

GOVERNMENT NOTICE NO. 64 Published On 31/1/2020

THE EXECUTIVE AGENCIES ACT,
(CAP.245)

;ORDER

(Made under section 3)

THE EXECUTIVE AGENCIES (TANZANIA PUBLIC SERVICE COLLEGE)
(ESTABLISHMENT) ORDER, 2020

Citation

1. This Order may be cited as the Executive Agencies
(Tanzania Public Service College) Establishment Order, 2020.

Establishment of
Agency

2.-(1) There is hereby established an Executive Agency known as the Tanzania Public Service College, in its acronym "TPSC" to take over the functions of the former TPSC and Tanzania Global Learning Agency.

(2) The established Agency shall perform Public Service trainings, applied research, consultancy services and innovative learning and technology platforms.

TPSC framework
document

3. The governance, responsibilities, powers, accountability and other matters relating to TPSC shall be as specified in the framework document set out in the Schedule to this Order.

SCHEDULE

(Made under paragraph 3)

TANZANIA PUBLIC SERVICE COLLEGE

FRAMEWORK DOCUMENT

THE UNITED REPUBLIC OF TANZANIA

PRESIDENT'S OFFICE PUBLIC SERVICES MANAGEMENT AND GOOD
GOVERNANCE

DODOMA
NOVEMBER, 2019

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List of Abbreviations

CAG	-	Controller and Auditor General
HIV/AIDS	-	Human Immuno Virus – Acquired Immuno Deficiency Syndrome
MAB	-	Ministerial Advisory Board
PAC	-	Public Accounts Committee
POPSMGG	-	President’s Office, Public Service Management and Good Governance
TaGLA	-	Tanzania Global Learning Agency
TPSC	-	Tanzania Public Service College

FOREWORD

The Government has made a decision of merging the functions of Tanzania Public Service College (TPSC) and Tanzania Global Learning Agency (TaGLA) hence, bears the name of the newly established agency known as Tanzania Public Service College. This initiative has been taken by the President's Office, Public Service Management and Good Governance (POPSMGG) in order to widen the scope of operation and enhance organizational efficiency and effectiveness.

The motive for merging former TPSC and TaGLA has been driven by the need to strengthen the capacity building initiatives within the public service and private sector through the use of innovative and appropriate training programs, applied research, consultancy services and application of technologies. It is imperative that the Government establishes an Agency that will enhance the public service capacity, systems, skills and culture for continuous improvement of public service performance.

The establishment of TPSC is an important milestone towards assisting the development of skills, knowledge and attitudes of public servants to enable them to perform their functions more productively efficiently and responsively. This will be achieved through training interventions, consulting, applied research, innovative and application of appropriate technologies for improved public service delivery. Moreover, the Agency will contribute towards the achievement of the Vision 2025 and other National Medium and Long Term Plans.

As an Agency, TPSC has required Operational Autonomy to respond more appropriately, to the Training and Development needs of the public services as and when they occur. With the Autonomy as specified in the Executives Agency Act, Cap. 245, I am confident that with this Framework Document TPSC will excel and meet the set objectives in addressing the challenges faced while improving public service delivery. It is with great pleasure that I take this opportunity to wish success to the Chief Executive, Agency Management and staff in fulfilling their obligations.

INTERPRETATION

In this framework document, unless the context otherwise requires:

"Accounting Officer" means the Principal and Chief Executive of Tanzania Public Service College;

"Agency" means the Tanzania Public Service College;

"Applied Research" means problem solving oriented researches;

"Chief Executive" means the Principal and Chief Executive of Tanzania Public Service College

"Core functions" means trainings, applied researches, consultancies and innovative learning and technology platforms;

"Innovative Learning and Technology Platforms" means knowledge sharing through technology, for instance video conferences, online dialogues and multimedia applications;

"Ministerial Advisory Board" Means an Advisory Board Constituted under section 6 of the Executive Agency Act, Cap. 245;

"Minister" means the Minister responsible for Public Service Management;

"Ministry" means the Office responsible for Public Service Management;

"Performance Agreement" means performance contract between Chief Executive and Permanent Secretary;

"Permanent Secretary" means the Permanent Secretary of the Ministry responsible for Public Service Management;

"Staff" means an employee or employees of Tanzania Public Service College.

