

**TEACHERS' CODE OF CONDUCT**  
**RULES OF PROFESSIONAL CONDUCT**  
**FOR TEACHERS IN GHANA**

**For Presentation to the Ministry of Education and Ghana Education Service (GES)**

**July 2008**



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This publication was made possible through support provided by the Office Women in Development, Bureau for Economic Growth, Agriculture and Trade, U.S. Agency for International Development to the grantee AED-Ghana: Centre For Educational Development, Evaluation And Management under the terms of Contract No: GEW-I-02-02-00019-00. The opinions expressed herein are those of the author(s) and do not necessarily reflect the views of the U.S. Agency for International Development or the United States Government.



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**With input from:**

**The National Review Committee and community groups**

**The following individuals and organisations participated in the creation of this document:**

- Institutions forming the National Review Committee on the Teachers' Code of Conduct: Ghana Education Service (GES), Ghana National Association of Teachers (GNAT), Teacher and Educational Workers Union (TEWU), National Association of Graduate Teachers (NAGRAT), Ghana Education Service Council, National Youth Council and Ministry of Women and Children's Affairs (MOWAC).
- Community participants from Ajumako-Enyan-Essiam, Assin North and Assin South Districts.
- Stakeholders in education in all ten regions of Ghana.

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## LIST OF ABBREVIATIONS

<b>CoC</b>	Code of Conduct
<b>CEDEM</b>	AED-Ghana: Centre For Educational Development, Evaluation And Management
<b>CHRAJ</b>	Commission on Human Rights and Administrative Justice
<b>CRC</b>	Convention on the Rights of the Child
<b>GES</b>	Ghana Education Service
<b>GNAT</b>	Ghana National Association of Teachers
<b>MOWAC</b>	Ministry of Women and Children's Affairs
<b>NAGRAT</b>	National Association of Graduate Teachers
<b>NRC</b>	National Review Committee
<b>PTA</b>	Parent Teacher Association
<b>SMC</b>	School Management Committee
<b>SRGBV</b>	School-related gender-based violence
<b>SSSC</b>	Safe Schools Sub Committee
<b>TEWU</b>	Teachers' and Educational Workers' Union

## **CODE OF CONDUCT FOR TEACHERS**

### **PART 1: INTRODUCTION**

1. The education of the children of this country has been largely entrusted into the hands of the members of the Ghana Education Service. This places members of the Service, whatever their role, in a special position of responsibility, which requires exceptionally high standard of behaviour and conduct.
2. As articulated in the United Nations Convention on the Rights of the Child (CRC) which was ratified by Ghana in 1990 and the Children's Act of 1998 (Act 560), children in Ghana have a right to education and should be free from being subjected to harmful or degrading punishment and any type of violence or exploitative labour that shall deny the child of his/her right to education. Teachers, as duty bearers and members of Ghana Education Service have a responsibility to uphold and protect children's rights.
3. The Ghana Education Service accepts this responsibility and pledges to seek at all times to maintain the highest standard of competence and good behaviour.
4. To this end, the Ghana Education Service finds it necessary to codify certain norms that help it achieve this high standard of competence and good behaviour.
5. This Code of Conduct has been drawn up for the guidance of the Teachers of the Ghana Education Service including those engaged in administration, teaching and other supporting services in the performance of their duties.
6. This Code provides a frame of reference for both the disciplinary authority and members of the Service when it becomes necessary to initiate disciplinary action against erring members.
7. This Code of Conduct should not be viewed primarily as a means of imposing sanctions but also designed to emphasize and encourage improvements in individual conduct.
8. The rules and regulations in this Code should not be regarded merely as a catalogue of offences and penalties or negatively as constituting restraint on member's freedom. They are meant to ensure that the conditions for effective teaching and learning are created and maintained in the country's educational institutions as well as to inspire public confidence in teachers to whom is entrusted the physical, mental, moral, religious and spiritual up-bringing of the country's children.
9. Since the Code constitutes rules for regulating the conduct of teachers both in and outside the classroom, it has been reviewed to follow modern trends to incorporate school-related gender-based violence (SRGBV).
10. In this document, School-related gender-based violence refers to all forms of violence perpetrated against school going girls and boys, which results in their sexual, physical or

psychological harm. It includes any form of violence that is based on gendered stereotypes or that targets students on the basis of their sex. It includes, but is not limited to: bullying, corporal punishment, verbal harassment, sexual comments, sexual touching, defilement and rape. Violence can take place in the school, on the school grounds, going to and from school, or in school dormitories and may be perpetrated by teachers, students or community members. Both girls and boys can be victims as well as perpetrators. Such violence can affect the well-being of students, putting them at greater risk of educational failure through absenteeism, dropping out and lack of motivation for academic achievement. It also impacts their mental and physical health, resulting in physical injury, pregnancy, sexually transmitted infections (including HIV/AIDS) or emotional/psychological ill-health.

