

Malawi

Effective Delivery of Public Education Services

DISCUSSION PAPER

A review by AfriMAP
and the
Open Society Initiative for Southern Africa

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Introduction

This is a report about missed opportunities in the delivery of education services in Malawi as well as how the hoped for objectives for reform can be salvaged. The report describes the reforms aimed at improving access to, and the quality, equity and relevance of, education, and which will fulfil international, regional and national commitments. The report also outlines existing constraints on reform and the challenges to be faced in overcoming them.

The earliest and perhaps most important among the reforms since the restoration of multi-party democracy was the introduction of free primary education (FPE) in 1994, which increased access to primary as well as secondary education. This initiative created educational opportunities for many children, but it simultaneously placed additional stress on an education system that was already weak in terms of human and financial resources. The increased intake necessitated more teachers (especially for qualified teachers at all levels), the wider provision of teaching and learning materials, and expanded buildings and facilities.

But while enrolment grew, there was little expansion of infrastructure, and not enough transformation in the management and governance of the sector to meet the new demands. The Ministry of Education, Science and Technology (MoEST) has developed many good policies, but implementing the policies has been a challenge due to a lack of trained personnel, insufficient finances and weaknesses in accountability systems. The MoEST shows signs of policy overload and implementation fatigue due to the constant development of new education policies, which leaves little time for their implementation, monitoring and evaluation. In the process, good education plans, strategies and policies are being frustrated and the quality of education services compromised.

This discussion paper gives an overall picture of how the Malawi government, through the MoEST, is trying to improve governance in the sector as a means to improve the delivery of public education services. The paper highlights the ministry's achievements to date as well as the challenges it currently faces. First among these challenges is to realise the international commitment to provide 'Education for All'. This commitment entails providing all children – particularly girls, children in difficult circumstances and those belonging to ethnic minorities – with access to free and compulsory primary education of good quality.

I: International and national legal framework

The government of Malawi has either ratified or endorsed the main international conventions and policy commitments concerning education: article 26 of the Universal Declaration of Human Rights; article 27 of the African Charter on Human and Peoples' Rights; article 11 of the African Charter on the Rights and Welfare of the Child; article 28 of the UN Convention on the Rights of the Child; and articles 13 and 14 of the International Covenant on Economic Social and Cultural Rights (ICESCR). The Convention on the Elimination of All Forms of Discrimination against Women, article 10, and the Convention on the Elimination of All Forms of Racial Discrimination, article 5(e)(v), to which Malawi is also a party, prohibit discrimination in the field of education. Malawi is also a signatory to the 1990 Jomtien Education for All (EFA) Declaration, by which countries agreed to provide basic education to their people. Malawi is not, however, a party to the 1960 UNESCO Convention against Discrimination in Education.

Although Malawi has slightly improved its reporting record to international human rights monitoring bodies, reporting remains sporadic rather than periodic, and the reports are often not the product of deep consultation with all stakeholders in the sector. For instance, Malawi is yet to produce and submit a report due in 1996 to the Committee on Economic, Social and Cultural Rights, which monitors compliance with the ICESCR, a core document that helped, at international level, to establish the right to education. Reports to the UN submitted by non-governmental organisations (NGOs), such as the Council of Non-Governmental Organisations in Malawi (CONGOMA), and also constitutional bodies, like the Malawi Human Rights Commission (MHRC), are often not in agreement with government reports on the same issues.

The Constitution states that all persons are entitled to education and that primary education should consist of at least five years of schooling. But there are no legal mechanisms to enforce this right and nobody, including parents or guardians, can be held liable for not sending their children to school. This is one of the weakest points in the realisation of EFA in Malawi. Many NGOs, as well as the Malawi Human Rights Commission and the Malawi Law Commission, have suggested that to achieve the EFA goals, education should be made compulsory for at least the first seven years in primary school, or up to the age of 18. An ongoing review of the 1962 Education Act provides the opportunity for reforming the minimum schooling required.

