

# Assessments on Appointment, Promotion and Discipline in the Federal Civil Service.

Pillah, Tyodzer Patrick PhD

Department Of Public Administration, Veritas Univeristy, Abuja

Email: pillahp@veritas.edu.ng

Contact: +234 803 627 5160

**Abstract:** *The civil service which constitutes the hub through which the government implement its policies and programmes through the Federal Civil Service Commission that act as central actor in federal appointment. The paper's focus is on how appointment, are made at the federal level and policy preferences, also on how promotion and discipline of Civil servant are done by The Federal Civil Service Commission of Nigeria. The study undercover some challenges in them (Political, Tribalism and ethnocentrism, corruption, federal character problem). The study proffers some recommendations to improve the process. By implementing these recommendations, the Federal Civil Service of Nigeria can improve its recruitment, appointment, promotion, and disciplinary processes. This will lead to a more effective and efficient civil service that can better serve the needs of the citizens of Nigeria.*

**Keywords:** Federal Civil Service Commission, Appointment, Promotion, Discipline, Civil Servant, Nigeria

## 1. Introduction

The core of the Nigerian government activities is the Federal Civil Service. It is in charge of carrying out governmental directives and providing Nigerian citizens with necessary services. Via its Ministries, Departments, and Agencies (MDAs), the government puts policies, programmes, and services into effect to support economic growth, build public confidence in government administration, and promote growth at all levels (Imhonopi Urin, 2013). The hiring, promoting, and disciplining of civil officials are crucial to ensuring the successful and efficient operation of the civil service.

All public employees have rights, privileges, and obligations, which are outlined in Public Service Regulations (PSR), this also offers a charter of those rights, advantages, and obligations together with the operational structure, regulatory principles, and those (Magbadelo, 2020). A manual for employee-employer relations, the PSR also specifies the terms of their involvement. Oyedele (2015) asserts that the primary instrument of government for the creation and execution of public policies is the public service of any nation. It accomplishes this by turning the government's objectives and programmes into tangible public goods and services that the populace may use.

In this article the research presents a review fundamentally rests on the premise on in Nigeria PSR. This paper offers the review of PSR 2008 with regards to appointment, promotion and discipline of staff under federal civil service Commission in Nigeria. This study will explore these three areas in more detail. The remaining part is divided into 4. The paper proceeds as follows. In the following section 2, we delve deeper into the workings and structure of FCSC, with regard to its establishment, structure, staff numbers and function. Section 3 focus on the methodology. Section 4 focus on discussion with regards to appointment process, promotion, and discipline as guided by PSR 2008. It also highlights outstanding challenges with regards to the three area. Section 4 delve into the conclusion and recommendation.

## 2. Overview of the Structure of Federal Civil Service Commission

The FCSC is a Nigerian government agency responsible for managing the federal civil service workforce. The FCSC operates under the Ministry of the Interior and is tasked with appointing, posting, promoting, and disciplining civil servants in the federal government or Public Servants (Infoguide Nigeria, 2023). The FCSC is a statutory organisation tasked by Section 169 of the Federal Republic of Nigeria's Constitution (as amended) to oversee the federation's public service. In order to carry out the legislation governing the FCS, Section 153 of the Constitution also establishes the Commission. According to Section 160(1) of the Constitution, the Commission has the ability to establish rules governing its operations and to provide authority or impose obligations on any person or authority in order to carry out its tasks with the President's consent. In accordance with Section 160, the FCSC functions, including as the appointment, promotion, and discipline of civil officials, are governed by the Public Service Regulations 2008. (1).

The structure of the FCSC in Nigeria is given below.

