



GOVERNMENT OF LESOTHO

CIVIL SERVICE ESTABLISHMENT MANAGEMENT POLICY

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FOREWORD

To date the policy on establishment management and control has been found in a series of circular savingrams and annual civil service establishment lists. The Ministry has experienced some inconsistent establishment management decisions and application of processes, which has eroded credibility and bred confusion within Ministries, Departments and Agencies.

This Policy guidelines have been developed to provide guidance to Ministries, Departments and Agencies in their establishment actions and decisions, and also to advocate for coherence and relevance in the government structure design, effective use of available human resources, and a strategic approach in meeting civil service establishment needs to ensure that public services are delivered with minimal strain to the government fiscas.

The Policy guidelines will serve as a point of reference to heads of departments, line managers, human resources persons throughout the public service. I urge human resources practitioners to make use of these guidelines to avoid service bottle-necks, and heads of departments to ensure adherence at all times.

May I take this opportunity to thank all stakeholders for their invaluable contributions to make this document a reality.

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Government of Lesotho

ACRONYMS

AOP	-	Annual Operation Plan
EC	-	Establishment Committee
EM	-	Establishment Management
GoL	-	Government of Lesotho
HOD	-	Head of Department
HR	-	Human Resource
HRM	-	Human Resource Management
HRO	-	Human Resource Officer
HRMIS	-	Human Resource Management Information System
JD	-	Job Description
LCS	-	Lesotho Correctional Services
LDF	-	Lesotho Defence Forces
LMPS	-	Lesotho Mounted Police Service
MDA	-	Ministries, Departments and Agencies
MPS	-	Ministry of Public Service
NSDP	-	National Strategic Development Plan
OD	-	Organisation Development
PFM	-	Public Financial Management
PS	-	Principal Secretary
PSC	-	Public Service Commission
PSMP	-	Public Sector Modernization Project
R&B	-	Remuneration and Benefits
SOPs	-	Standard Operating Procedures
T&D	-	Training and Development

DEFINITIONS

For the purpose of this policy, the following terms shall bear the meanings reflected below:

Act: Refers to the Public Service Act 2005, except where the context may denote otherwise.

Code: Refers to the Code of Practice issued by the Minister.

Contract officer: Means an officer who has entered into a written contract of employment with the Public Service for a specified period of time.

Commission: Means the Public Service Commission established by section 136 of the Constitution.

Employer: Means the Government of Lesotho represented by ministries, departments and agencies.

Establishment: A system determining the staffing requirements of Ministries, Departments and Agencies.

Establishment List: A compiled number of positions. In this context it refers to positions within the Civil Service broken down by Ministry/ Department or Agency.

Head of Department: Means the Principal Secretary and a Chief Accounting Officer in a ministry, department or agency.

Head of Section: Means a public officer who is in charge of a section in an MDA.

Head of HR: Means an HR cadre position (i.e. Director, Manager or Officer) that heads the HR function in the MDA and reports directly to the HOD depending on the size of the MDA.

Minister: Refers to the Minister responsible for the Public Service unless the context warrants otherwise.

Principal Secretary: For the purpose of this Policy Manual means the Principal Secretary responsible for the Ministry of the Public Service.

Policy: Means a policy formulated and adopted by the ministry, department or government agency.

Public Service: Has the meaning assigned to it by the Constitution of Lesotho.

Regulations: Refers to the Public Service Regulations 2008, except where the context may denote otherwise.

Temporary officer means an officer who is serving in a temporary capacity for a period not exceeding 6 months.

Critical Position is that whose responsibilities are core and vital to MDA's success and attainment of strategic goals. To assess the level of criticality it is key to establish if a position performs responsibilities within a critical function, critical operation or important business service.

Critical Business Service or function means MDA's core function, process or activity that is essential for its survival, on-going operation or delivery of key services to its clients.

Critical Operation means MDA's specific functions or activities that if disrupted during the operational period will significantly impair the organisation's ability to deliver its key services.

Important Business Service or Function means functions or processes that are not critical for the MDA's survival but are valuable in supporting its overall operations, and overall productivity.

1 INTRODUCTION

1.1 Background

The Ministry of the Public Service is mandated by Section 10(2)(a) of the Public Service Act 2005 to make provision for, among others, policy on the establishment or abolition of departments, sub-departments or offices, and transfer of functions and public officers from one department to another. One of the current problems facing proper management of the civil service establishment relates to use of outdated human resource policies and frameworks, obsolete establishment management controls and establishment list.

