Performance Management in the Civil Service

Moderation and Appeal Processes
What is Moderation?
Moderation is the process of establishing common understanding between parties based on principles of consistency, transparency, fairness and equity, whilst preserving the credibility and integrity of the Performance Management System.

Who is the Moderator in Conflict Resolution?
Moderation is generally carried out by the Next Level Supervisor (NLS) who may co-opt other members in the process. The moderator may also be an officer designated by the Supervising Officer, who is senior in rank to the appraisee. The qualities expected of a moderator include:

- Ability to command trust and respect whilst being neutral
- Good knowledge and understanding of objectives, activities, tasks and standards of the Department/Unit
- Emotional intelligence and effective communication skills with emphasis on:
  - active listening
  - composed, positive and focused disposition
  - sound understanding of verbal and non-verbal communication
- Capacity to create a conducive environment that allows expression of diverse opinions, suggestions and contributions
- Ability to analyse evidence and information objectively for a balanced, unbiased and constructive decision
Role and Responsibilities of Moderator

- The NLS in the role of moderator basically acts as:
  - An independent arbitrator in case of disagreement to safeguard interests of both appraiser and appraisee in the pursuit of organisational goals and objectives.
  - A facilitator for maintaining appraisal quality.

- For successful moderation process, the NLS ensures that:
  - Department/Unit objectives are aligned with organisational goals.
  - Standards set are fair and consistent within units and also across the Department/Division, as applicable.
  - Procedures for appraisal are consistently adhered to in a fair, open and objective manner.
  - Appropriate actions are taken promptly to deal with issues arising during the appraisal process.

Moderation Process

The different steps for resolving conflicts through moderation are given in the flowchart at Figure 1 overleaf.
Appraiser & Appraisee disagree at any stage during Performance Management Cycle

Appraiser & Appraisee discuss the issue and try to resolve divergence at their own level. Agreement reached?

Yes  Issue resolved

No  Appraiser / Appraisee seeks intervention of Next Level Supervisor (NLS)

NLS, after going through all relevant documents, chooses between 2 options for conflict resolution within 5 working days

Option 1  NLS hears the parties concerned and proposes solution within 5 working days

Agreement reached is recorded and signed by all parties concerned

Option 2  NLS co-opts other members who can contribute in the process, including Officer-in-Charge HR, Head of Division (if applicable) and a collective decision is taken within 5 working days

Decision reached is recorded and signed by all members and parties concerned

FIGURE 1: Moderation Process For Conflict Resolution
PERFORMANCE MANAGEMENT APPEAL PROCESS

When to make an appeal?
Any dissatisfaction regarding ratings/comments during the final appraisal should first be discussed between appraiser and appraisee before seeking the intervention of Next Level Supervisor. If the issue is not resolved, appraisee may then have recourse to appeal by filling in the appropriate form. The case should be supported by facts and evidence.

Appraisee may have recourse to appeal by filling in the appropriate form

The Appeal Panel
The Appeal Panel (AP) is appointed by the Supervising Officer to deal with appraisee’s dissatisfaction with ratings/comments at final appraisal stage. It consists of three (3) members, selected with due regard to the status of the appraisee and is chaired by an officer not below the rank of Assistant Permanent Secretary or equivalent grade. Members on the panel should not have been directly involved in the appraisal of the appellant. For enhanced credibility of the exercise, it is advisable that the panel be comprised of officers from both within and outside the Ministry/Department.

Members on the panel should not have been directly involved in the appraisal of the appellant
Composition of the Appeal Panel

- For departmental grades:
  - Either 3 members from the Ministry/Department
  - Or 2 members from the Ministry/Department, and 1 external member*

  * The Supervising Officer writes directly to any appropriate Ministry for appointment of external member, with copy to the Ministry of Civil Service and Administrative Reforms (MCSAR). Alternatively, a request may be submitted to MCSAR.

- For other grades, where appellant is posted to a Ministry other than parent Ministry:
  - 2 members from the Ministry/Department where posted
  - and 1 member from parent Ministry*

  * The Supervising Officer writes directly to the parent Ministry concerned with copy to MCSAR.

Responsibilities of the Appeal Panel

The AP has the following responsibilities:

- Ensure independence and impartiality whilst investigating into cases referred to it
- Submit its findings and recommendations to the Supervising Officer within a period of 15 working days

The Appeal Process

The flowchart at Figure 2 describes the different stages in the appeal process.
Composition of the Appeal Panel

For departmental grades:
- Either 3 members from the Ministry/Department
- Or 2 members from the Ministry/Department, and 1 external member
  * The Supervising Officer writes directly to any appropriate Ministry for appointment of external member, with copy to the Ministry of Civil Service and Administrative Reforms (MCSAR). Alternatively, a request may be submitted to MCSAR.

For other grades, where appellant is posted to a Ministry other than parent Ministry:
- 2 members from the Ministry/Department where posted
- 1 member from parent Ministry
  * The Supervising Officer writes directly to the parent Ministry concerned with copy to MCSAR.

Responsibilities of the Appeal Panel

The AP has the following responsibilities:
- Ensure independence and impartiality whilst investigating into cases referred to it
- Submit its findings and recommendations to the Supervising Officer within a period of 15 working days

The Appeal Process

The flowchart at Figure 2 describes the different stages in the appeal process.

**FIGURE 2: Performance Management Appeal Process**
Performance Management

Ministry of Civil Service and Administrative Reforms
Level 7, New Government Centre, Port Louis, Republic of Mauritius
Tel: (230) 201 1379, Fax: (230) 211 5047
Email address: pmssec@mail.gov.mu
Website: http://civilservice.gov.mu