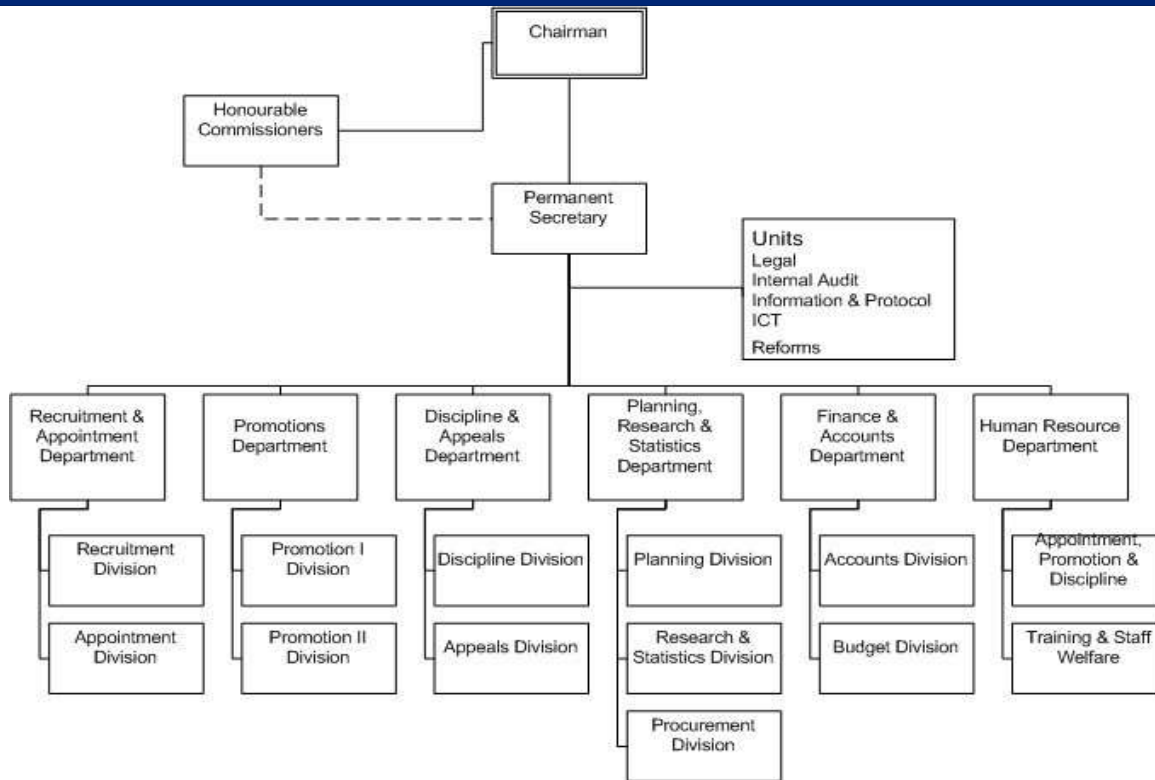


Figure 1: Federal Civil Service Commission Structure ((Federal Civil Service Commission, 2023)

### Guidelines and Laws Governing Appointment, Promotion, and Discipline in the Federal Civil Service Commission of Nigeria

- Federal Civil Service Commission Regulations (2008)
- Federal Character Commission Act (1995)
- Code of Conduct Bureau and Tribunal Act (1991)
- Public Service Rules (2008)
- Establishment Circulars
- Circulars on Guidelines for Appointments, Promotions, and Disciplinary Proceedings in the Federal Civil Service
- Circulars on the Implementation of the National Policy on Federal Public Service Reform and the National Strategy for Public Service Reforms
- Circulars on the Implementation of the National Policy on Public Service Productivity, Innovation and Development

These guidelines and laws provide the framework for the recruitment, appointment, promotion, and discipline of civil servants in the FCS of Nigeria. They ensure that the process is fair, transparent, and based on merit. Civil servants are expected to abide by these regulations and guidelines to ensure the effective functioning of the civil service.

### Literature Review on Appointment Civil Service

Cocciasecca et al. (2020) provides a systematic review of previous research on public appointments and identifies gaps in the literature. The authors contend that public appointments have substantial democratic ramifications and that public managers are essential to developing efficient organisational structures and governance frameworks.

Lopes and Vieira (2020) reviews recent literature on public appointments and highlights that political control is the primary motivation addressed in the literature. The authors note that loyalty to the ruler is the most important criterion of choice, which poses a significant challenge to reconcile political influence and meritocracy in the appointment process. The authors argue that existing studies tend to focus on the influence of politicians and bureaucrats in the appointment process, but overlook the contributions of other interest groups that also participate in the process. They suggest that these interest groups play a significant role in shaping both the individual choices of senior civil servants and the institutions that govern the appointment process.