The frameworks used in organisational design and establishment management are not comprehensive, and currently there is no coherent documentation that articulates government policy to guide involved processes.

1.2 Purpose and Objectives

The purpose of this Civil Service Establishment Management Policy is to put in place an effective system for managing the civil service establishment and controlling the civil service wage bill by advocating for continued justification of the need for positions in the civil service and alignment of operational structures to national priorities.

The key objectives for this policy include:

- a. To provide guidance on circumstances that require variations in establishment of MDAs and procedures for variations thereof;
- b. To maintain the integrity of the establishment list through reporting and auditing.

1.3 Applicable Legislation, Policies and Guidelines

The following regulatory framework provide basis for this Policy:

- a. The Constitution of Lesotho 1993;
- b. Public Service Act 2005;
- c. Public Service Regulations 2008;
- d. Basic Conditions of Employment 2011;
- e. Human Resource Policy Manual 2007;
- f. Codes of Good Practice 2008;
- g. Labour Act No 3 of 2024

Treasury Regulations 2014; and

- h. The Defined Contribution Pension Fund Act 2008
- i. Specified Offices Contribution Pension Fund 2011

1.4 Applicability

This policy is applicable to all Ministries, Departments and Agencies in the Civil Service.

2. ESTABLISHMENT MANAGEMENT

Establishment management is a system through which the right number of the government employees are appointed at the appropriate grades and with the right skills to carry out tasks required. Establishment management deals with controlling the growth and expansion of the civil service staff complement by controlling the number and nature of positions and filling of such positions in order to contain the size of the civil service and consequently civil service wage bill.

2.1 Establishment Committee

2.1.1 Mandate of the Establishment Committee

There is an Establishment Committee to approve variations to an MDA's establishment that requires additional personal emoluments funding. These variations include:

- a. Creation of new positions;
- b. Filling of approved vacant positions;
- c. Filling and funding of new positions;
- d. Recommendations for approval of re-evaluated and re-graded positions.

2.1.2 Composition of the Establishment Committee

The Establishment Committee consists of the following members:

- a. Principal Secretary, Ministry of the Public Service (Chair);
- b. Budget Controller, Ministry of Finance and Development Planning
- c. Director Planning, Ministry of the Public Service;
- d. Director HR, Ministry of the Public Service; and
- e. Director OD, Ministry of the Public Service shall be secretary to the Committee.

2.1.3 Powers and Responsibilities of the Establishment Committee

The Committee shall approve and allocate the budget for filling of new positions, filling of vacant positions and re-grading of positions.

The Committee shall receive and consider the following proposals:

- a. Proposal to fill new positions;
- b. Proposal to fill vacant positions;
- c. Proposal to upgrade (re-grade to a higher grade) a position

The Committee shall make its resolutions to either;

- a. To approve a proposal;
- b. To reject a proposal; or
- c. To conditionally approve a proposal.

The Committee shall also deliberate on any matter on any matter related to the public service establishment.

2.1.4 Conduct of Meetings

The Committee shall meet during the first quarter of the financial year, unless on special occasions to discuss urgent or pressing matters.

The Committee shall have the powers to co-opt other members depending on the issue(s) under discussion.

The Secretary shall prepare the agenda and table all proposals for consideration.

When considering each proposal, the Committee shall:

- a. Assess its justification based on the need;
- b. Assess the financial implications and sustainability of the proposals;
- c. Assign a level of priority to each proposal based on how critical the position is towards achievement of MDA and national goals.

The Secretary shall avail minutes of the meetings to members for concurrence before submission to the Principal Secretary.

2.2 Creation of Positions

Requests for creation of positions shall be accompanied by approved organizational structures by the Principal Secretary, Ministry of the Public Service. In this instance, the MDA shall make its request for creation of new positions before the 30th September and therefore requests shall be in-line with the budgeting cycle. Except in exceptional circumstances, critical positions shall be created and filled as need arises.

MDA's may only request for creation of new positions without a restructuring or review of organizational structure having taken place in the following exceptional circumstances: Where the position is considered to be critical and necessary for the performance of a function or service, towards achievement of goals in national planning documents;

- a. When the positions are required for emergency response to national disaster or epidemic;
- b. Where an increase in the number of an already existing establishment is crucial to improve operational effectiveness.
- c. Where a position was supported by development fund and is critical to sustain performance of a function or service.

