

Guidelines and Criteria for Selecting National Integrity Awardees

Prepared by:

Guidelines and Criteria Sub-committee Members

Mary Addah

Justice Atuguba

Akosua K. Darkwah (Chair)

Arthur Kennedy

Rose Mensah-Kutin

Joseph Whittal

July 2026

Introduction

Integrity is integral to the creation of state institutions that citizens can trust and essential for effective governance. Since the establishment of the Fourth Republic, several efforts have been made to enhance the levels of integrity in Ghana. As far back as 1998, an integrity conference was held in Accra. At that conference, the idea for both a national integrity week and awards was mooted. A number of documents were also developed to aid the workplace behaviour of public servants.

In 2015, the ten-year National Anti-Corruption Action Plan (NACAP) was adopted. Among other things, the Plan called for the training of ethics officers in public institutions, the inauguration of a National Ethics Advisory Committee and the establishment of a National Integrity Awards Scheme.

In 2025, the Parliament of Ghana took up the challenge to create the National Integrity Awards Committee (NIAC) in fulfillment of the Plan. Parliament is ably situated to spearhead this awards scheme given its role as the key protector of the public purse.

The Scheme is designed to recognise and honour individuals who have consistently demonstrated a high level of commitment to ethical practices in the workplace. The ultimate goal of the awards scheme is to create a workplace culture where integrity is expected, respected and desired by everyone.

Objectives of the Scheme

The objectives of the Scheme are as follows:

- i. To promote and institutionalise the recognition of individuals demonstrating adherence to ethical principles, honesty, and integrity in their areas of endeavour and those leading by example in personal and community life;
- ii. To enhance public trust in governance and public institutions;
- iii. To encourage Ghanaians to strive for better integrity governance;
- iv. To address critical integrity shortfall concerns in the country;
- v. To prevent corruption; and
- vi. To support national and international commitments on integrity and anti-corruption.

Categories of Awards

The Scheme will have nine (9) awards categories as follows:

- 1) **Executive:** for those who demonstrate adherence to ethical principles, honesty and integrity in decision-making and service to the nation;
- 2) **Parliament:** for Members of Parliament and staff of the Parliament Service demonstrating integrity in legislative work and other functions of Parliament;

- 3) **Judiciary:** For Judges, Magistrates and staff of the Judicial Service upholding Judicial ethics and independence;
- 4) **Private and Civil Society Sector:** for Civil Society, Media, Traditional and Religious Sectors and citizens, who maintain a reputation of honesty and credibility;
- 5) **Security Agencies:** for demonstrated boldness in exposing corruption and crime, resisting undue influence, and standing firm against unethical practices;
- 6) **Municipal, Metropolitan and District Assemblies:** for prudent utilisation of public resources, and transparent operations, policies or initiatives that benefit the public;
- 7) **Independent Constitutional Bodies:** for demonstrated boldness in exposing corruption and crime, resisting undue influence, and standing firm against unethical practices; high level of transparency and easy access to information; compliance with code of conduct for public officers and public confidence levels (based on surveys or perception indices).
- 8) **Ministries, Departments, and Agencies (MDAs):** for prudent utilisation of public resources, and transparent operations; integration with the GIFMIS system and adherence to the Public Financial Management Act; implementation of institutional integrity and anti-corruption strategies; level of training on anti-corruption and integrity issues for staff; transparency and fairness in recruitment, promotions, and postings and measures to address ghost names, absenteeism, and payroll fraud.
- 9) **Whistleblowers:** for reporting corruption or impropriety in accordance with law; encouraging others to report corrupt practices and advocating for the protection of whistleblowers.¹

Nomination Process

The Scheme will be open to the Executive, Parliament, the Judiciary, Private and Civil Society Sectors (i.e., the Media, Civil society, Traditional and Religious Authorities) and individuals. Nominations may be submitted by the public, civil society organisations, public institutions and the private sector. A dedicated online portal for nominations, allowing individuals and organisations to submit candidates for consideration, would be created. A nomination form which solicits information about prospective awardees has been developed for that purpose (See Annex I)

Administrative Process for Reviewing the Applications

¹ Rewards for this category will be done in accordance with the rules of confidentiality and protection of the identity of Whistleblowers.

A Secretariat comprising staff of the Parliament of Ghana shall be created to support the work of the National Integrity Awards Committee. Secretariat staff will first sort the nominations by category into the 9 different categories we have identified:

- Executive
- Parliament
- Judiciary
- Private and Civil Society Sector
- Security Agencies
- Municipal, Metropolitan and District Assemblies
- Independent Constitutional Bodies
- Ministries, Departments and Agencies
- Whistleblowers

Second, they will eliminate all nomination forms that are incomplete i.e., some sections are not filled.

Third, they will create an excel sheet with all the nominee information and scoring sheet which they will share with the scoring panel.

Fourth, they will make photocopies of the eligible nomination forms and supporting documents received for the scoring panel.

Fifth, they will compile the sheets provided by the scoring panel.

