

The Scheme of Service defines which qualifications are required for a post and the panel interviewing candidates will look at these to make their choice. Applicants cannot rely on any additional qualifications to be appointed.

The Appellant is a Part Time SET at the ...District Council of ... She is appealing against the decision of the Respondent to appoint the Co-Respondent, also a Part Time SET, to the post of Supervisor.

Appellant's Case

The Appellant averred that she possessed the District Council Specialised Certificate since ... The Co-Respondent did not have this certificate. In addition the Appellant also had qualification in relevant subjects from an Institute, which she claimed was recognised and was well known for its "good quality teaching". The Appellant firmly believed that she had more experience than the Co-Respondent.

Further, the Appellant studied up to GCE Advanced level while the Co-Respondent had "only up to School Certificate". She also had several qualifications which she believed could help her in performing clerical tasks.

She stated that she was "a more eligible officer than ...for the post of Supervisor..."

Respondent's Case

The Respondent stated that the post of Supervisor was filled by selection as per the Scheme of Service from among Part Time SET. The vacancy in the post was advertised on ...and the closing date was... Fifteen candidates, including the Appellant, were found eligible and were called for interview on 14 ... Following the interview, the Co-Respondent was appointed to the post.

The Respondent averred that it had followed the selection procedures and adhered to LGSC regulation 13 (1) (b) which put qualifications, experience and merit before seniority.

The Respondent denied that the possession of the District Council specialised Certificate was a requirement for the post and stated that the qualification required was a School Certificate or an equivalent qualification acceptable to the Local Government Service Commission and that candidates had to reckon at least six years' service in the grade.

The Respondent stated that both the Appellant and the Co-Respondent met the eligibility criteria and were, therefore, convened for interview.

The Respondent further denied that the Appellant had more years of service than the Co-Respondent as averred by the Appellant. The Respondent averred that the appeal had no merit and moved that it be set aside.

Determination

The Scheme of Service for the post states clearly that the post is filled by selection and the Appellant is not contesting this.

Her main contention is that she had more experience than the Co-Respondent as she had the District Council specialised Certificate, had studied up to GCE "A" Level and had other qualifications.

As to the question of Appellant's averment that she had more experience than the Co-Respondent, it was explained to the Appellant that her experience could not be taken as from the date she got her Certificate, but from the date she started work at the District Council in... In other words, she had only 21 years experience in service and not 28 years as she thought. The Co-Respondent has joined the service earlier.

The Appellant compared her qualifications with those of the Co-Respondent. However, these qualifications though they may seem to be relevant, were not requirements for the post. The Scheme of service did not require candidates to have qualification higher than a School Certificate. Nor was the District Council Specialised Certificate required. The Appellant also referred to her other qualifications and stated that these could be of help for her to perform clerical tasks, but she conceded that she was not expected to do clerical tasks as Supervisor.

The Appellant understandably could not accept that she had the District Council Specialised Certificate and, when it came to an appointment to the

post of Supervisor, she was not chosen. The representative of Respondent at the hearing was not in a position to say whether the Appellant was given some bonus points for her qualification. The Tribunal sought this information confidentially from the Respondent and found that the panel gave global markings and not markings as per different criteria. However, in a selection exercise there are many criteria that are taken into consideration and a candidate may have an advantage on one criterion and do less well in regard to other criteria.

None of the grounds of appeal could stand during the hearing. Appellant did not have more experience. Her additional qualifications were not requirements of the Scheme of Service.

The Tribunal does not want to step into the shoes of the Respondent regarding the assessment of the selection panel. It has only to make sure that the selection process has been followed or that the selection panel has not erred in the selection process.

The appeal is, therefore, set aside.