1.0 INTRODUCTION

The Government of Tanzania recognizes human capital development as a significant resource and main driver for social-economical development. The strategic focus of the Government is to address the institutional and human capital development in order to attain efficiency and effectiveness in delivery of public services. In line to this strategic direction, the Government has decided to merge the two Executive Agencies namely the Tanzania Public Service College (TPSC) and Tanzania Global Learning Agency (TaGLA). Despite merging of the two Agencies, Tanzania Public Service College (TPSC) bears the name of the newly established Agency. This Agency is established under the Executive Agency's Act Cap. 245.

The merging of the two Agencies complements capacity building initiatives within the public service and private sector through the use of innovative and appropriate training programs, applied research, consultancy services and application of technologies. As such, the agency plays a pivotal role in providing access for continuous learning and development, knowledge acquisition and skills development that will position Tanzanians competitively in the regional and global market.

This framework document has been developed after the merging of two Agencies and it describes the institutional framework under which TPSC is established and operates as semi autonomous Executive Agency under the Ministry responsible for Public Service Management. The document sets out the responsibilities, powers and accountabilities of key players involved in the Management of the Agency. This document may be reviewed from time to time as need arises.

2.0 LEGAL STATUS AND GOVERNANCE

The Legal status and Governance for TPSC are as follows:

2.1 Legal Status

Tanzania Public Service College (TPSC) is established under section 3(1) of the Executive Agency Act Cap. 245, as a Legal body that may under section 3(6) of the Act;

- a. Enter into contract in its own name;
- b. Sue or be sued;
- c. Upon approval of the Permanent Secretary of the Ministry and upon such terms and condition as he may specify either generally or in any particular case, acquire, hold or dispose of movable and immovable property pursuant to the Public Procurement Act Cap. 410, and Public Procurement Regulations, 2013 as amended from time to time; and

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- d. Do all other things that are necessary or desirable for efficient and discharge of its functions.

TPSC shall come into operation on the date of publication of its Establishment Order in the *Government Gazette*. The Agency takes over the functions of former Tanzania Public Service College (TPSC) and Tanzania Global Learning Agency (TaGLA) as expressed in this Framework Document.

2.2 Governance

The Chief Executive, appointed by the Minister responsible for public service management in consultation with the President's Office, Recruitment Secretariat, shall hold the office for a term not exceeding five years or for such shorter period as may be specified in the instrument of appointment and shall be eligible for re-appointment based on performance. The Chief Executive is responsible for management of Tanzania Public Service College and shall be directly answerable to the Permanent Secretary. The Permanent Secretary will oversee the interests of the Ministry and the Government in general. There shall be a Ministerial Advisory Board (MAB) appointed by the Minister in accordance to the Executive Agency Act Cap. 245 to advise on matters pertaining to efficient and effective performance of the Agency.

3.0 AIM, VISION, MISSION, ROLES, FUNCTIONS, OBJECTIVES AND OUTPUTS

The aim, roles and functions of the Agency shall be as follows:

3.1 Aim

The aim of the Agency is to enhance the public service capacity, systems, skills and culture for continuous improved public service performance.

3.2 Vision Statement

To be a global centre of excellence in competency development, knowledge sharing, applied research and consultancy for effective public service.

3.3 Mission Statement

To improve public service delivery through training, applied research, consultancy and technology-based knowledge sharing platforms.

