I. THE GENERAL STRUCTURE OF PUBLIC ADMINISTRATION

1.1- THE STATE AND ITS CONSTITUTIONAL BASIS

The Constitution of the Fourth Republic (1992) defines the overall structure of the public administration system in Ghana. The main features of the system are as follows:

− An elected President for a maximum tenure of 2 terms of 4 years per term.
− A national Parliament/Legislature with 200 members elected for a 4-year term.
− A local government system with 110 elected Assemblies spread across all the 10 geographic regions. The Assemblies have authority to raise local taxes.
− Ten Regional Coordinating Councils, which represent the interests of the central government in the 10 geographic regions of Ghana.
− An independent Judiciary.
− A professional and impartial Civil Service.
− A National Electoral Commission to oversee free and fair elections by secret ballot.
− A Media Commission which upholds the freedom of the press and maintains standards of objectivity in reporting.
− A Commission on Human Rights and Administrative Justice which protects citizens from “maladministration” and/or injustices.

1.2- TRENDS AND DEVELOPMENTS IN PROGRESS
The **Local Government Reforms** of 1988 and 1993 fundamentally changed the structure of Ghana's public administration system. Prior to this the system had been heavily over-centralized in Accra. This has now been reversed through the decentralization of political and administrative authority to the newly empowered 110 Metropolitan/ Municipal/ District Assemblies. The implementation is being phased pragmatically to avoid undue disruption during the transition period.

**II - THE LEGAL DIMENSION OF PUBLIC ADMINISTRATION**

**2.1- CURRENT LEGAL SYSTEM**

The legal tradition is well established in Ghana and the broad structure and operation of the public administration system is defined in the Constitution, the Civil Service Law and the Local Government Act.

- **Over-regulation/Deregulation:** There is generally no major problem with over-regulation, but laws need to be regularly reviewed to avoid possible overlaps and conflicting provisions. Deregulation is sometimes an issue, but it is dealt with if it is seen to inhibit the private sector and to deter legitimate business activity, e.g., simplification of customs laws and procedures.

- **“Public bidding” Practices and procedures:** There is a well-defined public bidding process for local and international contractors.

- **Legal system protecting the citizens against the decisions of public authorities:** Citizens are protected from abuse by the public administration system through the Commission for Human Rights and Administrative Justice, which was created in the 1992 Constitution for this purpose.
2.2- TRENDS AND CURRENT REFORMS

There is currently a Legal Sector Reform Programme supported by the World Bank and managed by the Ministry of Justice, which is updating the laws of Ghana and seeking to improve efficiency in the administration of justice.
III- CIVIL SERVICE

3.1- CURRENT SITUATION

- **Legal Basis:**
The Constitution places the Civil Service at the heart of the Government's administrative machinery and the Civil Service Act (1993) prescribes functions and structures. The regulations under the Law and the Administrative Instructions provide the detailed guidelines on operational matters.

- **Recruitment and career**
Entry to the Civil Service is by competitive examination and/or interviews as per the guidelines agreed with the Civil Service Council. Retirement age is 60 and a pension scheme exists. Tenure is subject to conduct and performance. Promotion is based on job performance in accordance with the schemes of service for the various occupational groups.

3.2- BASIC STATISTICS RELATIVE TO THE CIVIL SERVICE

The Public Service as a whole has over 300,000 employees, of which about 76,000 are civil servants. But the Civil Service will be reduced by 30,000 as the newly created National Health Service leaves the Civil Service and becomes a separate organization under the Ministry of Health. The Ghana Education Service is also a separate entity from the Civil Service and is by far the largest employer in Ghana, with over 170,000 teachers and support staff.

3.3- DEVELOPMENTS IN PROGRESS AND NEXT STEPS TO THE REFORM

The Civil Service Performance Improvement Programme was launched in 1995 to raise the efficiency and effectiveness of the bureaucracy. The programme is a major
reform initiative and is comprehensive in scope and highly participative in nature. Although the objective of the programme is very challenging, it is clear that important gains have already been made in strengthening institutional capacity and improving services to citizens. The first full operational phase ends in 2001 and a second phase will carry forward the achievements of the first phase.

