

REFOCUSING THE FEDERAL CIVIL SERVICE: THE ROLE OF THE HEAD OF SERVICE

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ABSTRACT

Nigeria's second return to democratic regime in 1999 poses the problem of adjustment for the higher cadre of the country's civil service. Under military regime the civil service had, for the best part, combined political and bureaucratic roles. The return to a democratic administration implied the shedding of the role of policy articulation. Presidential Democracy equally imposes additional context for political restructuring by the civil service. These are the issues examined in this article. It analyzes the role of the Head of service in refocusing the civil service for more efficient service delivery. It also examines the implications of this refocusing and its major tenets. The article concludes by positing that the new system will create a much better career-centered environment and a potentially result-oriented civil service than we have had in the past.

Keyword: Civil Service, transformation, career bureaucrats, politicians, refocusing, Policy, restructuring, and Welfare package.

INTRODUCTION

Role of the civil service as an instrument in a polity's socio-economic and political development is incontestable. In some parts of the globe, however, the civil service seems unable to cope with the prevailing ideological, political and economic changes as well as the management innovations. In other parts of the world, especially in Africa, the institutional and capacity weakness, of the civil service is considered one of the fundamental causes of socio-political upheavals and economic crisis. Congnizant of this fact, over the last decade, many countries are introducing primary changes in the structure and operations of their civil services.

Nigeria, as part of its general political and economic restructuring programme, is undertaking comprehensive measures to restructure its civil service. This study will analyze the role of the Head of since of the Federation in this restructuring programme. This is because since the civil service reorganization Decree of No. 43 of 1988 which merged the Office of the Secretary to the Government with that of the Head of Service, was repeated, the Office of the Head of Service has played significant roles in enhancing and sustain of effective, efficient and modern public service. It is appropriate therefore to explore the roles of the Head of service in the transformation of the Civil Service; the concern is to recreate the process of transforming the institution. It is distressing that at the outset, efforts of government to reform the civil service and improve its capacity to respond to development challenges have not yielded much result. Chinweizu in *The Guardian* of November 24, 1985 has aptly summarized the consequences of these for the public bureaucracy.

According to him:

The bureaucracy, quickly lost its ethos as the political partisan interests, and especially to grab for their members an adjunct of party patronage machines . . . the bureaucracy, finding itself answerable to no superior political or social authority, had no in centre to resist temptation As a result, the institution became an unmitigated

“lootocracy”, with hardly any inclination to rule, but with every appetite to loot (Erero, 1988:181).

Admittedly, this verdict is quite harsh, and definitely does not apply to all civil servants, but it is a reflection of the difficulties of the civil service under a corrupt leadership. This then lead us to identify the major obstacles to efficient service delivery and the role the Head of Service leadership can play in arresting the monster. The paper will first review conceptual issues. Subsequently it will give a brief historical description of the inception and development of the Office of the Head of Service in Nigeria. The next section discusses the role of the Head of Service in transforming the Nigerian Civil Service.

CLARIFICATION OF CONCEPTS

Civil Service

The civil service is a branch of government which is usually grouped with the Executive, and without which governments cannot function. These are men and women who constitute the permanent staff of the departments of governments. They are professional administrators. Some people refer collectively to these personnel as public administration or the bureaucracy, or public service.

According to Olaopa (2008:35), the term “civil service”, although commonly used, is usually misunderstood and so often misused as it really has no standard definition; domestic law, practices and conventions, influence its definition considerably

According to Lawson, (1974:127), the civil service is the term used to describe servants of the state or the central government employed as civilians. It does not cover ministers or cabinet members or the Judiciary; in some countries it usually does not cover local government employees nor the staff of public enterprises. In this context, the civil service will embrace civilian employees of state and federal governments only, excluding cabinet ministers and the judiciary.

Idode, (1986:11), on the other hand defines civil service as the “array of administrative and professional staff employed, on permanent and pensionable basis to established posts, by the state, to advise on and execute its policies.

