

CORRUPTION RISK ASSESSMENT REPORT OF THE EDUCATION SECTOR IN TURKANA COUNTY



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Abbreviations

BoM	Board of Management
CAG	Controller and Auditor General
CDF	Constituency Development Fund
CEB	County Education Board
CIDA	Canadian International Development Agency
CSO	Civil Society Organisation
DEB	District Education Board
DEO	District Education Officer
DFATD	Department of Foreign Affairs Trade and Development of Canada
DFID	Department for Foreign International Development
ESP	Economic Stimulus Programme
FBO	Faith Based Organisation
FGD	Focus Group Discussion
FPE	Free Primary Education
G&C	Guidance & Counselling
GoK	Government of Kenya
GPA	General Purpose Account
INGO	International Non-Governmental Organisation
KENAO	Kenya National Audit Office
KESSP	Kenya Education Sector Support Programme
KNBS	Kenya National Bureau of Statistics
KNUT	Kenya National Union of Teachers
KSH	Kenya Shilling
MoE	Ministry of Education
NGO	Non- Governmental Organisation
PA	Parents Association
PPDA	Public Procurement and Disposal Act
PPOA	Public Procurement Oversight Authority
PTA	Parents Teachers Association
QAS	Quality Assurance and Standards
SID	Society for International Development
SIMBA	School Instructional Materials Budget Account
SIMSC	School Instructional Materials Selection Committee
SMC	School Management Committee
TAC Tutor	Teacher Advisory Centre Tutor
TI	Transparency International
TPC	Teacher Proficiency Course
UK	United Kingdom
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children’s Emergency Fund
USD	United States Dollar
WFP	World Food Programme
WTK	Windle Trust Kenya
ZQASO	Zonal Quality Assurance and Standards Officer

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Samuel Kimeu
Executive Director

EXECUTIVE SUMMARY

Education is a social and economic right for all human beings. It is recognised as a key determinant in human development as it leads to increased capacity to access more opportunities and enhance economic status. Unequal opportunities in access to education have long-term consequences that include intergenerational persistence of poverty. The level of education of the household head is a key determinant of future earnings, child health, and other social and economic outcomes. Higher educational attainment across all segments of the population should enhance participation in the labour market, increase economic growth and ensure more equitable distribution of income in the long term.

The education sector has been the largest budget item in Kenya's national budget since independence. Just like in other sectors in Kenya, opportunities for corrupt practices are numerous. It is difficult to measure the prevalence of corruption but based on various studies including the Education Sector Integrity Study conducted by TI-Kenya in 2010 and the Auditor General's reports, it is fair to conclude that it is as widespread in the education sector as across all public sectors in Kenya. Where corruption is rampant there is a great risk that social trust may wither away and the development potential of the entire country may be undermined. Adolescents often become familiar with corruption at schools and universities. When this happens, a central role of the education sector namely the imparting of ethical values and behavior is undermined, resulting in corruption becoming the norm at all levels of society.

The survey did not include public secondary school because there are fairly better systems with structured accountability mechanisms and better human resource capacity to ensure efficient and transparent utilisation of funds and further oversight at the secondary level of education. Further, agencies like the Audit Department can easily conduct random checks to reduce misuse of resources.

The survey did not probe risks that are inherent in the resources given from agencies like the Constituency Development Fund (CDF) and donor organisations therefore the findings are limited on issues touching on these sources.

Overview of the education sector in Turkana County

With a population of 814,943 people¹, Turkana County has 332 public primary schools whose enrolment stands at 118,383 pupils. The distances between public schools are fairly vast in the rural areas. For instance in Loima sub-county there were instances where the next school was 28 kilometres away. None of the sampled schools had an optimal teacher-pupil ratio. It was noted that all the sampled schools had electricity or solar power in place.

¹2009 Kenya Population and Housing Census

Summary Findings

The survey noted gaps in procurement practices, asset management and financial management as outlined below.

Schools did not have procurement committees in place and there was a conflict of roles by the School Management Committees (SMCs) since they spearhead procurement instead of playing an oversight role. There were attempts at securing school assets. However the most crucial asset namely land was not secured. Schools had tagged text books but not much had been done with other assets such as furniture. The financial management practices were not water tight therefore increasing the risk of the leakage of education resources.

The study also found gaps in the election and capacity of school management committees to execute their mandate. It was noted that education officers who are meant to supervise such elections had to be facilitated by the school head teachers to travel to the schools yet there was no budget for this activity. This is a corruption risk as such facilitation is provided unofficially. It is a concern that one and half years after the Basic Education Act 2013 came into force, there are no guidelines yet on how schools will have Boards of Management (BoM) in place to take over from the SMCs. Consequently, no elections had been held since the beginning of the year therefore some schools were being run by the executive committee only.

The majority of schools did not make annual budgets and instead survived on short term activity based budgets. Parents have been making both financial and in-kind contribution which in most instances is not properly documented and accounted for. The school audit does not cover all schools due to limited capacity. This may lead to continued financial malpractices as not all culprits may be discovered.

The assessment also noted gaps in the recruitment, transfer and promotion of teachers. Although the Teachers Service Commission (TSC) has elaborate and clear procedures other factors outside of the guidelines influence transfer and promotion of teachers. The study noted that nepotism influenced promotions to a large extent.

Summary Recommendations

Procurement: There is need to support schools establish procurement committees and capacity build such committees to enable them fulfil their mandate.

Asset management: There is need to secure school assets for continued service provision. The management of the schools should fast track registration of their parcels of land, tagging of assets and regularly update the assets register.

Complaints handling mechanisms: Schools should be supported to come up with all-inclusive and documented mechanisms.

Capacity of school management bodies: Schools need to set aside resources in their annual budgets for enhancing the capacity of school management committees/ BoMs.

Financial management: Head teachers, especially those newly promoted, should be trained on prudent financial management. Awareness creation among parents on securing acknowledgement for any money paid and strengthening the audit process so that there are more on site audits is also key. The Public Finance Management Act should be produced in a simplified version for ease of use by all parties at the school level.

Human resource management: The respective departments need to address gaps identified under the following themes: teacher absenteeism, promotions and transfers. Strict enforcement of the teachers' code of conduct and code of regulations is a starting point in handling teacher absenteeism. Where absenteeism is due to social issues, support for rehabilitation and or guidance and counselling need to be offered. Similarly promotions and transfers should be conducted above board providing adequate information on what informed such decisions and communicating these to concerned parties

1.0 INTRODUCTION

1.1 Background information

Provision of education is a major expenditure item in all countries around the world. It is estimated that approximately 16% of all countries budgets go towards the provision of education services². In Kenya in the current financial year the education sector has been allocated over Ksh 250 billion out of a Ksh1.8 trillion budget for the financial year 2014/2015. Likewise, the provision of education constitutes an equally big share of families' incomes in most developing countries. However the ever increasing allocation of huge resources has not translated to improved service delivery. Consumers of education services are increasingly seeking these services from private providers implying that they are not satisfied with the quality of services provided by public education institutions. In 2003 about 4.5% of pupils in Kenya were attending private school; this increased to over 10% in 2013³. This demonstrates a loss of confidence in public schools. This is paradoxical as more parents are opting to pay for their children's education instead of taking advantage of the free primary education offered by the government.

In 2010 Transparency International Kenya commissioned an integrity study of the education sector in Kenya. The study brought to the fore a number of issues affecting the provision of quality services in the education sector and isolated the pertinent governance risks at the various levels of decision-making, resource allocation and utilisation. Several key concerns were identified thus: (1) Widespread mismanagement; (2) General non-accountability; (3) Secrecy shrouded infrastructural development projects in secondary and primary schools; (4) The pervasive powers of the government in making opaque appointments; (5) Multiplicity of institutions and overlapping roles; and, (6) The legal framework guiding the sector was found to have numerous conflicts, ambiguities and gaps.

Some of these findings were validated by the Professor Douglas Odhiambo-led Taskforce on the Re-Alignment of the Education Sector to the Constitution of Kenya which also noted that, "educational institutions are grappling with various challenges in regard to management at all levels. Some cases of underperformance in examinations, mismanagement, financial management concerns, high staff turnover and infrastructural deficits characterise many education and training institutions"⁴.

The education sector integrity study similarly identified integrity issues within the Teachers' Service Commission (TSC) and the education sector at large including; irregular payments to contractors as a significant aspect of questionable integrity within the procurement system of the Ministry of Education. Analyses of the Controller and Auditor General's report (2002/2003 – 2004/2005, and those of the Kenya National Audit Office (KENAO) in 2009/2010-2011/2012) reveal irregular payments, overpayments, payments for goods and services not delivered or payments not sanctioned by the relevant authorities.