IV - CIVIL SOCIETY CONFRONTING PUBLIC ADMINISTRATION

4.1- CURRENT SITUATION

- **Publication of public polls**
Under the Civil Service Performance Improvement Programme, every Civil Service institution is required to undertake beneficiary surveys and/or opinion polls of citizens and stakeholders who interact with the institution and/or use the services rendered by the institution. The institutions take account of these views in developing their Performance Improvement Plans.

- **Common attitudes of the most important media towards public administration**
There are currently 3 local TV companies and 10 radio stations. Several of these run programmes about public administration and conduct phone-in programmes inviting comments and questions from the general public. The Media Commission is responsible for upholding the freedom of the press and maintaining standards of objectivity in journalistic reporting.

- **Role of Non Governmental Organizations (NGOs)**
There are over 700 NGOs registered in Ghana and most of them are focusing on helping the rural communities. The operations of NGOs are regulated through the Ministry of Employment and Social Welfare, which maintains a national register
and monitors the activities of the NGOs by calling for and examining, their annual reports.

- **System improving citizens’ participation in policy-making of public administration**
The Commission for Human Rights and Administrative Justice was established under the 1992 Constitution to protect the human rights of ordinary citizens, and it has played an important role and helped to give confidence to ordinary citizens to seek redress for perceived injustices.

### 4.2 DEVELOPMENTS IN PROGRESS CONCERNING THE NGO ACTIVITIES

The Government maintains a national register of NGOs but does not generally interfere in their activities unless specific concerns or problems arise. At the local government level the District Assemblies are, in many cases, actively building mutually supportive links with those NGOs who operate in their neighbourhood.

### V- ETHICS AND THE PUBLIC SERVICE

#### 5.1 CURRENT SITUATION

- **Legal basis, crime and code of conduct**

Civil Servants are subject to the normal laws of Ghana concerning economic or other crimes. The conduct and behaviour of civil servants is regulated through a Code of Conduct, which includes procedures for reporting breaches of the Code and taking disciplinary action. The grievances procedures are also clearly delineated. The Code of Conduct covers the following main topics:

- Constitutional/ Civil Responsibilities
- Information Disclosure of Classified Material
- Customer Orientation
- **Efficient, Effective and Proper Use of Public Funds/Property**
- **Gifts, Bribes, Conflict of Interest**
- **Personal Behaviour**
- **Work Ethic in the Ghana Civil Service**

**The public image of the Civil Service**
The public image of the Civil Service has not been particularly favourable, but the Civil Service Performance Improvement Programme is beginning to redress this. The Ghana Civil Service has traditionally been neutral towards changes in Government and maintains impartiality between political parties.

**Administrative system of accountability and control**
The constitution provides for an *Audit Service*, which is independent of the Executive Arm of the State and which reports annually to Parliament on the proper use of government money. Parliament has a *Public Accounts Committee* to oversee the effectiveness and probity of public expenditure. The *Commission for Human Rights and Administrative Justice* plays an important role in protecting the rights of ordinary citizens and holding the public administration system to account. There is also a *Serious Fraud Office* which polices the administrative system and clamps down on corrupt practices.

**5.2- Trends and current reforms**
In addition to the recently introduced Code of Conduct and Work Ethic, senior civil servants also sign an *annual performance contract with the Government* and this clearly sets out in a transparent form the deliverables which they have agreed to achieve in a particular year. This innovation was introduced in 1997 under CSPIP and it helps Ministers to set targets and measure the performance of their bureaucrats.
Another important innovation has been the explicit definition of specific and transparent standards of service delivery by those departments and agencies that provide public services to citizens. The general public is then informed of these standards through explanatory brochures and announcements in the media so that they are made aware of their rights and can insist on the appropriate standards of service when they interact with the bureaucracy.

