



On approval of the Rules and terms for conducting the attestation of civil servants of the Agency of the Republic of Kazakhstan for Civil Service Affairs

Unofficial translation

Order of the Chairman of the Agency of the Republic of Kazakhstan on Civil Service and Anti-Corruption of the Republic of Kazakhstan № 74 dated December 5, 2016. Registered with the Ministry of Justice of the Republic of Kazakhstan on December 28, 2016 under № 14620.

Unofficial translation

Footnote. The title is in the wording of the order of the Chairman of the Agency of the Republic of Kazakhstan for Civil Service Affairs dated 25.08.2020 No. 131 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

In accordance with paragraph 7 of Article 139 of the Labor Code of the Republic of Kazakhstan dated November 23, 2015 **I HEREBY ORDER:**

1. To approve the attached Rules and terms for conducting the attestation of civil servants of the Agency of the Republic of Kazakhstan for Civil Service Affairs.

Footnote. Paragraph 1 is in the wording of the order of the Chairman of the Agency of the Republic of Kazakhstan for Civil Service Affairs No. 131 dated 25.08.2020 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

2. Order of the Minister of Civil Service Affairs of the Republic of Kazakhstan No. 66 dated March 28, 2016 “On Approval of the Rules and Terms for Assessment of Civil Servants of the Ministry of Civil Service Affairs of the Republic of Kazakhstan” (registered with the Register of State Registration of Regulatory Legal Acts under No. 13575, published in Adilet, the legal information system on April 15, 2016) shall be deemed to have lost force.

3. The Legal Department of the Agency of the Republic of Kazakhstan for Civil Service Affairs and Anti-Corruption (hereinafter referred to as the Agency) in the manner prescribed by law, shall:

1) ensure the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan;

2) within ten calendar days from the date of the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan, direct it for official publication in Adilet, the legal information system;

3) within ten calendar days from the date of the state registration of this order, send it to Republican State Enterprise on the Right of Economic Management “Republican Center of Legal Information of the Ministry of Justice of the Republic of Kazakhstan” for placement in the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan;

4) place this order on the Internet resource of the Agency.

4. The control over the execution of this order shall be assigned to the Head of the Administrative Office of the Agency.

5. This order shall go into effect from the day of its first official publication.

*Chairman of the Agency
of the Republic of Kazakhstan
for Civil Service Affairs
and Anti-Corruption*

K. Kozhamzharov

Approved
by order of the Chairman of the
Agency of the Republic of Kazakhstan
for Civil Service Affairs
and Anti-Corruption
No. 74 dated December 5, 2016

The Rules

and terms for conducting the attestation of civil servants of the Agency of the Republic of Kazakhstan for Civil Service Affairs

Footnote. The title is in the wording of the order of the Chairman of the Agency of the Republic of Kazakhstan for Civil Service Affairs dated 25. 08.2020 No. 131 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Chapter 1. General Provisions

1. These Rules and terms for conducting the attestation of civil servants of the Agency of the Republic of Kazakhstan for Civil Service Affairs (hereinafter - the Rules) have been developed in accordance with paragraph 7 of Article 139 of the Labor Code of the Republic of Kazakhstan dated November 23, 2015 (hereinafter - the Labor Code), the Law of the Republic of Kazakhstan dated July 27, 2007 "On Education" and shall determine the procedure and terms for conducting the attestation of civil servants holding positions in the Republican state enterprise "Academy of Public Administration under the President of the Republic of Kazakhstan" subordinate to the Agency of the Republic of Kazakhstan for Civil Service Affairs (hereinafter – the employees).

Footnote. Paragraph 1 is in the wording of the order of the Chairman of the Agency of the Republic of Kazakhstan for Civil Service Affairs No. 131 dated 25.08.2020 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

2. The assessment of civil servants shall be the procedure for determining the level of their professional and qualification training, business and personal qualities.

