



NATIONAL IDENTIFICATION AUTHORITY

NIA Head Office
No.8 Nelson Mandela Avenue
Off Gulf House Street
South Legon, Accra, Ghana
Digital Address: GA-237-1033

Postal Address
P. O. Box M-680
Ministries Post Office
Accra, Ghana

Contact Nos
Tel No.: +233-0302-931-612
+233-0289-531-062
+233-0302-973-794

Website: www.nia.gov.gh
Email: Info@nia.gov.gh

STATEMENT BY THE GOVERNING BOARD OF THE NATIONAL IDENTIFICATION AUTHORITY (NIA) ON THE PETITION TO THE PRESIDENT BY A UNION AT NIA FOR THE REMOVAL OF THE NIA EXECUTIVE SECRETARY

The attention of the Governing Board of the NIA has been drawn to a petition from the NIA Division of the Public Service Workers' Union (PSWU) addressed to His Excellency the President but widely circulated through mainstream and social media, calling for the removal of Professor Kenneth Agyemang Attafuaah from office as Executive Secretary of NIA.

The Governing Board wishes to express its complete confidence in the Executive Secretary's integrity, competence, experience and resourcefulness in the performance of his duties, including the advancement of the interests of NIA workers and roundly describes the petition as baseless and unwarranted.

As stated by the National Labour Commission (NLC) at a hearing on Wednesday, 3rd July 2024 into ongoing negotiations between Fair Wages and Salaries Commission (FWSC) and the Industrial and Commercial Workers' Union (ICU), the NIA Division of the PSWU (NIA PSWU) has no right to petition His Excellency the President to remove the Executive Secretary without exhausting internal procedures; the NLC declared the conduct of the NIA PSWU as both "illegal and completely out of line".

The NLC further advised the PSWU representative, John Nii Donu Sampah, to educate the NIA PSWU to refrain from engaging in such actions, including writing petitions whilst labour-related matters are before the NLC.

For the avoidance of doubt and to set the record straight, the Governing Board wishes to address the key issues stated in the petition by the NIA PSWU as follows:

1. Most of the issues in the petition to the President had been raised by the NIA PSWU in a petition to the Executive Secretary dated 10th July 2023 and subsequently vacated wholly after its executives rendered an unqualified apology for same at a meeting with NIA Management and the Members of the Governing Board convened at the request of Dr Yaw Baah, the Secretary General of Trades Union Congress (TUC) - the mother union of the PSWU.
2. The NIA PSWU claims in the petition that the Executive Secretary has unlawfully dismissed some staff members including Samuel Duah and Martin Akowuah who received a "gift from a benevolent client" and one who "consistently reported to work too early". It must be noted that disciplinary

action against errant employees at NIA, including dismissal, is not undertaken by the Executive Secretary but by the collective decision of Management following thorough disciplinary proceedings in which respect is shown for the natural justice rights of persons whose conduct is impugned.

3. Moreover, during their training, staff were admonished against receiving gifts from applicants, as such conduct has the potential to compromise the integrity of staff, bring the image of NIA into disrepute, and place the National Identification System (NIS) in danger. Section 9.4.9 of the Human Resource Management Policy Framework and Manual for Ghana Public Services (“PSC Manual”) provides that it is misconduct for a public servant to:
 - a. receive or solicit any contribution, fee, gift of value or emolument of any kind from any person for services rendered in the discharge of the public servant’s official duties.
 - b. receive gifts of value (in accordance with prevailing national policy).
4. In the case of Samuel Duah, a report received from the Criminal Investigation Department (CID) of the Ghana Police Service attached to the NIA Headquarters, Accra, indicated that he extorted monies from some applicants for the Ghana Card. Furthermore, contrary to the NIA PSWU’s claim that Samuel Duah was dismissed for receiving “a gift from a benevolent client”, the uncontroverted evidence which Samuel Duah himself admitted during the disciplinary proceedings was that he, operated an unapproved protocol arrangement at the Subin Office of NIA in Kumasi for the registration of applicants for the Ghana Card and received monetary gifts from applicants. Indeed, so pervasive was the corrupt practice and so deeply involved was Samuel Duah that he, together with all staff at the said office, were dismissed following thorough investigations and hearings.
5. Concerning Martin Akowuah, this matter is before the NLC which has directed that closing addresses be filed by 18th July 2024 with further responses, if any, before a ruling on 25th July 2024. Thus, ordinarily, no comment on the matter in the public domain should be encouraged. Suffice it to say, however, that NIA is obliged to set the record straight by presenting the accurate facts of the situation, contrary to what the NIA PSWU has presented. By his own admission in his response to a query, Martin Akowuah instituted at the La-Nkwantanang-Madina Municipal Office of NIA, his own work schedule that required all staff to commence work early in the morning each working day and sometimes on weekends for the exclusive purpose of registering for the Ghana Card for close family relatives of staff, staff of the Ghana Revenue Authority (GRA), as well as some Management members. This is contrary to

Public Service rules and regulations, public policy and NIA's Standard Operating Procedures (SOPs) for registration.

