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THE PUBLIC SERVICE ACT,

(CAP. 298)

RULES

(Made under section 29(8))

THE PUBLIC SERVICE RECRUITMENT SECRETARIAT RULES OF OPERATION, 2021

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THE PUBLIC SERVICE ACT,
(CAP. 298)

RULES

(Made under section 29(8))

THE PUBLIC SERVICE RECRUITMENT SECRETARIAT RULES OF OPERATION, 2021

PART I
PRELIMINARY PROVISIONS

Citation

1. These Rules may be cited as the Public Service Recruitment Secretariat Rules of Operation, 2021.

Application

2. These Rules shall apply to job Applicants, Employers, Authorities delegated with power to operate/carry out recruitment process, Public servants and other employment stakeholders.

Interpretation

3. In these Rules, unless the context otherwise requires-

“Secretary” means the Secretary of the Public Service Recruitment Secretariat in the Public Service other than a secretary of the interview panel referred to under rule 13 and 14;

“database” means various recruitment process information stored in a computer;

“Disciplinary Authority” means Disciplinary Authority prescribed under the Act;

“recruitment process” means all functions performed and includes receiving employment permit, job advertisement, job application, receiving job applications, job short listing, the conduct of written, practical or oral interview interview, issuance of interview results, work station placements and completion of employment

Cap. 298

	procedures;
Cap. 183	“person with disability” has the meaning ascribed to it under the Persons with Disabilities Act;
Cap. 298	“employer” means the Employment Authorities prescribed under the Act;
	“job applicant” means a person who successfully applies for a job vacancy through the employment recruitment Portal or interviewee;
Cap. 298	“Secretariat” means the Public Service Recruitment Secretariat in the Public Service as ascribed under the Public Service Act;
Cap. 298	“Act” means the Public Service Act;
	“Public Service” means service in a Public Service Office as ascribed under the Act; and
Cap. 298	“Members of the Secretariat” means the members in the Public Service as prescribed under section 29(1) of the Act.

PART II

FUNCTIONS OF THE SECRETARIAT

Functions of Secretariat	<p>4. The Secretariat shall implement the following functions as provided for under the Public Service Act to-</p> <ul style="list-style-type: none">(a) search for various professionals with special skills and prepare a database for such professionals for ease of recruitment when required;(b) register university graduates and professionals with specialization for purposes of ease of reference of filling vacant posts in the Public Service;(c) advertise vacant posts that occur in the Public Service;(d) engage appropriate experts for the purpose of conducting interviews in line with the demand;(e) give advise to Employers on various matters related to recruitment; and(f) do any other act or thing which may be
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directed by the Minister responsible for Public Service.

Functions of
Secretariat Members'
meeting

5. Members of the Secretariat shall implement the following functions, to-

- (a) review and approve the strategic plan of the Secretariat;
- (b) review and approve implementation Reports of functions of the Secretariat;
- (c) review and approve a list of job applicants;
- (d) deliberate and approve the interview results;
- (e) review the procedures of recruiting new employees in the Public Service in order to ensure that the recruitment process is conducted by observing justice, transparency, efficiency and reasonable cost; and
- (f) receive feedback from employers on the reception of new employees and to advise accordingly.

PART III LANGUAGE

Language of
meeting

6. The official language during the meeting of the members of the Secretariat and Management of the Secretariat shall be Swahili.

Language of
interview

7.-(1) The official language of the interview shall be Swahili or English as the Secretary may deem fit.

(2) Without prejudice to the provision of sub-rule (1), where there is a special need, the Secretary may consent that the interview be conducted in -

- (a) a sign language for persons with such special needs ; and
- (b) a language other than those listed under rule 7(1).

PART IV
RECRUITMENT PROCESS

**Procedure for
recruiting job
applicants**

8.-(1) Job applicants shall be employed in the Public Service by considering qualifications, profession, competition, transparency and equality in accordance with policy, law, regulations, rules and procedures governing employment in the Public Service.

(2) The Secretary shall ensure that he obtains a list of all vacancies in the Public Service from the Ministry responsible in early January of each year for budget preparations for the following financial year.

(3) Upon approval of the budget by the Parliament, employers shall submit their respective employment permits to the Secretariat and their proposed time for receiving new employees.

