



# Ghana Education Decentralization Project (GEDP)

## Conditions of Service for National Teaching Council

March 2012

### GEDP

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USAID Strategic Objective 8 (Improved Quality of, and Access to Basic Education)

# **Ghana Education Decentralization Project (GEDP)**

## **Conditions of Service**

## **National Teaching Council**

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## INTRODUCTION

The Government of Ghana is implementing a comprehensive program of Local Government and Administrative Reform through decentralization. The program as outlined in the 1992 Republican Constitution of Ghana, the Ghana Education Service Act, 1995 (Act 506) and the Education Act, 2008 (Act 778), introduced broad-spectrum structural and systemic changes in Ghana's Education system.

To ensure an effective and sustainable implementation of this massive decentralization program, a separate Public Service, the National Teaching Council has been created by an Act of Parliament – The Education Act, (Act 778) of 2008.

Section 7 of Act 778 creates the National Teaching Council, to among other responsibilities, undertake the inspection of schools, evaluate, on periodic basis, the first and second cycle institutions and set and enforce standards to be observed at the basic and second cycle levels in both public and private educational institutions.

The National Teaching Council in consultation with the Public Services Workers Union and the Senior Staff Association of the National Teaching Council, and with the approval of the Sector Minister, issues these Conditions of Service as a standard guideline to manage the human resources within the Council.

## **PART 1 - PREAMBLE**

In the exercise of the powers conferred on the National Teaching Council, by Act 778, and in consultation with the Public Services Workers Union and senior staff association of the National Teaching Council, and with the approval of the Sector Minister these Conditions of Service are made.

### **General**

This document specifies the following, among others:

- a) Recruitment procedures for members of the Council;
- b) Promotion procedures for members of the Council;
- c) Disciplinary procedures for members of the Council;
- d) Transfer and posting procedures for members of the Council.
- e) Institutional co-operation between the National Teaching Council and other branches of the public service.

### **Application**

These Conditions of Service shall apply to all National Teaching Council Personnel, including Officers on secondment, transfer or attachment to the Council.

### **National Teaching Council**

The National Teaching Council shall be the highest authority for setting standards, appointments, disciplinary matters etc., and for the implementation of these Conditions of Service within the National Teaching Council.

## PART II – National Teaching Council Structure

### Directorates and Units of National Teaching Council

The Directorates and Units within the Local Government Service as established are provided in the organizational structure of the Council as per Schedule I.

### Categories of Posts

Staff with the National Teaching Council has been grouped into six (6) main categories for ease of administration of the Conditions of Service. The under-listed categories shall prevail in the National Teaching Council.

CATEGORIES	GRADE OF STAFF
A1	Executive Director
A2	Directors
B	Deputy Directors
C	Middle level management and support grades
D	Junior support service staff
E	Sub-technical/auxiliary grades
F	Utility grades

### Detailed Definitions of Staff Categories

#### Grades of Staff

Grades of staff comprise a summary of both the managerial and technical positions as defined in the Schemes of Service of the National Teaching Council. Staff seconded from organizations outside the National Teaching Council may be classified based on the criteria defined in the Scheme of Service for the National Teaching Council.

#### Categories

The categories as defined in the Conditions of Service document are unique and applicable to the National Teaching Council and shall not be varied without the express authorization of the Council.

The appointing authorities for these categories of personnel are provided in Part III of these Conditions of Service.

#### Grades of Officers

The classification of posts and the various grades of officers as they relate to Directorates, Units, etc. within the National Teaching Council are as stipulated in the respective Scheme of Service.

#### Creation of New Departments

Proposals for the creation of a new Directorates and Units shall be submitted by the Executive Director to the National Teaching Council for consideration and approval. The proposals shall specify the following:

- a) Proposed name of the new Directorate/Unit
- b) Justification for creating the new Directorate/Unit
- c) Objectives and functions of the Directorate/Unit
- d) Number of departmental and general posts that may be created and grouped into the new Directorate/Unit.
- e) Scheme of Service of the new Directorate/Unit.

## **PART III - APPOINTMENTS AND FILLING OF VACANCIES**

### **Creation of Posts**

- a) The creation of all National Teaching Council posts shall be approved by the National Teaching Council, which shall be the highest authority in this matter.
- b) Applications for the creation of any post in categories B, C, D, E and F shall be submitted by Executive Director to the National Teaching Council. The application shall indicate the following:
  - i) The title of the post to be created.
  - ii) The justification for creating the post
  - iii) The total complement of staff required
  - iv) Statement of duties and qualifications
  - v) Salary Scale
  - vi) Scheme of Service (for new post)
- c) The National Teaching Council in conveying approval shall state:
  - i) The title of the new post
  - ii) The salary level
  - iii) The qualifications
  - iv) Progression and the complement of posts
  - v) Whether the new posts are general or departmental.

### **Appointments**

#### **Category 'A' Posts**

The appointing authority for Category 'A' posts in the National Teaching Council shall be the President of Ghana, acting on the advice of the National Teaching Council given in consultation with the Public Services Commission.

#### **Categories 'B' to 'F' Posts**

The appointing authority for Categories 'B', "C", "D", 'E' and "F" posts shall be the National Teaching Council in accordance with the approved Scheme of Service.

### **Conditions for Appointments**

Appointments into the National Teaching Council shall be subject to satisfaction by the candidate of conditions specified for entry into the grade, and must be declared medically fit by a Medical Officer of a government hospital.

### **Mode of Filling Vacancies**

The mode of filling vacancies shall be by promotion, demotion and direct appointment through external/internal unbiased advertisement, secondment and transfer into the Council.

### **Effective Date of Appointment**

The effective date of appointment upon entry into the Council shall be the date on which the officer reports for duty.

### **Acceptance of Appointment**

Acceptance of fresh appointment shall be notified not later than the stated deadline in the appointment letter. After the stipulated period, the appointment shall be deemed to have lapsed and the appointing authority shall reserve the right to offer the appointment to another candidate.

### **Appointment of Convicted Persons**

Convicted persons, other than those convicted on grounds of dishonesty, homicide and moral turpitude may be considered for appointment into the National Teaching Council. Persons convicted of dishonesty, homicide and moral turpitude may, however, be considered for appointment subject to the lapse of at least ten years after such conviction or unconditional pardon granted by the President of the Republic of Ghana.

### **Appointment of Non-Ghanaians**

The Council may appoint non-Ghanaians where there is no Ghanaian expertise available in the relevant fields on limited engagement basis. The procedure for appointing non-Ghanaians into the National Teaching Council shall be in accordance with the laws of Ghana.

### **Contents of Letters of Appointment**

Letters of appointment shall specify the following terms of appointment:

- a) Job title;
- b) Type of appointment (permanent, temporary, contract, etc.)
- c) Effective date of appointment;
- d) Probation period (if any);
- e) Salary scale and starting point;
- f) Brief job description;
- g) Posting instructions (where applicable);
- h) Other relevant benefits as contained in the approved Conditions of Service.

### **Probation and Confirmation of Appointment**

A newly appointed officer of the National Teaching Council shall serve a probationary period of six (6) months with effect from the date the officer assumes duty. Where the appointing authority is not satisfied that the conduct and job performance of the officer have been satisfactory, it shall proceed to either terminate the appointment or extend the probationary period by a further period of three (3) months. A formal letter of confirmation shall be issued accordingly. Unless informed in writing to the contrary, a newly employed staff that has completed such probationary period, shall be deemed to have been confirmed in the post.

