

**PUBLIC
SERVICES
COMMISSION**

CODE OF CONDUCT

DECEMBER 2014

TABLE OF CONTENTS

			PAGE
1.0	PART I	INTRODUCTION	1
2.0	PART II	CODE OF CONDUCT	3
3.0	PART III	GUIDING PRINCIPLES OF THE CODE	4
4.0	PART IV	MISCELLANEOUS	8
5.0	PART V	DEFINITION OF KEY TERMS	9

PART I

1.0 INTRODUCTION

The Public Services Commission (PSC) is the Central Management Agency (CMA) responsible for providing strategic policy guidance for human resource management in the public service organizations listed under Article 190 (1) of the 1992 Constitution.

1.1 Constitutional Mandate

Article 196 of the 1992 Constitution provides that "The Public Services Commission shall have such powers and exercise such supervisory, regulatory and consultative functions as Parliament shall, by law, prescribe, including as may be applicable, the supervision and regulation of, entrance and promotion examinations, recruitment and appointment into or promotions within, the public services, and the establishment of standards and guidelines on the terms and conditions of employment in the public services." Article 197 further stipulates that, "The Public Services Commission may, subject to the approval of the President, make regulations, by constitutional instrument, for the effective and efficient performance of its functions under this Constitution or any other law."

1.2 Our Vision

"A Public Services Commission whose guidelines and advice result in a well-managed workforce capable of, and committed to delivering high quality services to the people of Ghana."

1.3 Our Mission

"To safeguard and promote integrity, accountability and competence in public service organizations in Ghana through advisory, consultative, regulatory and supervisory services."

1.4 Core Values of the Commission

We strive for accountability, integrity, transparency, efficiency and effectiveness through:

- a) fairness;
- b) confidentiality;
- c) meritocracy;
- d) equity; and,
- e) timely delivery of quality services.

1.5 Functions of the Commission

The functions of the PSC, as prescribed in the Commission's enabling Act 1994, Act 482, are the following:

- a) to advise Government on the criteria for appointment to public offices as well as persons to hold or act in public offices;
- b) to promote efficiency, accountability and integrity in the Public Services;
- c) to prescribe appropriate systems and procedures for the management of personnel records within the Public Services;
- d) to identify, explore and promote the recruitment of suitable personnel into the Public Services, acting in collaboration with educational authorities;
- e) to undertake the planning of the manpower requirements of the Public Services, using data from the educational institutions and other sources;
- f) to improve recruitment policies and techniques by introducing modern methods of judging the suitability of officers;
- g) to conduct examinations and interviews for appointments to posts and for promotions in the Public Services or within public corporations to ensure uniformity of standards of selection qualifications;
- h) to review the organization, structure and manpower requirements of agencies and bodies in the Public Services and advise Government on such manpower rationalizations as may be necessary for maximum utilization of human resources in the Public Services;
- i) to oversee the human resources development activities of the Public Services organizations to ensure career planning and career development in the Public Services;
- j) to conduct, in collaboration with training institutions, personnel research into human resources management in the Public Services in order to improve personnel practices and their utilization in the Public Services; and,
- k) to perform any other duties assigned to it under the Constitution or any other enactment.

1.6 The Organisational Structure

To deliver on its mandate, the Commission operates under the following four (4) divisions:

- a) Human Resource Policy Division (HRPD);
- b) Research, Information, Monitoring and Evaluation Division (RIMED);
- c) Management Services Division (MSD); and,
- d) Finance and Administration Division (F&AD).

PART II

2.0 CODE OF CONDUCT

The Public Services Commission as a public service organisation is enjoined to develop and implement a code of conduct to regulate the conduct of its staff. Codes of Conduct for public officers typically set out values, principles and standards of acceptable ethical behavior and conduct. Such codes are important pillars for the entrenchment of good governance principles, and are used to combat corruption, enhance public confidence, public accountability and integrity in the Public Service.

Chapter 24 of the 1992 Constitution of Ghana requires public officers to avoid unethical behavior or conduct, such as conflict of interest, illicit enrichment and other improper conduct.

The Code of Conduct forms part of continuing efforts to develop systems and strategies to promote integrity, probity and accountability, dedicated and faithful service to the Republic of Ghana.