TSC has traditionally deployed teachers as well as heads of institutions. For the latter, financial management is never considered as one of the skills prior to deployment. Over the years, quality assessment and audit reports have shown that there are cases of impropriety in financial management and weak accountability mechanisms, which have undermined effectiveness of the institutions with regard to service delivery. Under the current constitutional dispensation, books of accounts are audited by school auditors based at the county and national

²Transparency International, Global Corruption Report: Education, 2013

³Daily Nation, 5th September 2013

⁴Task force on the Realignment of the Education Sector to the Constitution of Kenya, 2012

level but audit reports have to be authorised by the Head of Schools Audit at the Ministry headquarters before they are sent back to the audited institutions. This causes a considerable time lag between the audit and feedback reaching duty bearers at the point of service delivery namely the school. Authorised audit reports are sent to institutions to be discussed by respective governance bodies. These reports are sent to the institutions too late for any meaningful corrective measures to be taken by respective management teams. Most institutions lack bursars/accounts clerks, while others employ finance staff with questionable qualifications. The flawed system for recruiting such staff compromises their independence and professionalism. This makes it difficult for bursars/accounts clerks to raise questions in cases or events of misappropriation of funds or misuse of other institutional resources.

In 2013 TI-Kenya approached the Department of Foreign Affairs Trade and Development (DFATD) formerly the Canadian International Development Agency (CIDA) to fund a project in Turkana County that would focus on the allocation and flow of education resources. Among the agreed activities was a corruption risks assessment in the education sector in Turkana County. The objective of this assessment was to identify areas of potential resource leakages and formulate appropriate strategies to remedy this situation.

1.1.1 Enrolment of sampled primary schools

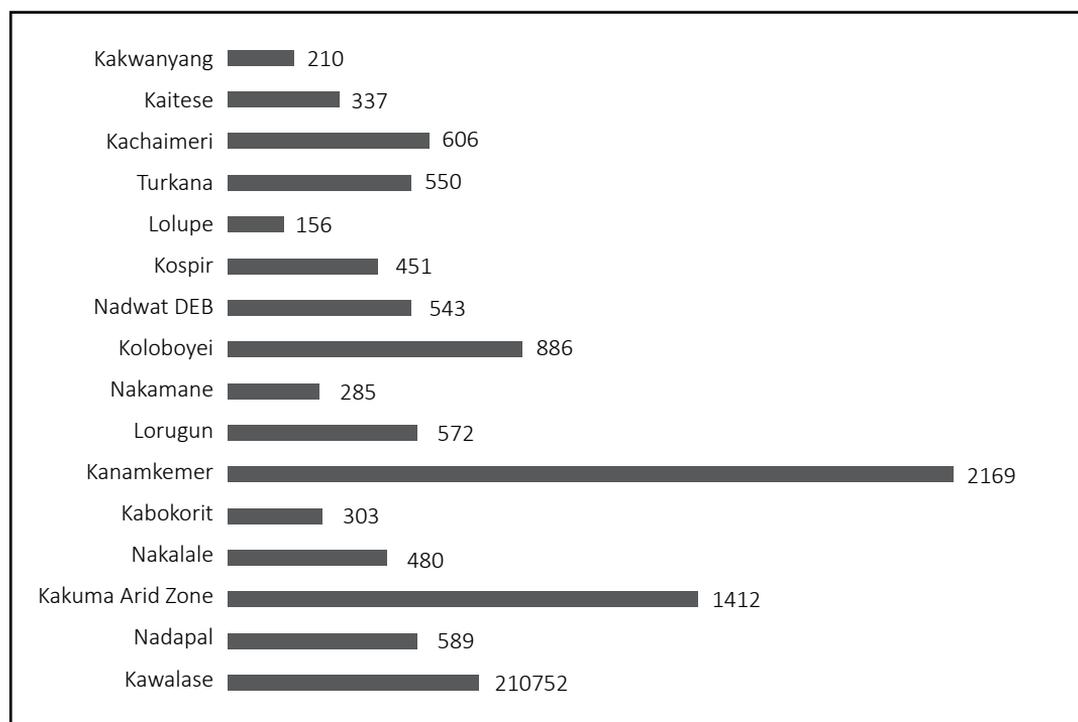
During the assessment a total of 16 schools were randomly sampled and visited. Key attribute information such as pupil enrolment was observed. The schools were spread across all the three sampled sub-counties- Turkana Central, Loima and Turkana West.

Table 1: List of sampled schools

Turkana Central	Loima	Turkana West
Kawalase Primary School	Kaitese Primary School	Nadwat Primary School
Nadapal Primary School	Nakamane Primary School	Kakuma Aid Zone Primary School
Kakwanyang Primary School	Lorugum Primary School	School
Kanamkemer Primary School	Kospir Primary School	Kalobeyei Primary School,
Lolupe Primary School	Turkana Girls Primary School	Nakalale Primary School
	Kachaimeru Primary School	Kabokorit Primary School

The total population of learners in all the sampled schools stands at 10,301 against an enrolment of 118,383 pupils in all the public primary schools in the entire Turkana County. Since the introduction of free primary education in 2003 enrolment has been a pertinent denominator against and upon which fund disbursements have been made from the national government to the schools. The enrolment for each school and the expected amount from the national government during the time of the assessment is indicated in figure 1.1 and 1.2 below.

Figure 1 - Population of the sampled schools in Turkana County

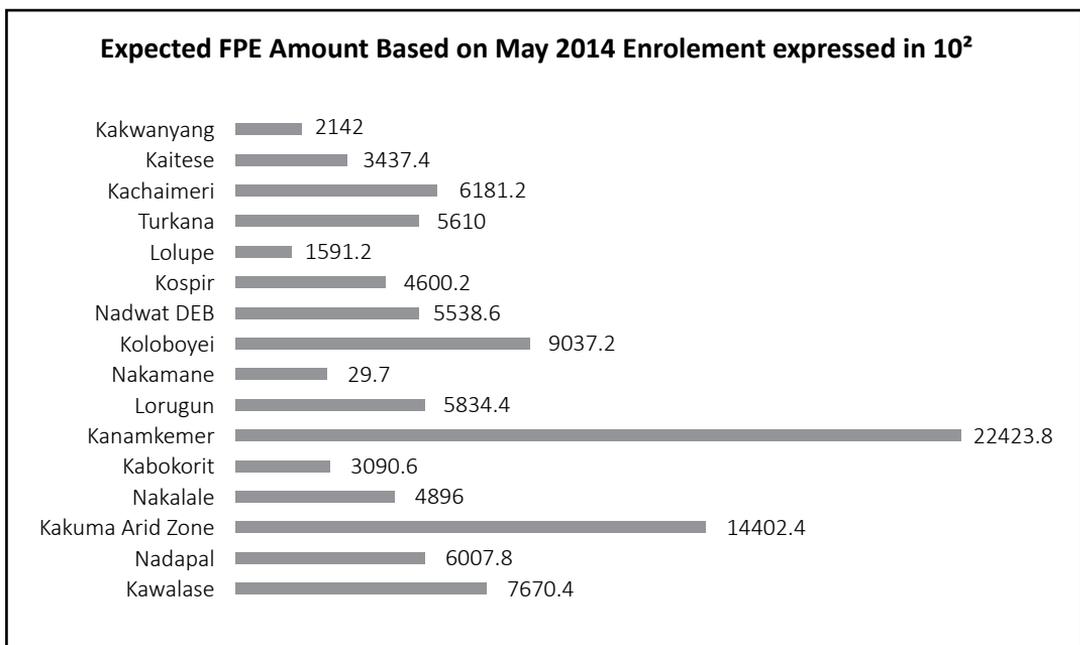


Source: School records

1.1.2 Expected FPE amount for the sampled primary schools

Since the introduction of free primary education in 2003, the government has used the capitation grant formula to disburse FPE funds to schools. Under this formula every child in a public primary school is entitled to Ksh 1,020 each year. Of this money Ksh 670 per child is to cater for the purchase of instruction materials while Ksh 350 is for general school operations. Holding all factors constant it would be fairly simple to compute how much each school would receive from the government for free primary learning. For instance, the expected amount from the national government for the calendar year 2014 at the time of this assessment based on the enrolment in figure 1.1 above is indicated in figure 1.2 below in details per school.