(4) The Secretary shall set a plan to deliver to employers all job applicants who passed the interview taking into account the need of the employers and the employment permit issued by the President's Office, Public Service Management.

(5) Every year the Secretariat shall meet with Employers University Council, College Students or graduates to inform them of job opportunities available in the Public Service.

(6) Where the Secretariat uses the recruitment procedures provided under these Rules to recruit qualified job applicants and fails to get the suitable applicant the Secretary shall, in consultation with the Employer search for a person having the required qualifications by contacting such person directly and undertaking to complete measures regarding his recruitment or appointment.

**Vacancy
advertisements,
submission and
processing
applications**

9.-(1) All vacancies shall be advertised by the Secretariat through the Secretariat website, any approved public website or radio, Television station , newspapers, and social networks.

(2) The Institution delegated by the Secretariat to conduct recruitment process shall use the Secretariat website to advertise job vacancies.

(3) Applicants shall submit their job applications

within fourteen days from the date the job vacancy was advertised.

(4) Job application letters shall be lodged by using the address that appears on the job vacancy advertisement.

(5) Job application shall be submitted through recruitment portal or other methods which the Secretary deems fit.

(6) A job applicant with a disability shall indicate his disability by marking at the appropriate area in the recruitment portal or by explaining in the application letter where the submission or application is not done through this recruitment portal.

(7) Upon the lapse of the period to receive job applications, the

Secretariat shall prepare a longlist and shortlist to facilitate summoning job applicants who meet the required qualifications for interview and to notify those who were not selected.

(8) Any officer of the Secretariat shall not receive application letter in a manner contrary to the procedures laid out under rule 9(5).

(9) Job applicants who meet the required qualifications shall be called for interview in the manner directed by the Secretariat.

Temporary
Committee for
preparation of
shortlist

10.-(1) The Secretary shall form a temporary Committee composed of not more than five or not less than three persons from among officers within the Secretariat for preparation of a shortlist of job applicants.

(2) The Secretary shall have a mandate to engage in the Committee, any public servant not in the Secretariat, in order to obtain expertise and particular experience that cannot be found among officers of Secretariat.

(3) The shortlist of job applicants shall be prepared by considering the required qualifications prescribed in the Scheme of Service of Public Service and the job advertisement.

Inspection of
certificates and
qualifications

11.-(1) The inspection of academic certificates, other documents and qualifications according to the job advertisement shall be conducted before an interviewee is allowed to take part in the interview and where the interviewee does not have the relevant documents he shall be removed from the list of interviewees and will not be allowed to take part in the interview.

(2) Academic Certificates of Ordinary Secondary School level or Advanced Secondary School level, Vocational Training or Higher Education issued by Universities and Colleges or foreign Educational institutions that are registered outside Tanzania, shall be recognized and certified by an authority responsible for such education in Tanzania before submitting the same to the Secretariat.

(3) Where a job applicant has lost or damaged a certificate to such an extent that it is ineligible or unrecognisable, he shall prove this by reporting the loss to the Police, contacting the Authority which had issued the relevant certificate and after completing these procedures, the responsible Authority shall submit the name of the Job applicant to the Secretariat.

(4) Details of a Job applicant who lost a certificate or whose certificate was damaged shall be kept in the database of applicants who have been verified as having lost their certificates.

Interview

12.-(1) The Secretariat may conduct three types of interview which are aptitude test, practical and oral interview as the need arises.

- (a) the aptitude test may be conducted for the purpose of filtering qualified applicants in order to obtain applicants who have the highest scores in the respective cadre ;
- (b) the practical interview shall be conducted for cadres which require to find out a person's ability to use specific equipment, in order to test work capability and expertise in the particular vacancy;
- (c) an oral interview shall be conducted for the purpose of determining and being satisfied with

the capability, proficiency, character and details of the job applicant in respect with the job; and

(d) for the purpose of filtering and obtaining the most qualified applicant, a job applicant may pass through all types of interview, two types of interview or only one type of interview, as the Secretariat deems fit.

(2) The ratio of the number of interviewees in an oral interview shall be three interviewees for one post.