Requests for creation of cadre positions shall be done in consultation with Heads of Cadres.

Savings from vacant funded positions shall not be used to fund new creations
Requests for authority to include new creations in the budget shall be submitted to Ministry of the Public Service by 30th September every year.

All requests for creation of new positions shall be approved by the Principal Secretary, Ministry of the Public Service.

2.3 Transfer of Positions

All requests to transfer a position by MDA's shall be justified by an approved review of organizational structures or restructuring report recommending transfer of positions from one MDA to another or across different departments within an MDA.

The Ministry of Public Service may approve requests to transfer a position without a formal review of organizational structures or restructuring having taken place in the following exceptional circumstances:

- a. Where a function has been transferred from one MDA to another;
- b. Where the transfer is to meet service delivery needs in the receiving ministry/department;
- c. Where the lives or safety of people is at risk;
- d. When responding to an emergency resulting from a national disaster or pandemic.

2.4 Re-designation of Positions

MDA's may request for a position to be re-designated by changing a title but not its current grade.

Re-designation may only be done with positions of similar grades performing a similar function.

Re-designation may only be done with vacant positions

Re-designation of a filled position may be done to address position redundancies, provided the holders of such redundant positions are found to fully meet the specifications of new positions

All requests to re-designate a position by MDA's shall be accompanied by a report of the review of organizational structures or restructuring following an approved request to restructure/ to review MDA organization structures.

The Ministry of the Public Service may also approve requests to re-designate a position without a restructuring or review of organizational structures having taken place in the following exceptional circumstances:

- a. When a government policy has come into effect requiring the position to be re-designated;
- b. When the position has been transferred and requires to be re-designated e.g. use of project titles.
- c. When the job has significantly changed and current designation no longer depicts the actual job performed by the position.

2.5 Funding and or Filling of Positions

Requests for funding of positions shall be made during the first quarter of the financial year to allow enough time for recruitment to take place. Only funded positions shall be approved for filling by MDAs.

Requests for authority to include vacant positions in the budget shall be submitted to Ministry of the Public Service by 30th September every year.

As a measure to control the growth of the establishment, requests for filling of positions shall be scrutinised for their level of criticality before approval.

Filling of all positions shall be approved by the Principal Secretary, Ministry of the Public Service.

Only positions approved for funding shall be incorporated in the MDA's budget.

2.6 Abolition of Positions

After the review of organizational structures or restructuring, redundant positions shall be recommended by the MDA's for abolishing.

MDA's may also make requests for abolition of positions in the following circumstances;

- a. When implementing a government policy which requires the position to be abolished;
- b. When there is a separation or splitting of MDA's. In this case, positions that are unable to be transferred to the breakaway MDA shall be abolished.

The Principal Secretary, Ministry of Public Service may abolish redundant positions identified following an establishment audit.

Only vacant redundant positions shall be removed from the MDA's establishment.

Positions that remain unfilled for a period exceeding twelve (12) months, with no action towards funding or filling by host MDAs shall be deemed to be redundant and abolished by the HOD MPS.

2.7 Establishment Audits

The Ministry of the Public Service shall carry out annual audits of MDA establishment to ensure adherence to set policy and standards.

Specifically, Ministry of the Public Service shall check;

- a. The MDA's staff complement against the approved establishment;
- b. The MDA's establishment list in HRMIS is in line with its register in the Establishment List.

The Ministry of the Public Service shall rectify establishment errors emanating from the audit process.

2.8 Compiling and Publishing the Establishment List

The Ministry of the Public Service shall maintain accurate and up to date establishment data in order to compile and publish the annual Civil Service Establishment List.

The Ministry of the Public Service shall compile and publish the Establishment List by end of first quarter, every year. The annual Establishment List shall show the approved establishment of each MDA.

For purposes of compiling the Establishment List, requests for variation of MDA's establishment shall not be made between the 01st February and 31st March each year.

The Establishment List will be published in both non-editable electronic and print form.

3. Budgeting for Personnel Emoluments

MDA's shall budget for personal emoluments based on the approved establishment for that financial year.

MDA's shall budget for both occupied positions and vacant or new positions that are approved for funding.

4. Establishment Reports

The Head of HR MDA shall prepare and submit periodic reports on the MDA's establishment to the HOD Ministry of Public Service.

The quarterly report on MDA's establishment shall indicate:

- a. Established positions and their grades and number established;
- b. Actual number of people engaged against each position;
- c. The variance between established positions and number of people engaged;
- d. MDA's submissions on correcting a negative variance where it exists

The annual report shall consolidate all variations that occurred during the reporting period and present the numeric and percentage growth or decline of the establishment.

