educational qualifications and professional experiences before filling the many vacant positions that exist in the Civil Service.

In an environment that is free from corruption and nepotism, harassment and bullying and in which all individuals are valued and respected as the Commission itself is valued and respected, it strives to eradicate all forms of behavior that discriminate against individuals on the basis of age, disability, gender, ethnicity or religion, so as to engender productive and selfless public service to the nation by Civil Servants.

Through good practices guided by the highest ethical and moral values, the PSC continues to actively promote, encourage and support departmental initiatives to further improve efficiency and work practices and thereby enhance productivity.

In short, the PSC provides service of the highest quality, a service that is efficient, effective, accountable and responsive to The Gambia's current and future needs.

3. LEGISLATIVE FRAMEWORK

The PSC is a structure created during the colonial era. In the Colonial Secretary's 1954 report on the Civil Service, he wrote: "the importance of maintaining confidence in the integrity of the PSC is so obvious as to require no elaboration. The purpose is to deal in a fair, unbiased and unprejudiced manner in the selection, promotion, and discipline of Civil Servants". This Colonial structure was then cast in concrete in the legal instruments that granted independence to The Gambia in 1965, and a superstructure was built in the form of the PSC Regulations (Legal Notice No 1 of 1970) made on 15th June, 1977, under S. 10 of the 1970 Republican Constitution. In 1991, the then existing legal framework was radically amended when the Public Service Act was promulgated.

The Colonial legal framework plus institutional arrangements must have been considered outdated. The Public Service Act of 1991 makes the Minister responsible for the general supervision of the Civil Service including the management and training policies of the Civil Service. The Secretary General and Head of the Public Service would be the Principal Adviser to the President on matters affecting the Public Service. The Secretary General also advises the Minister on matters relating to the senior management cadre of the Civil Service.

The Permanent Secretary, Personnel Management Office (PSPMO), on the other hand, would be the Principal Adviser to the Minister and would be responsible for personnel functions of the Civil Service for example, the administration of the General Orders, Civil Service training policies and implementation, Staff Inspections, Organization and Methods, formulation of Schemes of Service (SOS), pensions policy and administration, personnel statistics, Manpower Budgeting and Control, the drawing up, reviewing and implementation of policy statements on personnel management and training. The PSC is obliged, under Section 25 of the Public Service Act of 1991 to submit as soon as possible after the end of every calendar year, a report to His Excellency (H.E.) the President in respect of the discharge of its functions during the year in question. The Minister responsible for the Civil Service will present such report to Parliament.

On 24th April 1995, the Public Service Commission Regulations were revoked by Decree No. 38 under which the Public Service Commission shall have such functions as may be delegated to it by Council. This is in line with Section 194 (4) of the 1997 Constitution: “The President may delegate such of his powers relating to the public service as he thinks fit to the PSC or to the competent Authority for any particular service in the Public Service;” and, of course, with Section 79, “The executive power of The Gambia is vested in the President”. Nevertheless, for the detailed guidance of the Commission in discharging its functions, a revised draft PSC Regulations will be formulated under the Public Service Reform Agenda and submitted to Government for consideration.

4. MEMBERSHIP OF THE COMMISSION

As provided for under Section 172 of the 1997 Constitution of the Republic of The Gambia, members of the Public Service Commission are appointed by H.E. the President for a term of two years which may be renewable. Members of the Commission shall be disqualified for appointment to any Office in the Public Service during a period of three years after ceasing to be a member of the Commission.

The members of the present Commission are all retired Senior Civil Servants, who have acquired considerable experience in Public Service management. They were sworn into office by H.E. the President on Thursday, 15th March 2007:

Mr. EC Sowe	–	Chairman
Mr. GO Bright	–	Vice Chairman
Mr. Abdou Sise	–	Member
Mr. Ebrahim TAS Dondeh	–	Member
Mrs. Awa Jow- Auber	–	Member

Mrs Jow- Auber filled the vacancy which arose when the former member, Alhagi A.B. Mboge was appointed Chairman of the Highways Authority.

The present Secretary to the Commission is Miss Mariama Njie.

5. STAFF OF THE OFFICE OF THE PUBLIC SERVICE COMMISSION (OPSC)

The complement of the OPSC is 13 (thirteen). The staffing situation is as follows:

A Secretary to the Commission who is the administrative head and the Accounting Officer of the finances of the OPSC;

A Deputy Secretary who assists the Secretary in all administrative and financial matters; both Secretaries are simply posted to the Commission without prior consultation. They are also moved from the OPSC without adequate notice. During this report period, replacements were made available only after a lengthy delay. Moreover, the Commission has not yet been allowed to appoint or select its own Secretaries as is provided for under PSC Regulation 3 (1). This is a matter for regret because it impacts adversely on the efficiency and productivity of the Commission.