Figure 2 Expected FPE amount based on May 2014 enrolment



Source: School records

1.2 Turkana County education status

Turkana County has a child-rich population, where 0-14 year olds constitute 46% of the total population⁵. This age group falls within the popular age of 4-14 years at which children are meant to be in school to access basic education. In Turkana County, 3% of the residents with no formal education are working for pay, 10% of those with primary education and 29% of those with secondary level of education or above are equally working for pay. Work for pay is highest in Nairobi at 49% and this is 20 percentage points above the level in Turkana for those with secondary level of education or above.

In relation to education, only 3% of Turkana County residents have a secondary level of education or above. Turkana Central constituency had the highest share of residents with a secondary level of education or above at 7%. This is 6 percentage points above Loima constituency, which had the lowest share of residents with a secondary level of education or above. Turkana Central constituency is 4 percentage points above the county average.

Lodwar Township ward had the highest share of residents with a secondary level of education or above at 16%. This was 15 percentage points above Letea ward, which had the lowest share of residents with a secondary level of education or above. Lodwar Township ward was 13 percentage points above the county average.

A total of 15% of Turkana County residents have attained a primary level of education. Turkana Central constituency had the highest share of residents with a primary level of education only at 26%. This is four times that of Loima constituency, which had the lowest share of residents with a primary level of education only. Turkana Central constituency was 11 percentage points above the county average. Lobokat ward had the highest share of residents with a primary level of education only at 46%. This is almost 45 percentage points above Letea ward, which had the lowest share of residents with a primary level of education only. Lobokat ward was 31 percentage points above the county average.

As many as 82% of Turkana County residents have no formal education. Loima constituency had the highest share of residents with no formal education at 93%. This was 25 percentage points above Turkana Central constituency, which had the lowest share of residents with no formal education. Loima constituency was 11 percentage points above the county average. Letea ward had the highest percentage of residents with no formal education at 93%. This was twice that of Lodwar Township ward, which had the lowest percentage of residents with no formal education. Letea ward was 17 percentage points below the county average.

⁵KNBS and SID, Exploring Kenya's Inequality, 2013

1.3 Corruption in the education sector

The Jomtien Conference held in Thailand in 1990 was and still remains a major milestone in international deliberations on the place of education in human development policy. This conference culminated into The World Declaration on Education for all and the adoption of its companion framework for action to meet basic needs. Worldwide, the realisation of education for all has been undermined overtime by perpetuation of corruption in the education sector. Generally, corruption can be found in all levels of education from primary, secondary and tertiary levels.

According to Transparency International, corruption is ‘the abuse of entrusted power for private gain’. Corruption in schools could take the form of leakages and embezzlements, illegal fees and bribery, procurement malpractices, ghost schools, nepotism in appointments, fake certificates, and teacher absenteeism from school. In Kenya, education budget leakages have been experienced severally; between 2004 to 2009, USD 48 million meant for education was reportedly misappropriated².

Various studies across the world have indicated that corruption in education takes various forms, some of which are not obvious. Among these are:

- Illegal charges levied on children’s school admission forms which are supposed to be free.
- School places ‘auctioned’ out to the highest bidder.
- Children from certain communities favoured for admission, while others are subjected to extra payments.
- Good grades and exam passes obtained through bribes to teachers and public officials. The prices are often well known, and candidates can be expected to pay upfront.
- Examination results only released upon payment.
- Removing the consequences of failing exams by (re-)admitting students under false names.
- Embezzlement of funds intended for teaching materials, school buildings, etc.
- Sub-standard educational material purchased due to manufacturers’ bribes, instructors’ copyrights, etc.
- Schools monopolising meals and uniforms, resulting in low quality and high prices.
- Private tutoring outside school hours given to paying pupils, reducing teachers’ motivation in ordinary classes, and reserving compulsory topics for the private sessions to the detriment of pupils who do not or cannot pay.
- School property used for private commercial purposes.
- Pupils carrying out unpaid labour for the benefit of the staff.
- Staff exploiting and abusing pupils in many different ways (physically, sexually, etc.).
- Teacher recruitment and postings influenced by bribes or sexual favours.
- Exam questions sold in advance.
- ‘Ghost teachers’- salaries drawn for staff who are no longer (or never were) employed for various reasons (including having passed away). This affects de facto student-teacher ratios, and prevents unemployed teachers from taking vacant positions.
- High absenteeism, with severe effects on de facto student-teacher ratios.
- Licences and authorisations for teaching obtained on false grounds via corrupt means.
- Inflated student numbers (including numbers of special needs pupils) quoted to obtain better funding.

²TI, Global Corruption Report: Education, 2013

- Bribes to auditors for not disclosing the misuse of funds.
- Embezzlement of funds raised by local NGOs and parents' organisations.
- Politicians allocating resources to particular schools to gain support, especially during election times.

Education represents the essence of a public good, but the above list pinpoints many problems of corruption that affect both the quality and equity dimensions, which are not easily separated⁷.

Another risk in the education sector is the mismanagement of finances. In 2003, Kenya launched the free primary education programme to support learning for all children in public primary schools. Corruption has stood out as a key depriving factor to children's right to education. In January 2013 Kenya refunded a total of Ksh 7 billion funding misappropriated under the free education scheme to the Department for Foreign International Development (DFID), UK's development agency⁸. Furthermore, an independent auditor appointed by DFID and working under the Ministry of Finance, in the same period observed that Ksh 4.6 billion meant for the Kenya Education Sector Support Programme (KESSP) in 2012 could not be accounted for.

Charging of illegal fees in schools is another probable risk in the education sector. The Children's Act 2001 Section 7(1) provides for the right of every child to education, the responsibility of which shall be the Government's and the parents'; and Section 7(2) provides that every child is entitled to free and compulsory basic education. This is also provided for in The Constitution of Kenya, 2010 in Article 53 (1) which states that 'Every child has the right (b) to free and compulsory basic education'.

The practice of school employees illegally demanding registration fees takes this away, hitting the poor the hardest.

Lack of proactive and vibrant oversight mechanisms in education management at the coordination and school level is a high risk to corruption. The office of the county school auditor and Kenya National Audit Office (Auditor General) have a mandate to provide control and check systems for integrity, transparency and accountability. Other oversight mechanisms such as civilian participation, through organised structures with appropriate tools could also provide additional checks. In the absence of proper oversight, school personnel and teachers may also engage in corrupt acts.

⁷Transparency International, *Confronting Corruption in Education:U4 Series Issue 4 2006*
⁸<http://www.standardmedia.co.ke/?articleID=2000074853>

2.0 METHODOLOGY

Qualitative methods were adopted in the assessment in a bid to get rapid insight, perceptions and practices as narrated by the respondents in primary schools. Specifically, qualitative methods to data collection employed included; formal and informal interviews, focus group discussions and use of proxies. Data collection was conducted in April 2014.

2.1 Formal and informal interviews

Key informant interviews were a major source of information and method in this assessment; participating individuals included the head teachers of the sampled schools in Turkana County and their deputies. In addition, interviews with key government officials concerned with the education sector were also conducted. All the 6 sub-counties were well represented in terms of getting views from head teachers about common integrity and transparency issues in public primary schools. A total of 16 head and deputy head teachers were interviewed.

For head teachers and deputies an interview checklist was developed and aligned to key corruption risk areas such as financial management, human resource management, procurement, asset management, complaint and response mechanisms. For the county government officials, additional risk areas pertaining to quality and standards control were also observed.

2.2 Focus group discussions

Focus group discussions were also employed in the assessment; these were held with School Management Committees, parents and teachers. A total of 48 focused group discussions were held in Turkana County to get qualitative insights from parents, the school management and teachers on integrity, transparency and accountability in public primary schools.

2.3 Proxies

Another method employed in understanding corruption risks in public primary schools in Turkana County was the use of proxies. This included the observation of phenomena that are assumed to be proxies or near-proxies of corruption – for example comparing the difference between expected FPE revenue for children in schools as per submitted records to the Ministry of Education compared to the actual number of students in the schools; and disparities in the amount of money disbursed against the expected amount by the head teachers. Loopholes such as failure to harmonise enrolment status by the Ministry or the school were also observed. Value for money was also used to assess school developments such as buildings among other assets in the schools. This method was used on a case to case basis.