11. The Code also includes guidelines on the appropriate response to allegations by pupils/students of SRGBV whether by teachers or fellow pupils/students including sections relating to the accessible school procedure by which pupils/students can make confidential complaints, the prompt and effective investigation of such complaints as well as prompt and appropriate procedure for reporting.

## **PART 2: GENERAL DEFINITION OF MISCONDUCT**

1. Conduct:
  - i. Conduct in this context is behaviour, attitudes and character exhibited, for example, by anyone within and outside the working environment. The standards of conduct generally required of any member of the Ghana Education Service (GES) would be leadership, selflessness, comportment, integrity, impartiality, fairness and honesty in matters affecting work and status of the profession.
  - ii. Any act of omission without reasonable excuse by an employee that amounts to a failure to perform in a proper manner any official duty assigned to him or her as such or that contravenes any rules of regulations or enactment relating to the Education Service or that is otherwise prejudicial to the efficient conduct of the Education Service into disrepute shall constitute a misconduct.
  - iii. The setting forth in the following sections of particular types of misconduct shall not be taken to affect the generality of the sub-sections (i) and (ii) of this section.
2. The types of misconduct set out in the Code are not exhaustive and therefore make room for other miscondacts that have not been addressed herein.
3. Any breach or non-observance of any section or part thereof of any of the foregoing rules and regulations shall lead to disciplinary action.
4. Any act of misconduct by an Employee not expressly mentioned in this Code or in any regulations operating within the Ghana Education Service shall be reported to the Director General and the Director General may issue instructions as to how the case should be dealt with.
5. The Code is classified into minor and major misconduct.
6. Penalties prescribed for various acts or omissions under miscondacts are classified into minor or major penalties.



## **PART 3: RULES OF CONDUCT FOR TEACHERS**

### **1. Teaching Notes**

A teacher shall prepare relevant and adequate teaching notes for his/her work in advance. It shall be the responsibility of the head of the institution to see to it that this is done.

### **2. Exercises**

- i. A teacher shall set adequate amount of written and practical exercises and give homework in all subjects that he/she teaches.
- ii. A teacher shall mark and evaluate all written/practical exercises promptly and carefully.
- iii. A teacher shall not make derogatory remarks in the exercise books of the child.

### **3. Working Hours**

- i. A teacher shall report for duty regularly and punctually as determined by the GES.
- ii. Time for reporting for duty and closing shall be determined by the GES.
- iii. A teacher may be required to work beyond the required time in certain circumstances to be determined by the head or GES.
- iv. A record of attendance shall be kept in every educational institution and it shall be the responsibility of the head of the institution to see to it that this is done.

### **4. Performance of Duty**

- i. A teacher shall not fail to carry out his/her work in accordance with his/her profession, trade or occupation or in a manner determined by the employer.
- ii. A teacher whose work performance is proven through staff appraisal to be below the set standard<sup>1</sup> shall be warned and given all the necessary encouragement by indicating to him/her the improvement he/she is required to make within a reasonable time frame.
- iii. After two warnings of proven poor performance without improvement the teacher shall be sanctioned.
- iv. Any teacher who is found to have forged or falsified any document or impersonated any other person with the intent of misleading the GES and general public shall be sanctioned.
- v. Any negligence on the part of a teacher, which causes unacceptable loss, damage or injury, shall be a breach of contract of service.

### **5. Private Activities during Business Hours**

- i. No teacher shall engage in private and personal conversation<sup>2</sup> during class period when he/she is expected to teach or to supervise children at work or play.

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<sup>1</sup> Ghana Education Service Council, Ghana National Association of Teachers (GNAT). (2000). *Conditions and Scheme of Service and the Code of Professional Conduct for Teachers*. Accra, Ghana: Benediction Printing Press.

<sup>2</sup> Conversation here includes but is not limited to the use of mobile phones.

- ii. No teacher shall trade or transact any private financial business on the school premises during school hours.
- iii. No teacher shall perform unofficial duties or activities during school hours without permission from the head of his/her institution.

**6. Co-Curricula Activities**

Teachers shall take part in approved co-curricula activities in the institutions in which they work.

**7. Improper Use of Children’s Labour**

Labour is exploitative of a pupil/student if it deprives him/her of education, leisure or development. Therefore;

- i. No teacher shall subject a pupil/student to any form of exploitative labour.
- ii. A teacher shall not use the labour of a pupil/student in any form whatsoever with or without the consent of the parent during contact hours.
- iii. A teacher shall not send a child on errands for him/her during contact hours.
- iv. No teacher shall use the labour of school children/students for private or personal service with or without the consent of their parents or guardians and of the school head during school hours.
- v. The exploitative activities that teachers shall not engage pupils/students in shall include but not be limited to: selling or trading in items, weeding, farming, carrying of water, sand, stone, and blocks or doing household chores.

**8. Protection of Children from Torture and Other Degrading Treatment**

**a. Physical Violence**

Physical harm inflicted on pupils/students in any form constitutes a gross violation of the child’s rights.

