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Operationalization of Ghana’s civil service code of conduct

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ABSTRACT
This paper examines the internal and external challenges to the implementation of the code of conduct in the Ghana’s civil service using the Controller and Accountant General’s Department (CAGD) as a case study. The main internal challenges to the implementation of the civil service code of conduct at CAGD were found to be: the categories of staff affected by the code of conduct; ‘immunity’ from sanctions, nepotism; and limited checks on enforcement mechanisms. The key external challenges to the implementation of the civil service code of conduct at the CAGD are discussed in the paper and the authors make five important policy suggestions to enhance effectiveness of the implementation process. The suggestions will have value in countries with developing administrative systems.

IMPACT
Enforcing of codes of conduct in many public sector organizations in Ghana and other developing countries can be difficult. Cronyism, nepotism and other non-merit considerations in appointments and promotions can result in employees openly flouting codes of conduct. Governments must empower their civil services to come up with well-enforced mechanisms to ensure full compliance with that country’s public sector code of conduct. This paper explains how policy-makers in developing countries can move forward to prevent code violations and to resist political interference in civil service operations.

KEYWORDS
Code of conduct; effectiveness; ethics challenges; implementation; public sector

Introduction
Promoting an ethical workforce requires codes of conduct to structure and regulate the behaviours of an organization’s personnel. Codes of conduct denote a set of values and rules that govern the way social institutions should behave towards their stakeholders and the way stakeholders (particularly employees) should behave toward the institution and each other (Carson, McGill, & Baetz, 2008). Codes are not recent arrangements but have antecedents in the 18th century (Gilman, 2005) when they served as strategic tools for socializing norms and values, whether religious, professional or civic codes. Early examples of codes of conduct include the Ten Commandments (Ali and Gibbs, 1998), Pericles’ Athenian code and the Hippocratic oath (Davey, 2001). In contemporary times, codes have been recognized as useful in the administration of public services in many countries in the world (Benavides & Dicke, 2016; Thaler & Helmig, 2016).

Studies have been done on codes of conduct and their implementation, especially in developed countries like the USA, and UK (Blewitt, 2008; Garrod & Fennell, 2004) and developing African countries (Nurunnabi, 2015; Sakyi & Bawole, 2010). Sakyi and Bawole (2010) examined how leadership factors influence enforcement of codes in some African countries. They found that many of these countries had a code of conduct in place for public officials, yet these were generally poorly enforced. Meanwhile, a recent study by Bailey (2018) demonstrates the importance of an ethical civil service and the need to promote ethics among public officials. Although there are structural and institutional mechanisms to ensure the operationalization of codes of conduct in Ghana, enforcement is problematic—resulting in immoral and corrupt behaviour in many public organizations.

This paper fills a gap in the academic literature by examining the internal and external challenges to the implementation of codes of conduct in the civil service. The focus is on the Controller and Accountant General’s Department (CAGD) in Ghana. We had three key research questions:

- To what extent do public employees demonstrate awareness of the civil service code of conduct?
- What militates against the implementation of the code of conduct?
- How could implementation be made more effective?
Conceptual overview

Codes of conduct are generally broad, encouraging groups and individual employees to show and espouse particular characteristics such as honesty, loyalty, selflessness, objectivity, probity and integrity (Fisher & Alan, 2006). Carson et al. (2008) define ‘code of conduct’ as a set of values and rules that govern the way social institutions should behave toward their shareholders and the way stakeholders (particularly employees) should behave towards both the institution and each other.

The Ghanaian civil service code of conduct is intended to be a guide to the civil servants in Ghana on how to deal with their key stakeholders—the government, civil service organizations and the general public. Administrative sanctions are in place to be applied to any civil servant who does not follow the code’s guiding principles (Ghana Civil Service, 2018). The 1992 Constitution of the Republic of Ghana includes code of conduct provisions for public officers (articles 289 to 292), relating, for example, to conflicts of interest, other public appointments, declaration of assets and liabilities. Sakyi and Bawole (2010) note that the Ghanaian civil service is guided by the following principles: selflessness, integrity, justice and fairness, accountability, transparency and leadership. These are linked with enforcement provisions in the constitution. Figure 1 highlights key provisions for civil servants’ behaviour in Ghana’s civil service code of conduct.