3.0 FINDINGS OF THE ASSESSMENT

3.1 Transparency and integrity in public primary school management

3.1.1 *Human resource management*

The assessment revealed that human resource management remains a challenge in Turkana County mainly because of the environment including the harsh climate and the terrain, and cultural issues. The sampled schools have between five and 23 teachers and three and seven support staff. For instance, Kanamkemmer Primary, a school with 23 teachers has a population of about 2, 200 pupils; this translates to a teacher / pupil ratio of 1: 95 as opposed to the required ratio of 1: 45.

3.1.1.1 *Recruitment, promotion and transfer of teachers in Turkana County*

Recruitment

According to the findings the teachers paid by the Government were deployed through the Teachers' Service Commission. According to the County Director of Education- Turkana County, the recruitment for secondary school teachers is conducted through the laid down procedures where the jobs are advertised in the daily newspapers and the TSC website; interviews are thereafter undertaken upon shortlisting of qualified candidates. The interviewing process is delegated to the school Board of Governors. The Board, acting as an agent of TSC, is guided by the applicant's experience, communication, year when the candidate graduated or qualified as a teacher among others. After the interviews, all the interviewees are called to sign against their results and the top-ranked are recruited for the jobs. An employment form is given to the top candidate(s) in the presence of other candidates, education officer present and, the school principal and school board members.

"The candidates must have their original documents and they are ranked according to their performance," the Turkana County Education Director elaborated.

In primary schools, recruitment is conducted at the sub-county level and candidates are interviewed on the same day to avoid double interviews of one candidate; the candidates are ranked according to a criteria provided for by TSC. Once recruited, there is a policy requiring a five-year commitment to that work station since non-locals were in the habit of seeking transfers upon recruitment. Again, a teacher will only be transferred whenever there is a vacancy otherwise such a request for transfer will receive a letter of regret.

According to documents reviewed in the County Education Office, in 2013, 101 primary school teachers were recruited. TSC considers understaffing levels in specific schools per zone and enrolment rates in the rural areas in distributing the teachers. It was noted that not many people from the county have trained as teachers; consequently the county has to rely on trained personnel from outside its borders to meet teacher-demand.

Promotion

The assessment found that promotions are not entirely based on merit. One teacher said:

“Promotion in the region is marred with ‘clanism’, nepotism and the church also influences this process, especially the sponsors. There are teachers who have worked for more than 20 years but have never been promoted because they are not sons of the soil. On deployment, the young men are taken to the interior together with some teachers who do not perform well, as a form of punishment. Some teachers know people in high offices while others give a bribe for promotion and transfers.”

This sentiment was echoed by several others in almost all the schools that were sampled. Promotion to the positions of head teacher and deputy in the region is seemingly based on other extraneous considerations and not necessarily on merit.

“There is one teacher who has been teaching for about 20 years and he is still in the same grade despite several applications for the Teacher Proficiency Course (TPC). Sometime back, when he applied he was informed that the chances were only for the Turkana people so he went to his rural home in Kitale to be considered and was informed that he should apply from his work station. This trend demoralises the teachers. And it is for such reasons among others that they seek for jobs in NGOs⁹, the Turkana County Government¹⁰ and the Turkana Oil Company,” one teacher reiterated during an interview in Turkana Central Sub-county.

Whenever a vacancy for deputy or head teacher arises, it is advertised and prospective candidates sit through interviews. It was pointed out that the candidates are not given results of the interview.

“You go back to your station and wait until such a time that if you are lucky you get posted to take up the role for which you sat the interview,” said one teacher.

They cannot tell if the interviews serve an intended purpose because results are never made public, so it is difficult to know if the best candidate is the one that gets the job. For secondary school teachers (for Job Group M, N and P) the teachers apply online through the TSC website and are shortlisted online. The TSC County Director chairs the sessions and commission officials undertake the interviews.

Teacher Transfers

During the assessment it was evident that transfers were marred with integrity and transparency issues. In some instances teachers were forced to part with some money to earn a promotion. During one interview session one of the teachers said, “Some officers at the head office ask for a bribe of Ksh 50,000 in order to secure a transfer for a teacher.”

⁹Humanitarian and development agencies operating in the region.

¹⁰About 18 Teachers in the County applied for the County Government jobs and were successful

One teacher stated that he had been a deputy head for about six years and has been attending interviews. Other teachers were promoted but he was not, probably because he was the only 'downie'¹¹. Another 'downie' teacher reported attending promotion interviews, all the locals were promoted but she has not yet she had the longest experience amongst the interviewees.

3.1.1.2 Recruitment and payment of Parents' Association paid teachers and support staff

The assessment revealed that the Parents' Association (PA) paid teachers are recruited through advertisements within the community. The applicants submit their applications, are shortlisted, vetted and interviewed. For the Catholic Church (as the sponsor), for instance in Lorugum Primary School, the Father-in-charge of the parish announces the vacancies to those who have successfully completed Form 4 and sends the volunteers to the Diocese in Lodwar for a brief training/ induction and then they are deployed. This group of PA teachers are paid by the diocese. In schools where such a sponsor is not available, parents are asked to fund the teachers' payment. It was observed that some schools have devised a way of sourcing funds from parents without their knowledge due to an alleged slow pace and or non-payment by parents when they are informed that such monies will go towards payment of the volunteer teachers. In one school pupils pay Ksh 500 as examinations fee part of which is used to pay the PA teachers.

In most of the schools visited the support staff is also recruited from the local community members. In all the schools the announcements are by word of mouth and through a notice in the school's notice board. 50% of the schools sampled recruit them through the SMCs and 75% of the support staff members in the schools visited have been in the school for more than 10 years. Some of the support staff members are salaried by the Government while some are paid by the parents. The vote heads allocated for this by the Government are too minimal and unsustainable hence the parents were consulted and agreed to contribute some funds per term to cater for this need.

3.1.1.3 Chronic Absenteeism

Generally, it was observed that there were no major instances/ cases of chronic absenteeism as only 12.5% of the schools had such cases. In majority of the schools, teachers can officially ask for a two-day leave of absence; cases of absenteeism are reported to the Sub-County Staffing Officer accordingly. The teachers who come from far flung places such as Nyeri, Kisii, Nairobi, Western and Turkana South communicate in case of delays in returning to school.

In one school, there was a case of chronic absenteeism and drunkard-ness caused by family conflict. The concerned teacher had earlier been interdicted from another school. He was transferred for behaviour change and promoted thereafter. He has been performing well in the other school. He had served for about 30 years without a promotion and this contributed to his frustrations.

¹¹ A 'downie' is a person who comes from regions outside Turkana County. They are also referred to as 'mfuata lami'. Mfuata lami loosely translates to one who 'followed the road' or moved away from their place of origin in search of better opportunities.

In another school there is a teacher who had not reported from 9th May 2014 since leaving for a seminar from 5th May 2014. The head teacher was to report the incident to TSC after 14 days. In the same school, a female teacher was interdicted in 2013 because of chronic absenteeism but she was thereafter reinstated to another school.

In another school, a teacher was transferred to the institution in February 2014 but he did not report to the school throughout the remainder of the first term. The head teacher had shared the school's frustration with the local education office but no action had been taken by the time of writing this report.

3.1.1.4 Cases of sexual harassment

In all the schools sampled, there were no recorded cases of sexual harassment within the institutions. There were however some reports of such indiscipline in 2013; for instance, there was one drunkard teacher who was in the habit of sending pupils to his house and when this was discovered he was called and warned; it stopped with immediate effect. However, the students are sometimes harassed by their colleagues. Whenever the school gets such cases they report either to the chief, the school sponsor which is predominantly the Catholic Diocese of Lodwar or the police depending on the gravity of the incident.

Four years ago in Kospir Primary School there was such a case.

"In 2009, a man attempted to rape one of our girls. We reported to the police and consistently made follow-up. I stood my ground in spite of threats by those unhappy with the course of action. Luckily, action was taken against the culprit," said the head teacher.

While no cases of sexual harassment were reported, girls continue to be sexually exploited. The case of Naduat Primary School exemplifies this with nine girls dropping out of school last year due to teenage pregnancies. The school reported three pregnancies this year. In every other day school visited, parents wished their daughters could be in boarding schools as this would protect them from the risk of early pregnancies.