#### **Termination of Appointment**

An appointment shall be terminated in writing if the performance or conduct of the appointee does not meet the expected standards as specified in the National Teaching Council code of Conduct manual).

#### **Induction and Orientation**

These are organized to provide all new staff and staff appointed to new positions with insight into the National Teaching Council work environment, values and culture.

### **Conditions for Acting Appointments**

Where it becomes imperative to request an officer to perform the functions of a superior officer for a period exceeding three (3) months, the Head of Council shall confer an acting appointment on the officer. The National Teaching Council shall be the appointing authority for acting appointments in respect of the Head of Council. Conditions for acting appointments are as follows:

- a) No officer shall be appointed to a position, which is more than one step above the officer's present grade;
- b) The officer holding the acting appointment shall be paid the difference between the officer's salary and the entry salary point of the grade for which the officer has been appointed to act;
- c) No acting appointment shall exceed a period of one (1) year;

- d) An officer who has performed satisfactorily in an acting capacity for more than one (1) year may be considered for promotion to the grade for which the officer acted;
- e) Allowances/benefits attached to the position shall be paid to the officer occupying the acting position.

Acting appointments may be made under the following circumstances:

- a) Upon the death of the substantive officer;
- b) When the substantive officer resigns, or retires, or vacates their post;
- c) When the substantive officer proceeds on course, duty overseas or leave without pay;
- d) When the substantive officer is dismissed, removed, suspended or interdicted from duty.

#### **Grade Transfers**

The relevant appointing authority may consider transfers of officers of the Council from one grade in an occupational group to another. Officers wishing to transfer from one grade in an occupational group to another may after obtaining the necessary clearance from their Head of Directorate or occupational group to which they wish to transfer, submit a request for consideration by the Executive Director.

#### **Limited Engagement of Retired Staff**

The appointment on limited engagement terms of retired staff shall be on monthly or yearly basis. The period may, however, be renewed by the appointing authority. For the avoidance of doubts, no retired staff that is sixty-five (65) years old or above shall benefit from this dispensation.

#### **Hours of Work**

The standard working hours shall be forty (40) hours per week. However, the employer in accordance with the exigencies of the Council will regulate the hours of work.

Senior staff may be required to work beyond normal working hours if the job requires it. This extra work will not attract overtime allowance.

## PART IV - PROMOTIONS

### Promotion Authorities

The appropriate appointing authority shall effect promotion into the various grades within the Council.

### General Conditions for Promotion

The procedure for making promotions shall be in accordance with the relevant Scheme of Service and subject to the availability of vacancies in the grade. Promotions shall be **based on merit** and in accordance with the approved Scheme of Service. **In determining merit, the following shall be taken into account:**

- a) Efficiency;
- b) Qualification and experience in area of work;
- c) Attitude towards work and general behaviour;
- d) Leadership qualities;
- e) Performance appraisal score of very good;
- f) Seniority shall be taken into consideration when all things taken are the same; seniority shall be determined from the date of last promotion.
- g) Seniority shall be taken into consideration when all things taken are the same including the date of last promotion; seniority shall be determined from the date of birth.
- h) Consistent and satisfactory performances as evidenced in the regular appraisal of the staff over a three (3) year period for the first promotion and five (5) years for subsequent promotions.
- i) Attendance or participation in at least one (1) structured and standardized in-service training relevant to one's job during the last three (3) years.
- j) Promotion to certain grades (Category C and above) require satisfactory performance at a promotion interview.

### Effective Date of Promotion

The effective date of promotion shall not be earlier than the date on which the vacancy for a position became due. The appointing authority shall convey to the officer the effective date of their promotion. The promotion letter shall specify whether the date of promotion is notional or effective for purposes of salary.

### Annual Staff Performance Assessment

#### a) Annual Performance Agreement

All officers holding the post of Executive Director, Director and analogous grades shall enter into a Performance Agreement with their superior officer. A team of evaluators to be appointed by Council shall do the evaluation of the performance of this category of officers annually.

#### b) Staff Performance Appraisal

- i) A staff Performance Appraisal Report shall be prepared annually on every confirmed officer, officers on limited engagement and every salaried employee;
- ii) The substantive reporting officer who has continuously supervised the work of a subordinate officer for at least six (6) months shall complete the Performance Appraisal Report. Where the substantive reporting officer is expected to be away at the time the reports are due, that officer shall leave a note for the guidance of the officer who is to complete and submit the report in that officer's absence;
- iii) Reporting officers shall discuss with their subordinate officers, the contents of the Staff Performance Appraisal Reports, and the subordinate officers shall be entitled to make their own

observations on their reports and sign them, prior to submitting them to the Appointing Authority.

## **PART V - TRAINING AND DEVELOPMENT**

### **Training Objective and Scope**

The Council is committed to establishing structured in-service training programs at all levels with a view to promoting sustained improvement in quality of services by nurturing a high level of performance. The Council shall prioritize training at pre-service, in-service and post-basic levels.

### **In-Service Training**

- a) The Council shall formalize and institutionalize a system of nation-wide in-service training program for the benefit of all employees.
- b) The types of In-Service Training Programs include the following:
  - i) Orientation/Induction training;  
Gender Concepts and Mainstreaming methods;  
Respectful workplace training;
  - ii) Remedial training;
  - iii) Management Development;
  - iv) Scheme of Service Training;
  - v) Attachment training;
  - vi) Study tours;
  - vii) External training programs;
  - viii) Self development.
- c) In-service training shall embrace staff at all levels in all categories. The proposal is that in the initial stages each staff shall have benefited from formal in-service training at least once every three (3) years.

### **Post Basic Training**

Post-basic training shall refer to formal training received after the basic training received before joining the Council. Such training will be a post-certificate or diploma or graduate training which will usually result in additional qualification – certificate, diploma, advanced diploma or degree.

Post graduate training shall refer to formal training leading to the award of a Masters or specified postgraduate diploma obtained from programs based in formal universities or similar accredited institutions.

Staff shall also be expected to undertake structured in-service training programs to be organized at reputable and recognized institutions as well as other courses relevant to their professional progression.

### **Sponsorship for Training**

Sponsorship for training shall cover both in-service training and post basic/post-graduate training programs approved by the Council. It will also cover both approved local and external training programs as defined in the approved Service Training Priorities and Plans.

A staff training and development plan will be developed by the Finance and Administration Directorate and endorsed by the Executive Director. The training and development plan is expected to have a multidisciplinary character and ensure fairness and equity.

### Eligibility for Sponsorship

Staff applying for sponsorship for training programs must have served for at least three (3) years to qualify for a long course lasting for at least two (2) years or at least two (2) years for a short course lasting less than nine (9) months.

Staff application forms must be endorsed by the Head of a Directorate in which the applicant works. Eligible candidates must show evidence of satisfactory performance appraisal in the last three (3) (or applicable years) years. Self-sponsorship and private sector sponsorship will also be encouraged;

The duration of sponsorship for training programs will be defined prior to the commencement of the training and may be varied only by the approval of the Executive Director.

### Additional Qualifications

An additional qualification, which is relevant to the Council, will be recognized and will contribute towards promotions in the Council. Relevant additional qualifications arising from training programs lasting for at least a year will earn one (1) step of promotion upwards to the next grade if vacancies exist in the grade.