3. The main evaluation criterion during the assessment shall be the ability of civil servants to fulfill their responsibilities.

4. The objectives of the assessment shall be:

1) ensuring the quality of the personnel of the civil service in the field of activity of the organization;

2) increasing the personal and professional readiness of employees to implement tasks related to their performance;

3) incentives for continuing education of an employee within the framework of official activities.

5. Civil servants shall be assessed after each subsequent three years of continuous stay in the civil service, but not earlier than six months from the day they occupy this position, except for teaching staff who shall be assessed after five continuous years.

The assessment shall be carried out no later than six months from the day of the specified date.

Stay in the civil service shall be considered continuous when more than one month has passed from the day of dismissal of the employee to the day of his appointment, provided that he has no labor relations with other legal entities and individuals during this period.

Employees who have been absent from the civil service for more than six consecutive months on the grounds stipulated by the legislation of the Republic of Kazakhstan shall be assessed no earlier than six months after entering the service.

The assessment of employees upon their request shall be allowed before the expiration of the specified periods.

All employees shall be subject to assessment, with the exception of pregnant women.

6. Assessment shall include a number of successive stages:

1) preparation for assessment;

2) conducting the testing of employees holding the positions of Block A, according to the Register of Civil Servants of the Agency of the Republic of Kazakhstan for Civil Service Affairs, approved by the order of the Chairman of the Agency of the Republic of Kazakhstan for Civil Service Affairs and Anti-Corruption dated October 25, 2016 No. 24 (registered in the Register of state registration of regulatory legal acts No. 14467) (hereinafter - the Register) and writing an essay by employees holding the positions of teaching staff of Block B of the Register (hereinafter – the teaching staff);

3) conducting an interview;

4) the decision of the attestation commission.

Footnote. Paragraph 6 as amended by the order of the Chairman of the Agency of the Republic of Kazakhstan for Civil Service Affairs No. 131 dated 25.08.2020 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Chapter 2. Organization of preparation for the assessment

7. Preparation for assessment shall be organized by the personnel service of the attestation organization on behalf of the head of the organization and shall include the following activities:

- 1) preparation of necessary documents for assessment;
- 2) development of schedules;
- 3) determination of the composition of attestation commissions;
- 4) the definition of essay topics for teachers;
- 5) the organization of explanatory work on the objectives and the assessment procedure.

8. The personnel department shall:

1) once in a period of six months determine the employees subject to assessment in accordance with paragraph 5 of these Rules;

2) prepare lists of persons to be assessed, with the obligatory reflection of the following information: surname, name and patronymic (if any), individual identification number, date of birth, education, specialty, position held at the time of the assessment. The personal data shall be filled in in accordance with an identity document of a citizen of the Republic of Kazakhstan (in the language of the document);

3) ensure the organization of outreach on the procedure for assessment;

4) ensure the timely attendance of assessed employees for testing and the presence of a technical specialist with knowledge in the field of setting up and installing system-wide and applied software and network administration.

9. The head of the organization, on the proposal of the personnel service, shall issue an order that approves the list of employees to be assessed, the schedule for assessment and the composition of the attestation commission.

10. The personnel service shall notify employees in writing of the terms of assessment at least one month prior to the start of assessment, as well as ask for an efficiency report.

11. The direct manager of the employee to be assessed shall draw up the efficiency report and sends it to the personnel service no later than 25 calendar days before the assessment.

12. The efficiency report shall contain a comprehensive and objective assessment of the professional, business and personal qualities and performance results of the employee to be assessed.

13. The personnel service shall bring to the attention of the employee the efficiency report submitted to him no later than three weeks before the meeting of the attestation commission.

14. In case of disagreement with the efficiency report, the employee shall declare his disagreement and provide the personnel service with the information characterizing him in the name of the chairman of the attestation commission, within 5 working days from the date of familiarization with the efficiency report, which shall be drawn up in any form.