The deontological approach

Deontological theory is applied in this paper to explain the values and principles which determine which action may be regarded as ethical or unethical, right or wrong, acceptable or unacceptable. Deontology originates from the Greek words ‘deon’ (duty) and ‘logos’ (science), so it means the science of duty (Hallgarth, 2012). Socrates, Immanuel Kant and other scholars contributed to the theory of deontology. While Socrates argued that people will conform to moral principles to determine whether an action is ethical or not, Kant’s view was that there are some moral obligations that are obtained absolutely, irrespective of the consequences produced (Kant, 2017). The theory is also useful for ‘unpacking’ a code of conduct and understanding implementation in organizations.

The deontological approach is principles-based and hinges on a set of agreed principles that guide the decisions of civil servants. The means cannot be divorced from the ends and the public administrator must necessarily apply the principles or codes in order to act ethically; the moral law is absolute and supreme (Hallgarth, 2012). The theory contends that adherence to the codes is compulsory and that any individual who fails to comply must face agreed upon sanctions.

Linking the deontological approach to the implementation of Ghana’s civil service code of conduct

One of the basic values governing public administration enshrined in Ghana’s constitution (chapter 24) is a high standard of professional ethics. This suggests that public officials are assigned some duties, principles or ideals which are expected to be adhered to in their day-to-day activities. Professionals in the Ghanaian

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8 (1) Civil servants should conduct themselves in accordance with the standards of integrity, impartiality and honesty in dealing with ministers, members of parliament and the public. They should make honest and impartial information relevant to a decision, available to ministers. They should not deceive or knowingly mislead ministers, parliament or the public.

12 The Constitution of Ghana confers rights on all citizens of Ghana, including the civil service to join political party or association of their choice. However, by virtue of the traditional role of the civil service to serve the government of the day loyally, and to maintain the confidence of any future administration, a civil servant may not:

(a) Accept any office paid or unpaid, permanent or temporary, in any political party or association.

(b) Declare himself/herself openly as a registered member or a political party or association.

(c) Indicate publicly his/her support for any party, candidate or policy.

(d) Make speeches or join in demonstrations in favour of any political person or party.

(e) Engage in activities which are likely to involve him/her in political controversy.
public service are required to demonstrate ethical behavior in the workplace. According to Section 8(1) of the Ghana civil service code of conduct, civil servants ‘should conduct themselves in accordance with the standards of integrity, impartiality and honesty in dealing with ministers, members of parliament and the public’. It is the responsibility of workers to adhere to the principles or core values of their organization. By so doing, employees will behave responsibly and be committed to their work (Akosa, Asare, Essah-Koli, & Twerefoo, 2018). Scholars (for example Griffin & Herres, 2002) have argued that, if someone makes a promise, they have to keep it. Individuals who accept appointment letters from employers therefore indirectly agree to abide by the rules and regulations of that organization.

Relating this to the Ghana’s civil service code of conduct, if an individual has accepted a job in the Ghana civil service they must conform to the civil service code of conduct. When individuals are employed by an organization, they have a responsibility to comply with all of that organization’s demands and codes. The deontological approach enables individuals at the workplace to know the ‘rights’ and ‘wrongs’. The provision of rights and wrongs and knowledge of dos and don’ts through codes of conduct enable workers to understand what is expected from them in their workplace which helps in managing ethics among workers (Bromley & Orchard, 2016).

Research methods and study context

Study context

The case study organization, the CAGD, is a public service body that supervises government accounts and is also in charge of processing the salaries of all public sector workers in Ghana. The CAGD consists of the following divisions: finance and administration, treasury, financial management service, payroll management, audit and investigation, and information and communication technology management. One of the perceived ethical challenges at the CAGD is a weak punishment system for staff involved in corrupt activities, for example misappropriating public funds.

Research design

A qualitative approach was employed to explore the inherent challenges militating against effective implementation of professional code of conduct in the civil service of. The qualitative approach enabled the researchers to develop in-depth understanding of the code of conduct (Boateng, 2014). The study made use of both secondary and primary sources of data. The secondary data comprised the civil service professional codes of conduct, as well as other relevant published and unpublished materials on codes of conduct. Additionally, relevant information from the internet and newspapers were used in the study. Primary data for the analysis and discussion were gathered through one-on-one interviews with selected CAGD officials and workers. A total of 30 respondents was selected for the study. The key respondents involved 12 officials from the finance and administration department; six respondents from the audit and investigation unit; six from the ICT management department; four from the financial management services unit; and two from the payroll management and treasury unit.