Civil service and public service as established by the Nigerian constitution are provided for in sections 169, 171, 206, 208 and 318 and in section 10 of the Third Schedule of the 1999 constitution. These constitutional provisions do not recognize the term “the Nigerian public service”. They only recognize the public service of the Federation, at the federal level; and at the state level, the public service of the states of the federation, which includes the local government council services. The constitution also provides for the civil service of the federation, and distinct from it, the personal staff of the president. Section 318 of the 1999 constitution defines the civil service of the federation as:

Service of the federation in a civil capacity as staff of the office of the President, the Vice President, ministry or department of the government of the federation assigned with the responsibility for any business of the Government of the Federation (FRN, 1999).

The above definition of the federal civil service is clearly spelt out in sections 169, 170 and 171 of the Constitution, and by the provisions establishing the powers of the Federal Civil Service Commission in Section 10 of the third schedule of the Constitution. This section states that the Federal Civil Service Commission shall have the power to appoint persons to offices in the Federal Civil Service; and to dismiss and exercise disciplinary control over persons holding such offices.

According to Adamolekun (2002:17), “the term that is most commonly used as the synonym of the machinery of government is the civil service. In Britain and other commonwealth countries, the term “civil service” is used in two ways. First it refers to the body of permanent officials appointed to assist the political executive in formulating and implementing governmental policies. These officials are called civil servants. Again, the term refers to the ministries and departments within which public administration takes

place, excluding the local government. The members of staff of the local government are referred to as local government officials.

Ezeani (2006:190), defines civil service as "the administrative machine within which the work of government is carried out".

Organized states have always had civil servants and the role of these servants can be studied at two levels. First, it is the primary function of the civil servant to advise his political master, whom we shall call the minister, on all aspects of governmental activities to ensure formulation of the policy, which is consonant with the objective of the government of the day. Put differently, the success of any government's initiative is directly and crucially dependent on the willingness and ability of the civil service to execute the policies. For example, according to Shamsuddeen Usman, the basic role of the civil service and civil servant are: *'to assist government in the formulation of policy by providing the necessary data; implement the decision of government, within rules and regulations, without fear or favour'* (Bodunde, 2009:B2).

Advice in the context of policy formulation necessarily implies the collection of relevant data and presentation of these data, together with carefully considered and annotated alternatives, which would enable policy decisions to be made by the minister.. The other aspect of the functions of the civil servant is to ensure by all legitimate means, the policy decisions of government are faithfully implemented.

Sir Warren Fisher, the first ever Head of the British Civil Service set the tone for the Civil Service in terms of its social obligations.

"Determination of policy is the function of ministers; and once a policy is determined it is the unquestionable business of the civil servant to carry out the policy with precisely the same good will, whether he agrees with it or not" said Warren (Bonunde, 2009:B2).

Head of service of the Federation, Mr Steve Oronsaye, agrees with both Usman and Warren. According to him, "there is no better and ready instrument available to government to influence the moral tone of the nation than an effective civil service (Bontunde, 2009 B2). Sawtoy (1957:9) notes that *"an efficient civil service, trained specialist task of carrying out the broad decision of the government, is a necessity, if the government is ... to fulfill the functions the public expects from it"* and that, *"no modern state is able to exist without a highly complex and professional civil service organization"*.

The basic role of the civil servant is, therefore, to initiate and take active part in all the processes leading to the formulation of policy; and thereafter ensure that the policy agreed by government is faithfully and honestly executed. From this brief statement of the role of the civil servant, it will be seen that the civil service is about the most important single institution affecting the lives of the citizens of a state; its influence is all pervasive, more so in the modern world where most states carryout wide functions in providing social services and regulating the economic life of their citizens.

Our operational definition of civil service, therefore, the totality of the civil bureaucracy set up by governments to administer and implement their policies and programmes.

EPOCHAL-HISTORICAL DEVELOPMENT OF THE OFFICE OF HEAD OF SERVICE

The role of the Head of Service is to provide leadership for the career civil servants who staff the ministries. The offices owe its legal basis to sections 157 (3) and 188 (3) of the 1989 and 1999 Constitutions.