II: Information collection, publication and management

The collection and publication of information is crucial for the consolidation of democratic governance in general, and it is specifically important for the delivery of responsive and effective public services. For planning purposes, it is essential to know, for example, how many children there are in the country, how many of them repeat a year of schooling, how many drop out, how many adults are illiterate, and how funds are allocated and spent. For civil society organisations (CSOs) and the private sector, accurate and readily available information is crucial for advocacy work as well as for improving policy formulation and implementation. Education information must provide detailed data on policies and strategies, detailed inputs and reports on budgets and expenditure as well as outputs, outcomes and measurable indicators of planned education activities. Unfortunately, this type of information is currently not readily available in Malawi.

In general terms, the public's access to information is made difficult because there is no legislation on making it available. The Constitution guarantees access to (public) information under section 37, stating that, 'Subject to any Act of Parliament, every person shall have the right of access to all information held by the State or any of its organs at any level of Government in so far as such information is required for the exercise of his rights.' Section 13 also provides that 'The State should introduce measures that will guarantee accountability, transparency, personal integrity and financial probity and which by virtue of their effectiveness and transparency will strengthen confidence in public institutions.'

Since 2003, NGOs have lobbied the government to pass the Access to Public Information Bill, but without success. Moreover, the 1917 Official Secrets Act is still in use, which allows the government to classify information as confidential as it pleases. Because of the absence of an Access to Public Information Act and the existence of the Official Secrets Act, it is extremely difficult to access public information in the country, and the education sector is equally affected.

Education-specific information is mostly provided by the MoEST through the Education Management Information Services (EMIS) in the department's planning division. General population data is provided by the National Statistics Office (NSO), which was established under the 1967 Statistics Act.

The NSO is the main provider of official statistics and has offices in the major urban centres of Lilongwe, Zomba, Blantyre and Mzuzu. The NSO is challenged by capacity issues and so

information collection, collating and distribution to the public takes a while and is often out of date by the time it is released. In addition, there are times when the accuracy of NSO data is suspect due to questionable tools, methodology and processing systems that are used. It is not uncommon for the NSO and the UN family of institutions to publish different statistics on the same issue.

Since 2006, information from the EMIS has greatly improved, but the department, like the NSO, faces challenges of inadequate human and financial resources. These problems in turn lead to the delayed release of education data, thereby affecting the crucial stages of planning and budgeting. The accuracy of data is also compromised at the level of the institutions where it is collected; data sets are often incomprehensive and incomplete. The EMIS lacks qualified people to collect and produce timely information as well as publish it. For instance, the March 2006 report by donors subscribing to the Common Approach to Budget Support (CABS) raised a query when the EMIS submitted statistics on net enrolment ratios (NER) that were above 100%, which is not mathematically possible. Such inaccuracies and variations make using education statistics highly problematic.

The MoEST's website (www.malawi.gov.org/education) periodically provides and publishes information on education services. However, due to a lack of technical expertise, the website does not always contain the required data or information. Matters of red tape and political interference also come to play and so the website is censored and only the 'right' information (according to the government) is provided.

III: Strategic planning, monitoring and evaluation

The education sector in Malawi has gone through several reforms since the return to multi-party democracy in 1993. The most pivotal of the reforms was the introduction of the free primary education (FPE) policy in 1994. As enrolments rose significantly, more resources were allocated for teaching and learning materials, teacher training and the construction of classrooms. This reform was introduced, however, without significant advance planning. As a result, these resources fell victim to pilferage, political influence and corruption. Some of the initial planning failures were addressed in the Poverty Institutional Framework (PIF) (2000–2012) of June 2000 and the Malawi Growth and Development Strategy (MGDS) adopted for the fiscal years 2006/2007 to 2010/2011, which sees education as key to attaining prosperity and a catalyst for socio-economic development. In 2008, an Education Sector Plan (ESP) 2008 was also adopted. These new policies attempted to address the problems which too-rapid expansion had brought, through expanded training programmes, decentralisation and improved financial management. District education plans (DEPs) were also introduced from 2006.

Policy implementation has certainly improved the regulation and governance of the sector; but before implementing further policies, the MoEST needs to monitor and evaluate the success of policy implementation to date.

The main ESP and each DEP are developed through consultative processes involving all stakeholders in education. During consultations, stakeholders identify the problems and solutions to providing access to FPE (especially for the poorest and most vulnerable) as well as improving the quality of education. However, even though the MoEST does involve other stakeholders in the strategic planning process, these meetings are not regular and not all stakeholders get invited; most of the participants are usually government bureaucrats. To maximise participation and to obtain the widest spectrum of views, the MoEST should ensure that as many stakeholders in the education sector as possible get involved.