15. An appraisal sheet shall be drawn up on an employee to be assessed by the personnel service in the form in accordance with Appendix 1 to these Rules.

16. The personnel service shall send the collected materials to the attestation commission. Supplementary documents (information, data) for the employee to be assessed may be attached to the materials.

17. Depending on the features of the functional areas of the work of employees to be assessed, several attestation commissions may be created.

18. The attestation commission shall be established by the head of the assessment organization upon the presentation of its composition by the personnel service and shall consist of members of the attestation commission and the secretary of the attestation commission, which does not have the right to vote.

A chairman and a deputy chairman shall be appointed from among the members of the attestation commission.

The chairman of the attestation commission shall manage activities, preside over meetings, plan the work, exercise general control over the activities of the attestation commission and the decisions it makes.

In the absence of the chairman of the attestation commission, his powers shall be assigned to the deputy chairman of the attestation commission.

19. The composition of the attestation commission may include deputy heads of the assessment organization, heads of various departments of the organization, including personnel and legal services, a representative of the organization's employees, and other employees.

20. The number of members of the commission shall be an odd number of at least five people.

21. Replacement of absent members of the attestation commission shall be prohibited.

In the event of changes in personnel by the order of the head of the organization, changes shall be made to the composition of the attestation commission.

22. The representative of the personnel service of the organization shall be appointed as a secretary of the attestation commission.

23. The secretary of the attestation commission shall prepare the relevant materials for the meeting of the commission and draw up a protocol after it. The secretary shall provide maintenance, ensure the functioning of the attestation commission.

24. Employees to be assessed, who are members of the attestation commission shall be assessed on a common basis. An employee subjected to assessment, who is the member of the attestation commission, shall not participate in the voting regarding himself.

25. A meeting of the attestation commission shall be considered competent if at least two-thirds of its composition is present.

26. Members of the attestation commission shall have the right for a dissenting opinion, which, if expressed, shall be set forth in writing and be attached to the minutes.

Chapter 3. Assessment

27. Testing of employees holding the positions of the Block A of the Register shall be carried out in the testing room of the attestation organization in Kazakh or Russian as chosen by an employee.

28. Employees shall be admitted to test upon presentation of an identity document.

29. Testing shall be carried out for employees of Block A of the Register regarding the following regulatory legal acts: the Constitution of the Republic of Kazakhstan (20 questions), the Labor Code of the Constitutional Court of the Republic of Kazakhstan (20 questions), the laws of the Republic of Kazakhstan “On Education” (20 questions), “On Civil Service of the Republic of Kazakhstan ”(20 questions), " On State Property "(10 questions), the Rules of Training, Retraining and Advanced Training of Civil Servants, approved by Decree of the Government of the Republic of Kazakhstan № 125 dated March 15, 2018 (10 questions).

Footnote. Paragraph 29 as reworded by order of the Chairman of the Agency of the Republic of Kazakhstan for Civil Service Affairs and Anti -Corruption No. 282 dated December 20, 2018 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

30. Testing time shall be calculated on the basis of 1 minute per 1 question. At the time of testing, employees cannot talk and leave the room where the testing is being conducted. Receiving and transmitting electronic devices (including personal digital assistants and other electronic equipment) shall be turned off during testing.

31. The threshold level of testing for employees of Block A of the Register shall be 50% of the correct answers of the total number of questions asked.

The calculation of the test results shall be carried out automatically, by a computer program. The results shall be printed in two copies, one of which shall be given to the employee, the second copy with the signature of the employee shall be stored in the assessment file of the employee.

32. An employee who receives a test score below thresholds shall not be admitted to the interview.

At the same time, the employee shall be granted the right to repeat the test no earlier than ten calendar days from the date of the previous test.

If after repeated testing the employee again receives an assessment below the threshold values, the attestation commission shall take one of the following decisions:

- 1) shall be subject to re-assessment;
- 2) does not correspond to the position held.