Evaluation Process

Evaluations of the nominations shall be conducted by a scoring panel duly constituted by the Chair of the National Integrity Awards Committee. This should be a sub-committee of the Integrity Committee comprising seven (7) individuals (3 women and 4 men) cutting across the various sectors) who will nominate a Chair amongst themselves. They will work as follows:

Step 1: Committee members will download the excel sheet, score individually using the scoring sheet developed (see Annex 2) based on the forms and supporting documents and send to the Secretariat for compilation. When a member of the committee has a conflict of interest regarding a particular candidate, they should recuse themselves from scoring that particular candidate and indicate that in writing to the Chair of the scoring panel (see Annex 4).

Step 2: The panel will meet as a group to validate the individual scores they have provided. In essence, they will have to justify the scores given for persons where the scores vary widely and agree on new scores for those individuals.

Step 3: The panel with support from the Secretariat shall tally the validated individual scores and find averages. Only those with an average score of 85% and above qualify for the next round. If none of the persons in a category has a score greater than 85%, there shall not be a declaration of a winner in that category.

Step 4: Those with the highest score in each category win for that category. That means, the method being used to win is a simple majority. In cases where there is a tie and the scores are both above 85%, two awards shall be given in that category.

ANNEX I: NOMINATION FORM

NATIONAL INTEGRITY COMMITTEE

INTEGRITY AWARD NOMINATION FORM

This form is to be used for nominating individuals for consideration under the National Integrity Awards Scheme (the Scheme). All sections of the form should be completed as fully and accurately as possible. Incomplete forms or forms not supported by relevant evidence may be disqualified.

Completed nominations forms may be submitted to the Secretariat of the National Integrity Awards Scheme as follows via email:

Alternatively, nominations may be submitted at the address below:

**The Secretary
National Integrity Awards Scheme
Parliament of Ghana
Parliament House
Accra**

SECTION A: AWARD CATEGORY

Please tick (✓) the appropriate award category:

- ☐ Whistleblowers
- ☐ Security Agencies
- ☐ Private and Civil Society Sector
- ☐ Parliament
- ☐ Municipal, Metropolitan and District Assemblies (MMDAs)
- ☐ Ministries, Departments and Agencies (MDAs)
- ☐ Judiciary
- ☐ Independent Constitutional Bodies
- ☐ Executive

SECTION B: DETAILS OF NOMINEE [NOMINEE'S INFORMATION]

1. Full Name of Nominee:

2. Gender:.....

3. Date of Birth:.....
4. Nationality:.....
5. Current Position/Occupation (if applicable).....
6. Institution/Organisation:.....
7. Postal Address.....
8. Telephone Number(s.).....
9. Email Address:.....
10. Region/District/Location:.....

SECTION C: DETAILS OF NOMINATOR

1. Full Name of Nominator:.....
2. Organisation (if applicable):.....
3. Relationship to Nominee:.....
4. Postal Address:.....
5. Telephone Number(s):.....
6. Email Address.....

SECTION D: BASIS FOR NOMINATION

Please attach all relevant supporting documents/testimonies where available such as a citation, video, photos or media coverage or any other relevant written documentation.

1. **Ethics:** Describe one (1) instance where the individual reported unethical behaviour

.....

.....

.....

.....

.....

.....

.....

.....

2. Ethics: Provide two (2) examples of occasions when the individual insisted on policy/procedure being followed even in the face of opposition

.....

.....

.....

.....

.....

.....

.....

.....

3. Ethics: What was the impact of this action?

.....

.....

.....

.....

.....

.....

.....

.....

4. Courage: Describe the personal cost they paid for doing the above

.....

.....

.....

.....

.....

.....

.....

.....

5. Integrity: Describe two (2) circumstances where the individual kept their promise even when inconvenient

.....

.....

.....

.....

.....

.....

.....

.....

6. Integrity: Provide two (2) examples of occasions where the individual followed procedure

.....

.....

.....

.....

.....

.....

.....

.....

7. Honesty: Provide one (1) example of a situation where the individual acted honestly

.....

.....

.....

.....

.....

.....

.....

.....

8. Honesty: Provide one (1) example of a situation when the individual admitted to an error on their part

.....

.....

.....

.....

.....

.....

.....

.....

9. Inclusiveness: Provide one (1) example where the person gave every person in a space the opportunity to have their voice heard

.....

.....

.....

.....

.....

.....

.....

.....

10. Gender Responsiveness: Provide one (1) example where the person treated both men and women equally

.....

.....

.....

.....

.....

.....

.....

.....

11. Transparency: Provide two (2) examples where the person demonstrated transparency in decision-making

.....

.....

.....

.....

.....

.....

.....

.....

12. Accountable Leadership: Provide two (2) examples where the person allowed their decisions to be subjected to scrutiny

.....

.....

.....

.....

.....

.....

.....

.....

SECTION E: SUPPORTING EVIDENCE

Please list and attach all supporting documents submitted with this nomination. Tick (✓) where applicable.

- ☐ Curriculum Vitae/Institutional Profile
- ☐ Narrative Statement
- ☐ Letters of Commendation/Testimonials
- ☐ Audit Reports/Compliance Reports (if applicable)

- ☐ Media Publications/Press Reports
- ☐ Institutional Policies/Reform Documents
- ☐ Certificates/Awards/Citations
- ☐ Photographs/Audio-Visual Evidence
- ☐ Court/Administrative/Investigative Records (where applicable)
- ☐ Other supporting documents (please specify)

Please specify any additional supporting documents attached:

.....

.....

SECTION F: REFEREES

Please provide details of three referees who can verify the information contained in this nomination.