(3) The ratio of number of interviewees under subrule (2) may, where a need arises in the database as provided for under rule 22, increase.

(4) The interview may be conducted at any place that is within the United Republic of Tanzania.

(5) A call to attend an interview shall be published at least seven days before the date of interview where the interview is for aptitude test or an oral interview without aptitude test.

Panels for oral interview

13.-(1) Interview panels shall be proposed by the Head of Recruitment Department in the Secretariat and approved by the Secretary.

(2) Interview panels may be composed of the employees of the Secretariat and other Experts within the Public Service other than from the Secretariat who are of the same rank or ranks above the post applied.

(3) The Secretariat may engage specialized experts outside the Public Service where there is lack of such an expert within the Public Service.

(4) The Secretary may consent to the establishment/formation/composition of a special interview panel where there are strong reasons to do so.

(5) An interview panel shall have members who shall not exceed seven members but shall not be less than three taking gender into consideration.

(2) For each interview panel conducted by the Secretariat, the Secretary of the panel shall be one of the officers of the Secretariat.

(3) Where a deficit occurs of Panel Secretaries, the Secretary shall use other qualified officers in the Public Service.

Procedure for conducting interview

14.-(1) The Secretary shall prepare special guidelines that shall be used during interviews and the Secretary of the interview panel shall be responsible for interpreting the said guidelines to panel members before commencing the interview.

(2) The guidelines prepared shall not be used until upon submission for discussion and approval of management meeting.

(3) Members of the Secretariat may enter into the interview room as observers upon notifying the Secretary in order to satisfy themselves with the conduct of interview.

(4) The interview panel shall submit to the secretary of the panel the interview results showing the pass marks of each interviewee.

(5) The Secretary of the interview panel shall submit a report on the conduct of the interview and results of interview to the Head of Recruitment Department who shall submit such report to the Secretary.

Submission of interview results

15.-(1) The Recruitment Department shall compile all interview results from each interview panel and submit them to the Secretary who shall submit them in the meeting of Members of the Secretariat for approval.

(2) Where one cadre is interviewed by more than one panel, the results of all the panels shall be compiled as one list subject to passmarks from the highest to the lowest.

(3) The Secretary shall submit at the Secretariat meeting a report and interview results for the purpose of obtaining approval in order that successful applicants be placed with employers.

(4) The meeting of the Secretariat shall approve the interview results upon satisfying itself on compliance with the rules, transparency and expertise in conducting interview.

(5) The meeting of the Secretariat shall not alter the interview results and where it realises shortcomings in the conduct of an interview, the meeting shall direct the interview process be re-conducted by a new panel.

Pass marks

16.-(1) The minimum pass mark for interview are as

follows-

- (a) for the cadres of Chief Executive Officer of Institutions, Independent Departments, Deputies, Head of Departments is sixty percent save for Chief Executive Officers of Colleges or Universities whose pass marks is seventy percent;
- (b) for the cadres of Lecturers and Instructors the pass mark is seventy percent ; and
- (c) for entry cadres and other levels which were not mentioned in rule 16(1)(a) and (b) of these Rules the pass mark is fifty percent.

(2) Oral interview for the academic cadres or for cadres mentioned under regulation 16(1)(a) and (b) of these Regulation shall include presentation.

(3) Pass marks for cadres which involve practical interview or presentation shall be obtained by adding marks obtained during practical interview or presentation and marks obtained for oral interview.

Pass marks for person with disability

17.-(1) In an aptitude test or practical interview, a person with disability who meets a minimum pass mark as provided under rule 16, shall proceed to an oral interview.

(2) In an oral interview, a person with disability who meets a minimum pass mark as provided under rule 16, shall be eligible for similar placement as other interviewees with highest pass marks, subject to the work requirements and type of disability.

Work Station Placements

18.-(1) The Secretary shall make placement for those job applicants who passed the interview subject to employment permits submitted by employers.

(2) For applicants who have equal pass marks, the following procedures shall be complied with-

- (a) where there is a person with disability among them, he shall be given priority subject the nature of work;
- (b) where there are applicants of two different gender, a female shall be given priority;

(c) where there are applicants of the same gender, the eldest applicant in terms of age, shall be given priority.