It is not enough to have strategic plans without monitoring their progress and impact. The MoEST has a research, monitoring and evaluation unit, whose main duty is to evaluate education programmes and make necessary recommendations for their maximum impact. Unfortunately, due to staffing and resource constraints, the unit is not performing as anticipated. The unit is yet to develop monitoring and evaluation programmes; instead its focus has been on participat-

ing in periodic reviews of the MGDS and in joint sector reviews on education, thereby diverging from its main focus. To reinforce adherence to its strategic plans at all levels, the MoEST needs to enhance the human and financial resource base and make sure its monitoring and evaluating unit focuses on its core duties. The unit is crucial especially in that, if properly managed and equipped, it could advise the MoEST on the proper implementation of its plans – something that is seriously lacking in the ministry at present.

Other challenges include the lack of regulatory control mechanisms over private schools. Private schools complement the MoEST's provision of education services, and the Constitution allows for their existence provided they register with the ministry and their standards are on a par with state-controlled learning centres. However, most of them are in fact not properly registered. Only from 2010 did the MoEST take a firm stand to enforce standards and adherence to minimum requirements for the operation of private schools. After inspections, 55 of the 77 private schools and one public school were closed down for their failure to comply with the minimum standards.

Because private schools tend to use different teaching materials and assessment levels, the MoEST needs to develop a good relationship with them to better monitor standards. The stakeholders' meeting held in Blantyre in June 2010 to discuss and validate the research findings for this report noted in particular that there is weak coordination and collaboration between the MoEST and the Private Schools Association of Malawi (PRISAM). There are also areas of antagonism between the two and this has the potential to derail the delivery of education services. Both parties need to regard each other as partners in the same sector.

IV: Budgeting and expenditure management

Another challenge has been the failure to match budget provision with the strategic plan. The MoEST budget was reduced from 27% of the total national budget in 1994/1995 to about 14.1% in 2007/2008. These cuts have led to reduced implementation of the strategic plan. The budget does not reflect per capita financial requirements to meet the needs identified – for instance, those of a child to go through an eight-year period in primary school. The MoEST should at least devise a system that would assist proper budget allocation to meet the needs of FPE in the country. To do that, the MoEST would need to identify education needs during the planning stage. With data available from the NSO, MoEST and other sources, it should be possible to respond to gender issues and meet the education needs for women and men, boys and girl. The government should take steps to provide enough resources to the MoEST to achieve its goals.

The government has introduced many changes to enhance budgeting and financial management, and the country is slowly moving towards embracing internationally approved tools, including: the Medium-Term Expenditure Framework (MTEF), a three yearly budget process; the Public Expenditure Financial Accountability (PEFA), a score card on availability of financial information for assessing public expenditure by donors following the Common Approach to Budget Support (CABS); the Integrated Financial Management Information System (IFMIS), to make monthly returns automatic; the Public Procurement Act (2003), which regulates all procurement in government, including the MoEST; and also section 175 of the Constitution, which sets out the framework for managing government funds.

The Treasury consolidates the MoEST budget and oversees its implementation, as it does all line ministries and government departments. The Auditor-General ensures accountability on the use of the approved and disbursed funds, and helps to prepare audit reports for probing for accountability by the National Assembly and its Public Accounts Committee (PAC).

The budget process is not without challenges and difficulties. Firstly, the MoEST planning and budget unit lacks qualified human resources. Secondly, systems do not link budgeted costs to activities that are carried out. At the budget execution stage, controlling officers often fail to spend the money on planned activities. Sometimes this is influenced by political decisions that are outside the ambit of education planning, and controlling officers feel unable to oppose such orders.

Thirdly, the budget process is also hampered by late release of budget ‘ceilings’ from Treasury. The sector ceilings that are announced by the Ministry of Finance a few weeks before the budget is due in Parliament provide little time for the ministries to make judicious amendments to their priorities, and as a result budgets are often rushed through. The timing of announcements does not really permit rational planning and budgeting. For example, the 2006/2007 Budget Call Circular announcing the sector ceilings was dated 6 March 2006, but the deadline for submitting sector budgets was 31 March of that year. MoEST officials end up making hurried budgets just to meet deadlines, while interested stakeholders are unable to access information on time so as to make constructive input. This then means that despite having the framework in place, there is no proper budget consultation process.