Relevance of training will relate to the usefulness of the course of training to the Council and the relationship of the additional qualification to the primary/original professional qualification of the employee.

The additional qualification must be an approved course of study.

Outcomes in Staff Positions influenced by In Service Training:

#### **a) Upgrading**

National Teaching Council aspires to be a learning organization and as such provides opportunities for its staff to attain additional qualifications through training and capacity development. Upgrading is a procedure that involves the elevation of staff that attains additional academic or professional qualification relevant to the staff member's service area. Staff on completion of higher courses of study is expected to apply and request for their upgrading.

#### **b) Conversion**

This is the re-designation of an employee's job title to conform to the employee's shift unto a new professional line on the basis of attaining a new recognized qualification.

Staff on completion of such programs may apply for conversion and approval may only be given when there is a vacancy in the new service area.

#### **c) Incremental Awards**

Staff who pursue programs relevant to their service area but do not warrant upgrading or conversion are awarded incremental jumps on the salary scale. This in effect reduces the period of service for promotion to the next grade. Staff upon completion of such programs is expected to apply and request for these awards through their Head of department.

#### **d) Promotions**

Promotion is defined as the raising of a staff to a higher rank in the Council. It is based on the following conditions:

- i. Consistent and satisfactory performances as evidenced in the regular appraisal of the staff over a three (3) year period for the first promotion and five (5) years for subsequent promotions.
- ii. Attendance or participation in at least one (1) structured and standardized in-service training relevant to one's job during the last three (3) years.
- iii. Promotion to certain grades (Category C and above) requires satisfactory performance at a promotion interview.

#### **Bonding**

Officers who are sponsored for training programs lasting beyond six (6) months shall enter into bonds to complete the courses and return to the Council to serve in any establishment they may be posted for the periods specified in their bonds.

## **PART VI - EMPLOYEE ORGANISATIONS**

### **Trade Unions**

Every staff member of the National Teaching Council has the right to form or join a trades union of their choice for the promotion and protection of the staff member's economic/social interest in accordance with the Labour Act, 2003, (Act 651).

Notwithstanding the above clause an employee whose function is normally considered as:

- (i) Policy making,
- (ii) Decision making,
- (iii) Managerial,
- (iv) Holding a position of trust,
- (v) Performing duties which are highly confidential in nature or
- (vi) An agent of the government as an employer may not form or join the trade union.

The staff referred to in (b) above shall be determined in agreement with the National Teaching Council and the staff union or associations.

## **PART VII - DISCIPLINE**

### **Policy**

The policy of the Council on discipline is to deter employees from committing infractions of rules and to reform them in order to effect improvement in their conduct and make them more productive thereafter.

Personnel of the National Teaching Council shall obey the rules of conduct and procedures established within the Council.

### **Misconduct**

Any act done by an employee without reasonable cause constitutes misconduct if it:

- a) Amounts to failure to perform in a proper manner any duty imposed on the employee; or
- b) Contravenes any enactment relating to the National Teaching Council; or
- c) Is otherwise prejudicial to the efficient conduct of the functions of the National Teaching Council; or
- d) Tends to bring the National Teaching Council into disrepute.

### **Categories of Offences**

There are two categories of offences: Major and Minor.

#### **Major Offences:**

- i) Coercion, intimidation, threatening of fellow employees, use of insulting language towards another employee;
- ii) Deceit of public officer in the performance of the employee's duties;
- iii) Sexual harassment, physical assault, or fighting on premises;
- iv) Gross dereliction of duties, gross insubordination,
- v) Stealing, misappropriation of funds, fraud, or falsification of records;
- vi) Willful damage to state property;
- vii) Incitement of employees to engage in illegal strikes;
- viii) Habitual lateness to work;
- ix) Sleeping on duty by security staff;
- x) Absence from work for ten (10) consecutive working days without reasonable cause.
- xi) Improper influence;
- xii) False and misleading information;
- xiii) Unauthorized disclosure of official information
- xiv) Persistent alcoholism, drug abuse, etc.

#### **Minor Offences:**

- i) Sleeping during working hours;
- ii) Leaving place of work before closing without permission;
- iii) Trading on official premises;
- iv) Failure to comply with reasonable instructions;
- v) Minor damage to government property through negligence;
- vi) Gambling in the office;
- vii) Non-compliance with official dress code.

### **Penalties**

Disciplinary action may involve the imposition of a major or minor penalty depending on the gravity of the offence.

### **Major Penalties**

For the purposes of these Conditions of Service, the following shall be considered as major penalties:

- a) Dismissal;
- b) Termination;
- c) Removal;
- d) Reduction in rank.

### **Minor Penalties**

The following shall be considered as minor penalties:

- a) Surcharge;
- b) Reduction in salary;
- c) Suspension without salary and allowance for a period not exceeding ten (10) days;
- d) Withholding or determent of increment;
- e) Stoppage of increment;
- f) Written warning or reprimand;
- g) Verbal warning.

### **Interdiction**

Interdiction may be ordered:

- i) Where further disciplinary proceedings are to be taken against an officer;
- ii) Where the officer is the subject of criminal investigation or offence, whether or not connected with the officer's work;
- iii) Where the continued presence of an officer at the work place may influence investigations into an offence allegedly committed by the officer.

During the period of interdiction that should not exceed six (6) calendar months, the interdicted officer shall be paid one-half (1/2) of the interdicted officer's salary provided the interdicted officer is not indebted to the government.

### **Interdiction Arising from Criminal Investigation**

Where interdiction is the result of criminal investigation leading to prosecution, and the interdicted officer is subsequently convicted in a court of law of the criminal offence involving fraud or theft or is sentenced to a term of imprisonment, the officer shall be summarily dismissed from the Council and shall forfeit the salary withheld upon interdiction.

### **Disciplinary Procedures**

Where it is considered necessary to institute formal proceedings against an officer, the appropriate authority shall frame a charge or charges against the offending employee in writing. The authority may consult the Attorney General with respect to the terms of the charge or charges.

When a copy of the charge or charges together with a brief statement of the allegation on which the charge is based has been forwarded to the offending employee, the employee shall be required to state in writing, within seven (7) days, any grounds upon which the employee wishes to be exonerated. Failure on the part of the officer to react within the period of seven (7) days may be deemed to mean that the employee has no defence to the charge or charges.

The appropriate disciplinary authority may proceed to take relevant decision. When a statement submitted by the offending employee is not considered satisfactory, the disciplinary authority shall proceed to refer the matter to a committee for further inquiry. The committee may, when the need arises, request for the assistance of professional or technical persons.

### **Disciplinary Committee**

The composition of the Disciplinary Committee shall be as follows:

- a) Legal/Deputy Director (Human Resource) or designated representative;
- b) Head of Department of staff concerned;
- c) Representative of local union or staff association;
- d) Any other senior staff appointed by management.

### **Evidence**

The offending officer shall be required before the holding of the enquiry to provide a list of persons whom that officer wishes to give evidence on that officer's behalf or to produce exhibits on that officer's behalf. An offending officer shall be permitted to be present at the enquiry but where the offending officer fails to be present without permission, the committee may proceed with its enquiry without the officer's presence. Any documentary evidence, which has a bearing on the subject matter of the enquiry, shall be made available to the offending officer for examination, inspection, and study before hand.

