



THE RIGHT TO INFORMATION COMMISSION

ACCRA

28TH JANUARY, 2026

AFR NO.: RTIC/AFR/52/2025

FREDERICK ASIAMAH
(CORRUPTION WATCH)

APPLICANT

ACCRA
VRS

GHANA EDUCATION SERVICE (GES)
ACCRA

RESPONDENT

DETERMINATION BY THE RIGHT TO INFORMATION COMMISSION IN RESPECT OF AN APPLICATION FOR REVIEW FILED BY CORRUPTION WATCH (REPRESENTED BY FREDERICK ASIAMAH) AGAINST THE GHANA EDUCATION SERVICE FOR NON-RELEASE OF REQUESTED INFORMATION

FACTS

The facts relevant to this determination are as presented below:

On 18th July 2025, the Right to Information Commission (hereinafter referred to as the "Commission") received an application for review from Frederick Asiamah of Corruption Watch (hereinafter referred to as the "Applicant") requesting a review of the decision of the GHANA EDUCATION SERVICE (GES)(hereinafter called "Respondent") for failure to grant access to information relating to teachers on the GES payroll during the period 1st January 2019 to 31st December 2024.

According to the Applicant, a letter dated 23rd January 2025 requesting the information was submitted to the Respondent through its Information Officer on 24th January 2025. The Applicant



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made a follow-up visit to the GES office on 25th February 2025 because he had not received any reply.

On 26th February 2025, the Applicant received an email from the Right to Information Officer of GES acknowledging receipt of the request for information with the assurance that a decision would be communicated to the Applicant very soon.

The Respondent, by a letter dated 14th April 2025, indicated that the required procedural measures had been undertaken to process the Applicant's application. However, it was noted that a new officer had been appointed to oversee the payroll processing section at the Ghana Education Service (GES) headquarters. Moreover, owing to the lack of access to the Human Resource Management Information System (HRMIS) at the time, the GES was unable to proceed with the processing of the request; consequently, it was placed on hold pending the completion of the necessary administrative procedures. However, the Applicant still did not receive a reply to his request.

Pursuant to the receipt of the application for review, the Commission wrote to the Respondent by a letter dated 8th August 2025. Exercising its mandate under **section 43(2)(a) of the Right to Information Act, 2019 (Act 989)**, the Commission invited both parties to a mediation meeting intended to address and resolve the complaint. It should be noted that section 43(2)(a) of Act 989 enjoins the Commission to resolve complaints using alternative dispute resolution mechanisms.

On 2nd October 2025, GES wrote to the Commission requesting additional time to submit the required information. Consequently, the Commission granted this request, allowing a twenty-one-day extension.

The information requested by the Applicant is as follows:

1. The total number of Teachers on the GES payroll at the beginning of 1st January 2019;
2. The total number of Teachers on the GES payroll at the end of 31st December 2024;
3. The total number of Teachers on the GES payroll employed in each of the following years: 2019, 2020, 2021, 2022, 2023, and 2024.



4. A list of all teachers employed in the ASHANTI REGION in the years 2019, 2020, 2021, 2022, 2023, 2024, including their entry qualifications and the districts the teachers were posted to;
5. A list of all teachers employed in the CENTRAL REGION in 2019, 2020, 2021, 2022, 2023, and 2024, including their entry qualifications and the districts the teachers were posted to.
6. A list of all teachers employed in the CENTRAL REGION in 2019, 2020, 2021, 2022, 2023, and 2024, including their entry qualifications and the districts the teachers were posted to.
7. A list of all teachers employed in the UPPER EAST REGION in 2019, 2020, 2021, 2022, 2023, and 2024, including their entry qualifications and the districts the teachers were posted to.

As at the date of this determination, the Respondent has not complied with the Commission's directive. Therefore, by **section 43(2) (c) of Act 989**, the Commission is authorised to make any determination it considers just and equitable, including issuing recommendations or imposing penalty.

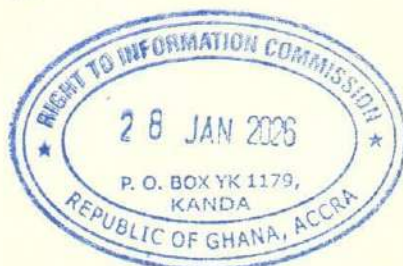
LEGAL ANALYSIS

The right to information is guaranteed by the 1992 Constitution of Ghana under **Article 21 (1) (f)**. This right has been reinforced under **section 1(1)** of Act 989 and states as follows:

'A person has the right to information, subject to the provisions of this Act.'

Under Act 989, the grounds on which a public institution may lawfully refuse an application for access to information, as outlined under section 27(1), are:

- Where the request is manifestly frivolous or vexatious, and/or



- Where the information requested is exempt from disclosure under sections 5 to 16 of the Act.

In the present matter, the Respondent has not relied on any of the lawful grounds, as outline above, to deny access to the information requested by the Applicant. In fact, it is the holding of the Commission that the information requested does not fall within any of the exemptions stipulated under sections 5 to 16 of Act 989.

Additionally, the Commission does not regard the Applicant's request for information as frivolous or vexatious, given that the nature of the information sought is of public interest. Moreover, the Commission acceded to the Respondent's request for an extension of time within which to furnish the requested information. That notwithstanding, the Respondent, as at the time for this determination, has failed to furnish the requested information. Such posture defeats the hallowed right of access to information.

Accordingly, the Respondent's refusal to grant the Applicant's requested information within the given period of time is without justification and therefore a clear breach of **section 70 of the Act**, which provides that *'A public institution, a relevant private body or an interested party shall assist the Commission in the course of an application or investigation.'*

In the circumstance, the Commission finds the Ghana Education Service (GES) in violation of the following provisions of Act 989:

- Section 1(1) – Breach of the Applicant's right to information
- Section 70 – Failure to assist the Commission as required by law.

FINAL ORDERS

Pursuant to the powers conferred on the Commission under sections 43(2) (c) and 71(2) (e) & (f) of Act 989, the following orders are made:



1. Administrative Penalty

The Ghana Education Service (GES) is ordered to pay an administrative penalty of **Ten Thousand Ghana Cedis (GH¢10,000.00)** for failure to respond to the Applicant and the Commission, in contravention of Act 989. This penalty shall be paid to the Commission within **fourteen (14) days** of receipt of this determination. In default, an additional ten percent (10%) of the fine shall accrue for every **fourteen (14) days** thereafter.

2. Provision of Information

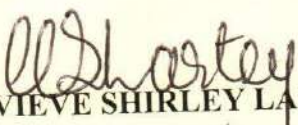
The Ghana Education Service (GES) is directed to provide the Applicant with access to the requested information within **seven (7) days** of receipt of this determination.

3. Fees and Charges

Any reproduction of documents shall attract statutory fees as provided under the Fees and Charges (Miscellaneous Provisions) Act, 2022 (Act 1080):

- GH¢0.27 per photocopied page;
- GH¢0.38 per printed page;
- GH¢0.29 per page for data provided on an electronic device.

The Commission reminds the Ghana Education Service (GES) of its statutory obligation to promote transparency and accountability in the discharge of its public functions and to comply fully with the provisions of Act 989.


GENEVIEVE SHIRLEY LARTEY, ESQ
EXECUTIVE SECRETARY