REFEREE 1

Full Name:.....

Position/Title:.....

Institution/Organisation.....

Telephone Number:.....

Email Address:.....

Relationship to Nominee:.....

REFEREE 2

Full Name:.....

Position/Title:.....

Institution/Organisation.....

Telephone Number:.....

Email Address:.....

Relationship to Nominee:.....

REFEREE 3

Full Name:.....

Position/Title:.....

Institution/Organisation.....

Telephone Number:.....

Email Address:.....

Relationship to Nominee:.....

SECTION G: DECLARATION BY NOMINATOR

I hereby declare that the information provided in this nomination form and in the accompanying documents is true and accurate to the best of my knowledge and belief. I understand that the National Integrity Awards Committee reserves the right to verify any information submitted and to disqualify any nomination where material falsehood, misrepresentation or ineligibility is established.

Name of Nominator:.....

Signature:.....

Date:.....

SECTION H: FOR OFFICIAL USE ONLY

Date Nomination Received:.....

Reference Number:.....

Category Assigned:.....

Status of Nomination (Complete/Incomplete).....

Remarks of Secretariat:

.....
.....
.....

ANNEX II: SCORING MATRIX

This scoring sheet is to be used by members of the Scoring Panel in assessing nominations submitted under the National Integrity Awards Scheme (NIAS). Panel members are required to score each eligible nominee objectively, independently and strictly on the basis of the evidence provided in the nomination form and supporting documentation.

Where a Panel Member has an actual, potential or perceived conflict of interest in relation to a nominee, the member must disclose the conflict and recuse himself or herself from scoring that nominee.

SECTION A: PARTICULARS OF NOMINEE

Award Category:.....

Name of Nominee/Institution:.....

Position/Designation:

Institution/Organisation:.....

Region/District (where applicable):.....

Name of Panel Member:.....

Date of Assessment:.....

SECTION B: SCORING INSTRUCTIONS

1. Read the nomination form and all supporting documents carefully before scoring.
2. Score the nominee against each criterion using the maximum marks indicated.
3. Provide brief comments to justify the score awarded under each criterion.
4. The maximum technical score is 100.
5. Only nominees who attain an average score of 85% or above shall qualify for the next stage of the process, subject to the rules of the Scheme.
6. Where the nomination does not provide adequate evidence for a criterion, the score should reflect the weakness or absence of evidence.
7. If you have a conflict of interest in relation to the nominee, do not complete the scoring sheet. Instead, declare the conflict to the Chair of the Scoring Panel and the Secretariat.

SECTION C: SCORING MATRIX/SHEET

EVALUATION CRITERIA	KEY PERFORMANCE INDICATORS	STANDARD SCORE	ACTUAL SCORE	JUSTIFICATION
1. Ethics	Report of unethical behaviour (5) Insistence on workplace procedure (10) Impact of action (5)	20		
2. Courage	Personal cost of ethical behaviour	10		
3. Integrity	Keeping promises (10) Following procedure in the absence of others (10)	20		
4. Honesty	Being truthful (5) Admitting error (5)	10		
5. Inclusiveness	Every voice heard	10		
6. Gender Responsiveness	Intentional inclusion of women to promote fairness and equality	10		
7. Transparency	Transparent decision making	10		
8. Accountable Leadership	Subjecting decision-making to scrutiny	10		

SECTION D: RECOMMENDATION OF PANEL MEMBER

Based on my assessment of the nomination and the supporting evidence, I make the following recommendation:

☐ Recommend

☐ Do Not Recommend

Reasons for Recommendation / Non-Recommendation:

.....

SECTION E: DECLARATION BY PANEL MEMBER

I hereby certify that I have assessed this nomination fairly, independently and to the best of my professional judgment on the basis of the evidence provided. I further declare that, except where already disclosed, I have no actual, potential or perceived conflict of interest in relation to this nominee.

Names of Panel Member:.....

Signature:.....

Date:.....

ENDORSED BY:

.....

(CHAIRPERSON, EVALUATION PANEL)

DATE:

ANNEX III: TERMINOLOGY

Ethics: Standards that guide behaviour in the workplace. It includes objectivity which means following laid-down rules for each procedure at work and holding each other to account in the workplace.

Courage: Moral strength to withstand danger or fear even in the face of it.

Integrity: An alignment of one's words with one's actions and doing the right thing even when no one is watching

Honesty: Representing facts and situations exactly as they are

Inclusiveness: The practice of ensuring that people from all ethnic/educational/religious backgrounds in a workplace are treated fairly, provided with equal access to opportunities, and made to feel valued and supported.

