



Agenda item 2 (c) (i): Human Resource Committee – Secretariat Staffing

Proposed Recommendations

The PIDC Board is invited to:

- (a) **note** that the employment contracts of the Head of Secretariat and the Deputy Head of Secretariat are set to expire in August and September 2022 respectively;
- (b) **note** the advice provided by the Secretariat regarding the conclusion of six (6) years contract for the top two executive positions;
- (c) **note** the concerns raised by the Secretariat regarding the possible gaps on corporate knowledge caused by the almost simultaneous departure of the two senior executive positions;
- (d) **note** the recommendation made by the HR Review for the Deputy Head of Secretariat position to be disestablished and replaced by a technical position to support members;
- (e) **consider** the way forward proposed by the Secretariat for the HR Committee to work with the Secretariat inter-sessionally to develop recommendations for the Board to consider by January 2022 possible options for:
 - (i) the disestablishment of the position of the DHoS position and the establishment of a new technical replacement positions recommended by the HR Review;
 - (ii) the recruitment processes for the PIDC Head of Secretariat and Deputy Head of Secretariat positions; and
 - (iii) a potential approach to ensure a smooth transition of the executive leadership while minimising the loss of corporate knowledge.

Purpose

To advise the Board on the impending employment contract expiration for the Head of Secretariat (HoS) and Deputy Head of Secretariat (DHoS) in August and September 2022 respectively and provide information regarding recruitment options.

Background

2. The employment contracts for the Head of Secretariat and Deputy Head of Secretariat commenced consecutively in August and September 2016 for a period of three (3) years. Both positions were renewed for another 3 years in 2019 and will both end in August and September 2022 respectively.

3. PIDC's Employee Regulations 21.5 (the "Regulations") provides that *"when an aggregate period of six (6) years has been served by an Employee it shall be mandatory for that position to be re-advertised. The incumbent (other than Head of Secretariat) is eligible*

to apply and should the Head of Secretariat decide to reappoint the incumbent on merit they may do so provided a report is made to the Board and is therefore endorsed by the Board.”¹

4. However, regulation 21.5² only applies to the Deputy Head of Secretariat and should the DHoS seek to reapply for his position, then regulation 21.5 provides for this.

5. Furthermore, Regulation 25.6 instructs that, *“PIDC shall ensure that the employee receives notification of a decision on completion of the current employment contract approximately three months prior to the expiration of the contract.”³*

Head of Secretariat

6. The Head of Secretariat has been in the position for 5 years since 2016 when the Secretariat relocated to Samoa. The Individual Employment Agreement was renewed by the Board in 2019 after the Head of Secretariat served 3 years of his contract.

7. The selection of the current Head of Secretariat was outsourced to a HR Consultancy firm in New Zealand during the last selection process in consultation with the Board through the HR Committee.

8. According to Employee regulations 20.4, the Head of Secretariat is appointed by the Chair in consultation with the HR Committee and with the approval of the Board.⁴

9. The deadline date for the completion of contract for the Head of Secretariat would be August 2022.

Deputy Head of Secretariat

10. The contract for the Deputy Head of Secretariat started in September 2016 and a renewal of a three-year contract was approved in 2019 after a formal Performance Assessment was completed by the Head of Secretariat. The Deputy Head of Secretariat has been with PIDC for more than 10 years having being employed with PIDC when the Secretariat was hosted in Fiji.

11. However, during the 2020 Human Resource (HR) review, one of the recommendations put forward by the HR consultant was the disestablishment of the DHOS position once the current DHoS contract ends to allow for the recruitment of technical positions like the proposed Policy/Legislative Advisor or Intelligence/Research Advisor. The recommendations were put on hold by the HR Committee at its November 2020 meeting until at a later time when the DHoS contract ends in September 2022. The Secretariat notes that it is important for the Board to determine whether this position is to be disestablished as this will impact the Secretariat in terms of recruitment and also guide the discussions

¹ PIDC Employee Regulation-Regulation 21.5

² PIDC Employee Regulation-Regulation 21.5

³ PIDC Employee Regulation-Regulation 25.6

⁴ PIDC Employee Regulation-Regulation 20.4

regarding the level of support that may be required to ensure a smooth transition of corporate knowledge for the organisation.

Rational for early consideration

12. It would appear inappropriate to consider contract appointments/renewals nine (9) months early. However, to delay such a discussion until the March 2022 Board Meeting would only leave three (3) calendar months for defining the job position, advertisement, recruitment, contract negotiation and notice to a previous employer and relocation to Apia.

13. These two positions are key executive and operational positions in the Secretariat and are directly responsible for more than 60% of Secretariat operations. This is largely due to the small size of the Secretariat and should both positions expire consecutively, with candidates failing to immediately take up positions with a transitional handover period (August/September 2022), the organisation runs significant risks in failing to deliver its services to Members and also meeting its governance and legal obligations. This situation is further exacerbated by the ongoing COVID-19 pandemic affecting the operational landscape in the region, more so for Samoa which has restricted entry of international travellers into the country.

14. Consequently, any delay to appointments will significantly affect PIDC operations by more than 60%. Retrospectively, the organisation has unintentionally put itself in a precarious situation where it hadn't considered these practical realities in the transition plan PIDC initiated in 2015. The expected departure of both executive positions at around the same period doesn't provide the organisation any period to sustain the organisations corporate knowledge. The proposed contract extension of one of the executive positions addresses this and provides for a seamless transition process but more so avoids any governance risk for the organisation.

Proposal

15. Based on the need to ensure there is a smooth transition of authority to the incoming executive and also ensure there is ample time for the transfer of corporate knowledge, it is proposed that the HR Committee work with the Secretariat inter-sessionally to develop recommendations for the Board to consider in January 2022 on possible options for:

- (a) the disestablishment of the position of the DHoS position and the establishment of a new technical replacement position;
- (b) the recruitment processes for the PIDC Head of Secretariat and Deputy Head of Secretariat; and
- (c) a potential process to ensure a smooth transition of the executive leadership.