Finally, according to the US-based International Budget Partnership (IBP), working in collaboration with the Malawi Economic Justice Network (MEJN), accessing budget information in Malawi, including information from the MoEST, is very difficult if not impossible. In terms of budget openness, Malawi scored 47% in 2010, 28% in 2008 and 41% in 2006 – far below South Africa, which scored 85% in 2006. The Malawi budget process lacks relevant information on revenues and expenditure as linked to the policy framework. To date Malawi does not have a ‘Budget Law’, and the information in the budget proposal (Appropriations Bill) is not nearly comprehensive enough.

The result of these problems is that the budgeting process does not seriously engage with stakeholders outside government. The process is in fact driven by bureaucrats, and most of the ‘consultations’ are purely cosmetic; suggestions rarely find their way into the national budget.

V: Human resource management

The public sector in Malawi, the MoEST included, is characterised by low motivation due to inadequate remuneration, lack of proper incentives, inadequate material resources and political interference. Of late, the sector has also been greatly affected by deaths and absenteeism as a result of HIV and AIDS. Currently the MoEST has the biggest workforce in the country, close to 60% of the total. Proper management of the workforce is imperative. The African Charter on the Values and Principles of Public Service and the Administration, adopted by the AU Assembly in January 2011, establishes standards for public service employees. These build on the 2001 Charter for the Public Service in Africa, which stipulates that employment in the public service should be based on professional merit and the respect for human rights.

Since 1994, teaching staff numbers have not kept pace with the expansion of schools that followed the introduction of free primary education. At the introduction of FPE in 1994/1995, there were 49 138 teachers at the primary school level but the number dropped to 45 075 in 2005, 45 925 in 2008 and 45 507 in 2009. The increase in enrolments is such that the pupil to teacher ratio has fallen to 81:1 and the pupil to qualified teacher ratio is 92:1. These ratios are among the worst in the world. Clearly there is an overall shortage of qualified teachers at primary and secondary levels, with 47% of established posts not being filled and with the distribution skewed in favour of urban areas.

The attrition rate for HIV and AIDS cases in the MoEST is pegged at 6% per annum. To combat the effects, the MoEST developed an HIV and AIDS Strategic Plan, with some success.

The MoEST plans to increase the primary teacher intake by at least 4 000 by 2012, as stipulated in the National Education Sector Plan. Another 1 300 extra will be trained at the Domasi Teacher Training College to increase staff at secondary level.

Unfortunately, the MoEST does not have a staff-retention strategy – such as a package of incentives – to give teachers a reason to stay on, and this has arguably been the biggest cause of diminishing capacity in the ministry. Other than monthly housing and pension contributions, MoEST employees do not get other benefits to motivate them to stay in their jobs. In general terms, Malawian civil servants are poorly paid in comparison to other countries in the SADC region. Salaries for teachers declined from 1997 until 2004/2005, when they doubled. However, the general perception is that incentives for teachers are still poor, especially for those working in rural areas. It is not uncommon for female staff, reluctant to work in rural areas, to fake mar-

riages or submit forged marriage certificates so that they can follow their 'husbands' to urban centres. Others opt to change professions in order to work in towns and cities.

Moreover, although the MoEST has improved its payroll system, MoEST staff, more often in rural areas, are frequently not paid on time thanks to unscrupulous payroll managers. Wage theft and hoarding are common at district level. Many redeployed retired teachers have gone unpaid. Working conditions can be described as depressing. While staff have a modicum of equipment and materials at headquarters, in rural areas teachers may not even have chalkboards, let alone textbooks.

The MoEST has also failed to support private schools with the teaching and learning materials required to standardise teaching in all Malawian schools. This also applies to the ongoing training of private school teaching staff. Private schools were initially excluded from training on the Primary Curriculum, Assessment and Review (PCAR) – a new methodology for assessing pupils' learning – until 2008/2009, when donors came to their aid by supplying PCAR materials.

The Teachers' Union of Malawi (TUM), after obtaining permission from the district commissioner and the police, can demonstrate whenever they feel it's necessary. Teachers also participate in general civil servants' demonstrations. The Ministry of Finance consults the TUM on conditions of service and proposed reforms.