The paper by Alessandro et al. (2018) examines ten case studies in Italian local government and identifies six organizational arrangements that contribute to good governance in these processes. The authors found that independent scrutiny and involvement

of local councillors and external stakeholders are key factors in ensuring fairness and integrity in public appointments, and that these arrangements are more important than other factors such as transparency, job requirements, and public awareness. Ashraf (2017) presents an exploration of the allegation that public sector appointments in Pakistan are subject to political influence, which negatively impacts organizational performance. The author collected data through a questionnaire and interviews to understand the perceptions of individuals on this topic. The findings indicate that there is some evidence to support the allegation, but the perceptions are equivocal. In other words, while some individuals believe that political influence affects public sector appointments and organizational performance, others are unsure or disagree. The note does not provide conclusive evidence on the matter but rather offers some insight into the perceptions of individuals.

### **Literature Review on Promotion**

Amehojo et al (2022) examines the utilisation of rewards and promotions for exceptional service as motivational techniques for Nigerian civil officials. The researchers collected data on government workers' wages, promotions, and recognition prizes and how they connect to their motivation at work using existing data analysis. The study's framework was based on John Stacey Adams' Equity Theory. According to the study's findings, incentives, advancement, and motivation all have a favourable and significant link. This suggests that employee motivation will rise when rewards and promotion prospects do as well. The research suggests that the government and its departments carefully review civil servant compensation packages to make sure they keep up with the rising cost of living.

Tabdulmumini (2021) study ascertain how promotions affected the growth of the academic staff in public higher education institutions. All academic staff from the State higher education institutions (1410) made up the study's population, and using closed questionnaires, all academic employees from the four chosen institutions (938) made up the sample. Chi-square statistical analysis was used to examine the data that had been gathered. The study's findings showed that the State government has been offering academic employees in the State higher education paper promotions only since 2015, with no monetary wage increases. A considerable connection between promotion and academic staff development also existed. The study found that promotions affect how academic staff members improve, and it advised the state government to compensate academics for their promotions financially to enhance morale and ensure effective and efficient work.

Mahyudi et al. (2019) look into what influences public servant promotions in the North Buton District Government. The study employed a questionnaire survey and Structural Equation Modeling. According to the study, characteristics like seniority, loyalty, and nepotism have a direct impact on whether or not a civil servant is promoted, whereas criteria like job performance, educational attainment, and training do not. The study contends that nepotism is the primary element influencing civil servant promotions in the North Buton District Government. Overall, the reference gives a concise summary of the methods and results of the study.

Nehemia(2017) evaluate the efficiency of the staff promotion processes in the Igunga Local Government Authority. 34 participants from diverse departments made up the study's sample size, which was based on a qualitative method and case study design. The study's findings showed that many employees received delayed pay after promotions and delayed promotions themselves. The central government's budget ceiling, the human resources department's subpar performance, issues with the systems and network connection, and poor communication between the human resources department and department heads were the main issues noted. The report also implies that the government does not prioritise public servant promotions by allocating adequate funding, which may result in a loss of value for public sector employees.

### **Literature Review on Discipline in Federal Civil Services**

The article by Channov and Dobrobaba (2020) examines the causes and conditions of disciplinary offenses in the public service system in Russia. The authors distinguish between causes and conditions, with causes being subjective in nature and conditions being objective. They argue that identifying the differences between the two can help in finding means to neutralize and eliminate them. The authors suggest that psychological selection should be used in identifying professional and personal qualities of applicants, measures should be taken to prevent the deformation of the personality of a public servant during the process of carrying out their duties, and objective conditions should be created to determine lawful behavior of public servants, in order to increase the effectiveness of disciplinary responsibility.

The goal of Nkeobuna and Ugoani(2019) investigate the connection between civil servant discipline and internally generated income (IGR) in Nigeria's Abia State. The authors emphasise that because of civil workers' misconduct and corruption in public financial management, low IGR is a problem in many Nigerian states. Lagos State, in contrast, is renowned for having the greatest IGR in the entire world. Descriptive statistical methods were utilised to examine data from secondary and primary sources as part of the study's exploratory research strategy. The findings showed that in Abia State, discipline and IGR had a very high positive connection. To assure honesty and encourage voluntary tax compliance to raise government revenue, the authors advise civil officials to abide by financial regulations.