Consequently:

- i. Teachers shall not administer any act of corporal punishment, or any act that inflicts physical pain on the children or causes physical harm to their pupils/students such as pushing, pulling, hitting and/or flogging.
- ii. No teacher shall subject his/her pupils/students to painful body posture such as frog jumping, standing in the sun, holding heavy loads on outstretched hands, etc.
- iii. No teacher shall punish a child to do any work outside the classroom during contact hours.
- iv. No teacher shall intentionally or unintentionally cause harm to any pupil/student.
- v. A teacher shall not threaten any pupil/student with harm with intent to put that person in fear of harm.
- vi. No teacher shall assault any pupil/student.
- vii. A teacher shall not subject a pupil/student to or encourage other pupils/students to subject a pupil/student to torture or other cruel, inhuman or degrading treatment or punishment including any cultural practice that dehumanizes or is injurious to the physical and mental well-being of the pupil/student.

- viii. A teacher shall intervene to stop a pupil/student from perpetrating physical violence or abuse upon another pupil/student.
- ix. A teacher shall intervene to stop a fellow teacher from perpetrating physical violence or abuse upon another pupil/student.
- x. No correction of a pupil/student is justifiable that is unreasonable in kind or in degree according to the age, physical and mental condition of the pupil/student and if the child by reason of tender age or otherwise is incapable of understanding the purpose of the correction.

**b. Psychological Violence**

- i. No act of a teacher shall have a negative psychological effect on a school child. Therefore, no teacher in the course of duty shall intimidate, insult, tease, harass, threaten, snub or discriminate against any child.
- ii. Teachers shall not use the physical challenges of children to intimidate or ridicule them.
- iii. Teachers shall not use any acts or means to pester or coerce children into activities of which they do not have a clear understanding.
- iv. No teacher shall deliberately isolate or ignore any child.
- v. The teacher shall advise against early marriage and support children continuing their education.
- vi. No teacher shall emotionally manipulate a child to the teacher's advantage.
- vii. No teacher shall send a child out of class for absenteeism or lateness.
- viii. Teachers shall show maximum consideration for feelings and circumstances of learners.
- ix. The teacher shall control his/her utterances in order not to threaten with cruel and degrading punishment or hurt the pupil/student.
- x. A teacher will intervene to stop a pupil/student from perpetrating psychological abuse upon another pupil/student.
- xi. A teacher shall intervene to stop a fellow teacher from perpetrating psychological abuse upon another pupil/student.

**c. Sexual Violence**

- i. No teacher shall directly or indirectly do anything that may constitute sexual harassment of a pupil/student.
- ii. Any teacher who has carnal knowledge of any female or male pupil/student of any age, with or without his or her consent, shall be guilty of professional misconduct.
- iii. No teacher shall compel any female or male pupil/student in his or her school or in any educational institution to marry him or her with or without the consent of the child's parents.
- iv. No teacher shall have any carnal knowledge of any pupil/student in his/her own school or in any educational institution with or without his/her consent.
- v. No teacher shall serve as a go-between or knowingly suffer any female or male pupil/student in his/her school or any other educational institution to resort to or be in or upon a premise for the purposes of carnal knowledge by any person or by himself/herself.
- vi. No teacher shall cause or encourage the seduction, carnal knowledge or prostitution of or the commission of an indecent assault upon a pupil/student.
- vii. No teacher shall detain any pupil/student for immoral purposes.

- viii. No teacher shall by false pretences or false representation procure any pupil/student to have any carnal knowledge with him/her.
- ix. A teacher shall not apply or administer to or cause to be taken by any pupil/student any illegal drugs, matter or thing with intent to stupefy or overpower him/her so as thereby to enable the teacher or any person to have carnal knowledge with such pupil/student.
- x. No teacher shall publicly or in secret wilfully commit any acts of indecency towards any pupil/student.
- xi. It shall be the responsibility of any teacher who directly or indirectly gets to know of the occurrence of any of these acts to report it to his/her immediate superior.
- xii. A teacher shall intervene to stop a pupil/student from perpetrating sexual abuse or violence upon another pupil/student.
- xiii. No teacher shall directly or indirectly, instigate, aid, or in any manner facilitate, encourage or promote whether by his acts or presence or otherwise any of the above named acts.

9. **Non-Discrimination**

No teacher shall discriminate against a pupil/student on the grounds of sex, race, age, religion, disability, health status, custom, ethnic origin, background, socio-economic status or misunderstanding with a parent or guardian.

10. **Right to Social Activity**

- i. No teacher shall detain a pupil/student after school as a form of punishment without supervision.
- ii. No teacher shall deprive a pupil/student the right to participate in sports or other leisure activities as a form of punishment.

11. **Favouritism**

No teacher shall do anything that shall suggest or create the impression that a pupil/student is more favoured than any other pupil/student.

12. **Inordinate Affection**

No teacher shall under any circumstance show any form of inordinate affection to any pupil/student. Inordinate affection implies the expression of love or likeness with ulterior motive.