From inception until the demise of the first republic in 1966, the Secretary of Cabinet carried out the responsibilities of the Office of the Head of Service. His main function then was to ensure orderly and quick implementation of the decisions of Parliament. At that dispensation, there was no provision in the constitution for the positions of both the Head of Civil Service and the Secretary to the Government. Section 90 and 143 of the 1960 constitution only provided for the appointment and functions of Permanent Secretaries.

After the military coup of 1966, a new nomenclature was approved in the public service which re- designated the Secretary of Cabinet as Secretary to the Military Government and Head of Civil Service. This was later given legal backing by Decree No. 17 of 1974, which gave the mandate over the public service of the federation to the Secretary to the Federal Military Government. This situation was maintained until the enthronement of democratic rule in 1979. Sections 157(2) (a & b) and 188(2) (a & b) of the 1979 constitution of the Federal Republic of Nigeria split the Office of Nigeria split the Office of the Secretary to the Military Government into the Office of the Head of civil Service and that of the Service

and that of the Secretary to the Government. Thereafter, the first Head of Service of the Federation was appointed.

As a result of the military coup of January 1984, and in accordance with the Suspension and Modification of Decree No. 1 of 1984, the two offices were merged and later separated in 1986.

It is relevant to refresh our minds that the 1986 Dotun Philips Reform of the civil service was later promulgated into Decree No. 43 of 1988. It was intended to energize the service to cope effectively with the challenges of a modern, complex and development-hungry society (Adegoroye, 2006). The reform recommendations were designed to ensure the following:

- (i) Enhanced professionalism (ii) Alignment with the Presidential System of Government (iii) Decentralization and delegation
- (iv) Combination of authority with responsibility (v) Enhanced accountability (vi) Enhanced checks and balances (vii) General modernization
- (viii) Enhanced effectiveness, efficiency and speed of operation

Government enacted the recommendations into law through the Civil Service Reorganization Decree No. 43 of 1988. Some of the most important provisions of the Reforms were the following:

- The Office of the Head of civil Service was abolished; the Minister in addition to being the Chief executive also became the Accounting Officer in place of the Permanent Secretary;
- The post of Permanent Secretary was also abolished. In its place, a new political post of Director-General was created. The Director-General then held office at the pleasure of the President and would vacate office with the Government, which appointed him unless re-appointed by an incoming administration;
- The Civil Service was professionalized in order to stimulate specialization and expertise. In this regard, an officer was expected to make a career in a particular Ministry of department;
- Each Ministry was restructured along Departmental lines to reflect the basic functions and areas of concern of the Ministry. Each Department was subdivided into Divisions, each Division was subdivided into Branches, and Branches were subdivided into Sections;
- Each Ministry was empowered to undertake the appointment, promotion and discipline of the staff under the general and uniform guidelines provided by the Federal Civil Service Commission,
- Each Ministry of Extra-Ministerial Department was allowed to have three Common Services Departments, viz; Department of Personnel Management, Department of Finance and Supplies and Department of Planning, Research and Statistics, and not more than five operations departments.

However, the euphoria did not last long as in 1988, the Presidential Task Force on the implementation of the civil service reform recommended that the Office of the Head of Civil Service should be abolished. Thus, when Decree No. 43 of 1988 on the reorganization of the civil service was eventually promulgated, no mention was made on the Office of the Head of Service.

The civil service reform highlighted above was conceived to professionalize the public service and prepare the institution for civil rule. However, it only succeeded in politicizing the top hierarchies of the service and concentrated political and administrative power in the hands of its own appointees, a development which raised corruption to new heights (NAPAM, 1991). Again the professionalism aspect of the reform was unfortunately conceived as localization of the public service personnel as it was not programmed to training and retraining regime. Finally and most importantly, abolishing the Office of the Head of Service was in bad taste especially to public servants and opinion leaders who were of the view that it was a ploy to dismantle the public service (Olowu, 1996).