The study conducted by Pradana and Dwimawanti (2019) aimed to analyze work discipline among civil servants in the Regional Civil Service Agency of Central Java Province, as well as to identify the inhibiting factors and drivers of work discipline. The study found that the work discipline of civil servants in the agency was not good, with employees not complying with rules and being frequently tardy. The study also identified leadership and motivation as key factors in both supporting and inhibiting work discipline. Specifically, the absence of strict sanctions for disciplinary violations was identified as an inhibiting factor related to leadership, while the absence of motivation for employees was identified as an inhibiting factor related to motivation.

Awodele-Fayomi (2015) study Insubordination in the Nigerian Civil Service and its adverse repercussions on social growth. the research indicates that indiscipline still poses a serious challenge to the system. The study's interpretation of the Nigerian Civil Service was shaped by the context in which it operates and was neither one of a saint nor an unambiguous villain. The study provided alternate solutions to the issue of indiscipline in the Nigerian Public Service, including the use of legal compliance, humanistic, and leadership impressionist methods as well as due process systems.

### **Methodology of Research**

In this paper, we used both descriptive and exploratory analysis to talk about appointment, promotion, and punishment in relation to the meaning, characteristics, and regulations of the Nigerian public service as they apply to high institutional administration. Fundamental analysis was used to examine the appointment. To establish some pertinent conclusions and offer suggestions for policy action, the article specifically analyses and reviews the Public Servant Rule (PSR) as it applies to appointment, promotion, and discipline in the Nigerian public administration system.

### **Appointment in Federal Civil Services**

Appointment of Federal Civil Servant are contained in PSR. According to Rule 020101, the Federal Civil Service Commission appoints individuals to public positions within the FCS by a formal letter or agreement. Under certain restrictions, Permanent Secretaries/Heads of Extra-Ministerial Offices are permitted to appoint qualified applicants to positions that have been allocated to them. These regulations describe the requirements that potential nominees must meet as well as the procedures that must be followed. According to Regulation 020102, the Commission is in charge of filling GL.12–17 graded positions as needed after posting job openings. For officers looking to switch departments, passing the annual Public Service Examinations for positions GLS 07-10 is a must. Each Ministry/Extra-Ministerial Office must select qualified candidates from among those who have passed the Civil Service Examination as outlined in Rule 020102, with representatives of the FCSC and the Head of the Civil Service of the Federation present at the committee meetings. Regulations 020205, 020206, and 020207 detail the requirements that must be met before Permanent Secretaries/Extra-Ministerial Office Heads can nominate individuals to specific posts. The admission date, the date and time on the assumption of duty certificate, or the date and time as recorded in the appropriate register shall be used to calculate seniority in any department in accordance with PSR 020106.

The conditions that could justify each type of appointment, the procedures involved, and the rights of affected officers are discussed in greater detail in PSR 020301-020412. This includes appointment as a trainee or student, probation in a pensionable post, non-pensionable contract to a non-pensionable post or against a pensionable post for a specific period, and acting appointment.

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PSRs 020205–020207 detail the requirements and procedure for appointment to the Federal Public Service.

### **Contract Appointment in Federal Civil Services**

A contract appointment is described in Rule 020401 as a temporary appointment to a post at a particular level made by the Federal Civil Service Commission for a particular time period without the provision for pension payment. This must be documented in a formal document of agreement and is distinct from an appointment with pensionable terms or temporary employment. The terms of employment for a contract officer are detailed in their contract, and any privileges, remuneration, or benefits described in the Rules do not apply unless expressly provided for in the contract, according to Rule 020402(a). The Office of the Head of the Civil Service of the Federation should be contacted with any inquiries regarding the interpretation of a contract that has an impact on a contract officer's terms of employment.

### **Acting Appointment in Federal Civil Services**

According to Rule 020601, a different officer may be formally appointed, with the approval of the FCSC, to act in the duty post and take on its duties and responsibilities when no officer of the conforming substantive rank is available for a specific duty post of at least Senior Clerical Officer status. According to Rule 020602, an acting appointment is not justified by the short-term leave of the

duty post's substantive holder alone unless there are certain statutory requirements for it. The FCSC decides whether an acting appointment is necessary or preferable. Acting appointments, according to Rule 020603, should only be made to fill vacancies for a brief period of time and are not meant to be used to determine whether officers are qualified for promotion.