13. **Role Model**

- i. Teachers shall serve as role models to learners showing high degree of decency in speech, mannerism, discipline, dressing and general performance of their roles.
- ii. Teachers shall in particular dress to portray the dignity of the profession.

14. **Ideological Influence**

Teachers shall not use their positions to spread their political, religious or other ideologies among pupils/students.

15. **Absence from Duty**

- i. No teacher may leave the school during school hours without the permission of the head of the institution.
- ii. A teacher leaving the school for duty elsewhere shall inform his head of his whereabouts to facilitate his recall in an emergency.
- iii. A teacher shall not absent himself/herself from work on grounds of ill-health without permission from his/her head and subsequent submission of a medical certificate from a certified medical practitioner if he/she has to be absent for more than five (5) working days.
- iv. A teacher shall not absent himself/herself from assigned work without permission.
- v. It is misconduct for a teacher to absent himself/herself from duty for one (1) or more days continuously without permission or reasonable excuse or cause.
- vi. A teacher who absents himself/herself from duty continuously for ten (10) days or more shall be deemed to have vacated post.
- vii. No teacher shall leave Ghana without a written permission from the Director-General of the Ghana Education Service.

16. **Property of Employer**

- i. A teacher shall not cause a deliberate damage to the property of his/her Employer.
- ii. A teacher shall not use the property of the Employer without permission from the appropriate authority of his/her immediate head.
- iii. No teacher shall use the name or property of the Employer for personal benefit or advantage.

17. **Protection of the Interest of the Employer**

- i. A teacher shall not divulge privileged or classified information or document to any person or body that is not entitled to have access to such information or document.
- ii. No teacher shall engage in any other gainful economic activity at the workplace.
- iii. No teacher shall in the course of his/her duties disobey, disregard or wilfully default in carrying out any lawful instructions, reasonable orders or directives given by any person or body having authority to give such lawful instructions, reasonable orders or directives.
- iv. A teacher shall not engage in any act that brings the Employer into disrepute.
- v. Any act or omission of a teacher that amounts to a betrayal of confidence reposed in him or her by the Employer shall constitute gross misconduct.

18. **Postings**

No teacher shall refuse to accept posting. Posting within the Service means change of location of work or job, or in the case of first appointment being deployed to a specific workstation.

19. **Transfers**

A teacher shall not refuse to go on transfer either or not on disciplinary grounds. Transfer within the Service means a change in the job or location of work of the teacher.

20. **Insubordination**

No teacher shall in the course of his/her duties disobey, disregard or wilfully default in carrying out any lawful instruction, reasonable order given by any person, Committee or Board having authority to give such order or instruction.

21. **Health and Safety Rules**

Any infringement of Health and Safety rules at the work-place by a teacher amounts to misconduct.

22. **Presence of Babies in School**

Except where permission is granted for a teacher's baby to be brought to school, no teacher shall bring babies or children under school-going age to school.

- i. No pupil/student shall be used as a baby sitter.
- ii. The baby shall not be placed at a location where his/her noise or cry may interfere with teaching and learning.

23. **Use of Illegal Drugs at the Workplace**

- i. No teacher shall use illegal drugs during work sessions or at the workplace.
- ii. Any incapability of a teacher on duty brought about by the use of illegal drugs is serious misconduct.
- iii. No teacher shall involve a pupil/student by sending him/her to purchase illegal drugs.
- iv. No teacher shall involve pupils/students directly or indirectly in using illegal drugs.

24. **Drinking, Drunkenness and Smoking**

- i. No teacher shall drink alcohol while on duty or be found drunk during school hours.
- ii. Habitual drunkenness shall be considered as bringing the Ghana Education Service into disrepute.
- iii. No teacher shall smoke in the classroom during school hours or in a place within the school premises.
- iv. No teacher shall involve a pupil/student by sending him/her to purchase alcoholic beverage or cigarettes.
- v. No teacher shall involve pupils/students directly or indirectly in drinking any alcoholic beverage and/or in smoking any kind of cigarette.

25. **Unauthorized Collection of Moneys, Fees or Levies**

No teacher shall collect unauthorized moneys, fees or levies without permission of the Director-General from any person under the authority of the GES or from any other person or body or from the general public.

26. **Misappropriation of funds**

- i. A teacher shall make proper account of public funds in his possession or care to an appropriate authority.
- ii. No teacher shall misappropriate public funds.
- iii. A teacher who fails to properly account for moneys in his/her possession, custody or under his/her immediate control shall be made to refund the said moneys and the requisite sanction imposed for such an act shall apply.

27. **Adverse Internal or External Audit Report**

An Adverse Internal or External Audit Report against a teacher shall constitute a prima facie charge against him/her and the teacher shall be made to explain why disciplinary action shall not be taken against him/her. When investigation is on-going such teacher shall be interdicted.

28. **Giving and Receiving Bribes**

It is misconduct for a teacher to give or demand/receive a bribe or any benefit whatsoever from any person before rendering his/her normal duties.

29. **Loan**

No teacher may advance any loan whatsoever to another teacher at interest or act as an intermediary between any teacher and a money-lender or take part in collecting debts on behalf of any money-lender.