(3) An applicant who passed the interview shall report to the work station he is placed at within fourteen days from the date of receiving the placement letter.

(4) Where an applicant fails to report within the period prescribed under subrule (3) without reasonable cause, the post shall be considered vacant.

(5) An applicant who has been placed at a work station shall be considered as an employee upon completion of employment procedures.

(6) Where any employment matter relating to the public service or of individual nature arise to an applicant who is already placed at a work station and has fulfilled employment procedures, the Secretariat shall not be involved in any employment procedure, save for record keeping.

Database

19.-(1) The Secretariat shall prepare a database of three types which are -

- (a) university or college graduates and experts;
- (b) applicants who passed their interview; and
- (c) those who attained work station placement.

(2) The database of University or College Graduates and Experts shall involve two groups which are -

- (a) university or college graduates; and
- (b) experts with special skills.

Database of university or college graduates

20.-(1) A database of University or College graduates shall keep a list of graduates showing the name, photograph of the graduate, serial number of certificate and address of the graduate.

(2) The Secretariat shall communicate with the Heads of Universities and Colleges, and Tanzania Commission of Universities at the end of each year of study and the Ministry responsible for Higher Education in order to obtain a list, in a manner prescribed by the Secretariat, of Tanzanians who graduated within Tanzania or abroad.

(3) Having a list of University or College graduates in a database of the Secretariat shall not bar the

conduct of interview for the purpose of recruitment as personnel in the Public Service.

Database of experts with special skills

21. A database of experts with special skills shall be obtained as follows:

(a) the Secretariat shall obtain a list of experts eligible for employment in the Public Service from Professional Bodies, Employers and other institutions.

(b) the experts with special skills shall be allowed to submit their details to the Secretariat for record keeping in the database in order for their expertise/skill to be used/utilized by the Government when the need arises.

Database for servant placed at work station

22.-(1) Upon placement of applicants who passed the interview, a list of those who passed but were not placed at a work station shall be kept by the Secretary in the database so that when an opportunity for employment occurs the list may be used.

(2) A list of applicants within the database of successful interviewees shall be used to fill a vacancy according to the employer's requirements.

(3) The Secretariat shall advertise a job vacancy and conduct interviews if the list kept in a database is outdated or does not contain a servant with the expertise or qualifications required by the Employer.

(4) Where in the list provided for under rule 22(2) there are applicants with equal pass marks, the procedures prescribed in rule 18(2) shall be complied with.

(5) A database of successful interviewees shall be kept for the maximum period of six months from the date when the results were approved.

Database of work station placements

23. The Secretariat shall keep a database of servants who have been placed at work stations for the purpose of Public Service records.

Failure to report at work station

24. A job applicant who fails to report at a work station without reasonable cause shall not be placed at

another work station or considered again when applying for posts which require qualifications similar to those for the job he had previously applied for in the Public Service.

Applicants
eligible for re-
consideration

25. Where the applicant mentioned in rule 24 acquires higher employment qualifications than those of the post applied for before, he may be considered.

PART V RESPONSIBILITIES OF AN EMPLOYER AND JOB APPLICANT

Responsibilities
of Employer

26. An employer shall be responsible for compliance to policy, Laws, regulations, rules, procedures and guidelines which govern recruitment matters in the Public Service including -

- (a) ascertaining and sorting job vacancies in the budget for the respective year;
- (b) applying for recruitment permit from the responsible Authority;
- (c) submitting a job/recruitment permit and the required qualifications for the respective post to the Secretariat;
- (d) finalizing employment procedures after the Secretariat has placed job applicants who passed the interview at work stations;
- (e) the employer shall, within thirty days from the receipt of placement letter, submit a report to the Secretary regarding a servant employed through Secretariat who reported at working station by indicating the name, position of the servant and the date on which the servant reported.

Responsibilities
of job applicant

27.-(1) A job applicant shall observe the requirements of the advertised post and the conditions set out within the advertisement.

(2) Without prejudice to rule 27(1), a job applicant shall not be allowed to enter into an interview room on the date and day scheduled for interview if he fails to produce the following things:

- (a) original academic certificates of completion

of training/education;

- (b) original birth certificate;
- (c) identification.