### **Legal/Union Representation**

An offending officer may be represented at an enquiry or an investigation by a legal counsel or local union official. The offending officer may be allowed to cross-examine witnesses or do so through their legal counsel or union official.

### **Attendance of Witness**

Where the evidence of a witness or the production of an exhibit is vital to an inquiry but the witness refuses to appear before the Committee, the Committee of Inquiry shall report such development to the disciplinary authority that shall decide whether or not the Committee should proceed without that piece of evidence. Any officer of the National Teaching Council who refuses or fails to testify at an inquiry shall be guilty of misconduct and shall accordingly be disciplined. Public officers who attend inquiries as witnesses or to produce exhibits shall be treated as being on duty and shall be eligible to receive travelling and transport allowances at the appropriate rates. Non-public officers who attend disciplinary inquiries to give evidence or to produce exhibits shall be paid appropriate allowances as the Inquiry Committee may determine.

### **Incriminating Evidence**

No person shall be required to give evidence that may incriminate them.

### **Records**

A record of proceedings during the inquiry shall be kept.

### **Additional Charges**

Where the Committee of Inquiry considers it appropriate to frame additional charge or charges, it shall immediately inform the disciplinary authority in writing, and if the disciplinary authority agrees with the request for additional charge or charges, the same procedure adopted for the remaining of the earlier charges shall be followed.

### **Submission of Report**

On completion of the inquiry, the Committee shall submit a written report to the disciplinary authority that appointed it. The report shall comprise the following:

- i) Record of evidence;
- ii) Documents tendered in evidence;
- iii) Findings as to whether charge or charges have been proved;
- iv) Brief statement of reasons for the findings and observations;

#### v) Recommendations

If the disciplinary authority is satisfied that the charges have been established, the authority shall consider what penalty should be imposed, if any.

#### **Disciplinary Action and Criminal Proceedings**

Where criminal proceedings are pending against an officer of the National Teaching Council in any court of law, no disciplinary proceedings upon any grounds involved in criminal charge or charges shall be taken or continued until the conclusion of the criminal proceedings and the determination of any appeal there-from.

#### **Disciplinary Action on Acquittal**

If criminal proceedings result in the acquittal of an officer of the Council, the officer shall not be dismissed or otherwise punished in respect of any charge upon which the officer had been acquitted. However, the officer may be dismissed or otherwise punished for any other charges arising from the officer's conduct in the matter, unless the charges in substance raise an issue on which the officer has been acquitted. In the event of an officer being acquitted of a criminal charge or charges in any court where it is proposed to commence disciplinary proceedings arising out of the officer's conduct, the draft charges shall be forwarded to the Attorney-General for advice as to whether the charges can be properly made.

#### **Procedure Upon and After Trial**

Where an officer of the National Teaching Council has been convicted of a criminal charge by a court of law, the appropriate level of the National Teaching Council shall demand the report on the outcome from the court. In the event of an appeal by the convicted officer, the result of the appeal shall be demanded by the appropriate level of the National Teaching Council from the Court that heard the appeal.

#### **Dismissal Upon and After Trial**

Where an officer of the National Teaching Council is convicted of an offence involving fraud or theft for which the officer is sentenced to imprisonment, the appointing authority shall dismiss that officer forthwith and this will take effect from the date of judgment by the court.

#### **Grievance Procedures**

A grievance may be deemed to have arisen when a staff of the National Teaching Council thinks that the staff member is being wrongly or unjustly treated by colleagues, supervisor, superior or head of department, e.g. where the staff member is being unjustly picked upon or victimized, unfairly appraised in a staff performance appraisal report; unfairly denied or blocked for promotion, salary increment or discriminated against on grounds of race, tribe, religion, sex, age or disability or HIV/AIDS status, etc.

#### **Grievance Reporting and Procedure**

Any officer of the Council who has any complaint or grievance against the Council or any officer of the Council shall lay such grievance or complaint before the officer's immediate superior in the first place. The staff shall request a meeting with the unit head in the presence of the local union/staff association representative and this meeting shall normally be held within three (3) working days. The unit head shall promptly investigate and address the grievance in writing within two (2) working days.

Where the immediate boss of the officer reporting the grievance is unable to resolve the matter or grievance within five (5) days, the officer shall report in writing to the superior of the immediate superior with copy to the officer's boss for comments within three (3) days.

If the grievance is not resolved through the procedure outlined in steps (a) and (b) above, the employee, with the local union representative, may present the grievance in writing within five (5) days to the Head of Directorate. An answer shall be received within three (3) working days from the Head of Directorate to whom the unit head reports.

Where no response is received from the Head of Directorate within the stipulated period, the employee and union representative shall notify the Executive Director in writing with a copy to the unit head within a period of ten (10) working days (after step c) requesting for a meeting with the Executive Director.

No grievance shall be reported to the next highest authority until the hierarchy in the Council has been exhausted or there is an indication that the matter cannot be resolved by the hierarchy to which the grievance has been reported.

The final authority for resolving all grievances shall be the National Teaching Council.

#### Grievance Presentation

All grievances from personnel of the Council must:

- a. Be in writing and signed or marked by the originator;
- b. State the nature of the grievance;
- c. Specify the authority against which the grievance is being made;
- d. State the remedy being sought;
- e. Be copied to the authority against which the grievance is being made.

#### Right of Representation

These Conditions of Service shall allow for the involvement of an individual's or group's trade union or staff association representative(s) in the presentation or discussion of a grievance if the officer so desires.

#### Right of Appeal

Any officer of the National Teaching Council who is aggrieved by any action taken against them by the officer's superior or higher authority shall have the right to appeal in writing against such action or decision. Such appeal shall be expected to be considered by the authority to which the appeal has been laid and the result of such consideration shall be communicated to the officer making the appeal as early as possible.

#### Disciplinary Authorities

The highest disciplinary authority shall be local National Teaching Council which may delegate this authority as it deems fit.

Category of posts	Persons to whom authority may be delegated
a. Categories B,	Executive Director
b. Categories C, D, E and F	Directors

### **Review of Disciplinary Action**

All disciplinary action taken against staff shall be reviewed after six (6) months except for dismissal and removal from work.

### **Limitation Period for Making Appeals**

Any officer against whom an action, ruling or decision such as dismissal, suspension, interdiction, removal or termination has been taken, whether initially or in subsequent appeals, shall have a right to lodge an appeal with the appropriate authority within sixty (60) days after the action, decision or ruling has been communicated to the officer. Failure to lodge an appeal within the time limit shall render the appeal invalid.

## **PART VIII - REMUNERATION**

### **Salary**

Job Analysis and Job Evaluation shall determine salaries within the National Teaching Council. Salaries for the various grades shall be based on the negotiated and approved fair Pay and Grading structure.

### **Points of Entry/Salary Structure**

- a. The salary payable to any employee shall be in accordance with the approved salary structure of the Local Government Secretariat;
- b. The point of entry in the salary structure of a newly appointed staff shall be fixed by the Local Government Service;
- c. In determining the point of entry, experience and qualifications relevant to the post shall be taken into account as defined in the Scheme of Service;
- d. All salaries shall be paid monthly direct into any bank in Ghana nominated by the employee;
- e. Remittances or allotments to home countries outside Ghana shall be made at the employee's own expense and in accordance with the government regulation in force.