APPENDICES

Form 1: Request to Create or Abolish or Transfer a Position

OD FORM 1 REQUEST TO CREATE / ABOLISH/TRANSFER A POSITION

PART A: To be filled by HOS MDA

1. Name of Ministry/Department/ Agency:
2. Work Unit/Section:
3. ` Date of Request:
4. Variation requested (Tick the appropriate one):

Create New Position:

Abolish Position:

Transfer Position:

5. Details of the Position;

Title	Grade	Number of positions	Responsible for (Job summary)	Other comments

6. Proposed effective date (Date by which proposed change is to be implemented):

7. Justification (why new position is needed/ to be transferred/ to be abolished):

8. Attachments:

- a. Job description;
- b. Organisation Structure;
- c. Strategic plan; and

9. Authorization schedule

	Name	Date	Signature	Comments (if any)
Requested by HOS				
Reviewed by Director HR				
Endorsed by HOD MDA				
Received by Director OD (MPS)				

Form 2: Request for Re-Designation of a Position

OD FORM 2 REQUEST FOR RE-DESIGNATION OF POSITION

PART A: To be filled by HOS MDA

1. Name of Ministry/Department/ Agency:

2. Work Unit/Section:

3. Date of Request:

4. Position Details:

Re-designation		
Current Position title	Current Grade	Proposed New title

5. Proposed effective date (Date by which proposed change is to be implemented)

6. Justification for re-designation (reasons)

7. Attachments:

- a. Existing Job Description;
- b. Proposed Job Description; and
- c. Organisation Structure

8. Authorization schedule

	Name	Date	Signature	Comments (if any)
Requested by HOS				
Reviewed by Head of HR				
Endorsed by HOD MDA				

Received by Director OD (MPS)				
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a. Strategic Plan

2. Authorization schedule

	Name	Date	Signature	Comments (if any)
Requested by HOS				
Reviewed by Head of HR				
Endorsed by HOD MDA				
Received by Director R&B (MPS)				

From 4: Request to Fund and Fill a Vacant Position

OD FORM 3

REQUEST TO FUND AND FILL A VACANT POSITION

PART A: To be filled by HOS MDA

1. Name of Ministry/Department/Agency:
2. Work Unit/Section:
3. Date of request
4. Position to be funded and filled:

Title	Grade	Number of positions	Responsible for (Job summary)	Other comments

5. Reasons why position is vacant

Reasons	Tick as appropriate
Position(s) lack funds	
Retirement	
Resignation	
Transferred	
Dismissal	
Medical	
Death	
Other (Explain)	

6. The position has been vacant forDays.
7. Position to be filled by (date):

8. Justification (why is the position needed)

9. Attachments:

- a. Proposed Job description;
- b. Organisation Structure;
- c. Strategic plan; and
- d. Current Ministry/Department/Agency Establishment List

10. Authorization schedule

	Name	Date	Signature	Comments (if any)
Requested by HOS				
Reviewed by Head of HR				
Endorsed by HOD MDA				
Received by Director OD (MPS)				

Form 5: Vacancy Declaration Form

**OD FORM 4
VACANCY DECLARATION FORM**

PART A: To be filled by HOS MDA

Part 1: Vacancy Details

1. Name of Ministry/Department/Agency:
.....

2. Date of Vacancy Report:

3. Position Reported:

Title	Grade	No. of Vacancies

4. Date of occurrence of vacancy:

5. Name of previous Substantive Holder:

6. Name of existing/ Acting Holder:

7. Reason(s) for vacancy:

Part 2: Cost Centre

Head..... Programme Sub-Head..... Reference:

8. Do you confirm the availability of financial provision to enable the above vacancy to be filled on or after effective date ... YES/NO.

Part 3: Recommendation (complete either Part A or Part B)

A. I recommend that the above vacancy be filled by - (Place an X in the box opposite the desired appointment).

(ii) Acting Appointment

Officers Names:

I certify that the above mentioned officer (s) is eligible for acting appointment.

B. I make the following recommendation for filling the vacancy: (place an X in the box opposite the desired type of recruitment).

(i) Recruitment of a Suitable Candidate from enclosed shortlist

(ii) Selection of a Suitable Candidate from outside Lesotho

(iii) Recruitment and Selection (Advertisement)