Gender Responsiveness: Identifying and deliberately taking action to address inequalities to promote fairness and equality among women and men

Transparency: Working in a manner that allows others to clearly see one's actions, decisions, and intentions

Accountable Leadership: Explaining actions and decisions to subordinates

ANNEX IV: CONFLICT OF INTEREST GUIDELINES

**GUIDELINES ON CONFLICT OF
INTEREST
TO
ASSIST PUBLIC OFFICIALS IDENTIFY, MANAGE
AND RESOLVE CONFLICT OF INTEREST**

Commission on Human Rights

And Administrative Justice House

High Street

Accra-Ghana

Tel: +233-302-668839/664267
+233-302-668841/662150

Website: www.chraj.gov.gh

Acknowledgement

The Commission is indebted to all those who gave their time and expertise to the development of the Guidelines. In developing these Guidelines, the Commission benefited from literature on the subject matter from some institutions and organizations. In particular, the following were consulted and the Commission is grateful for it:

City of Chicago (Governmental Ethics Ordinance); US State Department (Ethics Handbook); US Office of Governmental Ethics (standards of Ethical Conduct of Employees of the Executive Branch); Organization of Economic Cooperation and Development (OECD) (Recommendations of the OECD Council on Guidelines for Managing conflict of interest in Public Service); Transparency International (TI) (Working Papers on Conflict of Interest Policy); State University of New York (policy on Conflict of interest); British Columbia Civil Liberties Association (Position Paper Conflict of interest and Public Sector Interests); Parliament of Latvia (Law on Prevention of conflict of interest in Activities of Public Officials).

The Commission expresses its gratitude to the Ghana Anticorruption Coalition, Chief direct of Ministries Departments and Agencies, the Labour Unions of Ghana, Ghana Political Parties, the Media and the entire staff of the Commission for making useful suggestions towards the development of the Guidelines

The Commission commends the Anticorruption Department of the Commission for working tirelessly to produce the Guidelines.

Without financial support it would have been extremely difficult for the Guidelines to see the light of day. The Commission extends its appreciation and special thanks to DANIDA/Danish Ombudsman for the support.

Ms. Anna Bossman
(Ag. Commissioner)

ARRANGEMENT OF SECTIONS

SECTION

- i. ACKNOWLEDGEMENT**
- II. PREAMBLE**

1.0. GENERAL PRINCIPLES

2.0. DEFINING CONFLICT OF INTEREST

3.0. IDENTIFYING CONFLICT OF INTEREST SITUATIONS

- 3.1.0 Conflicting Financial Interest
- 3.2.0 Self-dealing
- 3.3.0 Impartiality in Performing Official duties
- 3.4.0 Recruitment, Employment and Moonlighting
 - 3.4.1 Procedures for Recruitment and Employment
 - 3.4.2 Recruitment and Employment of Spouses and Relatives or other Relations
 - 3.4.3. Out of Office Employment t Activities or Moonlighting
- 3.5.0. Abuse/Misuse of Office
 - 3.5.1. Use of Public Office for Private Benefit
 - 3.5.2. Inducement or Coercion of Benefit
 - 3.5.3. Use of Non-Public or Confidential Information
 - 3.5.4. Use of Public Property
 - 3.5.5. Use of Official time
 - 3.5.6. Use of a Subordinate's Time
 - 3.5.7. Influence Peddling
- 3.6.0. Post-Employment Activities
- 3.7.0. Gifts, Gratuities and Other Benefits
 - 3.7.1. Accepting Gifts
 - 3.7.2. Non Prohibited Gifts
 - 3.7.3. Gifts and Gratuities Check List
 - 3.7.4. Disposal of Prohibited Gifts

4.0: DEALING WITH CONFLICT OF INTEREST SITUATIONS

- 4.1. Assessment and Evaluation of the Situation
- 4.2 Disclosure of Conflicting Interests
- 4.3 Resolution and Management of Conflict of Interests

5. 0. IMPLEMENTATION OF THE GUIDELINES

- 5.1. The Role of the leadership or management of Public Offices

5.2. The Role of the Individual Public Official

5.3. The Role of the Commission

5.0. DEFINITIONS OF TERMS USED

1). Advantage-includes:

- i. Gift, loan reward, commission
- ii. Employment or contract
- iii. Service or favour
- iv. Exercise of right or power

2). **Confidential or Non-public Information-**

Information that a public officer gains by reason of the public official's employment and which he/she knows or reasonably ought to know has been made available to the public nor been authorized to be made available to the public on request.

3. **Conflict of Interest:** refers to a situation where a public official's personal interest conflicts with or is likely to conflict with the performance of the functions of his/her office.

4. **Emolument** - includes salary, overtime or leave pay, commission, fee bonus gratuity, benefit, advantage, whether or not that advantage is capable of being turned into money or money's worth given or granted in respect of any employment or office.

5. **Gift** something of value given gratis or something of value given without the expectation of receiving something in return.

6. **Honorarium** Payment or something of economic value given to a public official in exchange for services upon which custom or propriety prevents the setting of a price.

7. **Incompatible-** business or transaction or financial interest is incompatible if done in violation of these Guidelines or any other law relating to conflict of interest.

8. **Imputed Interest** –interest of specified persons, which would be considered as if they were the public official's own interests: spouse; child, business partner' an organization where the public official serves as officer; director, trustee or partner.

9. **Influence Peddling-** the practice of soliciting some form of benefit in exchange for the exercise of one's official authority or influence.

