PROCEDURE FOR APPOINTMENT TO CATEGORIES “A” AND “B” POSITIONS IN THE PUBLIC SERVICES

The Public Services Commission has observed that a number of public service institutions/agencies are not fully observing the laid-down procedure for appointment to substantive and acting positions, as well as appointments on re-engagement (contract) terms, particularly with respect to categories “A” and “B” positions.

2. Article 195(1) of the 1992 Constitution provides that “the power to appoint persons to hold or to act in an office in the public services shall vest in the President, acting in accordance with the advice of the governing council of the service concerned, given in consultation with the PSC”.

3. Consultation between governing boards (and other bodies vested with written delegated authority to appoint) and the PSC, takes various forms. These include the determination of the recruitment procedure to be adopted, the drafting of advertisements, short-listing of applicants, interviewing of candidates, and issuance of appointment letters. The role of the PSC in the process is to ensure that such appointments are made in accordance with existing statutory requirements, laid-down procedures, and guidelines on eligibility, career progression, etc.

4. The Commission wishes to reiterate its earlier directive to all public service agencies that the guidelines and procedures are to be strictly followed in all cases.

5. A copy of the Commission’s circular No. PSC/APD/01 dated 10th June, 2005 on Acting Appointment in the Public Services, is attached, hereto, for guidance.

6. With regard to appointments on contract (or on re-engagement terms), it is noted that section 6 of the Constitution of the Republic of Ghana (Amendment) Act, 1996 (Act 527), provides that a retired public officer may be re-engaged for a specified limited period. Such an offer of appointment should, however, take into consideration the exigencies of the service, availability or otherwise of serving officers within the organization/agency capable of taking over the duties and responsibilities of the retiring officer, etc.

7. Accordingly, permissible contract appointments must not only be justified beyond all reasonable doubt, but should also be effected in accordance with laid-down procedure. The justifications must include proof that:

   i. there is no suitable serving officer immediately available to be promoted or seconded or transferred or posted or appointed in an acting capacity, to undertake the task involved.
ii. there is an active succession planning initiative in place that can be relied upon to produce a suitable serving officer or take over from the officer performing in contract capacity, upon the expiry of the contract.

iii. the officer earmarked for the contract appointment has been certified by a government medical officer to be physically and mentally fit, and

iv. there is budgetary cover for the appointment.

8. In this regard, Heads of Agency/Department are to institute succession planning measures aimed at grooming other serving officers to take over such duties and responsibilities. In all cases, the approval of the appointing authority must be sought and obtained.

9. Please acknowledge receipts.

Yours faithfully,

BRIDGET KATSRIKU (MRS.)
CHAIRMAN
PUBLIC SERVICES COMMISSION

ALL PUBLIC SERVICE AGENCIES

cc: The Secretary to the President
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