Seven of the officials interviewed had worked from one to five years at the CAGD; nine had worked from six to 10 years at the CAGD; five had worked for 11 to 15 years; and six workers had been with the CAGD for over 20 years. Three workers did not indicate the number of years they had worked at the CAGD. Therefore, the majority of the respondents were experienced individuals who had worked for over 10 years. Sixteen were male and 14 female. Thematic analysis was used to identify, analyse and report patterns within the data (Braun & Clarke, 2006). This was done in relation to the research questions to enable the researchers make logical deductions and conclusions (Huberman & Miles, 2002). Sub-themes were also generated from main themes until the point where no new themes were discovered by the researchers.

Findings

Awareness of the existence of Ghana’s civil service code of conduct

The first objective of the study was to assess awareness or knowledge level about the code of conduct. Twenty-eight respondents (93%) were aware of the code of conduct at the CAGD and understood that going against the code could have consequences. However, two respondents did not indicate their position on their awareness of the code of conduct. Some respondents referred to code of conduct as the dos and don’ts of civil servants working at the CAGD.

Implementation of the code of conduct at CAGD

A large number of respondents said that the nature of enforcement of the code of conduct at the CAGD needed to be retooled. The key evidence for improving enforcement of the code of conduct is discussed below.

Disciplinary actions against deviants

Various forms of disciplinary actions have been instituted to punish workers who have been found guilty of misconduct and to deter other people from doing
so. An example of the disciplinary actions indicated by respondents included fining workers if public money had been misspent. For example, the CAGD reported and handed over to the Bureau of National Investigation (BNI) workers who connived with student teachers in the Ashanti region of Ghana to defraud the state (Today, 2016).

**Training**

Training is an effective mechanism for enforcing a code of conduct. One respondent indicated that new entrants to the CAGD were being educated about the code of conduct. Interviewees also revealed that civil service training seeks to empower workers to adopt the code of conduct as a guide for day-to-day management of staff behaviour. An official told us:

All new employees should be educated on the code as soon as they are employed. This will guide them on how to conduct themselves in the organization.

**Rewards**

Rewarding workers who adhere to a code of conduct in the workplace can help in the effective implementation of that code of conduct. Individuals who adhere to the code at the CAGD are sometimes recommended for promotion or awards. For example, there is a ‘best civil servant award’ at the CAGD. These practices have encouraged staff to follow the CAGD code to receive promotions and awards.

**Making the code of conduct accessible**

Providing a copy of the code of conduct to each new entrant is an obvious way of making it accessible. A key official went further and suggested that the civil service code of conduct should be available at every tertiary institution in the country to prepare students for the job market. One respondent at the finance department said there was a need to simplify the code of conduct because it could be hard to follow. For instance, simple handouts on the code of conduct could be made available to all staff. Publishing the code of conduct on the internet would be another way of making the document available to all workers and to the interested public. Ghana’s Public Service Commission (2018) indicated that the code of conduct could be made more accessible to workers by displaying it in strategic places such as meeting-rooms and the canteen.

**Creating awareness**

Continuous awareness creation among workers concerning the code of conduct would help in its effective implementation. Awareness can be created through staff meetings, seminars, noticeboards and workshops. Awareness could also be built using social media like WhatsApp or Facebook. In addition, the general public could be made more aware of the code and its sanctions for misconduct.

**How CAGD management enforces the code of conduct**

Our interviewees revealed that management influences the enforcement of the code of conduct through disciplinary actions and reform programmes. The department’s disciplinary committee (DDC) ensures that workers who violate the code are dealt with. There is an appeal committee in place to ensure that the code of conduct is applied fairly.

Reforms in Ghana’s public sector are a strategic tool that trigger motivation in terms of professionalism, transformation and modernization for the improvement of institutions and processes.

When workers are posted or transferred to CAGD, management organizes training or orientation programmes for them. Newly-recruited staff are provided with an overview of the civil service code of conduct during their orientation. At the time of this study, CAGD was still engaged in educating newly-recruited staff about the code of conduct in quarterly newsletters. Based on the responses from participants, reform programmes at CAGD are providing adequate information and education on the code of conduct.

**Challenges to the implementation of the civil service code of conduct**

Our findings, on the surface, suggested the civil service code of conduct is being used in the CAGD. However, an in-depth interaction with respondents revealed some internal challenges militating against the effective operationalization of the code of conduct.

**Cherry-picking in implementation**

A majority of the officials (19 out of the 30 respondents; 63.33%) interviewed disclosed that the code of conduct mainly affects only junior and middle-level staff at the CAGD, who can be used as scape-goats to protect senior management from punishment:

… the code of conduct affects only the lower and middle-level staff, the top-level officials appear to go unpunished when they violate the rules and regulation spelt out in the code of conduct.