3.4 Roles and Functions

The roles and functions of the Agency are to:

- (i) offer statutory and voluntary training for all public servants;
- (ii) offering public servants' access to training through the use of technology-based training facilities and programmes;
- (iii) conduct and coordinate public service examinations and public service proficiency Programmes to enhance public service delivery;
- (iv) develop skills, knowledge and awareness in management, leadership, administration and office support;
- (v) offer advisory or consultancy services;
- (vi) provide training and platforms for knowledge sharing that meet the public service requirement and other beneficiaries;
- (vii) disseminate knowledge on public service management best practice through applied research and publication of research findings;
- (viii) harness global expertise in a variety of disciplines through linkages to development networks, best faculties and skills available in the world;
- (ix) enable target beneficiaries to learn in friendly environment with less costs, less work disruptions, travel and social disconnection;
- (x) promote Government policies, learning culture and supporting technological use among a wide range of actors for enhancement of development in Tanzania;
- (xi) award bachelor degrees, diplomas and certificates to qualified graduates of a few professional programmes; and
- (xii) foster strategic alliances and partnership with public and private training and development institutions and individuals to strengthen and deliver public service learning.

3.5 Objectives

The Agency will implement six objectives in the next five years (that is from 2019/20 to 2023/24) as follows:

- (i) HIV&AIDS infections and Non-Communicable Diseases reduced and supportive services improved;
- (ii) National Anti-Corruption Strategy implementation enhanced and sustained;
- (iii) quality customer services (training, consultancy and applied research) to the public accessed and improved;
- (iv) innovative learning and development programmes for capacity building of public servants improved;
- (v) operational policies, systems, structures, staff core competencies and processes enhanced;and
- (vi) financial sustainability enhanced.

3.6 Outputs

The developed objectives have its set of outputs upon which, when effectively implemented will result to the achievement of the core functions of the Agency that will improve public service delivery.

4.0 PERFORMANCE CRITERIA

The Ministry responsible for Public Service Management, shall monitor TPSC' performance each year based on the annual plans and financial audits. The Agency shall prepare annual Business Plan which will set out performance targets and those targets will form part of performance agreements. The performance criteria shall be based on the quality of service provided, financial performance and operational efficiency.

(i) Quality of Services Provided.

The Agency will provide high quality services in achieving its objectives. The quality of services shall comply to the agreed standards, best practices, specifications and customer needs.

(ii) Financial Performance

For accountability purposes, the Agency will develop or adopt systems that comply with the best financial management practices. There will be timely preparation and submission of accurate financial reports and sound trend of Agency's financial position.

(iii) Operational Efficiency.

The Agency will develop planning and management tools for public service trainings, consultancies, applied researches and innovative learning and technology platforms. There will be compliance to the specified standards and use of transparent internal processes and procedures in the service delivery.

5.0 ROLES, RESPONSIBILITIES AND ACCOUNTABILITY

The following are the responsibilities of various key players:

5.1 The Minister

The Minister is responsible for determining and maintaining the policy framework for the Agency, general direction and functional boundaries within which TPSC operates. Specifically, the Minister is responsible for:

- (a) establishing/re-establishing the Agency;
- (b) ensuring that the Government and the public derive maximum benefit from the creation of the Agency;
- (c) appointing the Chief Executive of the Agency; and
- (d) appointing members of the Ministerial Advisory Board (MAB).

Furthermore, the Minister shall meet the Management of TPSC in person at least once in a year to discuss the Agency's strategies, its performance and how risks can best be managed. The Minister shall also work to safeguard the interest of TPSC to ensure its maximum contribution to the national economic growth and keep the Agency aware of high-level Government strategic directions.

5.2 The Permanent Secretary

The Permanent Secretary, as the Accounting Officer of the Ministry, is responsible for voted funds disbursed to the Agency and the principal policy adviser to the Minister on matters related to TPSC. The Permanent Secretary, in discharging his duties, shall at all-time uphold the autonomy of the Agency in the day to day management of its affairs and also respect the delegation of powers in respect of financial accountability as delegated to the Chief Executive and the MAB.

The Permanent Secretary shall be responsible for approving TPSC Strategic Plans, Business Plans and its annual budget. The Permanent Secretary shall mobilize and coordinate funding for functions of TPSC and advise on the overall financial resources to be made available to the Agency. The Permanent Secretary shall enter into performance contract with the Chief Executive and shall meet the Management of the Agency in person at least twice a year to discuss TPSC's plans, its performance and how risks can best be managed.