30. **Financial Embarrassment**

- i. Financial embarrassment impairs the efficiency of a teacher and may result in disciplinary proceedings being taken against him.
- ii. It is the duty of the head of the institution to report at once to the Director-General through the appropriate channel when any teacher serving under him to his knowledge is in serious financial embarrassment.
- iii. All cases of proven financial embarrassment shall be noted in the Service Record of the teacher.

31. **Submission of Reports and Data or Information**

It is an obligation on a teacher upon a request from a superior Officer, to submit reports and data or information timely without fail.

32. **Public Examinations**

- i. No teacher acting as an invigilator or a supervisor shall offer assistance to candidate(s) at National or public examinations with the intent to cheat.
- ii. No teacher shall leak internal or public examination questions to any candidate/person.

- iii. No teacher shall connive at and or condone collusion or copying at internal or public examinations.
- iv. No teacher shall indulge in or encourage any act of impersonation at public examinations.

**33. Publications**

- i. No teacher shall, without the express permission of the head of his/her institution, act as the editor of any newspaper, magazine or periodical or take part directly or indirectly in the management thereof.
- ii. No teacher shall give unauthorized press interviews or releases.
- iii. The paragraph 33 (i) does not affect members who are required as part of their official duties to edit any paper or subscribe articles thereto.
- iv. Where a member gives lectures which are related to matters of policy of the Ghana Education Service, the Director-General or his/her representative shall be consulted and his/her prior approval obtained through the officer's head of department.
- v. No teacher shall publish or offer for sale, exhibit, produce or have in his/her possession, during class hours any obscene books, writings, films, drawings, photographs or any other obscene objects or materials with the intention of morally corrupting any pupil/student.

**34. Participation in Partisan Politics**

- i. Every teacher is entitled to his/her own political opinion and may, if qualified, vote at elections.
- ii. No teacher shall in the performance of his/her duties engage in any activities that are likely to involve him/her in political controversy or lead to his/her taking improper advantage of his/her position in the Ghana Education Service.
- iii. Any teacher who is seeking public office through an election either on the ticket of a Political Party or as an Independent candidate shall apply to the Director-General for a leave of absence without pay.
- iv. An application for such a leave of absence without pay must be submitted in writing at least three (3) months prior to elections.
- v. In the case of bye-elections fourteen (14) days notice will be required.

**35. Strikes and Demonstrations**

No teacher shall involve himself/herself in students' strikes, riots or demonstrations without recourse to the due process.

**36. Criminal Acts or Omissions**

- i. For the purpose of this Code, criminal acts and omissions are classified into two, these are:
  - a. Criminal acts or omissions outside the workplace; and
  - b. Criminal acts or omissions at the workplace.
- ii. Any alleged criminal act or omission by a teacher outside the workplace that renders, in the opinion of the employer, the teacher unsuitable for his/her present job may provide basis for disciplinary action.
- iii. Any alleged criminal act or omission at the workplace by a teacher such as stealing, falsification of records or a deliberate misrepresentation of facts is a gross misconduct.



- iv. A teacher who is convicted of a criminal offence involving fraud, theft or dishonesty or sentenced to imprisonment without the option of a fine shall be dismissed from the Service as from the date of his conviction.

37. **Anonymous Letters**

No teacher shall write or circulate anonymous letters with malicious intent.

38. **Official Correspondence or Records**

No teacher shall show or take official correspondence or records to private persons, corporations, companies or other bodies without the express and prior consent of the Director-General or his/her representative.

39. **Acts of Dishonour**

- i. No teacher shall involve himself/herself in any act that is likely to bring the teaching profession into disrepute.
- ii. It shall therefore be the responsibility of every teacher to preserve the dignity and honour of his profession and also maintain his/her own dignity, honour and integrity.

40. **Prompt Action on Disciplinary Matters**

All acts of misconduct by a teacher shall be dealt with promptly.

41. **Offences Not Mentioned in the Code**

Any act of misconduct by teachers not expressly mentioned in this Code or in any regulation operating within the Ghana Education Service shall be reported to the Director-General through the appropriate channel and the Director-General shall refer the case to the appropriate Disciplinary Committee to deal with it.

## **PART 4: PENALTIES**

### **1. Classification of penalties**

- i. Any breach or non-observance in any section or part thereof of any of the foregoing rules and regulations shall constitute a misconduct for which the offender shall be liable to a disciplinary action.
- ii. For the purpose of this section, misconduct is classified as either Minor or Major.
- iii. The penalty for the various categories of misconduct shall be as follows:

### **2. Category 'A' Penalty for Minor Misconduct**

- i. Warning or reprimand (plus surcharge where applicable, to be given, in writing always for record purposes).
- ii. Forfeiture of pay.
- iii. Suspension with loss of pay and/or allowance (For a period of not more than one month).
- iv. Stoppage of increment. (This means non-payment for a specified period of an increment otherwise due or one year.)
- v. Disciplinary transfer.
- vi. Termination – For persistent misconduct.