An Assistant Secretary; it is worthy to note that although there is provision in the Budget Estimates for this position, it is vacant at the moment;

A Senior Private Secretary;

A Senior Accounts Clerk who is in charge of the accounts of the OPSC and who reports, to the Accounting Officer;

An Assistant Records Officer responsible for the management and supervision of the Records Office;

Two Records Clerks;

A Typist;

A Senior Driver;

A Driver;

Two Messengers;

Two Cleaners;

6. RESPONSIBILITIES AND FUNCTIONS OF THE COMMISSION

The responsibilities of the Commission are clearly stated in the Constitution and among others include:

- The submission of annual reports on the execution of its functions to the National Assembly via the Office of the President;

- The making of regulatory and supervisory provisions for the overall management and efficiency of the Civil Service;
- The review and advice to Government of the General Orders and the Public Service Regulations of 1977;
- The approval of standard requirements for entry into the Civil Service;
- The review and advice to Government of requirements of the Civil Service as regards training and qualifications;
- The establishment of standards and guidelines for the Civil Service;
- The review of the terms and conditions of the service of persons holding Office in the Civil Service;
- The approval of appointments to Offices in the Civil Service. The power to make appointments to Public Offices includes the power to dismiss any person so appointed and also includes the power to confirm appointments, to exercise disciplinary control over and to remove persons holding or acting in such Offices;
- The exercise of any or some of his sovereign power relating to the Civil Service, which H.E. the President may think fit to delegate to the Public Service Commission (section 174 (4)).

7. ACTIVITIES UNDERTAKEN DURING THE YEAR 2006/2007

During the year under review, resulting from innumerable meetings, interviews and the review of documents, the following were effected:

290 Contract appointments (mostly Retired or Foreign Teachers);

1033 Appointments (largely in Education and Health sectors);

427 Confirmation in Appointments;

587 Promotions;

40 Acting Appointments;

88 Voluntary Retirements;

12 Retirements on marriage grounds;

26 Secondments;

27 Transfers;

30 Resignations approved and;

16 Dismissals (mostly for absconding)

The above figures which are in respect of the year January-December 2007 were manually compiled on a weekly basis by the Records Office of the (OPSC) when it became clear that such statistics would not be forthcoming from the computers in the Human Resources Information System operated by the PMO.

8. METHODS OF WORK/ACTIVITIES UNDERTAKEN.

The Commission operates as a College and strives to achieve a consensus on all the issues placed before it and all decisions taken. There is no casting vote. All files and other relevant documents are studied by all members before meetings, and all agenda items are first referred to the Commission's first point of reference, the PMO for professional advice and consultation. The Commission sits formally every week for 2 (two) or 3 (three) days and members come in on other days to study files. It is mandatory for the PMO to be represented at Sittings of the Commission. Heads of Departments are also present or are represented at PSC Sittings when matters relating to their Departments are discussed.

When a vacancy occurs in a Department, the head of that Department informs the PMO about the vacancy and the intention to fill it. The PMO will intimate the Secretary PSC. A draft advertisement will then be forwarded to the Commission for approval. If it is approved, the position will usually be advertised in the media for interested persons to apply. With the recent creation of the Commission's own website, the vacancy will also be placed on the site in addition to publication in the local print and electronic media.

When the deadline for the advertisement has elapsed, the Secretary to the Commission will forward all the applications to the Head of the relevant Department through the PSPMO. The Head of Department will select or shortlist the most qualified applicants among those who meet the minimum qualifications and other requirements of the position in accordance with the (SOS) for that position. He/she then submits the shortlist to the Commission through the PMO for approval or otherwise. If the Commission approves it, the short listed applicants are invited for an interview. In instances where an advertisement does not attract any applicant or no progress has been made in recruiting for the position, the Head of Department would be asked to scout for suitable candidates who will appear for an interview. Heads of Departments are required to assist during interviews, and are expected to participate actively and often decisively.

It is worth mentioning that there are instances where the Commission may allow interviews to be conducted en masse or individually. In the case of Nurses or Health Workers or newly graduated Teachers from The Gambia College, the Commission may move from its Chambers at the Quadrangle to meet the newly graduated Nurses or Teachers or Public Health Officers at an appropriate place to be identified by the Head of Department concerned. As no “De-selection” takes place because of the urgent need for the services of all qualified Health Officers, Nurses, and Teachers who graduate from The Gambia College, the School of Nursing and the School of Public Health, these mass interviews take on some of the attributes of an Induction Course, with a Question and Answer session on the Civil Service and how it is regulated by principles and core values enshrined in the Code of Conduct, the General Orders and the PSC Regulations.