The appointment of the acting officer must be formalised through a notice in the gazette, as per Section 6 of the Public Service Rule (2008). The tasks and responsibilities of the duty post that the acting officer will take on, either entirely or in part, should be specified in the notification. The start date of the acting appointment will be stated in the gazette notice allowing it. The acting officer typically assumes the responsibilities and duties of the post on this date. The gazetted date of beginning will not, however, be earlier than the date on which the substantive holder transferred the duties and responsibilities to the acting officer if the latter takes over from them. Any suggestions for acting appointments must be submitted on General Form 66 to the Federal Civil Service Commission. Overall, the statement offers instructions on the steps and prerequisites for acting appointments in the Nigerian FCS. It emphasises the necessity of openness, responsibility, and adherence to rules during the appointment process. It

### **Promotion in Federal Civil Services**

The promotion of civil servants in the Federal Civil Service of Nigeria is also governed by the FCSC. Promotion is based on merit and is open to all qualified civil servants. To be eligible for promotion, a civil servant must meet the requirements set out by the FCSC. These requirements include possessing the necessary qualifications, meeting the required years of service, and passing a competitive promotion examination.

Promotion opportunities for serving officers are outlined in the PSR. The conditions, requirements, and procedure for promotion are highlighted in PSR-020701-020708, which also emphasises the crucial roles that the FCSC and the Office of the Head of Civil Service of the Federation played in ensuring the smooth operation of the promotion exercise. According to the rule, the FCSC has the authority to promote qualified candidates to all positions in the Federal Public Service other than those held by Permanent Secretaries. However, Permanent Secretaries and Heads of Extra-Ministerial Offices are also permitted to do so (020104 )

For a greater understanding of the requirements for promotion that serving officers must meet in order to be eligible, this section of the PSR should be studied in conjunction with the Guidelines on Appointment, Promotion, and Discipline. A minimum of the following years must be spent in a position before an officer is deemed mature enough to be considered for promotion: I. Minimum of 2 years for GL 06 and below GL 07–14, minimum of three years. ii. iii. Minimum of 4 years for GL 15–17 b) Merit: Promotions must only be given based on competitive merit among all qualified applicants. c) A generally positive record of behaviour must always be taken into account. d) The following people will be in charge of officer promotions: Ministry/Extra-Ministerial Office for GL 06 and below; Ministry/Extra-Ministerial Office or appropriate staff pool, with Federal Civil Service Commission clearance, for GL 07-14. iii. GL.15–17 - Suggested by the Federal Civil Service Commission via the Chief of the Civil Service and the relevant pool or Ministry/Extra-Ministerial Office.

### **Discipline in Federal Civil Services**

Discipline in the FCS of Nigeria is governed by the Civil Service Rules and Regulations. The rules and regulations provide for the discipline of civil servants who engage in misconduct or are found to be incompetent. The discipline process begins with an investigation, and if the allegations are proven, the civil servant may face disciplinary action, including dismissal.

The Civil Service Rules and Regulations provide for various forms of disciplinary action, including warning, suspension, reduction in rank, and dismissal. The disciplinary process is fair and transparent, and civil servants are entitled to a fair hearing before any disciplinary action is taken against them.

The Commission's Directorate of Discipline and Appeals is in responsible of managing all disciplinary and appeal cases for the whole Service. Through the Junior Staff Committees, the Ministries and the Inter-Ministerial Departments (MDAs) had been given the authority to reprimand officers from G.L. 01-06 and to hear their appeals. Yet, it is anticipated that the Commission will receive a copy of their decision for informational purposes. Matters involving officers on Salary Grade Levels 07–13 are handled by the Senior Staff Committee, which is presided over by the Permanent Secretary or Chief Executive Officer and is made up of all Directors in the MDAs with an Honorary Commissioner serving as an observer. The Commission will next review the recommendations and make the necessary decisions after receiving them.