Any of the above penalties may be imposed on an Employee for any of the minor misconduct, as the disciplinary authority may consider appropriate and desirable in any particular case.

### **3. Category 'B' Penalty for Major Misconduct**

- i. Deferment of increment. (This means a postponement of the date on which the next increment is due with corresponding postponement in subsequent years.)
- ii. Reduction in rank or of salary. (Reduction in rank means a removal to a lower grade with an immediate reduction in salary. (Reduction of salary means an adjustment of salary to a lower point on the scale attached to the post in question while the post remains unaffected.)
- iii. Suspension. (Suspension means loss of pay and allowances for a period not exceeding one year as the disciplinary authority may direct.)
- iv. Removal from the Ghana Education Service. (This means termination of appointment with full or reduced retirement benefits as the disciplinary authority may direct.)
- v. Dismissal. (This means termination of appointment with forfeiture of all retirement benefits.)
- vi. Termination. (This means that the offender may be treated as iv. above.)
- vii. Striking off name from the Register of Teachers. (This means withdrawal of one's certificate or licence to teach with consequent termination of appointment for good.)

Any one of the above penalties may be imposed on an Employee for any of the major misconduct the disciplinary authority may consider appropriate and desirable in any particular case.

#### 4. **Minor Misconduct**

The classified minor acts or omissions under misconduct are found in the following sections of the Code.

##### Part 3

Number 1

Number 2 i, ii, iii

Number 3 i, ii, iii

Number 4 i, ii, iii

Number 5 i, ii, iii

Number 6

Number 7 i, ii, iii, iv, v

Number 8a i, ii, iii, iv, v, ix, x

Number 8b i, ii, iii, iv, vii, viii, ix, x, xi, xii

Number 8c i, xi, xiii

Number 9

Number 10 i, ii

Number 11

Number 12

Number 13 i, ii

Number 14

Number 15 i, ii, iii, iv, v

Number 16 i, ii, iii

Number 17 ii, iv

Number 18

Number 19

Number 21

Number 22 i, ii

Number 29

Number 30

Number 31

Number 32 i, ii, iii, iv

Number 33 i, iii, iv, v

Number 38 i, ii

Number 39

## **5. Major Misconduct**

The classified major acts or omissions under misconduct are found in the following Numbers of the Code.

Number 4 iv, v

Number 8a vi, vii, viii

Number 8b vi

Number 8c ii, iii, iv, v, vi, vii, viii, ix, x, xi, xii

Number 15 iv, vii

Number 17 i, iii, v

Number 20

Number 23 i, ii, iii, iv

Number 24 i, ii, iii, iv, v

Number 25

Number 26 i, ii, iii

Number 27

Number 28

Number 32 i, ii, iii, iv

Number 33 v

Number 34 ii

Number 35

Number 36 i, ii, iii

Number 37

Number 38

## **PART 5: RESPONSE TO GENDER-BASED VIOLENCE**

### **1. Procedure for Reporting Criminal Gender-Based Violations**

- i. The parents and the victim shall go to the Police and make a complaint. The teacher will accompany them if needed.
- ii. The Police after taking statement of complaint will give the victim a Police Medical form (CID Form 98) to attend hospital.
- iii. The Medical Officer will examine the victim and write his/her findings on the police hospital form presented and signed.
- iv. The parents and the victim shall return the hospital form to the Police.
- v. The teacher should encourage the parents to make regular follow-ups with the Police.
- vi. The teacher must document his/her evidence for reference to help in the prosecution of the perpetrator.

### **2. Procedure for when a victim is unwilling to report a case of Gender-Based Violence**

- i. The teacher must counsel the victim to address whatever the victim's reservations concerning reporting might be. If, on the other hand, the victim is unwilling to report the incident, then the teacher must respect the victim's wishes and give the necessary referral to enable the victim to get appropriate help including informing the victim's parents.
- ii. The teacher shall assist victims of violence and their parents by counselling them so as to reduce the victim's trauma and present the options available to them for redress.
- iii. The teacher shall uphold and educate children on their rights as stated in the United Nations Convention on the Rights of the Child and the Children's Act (Act 560). Teachers have a responsibility to act in the best interests of the child and enable him/her to grow and develop to his/her fullest potential.
- iv. It is the teacher's responsibility to help Parent-Teacher Associations (PTAs) and School Management Committees (SMCs) and/or Gender-Based Violence response committees that will give support to and respond to cases of gender-based violence that affect children.
- v. The teacher shall ensure that the privacy of a victim of gender-based violence is safeguarded to enable the child to talk in confidence.
- vi. The teacher shall educate pupils/students on the proper channels of communication in the school.
- vii. Teachers will assess each situation individually to determine whether or not a student victim needs referral, direct support or both types of response.