8.1. PROMOTION

When a vacancy occurs in a Department, the Head of Department will write to the PMO and make his/her recommendation to fill the vacancy by the promotion of eligible and deserving Officers. The prescribed forms are completed and forwarded to the PMO which will in turn forward its support or otherwise to the Secretary PSC. The recommendation to fill the vacancy must be based on MERIT as measured by performance and conduct, seniority, qualification etc. in line with the SOS. Regrettably there is not yet in existence a viable Performance Appraisal System. The PMO is perfecting on an up-to-date appraisal instrument; but in the meantime the PSC has suggested that the prescribed forms for promotion should be amended to include a section for the assessment by Heads of Departments of tasks and work assignments that were well executed by the person(s) being recommended for promotion.

When the person recommended for promotion by the Head of Department is not the most deserving candidate, the Commission would be advised accordingly by PMO and by the Secretary, PSC. However, in an instance where the Commission wishes to differ from a Head of Department in respect of his/her recommendation for a particular promotion, it shall, before taking any action, give him/her the opportunity to give his/her views to the

Commission in person. In such a case, the Commission must give due consideration to such views. Despite all this leeway, some Heads of Departments adopt stratagems to ensure that their will prevails and the Commission approves of their preferred candidate(s).

8.2 DISCIPLINE

As the Commission has the authority to discipline Civil Servants, a Head of Department in consultation with the PSPMO may forward to the Commission the case of any person in the Service for disciplinary action to be instituted against that person.

9. RELATIONSHIP WITH THE PERSONNEL MANAGEMENT OFFICE (PMO)

The Commission continues to ensure a close and cordial working relationship with the PMO in its daily activities. In as much as the views, comments and recommendations of the PMO are forwarded to the Commission in personal or policy files, as already mentioned, it is mandatory for the Permanent Secretary or his representative to attend Sittings of the Commission when recommendations and other staff matters are being considered.

The purpose of PMO's presence at Sittings is to further clarify certain issues or to furnish information which was not previously made available to the Commission. The PSPMO as already stated is the Public Officer in charge of staff and personnel matters in respect of the Civil Service and accordingly advises the Commission on matters affecting Civil Servants. The Commission may disagree with the views and /or advice given by the PMO. However, this dialogue has sometimes been strained by the lack of adequate supply of information, analysis and advice to the Commission necessary for informed decision making.

The Commission ensures that the PSPMO is represented at all Committees appointed by the Commission to consider appointments and promotions, discipline etc. of Civil Servants. One example of such Committees is the Teachers' Selection Board which recently concluded a

marathon interview which lasted for 4 (four) months of some 450 (four hundred and fifty) teachers. These interviews were for promotion. These mass promotions had been held up for several years by the Department of State for Basic and Secondary Education (DoSE).

10. OFFICE ACCOMMODATION

The OPSC has 6 (six) rooms which were kindly allocated to it by the PMO and which accommodates the Chairman, the Secretary, the Accounts Clerk, Records Personnel and the Secretarial Personnel. The Conference Room of the Commission forms part of these 6 (six) rooms.

There is a need for additional Office rooms. Only the Chairman and the Secretary have proper Office spaces. The Records Office which is enclosed within the building has windows which look out onto the corridor. When there is a power outage, the room is in complete darkness causing the Records Personnel and the Messengers working there to vacate it. The Accounts Office is very small and dingy. The Secretary to the Commission's Assistant who is acting as a Principal Assistant Secretary shares accommodation with PMO staff as does the Assistant secretary when there was one en poste. In effect 11 (eleven) members of staff are accommodated in 4 (four) Office rooms.

11. DISCIPLINE IN THE CIVIL SERVICE

The PSC continues to use the long established disciplinary procedures whilst making improvements where possible and exploring other approaches as regards the processes and methodologies upon which the present system operates. It is the view of the Commission that as far as is possible, its disciplinary processes should be independent of prior or concurrent judicial processes in the Courts of Law. These PSC processes nevertheless must be governed by guidelines set by the justice delivery system as was called for in a recent court ruling involving a dismissal case. The ruling called for Notification of Charges, a fair hearing and reasons for dismissal to be given to any Civil Servant being disciplined. Civil Servants also have recourse to the Ombudsman.

The Commission is mindful of the fact that the general discipline of the Civil Service personnel is very poor and that there are formidable obstacles to be overcome in enforcing regulations related to this very important aspect of the Civil Service. In the absence of the full cooperation by Permanent Secretaries and Heads of Departments to support the Commission's effort to rigorously apply the PSC Regulations, indiscipline is likely to continue.