To promote discipline in the MoEST, TUM developed a code of ethics to guide teachers' behaviour at work, particularly male teachers' conduct towards female pupils. Despite the fact that the Teaching Service Commission Act (2001) holds a teacher guilty of misconduct if he/she behaves immorally with any pupil or student, the sexual harassment of girls (including making them pregnant) remains one of the most common disciplinary issues.

In 2008 there were 85 teacher dismissals, some for sexual harassment. However, the MoEST does not have a system for reporting disciplinary complaints. Sometimes the parent-teacher associations (PTA) handle disciplinary matters, and have been known to transfer teachers who may have committed a disciplinary infraction to other schools even though it is not their mandate. The MoEST should endeavour to educate parents and school management committees on their roles as well as provide information on the proper channels for reporting offences.

VI: External oversight mechanisms

The MoEST has instituted internal oversight mechanisms such as the internal audit within the Department of Budget and Planning and the Schools Inspectorate Unit. However external oversight is crucial in order to maintain standards of education as well as to make sure that public funds are spent on budget.

The National Assembly committees

First and foremost, external oversight of the MoEST is provided by the National Assembly through various committees which oversee public expenditure and adherence to approved budget lines and policies: Education, Science and Human Resources, Public Accounts, and Budget and Finance. Although these committees have the power to operate as oversight mechanisms on improving education standards and spending public money, they fail to do so. Weak technical capacity in the committees, insufficient attendance by MPs, and the fact that MPs' recommendations are in any case often ignored, all contribute to weak oversight. In addition, poor funding constrains the ability of committees to discharge their duties. Lastly, party politics can influence MPs' decision-making.

The National Audit Office

The National Audit Office, instituted by the 2003 Public Audit Act, is charged with instilling accountability and transparency in government ministries by auditing their public expenditures and advising on the efficient use of public funds. Both the Audit Office and its head, the Auditor-General, are meant to be independent and autonomous. By law, they have the power to carry out their functions effectively.

However, recommendations from the office are often ignored and the effective operation of the office itself is undermined by inadequate human and financial resources. Such challenges affect external oversight over the MoEST and other government offices. Unless the politicisation of the office is guarded against, and staffing and financing levels improved, the Audit Office's mandate to provide external oversight to government ministries and departments will remain difficult to uphold.

The courts

The courts have tried important cases of mismanagement, corruption and the embezzlement of public funds. For instance in 2006, the then Minister of Education Science and Technology was sentenced to 12 years for embezzling US\$ 1 197 (MK 170 000). The courts also conduct labour-related cases; the Industrial Relations Court (IRC), which was set up in 1994 and began operations in 1999, had by 2006 registered over 900 labour violation cases.

The Anti-Corruption Bureau (ACB)

Set up in 2004 by the Corrupt Practices Act, the Anti-Corruption Bureau (ACB) plays a crucial role in enhancing oversight mechanisms in the country by investigating and prosecuting corruption cases. In addition, the ACB also educates Malawian society on the evils of corruption and how to detect and report corrupt practices.

One landmark case for the ACB in relation to the MoEST is the investigation and subsequent prosecution in August 2006 of four suspects involved in a MoEST financial scam in which about MK 187 million (US\$1.32 million) went missing through dubious contract tender awards. Although the case went on for a long time, the ACB managed to get the suspects convicted and sentenced appropriately by the courts. The ACB also managed to save over MK 1.2 billion (US\$8.5 million) when it investigated corruption cases involving a British firm, ITS, that was supposed to ship notebooks to Malawi. The contract was cancelled and the former Minister of Education, Sam Mpasu, received a jail sentence.

These achievements notwithstanding, the ACB's work is compromised by inadequate funding, with donors making up the short fall. Insufficient funds, in turn, affect the bureau's ability to retain and motivate staff through incentives. The Bureau is also plagued by political interference, which diminishes its independence.