## **PART 6: PROCEDURES FOR ENFORCING THE CODE OF CONDUCT**

1. These procedures are to be followed by the appropriate Disciplinary Authority as defined in this Code of Conduct.
  - i. For all criminal cases the matter shall be referred to the Police.
  - ii. Where a preliminary investigation or inquiry discloses that a criminal offence may have been committed by an officer of the Ghana Education Service, the Disciplinary Authority is entitled to report the matter to the Police or to the Attorney General's office for appropriate action and advice. This, however, shall be without prejudice to the power of the Disciplinary Authority to take such further or other action in accordance with administrative regulations or impose sanctions in accordance with the disciplinary procedures in this code as are justified by the results of the investigations or inquiry against the officer.
  - iii. An acquittal of a member of the Service of a criminal charge shall not disentitle the Service from taking any administrative or disciplinary action against the member in accordance with the Code of Conduct or imposing a sanction against any such member where his/her conduct contravenes or breaches the Code of Conduct or tends to bring the Service into disrepute.
  - iv. A member of the Ghana Education Service convicted of an offence involving fraud or theft or sentenced to imprisonment shall not receive any emoluments from the date of the judgment. Where Number 36 of the Ghana Education Service Code of Professional Conduct applies, the Dismissing Authority shall notify the member of the Service convicted of his dismissal from the Service.

### **Warnings/Reprimands:**

1. There shall be a warning, oral or written. In either case the Employee should be advised that the warning or reprimand constitutes the first formal stage of the proceedings.
2. Further misconduct might warrant a final written warning or reprimand, which contains a statement that any recurrence would lead to an imposition of an appropriate sanction.
3. The final stage might be an imposition of an appropriate sanction.
4. Notwithstanding (i) – (iii) above disciplinary action may be taken without a previous warning or reprimand in case of gross misconduct.

### **Formal Proceedings – (i.e., Disciplinary Hearing)**

1. Employer shall ensure that, except for gross misconduct, no Employee should be dismissed for a first breach of discipline.
2. Disciplinary action may not be taken until the case has been carefully investigated.

3. Employer shall ensure the Employee is informed of the complaint against him/her and, where possible, of all relevant evidence before the disciplinary hearing.
4. Employer shall provide the Employee with an opportunity to state his/her case before a decision is reached.
5. Employer shall permit the Employee to be accompanied by a Union representative or a colleague.
6. Employer shall ensure that the Employee is given an explanation for any penalty imposed on him/her.
7. Accurate record of every proceeding shall be taken and made available to the Employee in the case on request.
8. Employee shall have a right to appeal.

### **Summary Proceedings**

An Employee may be dismissed summarily for gross misconduct. In such instance the Employer must set out in writing the nature of the Employee's gross misconduct, specifying the basis of the decision at the time of the dismissal that the Employee was guilty of the alleged gross misconduct.

A copy must be sent to the Employee with a notification of a right to appeal against the decision.

If the Employee wishes to appeal, he/she must inform the Employer. The Employer must then invite the Employee to a meeting to which the Employee must take all reasonable steps to attend. After the appeal hearing the Employer must inform the Employee of his/her final decision.

### **Explanatory Notes on Types of Penalties**

#### **1. Suspension with Pay**

A suspension with pay is imposed when the Employer is conducting a brief investigation, which is not likely to take more than one month, into an alleged misconduct of an Employee. Suspension with pay leads to stoppage of any other allowances that the Employee is entitled to.

#### **2. Suspension without Pay**

Suspension without pay, not exceeding one year.

#### **3. Disciplinary Transfer**

In a case of disciplinary transfer the Employee should be assigned a change of job or work of a lower status than previously held by him/her.



4. **Demotion**

Demotion is when an Employee is considered not suitable to continue to exercise his/her position in light of the proven misconduct.

Demotion involves reduction in rank one level below the previous rank.

5. **Reduction in Salary**

Reduction in salary whilst rank remains the same.

6. **Dismissals**

- i. An Employee may be dismissed in the following circumstances:
  - a. When an Employee is proved through staff appraisal to be incompetent.
  - b. When an Employee is found not to have possessed a qualification he/she claimed.
  - c. When misconduct of an Employee is a breach of a fundamental term of contract of service (e.g., stealing of Employer's property or money).
  - d. When the Employer has a reasonable belief in the guilt of an Employee alleged to have committed a criminal offence at the work place.

Guilt need not be proved by the Employer. It is even irrelevant if the Employee is later acquitted of the offence or (indeed if Police declines to bring charges against him/her).

7. **Reasonableness**

Reasonableness in such cases will depend on whether the Employer investigated the case to establish the facts and drew tenable conclusions from the result.

A disciplinary action taken in respect of such an alleged criminal offence shall be without prejudice to any prosecution that may subsequently be brought against him/her by the Republic.

8. **Removal**

- i. If, as a result of the operation of law, it is not possible to continue to employ the Employee, removal is necessary. An example is when a driver is banned from driving by a court of law or when an individual is convicted and sentenced to a term of imprisonment for an offence committed outside the workplace.
- ii. If, as a result of operational requirements of the Ghana Education Service, either because of re-organisation or introduction of new technology the Employee becomes redundant. In case of removal, the Employee shall be entitled to his/her accrued rights and benefits.