6. The Governing Board appreciates that the period of the investigations and subsequent determination of the disciplinary matters involving some staff members of NIA took longer than expected but it was not intentional to keep the interdicted staff in that situation. It is important to indicate that the Committee was, at the same time, handling a total of ten (10) serious cases of alleged corruption including extortion, and breaches of NIA's SOPs and Public Service rules, regulations and guidelines.
7. The NIA staff are on the Single Spine Salary Structure and the Controller and Accountant General's Department (CAGD) is the statutory body responsible for the payment of their remuneration. Advice on staff remuneration is sent electronically every month through the validation process to the CAGD. Subsequent to the interdiction, NIA advised the CAGD staff to effect the necessary changes in Martin Akowuah's salary structure to enable him receive the 50% salary due to him in accordance with law. The Governing Board appreciates that the changes might have taken some time to be effected by the CAGD, but it must also be appreciated that the situation was beyond NIA's control; all the affected employees have since received all the salaries due them.
8. Contrary to NIA PSWU's assertion, NIA has an existing *Conditions of Service* document which is being revised to reflect its current status and also conform to current provisions in the PSC Manual. Work on the Conditions of Service document has been done by a five-member Committee constituted by the Executive Secretary to review NIA's Scheme of Service, its Organogram and its functionalities and Conditions of Service. A draft Conditions of Service document has been prepared and will be finalized after the completion of the ongoing negotiations on the Collective Bargaining Agreement (CBA) currently before Fair Wages and Salaries Commission.
9. Pursuant to requests for salary advances by some staff following delays in processing their salaries by the Controller and Accountant-General's Department, Management acceded to the request. However, despite repeated reminders, many of the staff failed and/or refused to repay the sums owing, resulting in an audit query on the matter. Management was compelled, in the circumstances, to notify CAGD to block the salaries of the officers concerned. Unfortunately, a handful of staff who had not taken the salary advance had their salaries inadvertently "blocked" for one month.
10. The matter was promptly resolved when it was brought to the attention of the Executive Secretary. In these circumstances, it cannot be rightfully contended

that the Executive Secretary and Management unjustly withheld the salary of any staff; it cannot also be claimed that there are complaints of wrongful withholding of salaries pending at NIA. The Governing Board and Management, as duty bearers to keep and protect the public purses, made the most appropriate and humane decision in the circumstances, by not allowing the institution to pay salaries of staff who were owing the NIA and had wilfully failed to pay back.

11. The Governing Board, in concert with the Executive Secretary and Management, have been assiduously and intelligently working with other statutory agencies on implementation of NIA's new Scheme of Service as advised by the FWSC. NIA's Scheme of Service was approved by the Public Services Commission (PSC) in record time, making it one of the fastest approved Scheme of Service in Ghana.
12. The Governing Board is satisfied with the proactive manner in which the Executive Secretary addresses broad governance and administrative matters, including the payment of SSNIT contributions for all staff. In the face of the delayed release of funds by the Ministry of Finance, the Executive Secretary and Management were compelled to make an election either to pay the salaries of contract staff with the available funds or pay the SSNIT contributions. Out of concern for the welfare of staff, the Executive Secretary and Management decided to pay staff their monthly salaries and subsequently settled their SSNIT contributions immediately funds were released by the Ministry of Finance. This decision by the Executive Secretary and Management shows their empathy for, and sensitivity to, the survival needs of NIA staff. As a consequence, the Executive Secretary and Director of Finance, NIA were surcharged by the Public Accounts Committee of Parliament in February 2024.
13. The Governing Board acknowledges vacancies within NIA and notes that the Executive Secretary has already brought the issue to its attention and requested permission to take steps to fill the said vacancies, including the two Deputy Executive Secretary positions. The decision by the Governing Board to appoint two Deputy Executive Secretaries for the NIA was approved by PSC in NIA's Scheme of Service in March 2024. The Executive Secretary is however not clothed with the power or authority to appoint Deputy Executive Secretaries or Directors for NIA. It therefore cannot be the case that the vacant positions exist owing to his failure. The Governing Board directed Management to advertise the vacant positions internally to allow qualified staff to apply, as a matter of priority for current staff. This directive required the development of a recruitment portal – a technical system – on NIA's Enterprise Management System (EMS). Immediately after technical system development, testing and approval were completed on 27th June 2024, the vacancies based solely on

financial clearance issued by the Government, were advertised on 29th June 2024.