The Malawi Human Rights Commission

The Malawi Human Rights Commission (MHRC), set up under Human Rights Act 1998, is mandated to investigate and help prosecute human rights violations and, where necessary, to use the courts as mechanisms for redress. Between 1999 and 2007, the MHRC received close to 91 human rights violation cases from the MoEST. Of these, 57 were resolved by the Commission and the rest referred to courts and other channels, including school management committees or the parent-teacher associations. Although the MHRC faces challenges of funding and staffing, it is a critical partner to the MoEST in helping to realise every Malawian's right to education. It would be advantageous to the government if the Commission were funded and staffed sufficiently to achieve its objectives.

Media and civil society organisations

The media and CSOs – such as the Malawi Economic Justice Network (MEJN) and the Civil Society Coalition for Quality Basic Education (CSCQBE) – play an important role as whistle blowers and policy advocates. Despite allegations of bias and poor quality research, CSOs have demonstrated a degree of seriousness in seeing that the MoEST improves service delivery in

public education. For instance, the CSQBE and MEJN have carried out several surveys to gauge the public's satisfaction with education service delivery.

Parent-teacher associations as well as school management committees monitor teacher-pupil relationships in schools as well as school management at local level.

Work by the media and CSOs is hampered firstly by the absence of legislation on access to public information. Secondly, CSO and NGOs are discouraged from criticising the government because of harsh laws. They conduct their policy advocacy work in fear that the government can clamp down on them at any time.

VII: Decentralisation of education services

Malawi adopted a Decentralisation Policy in 1998 to devolve power to local assemblies in order to facilitate popular participation in governance and service delivery. The first local government elections were last held in 2000, but to date no further elections have been held, with the result that the central government still delivers most services in the country.

Decentralisation and local governance are covered by various documents: the Local Government Elections Act of 1996 (which has since been amended to give the State President powers to promulgate when local elections can be held); the Decentralisation Policy of 1998; and chapter XIV of the Constitution. The MoEST adopted a decentralisation programme in 2005 and the mechanisms for facilitating the process are laid down in the district education plans (DEPs).

The decentralisation process is also supposed to promote better planning and implementation of education plans. Under this process, the district education officers (DEOs) in charge of primary schools in their districts are supposed to produce plans with budget estimates in line with the Education Sector Plan and Policy Investment Framework as well as monitor programme implementation and evaluate progress. This is done under supervision from the district education managers (DEMs).

However, decentralisation is far from being realised as there is no political will to drive it. A real decentralisation process, including moving personnel from MoEST headquarters to district and regional offices, is yet to commence as planned. Financial resources are not adequate, and national priorities are not clearly spelled out in the DEPs, although planning at the district level should follow the same Education Sector Plan (ESP) and Poverty Institutional Framework (PIF). This could be a clear sign of an inability at the local level to comprehend the ESP and PIF. It could also be an issue of poor communication between headquarters and local level on what needs to be done. It might also have to do with staff at the local level, who have not been properly trained on how to manage the process.

In order to successfully manage the decentralisation programme – which is crucial for service delivery – the MoEST needs to invest in human resources at local level, improve communication between headquarters and districts, and also ensure that planning at local level is comprehensive and reflects ESP and PIF policy. At national level, the government must institute local elections to enhance popular participation in service delivery and governance.

VIII: Donor interventions in the education sector

Malawi's gross domestic product (GDP) per capita is about US\$ 210 a year. The country is unable to finance its national budget due to harsh trade terms on the international market and the fact that Malawi is a net importer of finished and raw goods. Malawi therefore relies heavily on donors to finance the national budget. The development partners, especially those working under the Common Approach to Budget Support (CABS), contributed 30% of the 2010/2011 budget. In 2009/2010 they provided close to 40%.

Donors who are active in the education sector include the African Development Bank (AfDB), the Canadian International Development Agency (CIDA), the British Department for International Development (DFID), the German Development Bank (KfW) and cooperation enterprise (GIZ), the Danish International Development Agency (DANIDA), the Japanese International Cooperation Agency (JICA), the UN Children's Fund (UNICEF) and Population Fund (UNFPA), the US Agency for International Development (USAID), the World Bank and the World Food Programme (WFP).

Donor support in the education sector is geared at improving quality and access to FPE through the rehabilitation or construction of schools, teacher training, teaching and learning materials (such as the PCAR materials), sanitation services and policy development. Government meets most of the recurrent costs, such as teachers' salaries and allowances.