9. **Interdiction**

In any case where it is reasonable to require that the Employee should cease forthwith to exercise the powers and functions of his/her office, the Employee may be interdicted if proceedings, which may result in his/her dismissal, are being or have been instituted. A

period of interdiction should not exceed six months. An employee who is interdicted shall receive half pay, excluding any other allowances he/she is entitled to.

10. **Criminal Acts Outside the Workplace**

Criminal acts committed outside the workplace may render the Employee unsuitable to continue to function on the job. In such situations, whether the Employee will be allowed to continue with his/her job will depend on whether the alleged crime makes the Employee unsuitable for his/her work. The test of unsuitability is to determine the effect of the alleged crime on other Employees or clients of the Ghana Education Service.

If the Employee is considered unsuitable he/she may have his/her appointment terminated without loss of accrued rights.

11. **In all cases of:**

- i. Dismissal,
- ii. Removal, and
- iii. Suspension for more than one month,

The appropriate level of disciplinary authority shall make recommendation to the Director-General who shall take a decision and report to the Ghana Education Service Council.

## **PART 6: LEVELS OF AUTHORITY FOR IMPOSING PENALTIES**

### **1. School Level (Basic & Second Levels)**

- i. Head of Institution

### **2. District Level**

- i. District Director

### **3. Regional Level**

- i. Regional Director
- ii. In the Case of Unit Offices, the Regional Manager of Schools.
- iii. Where a case involves an Employee in Unit School or Office, the Regional Manager shall collaborate with the District Director.

### **4. Divisional Level**

- i. Divisional Director
- ii. In the case of the Educational Unit Offices, the General Manager of Schools.

### **5. National Level**

There shall be a National Disciplinary Committee that shall handle all disciplinary issues that the Director-General may refer to it or appeals that may come up to it.

## **PART 7: APPEALS**

1. An appeal must be in writing.
2. An appeal shall be routed through the person who made the decision that is the subject of the appeal to the appropriate person or authority.
3. An appeal shall be made within 30 days of the decision that is the subject of the appeal.
4. An appeal must state the grounds for making the appeal.
5. An appeal must be heard and a decision made not more than three (3) months of the date or receipt of the appeal.
6. Appeals shall lie from the District Disciplinary Committees to Regional Disciplinary Committees and then to the National Disciplinary Committee.
7. The GES Council shall be the final appellate body within the Service.
8. An Employee shall have recourse to outside bodies such as the National Labour Commission and the Courts of Law to seek redress only when the GES Council has heard such appeals.

## **PART 8: MISCELLANEOUS**

1. There shall be disciplinary committees at the School, District, Regional, Divisional and National levels.
2. Every disciplinary committee shall adhere to the procedures provided for in Part 6 supra.
3. Disciplinary hearings relating to Heads of Institutions shall be handled by the District disciplinary committees.
4. Disciplinary hearings relating to District Directors shall be handled by the Regional Disciplinary Committees.
5. Disciplinary hearings relating to the following Officers:
  - i. Regional Director,
  - ii. Divisional Director,
  - iii. Deputy Director-General, and
  - iv. Director-General shall be handled by the Disciplinary Committee of the Ghana Education Service Council.

## DEFINITIONS

In this Code, unless the Context otherwise requires:

1. **Code of Conduct** –the rules with which Employees are required to comply.
2. **Director-General** – includes any person authorized to act or who generally acts on behalf of the Director-General.
3. **Employee** –any person who is employed by Ghana Education Service Council other than a Consultant.
4. **Employer** –Ghana Education Service Council.
5. **Gross misconduct** –any act or omission classified under major misconduct.
6. **Level of Authority** – refers to either Head of an Institution, District Director, Regional Manager, Regional Director, General Manager, and Director General, Ghana Education Service Council.
7. **Pupil/Student** - In the Ghanaian School system a “pupil” is used to refer to a learner in the primary school up to Primary 6 while “student” is used for the learner in the Junior High or Senior High School and the tertiary Institutions.
8. **Privileged or classified information/document** – document available to a particular Employee which is not intended to be made available to anybody except those who, as a right, are entitled to it.
9. **School-related gender-based violence (SRGBV)** - School-related gender-based violence refers to all forms of gender-based violence perpetrated against school going girls and boys, which results in their sexual, physical or psychological harm. It includes any form of violence that is based on gendered stereotypes or that targets students on the basis of their sex. It includes, but is not limited to: bullying, corporal punishment, verbal harassment, sexual comments, sexual touching, defilement and rape. Violence can take place in the school, on the school grounds, going to and from school, or in school dormitories and may be perpetrated by teachers, students or community members. Both girls and boys can be victims as well as perpetrators. Such violence can affect the well-being of students, putting them at greater risk of educational failure through absenteeism, dropping out and lack of motivation for academic achievement. It also impacts their mental and physical health, resulting in physical injury, pregnancy, sexually transmitted infections (including HIV/AIDS) or emotional/psychological ill-health.