This Code of Conduct embodies ethical obligations and serves as the ultimate terms of reference and guide. It encapsulates a vision of excellence, of what public officers at the Commission should be striving to achieve. The Code also seeks to promote integrity, probity and accountability, dedicated and faithful service to the Commission and the Republic of Ghana. It aims at assisting and guiding staff of the Commission on how to handle ethical dilemmas that they may encounter through their official and private activities. The Code is very important because it offers the framework within which the staff can carry out their public duties and responsibilities. Public office is a position of trust, implying a duty to act in the public interest. Therefore, the ultimate loyalty of the staff shall be to the public interests.

2.1 What is Expected of Staff of the Commission

In view of the staff's role and responsibility, s/he is expected to be a person of high moral character and integrity. Furthermore, the staff is expected to be a law-abiding and committed individual who shows proper care for public assets, behaves ethically and discharges his/her duties and responsibility efficiently and effectively with decency and dignity.

PART III

3.0 GUIDING PRINCIPLES OF THE CODE

3.1 Standards in our laws

The values and ethics of the public service are contained in the 1992 Constitution of Ghana, which is the main source of guidance in ethical behaviour for all Ghanaians. The Core Values are “freedom, justice, probity and accountability” (Preamble) and the Standards of Behaviour/Conduct for public officials are mainly spelt out in Chapter 24 which states:

“a public officer shall not put himself in a position where his personal interest conflicts or is likely to conflict with the performance of the functions of his office” (Article 284);

no person shall be appointed or act as the Chairman of the governing body of a public corporation or authority while he holds a position in the service of that corporation or authority (Article 285); and,

a person who holds a public office mentioned in clause (5) of Article 286 shall submit to the Auditor-General a written declaration of all property or assets owned by, or liabilities owed by, him whether directly or indirectly (286 (1):

- a) within three (3) months after the coming into force of the Constitution or before taking office, as the case may be;
- b) at the end of every four years; and,
- c) at the end of his term of office.

Any property or assets acquired by a public officer after the initial declaration and which is not reasonably attributable to income, gift, loan, inheritance or any other reasonable source shall be deemed to have been acquired in contravention of this Constitution. (art. 286 (4).

In the discharge of their roles and responsibilities, staff of the Commission shall:

- a) be accountable to the people they serve and shall discharge their duties with utmost responsibility, integrity, competence, and loyalty.
- b) foster patriotism and justice.
- c) lead modest lives, and uphold public interest over personal interest;
- d) promote good governance, transparency and accountability to improve the image of the Commission and the Public Service as a whole; and,
- e) promote selfless, dedicated and faithful service to the Commission and the Republic of Ghana.

3.2 Principles and Values in the Code of Conduct

PRINCIPLE 1

Honour and abide by the Constitution and the laws of Ghana in the performance of his/her official duties with dignity, integrity and professionalism.

Staff of the Public Services Commission shall:

- a) serve the Commission and the State with honesty, fairness, integrity, neutrality and impartiality; and,
- b) ensure that his/her personal interest or activities do not interfere with or appear to interfere with the obligations to serve the Commission, the State and the citizenry.

PRINCIPLE 2

Perform his/her official duties with honesty and efficiency, adhering to appropriate standards.

Staff of the Public Services Commission shall:

- a) at all times have the Commission and the public interest in mind;
- b) protect non-public, confidential and classified information at all times;
- c) not disclose non-public, confidential and classified information without written authority;
- d) not seek or obtain personal or private benefit from the use of information acquired in the course of his/her official duties; and,
- e) serve the Commission, the State and the public in an unbiased and impartial manner.

PRINCIPLE 3

Refrain from bringing the Commission and or the Public Services into disrepute through his/her official or private activities and conduct.

A staff of the Public Services Commission shall not:

- a) allow his/her personal interest, activities or conduct to interfere with or appear to interfere with the performance of his/her duties or functions;
- b) engage in any activity that may influence or give the appearance of impropriety in the performance of his/her official duties; and,
- c) conduct him/herself in a manner that undermines the integrity of the Commission and the public service.

PRINCIPLE 4

Avoid putting him/herself in a position where his/her personal interest conflicts or is likely to conflict with the performance of his/her functions/duties.

A staff of the Public Services Commission shall not:

- a) use his/her public office directly or indirectly for private gain;
- b) solicit gifts or favours directly or indirectly from any person in the performance of his/her duty;
- c) accept gifts or favours directly or indirectly from any person when such gifts or favours may compromise the objective performance of his/her official duties;
- d) use, or permit the use of state property for activities not associated with the performance of their official duties; and,
- e) on exit from the employment of the Commission take improper advantage of the public officer's previous office to unduly influence the performance of any staff of the Commission.