VI- MANAGEMENT AND GOOD GOVERNANCE

6.1- CURRENT SITUATION

- **Importance of the use of management information techniques in public administration**
  The Government installed a large-scale Integrated Personnel and Payroll Database computer system in 1995 to link the Government payroll to the personnel information system. This system not only runs the monthly payroll of about 300,000 staff but it provides a flexible range of personnel reports as well as the analysis of salary costs for accounting and budgeting purposes. In 1999/2000 the national budget preparation system has been partially computerized and further work is being undertaken on this as part of the ongoing Public Financial Management Reform Programme under the Ministry of Finance.

- **Introduction of market-oriented procedures in public administration**
  The idea of contracting out public services to the private sector is generally accepted in the Ghana Civil Service and some of the first activities that have been successfully hived off in this way include:
  - Office cleaning
  - Management of canteens
− Garbage collection
− Revenue collection at the local government level

6.2 DEVELOPMENTS IN PROGRESS

Plans are being made at the Public Records and Archives Administration Department to apply information technology to the management of public records. The Ministry of Finance is also pushing ahead with the implementation of a computerized Budget and Public Expenditure Monitoring System. As regards the achievement of efficiency gains through the commercialization of public service organizations, a major review exercise is underway to transform selected subvented agencies into wholly or partially self-financing institutions.

VII SENSITIVE BRANCHES OF PUBLIC ADMINISTRATION

7.1 CURRENT SITUATION

In the sensitive areas of higher education, environment and social policies, the Government implements its policies through the following institutions:

− Tertiary Education Council, under the Ministry of Education, which is responsible for the universities, polytechnics and other tertiary institutions.

− Environmental Protection Agency, under the Ministry of Environment, Science and Technology, which seeks to ensure that the environment is not degraded by economic activities such as mining and manufacturing etc.

− Department of Social Welfare, under the Ministry of Employment and Social Welfare, which provides welfare schemes for deprived and disabled members of the communities.
7.2- TRENDS AND CURRENT REFORMS

In order to increase capacity and respond to high demand for university places, the Government recently sanctioned the creation of private universities. They are subjected to the well-established accreditation procedures used for supervizing the state universities. Student loans have been introduced as a cost sharing measure to reduce the burden of tertiary education on the national budget.

With regard to environmental protection, the Government has introduced sanctions against those responsible for pollution and degradation and has simultaneously initiated an ongoing programme of public education to raise awareness levels across all sections of society about the importance of sustaining the environment and the eco-system.

Concerning social policies, the Government has embarked on a special programme of poverty alleviation whereby a significant proportion of the central government funds allocated to local government is specifically earmarked for poverty reduction in the rural communities. With regard to social policies towards gender equity there is an affirmative action plan to protect the rights of and promote the opportunities for women in Ghana.

VIII- GLOBALIZATION

8.1- ADAPTATION OF THE PUBLIC ADMINISTRATION IN GHANA TO THE NEEDS OF ECONOMIC GLOBALIZATION
The awareness level in Ghana of the phenomenon of "globalization" is relatively high. This is reflected in various Government policies, particularly in the following areas:

- There is a proactive investment drive to attract foreign businesses to locate in Ghana, thereby helping Ghana to participate more fully in the global economy.

- The investment code governing the activities of foreign companies has been made more user-friendly.

- The Gateway Project is popularizing Ghana as a key trade route into and out of other West African countries, including the establishment of an Export Free Zone to encourage exporters.

- A new Ministry of Communication has been established and, among other things, it will coordinate government policies relating to the new global technologies impacting on Ghana via the telephones, media and the Internet etc.

8.2- EXISTING SPECIAL PROCEDURE OF POLICY-MAKING WITH REGARD TO GLOBALIZATION

In order to create closer economic ties with other countries, Ghana has been active in drawing up bilateral trade and technical cooperation agreements. Ghana is also a leading player in ECOWAS, the trade block for West Africa and has a prominent voice in the OAU and the Commonwealth.

IX- THREATS AND CHALLENGES
The main challenge facing the national public administration system is the rising aspirations of the citizens and their desire to benefit from more and better public services, particularly in key areas such as health and education. With limited financial and human resources, it is very difficult for the public administration system to respond adequately to the legitimate needs of all citizens, and the danger is that the system may become over-stretched and performance standards put at risk.