10. **Private Person** – A person who does not hold public office and includes a corporate body that is not state-owned.
11. **Public/Government property** – includes any form of real or a personal property in which the government/State has an ownership, leasehold, or other proprietary interest, as well as, any right or other intangible interest that is purchased with government funds. The terms includes office supplies, telephones, accommodation, furniture, telecommunications equipment and services, Government mails, printing and reproduction facilities, Government records and government vehicles.
12. **Public Office** –includes on office the emoluments attached to which are paid directly from the consolidated Fund or directly out of moneys provided by Parliament
13. **Public Official** – a person who holds public office
14. **Private interest** – is financial or other interests and covers:
 - i. Family members, relatives
 - ii. Personal friends
 - iii. Clubs and associations
 - iv. Persons to whom one owes a favour or is obligated
15. **Relative** - a person who is related to an official as spouse or as any of the following whether by blood or by adoption: parent, child, brother or sister, aunt or uncle; niece or nephew, grand parent, grandchild' father in law, mother –in-law, step father, or step mother, step daughter, step brother or sister, half-brother or half-sister.
16. **Self-dealing** – a situation where one takes an action in an official capacity which involves dealing with oneself in a private capacity and which confers or is likely to confer a benefit on oneself.
17. **Social Invitations** –includes invitations to birthday parties, weddings, outdooring, end of year get together and funeral ceremonies, dinners and lunches.
18. **Taxable gift** – includes money, including foreign currency, building or a permanent or temporary nature, land, shares, bonds and other securities, business and business assets.

Ms. Anna Bossman
(Ag. Commissioner)

Preamble

Public office is a trust, which every officer occupying such office must serve in the interest of the general public. Increasingly, the Ghanaian public expects and demands that public official must perform their duties with integrity, in a fair and unbiased manner. Public officials are therefore expected not to allow their private interest and affiliations to compromise official decision making and public management. When public officials breach the duties of the trust, a conflict of interest situation arises.

Chapter 24 (Articles 284-288) of the 1992 Constitution of Ghana (the Constitution) provides a code of conduct for public official. Article 284 of the Constitution provides that: “A public officer shall not put himself in a position where his personal interest conflict or is likely to conflict with the performance of the functions of his office”.

Article 285 states that no person shall be appointed to 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 286 requires some category of public officials to submit to the Auditor-General written declarations of all assets, property owned by or liabilities owed by them, whether directly or indirectly on assumption of office, after every four years and after they have served their terms of office.

The Commission on Human rights and Administrative Justice (the Commission) was established to investigate complaints of fundamental human rights and freedoms, administrative injustices, corruption and abuse of power, among others. It is also entrusted with the responsibility of ensuring that public official do not allow their private interest to compromise their official decision-making and in public management, and where a conflict occurs, to investigate the conflict and take appropriate action.

Article 287 of the Constitution mandates the Commission to investigate allegations of contravention or non-compliance of the code of conduct for public officers, including conflict of interest, non-declaration of assets and illegal acquisition of wealth by public officers. The Article also provides that after investigations, the Commissioner for Human Rights and Administrative Justice may take such action, as the Commissioner considers appropriate in respect of the results of the investigation or the admission.

However, the Constitution does not define in detail the situations which constitute conflict of interest, neither is there a document providing for the codes of conduct for the several public officers there are in Ghana, which the Commission could fall on in determining complaints of conflict of interest made against public officials. The absence of such a definition of conflict of interest, and a unified code of conduct for public officers makes the procession of allegations “.... That a public officer has contravened or has not complied with a provision of this

Chapter.... [Chapter 24 of the Constitution]...” before the Commission, an uneasy task, for both the Commission and the public officer against whom the allegation has been made.

Moreover, as public officials have legitimate interests, which arise out of their capacity as private citizens, conflict of interest cannot be avoided or prohibited altogether. The requires that conflicts of interest should be defined, identified and managed.

It has been found that many corruption cases that the Commission has had to investigate arose because of conflicts between the public interest and private, professional or commercial interest. This makes understanding, identifying and managing conflicts of interest one of the most important strategies for combating corruption.

The lack of sufficient clarity in matters of conflict of interest and code of conduct for public officers has helped to lower the trust that people have in public institutions in Ghana

Determined to revive this trust and resort the best of Ghanaian traditions while at the same time responding to the challenges presented to our continent by a rapidly-changing and increasingly competitive world; and

Dedicated to building a Ghanaian society characterized by fairness and in which those who are placed in positions of leadership are facilitated in the discharge of their duties by the existence of clear guidelines for the conduct expected of them by their people, these Guidelines are issued to assist public officers identify and deal with conflict of interest situations in their work as people entrusted to administer the affairs of State on behalf of the people of Ghana.

The Guidelines adopt a simple explanatory approach and are made practical to assist effective identification and management of conflict of interest situations.

The main objective of providing these Guidelines is to improve the efficiency, effectiveness, professionalism, and fairness in implementing the mandate of the Commission as provided for under Chapter 24 of the Constitution. The Guidelines would be useful to private persons who deal with public official in their official capacities.

The specific objectives of the Guidelines include:

- i. providing a general framework for determining conflict of interest situation;
- ii. guiding public officials in the conduct of public business to address unethical behavior in all public offices;
- iii. ensuring public confidence and the integrity of the public service;
- iv. serving as a sign post/benchmark for the Commission in the exercise of its mandate under Chapter 24 of the Constitution;

- v. promoting a public service culture where conflicts of interest are properly identified and resolved or managed; and
- iv. Educating the public and increasing awareness of conflict of interest situations.

The Guidelines do not attempt to cover every possible situation in which conflicts of interest may occur. Instead the Guidelines are designed as a general policy and practice reference that is relevant to a rapidly changing social environment of the country.