3.1.2 Procurement in primary schools

Generally, it was observed that some schools procure goods and services through different committees including Tendering Committees, Procurement Committees and School Instructional Materials Selection Committees (SIMSC) and the SMCs. The procurement process is guided by government policies. The committees advertise for goods and services to by word of mouth, and through the school notice boards. Specifically, 28% of the schools sampled in Turkana County have Procurement Committees in place; individuals responsible for procurement in the schools include the teachers who are part of the SIMCS, SMCs and the head teacher. Kakwanyang Primary School for instance, said that the contractors are

selected by the donors and the SMCs are involved in the process. In Lorugum Primary School's Procurement Committee, parties involved include the Instructional Materials Committee, Development Committee and SMCs. The parties involved in the procurement process engage in purchasing materials, viewing the site, vetting the supplier, probing the cost of labour, and monitoring the progress of the construction or repairs. They hold three meetings annually unless there is an urgent issue that needs their approval.

In relation to record keeping on issues of procurement, 75% of the sampled schools had maintained an updated record of procurement proceedings (these included minutes, receipts, payment vouchers, and delivery notes). In most cases either the head teacher or the deputy head teacher kept the minutes in the SMC or the SIMSC file; such information is disseminated to the parents during the parents' day where the budget is presented for their approval. 12.5% of the schools informed the officers that the parents never seek for the records hence they assume that the SMCs represent them in all the procurement undertakings. In the past 12 months, the sampled schools had procured instructional materials, kitchenware and services including repairs of desks, fencing the school compound, painting of the class rooms, among others.

3.1.3 Financial management

3.1.3.1 Trends analysis of the budget from 2011- 2013

100% of the schools sampled did not have annual budget data from 2011-2013. The budget making process that the schools followed is detailed below:

- Schools await the disbursement of funds from the Government through the Ministry of Education.
- Funds are received per term and a budget is made based on the vote heads provided for by the MoE.
- The Government sends the funds in three disbursements of 50% for first term, 30% for second term and 20% for third term.
- The school administration meets with the teachers to identify the needs and thereafter make the budget.

The schools sometimes borrow from other vote heads to meet other needs that are urgent; they get approvals from the SMCs and this is documented in the minutes. Two heads of schools indicated that this was part of what raised the audit queries hence they have to justify the virement¹² through approved minutes.

There was a variance in the funds disbursed in 100% of the schools sampled against enrolment. This was attributed to the low enrolment at the beginning of the term because at such a time, the school's feeding programme is not active.¹³ The schools only received what they have submitted as enrolment where they expect to get Ksh 1,020 per child but that is never the case because 87.5% of the schools reported receiving the equivalent of enrolment figures that they submit at the beginning of the term; 6.25% received amounts in excess of what was submitted and 12.5% received less than what was submitted. When enrolment increases in the middle of the term the additional pupils are not factored in the funds to be disbursed and therefore have to share text books.

¹²Re-allocation of funds from less crucial budget lines to those that need more money

¹³Most children in this region attend school when there is food in the schools

The Ministry expects the head teachers to submit the enrolment figures at the beginning of the term using the green forms as supplied. For instance in Lorugum Primary School, the number of pupils enrolled in the first term was 572 pupils but since the school feeding programme had not kicked off there were only 452 pupils. The Government also supports the low cost boarding schools with a budget of Ksh 1.2 million for 12 months. Funding is made through two disbursements (in February and September); they get funds for only 400 pupils

On the other hand, Lorupe Primary School received more than its enrolment in the last disbursement (its previous enrolment was higher). This shows that the records were not promptly updated to reflect the true status of enrolment in specific schools.

3.1.3.2 Sources of funds and its operation

The assessment observed that the sources of school finances in Turkana County include the Government through the Free Primary Education Funds, the Church who are mainly the sponsors of the schools, Non-Governmental Organisations including OXFAM, UNICEF, UNHCR (although they mainly focus on the development of school infrastructure). The schools have a bank account, cash books and ledger books for documentation of all financial transactions and need three signatories for money to be withdrawn from the bank. Neither the parents nor SMC members were in a position to tell how much was donated by each of the benefactors.

3.1.3.3 Resources sought from parents

Generally, the resources sought from the parents included funds for examinations, firewood, water, activities, motivation, and payment of temporary teachers and support staff. Kakuma Arid Zone Primary School showed the receipt book that was recently procured as part of the modern model of documentation upon the deployment of the new head to the school (as a best practice). Out of the sampled schools, 6.25% offered official receipts while majority (62.5%) documented the cash received in a contribution register. In regard to providing feedback to the parents, 62.5 % of the sampled schools' management give feedback to parents on contribution and expenditure. This feedback was however not broken into minute spending details. For instance details on the amount of money collected in a term, what it was spent on, and over expenditure or under expenditure.

37.5% of the schools sampled do not receive cash from the parents but parents contribute resources such as brooms, fencing materials, unskilled labour and construction materials for building local huts for the teachers, and fixing water supply systems. The contributions are not computed to give an overall picture on how much parents contributed or defaulted in a given financial year.

3.1.3.4 Funds from public bodies

22% of the sampled schools received funds from public bodies (CDF) and one school (Lorugum Primary School) received funds from the Economic Stimulus Programme (ESP). The schools get information of such allocations from the CDF Office notice board but no official communication in the form of a letter is given to the school. The head teacher then shares the information with the SMC and parents. At times the response on request for funding from such bodies is slow and might be missed altogether.

The case of Kospir Primary School is such an example. In 2011 the head teacher wrote a proposal to the Ministry of Education to fund a dormitory but there was no response. In the first term of 2014 the school was awarded Ksh 700,000 following the request. If the management of the school had changed it would have been difficult to know what the money was for and why it had been awarded to this particular school.

3.1.3.5 Measures to ensure proper allocation

The allocation of the funds received is determined by the vote heads as stipulated from the Ministry of Education for instance on boarding, repair, maintenance and improvement. They use the circular as a control tool from the Government but they also have a custom made model for their budgets based on the challenges faced. They could condense some items and make adjustments on others, and transfer a vote head that is not necessary to one that is fairly urgent - this raises audit queries so they have to verify and justify through minutes since they seek approvals from the SMCs.

3.1.3.6 School audit

The schools' books of accounts are meant to be audited annually by the County Schools' Auditor. As per the Auditors records, in 2011, 2012 and 2013, there were 252, 253 and 350 public primary & secondary schools in the county. During the same period a sample of 132, 91 and 35 schools were audited, respectively. This represents 52%, 36% and 10% respectively. However, the 2013 audit ongoing thus the reduced percentage. In 2011, 2012, 2013, there were 22, 24 and 35 secondary schools and 22, 24 and 3 schools were audited, respectively.

The law provides that schools ought to be audited annually. The Audit Office has a programme and sometimes does random auditing of two institutions per month. This is because some schools are in distant locations, for instance Kapedo (is near Marigat in Baringo County) and Turkana County has only one auditor.

The Audit Office sends a circular to all the head teachers to submit the school books of accounts after two weeks in the beginning of the year. Since there is only one auditor in Turkana, it becomes a challenge thus causing a backlog. This challenge can be addressed if the Audit Office requests for a pool audit through a budget and the appeal is sent to Nairobi for approval.

In one instance, one head teacher was meant to repay Ksh 890, 000/= (money that he had misappropriated) and offered the auditor a bribe of Ksh 20,000/= which he declined and reported. The head teacher was suspended and later transferred to another school. After a few months, he informed the auditor that he was back on duty despite the audit report findings.

Some of the corruption issues that the Audit Office encounters include unreliable receipts/ supporting documents. In one such instance, a school had attached a receipt for the purchase of open shoes by the head teacher as a supporting document of expenditure incurred which is not allowable. The auditor is at times confronted by school heads demanding to know why they were exposed for specific irregularities with regard to the financial documents yet they were following what in their opinion are the requisite procedures.

3.1.4 Quality assurance and control processes

3.1.4.1 Teacher Attendance

Generally, all (100%) of the schools have a daily register for teachers' attendance where they clock in and clock out. 20% of the schools had best practices – at Kakuma Arid and Kospir Primary Schools- where the Schools have three systems that the head teacher uses to monitor teacher attendance.

In one school, at class level, a pupils representative has a record for each day where it is indicated which lesson was taught or not. The teacher attendance register is signed by the teachers themselves as they report for work. The head teacher maintains a confidential register where he marks who is present or absent. This is to counter check mischief on the main register. A copy of the staff register is taken to the District Human Resources Officer (DHRO) every month and any unexplained absences are penalised. This compels teachers to communicate to the head teacher whenever they cannot make it to school. At the same time a class teacher is tasked with ensuring that their classes are taught in line with the school time table. This however does not apply to head teachers who absent themselves. The head teachers can absent themselves for much longer periods than other teachers yet no action is taken. A case was shared where the deputy head teacher was always in school and the head teacher chronically absent.