5.3 The Ministerial Advisory Board

The Board responsibilities shall be to:

- (a) advise the Minister on the performance of TPSC;
- (b) approve Agency Plans and Budgets;
- (c) monitor TPSC performance;
- (d) advise on the implementation of core functions of the Agency;
- (e) approve Examination results;
- (f) advise on the development and maintenance of a strategic framework;
- (g) set priorities and annual performance targets for TPSC;
- (h) consider TPSC annual reports and accounts; and
- (i) evaluate TPSC performance.

5.4 The Chief Executive

The Chief Executive is responsible for managing the Agency within the terms of this Framework Document and the Executive Agency Act, Cap. 245. He shall be the Agency's Accounting Officer responsible for day-to-day operations and accountable to the Permanent Secretary. Specifically, the Chief Executive is responsible for:

- (i) preparation and submission of Strategic Plans, Business Plans and associated budgets to the Permanent Secretary for approval;
- (ii) implementation of the approved plans, including the achievement of performance targets;
- (iii) concluding procurement contracts in accordance with Public Procurement Act, Cap. 410 and its Regulations;
- (iv) organization and management of assets and resources allocated to him in an efficient and cost effective manner;
- (v) human resources management, organization, control and discipline of the Agency's employees;
- (vi) managing the procurement and control of supplies for the Agency;
- (vii) ensuring that all aspects of the management and organization are kept under review and that they enable best possible performance of the Agency;
- (viii) providing performance report to the Ministry and other relevant Authorities;
- (ix) preparation of Annual Reports and Audited Financial Statement for submission to the relevant authorities;
- (x) ensuring that all aspects of the management and organization are kept under review and that they enable best possible performance of the Agency;
- (xi) liaison with Regulatory Authorities and other stakeholders in respect of compliance on implementation of matters affecting TPSC; and
- (xii) contributing to the development and formulation of public service training policy and ensuring that TPSC is in the position to implement changes expeditiously and efficiently.

6.0 POWERS OF THE CHIEF EXECUTIVE

6.1 Human Resources Management

The powers of the Chief Executive in relation to human resources and related matters are prescribed in the Executive Agencies Act, Cap. 245, the Public Service Act, Cap. 298 and their respective regulations.

6.2 Financial and Related Matters

The powers of the Chief Executive in relation to financial and related matters are prescribed in the Executive Agencies Act, Cap. 245, the Public Finance Act, Cap.348 and other relevant legislation. The Chief Executive may, in writing, delegate any powers given to him to an employee of TPSC, but is not thereby relieved of a duty or responsibility to him in terms of this Framework Document or any other legislation.

6.3 Public Accounts Committee and Public Inquiries

The Chief Executive may be required to appear before the Public Accounts Committee (PAC) to represent the Agency at hearing related to the Agency. The Chief Executive may also be required to prepare the response to the Parliamentary questions and inquiries that fall under the responsibility of the Agency.

7.0 FINANCE, PLANNING AND STRATEGIC CONTROL

7.1 Funding, Expenditures and Accounting

The source of funds of TPSC shall include:

- (i) the sums as may be appropriated by Parliament;
- (ii) training and Consultancy fees;
- (iii) grants, donations, loans, and funds as may be received from development partners;
- (iv) hostel fees;
- (v) fees on utilization of TPSC facilities; and
- (vi) any other sources legally acquired.

TPSC expenditures shall be in accordance with the Business plan approved by the Permanent Secretary and shall be accounted for in such a manner that it shall be possible to link all expenditure to the sources of funding and for which purposes the money has been spent. The Chief Executive shall therefore ensure that the

Agency's Financial Management System meets these requirements. The Chief Executive shall prepare and submit periodic reports to the relevant authorities.