### **Annual Salary Increment**

All personnel of the National Teaching Council shall, subject to satisfactory conduct and job performance, be eligible to earn annual salary increment according to prevailing scales of salary increment.

Personnel whose job performance and conduct have been found to be unsatisfactory shall not qualify to earn annual salary increment.

Where in the opinion of a superior officer, the performance of a subordinate officer has not been satisfactory, the superior officer shall notify the Head of Directorate of the superior officer's intention to withhold the increment of the subordinate and state reasons why the increment must be so withheld. If, in the opinion of the Head of Directorate, a case has been made for withholding the annual increment, the superior officer shall proceed to order the withholding of the increment accordingly.

### **Deductions from Salary**

Only statutory deductions and payments as may be determined from time to time by the Council shall be deducted from an employee's salary.

Unless otherwise provided, examples of such charges and deductions are:

- i) Income tax deductions;
- ii) Deductions made under the Social Security Act;
- iii) Repayment of loans and salary advances;
- iv) Rent deductions when the Council provides the employee with an accommodation;
- v) Staff welfare fund deductions;
- vi) Trade union dues.

### **Allowances**

The staff of the National Teaching Council shall be paid appropriate allowances as authorized by the Council with the recommendations of the Executive Director.

### **Responsibility Allowance**

National Teaching Council personnel in top management positions shall be entitled to the payment of responsibility allowance. This allowance shall be commensurate with their level of operation. The Council shall determine the value of this allowance.

### **Vehicle Maintenance Allowance**

Members of staff who possess means of transport shall be paid appropriate allowance to maintain them. Eligibility for this allowance shall be subject to the nature of the duties of the applicant and level of seniority

### **Fuel Allowance**

This allowance shall be paid to members of staff in Categories A & B who possess means of transport and who qualify for the payment of car maintenance allowance. The Council shall determine the value of this allowance.

### **Travelling and Transport Allowance**

This allowance shall be paid to officers who undertake journeys to perform official duties without using official means of transport. Such allowances shall be paid at the beginning of the month following the month during which the trips were made. Payment of this allowance to personnel with their own means of transport will have their allowances based on kilometers travelled while personnel without their own means of transport will have theirs calculated on prevailing approved transport fares. Where necessary an officer shall be given an accountable advance.

### **Commuted Kilometer Allowance**

Commuted kilometer allowance at appropriate rates shall be paid on monthly basis to officers with their own means of transport who reside within fifteen kilometers radius from their work place. In addition, officers who use their own means of transport to undertake official trips shall be paid at rates to be determined by the National Teaching Council.

### **Out of Station/Night Allowance**

Personnel of the Council shall be eligible for payment of out-of-station/night allowance for each night spent on approved duty outside their stations in Ghana. The rates of allowance prescribed are subject to abatement of one-third (1/3) where either Council or lodging is provided free and of two-thirds (2/3) where both are provided free. Allowances to be paid shall be determined from time to time by the National Teaching Council.

### **Accommodation Allowance**

Where official accommodation is not allocated or available to senior management staff (Categories "A" and "B"), an appropriate rent allowance of twenty five per cent (25%) of gross monthly salary shall be paid. Categories "C" and "D" staff shall be eligible to rent allowance equivalent to twenty per cent (20%) of gross month salary in the absence of appropriate residential accommodation.

### **Rent Deduction**

Personnel who reside in accommodation provided by the Council shall be liable for rent deduction from source at the prevailing government rates.

### **Domestic Servant Allowance**

All personnel in Categories "A" and "B" posts shall be eligible for the payment of monthly domestic servant allowance in lieu of the provision of utility domestic staff. Such personnel shall not be eligible to the domestic utility staff allowance if the Council provides such staff. The quantum shall be as approved from time to time by the National Teaching Council.

**Security Guard Allowance**

Security Guard allowance shall be paid monthly to all personnel holding category 'A' and "B" posts.

**Annual Leave Allowance**

All personnel of the Council shall be eligible for the payment of annual leave allowance equivalent to one-month basic salary.

**Warm Clothing Allowance**

Warm Clothing allowance at appropriate rates and under conditions to be determined by the Ministry of Finance shall be paid to officers who travel outside the country to temperate areas of the world on study leave. Officials on official assignment other than study leave may be considered for the allowance at the discretion of the Executive Director.

**Subsistence Living Allowance**

An unaccountable per diem allowance shall be paid to officers who travel outside the country on official duty at rates to be determined by the Ministry of Finance.

**Overtime Allowance**

Junior Officers who are authorized by their Heads of Department to work beyond the normal working hours may be paid overtime allowance at a rate to be determined by the Local Government Service Council and approved by the Ministry of Finance.

**Special Project Allowance**

Personnel of the Council, who, in addition to their normal schedule of duties, work on projects, shall be paid Special Allowance during the period of the special project being undertaken. The National Teaching Council shall determine such allowance.

**Entertainment Allowance**

Entertainment allowance at rates to be determined by the Council shall be paid to Executive Director and Directors on monthly basis. This allowance is to enable these officers to receive or host visitors for and on behalf of the Council.

**Acting Allowance**

An acting allowance shall be paid to an officer who has been requested in writing by the appointing authority to perform duties of a higher grade or in another job position in addition to that officer's normal work schedule. An acting allowance shall be the difference between the employee's gross monthly salary and the first point in the salary scale of the grade for which the officer is acting.

**Risk Allowance**

Risk and height allowance, which shall be determined by the National Teaching Council, shall be paid to personnel whose duties involve high risk as well as climbing heights.

**Disability Allowance**

Every physically challenged employee of the Council shall be entitled to the payment of a special Guide/Commuted Travelling Allowance of twenty per cent (20%) of the employee's monthly basic salary.

## **PART IX - WELFARE**

### **General**

The following welfare benefits shall apply to all personnel of the National Teaching Council provided they become eligible for them. The National Teaching Council in consultation with accredited representatives of the staff of the National Teaching Council shall determine the quantum of payment of benefits from time to time.

### **Special Advance**

Subject to availability of funds, a special advance may be paid to a member of staff of the National Teaching Council under terms and conditions to be determined by the National Teaching Council. The conditions under which the special advance may be paid are:

- i) Bereavement of spouse, father, mother or children (not exceeding two);
- ii) Disaster such as destruction of staff's house by fire, flood or any other unforeseen circumstances;
- iii) The payment of rent advance;
- iv) Purchase of furniture/fittings or domestic appliance;
- v) Any other critical situation affecting that staff member.

The repayment of the special advance shall be over a two (2) year period by monthly deductions from the salary at source.

### **Funeral Grant on Death of Staff**

Funeral grant shall be paid as donation to the family of a deceased employee of the Council at rates to be determined by the National Teaching Council.

The Council shall arrange a vehicle to transport members of staff to attend the funeral of a deceased member of staff.

### **Salary Advance**

Subject to availability of funds, a permanent member of staff may apply to their Head of Directorate for salary advance not exceeding two (2) months of the staff member's basic salary once a year.

Eligibility for the grant of salary advance shall be subject to at least one (1) year continuous service on the part of the officer making the request.

The officer shall be required to repay the salary advance from source over a period of twelve (12) months.

### **Medical/Dental Care**

Medical and dental care shall be provided for the personnel of the Council as well as dependents for diseases not covered under the National Health Insurance Scheme.