The debt and aid management division in the Ministry of Finance (MoF) helps coordinate donor finances in the spirit of the Paris Declaration on Aid Effectiveness and the 2008 Accra Agenda for Action. The division publishes information on donors' assistance and activities, the amounts of funds pledged and released as well as information on any challenges to the process of disbursement. So far the MoF has reported that donor-aid harmonisation is working and that the MoEST has moved towards an education sector-wide approach (SWAp) to ensure continued success.

Some development partners insist on doing things on their own, which leads to the fragmentation of donor support. It is true that the MoEST struggles to absorb donor aid due to insufficient capacity to implement planned projects. There have been cases whereby donor aid has been returned because the MoEST failed to use the funds for the intended purpose or used

it for unplanned and unapproved activities. To make sure that plans for donor aid are realised, the MoF initiated the Donor Aid Strategy (DAS), which provides a framework on how donor aid should be spent and coordinated.

Much as donor support is appreciated, it can be unpredictable and comes with all the usual problematic North-South relationships, aid politics and conditions. In 2002, after the MoEST had introduced very good reform programmes, DANIDA withdrew financial support on allegations of corruption and the mismanagement of their funds, leaving beneficiaries stranded and many employees without jobs.

The Malawi government should scale down donor dependence so as to better plan and execute service programmes, such as education, health and agriculture, without relying on donors. In some cases, policy can be dictated by the IMF/World Bank, such as on matters relating to pay reform and other work conditions, to prevent backsliding on agreed macro-economic targets.

IX: Recommendations

Despite the many challenges in the sector, improving public education service delivery is not impossible. It is also important to realise that some of the challenges that the MoEST faces are inherently national problems, not necessarily sectoral problems. For instance, population growth at 2.75% (and a total population of 15 million) coupled with HIV and AIDS debilitating productive workers, puts strain on national resources and makes planning extremely difficult. However, the MoEST can enhance delivery if it improves governance in the sector. This research makes a number of recommendations as to how this could be done. In addition to the chapter-specific recommendations:

- Commitment from the political leadership to improve education through enhanced funding should be increased to at least 26% of the national budget. This will have the effect of qualifying Malawi to access more donor resources, as well as help to broaden and consolidate the gains made in the sector due to policy reforms of the last ten years.
- All education service providers in the sector should become involved in planning, including those in the private sector, in order to improve coordination and thus enhance delivery.
- Transparency and efficiency in financial management in the sector should be maximised by curbing corruption and the mismanagement of public funds. Attaining this would involve developing strategies and mechanisms to motivate the MoEST to adhere to transparency policies in the procurement of services and the management of payrolls. In addition, oversight needs strengthening, especially in the National Assembly – the Parliamentary Committee on Education, Science and Technology should be supplied with regular reports and act on them when it is required to do so.
- Capacity for strategic policy-making and implementation must be strengthened. This would entail properly equipping the planning division in the MoEST with the required personnel and funding. CSOs and the private sector should participate in, and contribute to, the process.
- The qualifications and training of teachers as well as education institution administrators must be systematically improved.
- Greater accountability – based on strengthened and deepened decentralisation, with genuine local participation in decision-making, monitoring and evaluating of implementation – must be institutionalised. This should begin with the holding of

local government elections, which have been postponed several times without any legal and legislative backing. In the MoEST itself, there should be deeper commitment to devolving powers and moving personnel from MoEST headquarters to local assemblies and areas.

- The negative culture that makes the participation and performance of girls and women in education difficult must be countered. Despite the strides Malawi has made in sensitising the population on the evils of gender-based violence, such violence is nevertheless perpetuated in schools and homesteads. Enhanced mechanisms for dealing with gender-based violence must be institutionalised if Malawi is to keep girls at school.

International and national legal framework

- If Malawi is to be in line with international instruments that promote access to education for all, it should make compulsory education for people under the age of 18 part of the current review of the Education Act, and develop measures to implement it. This would go a long way to support the various education initiatives, policies and programmes aimed at improving access to education.
- The government should comply with its reporting obligations under the international human rights treaties, in particular by reporting on its implementation of the right to education under the ICESCR, ACHPR and ACRWC.
- Malawi should ratify the 1960 UNESCO Convention against Discrimination in Education.