14. It is important to note that the financial clearance received from the Ministry Finance in 2021 for recruitment of 1,326 staff did not cover some positions such as Director Corporate Affairs, Training, Administration, Human Resource as those were filled with seconded staff from other institutions. The Executive Secretary has since 2017 consistently emphasised and promoted the need for two (2) Deputy Executive Secretaries for NIA which recommendation was endorsed by the Governing Board. The Executive Secretary has never stated or given the impression anywhere that he does not need Deputy Executive Secretaries; indeed, the Executive Secretary has been an active participant in the design of the organizational structure of NIA, which the NIA PSWU is now promoting and the Governing Board is convinced, notwithstanding the vacancies, that the Executive Secretary's corporate governance over the last seven years is sterling and that at the appropriate time it will ensure the positions are filled without delay or hesitation.
15. Neither the Executive Secretary nor Management has recruited or promoted any officer who was not qualified. The claim about selective injustice is blatantly false and most unfair, and should be disregarded. The Executive Secretary is committed to recruiting and promoting people who are duly qualified and competent for vacancies within NIA. It is important to note that all Regional and District staff including the NIA PSWU members were taken through a rigorous interview and assessment process led by the PSC before their subsequent appointment. Indeed, any staff member who did not have the requisite qualifications and skills set would not have even been interviewed and recruited by the PSC to work for the NIA.
16. The Governing Board dismisses claims that the Executive Secretary lacks innovative ideas to manage NIA. Since 2017, the Executive Secretary has demonstrated effective leadership skills and imagination in transforming NIA from a non-performing institution to a vibrant, productive and highly-celebrated institution today. The Governing Board is impressed with the thought leadership and innovative ideas and contributions provided by the Executive Secretary, which routinely receive Board approval for subsequent implementation.
17. Indeed, the transformations arising from the Executive Secretary's innovative leadership have led to the recognition of NIA as *the most efficient public service delivery institution* in Ghana 2021 by the Ghana Integrity Initiative, the local chapter of Transparency International, the world-respected anti-corruption agency. Similarly, the Ghana Entrepreneur's Foundation

recognised the Executive Secretary as the *most outstanding Public Service CEO in Digital Information Technology Sector* in Ghana in 2022.

18. The shortage of blank cards is due to delays in Government's financial commitments NIA's technical partner, Identity Management Systems II Limited (IMS II), and Cal Bank PLC under the National Identification System (NIS) Project, and not lack of imagination on the part of the Executive Secretary. Indeed, the Governing Board is aware of the delays and has together with the Executive Secretary and Management made several interventions within Government to cure them. Following Parliament's invitation to NIA (and the Electoral Commission) in February 2023 to explain the challenges faced by the two institutions, the Ministry of Finance released funds which enabled NIA to print over 542,000 records in backlog within ten (10) days and distributed same to its 16 Regional and 276 District Offices nationwide, for issuance to Ghanaians. This is a mark of leadership not a sign of lack of innovation and the Executive Secretary cannot be blamed for any shortage of blank cards.

Conclusion

It is the considered view of the Governing Board that the apparent loss of trust in the Executive Secretary among members of the NIA PSWU stems primarily from the campaign of deliberate misinformation championed by the leadership of the NIA PSWU. For example, after the NLC declared the NIA PSWU's strike action as **illegal** and directed the National Union (PSWU) **"to call off the strike action with immediate effect"**, the Executive Council of the NIA PSWU deliberately misinformed its members by claiming that it had decided to **"suspend"** the strike action until further notice when in fact they had been ordered by the NLC to call the strike action off.

The Governing Board wishes to echo the NLC's advice to the National Union to educate and inform its members, i.e., the NIA Division of the PSWU, to follow internal processes for addressing their concerns and to desist from writing petitions to higher authorities without first exhausting internal grievances procedures.

The Governing Board is pleased to announce that it has accepted the recommendation tabled by the Executive Secretary at the Board's last emergency meeting held on Tuesday, 25th June 2024 to provide for staff an enterprise specific allowance commencing August 2024, the details of which are to be finalised by the Government team comprising FWSC, NIA and the Ministry of Finance on one side and the Industrial and Commercial Workers' Union (ICU), which holds the Collective Bargaining Certificate and PSWU on the other side.

The Governing Board shares the desire of the ICU and NIA PSWU and indeed all staff of NIA for improvement of their conditions of service and will continue to work with the

Executive Secretary and Management and the unions to advance this common purpose in concert with other appropriate agencies of state. Accordingly, the Governing Board hereby requests all staff to have faith and trust in the leadership of the NIA and to join forces to achieve this common end.

End.



Signed

Chairman, Legal, Administration & Human Resource Committee, NIA Governing Board

For and on behalf of the NIA Governing Board

5th July 2024