### **Loans to Purchase/Repair Means of Transport**

All senior personnel of the National Teaching Council may, subject to the nature of their duties, be eligible for the grant of a loan to purchase or repair a means of transport, i.e. a car. The loan granted shall be deducted from the officer's salary for a period to be determined. The Executive Director on the recommendation of the Head of Directorates shall approve applications for car loan by senior personnel as the case may be.

Junior personnel of the Council may apply for and be granted a loan to purchase a motor bicycle or a bicycle for the performance of their duties.

Applications for loans for the purchase/repair of means of transport may be granted subject to the availability of funds.

#### **Public Servants Housing Loan Scheme**

Personnel of the National Teaching Council may be entitled to loans from the Public Servants Housing Loans Scheme.

#### **Long Service and Merit Awards**

##### **General**

The Council shall institute schemes to motivate staff to high performance levels. The awards will recognize meritorious service, good conduct and selfless service.

##### **Long Service Awards**

The following shall be the conditions to be considered in the award of long service awards:

- Ten (10) years of continuous service;
- Twenty (20) years of continuous service;
- Twenty-five (25) years continuous service and above.

##### **Merit Awards**

The Council shall set up “Best Worker Nomination Teams/Committee”. The committee shall constitute a panel (which has both sexes represented) with clear, operational guidelines to screen staff nominated for exemplary and significant achievements and innovative approaches to service delivery. All directorates shall nominate and select Best Workers in designated fields. Such a scheme shall be institutionalized at all levels and shall be awarded on yearly basis.

## PART X - TYPES OF LEAVE

### Annual Leave

#### General

An annual leave is a period of rest from work granted to an employee of the Council. Every employee of the Council is entitled to proceed on an annual leave when the employee can be absent from work for a period of time but still receive full salary. All grades of staff shall be entitled to annual vacation leave as follows:

- a. All senior staff - thirty six (36) working days
- b. All other staff - twenty eight (28) working days

### Maternity Leave

An employee of the National Teaching Council who is pregnant shall be entitled to maternity leave to enable the employee deliver and nurse the baby (s). Maternity leave should start not less than thirty (30) days before the expected date of delivery (as assessed by an approved medical officer).

The employee on maternity leave shall be on full pay for a maximum period of three (3) calendar months. After the employee's resumption of duty the employee is entitled to four (4) hours feeding time per day for a further period of nine (9) months on full pay. Maternity leave shall be additional to leave entitlements.

### Sick Leave

Sick leave is granted to an employee who has been examined by a recognized medical practitioner and has certified that the employee is not fit to work. Application for sick leave shall be routed through the Head of Directorate to the Executive Director for approval. The classification below shows the maximum period for a staff to benefit from full salary, half salary and without salary while on sick leave:

Category	Maximum period of full salary	Maximum period of half salary	Maximum period without salary
Employees with 5 years or more continuous service	12 months	12 months	Sick leave in excess of 24 months
Employees who have served for less than 5 years but more than 3 years	12 months	8 months	Sick leave in excess of 20 months in any period of 4 years
Employees with less than 3 years service but more than 1 year	4 months	4 months	Sick leave in excess of 8 months in any period of 3 years
Less than 1 year service	1 month	2 months	Sick leave in excess of 3 months in any period of 12 months

### Study Leave With/Without Pay

A study leave is leave taken when an employee of the Service is absent from the employee's normal place of work for the reason of undertaking an approved training course. An employee of the Council is eligible for study leave if approved by the appropriate authority.

All applications for the grant of study leave with or without pay shall be forwarded to the approving authority through the applicant's Head of Directorate. The Head of Directorate, while forwarding

the application to the approving authority, shall indicate whether or not the Head of Directorate endorses the application and for what reasons.

The approving authority shall indicate its approval or otherwise to the applicant through the applicant's Head of Directorate.

Study leave may be granted with or without pay.

#### **Eligibility for Grant of Study Leave With/Without Pay**

Applications for study leave with/without pay shall be expected to satisfy the following requirements:

- a. Applicant must hold a permanent appointment with the Council;
- b. Applicant must have done at least four (4) years continuous service in the National Teaching Council;
- c. Applicant must not be subject to any disciplinary action.

#### **Particulars Required to Qualify for Study Leave With Pay**

The approving authority may, subject to the submission of the following particulars, consider an application for study leave with pay and convey that decision through the applicant's Head of Directorate:

- a) Title, venue and duration of the course
- b) Responsibility for funding participation in the course
- c) Relevance of course to applicant's career development and the needs of the National Teaching Council.
- d) Justification for the course, if course is not relevant as (c) above
- e) Evidence of consent by Head of Directorate of applicant to release applicant to undertake the course;
- f) Length of service of applicant;
- g) Evidence of officer's admission to the course;
- h) Details of applicant's outstanding or other financial obligations to the National Teaching Council; and
- i) Whether or not there is any disciplinary action pending against the applicant.

#### **Conditions Attached to the Grant of Study Leave With Pay**

The grant of study leave with pay shall be subject to the following conditions:

- a. Applicant will not be eligible for promotion and annual leave during the period of the course;
- b. The facility shall be subject to the normal duration of the course;
- c. Applicants who undertake courses locally may be required to contribute stated amount towards the cost of Counciling and lodging;
- d. Application for extension of study leave with pay shall be submitted for consideration by approving authority through the Head of Directorate of the applicant;
- e. Courses to be pursued shall not be changed without the written permission of the applicant's Head of Directorate;
- f. Applicants shall enter into bonds to complete the course and will be required to return to the Council to serve in any establishment of which they may be posted for the periods specified in their bonds;
- g. The continued enjoyment of the facility shall depend on the applicant's satisfactory performance while on the course;
- h. The period of study leave with pay shall be leave consuming but not leave-earning.

### **Conditions for Study Leave Without Pay**

Applications for the grant of study leave without pay shall be subject to the conditions and rules attached to the applications for study leave with pay. All other conditions attached to the grant of study leave with pay shall apply except that applicants for the facility shall not be bonded to serve for a specified number of years after their return from study leave without pay.

### **Study Leave With/Without Pay – Approving Authorities**

The approving authorities for the grant of study leave with/without pay shall be the same as stipulated under Section 93 below.

### **Application for Leave Without Pay**

A member of staff wishing to proceed on leave without pay shall apply for the facility through the staff member's Head of Directorate who shall indicate whether or not the Head of Directorate endorses such application, and thereafter shall forward such application to the appropriate authority for consideration and approval.

### **Approving Authority for Leave With/Without Pay**

The Executive Director shall be the approving authority for the grant of leave without pay.

### **Eligibility for Grant of Leave with Pay**

An officer of the National Teaching Council becomes eligible for consideration for the grant of leave with pay subject to the following conditions:

- a. The officer must have served for a period of at least three (3) continuous years in the National Teaching Council;
- b. The officer must not be indebted to the Council;
- c. The officer must not have any disciplinary action pending.

### **Conditions for the Grant of Leave Without Pay**

Conditions for the grant of leave without pay are the following:

- i) On grounds of ill-health;
- ii) Nursing mothers who encounter problems about caring for their babies after maternity leave;
- iii) To join spouse on posting to approved Service in Ghana Missions abroad or on posting to international organization;
- iv) To work with an approved organization outside the Public Service;
- v) Unforeseen circumstances requiring urgent and sustained attention of the officer;
- vi) Application must be endorsed by the relevant authority;
- vii) Leave without pay shall not exceed a total period of four (4) years.