During re-assessment, an employee who receives an assessment below the threshold values based on the results of testing of the initial assessment shall be granted the right to undergo testing only once.

If an employee receives an assessment below the threshold values during this test, the attestation commission shall make a decision on the employee 's inaptitude to the position held.

33. Employees of blocks B, C, D of the Register shall not be subjected to testing.

34. Teaching staff subject to assessment, shall write essays of 300-350 words in the presence of the attestation commission for one hour in Kazakh or Russian as may be chosen.

A teaching employee shall select one of ten topics proposed by the attestation commission

An essay shall be evaluated by an attestation commission according to the following criteria:

1. compliance with the content of the selected topic;
2. the ability to argue the main points and conclusions;
3. the validity, evidence and originality of the formulation and solution of the problem;
4. clarity and conciseness of the presentation of their own thoughts;
5. literacy.

Based on the results of writing an essay for teachers, the assessment commission shall give the following grades: “satisfactory”, “good”, “excellent”.

Voting results shall be determined by a majority of votes of members of the attestation commission. If the votes are equal, the vote of the chairman of the attestation commission shall be decisive.

The results of writing an essay and its assessment shall be attached by the Secretary of the attestation commission to the materials of assessment of the employee and be taken into account by the attestation commission during the interview.

35. The attestation commission shall conduct an interview in the presence of a employee subject to assessment.

36. In case of the employee’s failure to appear at the meeting of the attestation commission for good reason, consideration of the issue of the assessment of the employee subjected to assessment shall be postponed to a later date specified by the commission.

A good reason shall be:

- 1) temporary disability of an employee;
- 2) vacation or a business trip.

If an employee does not appear at a meeting of the attestation commission without good reason, the attestation commission shall decide to conduct assessment in his absence on the basis of available materials.

37. During the meeting, the attestation commission shall examine the submitted materials, conduct an interview with the employee.

The questions asked to the employee subjected to assessment during the interview shall be aimed at identifying the conformity of his current position or the work performed, determining the level of business and personal qualities.

At a meeting of the attestation commission, a brief report on the results of the employee’s work over the past period shall be also heard.

Based on the results of studying the submitted materials and interviewing an employee with each member of the attestation commission, an evaluation sheet for the employee subjected to assessment shall be filled out in accordance with Appendix 2 to these Rules, after which the attestation commission shall make one of the following decisions:

- 1) corresponds to the position held;
- 2) is subject to re-assessment;
- 3) does not correspond to the position held.

In case of equality of decisions of the members of the attestation commission, the decision of the chairman of the attestation commission shall be decisive.

Re-assessment shall be carried out after six months from the date of the initial assessment in the manner specified by these Rules.

During re-assessment, an employee of the Block A of the Register , who received an assessment above the threshold values according to the results of the initial assessment testing , shall be allowed to pass interview without re-testing.

The attestation commission, after re-assessment, shall take one of the following decisions:

- 1) corresponds to the position held;
- 2) does not correspond to the position held.

Footnote. Paragraph 37 as amended by order of the Chairman of the Agency of the Republic of Kazakhstan for Civil Service Affairs and Anti-Corruption No. 282 dated December 20, 2018 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

38. The decision of the attestation commission shall be made open or by vote at the discretion of the attestation commission.

39. Decisions of the attestation commission shall be drawn up in a protocol that shall be signed by the members of the attestation commission and the secretary who are present at its meeting.

40. When conducting meetings of the attestation commission, the secretary shall make video and / or audio recordings.

41. The adoption by the attestation commission of a decision on the employee's inconsistency with the position held shall be the basis for termination of the employment contract with him in accordance with subparagraph 4) of paragraph 1 of Article 52 of the Labor Code.

42. The decision of the attestation commission within a month shall be approved by the order of the head of the organization.

The approved decision of the attestation commission shall be entered into the assessment sheet of the employee, with which he shall be familiarized by the personnel service .