Both the Public Service Act and the PSC Regulations have set out the procedures to be followed where Public Officials breach these codes. The Commission has found inherent weaknesses in the application of the regulations and in the way and manner many of these breaches are reported, if they are reported at all.

The Commission is aware through observations and from other sources about Civil Servants that Officials have little or no regard for these codes resulting in various acts of indiscipline such as:

- Lateness and Absenteeism;
- Insubordination, discourtesy, downright rudeness;
- Eating in Offices;
- Public Display of idleness ;
- Going home early or seeking permission to be absent from work for very flimsy personal reasons;
- Misuse of Government vehicles and equipment;
- Absconding.

There is a general laissez-faire attitude to work. Personnel do not take pride in their work and are not ashamed of shoddy work. The Commission has formulated strategies such as more frequent spot checks on staff, and taking action such as immediate reduction or stoppage of salary for lateness and absenteeism which will reintroduce the culture of automatic, immediate dispassionate imposition of penalties for transgressions, no matter how small. An example of such transgression would be failure of a Supervisor or a Head of Department to report to disciplinary authorities blameworthy acts of which he was aware or should have been aware. Records of (minor) transgressions must be kept in personal files and taken into account. Conversely, every task well executed by a Civil Servant must also be recorded in personal files and taken into good account in the future when rewards are given out. Such rewards may range from promotions, training awards, accelerated confirmation in appointments and letters of commendation.

12. CIVIL SERVICE REFORMS TO IMPROVE CIVIL SERVICE PERFORMANCE CAPACITY, PRODUCTIVITY AND EFFECTIVENESS

Under the leadership of the PMO, a comprehensive Civil Service Reforms Strategy is being formulated. When Commission Members were sworn in by H.E the President on Thursday 15th March 2007, he stated that Civil Service Reforms would be reintroduced. He also stated that a new, leaner and better remunerated Civil Service based on merit would be created.

The Head of Public Service, who is the competent authority for the Civil Service, subsequently identified key issues of capacity constraints both at personal and institutional levels. These are:

- lack of a clearly understood career path for Civil Servants;
- inefficacy of structures in place;

- inadequate remuneration and retiring benefits;
- governance and management factors such as the leadership qualities and vision of senior managers;
- the need for a new Civil Service culture;
- the urgent need for an effective performance management system and;
- the need to strengthen the PMO and resolve problems caused by the overlapping responsibilities of PMO and the PSC.

In this regard, it would appear to be the central plank of PMO's reform agenda that s.174 (1) (a) of the 1997 Constitution should be amended to enable optimal use of the PMO and its highly trained Human Resources Management professionals as a Department of State, responsible for managing the Civil Service, with the PSC as PMO's collaborative ARM, all under the Secretary General and Head of Civil Service.

A Task Force has been constituted to formulate a comprehensive strategy for Government's consideration and, at its first meeting, the PMO invited the Secretary PSC to represent the Commission; at subsequent meetings, a member of the Commission will attend. The Commission participated in meetings, Workshops and Seminars on Public Service Reforms, most of which were organized by the PMO and have culminated in the setting up of this Task Force.

13. PUBLIC SERVICE COMMISSION WEBSITE

In September 2007, the Office of the Public Service Commission (OPSC) invited tenders for the creation of the OPSC website from four Website Designers in accordance with The Gambia Public Procurement Agency's (GPPA) rules. The designers who are all local are:

- (i) Ansis Website Designs
- (ii) BnB Solutions
- (iii) Lasting Company Ltd.
- (iv) Netpage Company Ltd.

The first three companies responded to the Office’s invitation by submitting bids as follows:

- (i) Ansis Website Designs D 24,500.00
- (ii) BnB Solutions D145, 500.00
- (iii) Lasting Company Ltd. D175,.000.00

It should be noted that Netpage Company Ltd. did not submit a bid.

After an evaluation of their bids, ANSIS Website Design was awarded the contract to create the website on the basis of price – the price offered was the most reasonable - and the job commenced in October 2007. By November 2007, it was completed. A Purchase Order was raised and completed on the 16th of November 2007 and the final payment was made on the 27th of November 2007.

