



HR Audit review of “Registrar of Lands” recruitment UPDATE NOTE incorporating MANAGEMENT RESPONSE

Report Date: December 24th 2013
Report Status: FINAL
Distribution: Mr. Franz Manderson, Deputy Governor
Mr. Alan Jones, Chief Officer
Mr. Rupert Vasquez, Director of Lands & Survey

Introduction

On October 30th the HR Audit service issued a report presenting an independent and objective opinion on the overall integrity of the 2013 recruitment process for the ‘Registrar of Lands’ position within the Lands & Survey Department, Ministry of PLAH&I.

This note, to be read in the context of the original report, provides an update subsequent to the content of that report having been shared with Mr. Alan Jones, Chief Officer PLAH&I and Mr. Rupert Vasquez, the Director of Lands & Survey.

Unchanged Audit Opinion

This update has no impact on our overall opinion which concluded, in summary form, that the recruitment process was fundamentally robust, well documented and in general compliance with the recruitment requirements of the Public Service Management Law.

Operational Recommendations: Update and Management Responses

The original report included 6 operational recommendations made in the interests of achieving excellence in recruitment practices by going beyond what had already been found to be strong recruitment practices.

Further to the report being shared with the Chief Officer and Director of Lands & Survey and our subsequent discussions with them, we are withdrawing 1 recommendation which we now believe was not necessary, and clarifying our reasoning behind another one.

All of the original recommendations are repeated below together with the management comments and our own additional update notes where appropriate.

Recommendation 1: Submit the revised job description for re-evaluation to confirm the pay grade.

Response from Director, Lands & Survey Department:

“I agree with the recommendation. This was due to an administrative oversight by L&S. It should have been an automatic and standard requirement as part of the recruitment checklist. Steps have been taken to now make it so. The Job Description has now been sent up to PoCS for job evaluation, albeit after the fact.”



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Recommendation 2 WITHDRAWN: *Whenever it is practical to do so, extend the literal requirement of the PSML to shortlist at least 2 suitable candidates to ensure that at least 2 suitable candidates are actually interviewed.*

Audit Note: This recommendation arose from an understanding that 3 of the 5 shortlisted candidates were not being considered for the Registrar of Lands position because of annotation on the shortlisting documentation saying they were “shortlisted as a candidate that may be considered for the Deputy Registrar’s post”. When 1 of the 2 candidates who didn’t have this annotation withdrew their application at a late stage, it appeared that only 1 viable candidate was interviewed.

Having discussed this further with the Chief Officer and Director of Lands & Survey, we now believe that the annotation was misleading and although the 3 were seen as weaker candidates based on their applications alone, it was always the intention that they could have been successful had they performed well at interview.

Response from Director, Lands & Survey Department:

“Although this recommendation is being withdrawn, for the sake of clarity, I would also add that it could have been perceived as being unfair to the other candidates to cancel the interviews at that time. The said candidate withdrew at the 11th hour, being the day before. All candidates were advised of the interview date and had already gone to various lengths to make themselves available. It didn’t seem justified to cancel the entire interview on the withdrawal of a single candidate. Furthermore, some “borderline” candidates were already part of the shortlist and could potentially have been the successful candidate if they were to have proven themselves as such to the Panel. If, on the other hand, there was not a successful candidate, then the full advertising and recruitment process would have begun anew. Although it may be argued otherwise, it made sense to go ahead with the interview process at that late stage and then, depending on the outcome, begin the recruitment process again if necessary.”

Recommendation 3: *Ensure that the composition of the Interview Panel is as strong as possible given the requirements of the PSML.*

Audit Note: For the avoidance of doubt, we did not intend for the original report to give any impression that the Interview Panel did not meet the requirements of the Public Service Management Law. The Panel composition was in full compliance with the Law and this recommendation was only intended to highlight that what was already a strong Panel, could have been even stronger. Our suggestion that the prior Registrar of Lands could have been included on the Panel was only meant to be an example of how the technical expertise and knowledge relevant to the post being recruited to could have been strengthened further. We did not mean to go as far as implying that she *should* have been included in preference to any other more suitable person.



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Response from Director, Lands & Survey Department:

“I feel that the Panel was well balanced in that both the CO (a former Director of lands & Survey) and I, as Registrar and HOD, brought strong technical background and intimate knowledge of the post to the table. The other member of the panel, the DCO PoCS, brought a great depth of experience that is reflected in the draft report’s “Observations” in that “The Interview Panel included a senior manager from the Portfolio of the Civil Service who brought both recruitment experience and independence from the Lands & Survey Department and Ministry.” I believe that the DCO also had a clear understanding of the requirements of the post. As such, it is my view that the Panel not only satisfied the PSML, but perhaps may have been stronger than other panels recruiting for similar level posts.”

Recommendation 4: References should be sought to support the preferred candidate unless (s)he is well known to the Interview Panel.

Response from Director, Lands & Survey Department:

“Again I agree with the recommendation. It was an administrative oversight by L&S. It should have been an automatic and standard requirement as part of the recruitment checklist. Steps have been taken to now make it so and to guard against this happening again in future recruitment exercises.”

Recommendation 5: Unsuccessful applicants should be informed as soon as practically possible after that outcome is known.

Response from Director, Lands & Survey Department:

“Agreed. This was due entirely to me wanting to speak with the individual concerned personally. I did not just want to advise the reason for her not being interviewed. I felt that as Director I needed to encourage her to qualify herself for the post. Simply advising her by letter alone I felt was not enough. This led to me finding the time to speak to her, which became rather extended due to other operational duties. Our meeting also was delayed due to her going on leave during this time. If not for the wish to meet with her, as I believe to be the proper way, she would have been informed at the same time as the other candidates not shortlisted. I will ensure that any such delay is avoided in future.”

Recommendation 6: Ensure that the selected candidate is clear on the possibility of further fixed-term employment and refrain from using the ‘renewable pending satisfactory performance’ phrase in future advertisements.

Audit Note: We do observe this phrase has been used before on some other job advertisements placed by the Department and so for the avoidance of doubt, we can confirm that such wording is not unique to the recruitment of the Registrar of Lands.



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Response from Director, Lands & Survey Department:

“A number of other job adverts have a similar phrase. Some date back to 2010 and quite likely others date much further back than that. The advert for the Registrar’s post with the phrase is certainly not a unique or isolated case. This advert was dealt with in the same way as all others. Nonetheless, this phrase will not be used in future adverts.

Also, as far as I’m advised, this is standard wording in many of our adverts. In addition, the Panel normally clarifies this clause as part of the interview process. In fact, some candidates ask the question before the Panel has had a chance to explain. Perhaps, as the CO has indicated, PoCS can offer some advice on this. As the Chief Officer had previously pointed out: In practice the interviewees are told during interview that any possibility of a contract renewal, whilst subject to satisfactory performance, is ALWAYS subject to the caveat that a suitably qualified Caymanian applicant will get the post.”

Further General Comment from Chief Officer, Ministry of PLAH&I and Director, Lands & Survey Department:

“We note (in the original report) the issue of the legal qualification ‘detering’ one Caymanian applicant. We do not agree with the word ‘deter’. Nonetheless, we are firmly of the view that some will always be ‘deterred’ (although we don’t think that’s the right word to use) if they don’t meet the academic/experience qualification requirements for a job. That’s just the normal process. ‘Do I meet the requisite criteria? No I don’t, so I won’t apply’. And if anyone – Caymanian or not – doesn’t meet the requisite requirements it is still an option for them to apply (as one individual did in this case). Nonetheless, it is noted that the qualification criteria is fully supported by PoCS.”

Andy Bonner

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