### **Hearing and Appeal Determination**

Any officers who feel they have been wronged have the option of appealing to Mr. President or the Federal Civil Service Commission. However, according to the rules, the Senior Staff Committee of the MDAs must consider any appeals that originate from judgements made by the Junior Staff Committee before they are forwarded to the Commission. For both Junior and Senior

Officers, this means that the Permanent Secretary or the Chief Executive of the Extra-Ministerial Department must submit appeal cases to the Commission. The Commission must receive the summaries and minutes of the pertinent Committees' sessions within four (4) weeks.

### Critiques in Appointment, Promotion and Discipline in FCSC Nigeria

- 1) **Political, Tribalism and ethnocentrism:** One of the major critiques is that the rule does not prioritize meritocracy in the appointment process. Instead, appointments are often influenced by political and ethnic considerations, which often result in the appointment of unqualified or less qualified individuals. This approach undermines the efficiency and effectiveness of the public service, as it creates a system that rewards loyalty and political affiliation over competence and merit.
- 2) **Corruption:** this is defined as behaviour that veers off from the forward tasks of a public function for personal benefit in terms of money or status (, Kwaghga , 2015) Corruption is the plague of Nigerian society. The Nigerian Public Service cannot be immune to the raging forces of corruption because it is entangled in the web of societal influences. The corruption in the Service has an impact on almost all of the processes.
- 3) **Nepotism:** This has to do with preferred considerations, where various people are given varied treatment when it comes to the PSR. Instead of ensuring that the rules are applied consistently across the board, this situation illustrates the existence of double standards.
- 4) **Faulty application:** This can be the consequence of either a conscious choice to apply the rules incorrectly or an innocent mistake made as a result of inefficiency and incompetence that were brought on by a lack of knowledge of the rules and their purposes.
- 5) **Federal Character Principal Problem:** This rule, intended to guarantee some level of ethnic balance in nominations to federal government establishments or institutions, has been improperly applied over time. The idea is being used to promote employees, which should be done on the basis of merit competition.
- 6) **Incorrect Rules:** Society is constantly changing. Change is the one thing that is constant in life. As a result, it is impossible for society's rules to remain constant. Since 1999, the Nigerian society that the Nigerian Public Service operates in has undergone a democratic transition, making it imperative to entirely divest and purge the Public Service Regulations of any anti-democratic clauses that interfere with the fundamental rights of the public.

### Conclusions

The appointment, promotion, and discipline of civil servants are critical to the success of the Federal Civil Service of Nigeria. The FCSC and the Civil Service Rules and Regulations provide a framework for ensuring that the civil service operates effectively and efficiently. Several critiques of Nigeria's Public Service Rule (PSR) on appointment, promotion, and discipline OF Federal civil servant. Some of the critiques include, corruption, lack of meritocracy, inadequate discipline, federal character principle and tribalism and ethnocentrism The study concludes that by promoting merit-based appointments and promotions and ensuring a fair and transparent disciplinary process, the federal civil service can continue to deliver essential services to the citizens of Nigeria.

### Recommendations

The study proffers some recommendations with respect to appointment, promotion, and discipline in the Federal Civil Service of Nigeria:

- 1) The appointment and promotion processes in the FCS should be transparent, free from any form of bias or nepotism, and based on merit. This will help to ensure that the most qualified candidates are selected for the position, and it will promote a culture of excellence in the civil service.
- 2) The FCSC should provide continuous training and development opportunities to civil servants to enhance their skills and knowledge. This will not only improve the performance of civil servants but also promote career progression and job satisfaction.
- 3) The disciplinary process should be fair, transparent, and timely. Civil servants should be given an opportunity to defend themselves and present their case before any disciplinary action is taken against them. Delayed disciplinary processes can lead to a lack of discipline in the workplace, and this can negatively affect the performance of the civil service.
- 4) There should be regular performance evaluations to assess the performance of civil servants. This will help to identify areas of strength and weakness, and it will provide an opportunity for civil servants to receive feedback on their performance. The evaluation should be objective, fair, and based on measurable criteria.
- 5) The Federal Civil Service Commission should provide incentives for outstanding performance to motivate civil servants to perform at their best. This can include rewards, recognition, promotions, or other benefits that recognize the contributions of civil servants.

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