An application for leave without pay shall specify the following:

- i) Name and rank of applicant;
- ii) Length of Service of applicant;
- iii) Period of leave without pay being requested for;
- iv) Reasons for making request for leave without pay;
- v) Undertaking to return to the Council after the expiry of the period granted.

### **Extension of Period of Leave Without Pay**

Where it becomes necessary for an officer to apply for an extension of leave without pay the officer shall follow the same procedure for applying for the facility, and such an application for extension must indicate the following:

- i) Reasons for the extension;

- ii) Period of extension.

The approving authority may, in writing, convey its acceptance or otherwise to the applicant.

#### **Lapse of Leave Without Pay**

An officer who fails to return to their post within two (2) weeks after the expiration of the approved leave period shall be deemed to have vacated employment.

#### **Disembarkation Leave**

An officer of the Council who travels from abroad to assume duty after a course of study shall, on arrival, be granted some days of rest known as disembarkation leave.

Disembarkation leave shall start from the day following the date of disembarkation for duration as follows:

- i) 3-5 months study - - 3 days disembarkation leave
- ii) 6-12 months study - - 5 days disembarkation leave
- iii) Over 12 months of study - 10 days disembarkation leave.

#### **Casual Leave**

Casual leave is a short leave taken when an employee has exhausted their annual leave. It is usually intended to cover urgent private and personal affairs.

Every full time employee of the Council is entitled to a casual leave of five (5) days in any given year.

Application for casual leave shall be in writing or annual leave application forms may be used.

Approval shall be by the Head of a Directorate.

#### **Compassionate Leave**

Compassionate leave is a leave, which may be granted to an employee in special circumstances, for example, bereavement or illness of spouse, children, parents, natural and/or man-made disasters affecting staff or belongings of the employee.

Compassionate leave is applicable only when annual leave has been exhausted.

Compassionate leave for employees of the Council shall not exceed ten (10) working days in a year. Application shall be directed to, and approved by Head of a Directorate.

An application for compassionate leave shall be in writing, stating in detail the reasons for applying and supplying the relevant documents as proof.

#### **Examinations Leave**

A permanent staff of the Council shall be entitled to an examination leave to enable writing of an examination, which is related to their technical and managerial competence. This leave shall be additional to the annual leave of the staff.

#### **Public Holiday**

All staff of the Council shall be entitled to enjoy any public holiday announced by the government.

### Handing Over Notes

An employee proceeding on leave or leaving for any reason as stated under “Leaving the Council” shall hand over all Council property under the employee’s stewardship, including official premises, vehicles, furniture, tools, equipment, papers, books, stores, cash, etc. to the reliever before the employee leaves.

The employee handing over should give a detailed statement as regards all matters affecting their duties noting down particulars of any unfinished assignments, matters needing follow- ups, etc. for the guidance of the employee taking over.

Should it be detected that an employee has left without a thorough handing over either as regards the information supplied or the handing over of any property of the Council, etc. the employee shall be recalled to do a proper handing over.

The out-going employee shall be held liable for the loss of any Council property, which cannot be traced as a result of the employee’s failure to comply with acceptable handing over procedure.

## **PART XI - TRANSFER AND SECONDMENT**

### **Eligibility and Conditions for Transfer from the National Teaching Council**

Consideration for transfer of personnel of the National Teaching Council into any of the Public Services of Ghana may be given subject to the following conditions:

- a. The applicant shall have done at least five (5) years in the National Teaching Council;
- b. The organization to which the applicant wishes to transfer shall be responsible for the salary and other conditions of the transferred member of staff;
- c. While on transfer, the officer will not be eligible for promotion within the National Teaching Council;
- d. An officer returning from transfer shall apply for re-entry into the Council through their Head of Directorate. Such an application for re-entry shall be forwarded to the appropriate appointing authority.

### **Conditions for Transfer into the National Teaching Council**

Personnel within the Public Services of Ghana may transfer to the National Teaching Council, subject to the needs of the Council. All applications for transfer into the National Teaching Council shall be lodged with the appropriate appointing authority of the Council for consideration and approval.

The National Teaching Council shall be responsible for the payment of salary, allowances and other conditions of service of the transferred staff.

### **Secondment of National Teaching Council Personnel**

The National Teaching Council may grant permission for personnel of the National Teaching Council to be seconded to any agency within the Public Services.

### **Eligibility for Secondment of National Teaching Council Personnel**

Only personnel of the National Teaching Council who have done at least three (3) years continuous service will be considered for secondment outside the Council. Persons against whom disciplinary action may be pending shall not be considered for release on secondment.

### **Conditions for Secondment of National Teaching Council Personnel**

Applications for secondment of National Teaching Council staff shall be considered subject to the following conditions:

- a. Evidence that the receiving organization has offered appointment to applicant;
- b. The secondment of the applicant must be endorsed by the applicant's Head of Directorate;
- c. Secondment shall not exceed a period of two (2) years with an extension period of one (1) year on approval, after which period the officer shall exercise their option to remain with the agency or return to the Council. In the absence of notification to return to the Council, the officer shall be deemed to have elected to remain with the agency and shall accordingly be informed by the appointing authority of the Council;
- d. While on secondment, the officer shall be entitled to all the emoluments and benefits of the public service agency to which the officer has been seconded.

### **Secondment into the National Teaching Council**

All applications for secondment from personnel outside the National Teaching Council into the Council shall be lodged with the National Teaching Council Secretariat for consideration and approval.

All such applications must have the endorsement of the applicant's new Head of Directorate.

All conditions attached to the secondment of National Teaching Council Personnel shall apply to officers who opt for secondment into the National Teaching Council.

Before the expiry of two (2) years, however, the National Teaching Council will be required to inform the seconded officer whether or not it intends to retain their services with the Council.

The Council shall not be responsible for the salary, allowances and other conditions attached to public service personnel seconded to the Council after such notification.

## **PART XII - COMPENSATION, HEALTH AND SAFETY**

### **Application of Workman's Compensation Law 1987 (Provisional National Defense Council Law 187)**

The provisions of the Workmen's Compensation Law, 1987, (Provisional National Defense Council Law 187) shall apply to workers employed by the National Teaching Council. Any worker or family of any worker may, however, seek remedy under the common law or any other law applicable, to obtain satisfaction in case of injury or death.

### **Employer's Liability**

The National Teaching Council shall be liable for the compulsory payment of employee compensation arising from injury or death as provided for under the Workmen's Compensation Law.

The National Teaching Council shall defray the reasonable expenses incurred by a worker of the Council within Ghana or, with the approval of the Director-General of the Ghana Health Service outside Ghana, as a result of an accident arising out of and in the course of the worker's employment. Compensation shall be paid in case of the following:

- i) In respect of temporary incapacitation;
- ii) In respect of disfiguring injuries;
- iii) In respect of permanent incapacitation;
- iv) In respect of fatal cases.

### **Notification of Accidents**

The National Teaching Council shall give notification in respect of the following as provided under the Factories, Offices and Shops Act, 1970 (Act 328):

- a. Notification of accidents;
- b. Notification of dangerous occurrences;
- c. Notification of industrial diseases.