Section 1 discusses General Principle's underlying conflicts of interest. Section 2 provides the definition of conflicts of interest and Section 3 deals with identification of conflict of interest situations. The section covers conflicting financial interest, impartiality in performing official functions, rules regarding recruitment and employment, misuse or abuse of office or position for private benefits, and many others.

Section 4 offers suggestions to the public officer as to what to do when confronted with a conflict of interest situation, be it real, potential or apparent. Section 5 provides for implementation of the Guidelines.

Definitions of key terms and words used in the Guidelines are found in Section 6. Where legislation has provided definitions for certain words that have been used in the Guidelines, such legislative definitions have been adopted within the context of the Guidelines.

Chapters 18 and 24 of the 1992 Constitution of Ghana, the Commission on Human Rights and Administrative Justice Act, 1993 (Act 456) and the Commission on Human Rights and Administrative Justice (Complaints Procedure) Regulations, Constitutional Instrument No 7 (C.I.7) have been annexed to the Guidelines. These are found in Section 7.

GUIDELINES

Issued by the Commission on Human Rights and Administrative Justice (CHRAJ), Ghana, Entitled Guidelines on Conflict of Interest to Assist Public Officials Identify, Manage and Resolve Conflict of Interest.

Date Issued: 6th December, 2006

1.0 GENERAL PRINCIPLES

Public service is a public trust. Public Officials should not engage in any business or transaction or have any financial, personal or other interest that is , or may appear to be , or has the potential to be incompatible with the performance of the official duties.

In the performance of their official duties, Public Officials should not seek or accept personal or private benefit by granting preferential treatment to any persons.

Public Officials should not solicit gifts and favors from persons with whom they have contact in their official capacity.

Public Officials should not accept gifts and favors of economic value from persons with whom they have contact in their official capacity, unless duly authorized.

Public officials should not use, or permit the use of government property for activities not associated with the performance of their official duties.

Public officials should not seek or obtain personal or private benefit from the use of information acquired during the course of their official duties, which is not generally or immediately available to the public.

Though personal Conduct and the exercise of individual freedom are substantially matters of personal choice, the exercise of such freedom should not:

- i. make the public official vulnerable to pressure to use his or her public office improperly (such as with alcohol addiction);
- ii. bring significant discredit to the government, State or a particular Ministry, Department of Agency (MDA); and
- iii. Undermine the integrity of the public office.

2.0 DEFINITION OF CONFLICT OF INTEREST

A “Conflict of Interest”, refers to a situation where a public official’s personal interest conflicts with or is likely to conflict with the performance of the functions of his/her office.

In other words, a conflict of interest includes:

- i. any interest or benefit, financial or otherwise, direct or indirect;
- ii. participation in any business transaction or professional activity;
- iii. an incurring of any obligation of any nature, or an act or omission;
- iv. an act or omission

Which is or appears or has the potential to be in conflict with the proper discharge of a public official's duties in the public interest.

Conflict of interest occurs when a public official attempts to promote or promotes a private or personal interest for himself/herself or for some other person, and the promotion of the private interest then results or is intended to result or appears to be or has the potential to result in the following,

- i. an interference with the objective exercise of the person's duties; and
- ii. an improper benefit or an advantage by virtue of his/her position

3.0 Identification of Conflict of interest situation.

3.1 Conflicting Financial Interest

This section covers financial interest of a public official which may conflict with his/her official duties. It provides for conflict of interest situation in award of contracts for goods and services, procurement of goods and services, self-dealing and other related matters.

General Rule: A public official shall not participate in an official capacity in any particular matter which to his knowledge

- i. he/she has a financial interest; and
- ii. any person whose interest are imputed to his in any way has a financial interest; if the particular matter will have a direct effect on that interest.

3.2 Self-dealing:

A public official shall not take an action in an official capacity which involves dealing with him/herself in a private capacity and which confers a benefit on himself/herself.

An example of self-dealing is the practice where tender board members bid for public contracts, which the board manages.

3.3 Impartiality in Performing Official Duties

This section deals with personal as well as business relationships and situations where the public official's conduct is likely to result in the loss of impartiality in performance of official duties.

3.3.1 General Rule

A public official shall not participate in a matter involving specific parties, which he /she knows is likely to affect the interest of a member of his/her family, friend or partner if a reasonable person with knowledge of the facts would question his/her impartiality in the matter.

3.4 Recruitment, Employment and Moonlighting

This section focuses on procedures for recruitment, employment and moonlighting or out-of-office employment activities.

3.4.1 Procedures for Recruitment and Employment

General Rule: A public official shall comply with procedures established for recruitment or employment into public service.

3.4.2 Recruitment and Employment of Spouses and Relatives or other Relations

General Rule: Public officials are prohibited from recruiting and employing spouses, relatives and other close associates based on those relative for example, old boys and girls, membership of association, etc.

3.4.3 Out of Office Employment Activities or Moonlighting

General Rule: A public official should not engage in, solicit, negotiate for, or accept private employment or render services for private interests or conduct a private business when such employment, service or business creates a conflict with or impairs the proper discharge of the official's duties.