… a junior staff member is suspended if their actions are contrary to the tenets of the code of conduct of the organization. Nevertheless, the same offence by a senior will not require suspension. Lesser sanction such as refusal for promotion would be applied in the case of the senior staff.
Protection from sanctions
Another internal challenge to the implementation of the civil service code of conduct at CAGD is shielding workers from sanctions. This happens when management has personal or social relations with someone who has violated the code. Sometimes, they are simply transferred to other departments within the service. An official revealed:

Yes, management sometimes hinders the process by tempering justice with mercy. Instead of giving the appropriate sanctions, they base the sanction on personal relationship.

It is against such backdrop that one respondent attributed all the challenges to internal problems:

…I am not aware of any external challenges to the implementation of the code of conduct in this organization, the challenges are within the organization.

Fundamentally, the code of conduct for the Ghanaian civil service needs to ensure that all civil servants conform to the appropriate norms and standards of behaviour (Moeketsi, 2000). Operationalization of the code needs to occur in a uniform fashion.

Nepotism and favouritism
Both nepotism and favouritism on the part of some managers to their preferred subordinates can be a challenge to the implementation of the code of conduct in the civil service. Some respondents indicated that management at the CAGD interfered with effective operationalization of the codes by remaining silent despite the fact that some workers were selling and buying products at work. This trading was often ignored by management because of an association with the individuals involved and this is not conducive to effective implementation of the code of conduct at CAGD. Internal interferences in the implementation of the code of conduct in the organization negatively affect staff members standards of behaviour and their attitude to work (see Yeboah-Assiamah, Asamoah, Bawole, & Buabeng, 2016).

Limited checks on enforcement
There are limited checks on the mechanisms used to enforce the implementation of the code of conduct. There are no clear and explicit mechanisms for enforcing the code of conduct at the CAGD. Due to the limited checks, mechanisms normally used by the CAGD are recommendations from the DDC to freeze an offender’s salary or other benefits. There have also been suspensions and demotions. Because the mechanisms to enforce the code of conduct are not very clear, some respondents felt that the code of conduct it was not enforced:

…I haven’t seen any mechanisms put in place to ensure enforcement of the code in this organization, because it is issued by the head of civil service.

Other respondents indicated that although disciplinary committees, attendance records and other devices have been put in place to enforce the code of conduct, no-one was monitoring whether the measures put in place had achieved their purpose. These findings confirm similar arguments by Hall and Taylor (1996) who indicated that some of the challenges observed in the public sector of developing countries include poor supervision and monitoring leading to ineffective implementation of codes of conduct. The behaviours of individuals and the mechanisms that are put in place to check the conduct of people are better understood in terms of rational choice theory, i.e. the extent to which flouting of institutions/rules will come with sanctions. Individuals are likely to weigh the benefits and possible sanctions of unethical behaviour (Hall & Taylor, 1996).

External challenges to the implementation of the civil service code of conduct
The majority of the respondents said that there were also external challenges to the implementation of the civil service code of conduct.

Ethnic and political interferences
Ethnic and tribal interferences were reported to be major external challenges to the implementation of the civil service code of conduct in Ghana:

…people are appointed to work in the civil service not because they merit and have deeper insight into the code of conduct of the organization but rather on their ethnic and tribal background.

Top-level managers and officials mostly have political ‘godfathers’ in government who shield them from punishment and other sanctions. The Ghanaian civil service appears politicized in that when recruiting people into the service—partisan politics considerations and political calculations tend to underpin such decisions (Appiah & Abdulai, 2017). More often than not, if a member of the public service is facing sanctions after breaking the code, their political links can be used to excuse them, for example with officials hiding behind technicalities (see Yeboah-Assiamah & Alesu-Dordzi, 2016).

Difficulties in accessing the code of conduct document
Respondents revealed that can be difficult to access the code of conduct document. One respondent said that the code of conduct document should be attached to an individual’s appointment letter:
The code of conduct should be the first document issued together with the appointment letter for the worker to read and assess whether he/she will be able to abide by all the rules and regulations before accepting the organization’s appointment letter.

**Inadequate resources to build capacity**

Another major challenge revealed by respondents is resources to build capacity at the CAGD so as to enable the effective implementation of the civil service code of conduct. An official indicated that, the civil service fails to effectively implement the code of conduct because of inadequate resources to build capacity at the CAGD. There are limited resources to train and manage the workers at the CAGD.