### **Severance Pay (Compensation)**

Where an employee's service is terminated as a result of re-organization or re-arrangement or any other similar situation causing a severance of the relationship of the employee and the Council and causing the employee to suffer any diminution in their terms and conditions of employment, that employee shall be paid compensation in addition to other entitlements as follows:

- a. Under one (1) year but above probationary period, (1½) month's salary;
- b. Between one year and above four (4) years but not more than five (5) years, two and a half (2 ½) month's salary for each year of service;
- c. Over five (5) years and above, three and a half (3½) months pay for each year of service.

### **Redundancy**

In the event of any redundancy the Council shall inform the Union of the names, categories, grades and dates of employment of those whose appointment it wishes to terminate not less than three (3) months to the date on which the appointment will terminate.

In the event of recruitment after redundancy preference shall be given to the laid-off employee if available for re-engagement.

Employees who will be affected by redundancy shall be informed of the termination of their appointments not less than two (2) months prior to the date of termination.

In preparing a list of probable redundant workers, the policy of “first employed last to be laid off” and “last employed, first to leave” shall be the working basis subject always to the Council to retain such staff no matter when engaged, of the highest qualifications, merit and experience as would ensure optimum productivity and efficiency in the Council’s work.

Where the Council exercises the right to retention referred to in sub-paragraph (d) of this Article, it shall provide a list of names of all employees so retained, giving brief particulars of the qualifications, service and experience (whether within or without the Council) of each employee retained and the Union may call on the Council to justify the retention of such employee not retained who has a longer period of service with the Council.

### **Health and Safety**

All Office furniture, furnishings and fittings of the National Teaching Council shall be kept clean. As much as possible, over-crowding which may cause risk or injury to the health of officers shall be avoided.

Provision shall also be made for ventilation, washing facilities, good and suitable lighting, whether natural or artificial, drainage of floors, sanitary conveniences, drinking water, accommodation for clothing where necessary, adequate sitting facilities, removal of dust or fumes in the case of workshops and the like.

The National Teaching Council shall, where necessary provide suitable protective clothing and appliances under terms to be negotiated, to all personnel who are employed in any activity involving excessive exposure to wet or any injurious or offensive substance.

Any personnel who fail to use the protective clothing and appliances shall be liable for misconduct.

Noise and vibrations which are likely to affect the health of personnel of the National Teaching Council in any office or premises shall be reduced as far as possible by appropriate and practicable measures.

First aid boxes shall be provided for personnel of the Council.

No officer in the course of work shall be required to lift, carry or move any load so heavy as to be likely to cause injury to the officer.

### **Safety**

The National Teaching Council shall, where necessary, install appropriate means for the maintenance of safety, such as fire prevention, fire alarms, etc. in accordance with the Factories, Offices and Shops Act.

## **PART XIII - LEAVING THE COUNCIL**

### **General**

Employees of the Council may leave the Council under the following circumstances:

- a) Retirement on medical grounds
- b) Premature retirement
- c) Compulsory retirement
- d) Removal from office
- e) Termination of appointment
- f) Dismissal
- g) Resignation/resignation without approval
- h) Vacation of post
- i) Death

### **Retirement on Medical Grounds**

Where medical evidence indicates that an employee can no longer continue to exercise their functions, such an employee may be retired on medical grounds.

Retirement on medical grounds shall be effected only when a Medical Council comprising not less than three Government Medical Officers appointed by the Director-General of Ghana Health Service on request by the Officer's Head of Directorate, has indicated in a written report that the officer by reason of physical or mental infirmity can no longer perform the duties attached to their office.

In the case of officers in the senior grades whose appointing authority is other than the National Teaching Council, the decision to retire an officer on medical grounds shall be forwarded to the National Teaching Council for implementation.

### **Premature Retirement**

Where an employee below the age of fifty-five (55) years wishes to retire from the Council, the employee shall submit an application for premature retirement to the employee's appointing authority through the Head of Directorate.

Such an application as in (a) above, must specify the reasons for the retirement from the Council. The appointing authority may, subject to such checks, as may be necessary, grant approval for the applicant to proceed on premature retirement.

### **Compulsory Retirement**

Any officer who reaches the age of sixty (60) years shall be retired compulsorily from the Service.

Where an officer is about to reach the compulsory retirement age of sixty (60) years, their Head of Directorate shall notify the officer at least twelve (12) clear months prior to the effective date of retirement.

Notwithstanding this rule, an officer who reaches the compulsory retirement age of sixty (60) years shall be expected to cease to perform employment functions with effect from the date the officer attains the age of sixty (60) years and shall be deemed to have left the Council.

### **Removal from Office**

If in the opinion of an officer's Head of Directorate, the conduct or work performance of an officer has not been consistently satisfactory, the Head of Directorate may recommend to the appropriate appointing authority, the removal of such officer from office.

The appointing authority, in authorizing the removal, shall indicate whether the removal shall be accompanied by loss of benefits to the officer and if so the quantum of such loss in percentage terms.

### **Dismissal**

An employee may be dismissed from the National Teaching Council with consequential loss of benefits if the employee's conduct and work have been found to be unsatisfactory after repeated warnings.

Other grounds upon which an employee may be dismissed are:

- i) Gross dereliction of duty;
- ii) Criminal conviction;
- iii) Bringing the Council into disrepute;
- iv) Persistent insubordination.

### **Termination of Appointment**

An officer's appointment may be terminated on the following grounds:

- i) Abolition of office or grade;
- ii) Poor job performance or conduct.

An officer whose appointment is so terminated shall be entitled to all benefits.

### **Resignation**

An officer who wishes to resign from the Council shall submit an application to that effect to the appointing authority through their Head of Directorate for consideration.

Such an application as in (a) above, must be submitted at least three (3) months and one (1) month in the case of senior officers and junior officers respectively, or pay one month salary in lieu of notice to the Council.

An officer who submits a request for resignation shall not leave their post unless such request has been approved and communicated to the officer.

Permission to resign from the Council shall be withheld where there is evidence of criminal or disciplinary proceedings pending against the applicant who is on interdiction.

An officer of the National Teaching Council who resigns subject to approval shall be paid gratuity and shall also be entitled to earned leave and other facilities due that officer.

### **Resignation Without Permission or Approval**

An officer of the National Teaching Council who resigns without obtaining permission to do so or without giving the required notice will be regarded as:

- a) Having severed the officer's connection with the National Teaching Council on the date on which the officer ceases to attend duty;
- b) Be entitled only to earn leave;

- c) In the case of a non-Ghanaian, having lost the right to receive any assistance towards the cost of passage;
- d) Having forfeited any right to any gratuity or other award for which the officer should, otherwise, have been eligible.

#### **Vacating of Post**

An officer shall be deemed to have vacated their post if the officer fails to report for duty for more than ten (10) consecutive working days without permission or reasonable excuse.

In such circumstances, the Head of Directorate of the officer concerned shall proceed to recommend the dismissal of the officer to the appropriate appointing authority who shall confirm the dismissal accordingly.

The officer's Head of Directorate shall communicate the decision of the appointing authority to the officer.

**APPENDIX**

**SCHEDULE I**

Categories	Grade of staff
A1	Executive Director (Chief Inspector of Schools)
A2	Directors
B	Deputy Directors
C	Middle level professionals and support grades
D	Junior Professional and Junior support service staff
E	Sub-technical/auxiliary grades
F	Utility grades

**SCHEDULE II**

**The organogram of the National Teaching Council**