7.2 Strategic Plan

The Chief Executive shall prepare a Strategic Plan covering a period of five (5) years, which will be updated whenever need arises that affect the Agency's performance. The purpose of the Strategic Plan is to state the objectives of TPSC over the next five years, outlining the actions to be taken by the Agency in improving public service delivery.

7.3 Business Plan

The Chief Executive shall prepare and submit a Business Plan that includes the estimates of the income and expenditure for the next year to the Permanent Secretary for his approval. He may, at any time before the end of a financial year, prepare and submit to the Permanent Secretary for approval any estimates supplementary to estimates of a current year. The Business Plan shall give details of operations based on the approved Strategic Plan and the annual resource allocations. The Business Plan will include the planning of activities to achieve TPSCs' output together with matching resources calculations.

7.4 Performance Agreement

The Chief Executive shall enter into Performance Agreements with the Permanent Secretary at the commencement of each financial year.

7.5 Procurement Procedures

Procurement procedure of works, goods and services shall be in accordance with Public Procurement Act, Cap. 410 and its Regulations.

7.6 TPSC Tender Board

TPSC shall have its own Tender Board. The composition of the Tender Board shall be as provided for in Public Procurement Act, Cap. 410 and its Regulations.

7.7 Reports and Accounts

Within two months after the end of each financial year, the Chief Executive shall submit Annual Reports and audited statements of accounts to the Ministry. Subsequently the Annual Reports and statements of accounts will be published and made available to the public. The Annual Report shall contain:

- (a) a copy of the audited accounts of TPSC together with the auditor's comments and recommendations;
- (b) a report on performance against targets and other related information;
- (c) a report on operations of TPSC during that financial year; and
- (d) any other information that the Minister, Permanent Secretary and the MAB may require.

7.8 Internal Audit

The Chief Executive shall be responsible for ensuring that adequate arrangements exist for the provision of Internal Audit service that accords with the standards set by the Ministry responsible for finance and in accordance with the TPSC Accounting Manual.

7.9 External Audit

The audits of acquired funds shall be carried out by the Controller and Auditor General or such other person commissioned by him.

8.0 HUMAN RESOURCES

8.1 Status and Conditions of Service

TPSC's staff are public servants charged with the responsibilities for delivering public services more effectively and efficiently within the available resources. Their terms and conditions of service will be approved by the Ministry responsible for the Public Service in accordance with the Executive Agencies Act, Cap. 245 and the Public Service Act, Cap. 298. Remuneration levels will be set in accordance with policy guidance issued by the Ministry responsible for Public Service Management, and will take into account the need to attract and retain staff of the required caliber.

8.2 Human Resources Management

The Chief Executive is responsible for management of human resources as set out in this Framework Document. He is responsible for ensuring that an equal opportunity policy is implemented. Within these parameters he may introduce such changes as necessary to maximize the efficiency and effectiveness of the Agency. The Chief Executive shall be responsible for fostering positive attitudes towards responsibility, accountability and productivity. There must be effective channels of communication throughout the Organization and willingness to work as a team to achieve the Agency's objectives. The Chief Executive is obliged to set up human resources training programmes that improve the competences of the staff.

8.3 Staff Relations

The Chief Executive is responsible for staff relations within the Agency. He is required to foster good staff relations as an important aid to the achievement of the Agency's objectives, and ensure effective communication and consultation with staff and their recognized Trade Unions.

8.4 Health and Safety

The Chief Executive is responsible for the health and safety of TPSC's staff in the work place and for complying with all relevant principal and subsidiary legislation.

9.0 AMENDMENT, REVIEW AND PUBLICATION

9.1 Amendment and Review

Any proposed amendment to this document shall be made by the Minister in consultation and advice from the Permanent Secretary and the Chief Executive. Any proposed changes shall be subject to the approval of the Ministry responsible for Public Service Management.

9.2 Publication

The Order re-establishing TPSC and any future amendments including Framework Document shall be published in the *Government Gazette*, uploaded in the Agency's website and will be readily available to anybody in accordance with the existing practices. Copies of the Framework Document and further information about the Agency can be obtained from:

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