(3) A job applicant who is already a Public servant is not allowed to apply for a post of the same level as the one he holds and where the applicant qualifies to apply for a different post or cadre in another Government Office he shall channel his application letter through his employer.

(4) An applicant who will not comply with the general conditions in the job advertisement, shall not be considered for the post applied for.

(5) An applicant who submits false information may be subjected to legal action.

(6) A job applicant who has been shortlisted for written interview, shall write his examination number correctly on his examination paper and where that job applicant writes his examination number incorrectly he-

(a) shall have withdrawn himself from the next stage of the interview; and

(b) where the defects are due to the portal the job applicant's particulars and signature shall be verified and shall be allowed to proceed to the next stage of interview if he qualifies.

PART VI

DELEGATION OF POWER TO CONDUCT RECRUITMENT PROCESS

Secretary may delegate powers

28.-(1) The Secretary, may delegate the power to conduct recruitment process to any employment authority within the Public Service.

(2) A Notice of delegation shall, among other things, indicate the scope and areas/items delegated.

(3) The Secretary may, where it is found out that the Authority failed to comply with Policy, Laws and Guidelines issued by the Government on employment, revoke delegated powers.

(4) The employer shall, before the Secretary complies with the provisions of subrule (3), have the right of being heard.

Representative
of Secretariat in
delegated
employment
authority

29.-(1) The Secretariat shall have a representative cum member in every interview panel formed by the delegated employment authority.

(2) A representative of the Secretariat shall be responsible to submit to the Secretary a report on the conduct of interview which he attended on behalf of the Secretariat.

A copy of report by representative of Secretariat shall be issued to the delegated Employment/Recruitment Authority.

(3) The reports mentioned in rule 29(2) shall be used to determine whether a delegated Employment/Recruitment Authority fails comply with Policy, Laws and Guidelines issued by the Government on employment.

Employment
Authority to
observe Rules

30. An Employment/Recruitment Authority delegated with the function of conduct of Recruitment process shall be responsible to comply with procedures laid down by these Rules and Guidelines regarding matters of employment and those provided for in the Notice to Delegate (Delegation Notice) so as to avoid contravention of the objectives and purposes of the Secretariat in the conduct of recruitment processes in Public Service.

PART VII

CONDUCT OF MEETINGS

Ordinary
meeting

31. An ordinary meeting of the Members of Secretariat shall be convened 4 times a year and shall make decisions on the following matters-

- (a) Secretariat strategic plan;
- (b) performance implementation report of the Secretariat;
- (c) to review and approve a shortlist of applicants;
- (d) to approve the interview results; and
- (e) other matters which require consent of the Members of Secretariat.

Extraordinary meeting 32. The Secretariat may hold an extraordinary meeting in the following circumstances:

- (a) the Chairperson, upon consultation with the Secretary, agree that there is a need to hold such meeting;
- (b) two thirds of the members want to have such a meeting held upon consultation with the Secretary; and
- (c) the Minister responsible for Public Service so directs.

Conduct of Secretariat Meeting

33.-(1) All meetings of Secretariat shall be chaired by the Chairperson. Where the Chairperson is absent, the meeting shall be chaired by the Vice-Chairperson.

(2) Where both the Chairperson and Vice-Chairperson are absent, the Members shall appoint a temporary Chairperson among them to conduct the meeting.

(3) A Secretariat meeting shall be conducted if the quorum reaches two thirds including a Chairperson of the meeting.

Decision-making during meeting

34.-(1) Decision-making during a Secretariat meeting shall be by way of agreement and where a decision has no consensus, voting method shall be used.

(2) The criteria for reaching a decision shall depend on the number of votes.

(3) Where the votes are tied the Chairperson shall have the casting vote.

Dissemination and use of documents

35.-(1) A notice to attend an ordinary meeting of Secretariat shall be disseminated seven (7) days before the date of the meeting and in case of emergency its dissemination shall depend on the circumstances of such emergency.

(2) Documents for the extraordinary meeting shall be disseminated during the meeting.

(3) All documents of the meeting are properties of the Secretariat and the Secretary shall collect and preserve them after a meeting.

