SECTION 27(1)(c) OF THE CIVIL SERVICE ACT, 1960 (C.A.5)

REDUCTION IN RANK

Section 27(1) of the Civil Service Act, 1960 (C.A.5) provides for types of penalties that may be imposed in disciplinary proceedings under Part V of the Act for misconduct or unsatisfactory service. Among the penalties specified there is "reduction in rank" which is defined as "removal to another grade with an immediate reduction in salary."

2. Cases of disciplinary award coming before the Commission would appear to suggest that disciplinary authorities and Heads of Departments do not appreciate the full implications of "reduction in rank." It is observed that officers have been "reduced in rank" for various periods. An officer may thus be reported to have been "reduced in rank for two years with effect from 31st August, 1983." The impression and expectation such a "sentence" conveys is that after being in the new (lower) grade for 2 years, the officer automatically reverts to his original status. Such an interpretation, however, would clearly be wrong since it has the effect of blunting the edge of the difference between "reduction in rank" (a major penalty) and mere "reduction of salary" (a minor penalty).

3. The Commission wishes the point clarified that the penalty of "reduction in rank" under Section 27(1)(c) of the Civil Service Act, 1960 (C.A.5) is absolute; the effect here being that an officer who has been reduced in rank is deemed never to have been in the grade from which he has been reduced. He moves into his new grade with effect from the date of the change and has to do the mandatory waiting period in the new grade before he earns promotion therefrom. In view of its absolute nature, it is incorrect and, indeed, contradictory for disciplinary authorities to indicate duration when imposing the penalty.

4. Furthermore, as has already been pointed out, Section 27(2) of C.A.5 classifies "reduction rank" as a major penalty. Considering, therefore, the gravity of the punishment, being next to "removal from the service" in severity, the Commission advises that Heads of Departments and disciplinary authorities should exercise care in awarding the penalty, so that it is not imposed indiscriminately.

5. It is further directed that Heads of Departments should inform the Commission as soon as an officer is "reduced in rank" to enable it amend its records.

(SGD) K.S. NSAFUL
SECRETARY
PUBLIC SERVICES COMMISSION

ALL PRINCIPAL SECRETARIES
ALL HEADS OF DEPARTMENTS
ALL REGIONAL ADMINISTRATIVE OFFICERS

cc: The FNDC Co-ordinating Secretary, The Castle, Osu.
The Head of the Civil Service, Office of the Head of the Civil Service, Accra.