The site has been up and running since January 2008 and according to the Weekly Statistics Reports provided by the administrator of the website on average, up to 400 (four hundred) visitors go to the site every week. Below are some of the reports:

Weekly Statistics Report 14th -20th April 2008

	Mon	Tues	Wed	Thur	Fri	Sat	Sun	Total	Avg
Pageloads	46	21	40	32	37	20	0	196	28
Unique Visitors	10	6	10	8	8	4	0	46	7
First Time Visitors	5	1	5	1	3	2	0	17	2
Returning Visitors	5	5	5	7	5	2	0	29	4

	Mon	Tues	Wed	Thur	Fri	Sat	Sun	Total	Avg
Pageloads	39	58	52	8	59	20	2	238	34
Unique Visitors	12	12	14	4	6	2	1	51	7
First Time Visitors	7	3	4	2	1	1	1	19	3
Returning Visitors	5	9	10	2	5	1	0	32	5

Weekly Statistics Report 7th-13th April 2008

	Mon	Tues	Wed	Thur	Fri	Sat	Sun	Total	Avg
Pageloads	67	47	35	112	31	51	27	370	53
Unique Visitors	13	9	7	14	5	6	8	62	9
First Time Visitors	6	4	4	6	1	3	6	30	4
Returning Visitors	7	5	3	8	4	3	2	32	5

Weekly Statistics Report 31st March- 6th April 2008

	Mon	Tues	Wed	Thur	Fri	Sat	Sun	Total	Avg
Pageloads	62	61	30	50	22	20	13	258	37
Unique Visitors	14	12	10	8	7	5	3	59	8
First Time Visitors	7	5	0	2	3	3	3	23	3
Returning Visitors	7	7	10	6	4	2	0	36	5

Weekly Statistics Report 24th March- 30th March 2008

	Mon	Tues	Wed	Thur	Fri	Sat	Sun	Total	Avg
Pageloads	21	57	126	23	48	15	7	297	42
Unique Visitors	4	15	22	10	11	4	2	68	10
First Time Visitors	3	4	12	4	6	3	0	32	5
Returning Visitors	1	11	10	6	5	1	2	36	5

Weekly Statistics Report 18th-24th February 2008

	Mon	Tues	Wed	Thur	Fri	Sat	Sun	Total	Avg
Pageloads	0	36	97	138	138	16	3	428	61
Unique Visitors	0	9	20	34	27	11	2	103	15
First Time Visitors	0	6	14	34	15	8	2	79	11
Returning Visitors	0	3	6	0	12	3	0	24	3

The website ensures maximum publicity of vacancies which exist in the Civil Service and should restrict the possibility of nepotism and favouritism. Regrettably, not all existing vacancies have been advertised largely because most Heads of Departments still persist in delaying mass advertisements of vacancies.

So far only 22 (twenty-two) Civil Service and 9 international jobs have been advertised on the site. (The Public Service Commission also advertise international jobs on the request of some International Organisations which make the requests through Government Departments. It should be noted that notification of vacancies of these international jobs are sometime brought to the attention of the OPSC too close to the deadline for submission of applications for the vacancies which are to be advertised. At times they are brought to the notice of that Office when the deadline has already elapsed).

The site can be found on www.psc.gov.gm and PSC Application for Employment Forms as well as the PSC Regulations, the PSC Act, the General Orders and the Code of Conduct are now all available online. Persons interested in category 2 (two) and 3 (three) positions i.e. Grades 2-6 jobs advertised on the site can apply online. The online application facility for jobs in categories 4 (four) and 5 (five) i.e. Grades 7-12 is still under construction.

14. CONCLUSION

It is hoped that the plan to institute Civil Service Reforms will no doubt redress the issue of the lackadaisical and laissez-faire attitude to work of Civil Servants. The Reforms would help in encouraging Civil Servants to take more pride in their work. One of the most important aspects of the reforms is the plan for the better remuneration of the staff of the service and providing them with adequate retiring benefits.

There is a need for a reintroduction of Civil Service culture of the earlier years when discipline was enforced and maintained. The current culture of indiscipline marked by idleness, non-punctuality, discourtesy, insubordination to mention but a few must be reversed.

ACKNOWLEDGEMENT

The PSC wishes to acknowledge the support given by Permanent Secretaries of various departments and other stakeholders during the year under review and, in particular, The Offices of The Vice President, The Secretary General, The PMO and that of Finance and Economic Affairs.

Signed:

Mr. EC Sowe - Chairman

Mr. GO Bright - Vice Chairman

Mr. Abdou Sise - Member

Mr. Ebrahim TAS Dondéh - Member

Mrs. Awa Jow-Auber - Member

LIST OF ABBREVIATIONS AND ACRONYMS

DOSE	Department of State for Basic and Secondary Education
GPPA	The Gambia Public Procurement Authority
H.E	His Excellency
OPSC	Office of the Public Service Commission
PMO	Personnel Management Office
PSC	Public Service Commission
PSPMO	Permanent Secretary, Personnel Management Office
SOS	Schemes of Service