3.5. Abuse/Misuse of Office

This section contains provisions relating to the improper use of public office, official time and authority, information and resources to which a public official has access because of his position in employment, such as the following:

- i. Use of public office for private benefit,
- ii. inducement and coercion of benefits;
- iii. use of non-public information
- iv. use of public /government property,
- v. use of official time ,and
- vi. influence peddling

3.5.1 Use of Public Office for Private Benefit

General Rule: A public official shall not use his public office for his/her own private benefit, for the endorsement of any product, service or enterprise, or for the private benefit of friends, relatives, or persons with whom the public official is affiliated in a private capacity, including political parties, non-profit organizations of which he/she is an officer or member, and persons with whom the public official has to seek employment or business relations.

3.5.2. Inducement or Coercion of Benefit

General rule: A public official shall not use or permit the use of his/her position or title or any authority associated with his/her public office in a manner that is intended to coerce or induce another person, including a subordinate, to provide any benefit, financial or otherwise, to himself/herself or to friends, relatives, or person with whom the public official is affiliated in a private capacity.

3.5.3 Use of Non-Public or Confidential Information

General Rule: Public officials owe it a duty it a duty to respect and protect non-public or confidential information to which they have access in the course or their official duties. As such public officials should not disclose to others, or use to further their personal interest, such information acquired by them in the course of their official duties.

3.5.4 Use of Public Property

General Rule: A public official has a duty to protect and conserve public property and shall not use such property, or allow its use, other than for authorized purposes, and shall exercise reasonable care when using such property and assets.

A common violation of this rule includes using government telephones for private calls, taking pencils meant for office use home for the use of ones school children, significant private use of government vehicles, fuel coupons, accommodation, computers or reams of paper.

3.5.5 Use of Official Time

Use of a Public Official's Own Time

General Rule: Unless authorized in accordance with law or regulations to use such time for other purposes, a public official shall use official time in an honest effort to perform official duties.

3.5.6. Use of a Subordinate's Time:

General Rule: A Public official shall not encourage, direct, coerce, or request a subordinate to use official time to perform activities other than those required in the performance of official duties or duties authorized in accordance with law or regulation.

3.5.7 Influence Peddling

General Rule: No public official may use his/her office to seek to influence a decision to be made by another person to further his/her private interest.

3.6. Post- Employment Activities

Post –Employment covers situations where public office holders act after they leave public office in such a manner as to take improper advantage of their previous office

General Rule: Public officials ought not to conduct themselves after leaving office in such a manner as to take improper advantage of their previous public office. Therefore, no public official shall, for a minimum of two years after termination of the public official’s term of office or employment, assist or represent any person in any business transaction involving his/her former office or the State if the public official participated personally or supervised the subject matter of the transaction during his/her term of office or employment.

This rule raises the issue of how to strike an appropriate balance between the right of public officials to move between public and private sector employment and the need to prevent abuse of confidential information and preserve public trust and the integrity of public officials. It is advisable that in order not to fall into a conflict of interest situation, a public official who wishes to engage in post-employment activities should consider the following:

- i. are there any prohibitions general on the official engaging in employment after leaving public service that conflict with his/her official duties; and
- ii. are there any organization-specific requirements, which should be satisfied prior to taking up the employment?

At no time should a retired public official or an official who has left public service make use of official information gained whilst in public office to further his/her private interests.

3.7. Gifts, Gratuities and Other Benefits

3.7.1 Accepting Gifts

General Rule: A public official shall not:

- i. solicit gifts, tangible or intangible, directly or indirectly from persons with whom they come into contact in relation to official duties.

- ii. accept gifts, tangible or intangible , that may or appear or have the potential to influence the exercise of their official functions, proper discharge of their duties or their judgment , indirectly from a person with whom they come into contact in relation to official duties and;
- iii. accept cash of any amount.

3.7.2. Non-Prohibited Gifts

A public official may accept the following gifts where it will not appear to influence or result in influencing the performance of official duties.

- i. unsolicited gifts of Souvenirs
- ii. Gifts from family members on the basis only of that relationship.
- iii. Reduced Membership or other Fee/Dues for being members of professional organizations/activities offered generally to members of the organization known to the public.
- iv. Gifts/Benefits from the business or employment of a spouse if such gift/benefit is being extended to families and which has not been offered on the basis of the public official's position.
- v. Social invitations from person other than prohibited sources
- vi. Awards, Honorary Degree and Honoraria if such gifts are bona fide awards or incident to the bona fide awards or honoraria given for meritorious public service or professional achievement by the public official provided that the award, degree or honorarium is made as part of an established program of recognition and is funded wholly or in part to ensure its continuation on a regular basis and the selection of recipients is made pursuant to a transparent criteria.

3.7.3 Gifts and Gratuities Check List

A public official should consider the following checklist when offered a gift:

- i. Is this gift in appreciation for something I have done in my role as a public official, and not Sought or encourage by me?
- ii. If I accepted this gift, would a reasonable person have any doubt that I would be independent in doing my job in the future, when the person responsible for this gift is involved or affected?

- iii. If I accepted this gift, would I feel free or any obligation to do something in return for the person responsible for the gift, or for his/her family or friends/associates?
- iv. Am I prepared to declare this gift and its source, transparently to my organization and its clients, to my professional colleagues, and to the Internal Revenue Service?
- v. Will donor expect something substantial from me in return?
- vi. Is an attempt being made to persuade me to do something that is prohibited by law, or contrary to regulations or my organization's policy?
- vii. Is an attempt being made to gain an unfair competitive advantage by influencing my discretionary decisions?