**Optimizing implementation**

Concerning mechanisms to improve the use of the code of conduct, our respondents indicated that management should demonstrate interest in the code of conduct. Management should ensure that workers who violate the code are punished. Sims and Brinkman (2003) said that leaders should serve as examples or models to sustain a workplace code of conduct. Supervisors and directors must abide by the rules and regulations that govern the organization so as to induce or encourage other workers to do same (see Weinberg, 2014). A study in Israel by Beeri, Dayan, Vigoda-Gadot, and Werner (2013) noted that ethical leadership positively related to employees’ awareness of a code of ethics.

**Conclusions and policy implications**

This paper has presented key issues regarding the use of code of conduct of the civil service in Ghana using the CAGD as a case study. The main internal challenges affecting the implementation of the civil service code of conduct at the CAGD were cherry-picking staff members who will face sanctions (junior and middle-level staff only), immunity from sanctions, issues relating to nepotism in personnel management, and limited checks on enforcement.

External challenges to the implementation of the civil service code of conduct included ethnic and political interferences, as well as difficulties in accessing the code of conduct document. Although there is a civil service code of conduct in Ghana, its enforcement and compliance appears to occur in a non-uniform fashion with most people ‘getting away with it’, with a few, lower-level staff who were not politically or managerially connected used as scape-goats. These cherry-picking issues are serious: Adam and Rachman-Moore (2004) contend that code of ethics is only effective when interspersed with the right ethical behaviour from managers in terms of conformity and implementation. Stevens (2009) puts it, ‘members respond to visible justice, so if managers’ or employees’ behaviours do not match the code and nothing happens, it will fail’ (p. 16). In their discussion on code of conduct violations, Nitsch, Baetz, and Hughes (2005) note that employees develop frustration, anger and cynicism when code violations are unchecked and go unpunished. It is prudent for organizational leaders to demonstrate fairness and justice in the implementation of code of ethics uniformly because workers are rational beings sensitive to values of fairness and unfairness which has implication on trust (Wolfe, Rojek, Manjarrez, & Rojek, 2018). Michel and Hargis (2017) contend that procedural injustice has implication on deviant behaviour among public sector workers.

Our paper explains that maintaining an ethical climate in the civil service requires individuals to follow the code of conduct. Cronyism, nepotism and other non-merit considerations in appointments and promotions place public sector organizations in a situation where employees can openly flout codes of conduct. In their study in Norway, Marnburg (2000) observed that the mere existence of a code does not necessarily impact the attitudes of workers and that staff need to acknowledge, accept and abide by the code. We conclude that by not properly enforcing the code of conduct, the Ghana civil service is lacking in professionalism, with many staff members who are suspicious of top management. This is in line with a study by Murtaza, Shad, Shahzad, Shah, and Khan (2011) which observed that ‘procedural and distributive justice have positive and significant effect on employees’ commitment, with procedural justice having stronger effect’ (p. 73).

Based on the conclusions of this study, we have some recommendations to address the internal and external challenges in the implementation of the civil service code of conduct in Ghana. These apply to other developing public administrations.

First, more efforts should be made to communicate and explain the code of conduct to employees, so that they know what is expected of them and what to avoid. Employees will have no justification for violating the code because they will be fully aware of the consequences of their actions. Serious efforts should be made to target clients or customers (citizens) to make them aware of the civil service code of conduct so that they could hold civil servants accountable if the code is violated. Organizations need to encourage communication, encourage whistle-blowing and avoid a culture of silence. Citing the Enron case, Perlow and Williams (2003) discuss a culture of silence where the organizational climate made workers feel that they could not discuss the unethical practices going on in the organization.

Second, staff could be made aware of the principles on the code via social media. For example by sending
WhatsApp or SMS messages to staff on a routine basis. Relevant sections and portions could be sent in on regular basis and not as a long document just once.

Third, top-level management in the civil service should ensure that people who violate the code of conduct are punished or sanctioned accordingly. Codes are meaningless if there are no well-enforced mechanisms to ensure full compliance (see Yeboah-Assiamah, Muller, & Domfeh, 2017).

Fourth, punishments and sanctions need to be seen to be being fairly applied. Any kind of favouritism needs to be dealt with to move forward. Finally, management of the civil service needs to put in place strict measures to resist political interference in its operations. For example setting up independent committees to investigate violations of the code of conduct.

This paper is based on in-depth interviews with a cross-section of public servants selected from the CAGD and not a general survey of all employees in the sector. Although the approach provided us with a deeper overview of the code of conduct and its ramifications, it nonetheless has limitations on the study as the conclusions cannot necessarily be generalized.

Disclosure statement
No potential conflict of interest was reported by the author(s).

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