The effect of the reform was succinctly captured in a remarkable editorial opinion in the Guardian Newspaper titled. A State in gradual Collapse, the editorial chronicled the deplorable and declining conditions of the public service; public utilities that have virtually collapsed, an educational system that had become epileptic, state hospitals, which has first degenerated into a consulting clinics, but had become place to go and die and the quality of service rendered by NEPA, NITEL, NIPOST, etc. being the subject of continuous lamentation by the citizens. The Newspaper concluded its opinion thus"

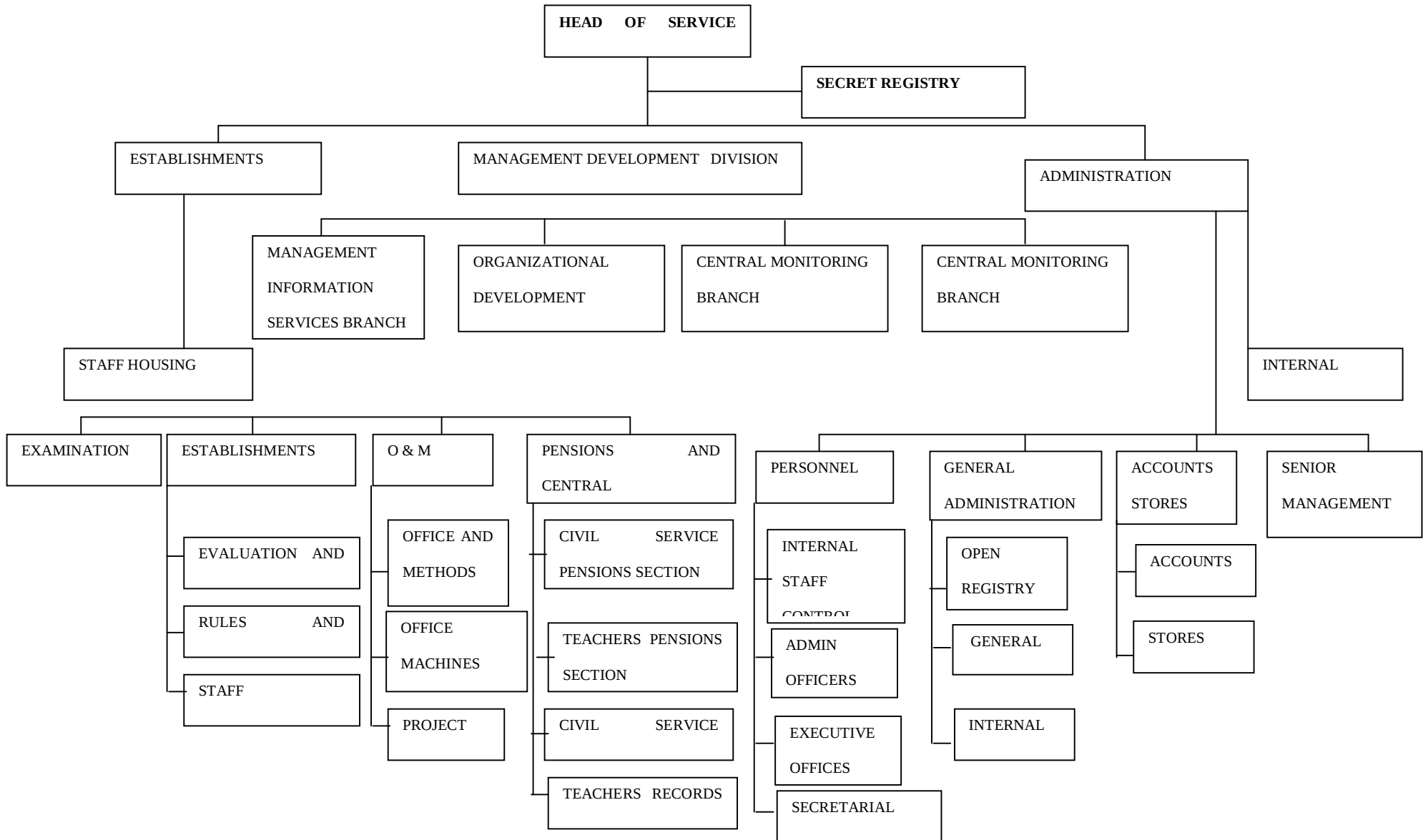
The Nigerian state has become a predatory institution through which people in places of trust and responsibility recklessly and remorselessly loot the nation's resources and exhort tribute while the ordinary citizens starves ...what we see is an advanced state of social anomie, a near collapse of the Nigerian state as a social organism.....' (Editorial of Guardian March 1, 1994).