In case of refusal of the employee to familiarize with the assessment sheet, an act shall be drawn up on the refusal of familiarization in any form.

43. The assessment sheet of the employee, the efficiency report for him shall be kept in a personal file.

Video and / or audio recording of the meeting of the attestation commission shall be transferred to the personnel service for storage.

Chapter 4. Appeal of decisions of the attestation commission

44. Employees may appeal the decision of the attestation commission to the head of the organization or to a court in the manner established by the legislation of the Republic of Kazakhstan.

45. In cases of violations of assessment, the head of the organization may cancel the decisions of the attestation commission and conduct re-assessment in accordance with paragraph 37 of these Rules.

Appendix 1
to the Rules and terms for
conducting the attestation of civil
servants of the Agency
of the Republic of Kazakhstan
for Civil Service Affairs

Footnote. The text in the upper right corner of Appendix 1 is in the wording of the order of the Chairman of the Agency of the Republic of Kazakhstan for Civil Service Affairs No. 131 dated 25.08.2020 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

The form

Assessment sheet

Assessment type: ; regular - ; repeated -
(mark as necessary with an X)

1. Surname, name, patronymic (if any)

2. Date of birth " ____ " _____ 19 ____

3. Information on education, on advanced training (for the last 3 years), retraining (when and what educational institution he graduated from, specialty and qualification by education, documents on raising qualifications , retraining e)

4. Academic degree, academic rank (if any), date of their assignment

5. Position held and date of appointment

6. Total length of service - _____

7. Work experience as civil servant - _____

8. Comments and suggestions made by members of the assessment

Commission : _____

9. The opinion of the employee being assessed:

10. Evaluation of the activities of a civil servant by immediate superior pursuant to the efficiency report of the employee being assessed:

11. The meeting was attended by _____ members of the attestation commission.

12. Performance evaluation of a civil servant following the results of the vote according to the attached assessment sheet, filled in by each member of the attestation commission:

1) corresponds to the position held (number of votes) _____;

2) is subject to re-assessment (number of votes) _____ ; *

3) does not correspond to the animated position (number of votes)

13. Recommendations of the attestation commission (indicating motives for which they are given) _____

14. Notes _____

Chairman of the attestation commission: _____
(signature, clarification of signature)

Vice-Chairman of the attestation commission:

(signature, clarification of signature)

Secretary of the attestation commission: _____

(signature, clarification of signature)

Members of the attestation commission: _____

(signature, clarification of signature)

(signature, clarification of signature)

(signature, clarification of signature)

(signature, clarification of signature)

Date of assessment " ____ " _____ 20 ____

The decision of the head of the organization on the basis of assessment

Read, understood and signed the assessment sheet: _____

(signature of the civil servant, clarification of signature, date)

Stamp of the organization

Note: * shall not be given in case of re-assessment

Appendix 2
to the Rules and terms for
conducting the attestation of civil
servants of the Agency
of the Republic of Kazakhstan
for Civil Service Affairs

Footnote. The text in the upper right corner of Appendix 2 is in the wording of the order of the Chairman of the Agency of the Republic of Kazakhstan for Civil Service Affairs No. 131 dated 25.08.2020 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

The form

**Assessment sheet
for a civil servant subjected to assessment
(shall be filled by the member of the attestation commission)**

Type of assessment: regular - | ____ |; repeated - | ____ |

(mark as necessary with an X)

FULL NAME. _____

Position _____

Assessment of the employee being assessed

(excellent , good, satisfactory, unsatisfactory)

Decision of a member of the attestation commission (one of the following:
corresponds to the position held; subject to re- assessment *;
does not correspond to the position held):

Justification by a member of the attestation commission of its decision:

Member of the attestation commission

(Full name (if any), signature)

Secretary of the attestation commission

(Full name (if any), signature)

Date ____ 20__

** shall not be recorded in case of re-assessment*