(4) All documents concerning the Secretariat Meeting are confidential.

Management meeting

36.-(1) The Secretariat Management shall hold a meeting once a week and the Secretary shall preside as Chairman of the Management meeting and the Director of Administration and Human Resources shall be the Secretary.

(2) Members of the Management meeting shall be:

(a) heads of departments;

(b) heads of units;

(c) Heads of Sections; and

(d) officers who may participate based on their position upon the consent of the Secretary.

PART VIII

MISCELLANEOUS PROVISIONS

Electronic devices and fraud during interview

37.-(1) It is an offence for a job applicant to-

(a) enter an interview room with any electronic device that in its nature is capable of capturing images, capturing sound and recording videos or capable of disseminating information and the provisions of this paragraph shall not apply to a person with a disability using assistive devices and technologies due to his condition;

(b) deceive during written, practical or oral interview;

(c) submit false information during recruitment process.

(2) A job applicant who contravenes any provision of subregulation (1) shall have the following action taken against him-

(a) shall be removed from interview room and his interview results shall be cancelled;

(b) Shall be denied access to apply for job through the Secretariat portal until such time the Secretary decides otherwise; or

(c) criminally prosecuted.

(3) The Secretary shall, before taking any measures provided for under subrule (2), satisfy himself that the person concerned has committed the offence by allowing

him to present his defense in writing or in any means as the Secretary deems fit.

(4) Where a fraudulent event is found out after the results of the interview or during work station placement, the applicant's employment procedures shall be terminated and he shall be removed from the employment process and may be prosecuted.

Conflict of interest

38.-(1) In the event that one of the members of the interview panel has any close relationship with the interviewee, he shall disclose the relationship to the members so that they can assess whether it will affect the decisions and if the Members consider that his presence will have an effect he should withdraw when the interviewer is interviewed.

(2) A member of the panel who has a relationship with an interviewee and did not disclose it, his Disciplinary Authority shall be advised to take appropriate action against him.

Feedback of Secretariat conduct

39.-(1) The Secretariat shall meet with employers once a year to get feedback of its work and the quality of staff sent to employers, for the purpose of getting suggestion to improve the recruitment process.

(2) The Secretariat shall meet with the Heads of Universities and Higher Learning Institutions once a year to provide them with feedback of the quality of their University or College graduates for the purpose of improving their curriculum to meet the demands of the labour market.

Records of job applicants

40.-(1) Written records of interview relating to job applications shall not be returned to the job applicant but shall be kept for a period of thirty six months and where after the lapse of such period there is no need for any of those documents, they shall be disposed of in accordance with the guidelines governing the disposal of Government documents.

(2) Soft copy or electronic records which include the job applicant's details contained in the recruitment portal shall be maintained in accordance with the

Government's electronic records management guidelines.

Unsatisfactory conduct of expert involved in recruitment process or Secretariat employee

41.-(1) Where it is realized that an expert who took part in the recruitment process with the Secretariat has engaged in any manner contrary to the Rules and guidelines of the relevant exercise, he shall be removed from the exercise and the Secretary shall report to his Disciplinary Authority for appropriate disciplinary action.

(2) Any employee of the Secretariat who is found in contravention of laws, regulations and or guidelines in relation to the recruitment process at any stage shall have disciplinary action taken against him.

Complaints

42.-(1) A job applicant who is dissatisfied with the conduct of recruitment process and the interview has the right to lodge his complaint with the Secretary within seven days from the date of receipt of results complained of or date of recruitment process complained of.

(2) The complaint shall be submitted in writing or electronically indicating the date, name of the complainant, the post requested, the decision complained of and the reason for the complaint against the decision.

(3) A job applicant may submit his complaint with the office and it shall be recorded in the complaints register used including the said details.

(4) The Secretary shall receive the complaint, process it and make a decision within fourteen days from the date of submission of the Complaint.

Review

43. These Rules may be reviewed when needs arise.

Revocation
GN. No.
436 of 2019

44. The Public Service Recruitment Secretariat in the Public Service Rules, 2019 are hereby revoked.

Dar es Salaam,
29th March, 2021

XAVIER M. DAUDI
Secretary of the Public Service
Recruitment Secretariat in the Public Service