3.7.4 Disposal of Prohibited Gifts

Gifts offered/accepted in violation of the exceptions must be politely but firmly declined or immediately returned to the sender if delivered without prior notice. Alternatively, the official should pay the market value for the gift. When it is not practicable to return tangible items because it is perishable, the item should be given to an appropriate charity.

4.0: Dealing with conflict of interest situations

As soon as conflict of interest situation is foreseeable, the public official must take all appropriate steps to extricate himself/herself from the situation. Such steps may include:

- i. Reporting the conflict of interest situation and its circumstance to his/her superior officer or
- ii. Removing himself/herself from the conflict of interest situation

4.1 Assessment and Evaluation of the Situation

As private and personal interest can cloud a person's objectivity, it requires good judgment to recognize that one is in a conflict in interest situation. As such, it may be a lot easier to recognise when others are in a conflict that when one is. Therefore, it would be useful to talk to your head of department or an authorized officer and seek advice when one is in doubt. Better still, when in doubt the official should go through one or more of the following:

- i. is all the relevant information available to ensure proper assessment of the situation?
- ii. what is the nature of the relationship or association that could give rise to the conflict?
- iii. is legal advice needed

- iv. What are the laws governing the situation?
- v. is the matter one of public interest?
- vi. could the individual's involvement cast doubt on the organization's integrity?
- vii. how would it look to a member of the public or to a potential contractor or supplier to the organization?
- viii. what is the best option to ensure impartiality and fairness and to protect the public interest?

4.2. Disclosure of Conflicting Interest

Whenever a conflict of interest situation occurs or is likely to occur, the public official must make a disclosure of the situation as provided by law or as follows:

What to disclose: assets and liabilities, gifts, conflicting interest, outside employment; and NGO activities

How to disclose: in writing, verbal and surrendering the item

When to disclose: as soon as a conflict of interest situation occurs or likely to occur; and when in doubt.

To Whom: CHRAJ; superior officer/head of institution; and ethic committee or compliance officer or a similar set up within the institution.

4.3 Resolution and Management of Conflict of Interest

Conflict of interest may be resolved or managed by one or more of several ways, including the following:

- i. Divestment or liquidation of the interest by the public official'
- ii. detachment of the public official from involvement in an affected decision-making process;
- iii. restriction of access by the affected public official to particular information;
- iv. transfer of the public official to duty in a non-conflicting function;
- v. re-arrangement of the public official's duties and responsibilities;

- vi. resignation of the public official from the conflicting private –capacity function; and
- vii. Resignation of the public official from the public office.

5. Implementation of the Guidelines

A successful prevention and management of conflict of interest situations depend on effective implementation of the Guidelines. Accordingly, public officers, the Management of the Public Offices, and the Commission have been assigned specific roles in these Guidelines.

5.1 The Role of the leadership or management of Public Offices

The role of the leadership or management of public offices includes:

- i. developing in-house or organisational conflict of interest policies (in-house policies) in conformity with the Guidelines,
- ii. ensuring that the in-house policies are widely publicized among staff.
- iii. providing orientation on the Guidelines and the in-house policies for new entrants into public service, as well as serving staff and ensuring that all the new entrants upon initial appointment or on taking up their positions or functions, are given copies of the Guidelines and in-house conflict of interest policy’
- iv. providing clear orientation on conflict of interest prevention and management
- v. providing staff working in the office, copies of the in-house organisation’s policy statements on conflict of interest which they would sign for;
- vi. regularly reminding public officials of the application of the policy in changing circumstances, and in particular ensure that public officials know how the rules are applied in the organization and what personal responsibilities they bear in the endorsement of the rules;
- vii. providing up-to-date information about the organisation’s policy, rules and administrative procedures relevant to conflicts of interest, and clearly establish any additional requirements specific to the organization;
- viii. supporting staff with information and advice, including real-world examples of, and discussions on , how specific conflict of interest situations have been handled in the past and are expected to be handled in the future. In particular, consult with staff on the application of the policy, and ensure that both the rationale and content of the policy are understood and accepted.

- ix. establishing ethics committees or officers to among other duties , promote observance and compliance with these Guidelines and the in-house policies, and ensure that breaches of the Guidelines are dealt with in accordance with the Guidelines compliance with these Guidelines and the in-house policies and ensure that braches of the Guidelines are dealt with in accordance with the Guidelines,
- x. advising customers of the organization and others, including contractors, agents, and partnering bodies on the in-house policies.
- xi. involving staff, their representatives and other interested parties in reviewing in-house policies and consulting them on future prevention measures;
- xii. providing periodic training in ethics and decision making staff in order to help them better appreciate the importance of ethics in public administration and to help them improve decision-making skills in their day to day functions.

5.2 The Role of the Individual Public Official

The primary responsibility for implementing these Guidelines rests with the individual public official who must know and comply with the letter and spirit of the Guidelines.

5.3. The Role of Commission

In pursuance of its constitutional obligations, the Commission would,

- i. ensure the effective enforcement of the Guidelines,
- ii. assist public offices comply with the Guidelines and to submit periodic reports on the implementation of the Guidelines;
- iii. work towards a harmonization of existing laws and regulations with the Guidelines;
- iv. ensure that public official complete declaration of assets forms and submit same to the Auditor-General;
- v. where requested, provide technical assistance to institutions and organisations in developing their in-house policies.