Arising from the above and other strident criticism of the reform by various interest groups, the military authorities grudgingly accepted that the reform has the potential of destabilizing the public service

(NAPAM). This informed the setting up of the Ayida review panel of 1995 to reexamine the issue. One outstanding result of this is the return of the Office of the Head of Service to maintain and sustain effective, efficient and focused public service.

Consequently, the 1989 Constitution provided only for the Office of the Secretary to the Government and the Civil Service. Arising from the dwindling fortune of the public service and persistent yearning for a Head for the Civil Service by public servants, a Civil Service Review Panel was set up by government in 1995 under the Chairmanship of Alison Ayida a retired Permanent Secretary, and one time Secretary to Government and Head of the Civil Service of the Federation. The Ayida Panel recommended abrogation of the Decree No. 43 and a return to what the public service was before the introduction of the Reform. This recommendation was approved by government and was implemented in 1999, thus restoring the office of the Head of Service to take responsibility of managing the public service. The diagram below presents the organizational structure of the office of the Office Head of Service of the Federation.

ORGANIZATION OF THE OFFICE OF HEAD OF SERVICE AS AT 31ST MARCH 1980



SOURCE: Federal Republic Of Nigeria, *Civil Service Manual Handbook* (nd), Abuja: Office of the Head of Service, p 76.

TRANSFORMING THE PUBLIC SERVICE: THE ROLE OF THE HEAD OF SERVICE

To transform the public service means to change and support the institution into an effective, efficient and modern institution. The public service plays a pivotal role in governance. As the hub of decision-making, it articulates and implements development strategies. It follows therefore that the public service is the engine room of government, while the office of the head of service can be described as the engine room of the public service. The Office of the Head of Service plays three roles necessary to change and support effective, efficient, focused and modern public service. These roles are embedded in its assigned responsibilities enunciated in circular letter No. SGA.7/5T5/2000 OF 10th February, they include:

1. Training and Manpower Development

Training and staff development is a very important aspect of the responsibility of the office of the Head of Service. Broadly speaking, training and staff development is capacity building program, which focuses on the development of human resources, building and strengthening of institutions, and establishment of effective working practices. For the public service to be effective, efficient and modern there is the need for regular and constant knowledge development to ensure expanded and dynamic expertise. This knowledge development must encompass the formal and informal acquisition of knowledge, skills, attitude and techniques required in the effective and efficient performance of duty. It must include sufficient knowledge of information and communication technology and it must permeate the entire public service to make meaningful impact.

2. High Moral and Welfare of Public Service

The Office of the Head of Service is also responsible for maintaining high moral and enhancing the welfare of the public service. Welfare is the wherewithal for performance and it must be available to derive maximum benefits from the public service. There is a direct correlation between welfare and performance, since the principle in this case is excellent input beget excellent output. Government should pay attention to ensuring conducive working environment staff remunerations, provision of necessary working tools and other benefits. This will enhance job satisfaction and lead to productivity. Another important and closely related factor is job security. Public Servants must not be made pawns in the chess game of political rivalry and programme. Once a public servant is competent, loyal and devoted to duty, there should be a reciprocal guarantee of job security.

3. Career Development

Career development is crucial to transforming the service, for the public service to be efficient and effective, promotion must take place as and when due. There must also be objective criteria that are verifiable for purposes of career progression so as to ensure fairness in the service.

It is conceived in sections 157 (3) and 188 (3) that the Head of the Civil Service of the Federation must be appointed from within the civil service, either of the Federation of state, and vice versa. It seems fairly clear that while the functions of the Secretary to the Government are purely political, those of the Head of the Civil Service are supposed to be of highly routine administrative nature. The itemized breakdowns below are envisaged for the two offices:

- a. The Head of the Civil Service of the Federation.
 - i. Co-ordination of the activities of Federal Ministries and Extra-ministerial Departments.
 - ii. Advising the Head of appointment and deployment of Permanent Secretaries.
 - iii. Formulation of policies on and allocation of office accommodation and staff quarters.
 - iv. Provision of staff for newly established and ad hoc bodies.