PRINCIPLE 5

Maintain political neutrality in the performance of their official duties.

A staff of the Public Services Commission shall:

- a) maintain political neutrality in the performance of his/her duties;
- b) not in the performance of his/her official duties, act as an agent of, or further the interest of, a political party; and,
- c) not engage in political activity that may compromise or be seen to compromise the political neutrality of his/her office.

PRINCIPLE 6

Adhere to the guiding principles of public life.

The staff of the Public Services Commission shall adhere to the following:

- a) Selflessness
A staff of the Public Services Commission shall take decisions solely in the interest of the public and not to gain financial or other material benefits for him/herself, family or friends.
- b) Integrity
A staff of the Public Services Commission shall not place him/herself under any financial or other obligation to any individual or organizations that might influence him/her in the performance of his/her official duties.
- c) Justice and Fairness

In carrying out official business, including making appointments, promotions, awarding contracts, or recommending individuals for rewards and benefits etc., e Public Services Commission staff shall make choices based solely on merit.

d) Accountability

A staff of the Public Services Commission shall be responsible to the Government, the Commission, public service organisations and the public in general for his/her decisions, actions and inactions, and shall submit him/herself to scrutiny, where appropriate.

e) Transparency

A staff of the Public Services Commission shall be as open as possible about all the decision making processes and actions thereon. He/she shall restrict access to information unless appropriate approval is obtained.

f) Excellence

A staff of the Public Services Commission shall strive to excel in his/her endeavours, be an example to others and encourage others to follow his/her footsteps.

PART IV

4.0 MISCELLANEOUS

4.1 Reporting Mechanism

Where there is a breach of this code, a report or complaint may be lodged with the following as appropriate:

- a) immediate supervisor;
- b) Head of Division;
- c) Secretary to the Commission;
- d) Chairman , Public Service Commission;
- e) CHRAJ; or,
- f) any other body or authority as by law provided.

4.2 Where to Get Help

- a) Ethics Desk -Public Services Commission;
- b) CHRAJ; and,
- c) The National Ethics Advisory Committee.

PART V

5.0 DEFINITION OF KEY TERMS

- a) Conduct** – a behaviour, attitude and/or character exhibited by any staff within and outside the working environment. The standards of conduct generally required of any staff of the PSC would be excellence, selflessness, competence, integrity, impartiality, fairness, and honesty in matters affecting work and status in society.
- b) Misconduct** - any act or omission by a staff of the PSC without reasonable cause which:
- i. amounts to a failure to perform in a proper manner any duty imposed on him/her or;
 - ii. contravenes any enactment relating to the PSC and the public service generally;
 - iii. is otherwise prejudicial to the efficient conduct of functions of the Commission; and,
 - iv. tends to bring the Commission and the public service as a whole into disrepute, for example conviction, fraud, dishonesty or moral turpitude.
- c) Advantage** – includes gift, loan, reward, commission, employment or contract, service or favour and exercise of right or power.
- d) Classified Information** – includes information marked or determined as “top secret”, “secret”, “confidential” unauthorised person may cause harm to the nation or institution.
- e) Conflict of Interest** – refers to a situation where a public officer's personal interest conflicts with or is likely to conflict with the functions of his/her office.
- f) Gift** – something of value given without the expectation of receiving something in return.
- g) Non-Public Information** – information that a public officer gains by reason of the public officer's employment and which the public officer knows or reasonably ought to know has not been made available to the general public nor has been authorised to be made available to the public on request.

- h) Private Interest** – is financial or other interest of the public officer and those of:
- i. family members, relatives;
 - ii. personal friends;
 - iii. clubs and associations; and,
 - iv. Persons to whom the public officer owes a favour or is obligated.
- i) Professionalism** – high standard (performance) expected from a person well trained in a particular job.
- j) Public Officer** – a person who holds Public Office.
- k) Public Office** – includes an office, the emoluments attached to which are paid directly from the consolidated Fund or directly out of monies provided by established entirely out of public funds or monies provided by Parliament.
- l) The types of misconduct, the grievance procedures and penalties applicable to staff of the Commission are provided in the Commission's Conditions of Service and the HRM Policy Framework and Manual.**