Information collection, publication and management

- To improve the quality of information and data from the National Statistics Office (NSO) as it carries out its mandate, the government should ensure the NSO is properly staffed with well-qualified personnel and is adequately resourced, both financially and materially.
- The MoEST needs to improve the personnel and financial resources of the EMIS department so that it updates data promptly and regularly.
- CSOs should advocate for the quick enactment of an Access to Public Information Act. They should also closely monitor the publication of information and advocate that relevant education information is released periodically, rather than sporadically or episodically.
- The government should ensure the rapid passage of the Access to Public Information Act.
- CSOs should also conduct, or advocate for, an appraisal of all data collected on education, identify the minimum information required and make recommendations on how best to obtain it.

Strategic planning, monitoring and evaluation

- To improve effective, efficient and strategic planning capacity, the MoEST should see to it that the department of planning is equipped with well-trained personnel and adequate resources.
- CSOs need to make their voices heard during the planning, monitoring and evaluation of education programmes, primarily by increasing their knowledge and thus being able to advocate from an informed position.
- CSOs need to advocate on behalf of local communities so that these communities can participate effectively in the planning, monitoring and evaluation of education services.
- The MoEST should ensure that the annual education sector review clearly sets out the requisite steps for harnessing the views and priorities of local communities. New procedures that specify precisely how and when local communities' voices can be heard and heeded need to be devised and used in place of the old, less deliberate approaches.

Budgeting and expenditure management

- The MoEST should significantly improve the management of resources already allocated to the education sector. Resources should be spent in accordance with approved budget lines and thus prevent planned activities from being compromised by unexpected short falls in funding.
- The proportion of the budget allocated to the education sector should be increased to at least 26% of the national budget. This will qualify Malawi for more donor resources, and also broaden and consolidate the gains in the sector as a result of policy reforms of the last ten years.
- CSOs should advocate for the increase of these resources, especially those allocated to education programmes for vulnerable groups.
- The Ministry of Finance, Ministry of Economic Planning Development and Cooperation, and the MoEST (and indeed all sector ministries) should strengthen their coordination to link budgeting to sector strategies more closely.

Human resources management

- To reduce the pupil to teacher ratio, the MoEST needs to develop and institute a teacher-training system that will ensure a constant supply of properly trained teachers, as well as offer a remuneration package that will attract new teachers and retain serving ones.
- Civil society and stakeholders in education should advocate for the formulation of a human resource management and development strategy which addresses teaching staff's real issues, and actively discourage the use of the generic, non teacher-specific Malawi Public Services Regulations.
- Disciplinary systems for teaching and ministry staff misconduct need to be strengthened and clearly articulated.
- The MoEST should expedite the resolution of payroll management problems to ensure that teachers are paid on time.

Oversight mechanisms

- Besides improving the motivation of personnel in the National Audit Office, the Malawi Human Rights Commission and the Anti-Corruption Bureau, and seeing to it that these units are properly resourced, it is imperative to ensure their independence and non-partisanship in carrying out their oversight role.
- CSOs should review their activities and find innovative ways to improve the perception of the legitimacy of their advocacy work. This would include honing their advocacy skills and finding ways of making the constituencies they represent more visible.
- CSOs should continue to implement, and advocate for, programmes to strengthen parliamentary committees, constitutional human rights bodies and the National Audit Office.
- Donors should continue to dialogue with government to formulate and implement public financial management plans to which the government then commits.

Decentralisation

- Decentralisation plans should be speedily and fully implemented, particularly in strengthening the participation of local communities in the planning, monitoring and evaluation of education programmes. The MoEST, which started the decentralisation process started in 2005, should move towards the actual devolvement of powers and de-concentration of duties.
- CSOs should continue to lobby for prompt, regular local government elections in accordance with the constitutional and legislative framework.
- The MoEST should allocate more resources to district assemblies and give them more decision-making powers.
- Local parent-teacher associations and school management committees should be supplied with more information and skills-development so that they can participate more effectively in the planning, monitoring and evaluation of education programmes.

Development assistance

- The move to a sector-wide approach (SWAp) for financing and implementing education programmes needs to be accelerated.
- The policy-making capacity of the sector should be strengthened and made more credible, consistent and transparent by building human resources and making the policy-making process more consultative and inclusive, with stakeholders such as civil society and private-school actors taking an active role.