- v. Management of the careers of officers in the administrative cadre and all senior management staff on G.L. 14 and above.
- vi. All functions at present performed by the Federal Ministry of Establishments and the Public Service Department of the Cabinet Office.
- vii. Liaison with Heads of State Civil Service.
- viii. Providing leadership and direction to the service, maintaining high morale and esprit-de-corps and a favourable image of the Service including the observance of the code of Conduct.
- ix. Reviews of machinery of Government, restructuring and re-organization of Federal Ministries and Extra-Ministerial Departments.
- x. Promotion of good relations between Ministries and Civil Servants.
- xi. Relations with the following special bodies.
 - a. National Science and Technology Development Agency (NSTDA).
 - b. Federal Civil service Commission.

REFOCUS THE FEDERAL CIVIL SERVICE: THEMATIC EXPOSITION

The academic and social commentators refer to the civil service as corrupt, inefficient; extremely tax in policy implementation and a big drain on the national economy.

It was no surprise when the late Head of State, General Murtala Muhammed, on his take-over of government in 1975, purged the Federal Civil Service of "dead-wood", personnel found to be unproductive, corrupt, sick and frail over aged and underserving of their appointments. The purge took the civil service like a tonardo, shaking the foundation of periodic future reform of the service, a relic of the former British Colonial Administration.

Until the 1988 civil service reforms, the Nigeria Civil Service was organized strictly according to British traditions. That is, it is apolitical as civil servants were expected to serve every government in non-partisan way, and the norms of impersonality and hierarchical authority were well entrenched.

But, as society grows in complexity, its needs because more complex, compelling the civil service to grow correspondingly to meet such needs in terms of administration resulting in periodic reformation and refocusing. For instance, the Adebo Commission of 1970 and the Udoji Commission (1972) reviewed the structure and orientations of the civil service to make it more efficient. Also in 1985, 1988, and 1990 witnessed more attempts at reforming the civil service for greater efficiency.

Public opinion analysts, however, blame most of the identified woes of the Nigerian civil service on military rule, citing the demystification of the Office of Permanent Secretary by the Murtala regime as one of the reasons. Before then, the permanent secretaries were "Super" civil servants who wielded so much power that even military administrators were cautious in confronting them.

However, by May 29, 2009, the country had its first ten-year unbroken civilian rule and attempts at bringing back the civil service in line were afoot. Experts note that the latest attempt at reforming the Federal Civil Service began in concrete terms in July 2003 and the exercise is ongoing (Eme, 2009).

Addressing the maiden Forum for serving and Retired Federal permanent Secretaries, on July 30, 2009, the new Head of Service, Mr. Stephen Oronsaye said:

The perception that government business is nobody's business and as such, can be handled with levity is anti-development and does the country no good. There is no better and ready instrument available to government to influence the moral lone of the nation than an effective Civil service (Eme, 2009:4).

Oronsaye had also met with the Directorate Cadre of the Civil Service only July 14 and set up six committees to look into its identified problems and how to refocus it.

The committees covered Recruitment and Career progression; Discipline and integrity; Performance Management; Succession and Mentoring Management; Motivation and Reward

System; as well as Structure and Procedure Re-engineering. The committees. Examined the present arrangement of recruitment, transfer, conversion and regularization of appointment with a view to bringing out the strengths and weaknesses in the system.

The committees also reviewed the level and extent of indiscipline, corruption; favouritism, nepotism and attitude to work in the service. In addition, they assessed the existing succession gaps within the system and suggest remedial measures that would enable the civil service to avoid succession crises for the next ten years.

Furthermore, the committees identified the inadequacies in the current remuneration package (Salary and non-salary) and its attendant negative impact on performance. The committees whose members were volunteers and were given a week to finish the assignment; submitted their reports on July 24, 2009.