The assessment revealed that TSC does not have a tight system in place to check on head teacher absenteeism in Turkana County.

3.1.4.2 Quality assurance and standards

During an interview with head teachers in Turkana County it was clear that they are vested with the responsibility to institute quality assurance measures within their institutions. This includes checking teacher attendance, punctuality, coverage of the school syllabus, schemes of work and record of work. While the head teachers pointed out that they execute their mandate as provided for by their employer, other parties especially deputy head teachers had differing opinion. It was reported that a good number of head teachers did not take their stewardship role seriously as evidenced by their unexplained absenteeism from school. The study therefore established that while the head teachers were well aware of their roles as far as quality assurance is concerned some of their actions went contrary.

Externally quality assurance and standards assessment is conducted by both MoE and TSC although not regularly. According to documents reviewed in some of the sampled schools it was clear that inspection by MoE officials was done once in the past two years. It was established that there are no adequate quality assurance officers. The transfer of the functions of the Teacher Advisory Centre (TAC) Tutors to TSC was reported as compounding this issue. Previously, the TAC Tutors were doubling as Zonal Quality Assurance Officers (ZQASO) but this is no longer possible because they are now under a different employer. In 80% of the sampled schools there were no records available for 2012/13 as most of the head teachers were new in the schools. This demonstrates poor recording keeping and handing over during transitions in a school's administration. The ZQASO inspects syllabus coverage, pupils' work and infrastructure, and gives recommendations on areas of improvement. Ideally inspection should be conducted once in a term. One head teacher said:

“Education officials have not conducted serious quality assurance assessments in the school for the last two years.”

The conflicting mandate of the Ministry of Education and TSC was evident in the area of quality assurance. While TSC officers confine themselves to issues pertaining to teachers, the ministry officials are expected to look at other aspects except teachers.

“I am certain they do not meet to have a complete picture of the school. Things were straighter forward where quality assurance was provided from only one office” opined one head teacher.

3.1.4.3 Importance of the QAS process

While undertaking quality assurance checks, the Education Officials make and share recommendations before leaving school. The sampled schools reported that their institutions are not able to implement some of the recommendations with immediate effect for instance, improving classrooms because of the huge financial implication.

The head teacher of Kakuma Arid Primary School said:

“QAS is very essential on assessment and the QAS report will help in identifying the strengths, weaknesses, opportunities and threats to the school. Our school has no recommendations from the quality assurance department to implement at the moment since there has been no assessment. On my part and as a school, we have a tool (shown to interviewer) on assessing the teacher’s performance through the class prefect.”

Another school reported that the last recommendations received included: improving the academic performance and how every teacher ought to achieve this; and making the school a child friendly environment. On implementation of the recommendations, the teachers have since started using teaching aids for instance charts, wall maps and actual items- an inspection was due in June 2014 to get feedback on what has been implemented.

“There was a team of three people who came to observe teachers in class, check the scheme of works in relation to the syllabus and the head teacher’s administration records. The recommendations report dated 25.02.14 stated that the school ought to be surveyed, demarcated, fenced and this ought to be done by the SMCs and the head teacher; more toilets should be built so as to reach the national standards of 1:25 for girls and 1:30 for boys through support from sponsors, SMCs and well-wishers, and to make the Guidance and Counselling department more active.”

Generally, and from the ongoing, it is clear that the implementation of some of the recommendations has been difficult because of limited resources and other considerations such as security. For instance, one school was advised to remove grills from the class windows, but the school cannot do so as thieves may have easier access to the classroom. There was also a recommendation for the construction of dormitories yet there are resource limitations.

3.2 Transparency and accountability in primary schools

3.2.1 *Transparency and accountability in school management*

3.2.1.1 *Existence of school board of management/school management committees*

The survey sought to understand who are responsible for the management of public primary schools. It was evident that every school visited had a school management committee. The current committees are in office due to provisions of the repealed Education Act Cap 211. This law provided for parents in each grade (class one to eight) to elect a representative to the SMC; where the school has a sponsor the

latter nominates three representatives and the District Education Board (DEB) two representatives. The management organs in all the schools visited are in office on the basis of this law. The Basic Education Act 2013¹⁴ came into effect on 14 January 2013 and provides for schools to be managed by Boards of Management (BoM). This provision has not been implemented as schools await a circular on transition from the SMC to BoM from the Ministry of Education.

3.2.1.2 Recruitment into SMC

In most of the schools the respondents reported to represent three groups of stakeholders as follows: eight representatives of parents with children (Class one to eight), three representatives of the sponsor and two representatives of the DEB. It was clear that parents' representatives are selected by the parents themselves and such elections are supervised by the education officials. There are no guidelines on what qualities to consider when electing SMC members. It was established that local community dynamics greatly influenced who sits in the SMC. Such dynamics are not necessarily about furthering the provision of quality education but serving other community interests. Similarly it was not clear what qualities and qualifications that the DEB and the sponsor consider in nominating one to sit in a school management committee.

The election of SMC members by parents is only valid when supervised by designated education officers. The survey established that the schools have to facilitate the officers to come to school and supervise the elections. Such facilitation is not on record most probably because it is not official. This arrangement where the school has to foot the expenses of the returning officer during SMC elections is not a token of appreciation but a well-entrenched practice that leads to diversion of education resources to this purpose.

As currently constituted the management function of schools is not in tandem with the law. Section 55 of the Basic Education Act 2013 provides for establishment of school Board of Management. The Board of Management established under Section 56 shall consist of the following members appointed by the County Education Board:

- (a) Six persons elected to represent parents of the pupils in the school or local community in the case of county secondary schools;
- (b) One person nominated by the County Education Board;
- (c) One representative of the teaching staff in the school elected by the teachers;
- (d) Three representatives of the sponsors of the school;
- (e) One person to represent special interest groups in the community; and
- (f) One person to represent persons with special needs;
- (g) A representative of the students' council who shall be an ex officio member.

Failure to constitute BoMs has denied schools the opportunity to tap into the expertise of other parties as was envisaged by the law. Pupils' representation has also not been actualised

¹⁴Section 55 (b) of the Basic Education Act states: There shall be a Board of Management for every public- (a) Pre-primary institution; and (b) Primary school

3.2.1.3 Understanding of the roles of SMC

The survey found that 43% of the SMCs in the sampled schools reported being well conversant with their roles. However, 36% of the head teachers reported that SMC members had very limited understanding of their roles and responsibilities. In most instances it was the head teacher who inducted them into their roles. This is a corruption risk because induction is left to the discretion of the head teachers. It poses a risk because the SMC is meant to play an oversight role against the same person who educates them on their roles. The SMCs identified their roles as follows:

- Coordinating parents
- Checking school purchases
- Mobilising parents to support school development projects
- Safety of school equipment (for instance solar light/ water pumps)

Section 59 of the Basic Education Act outlines the functions of the Board of Management. The functions of the Board of Management of a basic education institution shall be to-

- (a) Promote the best interests of the institution and ensure its development;
- (b) Promote quality education for all pupils in accordance with the standards set under this Act or any other written law;
- (c) Ensure and assure the provision of proper and adequate physical facilities for the institution;
- (d) Manage the institution's affairs in accordance with the rules and regulations governing the occupational safety and health;
- (e) Advise the County Education Board on the staffing needs of the institution;
- (f) Determine cases of pupils' discipline and make reports to the County Education Board;
- (g) Prepare a comprehensive termly report on all areas of its mandate and submit the report to the County Education Board
- (h) Facilitate and ensure the provision of guidance and counseling to all learners;
- (i) Provide for the welfare and observe the human rights and ensure safety of the pupils, teachers and non-teaching staff at the institution;
- (j) Encourage a culture of dialogue and participatory democratic governance at the institution;
- (k) Promote the spirit of cohesion, integration, peace, tolerance, inclusion, elimination of hate speech, and elimination of tribalism at the institution;
- (l) Encourage the learners, teachers and non-teaching staff and other, parents and the community, and other stakeholders to render voluntary services to the institution;
- (m) Allow reasonable use of the facilities of the institution for community, for social and other lawful purposes, subject to such reasonable and equitable conditions as it may determine including the charging of a fee;
- (n) Administer and manage the resources of the institution;
- (o) Receive, collect and account for any funds accruing to the institution;
- (p) Recruit, employ and remunerate such number of non-teaching staff as may be required by the institution in accordance with this Act; and
- (q) Perform any other function to facilitate the implementation of its functions under this Act or any other written law.

Failure to operationalise Part VIII of the Basic Education Act does not auger well for the education sector as far as strengthening governance is concerned.

3.2.1.4 Oversight functions of SMC

School management committees are expected to be the stakeholders' watchdog. Schools are in control of resources such as finances, land, instructional materials and most important, human resources and pupils. These resources are meant to further the goals and aspirations of the school with the ultimate aim of improving learning outcomes. Therefore the body tasked with exercising oversight must be fully aware and empowered to live to its obligations.

In Turkana County, it was observed that only two schools (12.5%) out of the sampled 17 schools reported that the head teacher had shared the contents of the audit report with the SMC. The SMCs from the other schools were not aware if the school receives a report or the contents of such a report from the schools auditor whenever their books of accounts were audited. SMCs can only play an effective oversight if they are literate, have access to necessary information, understand that it is their core function and are motivated enough to want to steer their school in the right direction. There was no evidence of structures and or systems through which SMCs could access information and engage with institutional heads from a point of knowledge.

Section 61 of the Basic Education Act 2013 allows the board of management of an institution to establish such committees as the Board may consider appropriate to perform such functions and discharge such responsibilities as the Board may deem necessary. Such sub-committees may include:

- (a) Finance, procurement and general purposes committee;
- (b) Academic standards, quality and environment committee;
- (c) Discipline, ethics and integrity committee;
- (d) Audit committee; and,
- (e) Human rights and student welfare committee.

In all the schools visited, majority (87.5%) of the SMC's interviewed are not in a position to effectively play an oversight role. Where oversight is wanting, this is a risk to prudent use of school resources.

3.2.1.5 Capacity to execute the mandate of SMC

The assessment established major gaps in the capacity of SMC's to execute their mandate. None of the schools offered a formal training to equip the SMCs with skills appertaining to their work. Two schools reported that the education officers took some few minutes after they were elected to explain to them their roles and responsibilities. Three other schools reported that their chairperson had attended a training of Child Friendly Schools. As far as the other schools covered by this study are concerned, no training had been offered. Seven head teachers reported that they continuously educate their SMCs about their roles and responsibilities. This way, SMCs got to know their boundaries thus minimising potential conflicts.

Generally the capacity of the SMC to fully execute its mandate was found very wanting. The survey found out that in 74 % of the schools it is the executive committee (Chair, Secretary & third signatory) that run the affairs of the school, including making major decisions on behalf of the SMC. The rest of the members of the SMCs would only be briefed about decisions made and their buy-in sought.

None of the schools had established structures (sub-committee's) within its SMC. Besides the SMC the only other structure that was mentioned in all the schools is the School Instructional Materials Selection Committee (SIMSC). Good corporate governance demands that the top decision organ works through sub-committees that report to the wider committees. In the absence of such structures then not everyone is fully involved. This is a risk as only a few selected persons know what is happening and make decisions on behalf of the rest of the team. Had sections of the Basic Education Act 2013 been operationalised, it would have seen the creation of sub-committees each with certain aspects to handle. This would ensure that everyone is actively engaged and in effect reduce the influence of the executive committees in making major decisions.

3.2.1.6 Delegation

The survey confined itself to the question of delegation of powers and responsibilities in the administration of the school. The Teachers Service Commission has provided job descriptions for the various players namely the head teacher, deputy head teacher and senior teacher. It was observed that 73% of the schools delegation was being practiced. A correlation between delegation and school performance was evident in all schools visited. Schools that had delegated roles and responsibilities across board and had effective monitoring systems posted better results. In such schools the deputy head teachers confidently explained their roles and functioning of the school while teachers easily related how instructional materials were procured in their schools.

A good example of delegation in practice was in the procurement of school instructional materials. Teachers reported enjoying the latitude to determine their preferred course books. However in one school it was noted that there was a very high ratio of text books to pupils. On further probing it was reported that the former head teacher bought instructional materials without involving the SIMSC. Consequently the books purchased were not the preferred course books. While this was not commonly reported it is worth mentioning as a vice that needs to be eliminated as far as the provision of quality education is concerned.

SIMSC is a creation of the Ministry of Education in schools to streamline procurement of instructional materials. The ministry offered training on how it should run therefore entrenching it in schools.

3.2.2 Transparency mechanisms

3.2.2.1 Accountability boards

87.5% of the schools visited (17 schools) had accountability (notice) boards within their school compound. The reminder (12.5%) indicated that they lacked space to establish the boards as they did not have office space from where they could set up the boards. Of the 87.5% that had accountability boards, 18.75 % had the information displayed on the corridors/verandas to the office block while the rest of the schools had the information inside the head teacher's office. It was observed that most schools (63%) updated the information including disbursements made in the first term of 2014.

The nature of information displayed differed from one school to the other. Majority of the schools (87.5%) had information on free primary education well displayed. Other schools went ahead had information on pupil enrolment, members of school management committees, and teacher establishment.

In one school, a different scenario was encountered. It was reported that parents became uncooperative if they knew how much had been allocated to the school.

The head teacher used to project the school's financial records on the notice board and this was highly misinterpreted by the parents /local community due to illiteracy. For instance, if Ksh500,000/= is projected as receivable income, the community will state that it's too much hence they will not support the school financially; at the moment, the school prefers to file financial information rather than display it.

The above scenario points to lack of awareness on how funds will be spent by the school and failure by the school administration/ management to educate the parents how each budget line will be used to meet the school's needs.

However information about funds from other sources other than the Ministry of Education was not displayed. The survey established that schools receive funds from parents for items such as examinations and activity fees, payment for temporary teaching staff and firewood. Information about financial support received from partners and well-wishers (NGO's, FBO's, and CDF) was also not displayed. Failure to consolidate and display all other sources of funding was identified as another corruption risk area.

3.2.3 Asset management in primary schools

3.2.3.1 School registration status

The assessment sought to establish the registration status of the schools. It was established that a significant number of the schools sampled (47%) were not fully registered with the Ministry of Education. This was because the schools had submitted their documents but the ministry headquarters was yet to issue a registration certificate. This however should not be misconstrued to mean that they are ghost schools. It was established that the schools existed in the database of the ministry and they were treated as registered. Therefore an institution may not be registered yet it enjoys the status and rights of a registered entity. In where a school was started by an individual and then passed on to the community, there is risk of a crafty individual seeking to reclaim it.

Another aspect that was examined is the registration of the land on which the schools sit. Most schools (87.5%) had allotment letters from the defunct County Council of Turkana. The other 12.5% had title deeds to the land they occupied. It was noted that progress towards processing title deeds for the schools was slow. The new rates being charged by the county government and penalties thereof discourage the schools from land registration.

3.2.3.2 Asset register

Each school visited during the assessment had an asset register. However information contained therein varied from one school to another. Some schools had very detailed information while others had very scanty details captured in the asset register. In 37.75% of the schools it was not possible to identify the assets on the basis of information contained in the asset register. In 60% of the schools the deputy head teacher was the custodian of the school asset register while the reminder had their head teachers as the custodian. This begged the question who is supposed to be the custodian of the school asset register.

3.2.3.3 Tagging/coding of school assets

In all schools covered by the survey, there was a well-established way of coding school textbooks. The same can however not be said of other assets. In 48% of the schools there was good effort in coding school furniture. In 52% of the schools the furniture (especially desks) was not tagged. This makes it difficult for a school to trace its untagged assets when lost or taken away from the school.

3.2.3.4 School feeding programme

All schools visited had a school lunch programme. Some schools reported that the food was funded by the Ministry of Education while others mentioned that the food was from the World Food Programme. The office responsible for disbursement has established good systems of recording and tallying between what leaves their stores and what the school acknowledges as received. None of the schools reported loss of food or going without food over a long duration.

By the time of concluding the data collection at the end of second week of term two, it was noted that food had not arrived in schools. It was reported that this scenario is always replicated at the beginning of each term. Food should be available throughout the entire term but it arrives two weeks late. The obvious conclusion is that schools should remain with food equivalent to two weeks ration which would keep them going for the first fortnight of the next term before rations for that term arrive. However less than a quarter of the schools retained some food for the first few weeks of the next term.

During the validation of this survey report, it was observed that in areas with boarding schools for children with special needs, parents or guardians delay to pick their children during holidays therefore affecting food supply. It was further observed that logistical challenges especially in transportation affect the supply of food. In some instances only one lorry was assigned to supply food in schools located in different directions.

3.2.4 Complaints handling mechanisms

Complaints handling mechanism are a major step towards reinforcing integrity, transparency and accountability in public service delivery. During the assessment, observations were made on the existence, utilisation, and procedures of filing a complaint, documentation and general feedback to the community on matters of education governance in Turkana County.