Beside the work of the committees, suggestions were made by the forum for serving and Retired secretaries after it two-day retreat on July 31, 2009.

In a 19-point communiqué at the end of the retreat, the Forum said that time-honoured value system and condition of service, which promote integrity, honesty, objectivity, discipline, industry, ethics, punctuality and professionalism and best practical work and creativity should be restored.

A stakeholder-driven performance-oriented model based on target setting should be instituted. This should include individual and corporate measurable and enforceable performance agreement intrinsic to conditions of service. Pay, remuneration incentive and motivation in service should take greater advantage of non-salary measures to ensure a living-wage remuneration (Eme, 2009:5)

In an effort to implement the above stated objectives, the Head of Service, Stephen Orosanye in August 2009 kick started the process of refocusing the civil service in Nigeria.

Speaking with newsmen at the opening ceremony of the procurement skill Training for federal Minister, Departments and Agencies in Abuja, Stephen Oronsanye, cautioned Federal workers who see training programmes as opportunity for welfare packages that "it is no longer business as usual", as they will now be assisted at the end of every course conducted by the office to know of they have added value to them selves. (Soniya & Emejo, 2010: 4).

He said:

And if you do not scale through the test you don't go for any promotion examinations . . . academic qualification is not the issue, it is competence, we do know that there are people who have certain qualifications but they cannot express them selves, academic qualification only brings you to be considered but it is what you are able to offer when you are tested that is important.

According to him, only 180 out of 1500 civil servants who applied and participated in the previous training exercises actually passed the assessment give at the end of the course. He went on to explain thus:

I can just tell you only recently the office of the Head of Service reintroduced the mandatory training but what was new was that at the end of the training, people were tested . . . what we found out is that those who took the very first set of training didn't do well at the end but those coming after, the pass rate was very high and be cause they now know that they will be tested from day one, they will take it seriously (Soniya & Emejo, 2010: 4).

Director General Bureau of Public Procurement (BPP) Emeka Eze during the recent procurement Skill Training for Federal Ministries, Departments and Agencies explained that the idea of the workshop was to ensure that public servants are brought to a level where they could help government to achieve value for money in public expenditure. According to Emeka Eze:

The idea of public procurement is to make sure that value for money as a policy of public expenditure is achieved. My expectation is that at the end of this workshop, participants would have been in position

to quickly at the close of the eyes know the ABC of Public Procurement so that if any political office holder comes or permanent secretary, they would be able to advise them on how things are going to be done. (Soniya & Emejo, 2010: 4).

CONCLUSION

In this paper I have tried to distill centers of politicization of the Nigerian higher civil service. The fears of politicization, which seem to disturb senior civil servants are partly founded and partly misplaced. Presidential democracy will on the one hand politicized the higher civil service much more than the constitutional and political arrangements before military epoch. It is timely that the president civil administration is giving the office of the Head of Service the necessary encouragement needed in enhancing and sustaining effective, and efficient modern civil service. The concern is to recreate the process of transforming the institution. It is timely that the present administration is giving training and manpower development the attention it deserves through the human capital development of its Three-Point Agenda.

Efforts should be intensified especially in the area of information and communication technology. It is significant had gratifying that the Federal Government and the Office of the Head of Service have put in place, various incentives to reward outstanding contributions, diligence to duty, and reward systems are good policies in this direction.

Also, the civil service must be loyal and supportive to government at all times, without compromising its legacy of objectivity, impartiality, and adaptability that remain its hallmark over the years. As an conservative institution, it must be made conscious of forces of dynamism as captured by innovation, modernization and change. This is the only way the civil service can remain relevant, respected, efficient and effective, in its service delivery responsibility and evolve to contemporary trend.

Reforming and refocusing the civil service will, in addition to changing its negative reception, seek to install justice and equity across its cadre.

Finally, the Head of Service should continue restructuring exercise aimed at streamlining the mandate of parastatal and extra-ministerial department, their number and relationships with ministries with a view to achieving the original objective of creating the extra-ministerial agencies as implementing establishments and reducing conflicts with the ministries, Departments and Agencies.

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