3.2.4.1 Procedures for filing complaints

It was observed that none of the schools visited had documented procedures on how to file complaints. In all instances it was reported that one could report a complaint to the head teacher or SMC. None of the schools had a complaints or suggestion box. It was established that it was difficult for some complaints to be channelled internally within the institution as the person whom a complaint is being raised against is most likely the designated person to receive and address it. This resulted in school communities seeking audience with ministry officials. Such procedures are unlikely to yield results because school communities are asked to go back to their school and deal with the issues from there and only escalate them to the ministry official if complaints are not satisfactorily handled.

3.2.4.2 Existence of complaints handling mechanisms

The assessment established that the preferred way of complaints handling was discussing the issue at hand and then passing a verdict mostly through school management committees. This however does not reflect a coherent complaints handling mechanism. It was difficult to get information on the steps followed to ensure that due process is followed.

3.2.4.3 Documentation of complaints handling mechanisms

In some instances where complaints were discussed as part of the agenda of the SMC, they would be minuted alongside other issues discussed by the SMC. None of the schools had a file documenting the nature of complaints received against the school and what resolutions were made. In other instances matters handled are not recorded because they are treated as extraneous issues and not part of the core agenda of the SMC's deliberations.

3.2.4.4 Feedback to complainants

28% of the schools sampled reported that they wrote back to the complainant. A further 54% indicated that they gave verbal feedback to the complainant. 18% of the responding schools reported that they used both verbal and written means to give feedback.

4.0 CONCLUSIONS AND RECOMMENDATIONS

Based on the findings of this study a number of conclusions and recommendations emanate.

4.1 Recommendations

4.1.1 *Procurement*

The Public Procurement Oversight Authority (PPOA) should take immediate steps to ensure internalisation and application of the schools and colleges procurement manual through rigorous capacity building initiatives and continuous education for both school managers and the communities. Further to this PPOA should put in place practical mechanisms to ensure compulsory reporting requirements are well understood by public institutions. The Ministry of Education should work with PPOA to harmonise its school management policies and guidelines with the procurement laws and policy.

Additionally the requirement to establish procurement committees should be actualised through the ministry to avoid prevailing situations where the SMCs are performing the roles of the procurement committee albeit with limited capacity.

Related to the issue of procurement and which has a bearing on pupil retention is the management of the school feeding programmes. To curb pupil absenteeism at the beginning of the term due to lack of food in the school, there is need to improve distribution logistics so that food is in school at the right time. Additionally schools need to ensure that they have some provisions in the new term as they wait for new rations.

The Government should consider increasing the number of low-cost boarding schools in arid and semi-arid areas to increase efficiency in the supply of food

4.1.2 *Human resource issues*

The Ministry of Education and the Teachers Service Commission should take concerted steps to improve the teacher-student ratio, salaries, incentives, living and working conditions for teachers and head teachers. TSC should put in place effective appraisal mechanisms for teachers to ensure promotions and transfers are not conducted irregularly and on the basis of favouritism, nepotism and other corrupt considerations including political interference. The ministry should move with speed to ensure full implementation of the Basic Education Act to eliminate illegal levying of fees that is rampant in schools ostensibly to pay parents' (PA) employed teachers; and where charging of fees is permitted the same should be documented properly and accounted for.

The TSC should ensure the code of conduct and regulations for teachers is easily accessible and understood by the teachers.

4.1.3. School management

The Cabinet Secretary for Education should fast track the development of guidelines to facilitate the transition of SMCs to BoMs as provided for by the Basic Education Act 2013. Consequently measures should be put in place and resources availed to enhance their capacity to play their roles effectively.

Additionally, these guidelines should be sufficiently stringent to minimise political influence in the establishment of the Board of Management of schools. Further to this, an independent body should be mandated to supervise the election and or selection of the BoMs where applicable to ensure that the head teachers, community and the politicians do not influence the process for selfish and parochial interests.

4.1.4 Asset management

The Ministry of Education should develop an asset management register that should be updated regularly, and schools should code and label all furniture and instructional materials. Periodic audits and asset verification exercise in schools should be mainstreamed.

The ministry should also work with the relevant government departments to provide title documents to reduce cases of school property being grabbed. The ministry should also work with other agencies such as CDF to construct perimeter walls for schools to enhance security.

4.1.5 Quality assurance

The ministry and TSC should synchronise school monitoring visits. The ministry boasts of a quality assurance department with officers from the national level to the grassroots. There is need to audit the resources allocated for this function, how the resources trickle down and how they are used to further quality assurance. The most effective strategy in quality assurance is to institutionalise this function within the school. The private sector practice of managing quality assurance internally offers learnings that can be replicated in public schools. This calls for recruitment of institutional heads on merit, continuously building their capacity and galvanising SMC and community support. Quality assurance services by the ministry and TSC do not reach schools as required. The ministry needs to address capacity gaps so that there are adequate officers for this. At the same time there is need to track and or audit how funds earmarked for quality assurance are currently being utilised and if there is value for money in the process.

4.1.6 Annual school audit

As an internal process within the Ministry of Education, annual school audits do not cover all schools due to inadequate manpower. The findings and recommendations of the school audit office take long to get back to the school and are not always implemented as the office lacks capacity to make adequate follow-ups. This provides an opportunity for continued leakage of education resources. These gaps in the school audit need to be addressed as a matter of priority. Section 90 (1) of the Basic Education Act 2013 states: "The Cabinet Secretary shall establish mechanisms for school-based auditing". This would see the process localised at the school level as opposed to the current practice where files are sent to the county school

audit office. Once again there is urgent need for stakeholders such as CSOs to engage with the Cabinet Secretary to ensure that this happens soon. School audits can be fast tracked by outsourcing such services through public private partnerships.

4.1.6 *Complaint handling and feedback mechanisms*

The existing complaints handling mechanisms do not promote transparency and accountability. The mechanisms are not documented and therefore subjected to interpretation at the discretion of office bearers, especially if the complaints are levelled against the office bearer expected to process such complaints. Such complaints may never proceed to the next level. Transparency boards, suggestion boxes and regular parents meetings should be adopted as a means of communicating, giving feedback and sharing information. This study recommends the development of a model complaints handling mechanism. Duty bearers would then be trained on how to customise the mechanism.

4.1.7 *Financial management*

The ministry should provide capacity support to schools in preparing annual budgets based on identified needs as a first step in ensuring prudent financial management. The budget making processes should be consultative and allow parents and pupils to give their input prior to implementation. Consequently mechanisms to allow parents and other stakeholders to access financial records and transactions should be put in place to enhance transparency and accountability. Stakeholders should work with the government to support communities to appreciate social accountability tools and monitor utilisation of funds and resources.

To eliminate opportunities for corruption through levying extra charges, the Government should have measures in place to ensure that education is free and where the community needs to contribute, clear guidelines should be set and strictly adhered to. Where funds have been provided by the Government, communities must be informed on the funds available, their utilisation, the balance and shortages to eliminate suspicion between the parents and the schools.

Other than funds channeled through the Ministry of Education to cater for free primary and secondary education, other resources contributed by donors and devolved funds need to be clearly acknowledged, put to proper use and all stakeholders including the school management supplied with accurate information regarding such kitties.

To eliminate misuse of funds especially in supporting quality assurance services and inspection expenses, the Government should provide budgets for the same to avoid instances where the head teacher diverts funds meant for specific vote heads as guided by the Ministry of Education.

4.2 Conclusion

The corruption risk assessment in Turkana County has brought to the fore issues that have bedevilled the education sector for a long time. These include: a weak institutional framework; and failure to implement laws and inadequate capacity in both implementation and enforcement. A mix of these issues provides fertile ground for corruption to thrive. Due to a weak system, procedures for hiring and promotion of teachers; audit of schools and quality assurance standards have been compromised.

Legislation to guide the education sector including the Basic Education Act, Public Procurement and Disposal Act and relevant regulations and policies need to be properly implemented and enforced. The government should take immediate steps to address issues that do not require a lot of resources in implementation such as the enforcement of the PPDA and the Basic education Act 2013, and put in place a marshal plan to address long standing issues such inadequate teachers, and quality assurance and other enforcement officers. This will improve access to quality and sustainable education for marginalised communities in Turkana.

All stakeholders have a duty to support the establishment of stricter measures for proper accountability, transparency and greater public participation in the management of the education sector in general and schools in particular.

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